

LOCAL LAW NO. \_\_\_\_\_ OF 2025

VILLAGE OF SPRING VALLEY  
BOARD OF TRUSTEES

PROPOSED LOCAL LAW TO AMEND  
CHAPTER 255, SECTIONS 46 AND 58  
OF THE CODE OF THE VILLAGE OF SPRING VALLEY

A LOCAL LAW to amend Chapter 255, Sections 46 and 58 of the Code of the Village of Spring Valley amending provisions relating to the expiration of site plan development approvals and variances for the Village Planning Board and Zoning Board of Appeals, respectively.

**BE IT ENACTED** by the Board of Trustees of the Village of Spring Valley as follows:

**Section 1.** Chapter 255, Section 255-46, of the Code of the Village of Spring Valley entitled “Expiration of Approval” is hereby amended as follows:

**§ 255-46 Expiration of approval.**

- A. Planning Board approval of any final site development plan shall expire on the date that is three (3) years after the written decision that approved the site development plan is filed in the Village Clerk’s Office, unless a building permit, based upon such approval, has been issued and substantial construction and substantial expenditures have been made; or unless ~~or certificate of occupancy is applied for with a period of 18 months from the date of the approval of the final site plan by the Planning Board, except where the staging of development over a longer period than three (3) years was has been specifically provided for at the time of the Planning Board’s site development plan approval. If judicial proceedings to review the Planning Board’s decision shall be initiated, the final site plan approval will expire 18 months from the date of entry of the final order in the court proceedings, including all appeals.~~
- B. The applicable expiration period may be extended by the Planning Board, in the exercise of the Planning Board’s discretion, on separate application to the Planning Board prior to the end of the expiration period, for which discretionary extension the Planning Board

Additions shown as underline and deletions shown as ~~cross-outs~~

may consider changes in circumstances related to the project that have arisen and which were not previously considered by the Planning Board, such as, but not limited to, changes to applicable law(s) that affect the project or changes in the surrounding neighborhood, or other impediments to completion of any such project that were not contemplated at the time of the original site development plan approval.

**Section 2.** Chapter 255, Section 255-58, of the Code of the Village of Spring Valley entitled “Expiration of Variance(s)” is hereby amended as follows:

**§ 255-58 Expiration of variance(s).**

A variance granted under this chapter shall have no expiry date and no restrictions on when it can be exercised. ~~automatically expire, in accordance with the plans for which such variance was granted, has not been completed within 18 months or such other time limit as may be chosen by the Board of Appeals in connection with its decision, from the date of granting such variance by the Board or within 18 months from the date of the approval of the final site plan by the Planning Board, whichever occurs later. If judicial proceedings to review the Zoning Board of Appeals decision shall be instituted, the variances shall expire 18 months from the date of entry of the final order in such proceedings, including all appeals.~~

**Section 3.** Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 255 of the Village of Spring Valley is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

**Section 4.** Numbering for Codification

It is the intention of the Village of Spring Valley and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Spring Valley; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

**Section 5. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or

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deletions shown as ~~cross-outs~~

unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 6. Effective date.**

This chapter shall take effect immediately with a three (3) year retroactive effectiveness from the date of filing with the Office of the Secretary of State of the State of New York.

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