

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**County**  
**City**  
**of**            **Goshen**  
**Town**  
**Village**

**Local Law No. 5 of the year**    2023

**A local law**    Amending Chapter 46 of the Code of the Village of Goshen [Subdivision] to the extent of adding a new Article entitled “Lot Line Changes.”

*(Insert Title)*

**Be it enacted by the**    **Village Board**  
*(Name of Legislative Body)*

**of the**  
**County**  
**City**  
**of**            Goshen as follows:  
**Town**  
**Village**

**Section 1.    Title**

**1.1**    Amending Chapter 46 of the Code of the Village of Goshen [Subdivision] to the extent of adding a new Article entitled “Lot Line Changes.”.

**Section 2.    Purpose and Intent:**

**2.1**    The purpose of this local law is to streamline those applications which are merely lot line adjustments between two or more neighboring property owners in those circumstances where a lot line adjustment will not result in the creation of, or the potential for the creation of, a new building lot.

**Section 3.    Amendment to Village Code Section 46 [Subdivision]**

Chapter 46 of the Code of the Village of Goshen is hereby amended by adding a new Article VI as follows:

## Article VI. Lot Line Changes.

### Section 146-150. Definitions.

A “lot line change” is the relocation or revision of a lot line of a lot, which revisions is intended to correct minor boundary problems and is not intended to create a new lot for development purposes and which revision will result in land area to become part of an existing adjacent lot or parcel, provided that such lot line change does not create a parcel at variance with the bulk requirements of the zone in which such parcel is located.

### Section 146-151. Application and fee.

The applicant shall file an application for the consideration of a lot line change in the form provided by the Planning Board. The fees required by the Standard Schedule of Fees for the Village of Goshen shall be paid at the time of application by the applicant. Ten copies of the lot line change plat shall be presented to the Secretary of the Planning Board at least 15 days prior to a scheduled monthly meeting of the Planning Board.

### Section 146-152. Attendance of applicant at Planning Board meeting.

The applicant or his duly authorized representative shall attend the meeting of the Planning Board to discuss the lot line change.

### Section 146-153. Time of submission.

The time of submission of the lot line change plat shall be considered the date of the regular monthly meeting of the Planning Board at least 15 days prior to which the application for lot line change approval, complete and accompanied by the required fee and all data required by this chapter, has been filed with the Secretary of the Planning Board.

### Section 146-154. Public hearing optional.

A public hearing may be held in the discretion of the Planning Board on all plats submitted in final form within 62 days of their submission to the Planning Board. The hearing must be advertised at least once in a newspaper of general circulation in the town at least 5 days and no more than 15 days prior to the hearing and by posting notice thereof by mail to the owners of the property within 500 feet of the proposed lot line change and to any other persons whom the Board deems to be particularly affected.

### Section 146-155. Action on lot line change.

The Planning Board shall, within 62 days from the date of any public hearing, approved, conditionally approve, with or without modification, or disapprove the plat. The Board shall specify, in writing, its reasons for any such disapproval. In the event that the hearing is not held, or if the Board fails to disapprove the plat within the 62 days prescribed above, the plan shall be deemed approved.

Section 146-156. Filing.

Upon approval, the plat shall be promptly signed by the duly authorized person or persons and shall be filed by the applicant in the office of the County Clerk. The applicant shall submit six copies of the plat showing the endorsement of the County Clerk to the Board's Secretary within 30 days of the date of filing.

**Section 4. SEORA:**

4.1 This local law is an unlisted action pursuant to the implementing regulations of the *Environmental Conservation Law* as set forth at *6 NYCRR 617 et.seq.* There are no other involved agencies, coordinated review is not required and Board of Trustees shall act as Lead Agency in connection with this local law.

**Section 5. Severability**

5.1 If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 6. Effective Date**

6.1 This local law shall take effect upon the filing with the Secretary of State.