

Introduced at the request of the County Executive by Presiding Officer Peter J. Schmitt

LOCAL LAW NO. 5 - 2010

A Local Law to amend the County Government Law of Nassau County in relation to clarifying the authority of the County Planning Commission to extend the time to file a subdivision map with the County Clerk.

Passed by the Nassau County Legislature on March 22, 2010
Voting: ayes: 19, nays: 0, abstained: 0

Became a law on March 22, 2010 with the approval of the Deputy County Executive acting on behalf of the County Executive.

APPROVED AS TO FORM
Paul J. D'Amico
Deputy County Attorney

BE IT ENACTED by the Nassau County Legislature as follows:

Section 1. Subdivision c of section 1610 of the County Government Law of Nassau County, as last amended by Local Law 6 of 2009, is amended to read as follows:

c. Minor subdivision approval. Where a subdivider proposes a minor subdivision and such subdivision conforms, with or without approved variances, to the applicable planning and zoning regulations or ordinances of the city, town or village, as the case may be, the subdivider may apply in writing to the County Planning Commission to request approval of such subdivision pursuant to this provision. The County Planning Commission shall, by regulation, adopt streamlined procedures and application filing requirements for minor subdivision applications. Not later than sixty-two days after the

County Planning Commission receives an application for subdivision approval that the Planning Department has determined proposes a minor subdivision, and deems such application complete, the County Planning Commission shall consider such minor subdivision at a public hearing. The County Planning Commission shall make a determination approving, approving with conditions or denying any minor subdivision requests within sixty-two days after the application is deemed complete, unless such a period shall have been extended by consent of the applicant or the County Planning Commission has deemed an extension of time to be in the best interest of the public. Approval by the County Planning Commission of a minor subdivision shall remain in effect for no more than one year after the date of certification of the resolution granting such approval unless upon application and for good cause shown, the County Planning Commission, in its discretion, extends the effectiveness of such. The Planning Commission may grant such an extension for a period of up to six months from the expiration of effectiveness of the original resolution and the total extensions granted by the Commission may not exceed one year from such expiration. In lieu of a new subdivision application, a property owner or authorized agent may apply for an extension of time for filing the survey and deeds of an approved minor subdivision if such extension request is submitted within one year from the date of certification of the resolution granting initial approval or prior to the expiration of any extension previously granted by the Commission.

§ 2. Paragraph 3 of subdivision e of section 1610 of the County Government Law of Nassau County, as last amended by Local Law 6 of 2009, is amended to read as follows:

3. Upon timely completion of all requirements constituting the conditions for its

final approval, the final map shall be certified in writing as approved by the Chairperson, Executive Commissioner or other duly authorized agent of the County Planning Commission. A subdivider shall file the approved map, together with one duplicate tracing, with the County Clerk no later than one year following the date of certification of the resolution granting approval of such map; provided, however, that the County Planning Commission may in its sole discretion extend the time period by which an approved final map must be so filed, but such period shall not extend more than one year from the date of expiration of the deadline for filing the map pursuant to the original certified resolution granting approval, and provided further that no single such extension shall be granted for a period of more than six months. In lieu of a new subdivision map application, a property owner or authorized agent may apply for an extension of time for filing the map of an approved major subdivision if such extension request is submitted within one year from the date of certification of approval or prior to the expiration of any extension previously granted by the Commission. Duplicate tracings of the map as prescribed by regulation shall be presented at the office of the County Planning Commission.

§3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§4. This local law shall be effective immediately.

APPROVED



County Executive

DATE 3-22-2010