



# Yates County Planning Board Referral Form

Referral # 2019-23  
County Use Only

Date Received 8-9-2019

Revised 4/2017

Municipality and Referring Agency Board of Trustees-Village of Penn Yan

Project Address N/A Project Tax Map # N/A

Zoning District N/A

Applicant (Name & MAILING) Village of Penn Yan, 111 Elm St., Penn Yan, NY

Email \_\_\_\_\_

Property Owner (Name & MAILING) \_\_\_\_\_

Email \_\_\_\_\_

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) State Highway & Municipal boundary

### Application Type

### Project Description

- Area Variance
- Use Variance
- Special Use Permit
- Site Plan
- Subdivision
- Text Amendment
- Map Amendment
- Other  Repeal

Proposed repeal of senior citizen housing moratorium  
The Village is considering adoption of an amendment to  
the Zoning Chapter regarding senior citizen housing. If  
adopted the moratorium will no longer be needed.

### Supporting Documents Required (IF N/A, include explanation)

- Municipal Application
- Tax Map or Plat
- SEQR
- Site Plan \*
- Variance Criteria \*\*
- Subdivision Plat  For Subdivision Referrals Only
- Other  proposed LL

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*If Site Plan Review, Site Plan **MUST** be detailed and meet the municipal requirements.

\*\*All Variance referrals (Area/Use) **MUST** include detailed justifications associated with reason/s for appeal.

Certification: *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

Village Clerk by Village Attorney, Referring Official



Provision of required information is the responsibility of the referring agency. Failure to provide such information may result in a significant delay in processing.

**Submit To:** Yates County Planning Department, [dlong@yatescounty.org](mailto:dlong@yatescounty.org) or 417 Liberty St. Suite 1093, Penn Yan, NY 14527

**EDWARD J. BROCKMAN**  
ATTORNEY AND COUNSELOR AT LAW  
159 South Main Street, PO Box 457  
Naples, New York 14512  
Phone (585) 374-6343

August 8, 2019

Yates County Planning Board  
c/o Yates County Planning Department  
417 Liberty Street  
Penn Yan, New York 14527

**Re: Village of Penn Yan – General Municipal Law §239-m Referral: Proposed Repeal of Senior Citizen Housing Moratorium Local Law**

Enclosed please find a proposed Local Law and County Planning Board Referral Form with respect to the above action. This matter is referred pursuant to §239-m of the General Municipal Law of the State of New York.

This action has been determined to be a Type II actions pursuant to the SEQRA regulations, and accordingly no SEQR review was undertaken with respect hereto.

In the event that you request further information or documentation please advise us accordingly.

Sincerely,



Edward J. Brockman

EJB/lcb  
Enclosure

## *Local Law Filing*

162 WASHINGTON AVENUE, ALBANY, NY 12231

NEW YORK STATE DEPARTMENT OF STATE

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of Penn Yan

Proposed Local Law K of the year 2019

A Local Law repealing "The Village of Penn Yan Senior Citizen Housing Moratorium Law of 2019."

Be it enacted by the Village of Penn Yan as follows:

### **Section 1. Short Title.**

This Local Law shall hereafter be known as the "Local Law To Repeal The Village of Penn Yan Senior Citizen Housing Moratorium Law of 2019".

### **Section 2. Legislative Findings**

The Board of Trustees finds that since the Board has adopted a Local Law amending the senior citizen housing provisions of the "Zoning" Chapter of the Village Code, which was contemplated by the adoption of the Senior Citizen Housing Moratorium, such Moratorium is no longer pertinent or necessary and should accordingly be repealed.

### **Section 3. Legislative Intent and Authority.**

The intent of this Local Law is to repeal "The Village of Penn Yan Senior Citizen Housing Moratorium Law of 2019"

### **Section 4. Provisions.**

The entirety of Local Law 6 of the year of 2019 entitled "The Village of Penn Yan Senior Citizen Housing Moratorium Law of 2019" is hereby repealed in its entirety.

### **Section 5. Effective date.**

This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York, subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

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*(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)*

1. (Final adoption by local legislative body only)

**I hereby certify that the local law annexed hereto, designated as Local Law No. of the year 2019, of the Village of Penn Yan was duly passed by the Board of Trustees on , in accordance with the applicable provisions of law.**

**I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.**

\_\_\_\_\_  
Gary Meeks – Penn Yan Village Clerk/Treasurer

(SEAL)

Date:

*(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality)*

STATE OF NEW YORK     )  
COUNTY OF YATES     ) ss:

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Edward J. Brockman, Village Attorney  
Village of Penn Yan  
Date: