

Chapter 21

PLANNING BOARD

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[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring 8-2-65 by resolution. Amendments noted where applicable.]

GENERAL REFERENCES

Subdivision of Land - See Ch. 111.

Zoning - See Ch. 134.

§ 21-1. Board created; membership; terms. [Amended 2-28-79 by resolution]

Pursuant to the provisions of § ~~179-f~~7-718 of the Village Law of the State of New York,⁺ a Planning Board of five (5) members shall be appointed for the Village of Cold Spring, Putnam County, New York. The members first appointed shall serve terms of one (1), two (2), three (3), four (4) and five (5) years as designated ~~(all terms to commence as of the date of this chapter).~~ Thereafter, the members of the Planning Board shall be appointed by the Mayor, subject to the approval of the Board of Trustees of the Village of Cold Spring, for five-year terms. The term of each member first taking office shall commence on the date of his or her appointment. Each member shall serve until the appointment of his or her successor. In the event a vacancy occurs during the term of a

⁺ Editor's Note: Former § 179 f of the Village Law is now § 7-718.

member of the Planning Board, the Mayor shall make an interim appointment, subject to the approval of the Board of Trustees of the Village of Cold Spring, to complete the unexpired term of each member.

§ 21-2. ~~Chairman~~Chairperson of Board. [Amended 2-28-79 by resolution]

The ~~Village Mayor~~, subject to approval by the Board of Trustees of the Village of Cold Spring ~~reserves the right to, shall~~ appoint the ~~Chairman~~Chairperson of ~~said the Planning~~ Board, and the ~~Chairman~~Chairperson so designated is hereby appointed for the term of one (1) year from the date ~~hereof, and the Village thereof.~~ Thereafter, the Mayor, subject to approval by the Board of Trustees of the Village of Cold Spring, shall ~~appoint~~ annually ~~hereafter appoint~~ the ~~Chairman~~Chairperson of ~~said the~~ Planning Board, ~~but unless and until such subsequent.~~ If a Planning Board ~~Chairman~~Chairperson has not been appointed by the ~~Village~~ Board of Trustees of the Village of Cold Spring, the Planning Board may nominate and elect from its own members an Acting ~~Chairman~~Chairperson, who shall act until such official appointment is made by the ~~Village~~ Board of Trustees of the Village of Cold Spring.

§- The Acting Chairperson designated by Planning Board members may also serve as Chairperson in the event the appointed Chairperson is unable to participate because of a conflict of interest.

§21-3 ~~COLD SPRING CODE~~ **Alternate Planning Board Members** :

Pursuant to §7-718.16 of the Village Law of the State of New York the Mayor, subject to approval by the Village Board of Trustees of the Village of Cold Spring, may appoint an alternate Planning Board member for purposes of substituting for a member in the event such member is unable to participate because of a conflict of interest or illness or vacation. The term shall be for five (5) years.

§ 21-4

§ 21-3. Approval of plats and maps.

~~—Pursuant to the provisions of § 179-k7-728 of the Village Law of the State of New York,² the ~~said~~ Planning Board of the Village of Cold Spring, Putnam County, New York, hereby appointed is ~~hereby~~ authorized and empowered to approve plats and maps showing lots, blocks or sites, with or without new streets or highways; and it is further authorized to approve the development of plats or maps entirely or partially undeveloped and which may have been filed in the office of the Clerk of the County of Putnam prior to the appointment of such Planning Board, all in accordance with the procedures outlined in § 179-k7-728 of the Village Law of the State of New York³ and other appropriate sections of the Village Law of the State of New York, ~~subject, however, to the requirement that before any such plat or map is approved or disapproved, the Planning Board shall refer its proposed decision to the Village Board of the Village of Cold Spring for its advice and consent with regard thereto. All approvals shall expire one (1) year from date of approval.~~ [Amended 2-27-01 by L.L. 2001-01]~~

§ 21-45. Notice to County Clerk.

The Clerk of the Village of Cold Spring, Putnam County, New York, is directed to forthwith file with the Clerk of the County of Putnam, a certificate showing that the Board of Trustees of the Village of Cold Spring, Putnam County, New York, has authorized the Planning Board to approve plats or maps showing lots, blocks or sites, with or without streets or highways, and has further authorized and empowered ~~said~~the Planning Board to approve the development of plats or maps entirely or partially undeveloped and which may have been filed in the office of the Clerk of the County of

² Editor's Note: Former § 179 k of the Village Law is now § 7-728.

³ Editor's Note: Former § 179 k of the Village Law is now § 7-728.

Putnam prior to the appointment of ~~such~~the Planning Board, all within the Village of Cold Spring, County of Putnam, New York, pursuant to the provisions of § ~~179-k~~7-728 of the Village Law of the State of New York and other appropriate sections of the Village Law of the State of New York; and the ~~said~~Village Clerk is hereby requested to write to the County Clerk of Putnam County and request ~~such~~the County Clerk, pursuant to the provisions of § ~~179-m~~7-732 of the Village Law of the State of New York⁴ and other appropriate sections of said Village Law, to refuse to file or record in his/her office any plat or map of a subdivision of land showing lots, blocks or sites, with or without new streets or highways, until said plat or map has been approved by the Planning Board of the Village of Cold Spring, Putnam County, New York.

⁴~~Editor's Note: Former § 179 m of the Village Law is now § 7-732.~~

§ 21-56. Statutory authority.

The ~~said~~ Planning Board of the Village of Cold Spring, Putnam County, New York, shall undertake its duties and powers in connection with the approval of plats and maps as aforesaid in accordance with the provisions of the Village Law of the State of New York as contained in §§ ~~179-k, 179-17-728, 7-730~~ and ~~179-o~~⁵~~7-732~~ and other appropriate sections of the Village Law of the State of New York.

§ 21-67. Exceptions to requirements.

Where the enforcement of the provisions of § ~~179-o~~⁶~~7-736~~ of the Village Law of the State of New York⁶ would entail practical difficulties or unnecessary hardship, or where the circumstances of the case do not require the structure to be related to existing or proposed streets or highways, the ~~said~~ Planning Board of the Village of Cold Spring, Putnam County, New York, hereby appointed, may make suitable and appropriate recommendations to the ~~Village~~ Board of Trustees of the Village of Cold Spring, and ~~said the Board of Trustees of the Village Board of Cold Spring~~ may then make reasonable exceptions to or from the requirements as contained in § ~~179-o~~⁶~~7-736~~ of the Village Law of the State of New York and authorize the issuance of the building or construction permit, subject to conditions that will protect any future street or highway layout.

§ 21-78. Referrals to Board.

The Board of Trustees of the Village of Cold Spring may refer any matter or class of matters to the Planning Board of the Village of Cold Spring for a recommendation before final action thereon is taken by the ~~village~~Village or any of its officers or public bodies having final authority thereon, ~~and when said Village.~~ When the Board of Trustees of the Village of Cold Spring shall decide to refer such matter or matters, final action thereon shall not be taken by the public body or officer having such final authority thereon until ~~said the~~ Planning Board has submitted its recommendation and/or report to the Board of Trustees of the Village Board of Cold Spring or has had a reasonable time, as fixed by the Board of Trustees of the Village of Cold Spring in said reference, to submit the report.

⁵—Editor's Note: Former §§ 179-k, 179-1 and 179-o of the Village Law are now §§ 7-728, 7-730 and 7-736 respectively.

⁶—Editor's Note: Former § 179-o of the Village Law is now § 7-736.

§ 21-8. Investigations and recommendations.

The Planning Board shall have the full power and authority to make such investigations, maps ~~and~~, reports, and recommendations to the ~~Village~~ Board of Trustees of the Village of Cold Spring in connection therewith, relating to the planning and development of the ~~village~~ Village as ~~to said~~ the Planning Board ~~seems~~ deems desirable, provided the total expenditures shall not exceed the appropriation for its expenses.

§ 21-~~9~~10. Authority of Trustees.

The ~~Village~~ Board of Trustees of the Village of Cold Spring reserves the right to increase or decrease the powers of the Planning Board as herein outlined as it may from time to time decide by resolution, village ordinance or local village law.