

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
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ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

April 19, 2018

Elisete Acosta
Intermediate Clerk
Village Hall
PO Box 369
Mamaroneck NY 10543

RE: Village of Mamaroneck, Local Law 3 & 4 2018, filed on April 16, 2018

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

RECEIVED

MAY -1 2018

VILLAGE ATTORNEY



Department
of State

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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 Mamaroneck

FILED
STATE RECORDS

APR 16 2018

DEPARTMENT OF STATE

Local Law No. 4 of the year 2018

A local law to impose a moratorium on the acceptance, processing and approval of
(Insert Title)
applications concerning multi-family developments or subdivisions which would result
in three or more residences, amending Chapter 342 of the Code of the Village of
Mamaroneck (Zoning).

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

☐ County ☐ City ☐ Town ☒ Village
(Select one.)

of Mamaroneck

as follows:

Please see attached

(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. 4 of 2018 of the ~~(County)(City)(Town)(Village)~~ of Mamaroneck was duly passed by the Board of Trustees on April 9, 2018, 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) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20____, in accordance with the applicable provisions of law.

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) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (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) (Name of Legislative Body) (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.

* 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.)

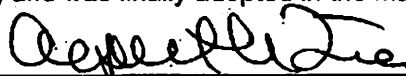
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.



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

(Seal)

Date: 4-12-18

LOCAL LAW 4-2018

A LOCAL LAW TO IMPOSE A MORATORIUM ON THE ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS CONCERNING MULTI-FAMILY DEVELOPMENTS OR SUBDIVISIONS WHICH WOULD RESULT IN THREE OR MORE RESIDENCES, AMENDING CHAPTER 342 OF THE CODE OF THE VILLAGE OF MAMARONECK (ZONING).

BE IT ENACTED by the Board of Trustees of the Village of Mamaroneck as follows:

Section 1.

Article XII of Chapter 342 Section of the Code of the Village of Mamaroneck, is amended by adding section 342-84A, as follows:

§ 342-84A. Temporary moratorium on multifamily dwellings and certain subdivisions of land.

- A. The Board of Trustees finds and determines that the Mamaroneck Union Free School District has added 650 students since 2010, that projections show an unexpected influx of students at all grades, which will result in two elementary schools being short classrooms in the next one to two years, and that, as a result, the Board of Education is considering adding temporary classrooms and redistricting schools. The Board of Trustees further finds and determines that there is a legitimate concern that the present zoning permitting multifamily dwellings and subdivisions will create excessive traffic and congestion in the Village, will overtax the Village's infrastructure, will exacerbate overcrowding in the schools and will, potentially, change the character of the Village. The purpose of this law is to avoid exacerbating these problems and provide reasonable time for the study and evaluation of these issues by temporarily halting the approval of developments that are most likely to contribute to the overcrowding of the schools and the traffic and congestion in the Village while the Board of Trustees determines through its current comprehensive plan update process and other planning studies whether it is in the best interest of the residents of the Village to modify the zoning code as it pertains to future residential development.
- B. No application for approval of a special permit or site development plan for the construction of a multifamily dwelling or a subdivision creating two or more new residential lots may be accepted, and no application for any such approval that was not submitted on or before March 12, 2018, may be considered or granted during the moratorium period.
- C. No building permit for the construction of a multifamily dwelling may be granted during the moratorium period unless the applicant received site development plan approval for the development that is the subject of the building permit on or before March 12, 2018 or the application for site development plan approval was duly considered, consistent with this section, and approved after March 12, 2018.
- D. No building permit for the construction of a residence on a subdivision consisting of three or more lots may be granted during the moratorium period unless the applicant received subdivision approval on or before March 12, 2018 or the application for subdivision approval was duly considered, consistent with this section, and approved after March 12, 2018.

- E. The moratorium period will commence on the date on which this local law becomes effective and will expire six months later, unless the Board of Trustees, by subsequent local law, sooner terminates or extends the moratorium period.

Section 2.

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, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 3.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3). It supersedes the provisions of the Village Law, including those provisions which provide for the approval of a land use application on the basis of the passage of time, and the Code of the Village of Mamaroneck, including those provisions which authorize or require the approval of a land use application, to the extent that they are inconsistent with this local law.

Section 4.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.