

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Greenburgh

Local Law No. 3 of the year 20²³

A local law amending Section 285-29.2 of the Code of the Town of Greenburgh, entitled, "HC
(Insert Title)
Hartsdale Center," as it relates to the composition of Hartsdale Contextual Review
Committee

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Greenburgh as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2023 of the (County)(City)(Town)(Village) of Town of Greenburgh was duly passed by the Town Board on March 22 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

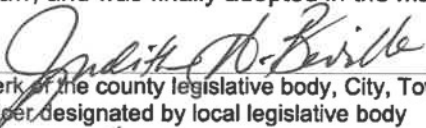
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

(Seal)


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: April 10, 2023

RESOLUTION ADOPTING A LOCAL LAW AMENDING SECTION 285-29.2 OF THE CODE OF THE TOWN OF GREENBURGH, ENTITLED “HC HARTSDALE CENTER,” AS IT RELATES TO THE COMPOSITION OF HARTSDALE CONTEXTUAL REVIEW COMMITTEE

WHEREAS, the Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Section 285-29.2 of the Code of the Town of Greenburgh to update the composition and number of members which would constitute the Hartsdale Contextual Review Committee (“HCRC”); and

WHEREAS, a local law was prepared by Town staff, based upon input from members of the HCRC; and

WHEREAS, Section 285-64 of the Zoning Ordinance requires that the Town Board refer proposed Zoning Text amendments to the Planning Board for a report and recommendation before a public hearing is held on an amendment by the Town Board; and

WHEREAS, on January 11, 2023, the Town Board adopted Resolution CD-1 – 1/11/2023, referring the Zoning Text amendment to the Planning Board for report and recommendation; and

WHEREAS, the Planning Board, at a regularly scheduled work session meeting on February 1, 2023, discussed the Zoning Text amendment and on February 1, 2023, made a positive recommendation to the Town Board associated with the proposed Zoning Text amendment, and issued a related report; and

WHEREAS, on March 8, 2023, the Town Board of the Town of Greenburgh held a duly noticed public hearing on the proposed Zoning Text amendment; and

WHEREAS, pursuant to Section 617.5(c)(33) of the SEQRA Regulations, the proposed modification of the composition of members on the HCRC is a Type 2 action under SEQRA, requiring no environmental review;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Greenburgh hereby adopts the attached Local Law, entitled “HC Hartsdale Center.”

APPROVED

MAR 22 2023

**BY RESOLUTION
OF THE TOWN BOARD**



TOWN of GREENBURGH

Local Law No. 3/2023

A local law amending Chapter 285-29.2 of the Code of the Town of Greenburgh entitled, "HC Hartsdale Center," pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law Section 10, New York Environmental Conservation Law Article 8 (SEQR).

BE IT ENACTED by the Town Board of the Town of Greenburgh:

- § 1. **Title.**
- § 2. **Legislative Findings and Intent.**
- § 3. **Amendment to § 285-29.2**
- § 4. **Supersession.**
- § 5. **Severability.**
- § 6. **Effective Date.**

§ 1. Title.

This law amending Chapter 285-29.2 of the Code of the Town of Greenburgh, is entitled, "HC Hartsdale Center."

§ 2. Legislative Findings and Intent.

The Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Chapter 285-29.2 of the Code of the Town of Greenburgh to update the number of members which would constitute the Hartsdale Contextual Review Committee.

§ 3. Amendments to Chapter 285-29.2.

Chapter 285-29.2 of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in strikeout; new text underlined):

§ 285-29.2. HC Hartsdale Center District

G. Design review.

(3) The Hartsdale Contextual Review Committee (HCRC) shall be established as follows:

- (a) The HCRC shall consist of ~~nine~~seven members who shall be ~~residents of the unincorporated area of the Town and shall be~~ appointed by the Town Board. Each member shall be appointed for a two-year term, except that five initial appointees shall be appointed for one-year terms so that the terms shall thereafter be staggered. Vacancies on the HCRC

shall be filled in the same manner as for any other appointee, except that the replacement shall serve only for the unexpired term. Members of the HCRC shall include:

- [1] One member of the Town Board;
- [2] The Chair of the Planning Board or chosen designee from that Board;
- [3] The Building Inspector or chosen designee from the Building Department;
- [4] The Planning Commissioner or chosen designee from the Department of Community Development and Conservation; and
- [5] ~~Five~~ Three of the following: residents or members of community associations from the East Hartsdale Avenue area, initially two of whom shall be members from the Hartsdale Hamlet Steering Committee that prepared the Hartsdale Village Streetscape Study. One member shall be a tenant, and one member shall be and a landlord from within the East Hartsdale Avenue area. The tenant shall not be of the landlord ~~if named to the HCRC.~~ A resident from the East Hartsdale Avenue area;
- [6] A tenant from the East Hartsdale Avenue area who is not the landlord representative; and
- [7] A landlord from the East Hartsdale Avenue area.

§ 4. Supersession:

Pursuant to New York Municipal Home Rule Law Section 22, this law is intended to supersede any other inconsistent provision of law.

§ 5. Severability:

If any clause, sentence, paragraph, subdivision, section or part of this law or the application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ 6. Effective Date:

This law shall take effect immediately upon filing with the Secretary of State.



TOWN of GREENBURGH

Local Law No. 3 /2023

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§ 285-29.2. HC Hartsdale Center District

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- [1] One member of the Town Board;
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- [4] The Planning Commissioner or chosen designee from the Department of Community Development and Conservation;
- [5] A resident from the East Hartsdale Avenue area;
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