

RESOLUTION NO. 517

AUTHORIZING AN AGREEMENT WITH THE TOWN OF COLONIE REGARDING NON-REFERRAL ITEMS FOR THE ALBANY COUNTY PLANNING BOARD

Introduced: 9/9/24

By Conservation, Sustainability and Improvement Committee and Laurilliard:

WHEREAS, By Resolution No. 389 for 2023, this Honorable Body amended the Albany County Planning Board's List of Non-Referral items to include the following three items that are of local concern in the Town of Colonie, do not have an impact county-wide and undergo local administrative review and do not go before the town planning board or zoning board:

- Addition or other site change affecting less than 10,000 square feet
- Commercial redevelopment on lots less than one acre which meet the following conditions:
 - a. Addition or other site change other than demolition; and
 - b. Previously developed site with a building that was occupied within the preceding 10 years.
- Subdivision of a parcel of land into four lots or fewer, where no new public streets are required.

, and

WHEREAS, The Department of Public Works has requested authorization for the Albany County Planning Board to enter into an agreement with the Town of Colonie regarding the three aforementioned Non-Referral items in the Town of Colonie, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Albany County Planning Board is authorized to enter into an agreement with the Town of Colonie regarding the three aforementioned Non-Referral items in the Town of Colonie as annexed hereto, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

**ADDED NON-REFERRAL ITEMS TO THE ALBANY COUNTY PLANNING BOARD
FOR THE TOWN OF COLONIE**

- Addition or other site change affecting less than 10,000 square feet
- Commercial redevelopment on lots less than one acre which meet the following conditions:
 - a. Addition or other site change other than demolition; and
 - b. Previously developed site with a building that was occupied within the preceding 10 years.
- Subdivision of a parcel of land into four lots or fewer, where no new public streets are required and which does not result in an exemption from the zoning and land use requirements as applicable in Chapter 190 of the Town Code.

(Proposal for new well and/or septic requires review by the Albany County Department of Health).

(Any changes to existing ingress/egress on a state or county highway or a proposal for new access for the above actions should require review by the Department of Transportation or the Albany County Highway Department as required.)

The Town shall provide written notification to the Senior Planner of the Albany County Planning Board (hereinafter “ACPB”) within 10 days of receipt of a completed application where there will be no referral to the ACPB. The written notification shall identify the name of the applicant, a brief description of the project and location of the project. Upon receipt of the notification, the ACPB reserves the right to request a formal referral for ACPB review in the event the same is warranted pursuant to the New York State General Municipal Law.

The ACPB requires the Town to send a summary list of all non-referrals showing project name, type of action, and location within 30 days of approval.