

TOWN OF HAMBURG

6100 South Park Avenue • Hamburg, New York 14075 • (716) 649-6111 • Fax (716) 649-4087



Supervisor
ELIZABETH FARRELL LORENTZ

Councilmembers
FRANK M. BOGULSKI
LYNNE DIXON
DANIEL M. KOZUB
NICHOLAS ORTIZ

Town Attorney
KENNETH J. FARRELL, ESQ.

Town Clerk
NATALIE NITSCHÉ

Supt. of Highways
EDWARD S. HUGHES

March 24, 2026

NYS Department of State
State Records Unit
One Commerce Plaza
99 Washington Avenue
Albany, New York 12231

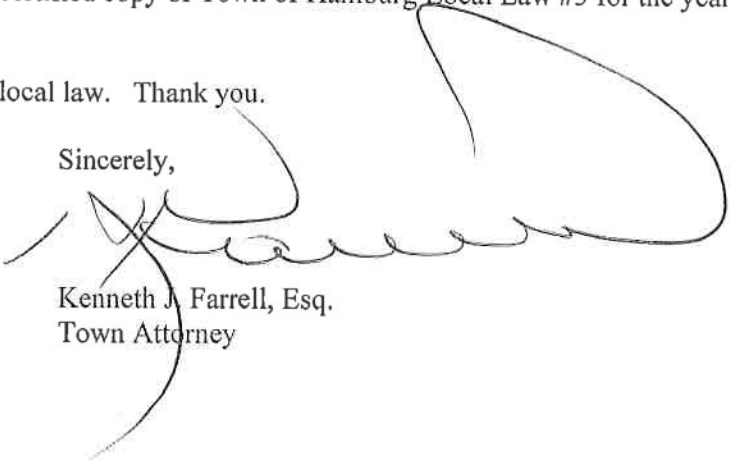
Dear Sir/Madam:

Re: Town of Hamburg, New York
Filing/Local Law #3, 2026

Enclosed for filing, please find one certified copy of Town of Hamburg Local Law #3 for the year 2026.

Kindly acknowledge receipt of this local law. Thank you.

Sincerely,


Kenneth J. Farrell, Esq.
Town Attorney

KJF/cc
Enclosure



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

3 of the year 20 26

Local Law Title: A local law to amend Local Law #1 of the year 2009 of the Code of the Town of Hamburg, Chapter 34, entitled "Mandatory Training." The revisions to this chapter follow this page.

Be it enacted by the Town Board of the _____
(Name of Legislative Body)

County City Town Village
(Select one)

of Town of Hamburg as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Chapter 34 Training and Attendance Requirements for Planning Board and Zoning Board of Appeals

Article I Training

§ 34-1. Legislative authority.

Town Law §§ 267(7-a) and 271(7-a) require all Zoning Board of Appeals and Planning Board members, and people appointed as alternates to such boards, to receive a minimum number of hours of training each year. Accordingly, in order to ensure compliance with these requirements, and to enhance the qualifications of Zoning Board of Appeals and Planning Board members, whose decisions can affect the function and appearance of communities well into the future, while impacting property interests important to individual residents, the following training requirements are established.

§ 34-2. Minimum number of hours; exemption.

Each member of the Zoning Board of Appeals and Planning Board, including any alternates to either board, shall receive a minimum of four hours per year of training related to the areas of zoning, planning and/or land use. Members who are attorneys licensed in the State of New York, planners, or other land use professionals who focus their practices on areas relevant to the work of a planning board or zoning board of appeals are exempt from such requirements.

§ 34-3. Acceptable forms of training. [Amended 10-15-2018 by L.L. No. 7-2018]

Acceptable forms of training shall include traditional classroom-style training and up to two hours per year of approved online training. In accordance with § 34-5 and § 34-6 of this chapter, online training will require a methodology to receive certificates of completion and will require Town Board approval of any online training program or course.

§ 34-4. Acceptable providers. [Amended 10-15-2018 by L.L. No. 7-2018]

Acceptable providers of training shall include the Town Planner or other approved planning consultant; regional planning counsels; County Planning Agencies; a New York State agency; a New York State association, e.g., the Association of Towns, Conference of Mayors or New York Planning Federation; and an accredited college, professional associations including but not limited to the American Planning Association, New York Planning Federation (NYPF), or any other provider approved by the Town Board in advance of a member's attendance at such training.

§ 34-5. Submittal of certificates of completion required; date due; Town Board review.

Each member shall submit to the Town Attorney certificates of completion or other documents verifying their compliance with these training requirements on or before January 1 of the year following the year in which the training was completed. Upon receipt, such verification shall

be forwarded to the Town Board for review. If the Town Board, in its sole discretion, determines that any such training is not acceptable, it shall provide the member with notice, including a statement of the reason why such training is deemed unacceptable, and allow the member 120 days to attend additional training to replace the training hours disapproved by the Town Board.

§ 34-6. Course approval by Town Board prior to attendance.

Any member may submit information regarding a particular training course to the Town Board in advance of attending such course, with a request for approval of such training course. The Town Board shall indicate its approval or rejection of such training course, in writing, to the member within 15 days of receipt of the member's request.

§ 34-7. Excess hours carried over.

Training received by a member in excess of four hours in any one year may be carried over into succeeding years, up to a maximum of four hours carried over, upon the approval of the Town Board.

§ 34-8. Failure to meet requirement; removal; hearing.

- A. Any member who fails to meet the minimum training requirements set forth in both the New York State Town Law and herein will not be eligible for reappointment to their respective board.
- B. A member failing to meet the minimum training requirements set forth in both the New York State Town Law and herein may be removed prior to the expiration of their term, upon prior notice and the opportunity for a hearing. The member shall notify the Town Board, in writing, within 10 days of receipt of the notice of removal that he/she requests a hearing. The Town Board shall schedule a hearing regarding such removal within 20 days of receipt of the member's request; and the Town Board shall forward its decision, in writing, to the member within 10 days from the date the hearing was completed.

§ 34-9. Effect on decisions of boards.

No decision of a Zoning Board of Appeals or Planning Board shall be voided or declared invalid because of a failure of a member or members to comply with the training requirements set forth herein.

§ 34-10. Stricter state requirements to prevail.

While the training received by a member to meet the training requirements recited herein can also be utilized to meet the requirements set forth in the New York State Town Law, members are not excused from complying with the requirements set forth in the New York State Town Law, if such requirements are greater than those set forth herein.

Article II Planning Board

§ 34-11. Responsibilities of Planning Board members.

- A. Each member of the Planning Board shall be expected to review and familiarize himself/herself with the Town's Site Plan Review Regulations (Article XLIV), the Town's Subdivision Regulations (Chapter 230) and those portions of the Zoning Law which relate to the powers and duties of the Planning Board, and Article 16 of NYS Town Law.
- B. The members of the Planning Board shall be expected to conduct themselves in conformity with all rules and regulations that may be adopted by the Town Board and/or by the Planning Board, as the case may be, for the conduct of meetings and public hearings.
- C. No member of the Planning Board may miss more than five (5) regularly scheduled meetings of the Board during a calendar year, other than for a medical or other emergency or for any other just cause approved, in advance, by the Chair of the Planning Board. It is expected that Board members be on time and call the Chair or Secretary if he/she cannot attend a meeting.
- D. The Town Board shall have the power to remove, after public hearing, for cause, any Planning Board member. Cause for removal shall include, but shall not be limited to:
 - (1) Noncompliance with the minimum requirements relating to training and education as established in this Chapter and/or by Town Law;
 - (2) Noncompliance with the meeting attendance requirements as established by this Chapter;
 - (3) Failure to comply with the residency requirements as are set forth for Public Officers or in the Town Law;
 - (4) Failure to disclose a conflict of interest as required by the Town's Code of Ethics;
 - (5) Failure to comply with any rules or regulations as may be prescribed for the conduct of Board members by the Town Board or Planning Board; and
 - (6) Such other and further cause as may be established by the Town Board by local law.
- E. Prior to the conduct of any public hearing for the removal of a Planning Board member for cause, the Town Board shall provide the Board member with a statement setting forth the alleged grounds for such removal at least 30 days prior to the conduct of the public hearing. During the public hearing, the Town Board shall have the power to hear testimony and receive evidence presented by the Town Attorney, by the Chair of the applicable Board or by any other person in support of, or against, the grounds for such removal. The Board member shall have the right to present witnesses and other evidence in defense of the removal action and the Town Board shall have the power to hear other witnesses and members of the public, and receive documentation and evidence relevant to the issue of the alleged cause for the Board member's removal.
- F. Any determination of the Town Board with regard to removal of a Planning Board member shall be made by the Town Board, in writing, and a copy shall be provided to the Planning Board member and filed in the Office of the Town Clerk within five business days after the Town Board's determination.

- G. Each member of the Planning Board shall be required to keep records of his/her attendance at required training sessions and to provide to the Planning Department as the case may be, certificates of attendance for completion or other proof of completion of training courses on an annual basis. The Planning Department shall keep records of the attendance of each Board member at the required training courses and shall present, at the close of each calendar year, a list of each Board member's courses and credits earned in that year, together with any credits carried over from previous years, to the Town Clerk and to the Town Board.
- H. A copy of this Chapter shall be supplied by the Town Clerk to each member of the Planning Board.

Article III Zoning Board of Appeals

§ 34-12 Responsibilities of Zoning Board of Appeals members

- A. Each member of the Zoning Board of Appeals shall be expected to review and familiarize himself/ herself with Article XLV Zoning Board of Appeals, and Article 16 of NYS Town Law.
- B. The members of the Zoning Board of Appeals shall be expected to conduct themselves in conformity with all rules and regulations that may be adopted by the Town Board and/or by the Zoning Board of Appeals, as the case may be, for the conduct of meetings and public hearings.
- C. No member of the Zoning Board of Appeals may miss more than three (3) regularly scheduled meetings of the Board during a calendar year, other than for a medical or other emergency or for any other just cause approved, in advance, by the Chair of the Zoning Board. It is expected that Board members be on time and call the Chair or Secretary if he/she cannot attend a meeting.
- D. The Town Board shall have the power to remove, after public hearing, for cause, any Zoning Board of Appeals member. Cause for removal shall include, but shall not be limited to:
- (1) Noncompliance with the minimum requirements relating to training and education as established in this Chapter and/or by Town Law;
 - (2) Noncompliance with the meeting attendance requirements as established by this Chapter;
 - (3) Failure to comply with the residency requirements as are set forth for Public Officers or in the Town Law;
 - (4) Failure to disclose a conflict of interest as required by the Town's Code of Ethics;
 - (5) Failure to comply with any rules or regulations as may be prescribed for the conduct of Board members by the Town Board or Zoning Board of Appeals; and
 - (6) Such other and further cause as may be established by the Town Board by local law.
- E. Prior to the conduct of any public hearing for the removal of a Zoning Board of Appeals member for cause, the Town Board shall provide the Board member with a statement

setting forth the alleged grounds for such removal at least 30 days prior to the conduct of the public hearing. During the public hearing, the Town Board shall have the power to hear testimony and receive evidence presented by the Town Attorney, by the Chair of the applicable Board or by any other person in support of, or against, the grounds for such removal. The Board member shall have the right to present witnesses and other evidence in defense of the removal action and the Town Board shall have the power to hear other witnesses and members of the public, and receive documentation and evidence relevant to the issue of the alleged cause for the Board member's removal.

- F. Any determination of the Town Board with regard to removal of a Zoning Board of Appeals member shall be made by the Town Board, in writing, and a copy shall be provided to the Zoning Board of Appeals member and filed in the Office of the Town Clerk within five business days after the Town Board's determination.
- G. Each member of the Zoning Board of Appeals shall be required to keep records of his/her attendance at required training sessions and to provide to the Planning Department as the case may be, certificates of attendance for completion or other proof of completion of training courses on an annual basis. The Planning Department shall keep records of the attendance of each Board member at the required training courses and shall present, at the close of each calendar year, a list of each Board member's courses and credits earned in that year, together with any credits carried over from previous years, to the Town Clerk and to the Town Board.
- H. A copy of this Chapter shall be supplied by the Town Clerk to each member of the Zoning Board of Appeals.

Article IV Alternate Board Members

§ 34-13. Alternate Members of Planning and Zoning Boards

The Town Board of the Town of Hamburg hereby enacts this Article to provide a process for appointing alternate members of the Planning Board and Zoning Board of Appeals. These individuals would serve when members are absent or unable to participate on an application or matter before the respective board.

- A. Definitions. As used in this Article, the following terms shall have the meanings indicated:

ALTERNATE MEMBER

An individual appointed by the Town Board when a regular member is unable to participate on an application or matter before the respective Board, as provided herein.

MEMBER

An individual appointed by the Town Board to serve on the Town Planning Board or Zoning Board of Appeals pursuant to the provisions of the local law or ordinance that first established such Planning Board or Zoning Board of Appeals.

PLANNING BOARD

The Planning Board of the Town of Hamburg as established by the Town Board

pursuant to the provisions of § 271 of the Town Law.

ZONING BOARD OF APPEALS

The Zoning Board of Appeals of the Town of Hamburg as established by the Town Board pursuant to the provisions of § 267 of the Town Law.

- B. Alternate members of the Zoning Board of Appeals and Planning Board may be appointed by the Town Board for a term of two years, with the term to expire on December 31 of the second year after the date of their appointment.
- C. The Chairperson of the Planning Board or Zoning Board of Appeals may designate an alternate to substitute for a member when such member is unable to participate on an application or matter before the Board. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Board. Such designation shall be entered into the minutes of the initial Planning Board meeting or Zoning Board of Appeals meeting at which the substitution is made.
- D. All provisions of state law relating to Planning Board and Zoning Board of Appeals Board member eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as any provisions of a local law/local ordinance relating to training, continuing education, compensation and attendance, shall also apply to alternate members.

§ 34-14 Supersession of Town Law

This chapter is hereby adopted pursuant to the provisions of § 10 of the New York State Municipal Home Rule Law and § 10 of the New York State Statute of Local Governments. It is the intent of the Town Board, pursuant to § 10 of the New York State Municipal Home Rule Law, to supersede the provisions of:

- A. Section 271 of the Town Law relating to the appointment of members to Town Planning Boards.
- B. Section 267 of the Town Law relating to the appointment of members to Town Zoning Boards of Appeals.

Your item has been approved

From noreply@peakagenda.com <noreply@peakagenda.com>

Date Wed 2/4/2026 10:51 AM

To Cindy Conlon <clconlon@townofhamburgny.gov>

Town of Hamburg Warning: Exercise caution with email messages from external sources such as this message. Always verify the sender and avoid clicking on links, attachments or QR codes unless certain of their authenticity.

Hello **Cindy Conlon**

The proposed **Public Hearing 532**, which you submitted to one or more persons for review and/or approval has been approved for the Feb 23rd, 2026 Town Board meeting.

The description is as follows:

Public Hearing Proposed Local Law #2, 2026

This email is an automatic email notice from your Peak Agenda Workflow System. Please do not 'Reply' to this email, but use the link above. Thank you.

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number 3 of 2026 of the (County)(City)(Town)(Village) of Hamburg was duly passed by the Town Board on March 23, 2026 in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 ____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 ____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph 1 above.

(Seal)

Natalie E. Trischke
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

3/25/24
(Date)