

**Town of LeRay**  
**8650 LeRay Street**  
**Evans Mills, NY 13637**  
**(315)-629-4341**  
[www.townofleray.com](http://www.townofleray.com)

## **Procedures for the Planning Board**

### **Meetings**

1. The Town of LeRay Planning Board holds regular meetings on the first Thursday of each month at 7:00 pm unless otherwise announced. Meeting schedules may be subject to change due to legal holidays, conflicts, or other reasons, in which case the new meeting date will be determined by the Planning Board.
2. The Planning Board may, at a regular meeting, set a special meeting when deemed necessary. For such meetings scheduled at least one week in advance, notice must be posted in the Town Clerk's Office and given to the news media no less than 72 hours before the meeting. Meetings scheduled less than one week in advance must include notice posted in the Town Clerk's Office and provided to the news media to the extent practicable.
3. Executive sessions of the Planning Board will be conducted only in accordance with the New York State Open Meetings Law. All official actions of the Planning Board will be taken at an open meeting.
4. In the event that a meeting is cancelled, the Chairperson may reschedule public hearings and other agenda items to the next available regularly scheduled Planning Board meeting. Public hearings will be re-noticed with the new date in accordance with the Town Zoning and Subdivision regulations.

### **Establishment of Agenda**

1. The submission deadline to be placed on a Planning Board meeting agenda is **12 o'clock noon**, twelve (12) days prior to the scheduled meeting. This applies to both new applications and submissions for continuing reviews.
2. No matter will be placed on an agenda unless all required materials are received by the submission deadline.
3. In the event that the Planning Board schedules a special meeting, the Board will identify the submission deadline for that special meeting as part of its approval of the special meeting.
4. The Planning Board will not review new materials or plans at the meeting at which such materials are submitted. However, the Planning Board may review the material at a later date.
5. The Planning Department Staff will serve as the point person for submittal of materials. The Planning Board Chairperson and Planning Department staff will determine whether an application or submission is complete, whether it was timely delivered, and if it will be placed on the agenda.
6. In the event an applicant desires an informal meeting with the Chairman or Community Development Coordinator, the applicant shall request such meeting through the Planning Department.
7. The Planning Department Staff will notify the applicant or the applicant's representative when a matter has been placed on the agenda.

8. It is not the function of members of the Planning Board to interact with the public or discuss specific applications outside of meetings of the Planning Board regarding pending agenda items.
9. Planning Board agendas will be posted on the Municipal Office Bulletin Board and the Town's website at [www.townofleray.org](http://www.townofleray.org).

## **Consultant Review**

1. Unless other arrangements have been made, the Planning Department Staff will forward all appropriate materials to the Planning Board's consultants for review.
2. Planning Board consultants must submit their reviews to the Planning Department no later than two (2) business days prior to the next Planning Board meeting. The Planning Board may authorize consultant reviews to be forwarded to applicants or their representatives prior to the meeting.
3. If the Chairperson or the Planning Board Staff requests that a Planning Board consultant attend a meeting, that attendance will be mandatory.
4. At the meeting, any Planning Board consultant requested to attend will be prepared to discuss and analyze the application in sufficient detail to aid the Planning Board in its review of the application, including the identification of relevant issues raised by the application, and the identification of any deficiencies or any material information missing from the application.

## **Governing Rules**

1. Robert's Rules of Order, as revised, will serve as guidelines for the Planning Board's proceedings, except as specified otherwise by the Planning Board policies and procedures.
2. The Planning Board will adhere faithfully to all requirements of the New York State Open Meetings Law.
3. All meetings will be run by the Chairperson or, in the absence of the Chairperson, by the Vice Chairperson. Members of the Planning Board presiding at a meeting at which the Chairperson and Vice Chairperson are absent may vote to select an Acting Chairperson to conduct the meeting until the return of either the Chairperson or the Vice Chairperson.

## **Agenda Format**

1. The following order of items for the agenda will generally be adhered to for all Planning Board meetings:
  - Approval of Minutes
  - Correspondence and Communication
  - Public Hearings
  - Review of Unfinished Business
  - Review of New Business
  - Other Business/Officers Reports

## **Conduct of Public Hearings**

1. The Secretary reads the public hearing notice published in the official Town newspaper.
2. The applicant or his/her agent presents a summary of the proposal for members of the public. (Prior to the public meeting, the application and supporting materials will be available for review by the public at the Town's Clerk's Office in the Municipal Building located at 8650 LeRay Street, Evans Mills, NY).
3. The Chairperson then opens the hearing to the public for comments and questions. All comments and questions are directed to the Chairperson who determines whether a response is necessary and, if so, who will respond.
  - a. All who speak must identify themselves as to name and address.

- b. Anyone wishing to comment on the application will do so verbally at the hearing, or by a signed, written statement submitted to the Board.
4. The Planning Board has set a time limit of three minutes for anyone other than the applicant or his/her agent to speak on a matter before the Board. Three-minute extensions may be granted with the unanimous approval of the Board.
5. Planning Board members and consultants then ask questions and present reports.
6. When all who wish to do so have spoken, the Chairperson asks the Board for a motion to:
  - a. Close the hearing if the Board is satisfied that all comments have been received and all questions of the Board members have been answered.
  - b. Adjourn the hearing to an unspecified date if additional information is necessary and no time frame exists as to when that information will be available. In this case, the hearing must be re-noticed in accordance with Town and State requirements.
  - c. Adjourn the hearing to a specified date if that is possible.

## **Record of Meetings**

1. The Planning Board Secretary keeps minutes of all Planning Board meetings and hearings. Minutes will include the names of persons appearing and addressing the Planning Board, and will faithfully reflect the record or a summary of all proposals, matters discussed, comments received at public hearings, resolutions, findings and the reasons thereof, and any matter formally voted upon, including the vote thereon.
2. Copies of the Planning Board's meeting minutes will be available to all Planning Board members no later than two (2) business days prior to the next Planning Board meeting. The minutes become official only after they have been formally accepted by a vote of the Board at a regular meeting.
3. Copies of the minutes will be available at the Planning Department and the Town's website.
4. Copies of the application paperwork and SEQR determinations will be available in the Planning Office.

## **Application Submission**

1. The Planning Board has application forms and checklists for applicants to complete, detailing their subdivision, site plan, and special use permit proposals.
2. All applications must be accompanied by an Environmental Assessment Form (EAF). The Planning Board will determine whether the project is subject to SEQR.
3. Applicants must prepare Part 1 of the EAF. For projects that are subject to SEQR, it is the Planning Board's policy that the Planning Department prepares Parts 2 and 3 of the EAF in draft form for the Board's review and consideration. The Planning Board may change or request further information regarding the Part 2 and 3 EAF if it believes such change or further information is necessary to make the required determination of significance under SEQR.
4. If the Planning Board determines that the proposed project may have the potential for at least one significant adverse environmental impact, a Draft Environmental Impact Statement (EIS) will be required.
5. Under Article 8 of the New York State Environmental Conservation Law and its implementing regulations found in 6 NYCRR 617, the Planning Board can take no action to approve or deny an application until the Board has complied with the provisions of SEQR.

## **Fees and Escrow**

1. All applications must be accompanied by payment of applicable fees and escrow deposits as set forth in the Planning Board's fee schedule. No application will be processed or considered without payment of the requisite fees and escrow deposits.
2. Application fees are non-refundable.

3. Unused portions of escrow deposits will be returned to the applicant.
4. A Developer Agreement with the Town to reimburse the Town for costs associated with the project may be needed. This is dependent upon the magnitude of the project.

### **Conflict with Laws**

1. These policies and procedures are not intended to modify the provisions of the Code of the Town of LeRay or any New York State or Federal Law, and all conflicts with these policies and procedures are to be resolved in favor of the Town Code, laws of the State of New York, and laws of the United States.