

**A LOCAL LAW PROVIDING FOR A TEMPORARY  
MORATORIUM ON SUBDIVISIONS**

**SECTION 1. PURPOSE.**

The purpose of this Local Law is to prohibit temporarily the processing and approval of any application for subdivision of realty until the Board of Trustees and the Planning Board can prepare and enact a Subdivision of Land Chapter for the Village Code and subdivision regulations consistent with the requirements of Article 7 of the New York Village Law.

**SECTION 2. PROCESSING AND/OR APPROVAL OF SUBDIVISIONS.**

Except as otherwise provided herein, for a period of one hundred eighty (180) days after the effective date herein, there shall be neither processing nor approval of subdivision applications and/or lot line modification applications and no such application, pending or otherwise, shall be either deemed complete or processed for a hearing before any agency or board.

**SECTION 3. SUPERSESSION.**

This Local Law shall supersede any inconsistent law, state or local. This declaration of supersession is made by authority of the Village's municipal home rule law powers, pursuant to §§10(1)(ii)(a)(14) and 10(1)(ii)(e)(3) of the Municipal Home Rule Law, §10(6) of the Statute of Local Governments, and Article 9, §2(b)(3) of the New York State Constitution.

**SECTION 4. EXEMPTIONS.**

Notwithstanding any other provision of this Local Law, the Planning Board may during the term of this Local Law by resolution process, approve or deny an application for approval provided that the following requisites occur:

- A. Procedural requirements. The following procedural requirements shall be prerequisite to the grant of an exemption hereunder:
- (1) The owner shall have filed with the Planning Board a written application specifically requesting exemption from this Local Law together with any application fee fixed by resolution of the Board of Trustees for such an exemption application; and
  - (2) The Planning Board shall have held a public hearing on the petition upon at least ten (10) days' prior public notice, which notice shall have been published in the official newspaper.
- B. Substantive requirements. No exemption shall be granted hereunder unless the Planning Board shall specifically find and determine, and shall set forth in its resolution granting such exemption, that:
- (1) Failure to grant an exemption to the owner will cause the owner undue hardship, which hardship is substantially greater than any harm to the general public welfare resulting from the grant of the exemption; and
  - (2) Grant of the exemption will clearly have no adverse effect upon any of the Village's goals or objectives in adopting this Local Law; and
  - (3) The application for which owner seeks an exemption will be in harmony with the existing character of the Village as a whole and the area of the Village in which the affected land is located, and will be consistent with any interim data, recommendations, or conclusions which may be drawn from any planning and/or zoning work then in progress or under review; and
  - (4) Owner's circumstances are different from any other member of the community to the extent owner is burdened by this Local Law substantially greater than any other member of the community.

SECTION 5. SEQRA.

This Local Law is exempt from review under 6 NYCRR §617.5(b)(30).

SECTION 6. SEVERABILITY.

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 7. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.