



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

2 of the year 20 25

Local Law Title: Amending Village Code 255, Sections 46 and 48 Relating to the Expiration of Planning and Zoning Board Approvals.

Be it enacted by the Village Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one)

of Spring Valley as follows on the attached pages:
(Name of Local Government)

For Office Use Only

FILED
STATE RECORDS

APR 09 2025

DEPARTMENT OF STATE

Department of State Local Law Index Number: 2 of the year 20 25

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number 2 of 20 25 of the (County)(City)(Town)(Village) of Spring Valley was duly passed by the Village Board of Trustees on March 4, 2025 in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20 _____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20 _____.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20 _____ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 ____ became operative.


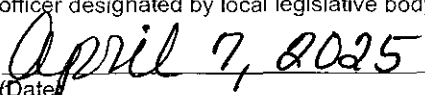
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 ____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph _____ above.

(Seal)


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Date)

Chapter 255, Section 255-46, of the Code of the Village of Spring Valley Expiration of Approval is hereby amended to read as follows:

§ 255-46 Expiration of approval.

- A. Planning Board approval of any final site development plan shall expire on the date that is three (3) years after the written decision that approved the site development plan is filed in the Village Clerk's Office, unless a building permit, based upon such approval, has been issued and substantial construction and substantial expenditures have been made; or unless the staging of development over a longer period than three (3) years was specifically provided for at the time of the Planning Board's site development plan approval.
- B. The applicable expiration period may be extended by the Planning Board, in the exercise of the Planning Board's discretion, on separate application to the Planning Board prior to the end of the expiration period, for which discretionary extension the Planning Board may consider changes in circumstances related to the project that have arisen and which were not previously considered by the Planning Board, such as, but not limited to, changes to applicable law(s) that affect the project or changes in the surrounding neighborhood, or other impediments to completion of any such project that were not contemplated at the time of the original site development plan approval.

Section 2. Chapter 255, Section 255-58, of the Code of the Village of Spring Valley entitled Expiration of Variance(s) is hereby amended to read as follows:

§ 255-58 Expiration of variance(s).

A variance granted under this chapter shall have no expiry date and no restrictions on when it can be exercised.

**VILLAGE OF SPRING VALLEY
SENATOR EUGENE LEVY MUNICIPAL PLAZA
200 NORTH MAIN STREET
SPRING VALLEY, NEW YORK 10977**

Resolution No. T-048-3.4.25

Moved by Deputy Mayor Gross, Seconded by Mayor Simon

**LOCAL LAW AMENDING VILLAGE CODE CHAPTER
255, SECTIONS 46 AND 48 RELATING TO THE
EXPIRATION OF PLANNING AND ZONING BOARD
APPROVALS**

WHEREAS, the Village has had issues with Planning Board and Zoning Board approvals expiring prior to the commencement of construction; and

WHEREAS, the extension of the expiration period would be beneficial to applicants and preclude additional applications to the Planning Board and Zoning Board, seeking extensions thereof.

NOW, THEREFORE, it is hereby resolved by the Board of Trustees as follows:

NOW, THEREFORE, BE IT RESOLVED, that the Village hereby ratifies and affirms each and every "WHEREAS" paragraph above and hereby amends Village Code § 255-46 and § 255-58 relating to the expiration of Planning Board and Zoning Board approvals as follows, with ~~strikethrough~~ language being removed and underlined language being added:

Section 1. Chapter 255, Section 255-46, of the Code of the Village of Spring Valley entitled "Expiration of Approval" is hereby amended as follows:

§ 255-46 Expiration of approval.

- A. Planning Board approval of any final site development plan shall expire on the date that is three (3) years after the written decision that approved the site development plan is filed in the Village Clerk's Office, unless a building permit, based upon such approval, has been issued and substantial construction and substantial expenditures have been made; or unless or certificate of occupancy is applied for with a period of 18 months from the date of the approval of the final site plan by the Planning Board, except where the staging of development over a longer period than three (3) years was has been specifically provided for at the time of the Planning Board's site development plan approval. If judicial proceedings to review the Planning Board's decision shall be initiated, the final site plan approval will expire 18 months from the date of entry of the final order in the court proceedings, including all appeals.

- B. The applicable expiration period may be extended by the Planning Board, in the exercise of the Planning Board's discretion, on separate application to the Planning Board prior to the end of the expiration period, for which discretionary extension the Planning Board may consider changes in circumstances related to the project that have arisen and which were not previously considered by the Planning Board, such as, but not limited to, changes to applicable law(s) that affect the project or changes in the surrounding neighborhood, or other impediments to completion of any such project that were not contemplated at the time of the original site development plan approval.

Section 2. Chapter 255, Section 255-58, of the Code of the Village of Spring Valley entitled "Expiration of Variance(s)" is hereby amended as follows:

§ 255-58 Expiration of variance(s).

~~A variance granted under this chapter shall have no expiry date and no restrictions on when it can be exercised. automatically expire, in accordance with the plans for which such variance was granted, has not been completed within 18 months or such other time limit as may be chosen by the Board of Appeals in connection with its decision, from the date of granting such variance by the Board or within 18 months from the date of the approval of the final site plan by the Planning Board, whichever occurs later. If judicial proceedings to review the Zoning Board of Appeals decision shall be instituted, the variances shall expire 18 months from the date of entry of the final order in such proceedings, including all appeals.~~

Section 3. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 255 of the Village of Spring Valley is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 4. Numbering for Codification

It is the intention of the Village of Spring Valley and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Spring Valley; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or

unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective date.

This chapter shall take effect immediately with a three (3) year retroactive effectiveness from the date of filing with the Office of the Secretary of State of the State of New York.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

On Roll:

Mayor Simon	Yes
Deputy Mayor Gross	Yes
Trustee Grossman	Yes
Trustee Eisenbach	Yes
Trustee Smith	Yes

Dated: March 4, 2025

