



Meeting Facilitators:

Sarah Brugger – Principal Planner

Matthew Smith - Junior Planner

Meeting Summary

December 16th, 2025 | 9:00 a.m. – 11:00 a.m.

Meeting Purpose

The purpose of this meeting is for the County Planning and Zoning Group to discuss the 239 Referral Processes that are part of New York State Statutes in General Municipal Law. The presentation covered the Why, when, and how of 239 referrals to the County Planning Agency for review. The meeting was then opened up for discussion about the year in review to allow for any topics of conversation.

The meeting began at 9 a.m. with brief introductions.

Sarah Brugger had a presentation which was put up onto the tv. The group went through the presentation.

239 County Referral

Sarah Brugger led the discussion as she handles most of the 239's coming into the County for review. The presentation began by going over what General Municipal Law Section 239 is and why it is important. The review process is a statutory requirement from New York State law so to remain compliant with New York State Law, this process must be completed by municipalities and the County.

239-n

Sarah Brugger first discussed 239-n which is not relevant to Warren County at the current time as Local Law 3 of 2012, the base of County Review authority as of today, does not permit the County Planning Agency to review subdivisions.

239-m

Second, the group discussed 239-m which is relevant to all Warren County municipalities. Sarah Brugger talked through all of the criteria that triggers a 239-m County Review and Sara Frankenfeld talked a bit about the web map which is a GIS tool to help planning and zoning administrators to know when 239-m has been triggered. The group requested that link be shared out in the follow up email.

What should be sent to the County for review?





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The group then discussed the materials that should be sent to the County for review. Part of this discussion included the timeframes which are a part of these statutes and Sarah Brugger gave a brief history of how the Local Law 3 of 2012 was passed indicating that there was previously a County Planning Board as the Agency dedicated to 239-m review however, issues getting a quorum and coordination to ensure the timeframe was followed to avoid automatic approval led to the County Planning Department being dedicated as the County Planning Agency.

What does the County Review?

Sarah Brugger talked through the statute which lists out the possible considerations that County Planning Agencies should be reviewing and commenting on. Sarah talked about her approach as it related to County roads and County facilities and shared how she approaches 239-m reviews. Next, Sarah discussed how she then makes a recommendation stating that most of the 239-m reviews will result in a No County Impact recommendation. There was a brief discussion of overriding the County recommendation which requires a supermajority. The timeline came up again which had further discussion of how to make sure that the timeline requirements are followed.

The Current Form

To end the presentation, Sarah talked about the Current 239-m form which was first made available in 2021 to assist communities in the 239-m process. The group discussed possible ways to improve the form and make it more useful for both County and municipal officials. One idea was to put the criteria on which the application is being evaluated through the 239-m process directly on the form to improve transparency and give clearer communication about what the evaluator was thinking when making the recommendation.

Current Processes

There was a brief conversation about how different municipalities follow the 239-m requirements and then the conversation shifted into how the entire process could be improved. One request was making the forms digitized to a fillable pdf format for easy signature and return to improve the process. Another request was for the county to track active 239 reviews by community and a reminder to be sent out to ensure that all reviews have been closed out or municipalities know which ones have not been. The topic of the submitted grant for an improved recordkeeping system was brought up as this system





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could automatically populate a form indicating whether or not the application should be sent to the County for 239-m review.

Open Discussion

The group continued to talk about ways to improve the 239 system and also began to discuss potential meeting topics such as how to constructively deal with public comment, SEQR review, Advanced SEQR review, Floodplain maps, and Floodplain Management at the municipal level.

The meeting concluded at 10:20 a.m.

Next steps:

- Send out Web map link for 239-m layer
- Include link to FEMA Flood Map Web Map
- Consider digitizing the 239 forms for municipalities who wish to use digital forms
- Consider sending out lists of active 239 reviews to ensure all have been completed by municipalities

Prepared by Matthew Smith on 12/16/2025

