

Local Law No. 3- 2024

This local law shall be known as the “Supersession of Portions of Section 274-a (8) of the New York Town Law in the Town of Mamaroneck” Law.

BE IT ENACTED by the Town Board of the Town of Mamaroneck as follows:

Section 1 – Purpose.

The Town Board concludes that increasing the period within which the Planning Board must act upon a site plan application from sixty-two days to ninety days will avoid the failure of the Planning Board to act upon a site plan application due to summer schedules or the lack of a quorum. Expanding the time line by less than thirty days will not lead to an inordinate delay in processing site plan applications.

Section 2 - Amendment to an Existing Section of the Code of the Town of Mamaroneck and Supersession of New York Town Law section 274-a (8)

Section 177-12 of the Code of the Town of Mamaroneck hereby is amended to add the following new paragraph (D) thereto:

D. Portions of section 274-a (8) of the New York Town Law hereby are superseded. Words enclosed in brackets are eliminated therefrom. Italicized words are new matter added thereto. Section 274-a (8) of the New York Town Law, as superseded below, shall apply in the Town of Mamaroneck.

“§ 274-a. Site plan review.

8. Public hearing and decision on site plans. In the event a public hearing is required by ordinance or local law adopted by the town board, the authorized board shall conduct a public hearing within [sixty-two] *ninety* days from the day an application is received on any matter referred to it under this section. The authorized board shall mail notice of said hearing to the applicant at least ten days before said hearing and shall give public notice of said hearing in a newspaper of general circulation in the town at least five days prior to the date thereof and shall make a decision on the application within [sixty-two] *ninety* days after such hearing, or after the day the application is received if no hearing has been held. The time within which the authorized board must render its decision may be extended by mutual consent of the applicant and such board. The decision of the authorized board shall be filed in the office of the town clerk within five business days after such decision is rendered, and a copy thereof mailed to the applicant. Nothing herein shall preclude the holding of a public hearing on any matter on which a public hearing is not so required.”

Section 3 – Severability:

Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration of unconstitutionality or invalidity shall not affect any other provisions of this Local Law, which may be implemented without the invalid or unconstitutional provisions.

Section 4 – Effective Date:

This Local Law shall become effective upon filing with the Secretary of State