

BYLAWS OF THE LEWIS COUNTY PLANNING BOARD

Article I

CREATION OF THE PLANNING BOARD

The Lewis County Planning Board ("Planning Board") was created by the Lewis County Board of Legislators ("Board of Legislators") (Resolution No. 65-1966 as amended by Resolution No. 191-1985, Resolution No. 139-1986 and Resolution No. 61-2006) pursuant to Article 12-B of the General Municipal Law, Section 239-b of the State of New York.

The principal office of the Planning Board and all records of the Planning Board shall reside at the Lewis County Courthouse, Lowville, New York, except as otherwise required by resolution, or as the business of the Planning Board may require.

Article II

BOARD ORGANIZATION

A. Membership

1. **Composition of the Board.** The Planning Board shall consist of eight (8) members, comprised of four (4) designated county officials as hereinafter set forth, and four (4) members from the county-at-large; however, no more than seven (7) of these members shall have voting authority. Of the designated County officials, three (3) shall serve as voting members, while one (1) — the Chairperson of the Board of Legislators — shall serve as a non-voting ex-officio member.
2. **Appointed Members At Large.** Four (4) members from the county-at-large shall be appointed to the Planning Board by the County Board of Legislators in a manner that attempts to maintain broad representation of the County. Each appointed member at large shall be a resident of the County and shall serve a three (3) year term. Non-elected County employees may be appointed to the Board as Members at-Large; however, preference should be given to interested parties not employed by Lewis County.
3. **Designated County Official Members.** The County Treasurer, the County Superintendent of Highways, and the Chairperson of the Finance and Rules Committee of the Board of Legislators shall be the County voting member officials of the Planning Board. The Chairperson of the Board of Legislators shall be the fourth County official member of the Planning Board, who shall serve as a non-voting ex-officio member.
4. **Terms of Office.** Terms of office for appointed members-at-large shall begin on January 1st and shall expire on December 31st of the year the term ends. As terms of office expire, appointments shall be made in each instance for a term

of three years, and all subsequent vacancies shall be filled for the unexpired term. (Resolution No. (4) 139-1986 and Resolution No. 61-2006 of the Lewis County Board of Legislators).

5. **Vacancies.** Should a vacancy occur before a term expires, the Board of Legislators shall appoint a successor to hold the office for the unexpired term.
6. **Oath of Office.** All appointed members shall be required to sign an oath of office and to abide by the County's Code of Ethics, confidentiality, sexual harassment and other policies.
7. **Expenses.** County Planning Board members shall be reimbursed for costs incurred in attending meetings of the Planning Board and committees thereof. Reimbursement for expenses incurred through attendance at other meetings or events that may be necessary shall be subject to the approval of the Board of Legislators. All such reimbursement shall be subject to the appropriation of funds for such purposes and in accordance with the policies established by the Board of Legislators.
8. **Removal.** A Planning Board member may be removed for cause by the Board of Legislators. Failure to attend three meetings within a year shall be deemed sufficient cause.

B. Officers and Duties

The Executive Officers of the Lewis County Planning Board shall be a Chairperson and a Vice-Chairperson. The officers of the Planning Board shall be elected from amongst the members at the annual meeting. The officers shall hold office for a term of one year from the day of election or until their successors are elected. All officers shall be eligible for re-election.

In the event that both the Chairperson and the Vice-Chairperson are absent from a meeting of the Planning Board, the Planning Board may elect a Chairperson Pro Tempore from the members for that Planning Board meeting.

The Lewis County Planning Director or his/her designee shall be appointed Secretary to the Planning Board.

1. **Chairperson.** The Chairperson shall:
 - a. Preside at all meetings and hearings of the Planning Board;
 - b. Sign all contracts, agreements, vouchers and other instruments made and approved by the Planning Board;
 - c. Be an authorized spokesperson for the Planning Board; however, whenever possible, public statements, press releases, etc. shall be cleared with the members;
 - d. Perform all duties incidental to the office;
 - e. Appoint committees;
 - f. Perform such other duties as may, from time to time, be assigned.
2. **Vice-Chairperson.** The Vice-Chairperson shall:
 - a. Perform all the duties of the Chairperson in his/her absence; and
 - b. Perform such other duties as may, from time to time, be assigned.

3. Secretary to the Planning Board. The Secretary shall:

- a) Keep the records of the Planning Board, including the minutes of all meetings, public hearings, and proceedings; Prepare an agenda for each meeting;
 - b) Notify members of regular or special meetings as directed by the Planning Board's Executive Officers;
 - c) Perform other duties as, from time to time, may be assigned by the Planning Board's members;
 - d) Email confidential draft 239-m Review Summaries to all Planning Board members at least 1-2 days prior to each meeting.
- 4. Vacancies.** If an Executive Office shall become vacant by reason of death, resignation, removal, or other reason, the Planning Board shall elect, at the next regular meeting, a successor to hold the office for the unexpired term.

C. Committees

The Planning Board may appoint committees of any number from the membership with such authority as shall be designated by the Planning Board; however, no committee shall take final action unless specifically authorized by the Planning Board.

Article III

Powers and Duties of the Board

- A.** The County Planning Board is empowered by Section 239-c of the General Municipal Law of the State of New York to perform planning work including, but not limited to, surveys, land use studies, urban renewal plans and technical services and shall perform, but not be limited to, the following activities:
- 1. Formulate and recommend major development policies in the form of statements, reports, plans, maps and other appropriate material to serve as reference guides with the goal of achieving a physical development of the county that will be orderly, harmonious, efficient, economically sound, and aesthetically pleasing;
 - 2. Consult with the County Legislature, with representatives of the Planning Board's Commissions and other municipal officials of the Villages and Towns in the County, or in part thereof covered by any plan or map embodying any development policy;
 - 3. Advise the Board of Legislators, and any other County Departments, officials, and Agencies of the County, with respect to any subject falling within the policies herein enumerated, and with respect to any matter relating to the physical development of the County on which the County Planning Board deems it advisable or on which it may have been requested to report;
 - 4. Submit a performance and activities report to the Board of Legislators annually.

- B. The Planning Board is empowered and designated under Section 251 of the County Law to act as a County water, water quality treatment, sewer, wastewater, disposal, drainage, refuse or public inland lake protection and rehabilitation agency. That such county agency shall have all of the powers and authority conferred by virtue of Article 5-A of the County Law. (County Board of Legislators Resolution 191-1985.)

Article IV

MEETINGS

A. Schedule

Regular meetings of the Planning Board shall be held on the third Thursday of each month at a time designated by the Planning Board, provided, however, that if such day is a holiday, the Planning Board shall carry a motion to determine a rescheduled date at least one month in advance. Notice of meetings shall be emailed to members of the Planning Board at least five (5) calendar days (including the day of mailing) prior to each regular meeting.

1. Annual Organizational Meeting. An organizational meeting shall be held at the first regular meeting of each year. At this time:
 - a. Officers shall be elected by ballot after proper nomination, and a candidate receiving a majority vote of the membership present at the time of election shall be declared elected;
 - b. The Bylaws shall be reviewed and, if deemed necessary, amended.
2. Special Meetings. Special meetings of the Planning Board may be called by the Chairperson, or in his/her absence or incapacity, by the Vice-Chairperson, the Director of Planning, or on request by a majority of the members. Members of the Planning Board shall be given notice of special meetings by mail or telephone or email at least forty-eight (48) hours in advance of such meeting.
3. Hearings. The Planning Board shall hold public hearings, in addition to those required by law, when it is deemed that such sessions would be in the best interest of the public and other parties concerned.

B. Proceedings

The Planning Board may from time to time adopt such rules of order or procedures for the orderly conduct of its meetings. Robert's Rules of Order shall be deemed a general guide for the conduct of its meetings, however, the failure to follow such formal rules shall not invalidate any action or proceedings approved or adopted by a majority of the voting members of the Planning Board.

1. Order of Business. At all meetings of the Planning Board, the following order of business shall be observed, so far as it is consistent with the purpose of the meeting:
 - a. Call to Order
 - b. Roll Call
 - c. Reading and Approval of the Minutes of the Preceding Meeting
 - d. Communications and Petitions
 - e. Election of Officers (if required)

- f. Report of the Special Committees
 - g. Report of the County Planner
 - h. Unfinished Business
 - i. New Business
 - j. Adjournment
2. Quorum. A quorum shall consist of the majority of the voting members of the Planning Board. The Planning Board shall not convene any regular meeting or special meeting to conduct business unless a quorum is present.
 3. Voting. The Planning Board shall take no action except by resolution or motion adopted by a majority of the voting members of the Planning Board, regardless of attendance. The Board may be polled, at the discretion of the Chairperson or upon the request of a Planning Board member, on any action.
 4. Speakers. Speakers addressing the Planning Board relative to business on the agenda may enter into discussion or present petitions in the manner and for the period of time prescribed by the Chairperson.
 5. Public Comments. Commentary from the general public shall be received prior to the conduct of the regular business agenda. Comments may be presented orally or in writing. Each speaker shall state his/her or her name and address and shall be limited to a maximum of five (5) minutes.

C. Minutes

At all County Planning Board meetings, minutes of all proceedings shall be taken by the Secretary to the Planning Board.

D. Public Notice of Meetings

The Planning Board Chairperson, or Vice-Chairperson acting in his/her capacity, shall instruct the Secretary to provide proper public notice of all regularly scheduled meetings and special meetings on the Planning Board as required by law or by these Bylaws.

1. Public notice of the time and place of the regularly scheduled meeting shall be given to the news media and shall be posted in the County Courthouse at least seventy-two (72) hours before such meeting.
2. Public notice of the time and place of every special meeting shall be given to the news media as early as possible and shall be posted in the County courthouse at a reasonable time prior to the meeting.
3. The public notice provided for by this section shall not be construed to require publication as a legal notice.

Article V

GENERAL MUNICIPAL LAW 239-M REVIEW PROCEDURES

- A.** Referrals must be submitted no less than twelve (12) calendar days prior to the scheduled County Planning Board meeting.
- B.** As stated in General Municipal Law 239-m, referrals will be considered received on the date when a "full statement" has been submitted.

- C.** In keeping with the procedural requirements of GML Sections 239-m, the Local Board shall forward all referable projects to the County Planning Board for review. A determination regarding the potential county-wide and/or inter-municipal impacts associated with the proposed action will be made promptly for all referrals received before the monthly referral submission deadline. All referrals that are determined to have potential impacts will be subject to a full County Planning Board review within 30 days of receipt of a full statement. All referrals that are determined to lack significant potential county-wide and/or inter-municipal impacts will be returned to the Local Board for action. The sole responsibility and discretion for determining what constitutes potential county-wide and/or inter-municipal impacts shall belong to the County Planning Board, which may delegate such responsibility to its staff, which will remain in effect until revoked by a unanimous motion.
- D.** The County Planning Board deems that the following information, as included on the "239-m Referral" forms, is essential to perform an adequate review:
1. Special Permits, Conditional Uses, Site Plan Reviews, and Variances: Name, address and phone number of petitioner and/or authorized agent. Site plan or plans showing the following:
 - Scale and north arrow
 - Physical characteristics of site, existing and proposed (topography, water and vegetation)
 - Dimensional plan showing all structures, parking, utilities, setbacks and adjacencies to each other and the property lines
 - Engineered drawings (if applicable)
 - Property lines
 - Location of county or state facilities
 - Vicinity map showing regional location of the site
 - Zoning classification and requirements of property and surrounding area
 - Surrounding land uses
 - Location and design of road systems
 - Description of applicant's request
 - Reasons for request
 2. New Zoning. Development Code, Site Plan Review Ordinance/Law and Map Text of new law or ordinance
 - Zoning Development Code Map
 - Report of Zoning Commission
 - Report of Municipal Planning Board statement of intent and purpose of proposed action (if appropriate)
 3. Amendment of Zoning Text. Development Code, Site Plan Review Text and/or Map

If Text is changed, include the following:

 - Amendment to text
 - Report of the Municipal Planning Board or Zoning Board of Appeals (as required by local ordinance/law)

If Map is changed, include the following:

- Map showing existing districts and proposed changes in red (3 copies)
 - Scale and north arrow
 - Topography, drainage, streams and water bodies
 - Location map showing location of county and state facilities
 - Any reports available
 - Location of existing structures
 - Existing land use of site and surrounding area
4. Site Plans: Referrals should include all information listed under special permits and variances plus the following
- The location and design of all proposed drainage improvements
 - The location and design of the access/egress system
5. All Referrals Should Also Include the Following:
- Does the site plan, zoning ordinance/law, map or amendment conform to the municipal plan? If not, why?
 - Traffic generation (expected vehicle departures and arrivals per 24-hour period)
 - Availability of public utilities
 - A copy of any environmental assessment form or Environmental Impact Statement (EIS) required under the State Environmental Quality Review Act (SEQRA)
- E. If a referral is submitted after the 12-day deadline, the Planning Board may review it if the information submitted is sufficient and if the request is not of a complexity that requires additional time for review. However, the Planning Board may not consider the referral if the Planning Board finds that it may have to recommend disapproval of the action.
- F. The review process shall include the following considerations:
- Compatibility of land uses
 - Traffic generation and effect
 - Impact on existing and proposed County or State institutional or other uses
 - Protection of community character as regards predominant land uses, population density and relation between residential and non-residential areas
 - Community appearance
 - Drainage
 - Community facilities
 - Official development policies, municipal and County, as may be expressed through comprehensive plans, capital programs or regulatory measures
 - Other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.
- G. If it is deemed advantageous, the Planning Board or staff may request that a representative of the project and or referring body be present at the Planning Board meeting.

H. Upon review of the full statement and technical guidance, the County Planning Board will choose from the following actions as a recommendation to the Local jurisdiction:

- Approve
- Approve with Modifications (Conditions)
- Disapprove
- Matter of Local Concern

Article VI

AMENDMENTS

These Bylaws may be amended by resolution, duly adopted at any meeting, regular or special, provided that notice of intention to present such resolution shall be given at least five (5) calendar days in advance of the meeting at which the motion to adopt such resolution is made. Such notice shall be given in writing and mailed/emailed or delivered to all County Planning Board members. However, advance notice of motions to amend motions, which would amend the Bylaws, need not be given.

A copy of the Resolution and Amended ByLaws shall be forwarded to the Clerk of the Board of Legislators.

The provisions of these Bylaws may be suspended by unanimous consent of a quorum of the Planning Board.

Amended: 6/18/2025

A handwritten signature in blue ink, appearing to read "Tim Petersen", written over a horizontal line.

Tim Petersen, Chairman
Lewis County Planning Board