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VILLAGE MANAGER
Edward W. Brancati

**ASSISTANT
VILLAGE MANAGER**
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VILLAGE/TOWN OF MOUNT KISCO

WESTCHESTER COUNTY, NEW YORK

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July 16, 2025

Ms. Sunday Vanderberg
Clerk & Chief Administrative Officer
Westchester Board of Legislators
800 Michaelian Office Building
148 Martine Avenue, 8th Avenue
White Plains, NY 10601

Dear Ms. Vanderberg,

In accordance with Section 7-706 of Village Law of the State of New York, the Village/Town of Mount Kisco is hereby providing written notice of a proposed local law to amend Chapter 110 of the Village Code to provide for signage notification of proposed land use activities or regulations. The boundaries of the amendment are within 500 feet of the right-of-way of an existing County Road. As a result, the Village is required to serve notice to you as Clerk of the Westchester County Board of Legislators, and the County shall have the opportunity to be heard at the public hearing or submit written comment.

Enclosed please find notice of the public hearing that has been scheduled for Monday, August 11, 2025 at 7:00 p.m. or as soon thereafter as possible, and a copy of the proposed local law. If you have any questions, please do not hesitate to contact me by email, ebrancati@mountkisco.ny.gov or by phone at (914) 864-0001.

Sincerely,

Edward W. Brancati
Village Manager

**VILLAGE/TOWN OF MOUNT KISCO
BOARD OF TRUSTEES
PROPOSED LOCAL LAW NO. 6 OF 2025**

**A LOCAL LAW TO AMEND CHAPTER 110 OF THE MOUNT KISCO VILLAGE CODE
ENTITLED “ZONING” TO PROVIDE FOR SIGNAGE NOTIFICATION OF PROPOSED
LAND USE ACTIVITIES OR REGULATIONS**

Be it enacted by the Village/Town of Mount Kisco of the County of Westchester as follows:

Section 1. Chapter 110, “Zoning” of the Code of the Village/Town of Mount Kisco is hereby amended by adding a new Article XV thereto entitled “Notification of Proposed Land Use Activity or Regulation” to read as follows:

“Article XV Notification of Proposed Land Use Activity or Regulation

§ 110-65. Definitions.

The following terms as used in this article shall have the meanings set forth herein:

ACTION

- A. Any request for a zone change pursuant to Article XI of Chapter 110, Zoning of the Village Code;
- B. Any request for cluster development pursuant to Article XII of Chapter 110, Zoning of the Village Code;
- C. Any request for site plan approval pursuant to Article IX of Chapter 110, Zoning of the Village Code;
- D. Any request for special permit approval pursuant to Article IX of Chapter 110, Zoning of the Village Code;
- E. Any request for subdivision approval pursuant to Chapter 94, Subdivision of Land of the Village Code;
- F. Any request for variances or interpretations from the Village’s Board of Appeals pursuant to Article VIII of Chapter 110, Zoning; and
- G. Any request for a wetlands and drainage control permit from the Village’s Planning Board pursuant to Chapter 107, Wetlands and Drainage Control.

APPROVAL AUTHORITY

- A. The Board of Trustees of the Village/Town of Mount Kisco
- B. The Planning Board of the Village/Town of Mount Kisco.
- C. The Board of Appeals as also referred to in this code as the Appeals Board, the Zoning Board, and the Zoning Board of Appeals.

§ 110 66. Notification signs.

- A. Every applicant who submits an application to an approval authority empowered to approve or deny said application, for an Action as such term is defined in § 110-59 of this code shall post one or more notification signs on the property which is the subject of said application within three days of acceptance of the application by the approval authority and must maintain the posted sign(s) in place until the approval authority has rendered its final decision approving or denying said application. The sign(s) shall be erected not more than ten (10) feet from each boundary of the property that abuts a public road and must be conspicuous to the public. The bottom edge of each sign so erected shall be positioned no less than fourteen (14) inches and no more than thirty-six (36) inches above the ground. In the event that the subject property abuts more than one road, additional signs will be posted facing each road on which the property abuts. The sign(s) shall be no less than four (4) square feet and no more than five (5) square feet in size. The sign(s) shall be placed to ensure clear and unobstructed visibility from the road. If the property does not abut a public road, one or more signs shall be posted in locations that can readily be seen by the public. If the property has 200 linear feet or more of frontage on any street then signs shall be placed along the property so that there is one sign per 100 linear feet of frontage. Any sign erected under this provision must be removed within ten (10) days after the approval authority has rendered its final decision approving or denying said application.
- B. In the event that an application shall be withdrawn or become inactive, the applicant shall remove the sign(s) within five (5) business days of withdrawing the application or of receiving notice from the approval authority that the application has been designated inactive. For the purposes of this section any application which has not appeared on the approval authority's agenda for six (6) or more months shall be designated inactive. The approval authority shall notify the applicant in writing that the application has become inactive and instruct the applicant to remove the sign(s) until such time as the application shall be reactivated. Once the application is reactivated, the sign(s) shall be posted within three days.
- C. The Village/Town of Mount Kisco will supply the sign(s) and the initial cost will be included in the application fee. The applicant will be responsible for maintaining said sign(s) in good condition so as to be visible to and readable by the public. The applicant shall be responsible for replacing any sign(s) that are damaged, destroyed, lost or stolen during the pendency of the application. A replacement fee will be charged for each sign that needs to be replaced. The amount of said replacement fee shall be determined from time-to-time by the Village Building Inspector.
- D. Prior to the commencement of any public hearings or, if no public hearings are required, prior to the rendering of any decision disposing of any application, the applicant shall submit a sworn certification on a form provided by the Village, together with legible photographic evidence, to verify the placement and maintenance of the required notice signs. If the certification is not timely submitted, any scheduled public hearings shall be cancelled, subject to rescheduling, and any dispositive action by the approval authority shall be deferred until timely certification is submitted. In the event of repeated or continued noncompliance with these sign posting and certification requirements, the application may be dismissed at the discretion of the approval authority.
- E. The failure to comply with this Article shall be deemed a jurisdictional defect requiring adjournment of the action until compliance herewith is established or, in the event of continued noncompliance, the action may be discontinued at the discretion of the appropriate Board. In the event that any land within the area aforementioned shall not have a listed owner, such fact shall be stated in lieu of listing a name and address, and notice with respect to such parties shall be deemed waived."

Section 2. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 3. Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York.