

Town of Caroline Subdivision Local Law

Summary of Proposed Edits

Moratorium, September 2017 - February 2018

Section 102- 'Authority and Relationship of This Law to Other Laws and Regulations': Mirror language from the Site Plan Review local law for consistency. Also include reference to authorities of other possibly applicable local laws or regulations, such as the Town Stormwater Management and Erosion and Sediment Control and Flood Hazard Prevention Local Laws (Section 102, p. 1).

Section 104, and throughout document, where appropriate: Insert mention of the Town Comprehensive Plan as to link the goals of the comprehensive plan with the administration of the Subdivision local law. (Section 104, p. 1)

Insert new Section 204- 'Retention of Expert Assistance and Reimbursement by Applicant': The addition of this section allows the Review Board to seek and retain professional technical assistance at the expense of a project applicant during the subdivision review process. It echoes existing language in the Site Plan Review local law. (PROPOSED NEW Section 204, p.9).

Insert new Section 205- 'Review Board Use of Legal Counsel'. The addition of this section allows the Review Board to retain the Town Attorney for legal assistance, as necessary with any interpretation of this local law or review procedure during the subdivision review process. The addition of this language is common in other municipal local laws in Tompkins County. (PROPOSED NEW Section 205, p. 9)

Insert new Review Criteria element Section 302 (J)- Energy Use and Greenhouse Gas Emissions. As a primary goal of the Moratorium effort (to improve energy use and reduce greenhouse gas (GHG) emissions resulting from new development that qualifies for subdivision review) the introduction of this criteria would require, either when an analysis is requested of an applicant by the Review Board during the course of subdivision review or per direction of a Lead Agency following NYS SEQRA on behalf of the Town, a subdivider to address the [NYS DEC guidance for assessing a proposed Development's impact on energy use and GHG emissions during the completion of an Environmental Impact Statement \(EIS\)](#). (Section 302(J), p. 14)

Section 401, 'Sketch Plan Review': This should become a mandatory step for subdivision proposals that are subject to review by the Review Board as it sets expectations as early as possible in the review process for both parties, the Review Board and the applicant, to discuss project concepts and goals. (Section 401, p. 15)

Section 1004, 'Responsibilities of Review Board Members': Insert language regarding the participation of Review Board members in training activity, the responsibility of the Town Clerk to track this activity, and make a report to the Town Board each year to ensure appropriate Board training. (Section 1004, p. 32)

Design Guidelines have been removed from the Appendix of this local law and are now a stand-alone companion document. This change is so that design guidelines can be revised, as and when deemed appropriate, by Town Board resolution and not subject to local law amendment process (Appendix A, p. 35, though now in separate document). The following list are questions that have been proposed as additions to the existing Subdivision local law Design Guidelines:

- New question that addresses the selection of brownfield or greyfield sites in the Town to locate subdivision development and additionally consider the redevelopment of existing structures to account for embedded energy savings.
- New question that addresses the consideration of a proposed subdivision's "location efficiency" to evaluate its proximity to community services and amenities that influence residents transportation options, costs, and associated GHG emissions.
- New question(s) that address the consideration of a cluster subdivision concept design v. a conventional subdivision.
- New question that addresses the consideration of a proposed subdivision's application and/or utilization of "green infrastructure" to assist in the management, conservation, and re-use of water resources.
- New question that addresses the consideration of site location and orientation that can lend to site plan design(s) that incorporate renewable energy alternatives.
- New question that addresses the consideration of an all-electric energy program, or one powered by solar PV, for new subdivision development.
- New question that addresses the consideration of climate change and efforts to mitigate energy use and GHG emissions via the NY DEC *Guide for Assessing Energy use and Greenhouse Gas Emissions in an Environmental Impact Statement*.