

**Local Law No. \_\_\_\_\_ of the year 2018**

**Town of Andes - County of Delaware**

**A LOCAL LAW TO AMEND  
THE PROVISIONS OF THE TOWN ZONING LAW  
ARTICLE 5 “SITE PLAN REVIEW AND SPECIAL USE  
PERMITS” TO REQUIRE NOTICE TO ADJACENT  
LANDOWNERS OF A SPECIAL USE PERMIT HEARING**

**Be it Enacted by the Town Board of the Town of Andes, Delaware County, New York, as follows:**

**SECTION 1. PURPOSE AND INTENT**

It is the purpose of this Local Law to require notice by mail to adjacent landowners and occupants of any public hearing upon an application for a Special Use Permit or a Site Plan Review before the Town Planning Board. This will make the Town Zoning Law consistent with the current notice requirement for Special Use Permit hearings in the Hamlet.

**SECTION 2. AMENDMENT**

The provisions of Section 5.07 of the Zoning Law of the Town of Andes is hereby repealed in its entirety, and is amended to read as follows:

**“Section 5.07 Public Hearing and Notice Requirements”**

“The Planning Board may conduct a public hearing on the site plan/special use permit if considered desirable by a majority of its members. Such hearing shall be held within forty-five days of the receipt of a complete application of site plan/special use permit. The applicant shall send a notice of the public hearing to adjacent land owners, land and/or building owner; if applicant is leasing, to the occupants in said building and any adjacent buildings; and to the County Planning Board as required by the General Municipal Law 239-1 and 239-M. The Public Hearing shall be advertised in the Town’s official newspaper at five (5) calendar days prior to the date of the Pubic Hearing and such notice shall include sufficient information so as to identify the property involved and the nature of the proposed action.”

**SECTION 3. EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York, in accordance with the applicable provisions of law, and specifically Article 3, Section 27 of the New York State Municipal Home Rule Law.