

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
PUBLIC HEARING
AUGUST 5, 2015

A Public Hearing was held by the Board of Trustees on Tuesday, August 5, 2015 at 7:30 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski, Trustee Marjorie Apel, Trustee Meg Walker, Trustee Nicola Armacost, Trustee Daniel Lemons, Village Manager Francis A. Frobel, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

CITIZENS: Four (4).

Mayor Swiderski declared the Board in session for the purpose of conducting a Public Hearing in accordance with the legal notice that appeared in the July 17, 2015 issue of *The Rivertowns Enterprise* to consider the advisability of adopting Proposed Local Law C of 2015 amending Chapter 295 Zoning of the Code of the Village of Hastings-on-Hudson, Westchester County, New York to reenact the view preservation waivers.

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

Section 1: Section 295-82.D. of the Zoning Code, Waiver of View Preservation Districts, as adopted by Local Law No. 4 of 2013 is hereby repealed.

Section 2. Section 295-82 (View Preservation Districts) of the Zoning Code is hereby amended by adding the following new paragraph:

D. Waiver of View Preservation approval. Notwithstanding the requirements of Subsection C above, View Preservation approval shall not be required where the Building Inspector determines that the erection or exterior alteration will have no negative effect on the view of the Hudson River and the Palisades for neighboring properties and adjacent public property and rights-of-way, and that determination is confirmed both by the Chairperson of the Planning Board, or another Planning Board member designated by the Chairperson, and by the Chairperson of the Zoning Board of Appeals, or another member designated by the ZBA Chairperson.

Section 3: If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of

competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 4: This local law shall take effect immediately upon filing with the Secretary of State.

Mayor Swiderski: Does anyone have a comment on this law before the Board?

Village Clerk Maggiotto: For the record this was referred to the Westchester County Planning Board. We received notification that they have reviewed the matter and find there are no county or intermunicipal planning issues of concern; this action is a matter for local determination in accordance with our community's planning and zoning policies.

Hearing no further comments, Mayor Swiderski asked for a motion to close the Public Hearing.

CLOSE OF PUBLIC HEARING

On MOTION of Trustee Apel, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski closed the Public Hearing at 7:35p.m.