

Resolution calling for a public hearing on a local law to amend the Village Code Chapter 305 – Zoning to: (1) amend Section 47 to add new exemptions to the Yard requirements for mechanical equipment and certain other structures; (2) to amend Section 63 regarding the parking fund payment requirement to exempt the RR (Restricted Retail) Zone applicant from having to obtain a variance when the Planning Board requires payment in lieu of parking contribution to the parking fund.

WHEREAS, in order to simplify the land use process for certain types of improvements and to potentially proceed without the need for Zoning Board of Appeals approval, which will reduce costs and the burden upon property owners, the Board of Trustees hereby finds it useful and appropriate to adopt new provisions in the Village Zoning Code to allow certain minor improvements to be sited within the setbacks, which may potentially reduce the need for residential property owners to seek variances for such minor improvements, but to still require a minimum 3-foot setback for these improvements; and

WHEREAS the proposed minor improvements to be allowed within the setback requirements, but still no closer than 3ft from the side and rear yard lot lines, include certain mechanical equipment for heating and cooling as well as storage sheds and children's playhouses no more than 12ft in height; and

WHEREAS in order to establish in instances where the Planning Board requires payment into the parking fund for a property use in the RR Restricted Retail Zone (or where the Building Inspector waives site plan approval), the applicant need not also have to obtain a variance for parking from the Zoning Board of Appeal, which will reduce the burden on proposed businesses in the RR Restricted Retail Zone but still ensure a process remains through the Planning Board for payment in lieu of parking.

NOW, THEREFORE, BE IT RESOLVED, that Board of Trustees hereby determines that the proposed action constitutes a Type I action under SEQRA; and that as the Board of Trustees is only Involved Agency for the proposed action, this Board declares it is the Lead Agency under SEQRA; and

BE IT FURTHER RESOLVED, that the Board of Trustees directs the Village Clerk to circulate the proposed local law and EAF, Part 1 to all interested agencies under SEQRA; and to refer the matter to Westchester County Planning Board; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Tarrytown hereby schedules a public hearing to be held at 7 p.m. on Monday, October 2, 2023, at Tarrytown Village Hall, 1 Depot Plaza, during the Regular Board Meeting, on a local law to amend the Village Code Chapter 305 – Zoning to (1) amend Section 47 to add new exemptions to the Yard requirements for mechanical equipment and certain other structures; (2) to amend Section 63 regarding the parking fund payment requirement to exempt the RR (Restricted Retail) Zone applicant from having to obtain a variance when the Planning Board requires payment in the parking fund