

## ORDINANCE

### Empowering the Town of Orleans Planning Board

WHEREAS, the Town Board of the Town of Orleans previously determined that certain developments and uses within the Town of Orleans require the appropriate review and consideration by a Planning Board, and

WHEREAS, the Town Board of the Town of Orleans formed a five member Town Planning Board in accordance with Article 16 of the Town Law of the State of New York by Ordinance during March 2009, and

WHEREAS, the Town Board desires to vest the Town Planning Board with the authority, power, and jurisdiction routinely held by Planning Boards as set forth in Article 16 of the Town Law, as may be amended from time to time, and generally encompassing site plans and special use permits in the Town of Orleans Zoning Ordinance.

NOW BE IT ORDAINED that Article VI – Supplemental Regulations 1(A)(1) and (6); 2(A)(2) and (8); 3(A)(1), (2), and (8); 3(C)(5); 4(C)(1), (6); 4(D); and 5(N), (Q) shall be amended to substitute “Planning Board” for the “Zoning Board of Appeals.”

NOW BE IT FURTHER ORDAINED that Article VII – Special Uses 1; 2A, B, C, D, E; 3G(3), H(2), I(2), J; and 4(C), (I) shall be amended to substitute “Planning Board” for “Zoning Board of Appeals.”

NOW BE IT FURTHER ORDAINED that Article VIII – Site Plan Review 1, 2 B, C, D, E, F, G, H, I; 3; 4D, E; 5A(2), (B)1 and 2, (N)(5) shall be amended to substitute “Planning Board” for “Zoning Board of Appeals.”

NOW BE IT FURTHER ORDAINED that Article X – Administration and Enforcement 4(B) 3 and 4 shall be amended to substitute “Planning Board” for “Zoning Board of Appeals.”

NOW BE IT FURTHER ORDAINED that Local Law No. 1 of 2007 shall be amended such that wherein that Local Law any reference is made to the “Zoning Board of Appeals” shall be deemed to refer to the Town of Orleans “Planning Board.”

NOW BE IT FURTHER ORDAINED that this Ordinance shall take effect ten (10) days after its publication in the official newspaper for the Town of Orleans.

	<u>Yea</u>	<u>Nay</u>	
Donna Chatterton, Supervisor	<u>X</u>	—	
Peter Davis	<u>X</u>	—	
Dean Morrow	<u>X</u>	—	
Kevin Rarick	—	—	Absent
Tom Johnston	<u>X</u>	—	

Tammy Donnelly  
Tammy Donnelly, Town Clerk

Date - 4/2/09 adopted by board