

New State Law Requires Training

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Planning Board and Zoning Board of Appeals members make decisions that impact our neighborhoods, roadway corridors, and landscapes. Their decisions about the natural and built environment affect our lives on issues ranging from aesthetics to safety. In recognition of this responsibility, New York State now requires training for individuals on these boards.

New Law Requires Training

A new state law, effective January 1, 2007, requires members of planning boards, zoning boards of appeals, and county planning boards, including alternates, to receive a minimum number of hours of training annually. While some municipalities had already adopted mandatory training requirements, and many board members voluntarily attended training courses, the law now requires Planning and Zoning Board of Appeals members to obtain four (4) hours of training each year.

Governing Board Responsibility

The implementation of this law is the responsibility of each municipality. The governing body determines the type of training that board members receive, including the courses and training providers. A community may decide to waive or modify some of the training requirements. The governing body can also increase the training requirement.

Municipalities will also decide on a system of tracking compliance with the law. To accomplish this, municipalities may require board members to submit documentation for courses they attend, or may require board members to submit annual statements of their training. The state has no plans to certify providers or training programs.

Upcoming Training Sessions *hosted by the* Dutchess County Planning Federation

Dutchess County's Agricultural Districts & Local Laws: How Do They Relate?

Wednesday 2/21, 7-9 p.m.
Farm & Home Center, Millbrook NY

Brownfield Redevelopment

Thursday 3/29, 7-9 p.m.
Farm & Home Center, Millbrook NY

Aquifer Recharge & Land Use Controls Spring '07 (date to be determined)

Plus additional courses coming this Fall!

Municipal governing boards can also adopt a rule that provides for removal of members prior to the expiration of their terms if they fail to meet training requirements. The removal provisions in the planning and zoning board statutes indicate that such provisions must be established by local law or ordinance. The law does stipulate, however, that board members are not eligible for reappointment to a new term on the Board if they fail to meet training requirements.

Impact on Board Decisions

According to the new law, if a board member or members do not comply with training requirements, no decision of a Zoning Board of Appeals or Planning Board shall be voided or declared invalid.

Training Topics

Training topics can range from basic skills on board procedures and responsibilities to advanced courses on planning and zoning techniques. Workshops on a variety of planning related topics are offered by numerous sources such as: county planning departments, county planning federations, the New York State Department of State, the New York Planning Federation, colleges, and state associations like the Association of Towns and the Conference of Mayors.

Some training providers may give attendees a certificate of attendance. For example, the Dutchess County Department of Planning and Development provides letters/certificates to individuals attending Dutchess County Planning Department or Dutchess County Planning Federation training courses.

Summary

While the requirement for a minimum of four hours of training per year is straightforward, the law is sure to generate many questions. The New York State Department of State website provides detailed information on the new law. Passage of this new law provides an opportunity for communities to discuss whether the four hours of training is sufficient and what courses are appropriate for their board members.

Training Resources

[NYS Department of State](#)
[Dutchess County Planning Department](#)
[Dutchess County Planning Federation](#)
[New York Planning Federation](#)
[American Planning Association](#)
[Association of Towns of the State of New York](#)
[New York State Conference of Mayors and Municipal Officials](#)

[CLICK HERE](#) to view past issues of the DCPF's newsletter, *Plan On It*.

This newsletter was developed by the Dutchess County Department of Planning and Development, in conjunction with the Dutchess County Planning Federation.

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