

**TOWN OF GUILDERLAND**

**LOCAL LAW NO. 6 OF THE YEAR 2005**

**A LOCAL LAW of the Town of Guilderland**

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**BE IT ENACTED BY THE TOWN BOARD OF THE  
TOWN OF GUILDERLAND AS FOLLOWS:**

**REFERRALS TO THE VILLAGE OF ALTAMONT**

**1. Purpose**

The purpose of this law is to require that:

- A. development changes, proposed zoning changes, and comprehensive plans are referred to the Village of Altamont for review, comment, and recommendations before taking final action; and
- B. to encourage local decision-makers to consider the inter-community impacts of local land use changes and to add a cooperative perspective to local land use decisions.

**2. Referral of proposed planning and zoning actions.**

The Town of Guilderland referring body shall, before taking final action on proposed actions listed below, refer the application to the Altamont Village Board.

- A. Proposed applications subject to referral.
  - 1. special use permits;
  - 2. site plans;
  - 3. use or area variances;
  - 4. zone changes; and
  - 5. amendments to the Comprehensive Plan
- B. The proposed actions set forth in paragraph (2)(A) of this subdivision shall be subject to the referral requirements of this section if they apply to real property within:
  - 1. 1200 ft. of the boundary of the Village of Altamont; or
  - 2. 1200 ft. from the current and future Village of Altamont water system

**3. Village of Altamont review of proposed actions; recommendation and report.**

- A. The Village of Altamont shall review any proposed action referred for inter-community or Village considerations, including but not limited to the following:
1. compatibility of various land uses with one another;
  2. traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities;
  3. impact of proposed land uses on existing and proposed Village institutional or other uses;
  4. protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas;
  5. drainage;
  6. community facilities, including water and sewer facilities;
  7. official municipal development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and
  8. such other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.
- B. The Village agency shall recommend approval, modification, or disapproval, of the proposed action, or report that the proposed action has no significant Village or inter-community impact.
- C. The Village agency shall have thirty days after receipt of a referral of such proposed action to report its recommendations to the referring body, accompanied by a statement of the reasons for such recommendations. If the Village agency fails to report within such period, the referring body may take final action on the proposed action without such report.

**4. Extraordinary vote upon recommendation of modification or disapproval.**

If the Village agency recommends modification or disapproval of a proposed action, the referring body shall not act contrary to such recommendation except by a vote of a majority plus one of all the members thereof.

**5. Report of final action.**

Within thirty days after final action, the referring body shall file a report of the final action it has taken with the Village Board. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

## **6. Authority to supercede Town law.**

Pursuant to Municipal Home Rule Law section 10(1)(ii)(d)(3) and the authority of towns to supercede or amend any provision of Town Law, the voting requirements of the Town Board, Planning and Zoning Board of Appeals contained in sections 265(1), 267-a(13) and 271(16) of the Town Law are hereby amended and superceded in that where an action is the subject of a referral to the Village of Altamont as required herein, the voting provision of section 4 of this local law shall apply.