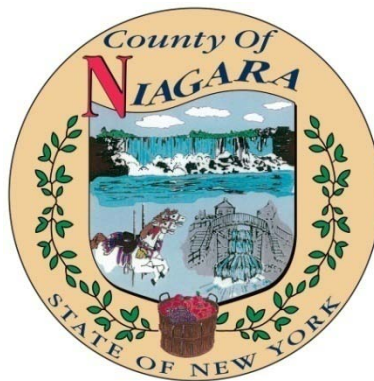


NIAGARA COUNTY PLANNING BOARD

PROJECT REFERRAL AND REVIEW GUIDE



OCTOBER 2012

Niagara County Planning Board - 239 Referral Process

Description of Process/Action

In accordance with Sections 239-l and 239-m of New York State General Municipal Law Article 12-B, certain actions within Cities, Towns, and Villages must be referred to a County Planning Agency or Regional Planning Council.

- The following actions are required to be referred to the Niagara County Planning Board in accordance with §239-m(3)(a) of NYS General Municipal Law Article 12-B:
 - i. Adoption or amendment of a City, Town, or Village Comprehensive Plan
 - ii. Adoption or amendment of a zoning ordinance or local law
 - iii. Issuance of a special use permit
 - iv. Approval of a site plan
 - v. Granting of a use or area variance
 - vi. A local municipality may also request review of other actions outside of those above in accordance with local law or zoning ordinance

- The above actions are required to be referred to the Niagara County Planning Board in accordance with §239-m(3)(b) of NYS General Municipal Law Article 12-B if the action is located within 500 feet of:
 - i. A city, town, or village boundary
 - ii. The boundary of any existing or proposed county or state park or other recreation area
 - iii. The right of way of any existing or proposed county or state roadway
 - iv. The right of way of any existing or proposed county owned stream or drainage channel
 - v. The boundary of any county or state owned land that has a public building
 - vi. The boundary of an active farm operation located in an agricultural district (area variances excluded)

The county has a referral form that municipalities use when forwarding these actions to the County Planning Board. A copy of this form is included in Appendix A. The form ensures that the municipalities provide complete information to facilitate the review by the County Planning Board. It also provides information on deadlines to ensure timely submittals.

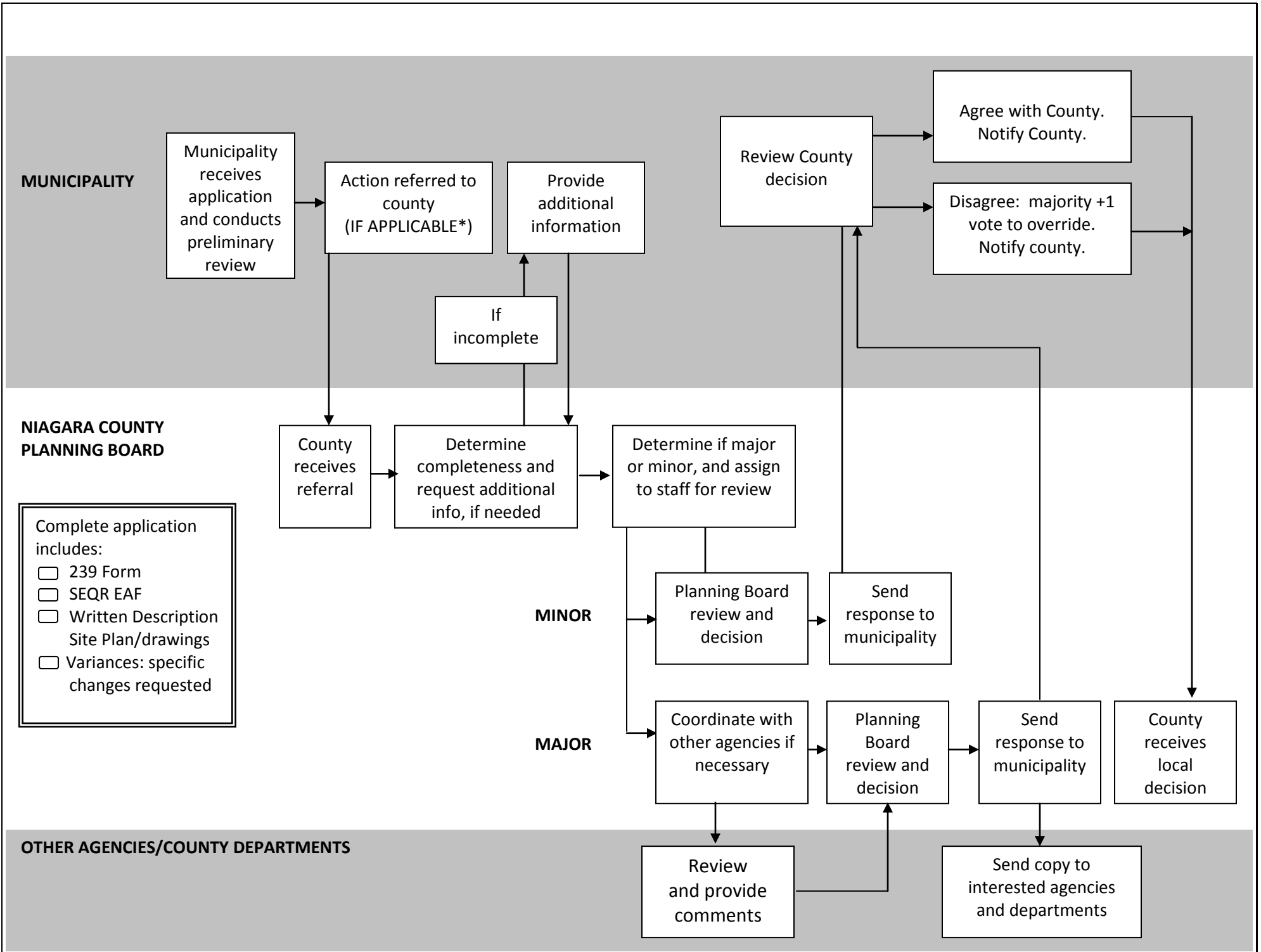
The County Planning Board must review the action within a 30-day time period and recommend approval, modification, or disapproval of the action, or the County Planning Board can report that the action has no significant county-wide or inter-community impact. If the County does not take action within that 30-day period, the local municipality may proceed without input from the County. The 30-day time frame for the review can be extended if the parties mutually agree to additional time.

A recommendation of modification or disapproval requires the municipality to have a vote of a majority plus one of all the members of its applicable local board to overrule the County's decision.

The referring municipality must file a report back to the County within 30 days of municipal action on the project. The Notice of Final Action Form is included in Appendix A. Niagara County has agreements with a majority of the Cities, Towns, and Villages in the County, exempting certain actions from 239 referral. The table below indicates which actions must be referred to the County Planning Board by municipalities.

Municipal Agreements List of Actions subject to 239 referral to Niagara County*
<p>Group A: Towns of Newfane, Niagara; Village of Lewiston</p> <ol style="list-style-type: none"> 1. Adoption or amendment of a comprehensive plan 2. Adoption or amendment of a zoning ordinance or local law 3. Issuance of special use permits 4. Approval of site plans 5. Granting of area variances 6. Granting of use variances 7. Subdivisions
<p>Group B: City of Lockport; Towns of Cambria, Hartland, Lockport, Porter, Royalton, Somerset, Wheatfield, Wilson; Villages of Barker, Middleport, Youngstown</p> <ol style="list-style-type: none"> 1. Zoning ordinances, zoning map changes, local laws, or comprehensive plans having municipal-wide effect 2. Actions within 500 feet of a municipal boundary or state or county park 3. Actions on corner lots on State or County highways
<p>Group C: City of North Tonawanda; Town of Lewiston</p> <ol style="list-style-type: none"> 1. Adoption or amendment of a comprehensive plan 2. Adoption or amendment of a zoning ordinance or local law 3. Issuance of special use permits 4. Approval of site plans 5. Granting of use variances 6. Subdivisions
<p>Group D: Town of Pendleton; Village of Wilson</p> <ol style="list-style-type: none"> 1. Zoning ordinances, zoning map changes, or local laws having town/village-wide effect 2. Actions within 500 feet of a municipal boundary or state or county park 3. Actions on corner lots on State highways 4. Major subdivisions
<p>Group E: City of Niagara Falls</p> <ol style="list-style-type: none"> 1. Zoning ordinances, zoning map changes, local laws, or comprehensive plans having city-wide effect 2. Actions immediately adjacent to a municipal boundary or park and the international bridge plazas 3. Actions on corner lots on Hyde Park Boulevard and all other state or county highways <u>east</u> of Hyde Park Boulevard

* Other actions typically subject to referral are exempt per inter-municipal agreements



NIAGARA COUNTY PLANNING BOARD MEMBER REVIEW CHECKLISTS

Checklists for the following referral types are included within this packet:

- **Comprehensive Plans**
- **Site Plans**
- **Special Use Permits**
- **Area Variances**
- **Use Variance**
- **Zoning Issue (ordinance, map amendment, etc.)**

NIAGARA COUNTY PLANNING BOARD MEMBER 239 REVIEW CHECKLIST

Comprehensive Plan Review

When reviewing a **comprehensive plan**, the following should be considered and discussed as applicable:

- Land use plan which includes existing and proposed location and intensity of land uses and the compatibility of various land uses with one another
 - Consideration of agricultural uses and sensitive environmental areas
- Location and types of transportation facilities and networks and need for future improvements
- Impact on proposed location of future uses on existing county or state institutional uses or other uses
- Protection of community character
 - Consideration of historic and cultural resources
 - Existing and proposed general location of commercial and industrial facilities
- Impact on regional drainage systems (County infrastructure, downstream significant resources, coastal and natural resources, wetlands)
- Impact on community facilities including educational facilities
- Consistency with Local and County Plans/Policies/Statutes/Ordinances

NIAGARA COUNTY PLANNING BOARD MEMBER 239 REVIEW CHECKLIST

Site Plan Review

When reviewing a **site plan**, the following should be considered and discussed as applicable:

- Compatibility of proposed land use with adjacent uses, with particular attention to uses located in adjacent municipalities if near a municipal boundary
 - Consideration of agricultural uses and sensitive environmental areas
- Traffic generating characteristics of the development
 - Effect on other adjacent land uses and interconnectedness
 - Capacity and adequacy to handle predicted traffic volumes
- Impact of proposed land use on existing county or state institutional uses or facilities (parks, buildings, etc.)
- Protection of community character
 - Consideration of historic and cultural resources
 - Affect on surrounding communities or significant County resources
- Impact on regional drainage systems (County infrastructure, downstream significant resources, coastal and natural resources, wetlands)
- Impact on community facilities including educational facilities

NIAGARA COUNTY PLANNING BOARD MEMBER 239 REVIEW CHECKLIST

Special Use Permit

When reviewing a **special use permit**, the following should be considered and discussed as applicable (as it relates to the specific use in question)*:

- Compatibility of proposed land use with adjacent uses, with particular attention to uses located in adjacent municipalities if near a municipal boundary
 - Consideration of agricultural uses and sensitive environmental areas
- Traffic generating characteristics of the development
 - Effect on other adjacent land uses and interconnectedness
 - Capacity and adequacy to handle predicted traffic volumes
- Impact of proposed land use on existing county or state institutional uses or facilities (parks, buildings, etc.)
- Protection of community character
 - Consideration of historic and cultural resources
 - Affect on surrounding communities or significant County resources

*It is possible that the overall project has already been/will be reviewed under 239 (site plan). If the site plan has already been reviewed, the Planning Board can refer to the Site Plan Review for the project to assist in completing the special permit review.

NIAGARA COUNTY PLANNING BOARD MEMBER 239 REVIEW CHECKLIST

Area Variances

When reviewing an **area variance**, the following should be considered and discussed as applicable (as it relates to the factor/issue causing the variance)*:

- Traffic generating characteristics caused by the variance
 - Effect on other adjacent land uses and interconnectedness
 - Capacity and adequacy to handle predicted traffic volumes
- Impact on existing county or state institutional uses or facilities (parks, buildings, etc.)
- Protection of community character
 - Consideration of agricultural uses, historic and cultural resources, coastal and natural resources, and sensitive environmental areas
 - Affect on surrounding communities or significant County resources
 - Density implications

*It is possible that the overall project has already been/will be reviewed under 239 (site plan). If the site plan has already been reviewed, the Planning Board can refer to the Site Plan Review for the project to assist in completing the area variance review.

NIAGARA COUNTY PLANNING BOARD MEMBER 239 REVIEW CHECKLIST

Use Variances

When reviewing a **use variance**, the following should be considered and discussed as applicable (as it relates to the use proposed)*:

- Compatibility of proposed land use with adjacent uses, with particular attention to uses located in adjacent municipalities if near a municipal boundary
 - Consideration of agricultural uses and sensitive environmental areas
- Traffic generating characteristics of the development
 - Effect on other adjacent land uses and interconnectedness
 - Capacity and adequacy to handle predicted traffic volumes
- Impact of proposed land use on existing county or state institutional uses or facilities (parks, buildings, etc.)
- Protection of community character
 - Consideration of historic and cultural resources
 - Affect on surrounding communities or significant County resources
- Impact on regional drainage systems (County infrastructure, downstream significant resources, coastal and natural resources, wetlands)
- Impact on community facilities including educational facilities
- Consistency with Local and County Plans/Policies/Statutes/Ordinances

*It is possible that the overall project has already been/will be reviewed under 239 (site plan). If the site plan has already been reviewed, the Planning Board can refer to the Site Plan Review for the project to assist in completing the use variance review.

NIAGARA COUNTY PLANNING BOARD MEMBER 239 REVIEW CHECKLIST

Zoning Issues

When reviewing a **zoning issue** (new zoning ordinance, zoning map amendment or zoning text amendment) the following should be considered and discussed (As it relates to the zoning/use issue):

- Compatibility of proposed land use with adjacent uses, with particular attention to uses located in adjacent municipalities if near a municipal boundary
 - Consideration of agricultural uses and sensitive environmental areas
- Impact on regional traffic flow and access management
- Impact of proposed zoning change(s) on existing county or state institutional uses or facilities (parks, buildings, etc.)
- Protection of community character
 - Consideration of historic and cultural resources and coastal and natural resources
 - Affect on surrounding communities or significant County resources
 - Density implications
- Consistency with Local and County Plans/Policies/Statutes/Ordinances

**NIAGARA COUNTY PLANNING BOARD
239 REVIEW COMMENTS AND DECISION**

Comments from local municipalities, agencies, and departments (list each separately):

Planning Board recommendation:

- Recommend approval
- Recommend modification(s) – explained below
- Recommend disapproval – explained below
- Report that action has no significant county-wide or inter-community impact

Planning Board comments:

NIAGARA COUNTY PLANNING BOARD INTERNAL STAFF 239 REVIEW CHECKLIST

NIAGARA COUNTY PLANNING BOARD 239 PROCESS REVIEW FORM

Referral #: _____
Received date: _____
Board action date: _____
Applicant: _____
Project name: _____
Address and SBL#: _____
Municipality/board: _____
Zoning of parcel: _____
Acreage of parcel: _____
Description of project: _____
Local meeting date/type: _____

**Municipal Agreement
Type:**

- | | |
|----------------------------------|----------------------------------|
| <input type="checkbox"/> Group A | <input type="checkbox"/> Group C |
| <input type="checkbox"/> Group B | <input type="checkbox"/> Group D |

Type of referral:
(check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Comprehensive plan | <input type="checkbox"/> Zoning ordinance - new |
| <input type="checkbox"/> Site plan review | <input type="checkbox"/> Zoning map amendment |
| <input type="checkbox"/> Special permit | <input type="checkbox"/> Zoning text amendment |
| <input type="checkbox"/> Variance - area | <input type="checkbox"/> Other |
| <input type="checkbox"/> Variance - use | |

Reason for referral:
(check all that apply)

- Property is located 500 feet from one or more of the following:
- | | |
|---|---|
| <input type="checkbox"/> Municipal boundary | <input type="checkbox"/> County or State park/recreation area |
| <input type="checkbox"/> County or State road | <input type="checkbox"/> County waterway/drainage channel |
| <input type="checkbox"/> County or State building | <input type="checkbox"/> Farm in an agricultural district |
- Municipal request

§239-I(2)(a) – Land Use Compatibility				<input type="checkbox"/> NOT APPLICABLE
Check “Yes” if project is consistent with policy; Check “N/A” if not applicable (e.g. policy refers to commercial uses and project is not commercial). If not consistent, check the “No” box and provide comments.				
Yes	No	N/A	Policy	Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does land use plan include existing and proposed location and intensity of land uses?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is proposed action compatible with adjacent land uses, especially for lands in adjacent municipalities?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If not, does the design of the proposed action mitigate potential conflicts or problems?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there sensitive environmental areas on site?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is site located within a State designated Agricultural District?	
Other Comments:				

§239-I(2)(b) – Traffic Impacts				<input type="checkbox"/> NOT APPLICABLE
Check “Yes” if project is consistent with policy; Check “N/A” if not applicable (e.g. policy refers to commercial uses and project is not commercial). If not consistent, check the “No” box and provide comments.				
Yes	No	N/A	Policy	Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the site have good access to regional highway and/or rail systems?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do existing road networks have sufficient capacity for increased traffic?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the proposed action avoid excessive congestion?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the proposed action preserve rights-of-way (if any) for future planned roads, trails or rail extensions?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there an interconnectedness of streets, sidewalks, and bike trails?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there cross access with adjacent parcels?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are alternate modes of transportation (walking, biking, transit) taken into consideration?	
Other Comments:				

§239-I(2)(c) – Impact on County or State Institutional or Other Uses				<input type="checkbox"/> NOT APPLICABLE
Check “Yes” if project is consistent with policy; Check “N/A” if not applicable (e.g. policy refers to commercial uses and project is not commercial). If not consistent, check the “No” box and provide comments.				
Yes	No	N/A	Policy	Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the proposed action have any impacts on existing or planned County or State institutions?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If impacts are expected can they be avoided or mitigated?	
Other Comments:				

§239-I(2)(d) – Impact on Community Character				<input type="checkbox"/> NOT APPLICABLE
Yes	No	N/A	Policy	Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are densities appropriate given the site/ surrounding area/ infrastructure?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the proposed action negatively affect historic or cultural resources?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does proposed action support redevelopment of cities, villages, hamlet centers or local downtowns?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If in a rural area, does proposed action avoid impacts to open space and/or agricultural uses?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the design of the site/proposed action, in context with the character of the surrounding community?	
Other Comments:				

§239-I(2)(e) – Drainage Issues				<input type="checkbox"/> NOT APPLICABLE
Yes	No	N/A	Policy	Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the site contain state or federal wetlands?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If yes, is documentation included with referral?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the site within a floodplain?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the site have existing water/sewer infrastructure?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there sufficient capacity within the County's infrastructure to handle water/sewer needs?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the proposed action involve extension of new water or sewer lines?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the proposed site adjacent to Lake Ontario, Niagara River, Erie Canal, or other stream/waterbody?	
Other Comments:				

§239-I(2)(f) – Impact on Community Facilities (i.e. schools, hospitals, parks/recreation areas, etc.)				<input type="checkbox"/> NOT APPLICABLE
Yes	No	N/A	Policy	Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the proposed action avoid or mitigate any impacts on County facilities, such as hospitals, parks, recreation areas, etc.?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there sufficient capacity in the local school district for additional students?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do community facilities have sufficient capacity to handle increased needs resulting from the proposed action?	
Other Comments:				

§239-I(2)(g) – Consistency with Local and County Plans/Policies/Statutes/Ordinances				<input type="checkbox"/> NOT APPLICABLE
Yes	No	N/A	Policy	Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the proposed action compatible with applicable municipal plans (i.e. referring community and any municipalities within 500' from site)?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the proposed action compatible with the Niagara Communities Comprehensive Plan?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the site is located within a State designated Agricultural District, is the action consistent with the County's Farmland Protection Plan?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the site located with a Local Waterfront Revitalization Plan (LWRP) area?	
Other Comments:				

§239-I(2)(h) – Other Considerations	<input type="checkbox"/> NOT APPLICABLE
Comments:	

PLAN REFERENCES

REFERENCE: Guiding Principles from the <i>Framework for Regional Growth</i>:
A Vital Economy: promote vitality of Cities, Villages, hamlets, waterfronts, commercial and industrial districts
Sustainable Neighborhoods: walkable development with redevelopment of vacant and underutilized parcels
Strong Rural Communities: rural economic development, revitalization of villages & hamlets, strong agricultural sector, protect scenic & natural areas, habitats and open space.
Improved Access & Mobility: reinvest in developed areas, improve interstate and cross-border connections, and strengthen alternative modes (walk, bike, transit) and ride-sharing.
Efficient Systems & Services: maximize use of existing infrastructure & facilities, improve competitive position of underutilized sites with services, promote brownfield & grayfield reuse, encourage preservation and adoptive reuse of historic buildings and sites.
Effective Regional Stewardship: Support fiscal health of County, efficient infrastructure investment and service delivery, conservation of sensitive resources.
Conserve Natural & Cultural Assets: promote conservation of region's sensitive natural systems and historic sites.

REFERENCE: Strategies from the *Niagara Communities Comprehensive Plan*:

Land Use and Environment: *Sustainable Development* – traditional neighborhood/community development (distinct, compact, mixed-use, walkable, transit oriented), direct development towards existing communities and infrastructure, preservation of open space and environmental resources; *Connectivity* – transportation alternatives, multi-modal options, transit-oriented development, connections with trail systems, interconnected trail network, transportation elements integrated into large scale projects, linkages between points of origin and destinations of interest; *Green Infrastructure* – direct development away from sensitive environmental areas/important natural resources, mitigate environmental impacts, protect fish and wildlife habitat, environmental preservation/restoration efforts integrated into large scale projects, green design features

Economic Development: development directed towards suitable areas (existing communities and infrastructure, proper zoning), cleanup and redevelopment of brownfields, incentivize development, protect and grow agricultural industry, encourage mixed-use development, appropriately scaled development, promote economic advantage of area (workforce, transportation infrastructure, access to markets, quality of life), encourage development consistent with community development goals, diversify industrial base, improve workforce

County Services, Facilities, and Infrastructure: cost-effective delivery of services/sensitivity to tax burden, enhance existing services, ensure services meet needs of county residents, maintain existing facilities and infrastructure, limit new or expanded infrastructure that may encourage sprawl development, coordinate infrastructure improvements with development goals, concentrate services in population centers, sharing of services and facilities between units of government

Education: ongoing dialogue on education and workforce development issues, education programs coordinated with workforce development goals, reduce inefficiencies, identify cost reduction initiatives/manage costs to taxpayers, improve quality of education, opportunities for consolidation and resource sharing (facilities, staff, equipment, transportation), maintain and upgrade existing facilities, coordinate facilities planning with development goals, encourage development in areas where school facilities already exist (compact residential development reduces transportation costs and need for disperse facilities)

Public Health and Safety: develop and implement public safety policies and programs for county services/facilities/ infrastructure, provide support to local jurisdictions, compliance with development regulations (floodplains, wetlands, building/fire codes), integrate public health and safety goals into local planning efforts, direct development away from risk prone areas, underground utilities to prevent service interruptions, coordinate facilities planning with development goals to maximize service/population coverage areas

**NIAGARA COUNTY PLANNING BOARD
239 REVIEW COMMENTS AND DECISION**

Comments from local municipalities, agencies, and departments (list each separately):

<p>Planning Board recommendation:</p> <ul style="list-style-type: none"><input type="checkbox"/> Recommend approval<input type="checkbox"/> Recommend modification(s) – explained below<input type="checkbox"/> Recommend disapproval – explained below<input type="checkbox"/> Report that action has no significant county-wide or inter-community impact

Planning Board comments: _____

APPENDIX A

**Niagara County Planning Board
Referral Form**



SITE PLAN REVIEW/ZONING REFERRAL FORM

Niagara County Planning Board
Vantage Center – Suite One
6311 Inducon Corporate Drive
Sanborn, NY 14132

For Use By NCPB
Received _____
Case No. _____
Returned _____

REFERRING MUNICIPALITY _____

Referring Officer: _____ Title: _____

Telephone: _____ Fax Number: _____

Mailing Address: _____

Signature: _____ Date: _____

Public Hearing Date: _____ Time: _____ Location: _____

**** Please note, the NCPB recommendation will be sent back to the Referring Officer.**

APPLICANT: _____ Phone: _____

Address or Location of Proposal: _____

Size of Parcel: _____ Existing Zoning: _____

Proposed Use: _____

**** If applicant would like a copy of the NCPB recommendation please list fax number:** _____

PROPOSED ACTION (check all that apply) *

- | | | |
|---|--|---|
| <input type="checkbox"/> Area Variance | <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> New Zoning Ordinance |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Comprehensive Plan |
| <input type="checkbox"/> Special Permit | <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Other _____ |

*** Applicants should contact the Niagara County Department of Economic Development at (716) 278-8750 to see if a representative should be present at the meeting to answer questions.**

This referral is forwarded to your office for review in compliance with Sections 239-l and 239-m of Article 12-B of New York State's General Municipal Law. The property affected is within 500 feet of the boundary of a (check all that apply):

- City, Town, Village
- State or County Land with Public Building
- Existing or Proposed Park or Recreation Area
- Existing or Proposed State of County Parkway, Road or Highway, or County-owned Drainage Channel.
- Farm operation located in an Agricultural District (except for area variances)

**Niagara County Planning Board
Notice of Final Action Form**

**NOTICE OF FINAL ACTION
PLANNING BOARD REFERRALS**

As mandated by New York State General Municipal Law, this form must be completed and filed within thirty (30) days after final action has been taken by the local agency.

Date of Action: _____

Niagara County Planning Board Referral Number: _____

Applicant: _____

Municipality: _____

Action Taken by Municipality: ____Approved ____Denied ____Other (explain)

Overruled County Planning Board Recommendation(s) by a vote of: _____

If acted contrary to the County Planning Board please provide reasons for action:

Referring Officer's Signature

Article 12B, Section 239-m of the General Municipal Law requires the County Planning Board to review all zoning actions as specified by the statute. Zoning actions include: zoning ordinances and amendments, site plans, special permits, use permits, variances and exceptions. It also provides that a recommendation to deny and/or other qualifications by the County Planning Board may be overruled by the local referring agency by a majority of its membership plus one. The law also requires the municipal agency to advise the County Planning Board on its action within thirty days of taking final action.

PLEASE RETURN WITHIN THIRTY (30) DAYS OF FINAL ACTION TO:

NIAGARA COUNTY PLANNING BOARD
VANTAGE CENTER - SUITE 1
6311 INDUCON CORPORATE DRIVE
SANBORN, NEW YORK 14132