

Inter-governmental Agreement
Tompkins County Review of Local Zoning and Planning Actions
Under New York State General Municipal Law

- I. This agreement is made this _____ day of _____, 2016 between the Tompkins County Planning Department and the Town of Dryden Town Board.
- A. Authority and Purpose of State Law
The authority for county planning agency review of certain local planning and zoning actions is provided in Article 12-B, Section 239 (l, m & n) of New York State General Municipal Law (GML). The purpose as stated in law is “to bring pertinent inter-community and county-wide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction.”
- B. Current Practice in Tompkins County
The Tompkins County Charter gives responsibility for the implementation of this county review to the Commissioner of Planning. All matters identified in GML Section 239 (m & n) are currently subject to review.
- C. Authority for Inter-governmental Agreement
GML Section 239 (m) specifically authorizes the county planning agency to “enter into an agreement with the referring body or other duly authorized body of a city, town or village to provide that certain proposed actions set forth in this subdivision are of local, rather than inter-community or county-wide concern, and are not subject to referral under this section.” GML Section 239 (n) authorizes the same agreement with respect to subdivision plats.

II. Items to be Excluded from Review

Pursuant to the authority cited herein the parties to this agreement do hereby agree that the following items are of local, rather than inter-community or county-wide, concern and are not subject to referral to the Tompkins County Planning Department under New York State General Municipal Law Article 12-B Section 239 (l, m & n):

- A. Lot frontage, width or depth variances for residential uses;
- B. Lot area variances for additions to residential uses on existing non-conforming lots;
- C. Special Permits or Site Plan Reviews for permitted accessory uses and home occupations on residential lots;
- D. Residential subdivisions of fewer than 5 lots all of which comply with local zoning standards and Tompkins County Sanitary Code requirements, and do not involve new local roads or streets directly accessing a State or county road;
- E. Yard setback variances not abutting County or State property, a State or County road right of way, or a municipal boundary;

