

TF LL #4 - 2023
Retail Moratorium
Town of Fayette

TO: Seneca County Planning Board
FROM: Seneca Co. Dept. of Planning & Community Development
DATE: December 21, 2023

This request is for a review of an extension of moratorium in the Town of Fayette and requires review under Section 239 of the General Municipal Law because it will potentially impact the entire town.

ANALYSIS

The Town of Fayette is proposing a six-month extension to the moratorium to temporarily halt the processing and approval of land use permits and special use permits for retail business within the town, while the Town studies the need for further legislation to protect its character.

The Town has initiated an update to their Comprehensive Plan and is working on the process of establishing sewer districts.

Under 6 NYCRR 617.5(c)(36), this is a Type II action and no further SEQR action is necessary.

The legislation had written into it a provision of the Town Board to review and act on applications for variation of this moratorium which claim and demonstrate that strict enforcement of these regulations will create unnecessary hardship for a property owner.

The first time this moratorium was reviewed by this Board was November 2022 and it was passed by the Town Board in December of 2022. This will now extend the total moratorium to over 18 months. The Town has provided no documentation of its work on this issue since the original enactment.

RECOMMENDATION

The Seneca County Department of Planning & Community Development advises the Seneca County Planning Board to recommend that the request of the Town of Fayette adopt the proposed Local Law to extend by six-months the moratorium on permits for retail development.

DOCUMENTS AVAILABLE

Copy of Local Law

Resolution _____-24
TF LL #4 - 2023
Retail Moratorium
Town of Fayette

WHEREAS, the Town of Fayette forwarded for review a proposed moratorium of retail permits because it will potentially impact the entire town, and

WHEREAS, the Seneca County Department of Planning and Community Development did review said request and prepared a report dated December 21, 2023, and

WHEREAS, the Seneca County Planning Board did meet on January 11, 2024, to consider this request, the report of the Seneca County Department of Planning and Community Development, and other pertinent information, be it therefore

RESOLVED, that the Seneca County Planning Board recommends that the Town of Fayette adopt the proposed Local Law regarding a six-month extension of the moratorium on permits for retail development, and be it

FURTHER RESOLVED, that the Seneca County Department of Planning and Community Development be directed to forward word of this action to the Town of Fayette.

Motion _____
Second _____
Ayes _____
Nays _____
Abstain _____

Caitlin S. Ryan, Secretary