

VILLAGE OF TARRYTOWN
PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 18th day of June, 2018, at 8:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed amendments to Chapter 9 of the Code of the Village of Tarrytown entitled Architectural Review Board to address the referral requirements of applicants for building permits to the Architectural Review Board. A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A local law to amend Chapter 9 of the Code of the Village of Tarrytown entitled Architectural Review Board to address the referral requirements of applicants for building permits to the Architectural Review Board

Be it enacted by the **Board of Trustees** of the **Village of Tarrytown** as follows:

Section A: Purpose.

The Village wishes to limit the Building Inspector's requirement to refer building permit applications to the Architectural Review Board to only applications for new building construction, additions to existing buildings that increase building footprint by 25% or more, applications requiring Planning Board approval, applications for signage or awnings, and certain applications involving property within the Restricted Retail RR Zone or commercial buildings outside the RR Zone. The Village finds that its current mandatory building permit application referral to the Architectural Review Board is too burdensome on landowners. The referral creates too many restrictions and impediments on design throughout the Village and the Village intends to limit that mandatory referral to only certain building permit applications, including those that may impact the character of the downtown area and historic district.

Section B: Amend Chapter 9 Section 4(A) "Referral of Applicants for building permits", which shall read as follows:

Except where an application for a certificate of appropriateness must be submitted to the Architectural Review Board pursuant to the Landmark and Historic District Act (Chapter 191, Historic Districts and Landmarks), every application for a building permit **involving any of the following shall be referred by the Building Inspector to the Architectural Review Board:**

- (1) Applications for all new building construction or additions whereby the existing building footprint increases by 25% or more;**
- (2) Applications requiring Planning Board approval;**
- (3) Applications for signage or awnings; or**

(4) Applications for a property within the Restricted Retail RR Zone or commercial properties outside the RR Zone involving:

- (a) Construction, reconstruction or alteration of any building or structure that affects the **portion of the** exterior appearance of the building or other structure that is visible from any public street, except applications involving only fences, retaining walls, steps, and /or sidewalks;
- (b) Construction, reconstruction or alteration of any deck or uncovered porch that affects the exterior appearance of the building or other structure, is visible from any public street and exceeds 25 square feet (such size calculation shall include any steps); or
- (c) Construction, reconstruction or alteration of existing/new windows or security grills that affect the exterior appearance of the building or other structure and are visible from any public street.

Section C: Supersession of other laws.

All laws, ordinances, rules and regulations of the Village are modified and superseded by this article with respect to their application to parking and enforcement.

Section D: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section E: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.