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March 18, 2022

Onondaga County 239 Referrals Draft Exemption Agreement

- In an effort to modernize and streamline the land use review process, the county is proposing replacing existing exemption agreements relative to NYS GML 239 referrals based upon the difference between county-wide versus local concern decisions.
- Exemption agreements were initially established in 1993.
- The language of GML 239 has changed over 29 years, the current agreements do not accurately reflect state law, nor do they include all the actions that can be included based upon SOCPAs review of cases over the years.
- The county desires to reduce the number of referrals, making it easier for local municipalities, the county, and of course developers and property owners seeking to develop their property.
- The county also desires to focus on county-wide impacts and not replicate the role of the local planning board.
- To this end we are proposing the attached exemption agreement to be approved by the Onondaga County Legislature.
- Before sending to the Legislature for their approval we are providing the draft agreement in order that towns and villages can comment on the document.
- The county also wishes to recruit more towns than 1993 where 15 out of 19 towns entered into the agreement, and 13 of 15 villages entered.

Attached is the draft agreement to review with your attorney and planning and zoning boards. This may be sufficient to present to your Town or Village Board to authorize you to enter into the agreement with the county.

Please submit any comments by Monday April 11, 2022.

Following comments and any revisions the agreement language will go before the Onondaga County Legislature for approval.

If approved by the Legislature the county will send you the final agreement to be signed and returned.

If you have any questions on the referral process, please see our website:

<http://ongov.net/planning/documents/OCPBGuide7-27-20draft.pdf>

Or feel free to call or email DanielKwasnowski@ongov.net at any time to discuss further.