

General Municipal Law Section 239 Reviews

Under New York State General Municipal Law Section 239 I & m, county planning boards and agencies are given the right to review local land use actions, including the adoption of comprehensive plans, zoning and land use laws, area variances, use variances, special permits and interpretations of zoning regulations for properties within 500 feet of municipal boundaries, county or state parks or recreation areas, county or state highways, county-owned stream or drainage channel or county or state owned land on which a public building or institution is situated. Additionally, special permits, use variances and site plans on properties within 500 feet of a farm operation within an agricultural district also require referral to a county planning board or agency. Rensselaer County does not have a planning board, but under the Rensselaer County Charter, the Director of the Bureau of Economic Development and Planning is charged to act as the planning board, therefore all actions under General Municipal Law Section 239 I & m are required to be referred to the Bureau. Referrals must be sent out at least 10 days prior to any public hearing and the Bureau has 30 days in which to respond, before a vote can take place. Referrals should have the referral form attached. Usually, the time for response is much shorter than 30 days. Referrals can be mailed by post to: Rensselaer County Economic Development and Planning, 1600 Seventh Avenue, Troy, NY 12180; faxed to (518) 270-2981 or e-mailed to Lvonderheide@rensco.com.

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