

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Head-of-the-Harbor will hold a public hearing on the 18th day of August, 2010, at 7:00 P.M., at the Village Hall, 500 North Country Road, Head-of-the-Harbor, New York, to consider the adoption of a local law as follows:

**LOCAL LAW (Intro.)6 OF 2010
A LOCAL LAW ENACTING VILLAGE CODE § 165-80(C)**

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD-OF-THE-HARBOR AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this local law is to supplement the present language at Village Code § 165-80 consistent with state decisional law developments.

SECTION 2. ENACTMENT OF § 165-80(C).

Section 165-80(C) is enacted as follows:

C. Any provision in this Chapter 165 or otherwise in the Village Code to the contrary notwithstanding, any application to both the Planning Board and Zoning Board of Appeals shall first be forwarded to the Planning Board prior to any action taken by the Zoning Board of Appeals and the Planning Board may in its discretion either hear and decide the application to conclusion or prepare an interim report to the Zoning Board of Appeals reserving full site plan review or subdivision review or other review until after the Zoning Board of Appeals decides the matter.

SECTION 3. SEQRA.

This is a Type II action under 6 NYCRR § 617.5(c)(20).

SECTION 4. 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 5. EFFECTIVE DATE.

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

All persons in interest will be heard by the Board of Trustees at the public hearing to be held as aforesaid and may appear in person or by representative. The Village Hall is accessible to handicapped persons.

Dated: July 26, 2010

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF HEAD-OF-THE-HARBOR

BY: Margaret O'Keefe, Village Clerk