

LOCAL LAW NO. 4 OF 2024

A LOCAL LAW TO AMEND CHAPTER 91 (TREE REMOVAL, CLEARING, FILLING AND EXCAVATION) OF THE VILLAGE CODE OF THE VILLAGE OF AIRMONT

BE IT ENACTED by the Village Board of the Village of Airmont, Rockland County, New York (“Village Board”) as follows:

Section 1. Legislative Intent.

It is the intent of this Local Law to amend Chapter 91 (Tree Removal, Clearing, Filling and Excavation) of the Village Code of the Village of Airmont by repealing and replacing Subsections E and F.

Section 2. Authority.

This Local Law is adopted pursuant to Section 10 of the New York State Municipal Home Rule Law.

Section 3. Amendments.

Subsection E and F of Village of Airmont Code Section 91-3.1 shall be repealed and replaced with the following language:

E. Minor soil removal permit. Anyone engaged in the movement or removal of soil of 1,500 or fewer cubic yards and which disturbs 0.75 acres (32,670 sf) or less of the subject property, shall make application to the Building Department for a permit prior to commencing any site operations. A minor soil removal permit shall be issued by the Building Department, after review and approval by the Village Engineer, who shall be guided by the criteria and factors set forth in this Chapter.

F. Major soil removal permit. A major soil removal permit involving the movement or removal of more than 1,500 cubic yards of soil or that will disturb more than 0.75 acres (32,670 sf) shall be required to be reviewed and approved by the Planning Board consistent with the procedures described in Section 91-4 below.

Section 4. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5 (26) and (33), this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.

Section 5. Severability.

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Code Preparation

The Village's Code preparation contractor is authorized, without further action of the Village Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this local law.

Section 7. Effective date.

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