

**PROPOSED LOCAL LAW NO. 13-2009**

A proposed local law amending Chapter 342 (Zoning) of the Code of the Village of Mamaroneck by amending Section 342-79 (Planning Board action)

Be it enacted by the Board of Trustees of the Village of Mamaroneck as follows:

**SECTION 1.** Section 342-79 (Planning Board Action) of Chapter 342 (Zoning) is hereby amended to read as follows: **[CHANGES ARE IN BOLD OR INDICATED BY STRIKEOUT]**

The Planning Board shall review the site development plan and act on the application within ~~45~~ **62** days from and after the time of submission of the ~~preliminary plan~~ **complete application**. ~~Failure on the part of the Planning Board to act shall be deemed to constitute approval, unless the time limit is extended by stipulation with the applicant.~~ **The Board shall comply with the provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations. The time within which the Board must render its decision may be extended by mutual consent of the applicant and the Board.** In reviewing the site development plan, the Planning Board shall take into consideration the public health, safety and general welfare and the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular and shall set any appropriate conditions and safeguards in harmony with the general purpose and intent of this chapter and according to the general criteria and standards defined in § 342-76.

**SECTION 2.** If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

**SECTION 3.** This Local Law shall become effective immediately upon filing in the office of the Secretary of State.