

Chapter 42

PLANNING COMMISSION

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GENERAL REFERENCES

Building construction administration -- See Ch. 18.
Flood hazard areas -- See Ch. 28.
Zoning -- See Ch. 55.

[HISTORY: Amended 7-15-1983 by Local Law 8 of 1983; and 1-20-1996 by Local Law 1 of 1996. Amended in its entirety 7-2-2005 by Local Law 1 of 2005.]

§ 42-1. Title

This local law shall be entitled “Local Law 1 of 2005, a local law to Amend Chapter 42 of the Saltaire Village Code, Planning Commission.”

§ 42-2. Enactment

Pursuant to Section 10 of the Municipal Home Rule Law, Article 12-A of the General Municipal Law, the Incorporated Village of Saltaire, County of Suffolk and the State of New York, hereby enacts by this Local Law 1 of 2005, a Local Law of the Village of Saltaire amending Chapter 42 of the Saltaire Village Code regarding the Village Planning Commission.

§ 42-3. Effective Date

This local law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within the twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Saltaire.

§ 42-4. Purpose & Intent of Local Law

The purpose and intent of this local law is to amend Chapter 42 of the Saltaire Village Code to clarify the nature and powers of the Village Planning Commission of the Village of Saltaire in accordance with Article 12-A of the General Municipal Law, to set the powers of the Village Planning Commission and to provide that the Village Planning Commission was created pursuant to Article 12-A of the General Municipal Law.

§ 42-5. Commission Established

Planning Commission of the Village of Saltaire is hereby created pursuant to Article 12-A of the General Municipal Law and as further provided in this Chapter.

§ 42-6. Planning Commission Purpose and Function

The purpose and function of the Planning Commission shall be to make studies and recommendations to the Board of Trustees as the Board of Trustees may from time to time request as provided by Article 12-A of the General Municipal Law of the State of New York, and shall from time to time make reports and recommendations to the Board of Trustees as may be requested by the Board of Trustees.

§ 42-7. Planning Commission Powers

The Planning Commission shall have the power to make recommendations and reports to the Board of Trustees as the Board of Trustees shall request only. The Planning Commission shall not have jurisdiction over sub-divisions or the divisions of lots in the Village of Saltaire or the power to grant the approval of subdivisions or the division of lots in the Village of Saltaire. The jurisdiction and power over sub-divisions and the division of the lots shall be retained by the Board of Trustees of the Village of Saltaire.

§ 42-8. Composition; Terms of Office [Amended 1-20-96 by L.L. 1, 1996; 4-22-07 by L.L. 1 of 2007]

- A. The Planning Commission shall consist of five (5) members appointed by the Board. Members shall serve for a term of three (3) years each, said term beginning June 1 in any year.

- B. The provisions of this section shall take effect on the first day of June following its adoption. Notwithstanding the term of any member appointed prior to the adoption of this section, the terms of all members of the Planning Commission then serving shall terminate on the above date. At that time, all members of the Commission shall be appointed to staggered terms in the following manner; two (2) to an interim term of two (2) years each; and one (1) to a full term lease of three (3) years. Thereafter, upon the expiration of said terms, members shall be appointed to full terms of three (3) years each.
- C. The Board of Trustees of the Village of Saltaire hereby creates the position of Alternate Member of the Planning Commission. There may be up to two alternate members to the Planning Commission. The Alternate Members shall be appointed by the Mayor of the Village of Saltaire subject to the approval of the Board of Trustees for a term that shall be established by the Board of Trustees. The chairperson of the Planning Commission may designate an Alternate Member to substitute for a member of the Planning Commission when such member is unable to participate because of a conflict of interest on an application or matter before the Commission or otherwise. When so designated, the Alternate Member shall possess all the powers and responsibilities of such member of the Commission.
- D. Nothing in this section shall be construed as impairing the ability of the Board to fill such vacancies on the Planning Commission as may, in the interim period before it takes effect, occur; nor otherwise disqualify such members as may be serving on the Commission by previous appointment from fulfilling their duties prior to the date this section takes effect.

§ 42-9. Service without compensation

No compensation shall be paid to any of the members of the Planning Commission.

§ 42-10. Meetings

The members of the Planning Commission may hold meetings at such times and places as they shall deem advisable, bur they shall meet at least once annually to determine and select from among their members a Chairman, and shall advise the Board of the name and address of the Chairman.

§ 42-11. Severability

In the event that this local law or any portion of it is determined to be invalid or void then the remainder of the local law shall remain in full force and effect.