

Land Use Applications and COVID-19

Local government boards that are forced to postpone or cancel meetings due to the COVID-19 crisis may be concerned about land use applications before them that are subject to certain time constraints imposed by Town and Village Law. Of particular concern may be default approval of land subdivision applications that are not acted on within the required time limit. The NYS planning statutes allow for these time limits to be extended by mutual consent of the applicant and the reviewing board. It is recommended that boards attempt to extend time limits in this manner, if need be.

On Thursday, April 9, the Governor signed Executive Order 202.15, which states, "Any local official, state official or local government or school, which, by virtue of any law has a public hearing scheduled or otherwise required to take place in April or May of 2020 shall be postponed, until June 1, 2020, without prejudice, however such hearing may continue if the convening public body or official is able to hold the public hearing remotely, through use of telephone conference, video conference, and/or other similar service." In other words, public hearings MUST have a video or telephone conference component if held prior to June 1.

Commission staff are monitoring this situation and will continue to keep our local governments informed. Contact Planning Director Matt Johnson with any questions: matt@tughill.org.