

VILLAGE OF CHESTNUT RIDGE

LOCAL LAW NO. "H (v.3)" OF 2022

A LOCAL LAW TO ALLOW THE VILLAGE PLANNING BOARD TO CONDUCT ARCHITECTURAL REVIEW OF ANY LAND USE APPLICATIONS AND PROJECTS BEFORE THE PLANNING BOARD IN LIEU OF SEEKING APPROVAL OF SAME FROM THE ARCHITECTURAL REVIEW BOARD

Be it enacted by the Village Board of Trustees of the Village of Chestnut Ridge as follows:

Section 1. Legislative Intent.

It is the intent of this local law to allow the Village of Chestnut Ridge Planning Board to conduct all requisite architectural review of any proposed projects that are before the Planning Board in lieu of requiring the applicant to seek architectural review and approval from the Architectural Review Board.

Section 2. Authority.

This local law is adopted pursuant to the provisions of § 10 of the Municipal Home Rule Law.

Section 3. Amend Chapter 13, Boards and Bureaus

Chapter 13, Section 6, "Powers and Duties", Subsection "B" shall be amended as follows:

Applications for site development plan approval. Prior to final site development plan approval by the Planning Board, the Planning Board may: 1) refer the applicant to the Architectural Review Board in accordance with the procedures set forth in §13-8 of this article; or 2) elect to conduct architectural review of the project already before it in lieu of and without referral to the Architectural Review Board. If the Planning Board refers the project to the Architectural Review Board, the Architectural Review Board shall issue a written report approving, conditionally approving subject to specific modifications or disapproving the proposed construction before the Planning Board may grant final site development plan approval. The Planning Board may, in its discretion, modify the Architectural Review Board's recommendations. If the Planning Board elects to conduct the architectural review, the Planning Board shall in such review comply with the procedure set forth in §13-8 of this article and the standards set forth in §13-9 of this article.

Section 4. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5(c)(26) and (33), this Local Law is classified as a Type II Action as it involves the adoption of regulations, policies, procedures, and local legislative decisions in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.

Section 5. Severability.

If any clause, sentence, paragraph, word, section or other part of this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be unconstitutional, illegal, invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining provisions of this Local Law or the application thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or other part thereof directly involved in the controversy in which such determination shall have been rendered and the remaining provisions of this Local Law shall not be impaired thereby and such determination. The Village Board of the Village of Chestnut Ridge hereby declares that it would have passed this Local Law or the remaining provisions thereof had such invalid provision or the application thereof been apparent at the time of enactment.

Section 6. Effective Date.

This Local Law shall be effective immediately upon filing with the Secretary of State.