

TOWN OF BLOOMING GROVE

**A LOCAL LAW TO AMEND CHAPTER 235 (ZONING) REGARDING EXTENSIONS
OF SITE PLAN APPROVALS**

BE IT ENACTED by the Town Board of the Town of Blooming Grove, Orange County, New York (“Town Board”) as follows:

Section 1. Authority.

The adoption of this Local Law is in accordance with Municipal Home Rule Law § 10.

Section 2. Title and Purpose.

This local law shall be known as and may be cited as “A Local Law to Amend Chapter 235 (Zoning) Regarding Extensions of Site Plan Approval.”

The purpose of this local law to amend Chapter 235, Section 235-55(K) is to increase the number of permissible extensions permitted for Site Plan Approval when requested in writing by an applicant.

Section 3. Amendment to § 235(Zoning).

Chapter 235 (Zoning), Article XI (Planning Board), Section 235-55 (Site Development Plan Process), Subdivision (K), is hereby amended to read as follows:

(K) Expiration of site plan approval. Site plan approval shall be valid for 180 days commencing with the date the Planning Board adopts a resolution granting such site plan approval; provided, however, that the Planning Board may extend said one-hundred-eighty-day period for no more than six additional period(s) of 90 days each if the Board determines in its discretion that particular circumstances warrant any such extension; and provided that written request for any such extension must have been received by the Clerk of the Planning Board while such original site plan approval or such extended site plan approval is in effect. Failure to obtain a building permit within this three-hundred-sixty-day period shall cause the site plan approval to expire and be deemed null and void.

Section 4. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5(26) and (33), this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.

Section 5. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall

not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

Section 6. Code Preparation

The Town's Code preparation contractor is authorized, without further action of the Town Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this local law.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State.