

**Chapter 37**  
**PLANNING BOARD**

**§ 37-1. Appointment; membership.**

**§ 37-4. Powers and duties.**

**§ 37-2. Expenses.**

**§ 37-5. Filing of certificate; maps and plans.**

**§ 37-3. Rules and regulations.**

**[HISTORY: Adopted by the Town Board of the Town of Rochester 8-22-1962. Amendments noted where applicable.]**

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**§ 37-1. Appointment; membership.<sup>1</sup>**

There shall be a Town Planning Board appointed by the Town Board, consisting of seven members appointed by the Town Board for a term of seven years each, in accordance with § 271 of the Town Law.<sup>2</sup>

**§ 37-2. Expenses.**

The Planning Board shall have the power and authority to employ experts and a staff and to pay for their services and such other expenses as may be necessary and proper, not exceeding the appropriations that may be made for such Board.

**§ 37-3. Rules and regulations.<sup>3</sup>**

The Planning Board may, after public hearing, recommend to the Town Board regulations relating to any subject matter over which the Planning Board has jurisdiction under this article or any other statute or under any local law or ordinance of the town. Adoption of any such recommendations by the Town Board shall be by local law.

**§ 37-4. Powers and duties.**

A. The Planning Board shall hear and exercise the powers and duties as follows:

- (1) To prepare and change a master plan for the development of the entire area of the Town of Rochester, to make investigations and reports relating to the planning of the town and its future growth and affording adequate facilities for the housing,

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>2</sup> Editor's Note: Former Section 2, regarding the appointment of a Chairman, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>3</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

transportation, distribution, comfort, convenience, safety, health and welfare of its population.

- (2) To approve all plats showing any streets or highways within the Town of Rochester.<sup>4</sup>
  - (3) To approve or disapprove changes in the lines of existing streets, highways or public areas shown on subdivision plate or maps which may be filed in the County Clerk's office.
  - (4) To approve or disapprove the layout of or closing off or abandonment of such streets, highways or public areas under and subject to the provisions of the town and highway laws.
  - (5) Simultaneously with the approval of any such plats, to confirm and make changes in the zoning regulations applicable to the land, included in any such plat in accordance with the provisions of § 278 of the Town Law and amendments thereto.<sup>5</sup>
- B. The Planning Board shall also exercise all other powers conferred upon it by the provisions of the Town Law and shall pass upon all matters which may be referred to it from time to time by resolution of the Town Board. It shall conduct hearings and perform its duties in accordance with such procedure as provided in §§ 272 to 281 inclusive of the Town Law and acts amendatory thereto.

#### **§ 37-5. Filing of certificate; maps and plans.**

The Town Clerk of the Town of Rochester shall file with the Clerk of the County of Ulster a certificate certifying that the Planning Board of the Town of Rochester has been authorized to approve plats showing new streets or highways in accordance with the provisions of § 276, as amended, of the Town Law. Such Official Map or plan, together with suggested changes or recommendations of the Planning Board, shall be submitted to the Town Board for its final approval.

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<sup>4</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>5</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).