

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Trustees of the Village of Wesley Hills, at a meeting to be held at the Village Hall, 432 Route 306, in the Village of Wesley Hills, on September 6, 2011, at 7:00 P.M., concerning a proposed Local Law amending the Zoning Local Law of the Village of Wesley Hills, entitled "A Local Law Amending Local Law No. 14 of 1984, as Amended, to Revise the Zoning Law of the Village of Wesley Hills with Respect to Certain Technical Regulations", the text of which proposed Local Law reads as follows:

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESLEY HILLS, as follows:

Section 1. Section 4.4.14.2 of Local Law No. 14 of 1984, as amended by Local Law No. 3 of 1986, is hereby further amended to read as follows:

4.4.14.2 Installation of solar energy collectors shall require the issuance of a building permit and the approval of the Planning Board.

Section 2. Section 4.4.15.2 of Local Law No. 14 of 1984, as amended by Local Law No. 1 of 2002, is hereby further amended to read as follows:

4.4.15.2 The following shall be considered accessory buildings and structures for the purposes of this section: sports courts (including but not limited to basketball courts, tennis courts and platform tennis courts without lighting facilities for night play), swimming pools, garages for passenger vehicles or one vehicle with commercial registration under 5,000 pounds gross vehicle weight, greenhouses, playhouses, garden houses, tool houses, stables, barns, and solar energy collectors.

Section 3. Subsection a of Section 4.4.15.4 of Local Law No. 14 of 1984, as amended by Local Law No. 1 of 1999 and Local Law No. 1 of 2002, is hereby further amended to read as follows:

a. Accessory buildings and accessory structures permitted under this section shall comply with the front yard, side yard, and rear yard requirements and the building coverage, impervious surface ratio, and height

limitations specified in Section 5.2 of this Local Law, except that sports courts (including but not limited to basketball courts and tennis courts without lighting facilities for night play) and in-ground swimming pools may be located not closer than 15 feet to a side lot line or a rear lot line.

Section 4. Local Law No. 14 of 1984, as amended by Local Law No. 1 of 2002, is hereby further amended by adding thereto a new Section 4.4.15.7, to read as follows:

4.4.15.7 No sports court (including but not limited to basketball courts, tennis courts or platform tennis courts) shall have lighting facilities for night play.

Section 5. Section 5.1 of Local Law No. 14 of 1984, as amended by Local Law No. 3 of 2006 and Local Law No. 1 of 2007, is hereby further amended to revise the list of Accessory Uses contained in the Schedule of Use Regulations by replacing the first item in such list with the following item:

<u>ACCESSORY USES</u>	<u>ADDITIONAL REQUIREMENTS</u>	R-50	R-35	R-20	R-15	NS
Sports court (including but not limited to basketball court, tennis court, paddle tennis court), barn, stable, silo, garage, tool shed, garden house, swimming pool, solar energy collector	4.4.15				PA	

PA = Permitted Accessory Use

Section 6. Section 6.9.8a.5 of Local Law No. 14 of 1984, as amended by Local Law No. 1 of 2009, is hereby further amended to read as follows:

5. In its review of applications for certain neighborhood gatherings, the Planning Board may increase the maximum building height (feet) by a factor not exceeding 25%. This discretion

shall be available for the following applications: (a) neighborhood gatherings in exclusively non-residential structures, and (b) for neighborhood gatherings in or attached to single-family residences, only to that portion of the structure that contains the neighborhood gathering. However, the Planning Board shall not have authority to increase the maximum exposed building height.

Section 7. Section 6.9.8a.7 of Local Law No. 14 of 1984, as amended by Local Law No. 1 of 2009, is hereby further amended to read as follows:

7. All required parking spaces must be provided on the lot on which the neighborhood gathering is located. Unless the neighborhood gathering has frontage and practical access exclusively on a Major Road, an application may be made to the Planning Board for relief from this requirement. Upon such application, the Planning Board may determine to allow parking in any of the following locations to count towards satisfaction of the parking requirement if it determines that it would be consistent with public safety and neighborhood character to do so: (a) on-street parking on any street other than a Major Road; (b) on-street parking on any street other than a street or portion thereof which has pavement width of less than 30 feet; (c) on-street parking on any street other than a street or portion thereof which has only a single means of access and egress; (d) parking on other lots within the Village of Wesley Hills and within 100 yards of the periphery of the lot on which the neighborhood gathering is located, with the permission of the owners of such lots; or (e) a combination thereof.

Section 8. Section 6.9.8a.9 of Local Law No. 14 of 1984, as amended by Local Law No. 1 of 2009, is hereby further amended to read as follows:

9. One non-illuminated sign showing the name and address of the neighborhood gathering shall be allowed. Such sign may not exceed 5 square feet in area if such sign is located on a wall of the building. Such sign may not exceed 1

square foot if such sign is located on a post set in the ground.

Section 9. Local Law No. 14 of 1984 is hereby amended by adding thereto a new Section 6.9.8c, to read as follows:

- c. For a neighborhood gathering located in a building that also contains a single-family residence, the Planning Board may waive the requirement that 1 indoor parking space shall be provided for the residence.

Section 10. Section 6.9.9a.5 of Local Law No. 14 of 1984, as amended by Local Law No. 7 of 1988, is hereby further amended to read as follows:

5. All buildings and structures on the property must be approved by the Planning Board.

Section 11. Section 7.2.1 of Local Law No. 14 of 1984 is hereby amended to read as follows:

- 7.2.1 Required off-street parking spaces shall be provided on the same lot with the structure or use they serve, except as provided in Sections 4.4.24.4, 6.9.8a.7, or 7.3 of this Local Law. Except for special permit uses or for shopping centers as provided in Section 7.2.4 of this Local Law, required off-street parking spaces may be located only within a building or in a side or rear yard. In no event shall parking and loading spaces for a use not permitted in a district be located in that district.

Section 12. Section 10.10.3.1 of Local Law No. 14 of 1984 is hereby amended to read as follows:

- 10.10.3.1 Size and location: The approval of any use in the NS district, or any non-residential use in any residence district, shall include provisions for a buffer screening area at least 25 feet in width along any lot line abutting, or, if determined necessary by the Planning Board, directly across the street from, any lot in a residence district. This requirement may be waived by the Planning Board in situations where it determines that large distances, topographic features, vegetation, or fences, or a combination thereof, satisfy the same purpose.

Section 13. The invalidity of any section, subsection, paragraph, sentence, clause or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

Section 14. This Local Law shall take effect immediately.

At such time and place, all persons interested in the subject matter thereof will be heard concerning the same.

The full text of such proposed Local Law is on file in the Village Clerk's Office and may be reviewed by interested persons during regular business hours.

Dated: Wesley Hills, New York
August 4, 2011

BARBARA CARTAYA
Village Clerk
Village of Wesley Hills