

Margaret A. Cunzio

Legislator, 3rd District
Minority Leader
Co-Chair, Rules



Committee Assignments:
Budget & Appropriations
Labor & Housing
Planning, Economic Development & Energy
Public Safety

MEMORANDUM

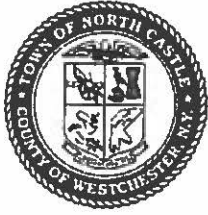
TO: Catherine Borgia, Chair, Board of Legislators

FROM: Margaret Cunzio, Legislator – 3rd District

DATE: February 15, 2022

RE: Correspondence: Resolution from the Town of North Castle urging the New York State Legislator and Governor to preserve and protect the local zoning and planning authorities of the municipalities in New York state.

Please add the attached correspondence to the agenda of the March 7, 2022 Board of Legislators meeting for referral to the appropriate committees.



TOWN OF NORTH CASTLE

Town Hall - 15 Bedford Road

Armonk, New York 10504

northcastleny.com

Established 1736

MICHAEL J. SCHILIRO

Supervisor

(914) 273-3000 x53

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February 14, 2022

County Legislator Margaret Cunzio
Westchester County Board of Legislators
148 Martine Avenue, 8th Floor
White Plains, NY 10601

Dear Margaret:

As you are aware, the Town of North Castle adopted the attached Resolution urging the New York State Legislature and the Governor to preserve and protect the local zoning and planning authorities of municipalities in NYS. The proposed one size fits all legislation would disenfranchise residents from having the ability to participate in local planning in the community in which they live.

The Town of North Castle urges you to oppose any proposals at the County level that may look to support the NYS Legislature S4547A Bill and the Governor's Budget Bill S8006 Part AA (ADU) and EE (TOD).

Sincerely,

Michael J. Schiliro

Supervisor, Town of North Castle



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On a motion made by Councilman José Berra and seconded by Councilman Barbara DiGiacinto, the following resolution was unanimously adopted:

RESOLUTION: TOWN OF NORTH CASTLE – JANUARY 26, 2022

In Consideration of Proposed NYS Legislation S4547A-Accessory Dwelling Unit Law

WHEREAS, the New York State Senate is considering the adoption of the current revision to S4547A – Accessory Dwelling Unit (AUD) Law which amends the Real Property Law concerning Accessory Dwelling Units by superseding local zoning as it relates to residential zoning districts and land use; and

WHEREAS, Governor Hochul, in the 2022 State of the State address, supports the creation of legislation that would impose Statewide standards to local zoning, usurping Municipal Home Rule powers; and

WHEREAS, S4547A if adopted would override Local Zoning and Municipal Home Rule, permitting accessory apartments as of right, with minimal regulation in all residential districts, including multifamily districts, and on any lot regardless of its zoning with an existing residential use; and

WHEREAS, the proposed law would prohibit a municipalities ability to craft specific regulations while considering the impacts on the locality's environment, infrastructure, parking, school enrollment, and police and fire departments within its borders; and

WHEREAS, in not considering the impacts specific to a local municipality, this legislation will have far reaching effects impacting the health, safety and quality of life of the residents of North Castle; and

WHEREAS, a one size fits all requirement encroaches on the ability of every New Yorker to participate in local planning in the community in which they live; and

WHEREAS, the proposed legislation causes additional concern regarding the conversions of Hotel and Office to residential as of right without any local oversight; and

WHEREAS, the Town of North Castle has a long history of meeting the special housing needs of the community including the ability to establish accessory apartments since 1984, creating the Town's Middle-Income Unit program in 1994, the adoption of Fair and Affordable Housing legislation in 2014, as well as providing housing opportunities that respond to North Castle's changing population through infill development as stated in the Comprehensive Plan; and

NOW THEREFORE BE IT RESOLVED, that the Town of North Castle adamantly opposes S4547A Accessory Dwelling Unit Law; and

BE IT FURTHER RESOLVED, that the Town of North Castle urges the Governor of the State of New York, and the New York Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers.

I, Alison Simon, Town Clerk of the Town of North Castle, do hereby certify that the above resolution was duly adopted at a regular meeting of the Town Board of the Town of North Castle held on January 26, 2022 and that the above resolution is a true and correct transcript thereof.


Alison Simon, Town Clerk

Dated: January 27, 2022
Armonk, New York

