

PLANNING BOARD

Chapter 36B

PLANNING BOARD

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[HISTORY: Adopted by the Attica Village Board 6-6-2000 by L.L. No. 2-2000. Amendments noted where applicable.]

S 36B-1. Creation.

Pursuant to the provisions of the Village Law applicable thereto, the Board of Trustees of the Village of Attica hereby creates a Planning Board, consisting of five or seven members, with alternates whose number shall not total more than the total number of Planning Board members.

S 36B-2. Membership.

Qualifications for membership on the Planning Board of the Village of Attica are as follows:

- A. No person who is a member of the Village Board shall be eligible for membership on the Planning Board.
- B. Planning Board members must reside in the Village of Attica.
- C. Planning Board members must be 18 years of age or older.
- D. Planning Board members must be citizens of the United States.

S 36B-3. Terms of office.

The Planning Board shall consist of two members appointed for a one-year term, two members appointed for two-year terms and one member appointed for a three-year term. Upon expiration of each initial term, each successive term for each seat shall be for three

years. If the Planning Board consists of seven members, then the other two members shall be appointed to three-year terms as well. The Mayor shall, at the yearly reorganization meeting of the Village Board, reappoint any Planning Board members whose term has expired, should they so desire to continue on the Board, or appoint a new member to fill a vacancy, considering but not restricted to any alternates first. Should a Board member resign during their term or be removed for just cause, the Mayor shall appoint a new Board member to fulfill the remainder of said member's term, considering but not restricted to any alternates first. All appointments made by the Mayor to the Planning Board are subject to approval by the Board of Trustees. Planning Board members and alternates must file an oath of office with the Village Clerk upon their appointment and for any reappointed terms. This must be completed within 30 days of appointment or it shall be determined that the appointee had decided not to serve and another appointment shall be made.

S 36B-4. Appointment of officers and their duties.

- A. The Chairperson of the Planning Board can be appointed by the Mayor upon approval of the Village Board of Trustees, or can be appointed by the Village Board of Trustees. If no Chairperson is appointed, then it shall be up to the Planning Board to select a Chairperson. A Vice-Chairperson shall be appointed by the Chairperson upon approval of the rest of the Planning Board. The Planning Board may elect to hire a Clerk/Secretary to handle Planning Board paperwork, if it is within their budget, or a Clerk/Secretary may be appointed from the existing Planning Board members or alternates to handle the Planning Board paperwork.
- B. It is the duty of the Chairperson to call the meetings of the Planning board and to preside over such meetings called. Other duties include supervising agenda preparation, acting as liaison with the Village Board of Trustees, signing official documents and supervising the filing of documents; also, appointing a Vice-Chairperson and a Clerk/Secretary.
- C. The Vice-Chairperson shall preside over any meetings that the Chairperson cannot attend for any reason.
- D. The Clerk/Secretary shall take notes at meetings and prepare minutes of each meeting to be voted on and filed for future reference and take care of any correspondence that the Planning Board deems necessary.

S 36B-5. Appointment of alternate members.

Alternate members are appointed in the same way the regular members are appointed; the total number of alternates can be less than the total number of Planning Board members but never more than the total number of Planning Board members. Terms for alternates run the same as terms for Planning Board members; qualifications for membership are the same as for Planning Board members. An alternate can be appointed to the Planning Board on a temporary basis by the Chairman of the Planning Board only as a substitute in the absence of a regular Planning Board member or if a regular member is faced with a conflict of interest. In either case, the alternate, while temporarily

appointed to the Board, has all the privileges accorded a regular member of the Planning Board, as to voting and decisionmaking. Upon appointment or reappointment, alternates must also file an oath of office with the Village Clerk within 30 days or their appointment is withdrawn.

S 36B-6. Powers and duties of Planning Board.

The Planning Board shall have the following powers and duties as well as those provided by law, including this local law, or as otherwise assigned to it by the Board of Trustees of the Village of Attica.

- A. The Planning Board may recommend to the Board of Trustees regulations relating to any subject matter over which the Planning Board has jurisdiction under this chapter or any other statute, or under local law or ordinance of the village. Adoption of any such recommendations by the Village Board shall be local law.
- B. To prepare and from time to time recommend changes to the Comprehensive Plan for the development of the village, and also to determine compliance.
- C. To review and make recommendations on applications pertaining to subdivision or cluster subdivisions or on any division of land.
- D. To review proposals to approve or disapprove the laying out, closing off, abandonment or changes in lines of streets, highways and public areas and to make recommendations to the Village Board.
- E. To review projects and to make recommendations on capital budgets and recreation studies.
- F. Planning Board decisions are not appealed to the Zoning Board of Appeals; they must be appealed to the Supreme Court.

S 36B-7. Removal of members.

The Mayor shall have the power to remove, for just cause, and only after a public hearing, any member of the Planning Board, with approval of the Board of Trustees.