

LOCAL LAW 1-2020

AMENDMENT AND ADDITION TO VILLAGE CODE ARTICLE XI, SECTION 128-87, et seq.. This new section shall be added at the end of the Article.

§128-91.1 ZONING BOARD OF APPEALS FEES AND COSTS

- A. The fee for any application to the Zoning Board of Appeals pursuant to the provisions of this chapter shall be at the level affixed from time to time by resolution of the Board of Trustees of the Village of Brightwaters.
- B. In addition to any fees established pursuant to Subsection A hereof, the fee for the applications to the Zoning Board of Appeals shall include payment or reimbursement of reasonable costs and expenses incurred by the Board for private engineering, environmental, planning and/or architectural consultants, or other private consulting services reasonably deemed necessary by the Board, and other extraordinary expenses in connection with the review of a proposed subdivision, or the change of use for a commercial establishment. Such reimbursable costs shall be in addition to any other fees required. The applicant shall be required to provide an escrow deposit account at any time on or after the receipt of the application, in an amount sufficient to cover the anticipated costs for such consultant review and other expenses.
- C. The fees to be paid by the applicant shall also include payment or reimbursement of the following costs:
 - i. Publication of legal notices for public hearings, or other required legal notices;
 - ii. Stenographic minutes and transcription of meetings and hearings;
 - iii. The Board's reasonable attorney's fees; and,
 - iv. Any fees or costs for environmental review conducted pursuant to the State Environmental Quality Review Act or the regulations adopted pursuant thereto.

Separability.

If any section, sub-section, sentence, clause or phrase of this local law is for any reason held invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this local law.

Effective Date.

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