

Town of Southeast, Putnam County, NY

Local Law No. 3 of 2011

A LOCAL LAW entitled: “A Local Law to Amend Chapter 123 of the Town Code, ‘Subdivision of Land’ .”

Be it enacted by the Town Board of the Town of Southeast, Putnam County, New York, as follows:

SECTION 1: LEGISLATIVE INTENT

On September 17, 2010 Governor Paterson signed into law Senate Bill 7241, which removes the restriction from New York Town Law § 276(7)(c) that a final plat can only be approved for a 180 day period with a maximum of two 90 day extensions. The amended § 276(7)(c) now allows a planning board to extend conditional final approval for additional 90 day periods “if such extension is warranted by the particular circumstances.” The Town Board of the Town of Southeast, upon recommendation by the Planning Board and in accordance with New York Town Law, proposes to amend the number of times a conditional final approval may be extended by the Planning Board at its discretion. The Town Board recognizes that significant time and expense is incurred by a property owner seeking subdivision approval, and that during times with difficult economic conditions it is risky for property owners to implement their subdivision approvals within the time allowed by the existing Town of Southeast Code. Therefore, the Town Board proposes to increase the number of times a conditional final approval can be extended by the Planning Board.

SECTION 2: AMENDMENTS TO ARTICLE III, “APPLICATION FILING PROCEDURES”

Section 123-13 “Final plat” is hereby amended as follows:

G.(2) Upon resolution of conditional approval of such final plat, the Planning Board shall empower a duly authorized officer to sign the plat upon completion of such requirements as may be stated in the resolution. Within five days of such resolution, the plat shall be certified by the Chairman of the Planning Board as conditionally approved, and a certified copy shall be mailed to the subdivider. The copy mailed to the subdivider shall include a certified statement of such requirements which, when completed, will authorize the signing of the conditionally approved final plat. Upon completion of such requirements, the plat shall be signed by said duly authorized officer of the Planning Board. Conditional approval of a final plat shall expire 180 days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which a conditionally approved plat may be submitted for signature, if, in its opinion, such extension is warranted in the circumstances, for not to exceed ~~two~~ twelve additional periods of 90 days each.

SECTION 3: VALIDITY

The invalidity of any word, section, clause, paragraph, sentence, part, provision of this Local Law shall not affect the validity of any other part of this Local Law that shall be given effect without such invalid part or parts.

SECTION 4: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.