

**TOWN OF CANTON**

**LOCAL LAW NO. \_\_ OF THE YEAR 2023.**

**A Local Law amending Chapter 9,  
Planning Board of the Town Code.**

**Be it enacted by the Town Board of the Town of Canton, in the County of St. Lawrence,  
as follows:**

**ARTICLE I. INTENT**

This Local Law shall be known as **Local Law No. \_\_ of 2023**, and shall amend Chapter 9 related to the duties and responsibilities of the Planning Board by repealing the existing Chapter 9 and replacing it with a new Chapter 9.

**ARTICLE II. LEGISLATIVE ACTION**

- A.** The Town Board of the Town of Canton, New York, hereby repeals Chapter 9, Planning Board of the Town of Canton Code and replaces it with the following text:

## **Chapter 9 Planning Board**

### **§ 9-1. Appointment of members.**

- A. The Town Board authorizes the appointment of a five (5) member Planning Board as more fully described in Town Law, § 271. At least one (1) member shall be a person engaged in agricultural pursuits as defined in Town Law, § 271, Subsection 2. Terms of all Planning Board members shall be staggered as the law requires.
  
- B. The Town Board of the Town of Canton hereby establishes two (2) alternate positions to the Planning Board pursuant to the authority granted under § 271 of the Town Law.
  - 1. The Town Board, at its organizational meeting, shall appoint two (2) alternate members for an annual term. The Town has the authority to make these appointments by Resolution. The Town also has the authority to fill any vacancy created in the alternate member positions by Resolution.
  - 2. The Chairman of the Planning Board may designate an alternate member to substitute for a member when such member is unable to participate due to a conflict of interest on an application or matter pending before the Planning Board. When so designated, the alternate member shall possess all powers and responsibilities of such member of the Board. Such designation shall be entered into the minutes of the initial meeting of the Planning Board at which the substitution is made. Said alternate member shall continue to serve on all decisions regarding the matter of appointment by the Chairman.

### **§ 9-2. Training.**

- A. Each member of the Planning Board shall complete, at a minimum, four hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four (4) hours in any one year may be carried over by the member into succeeding years to meet this requirement. Such training shall be approved by the Town Board and may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, State agency, statewide municipal association, college, or other similar entity.
  
- B. To be eligible for reappointment to such board, such member shall have completed the training promoted by the Town Board described in § 9-2 A above.
  
- C. No decision of a Planning Board shall be voided or declared invalid because of a failure to comply with this § 9-2.

**§ 9-3. Chairman; rules; expenses.**

- A. The Town Board may select a Chairperson of the Planning Board or, on failure to do so, the Planning Board shall elect a Chairperson from its own members.
- B. The Planning Board may adopt rules or bylaws for its operation pertaining to: meeting date, frequency of meetings, time of meetings, etc.
- C. The Town Board shall provide an appropriation to the Planning Board to cover necessary expenses, including the means for the Planning Board to maintain a written record of its meetings and public hearings.
- D. All decisions shall be by at least a majority of the full membership [three (3)]. In those cases involving a referral recommendation by the County Planning Board, a majority plus one vote of the full membership [four (4)] shall be required to override the County Planning Board decision. In all cases, disapproval can be rendered with a simple majority vote of the full membership.
- E. The Planning Board may petition the Town Board to replace a member due to excessive absence or inactivity.

**§ 9-4. Functions.**

- A. The function of the Planning Board shall be to:
  - 1. Prepare or change a Comprehensive Land Development Plan for the Town.
  - 2. Review and comment on all proposed code amendments.
  - 3. Conduct Site Plan Review as authorized by Town Law § 274a and presented in Article IX of Chapter 70 of the Town of Canton Code.
  - 4. Review and grant or deny applications for Special Use Permits as authorized by this Chapter and Article X of Chapter 70 of the Town of Canton Code.
  - 5. Render assistance to the Zoning Board of Appeals on its request.
  - 6. Research and report on any matter referred to it by the Town Board.
  - 7. Make investigations, maps, reports and recommendations in any matter related to planning and development as it seems desirable, provided that expenditure of the Board does not exceed appropriations (Town Law, § 275).
  - 8. Conduct State Environmental Quality Review (SEQR) as required in § 70-17 of the Town Code.
  - 9. Referral to County Planning Board as required by § 239-m and § 239-n of General Municipal Law.

**Article III. Effective Date.**

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