

TOWN OF BRUNSWICK

LOCAL LAW NO. 3 OF 2021

**A LOCAL LAW EXTENDING A MORATORIUM ON THE FILING,
ACCEPTANCE, REVIEW, OR DETERMINATION OF ANY LAND USE
APPLICATION PERTAINING TO TWO-FAMILY DWELLINGS AND
MULTIFAMILY DWELLINGS IN THE TOWN OF BRUNSWICK**

Section 1. Purpose and Authority.

By Local Law No. 2 of 2021, the Town Board of the Town of Brunswick enacted a six (6) month moratorium on the filing, acceptance, review, or determination of any land use application pertaining to two-family dwellings and multifamily dwellings in the Town of Brunswick. The moratorium became effective on March 18, 2021 when Local Law No. 2 of 2021 was filed with the New York State Secretary of State and is set to expire on September 18, 2021.

The Town Board is currently undertaking a comprehensive review of the Brunswick Zoning Law and is in the process of completing such review and preparing new requirements relating to two-family and multifamily dwellings within the Town of Brunswick. The Town Board has retained Laberge Group planning consultant, and Laberge Group has been and is currently assisting the Town Board in this effort, including analysis of two-family and multifamily uses under the current Brunswick Zoning Law and consideration of zoning and planning options related thereto.

It is the Town's desire to complete its review of the Brunswick Zoning Law, and the subsequent development, consideration and ultimate adoption of any proposed amendments in an appropriate and deliberate manner free from any timing concerns raised by the possible expiration of the moratorium. The moratorium expires on September 18, 2021 and the Town Board needs additional time to complete this process, the related environmental review, and the required procedure for the adoption of a local law. Accordingly, the Town Board desires to extend the current moratorium for an additional six (6) month period.

The Town Board finds that pursuant to 6 NYCRR 617.5(c)(30), the extension of the moratorium is a Type II action under the New York State Environmental Quality Review Act ("SEQRA"), which has been determined not to have a significant impact on the environment or is otherwise excluded from environmental review under the Environmental Conservation Law, Article 8, and is therefore not subject to review under 6 NYCRR Part 617 or the Environmental Conservation Law, Article 8.

Section 2. Moratorium.

- A. Local Law No. 2 of 2021, titled "A Local Law Establishing a Moratorium on the Filing, Acceptance, Review, or Determination of Any Land Use Application Pertaining to Two-Family Dwellings and Multifamily Dwellings in the Town of Brunswick", which remains effective through September 18, 2021, shall be extended for an additional six (6) month period of time through and including March 18, 2022.
- B. Except as otherwise amended herein, all provisions of Local Law No. 2 of 2021, including but not limited to the scope of controls and hardship variance procedures contained therein, shall be extended for such additional six (6) month period of time through and including March 18, 2022.

Section 3. Severability.

If any section or subdivision, paragraph, clause, or phrase of this local law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.