TOWN OF NEW SCOTLAND
PLANNING BOARD
June 5, 2019

A regular meeting of the Planning Board of the Town of New Scotland was held on the
5th day of June, 2019 at 7:00 PM with all members present and voting.

______________ offered the following resolution and moved for its adoption:

Resolution establishing rules of procedure for the referral of
applications to the Town Planner of the Town of New Scotland.

WHEREAS, the Town Board of the Town of New Scotland has established and filled the
position of Town Planner for the Town of New Scotland to assist in various matters which
include, but are not limited to, providing professional consultation for the Town of New
Scotland Planning Board ("Planning Board") on applications before said Board; and

WHEREAS, pursuant to Section 190-92(c) of the Town of New Scotland Zoning Law the
Planning Board desires to establish rules of procedure which will govern the referral of
applications to the Town Planner to allow for the expeditious processing of those applications;
and

NOW, THEREFORE BE IT RESOLVED the Planning Board of the Town of New Scotland
hereby establishes the following rules of procedure for the referral of applications to the Town
Planner of the Town of New Scotland:

A. Upon receipt of an application by the Town of New Scotland Building Inspector
and determination by same that documentation required by the applicable sections
of the Town of New Scotland Zoning Law have been provided therein, the
following categories of applications will be automatically referred to the Town
Planner prior to introduction to the Planning Board:
1. Major Subdivisions as defined in Section 164-59 of the Town of New
Scotland Town Code, Subdivision of Land;
2. All uses in the Industrial zone as set forth in Section 190-18 of the Town of
New Scotland Zoning Law and identified on the official Zoning Map of the
Town of New Scotland;
3. All uses falling within the definition of "Industry" or "Industrial
Development" as defined in Section 190-99 of the Town of New Scotland
Zoning Law;
4. All proposed commercial or business uses regardless of the Zoning District
in which the use is proposed to be established;
5. All Large-Scale Solar applications as defined in Section 190-57A(a); and
6. All applications which involve clearing that will trigger a Storm Water
Pollution Prevention Plan (SWPPP)

B. The Town Planner will perform preliminary review under the State Environmental
Quality Review Act (SEQR) for all category of projects enumerated above in
Section A and provide the Planning Board with a recommendation as to same.
Such preliminary review should include the classification of the proposed action and recommendation that the information provided by the Applicant is sufficient to make the requisite SEQR determination with specification as to what additional information, if any, should be provided from the Applicant to allow the Board to make a determination.

C. All applications not enumerated in Section A above may be referred to the Town Planner after introduction to the Planning Board by a majority vote of the Planning Board.

D. In the instance a pre-application meeting is requested by the Applicant or recommended by the Building Inspector, Planning Board Chairperson, or Planning Board Attorney, the attendance of the Town Planner will be requested along with two members of the Planning Board with one such member to include the Planning Board Chairperson. The Town Building Inspector shall also be present at said meeting. Minutes shall be taken of such meeting and maintained in the application file to allow for public inspection. Said minutes shall also be provided to the Planning Board as a whole prior to the first meeting at which the application is introduced to the Planning Board. Projects with anticipated public interest, large size, and/or probable adverse impacts requiring mitigation, said meeting may take the form of a duly noticed special session of the Planning Board wherein the focus will be review, commentary and planning suggestions to address items of concern. Both the planner and building inspector will be requested to attend said Special Meeting. If escrow to cover the Town Planner’s fee is required to cover the cost of the Planner’s attendance and participation as said meeting, an estimate of costs shall be submitted by the Town Planner to the Town Building Inspector and Planning Board Chairperson and obtained from the Applicant prior to the said meeting.

E. The Town Planner will provide the Planning Board with a written synopsis of her/his recommendations on all referred projects. Said recommendation will be maintained in the application file for public inspection and provided to the Planning Board and Applicant prior to the meeting at which said recommendations will be discussed. Upon receipt of the Town Planner’s written recommendations, if it is determined by the Planning Board Chairperson that the Town Planner’s attendance is required at the introductory meeting (or any subsequent meeting) for the application, then the Town Planner shall advise whether additional escrow is required to cover the cost of her attendance and provide an estimated budget for same. All necessary escrow shall be requested and collected from the Applicant prior to the Town Planner’s attendance at any meeting. If the Town Planner’s attendance will be required at a meeting, particularly a meeting where the application is first introduced to the Planning Board, the Planning Board Chairperson shall make the request as soon as practicable but in no event less than five (5) days prior to the meeting.
F. Pursuant to the fee schedule set by the Town of New Scotland Town Board, escrow for a preliminary review by the Town Planner with written recommendations shall be submitted with certain applications. A copy of that fee schedule is attached hereto. In the event that the Planning Board determines that additional review by the Town Planner is necessary, the Planning Board shall propose a scope of review that is being requested and the Town Planner shall provide an escrow estimate to cover the cost of additional review. In such instances, the escrow estimate shall be provided to the Applicant and payment submitted to the Town Building Inspector before the application may deemed complete so as to allow for a public hearing to be scheduled.

G. In the instance an application does not have an automatic escrow requirement, should the Planning Board determine at or after the meeting at which the application is first introduced to the Planning Board that review by the Town Planner would be beneficial, the same procedure utilized to request additional review in paragraph F shall be utilized. In such instances, the escrow estimate shall be provided to the Applicant and payment submitted to the Town Building Inspector before the application may deemed complete so as to allow for a public hearing to be scheduled.

Motion seconded by _____________.

Approved:

Denied:

Abstained: