

**TOWN OF LEWISBORO
TOWN BOARD WORK SESSION
AGENDA
TOWN HOUSE
JANUARY 26, 2015
7:30 P.M.**

PUBLIC COMMENT

COMMUNICATIONS

- **Westchester Municipal Officials Association (WMOA) Dinner at One Twenty Three Restaurant, 407 Smith Ridge Road, Vista on March 12, 2015**
- **NY DOT Response to Town's Letter Concerning a Left-Hand Prohibition at Intersection of Route 35 and Avery Road and Signage on Route 123 Prohibiting Commercial Traffic on Spring Hill Lane**

CONSENT AGENDA

- **Approval of Minutes for January 5, 2015**
- **Monthly Reports**
 - **Building Department December 2014**

NEW BUSINESS

- **Resolution Authorizing Supervisor to Sign Partners in Safety 2015 Complete DOT Program Agreement**
- **Resolution Authorizing Supervisor to Sign Application to Westchester County To Participate in County's Shared Service and Efficiency Plan**
- **Resolution Authorizing Supervisor to Sign Grant Application to the Watershed Agricultural Council to Fund Use of Weevils to Fight Spread of Mile-A-Minute Vine (Asiatic Tearthumb) in Old Field Preserve**
- **Resolution to Set Public Hearing on Gold Star Parents Real Estate Tax Exemption**
- **Discussion of Bed and Breakfast Legislation**

OLD BUSINESS

- **Discussion of Zoning Changes to Facilitate Affordable Housing**

APPROVAL OF CLAIMS

POLLING OF THE BOARD

ANNOUNCEMENTS

- **Town Board Meeting February 9, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem.**

MOTION TO GO INTO EXECUTIVE SESSION

Town Board Meetings Accessibility: The Town of Lewisboro is committed to providing equal access to all its facilities, services and activities to the fullest extent possible. The Town House, Cyrus Russell Community House, Onatru Farmhouse, and the Town Offices at Orchard Square are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled meeting, and we will try to accommodate whenever possible.



State of New York
Department of Transportation
Region 8
4 Burnett Boulevard
Poughkeepsie, New York 12603
www.dot.ny.gov

William J. Gorton, P.E.
Regional Director

Joan McDonald
Commissioner

January 7, 2015

Honorable Peter H. Parsons
Supervisor
Town of Lewisboro
PO Box 500
South Salem, NY 10590

Re: Request for Traffic Signs
Routes 35 & 123
Town of Lewisboro
ML 1010 & T14-154

Dear Mr. Parsons:

This is in response to your letter requesting the following:

1. Left turn prohibition signing at the intersections of Route 35 with Avery Road in the Town of Lewisboro, Westchester County. The intersection of Route 35 with Avery Road is a "T" intersection with a left-turn lane on the eastbound Route 35 approach to Avery Road. This turn lane provides a storage area for vehicles waiting to execute a left-turn maneuver into Avery Road. This facilitates traffic movements and enhances safety at this intersection. The Department determined that a part-time restriction of the left-turn could negatively impact the safety and operation of this intersection. For that reason, this request is not approved.
2. Placing signing along Route 123 indicating that commercial traffic is prohibited from turning into Spring Hill Lane. The Department will accommodate this request to address the Town's concern with regard to commercial traffic having difficulty turning into Spring Hill Lane from Route 123. Under Local Law Number 4-2104 of the Town of Lewisboro, Commercial Vehicles are excluded on Spring Hill Lane. Commercial traffic can use West Lane to access Spring Hill Lane for basic services such as garbage pick up, delivery services, fuel trucks, etc. The Town of Lewisboro will need to place signing on Spring Hill Lane at the intersection with Route 123 stating that there is a commercial vehicle restriction.

If you have any questions, please feel free to contact me at (845) 437-3396.

Very truly yours,

Nicolas A. Choubah, P.E.
Regional Traffic Safety & Mobility Engineer

MINUTES OF TOWN BOARD MEETING HELD ON JANUARY 5, 2015

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The Organizational meeting and regular meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on January 5, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter Parsons
Councilmen - Peter DeLucia, Frank Kelly, Daniel Welsh
Town Clerk - Janet L. Donohue
Absent - John Pappalardo

Also attending was the Attorney for the Town Anthony Mole', Comptroller Leo Masterson and Facilities Maintenance Manager Joel Smith, Parks and Recreation Superintendent Dana Mayclim and Confidential Secretary/Benefits Coordinator Mary Hafter.

Supervisor Parsons called the Organizational Meeting of 2015 to order at 7:39 p.m.

PLEDGE OF ALLEGIANCE

The Supervisor led the Pledge of Allegiance to the flag.

RETIRING COMMITTEE MEMBERS – Thank you

Supervisor Parsons thanked all of the retiring committee members who have served our town. They include the following:

Advisory Committee for the Disabled – Robyn Fields and Laura Toffler Corrie
Antenna Advisory Board – Alan Groves
Cable TV Committee – Glenn Ostrander
Conservation Advisory Council – Joe Boland
Open Space and Preserves Advisory Committee – Ed Wickersham
Parks and Recreation Advisory Committee – Jennifer Bardavid
Sustainability Committee – Darryl Caprio

ADVISORY COMMITTEE FOR THE DISABLED – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Peter Beardsley hereby is reappointed as member of the Advisory Committee for the Disabled for terms ending December 31, 2017.

ADVISORY COMMITTEE FOR THE DISABLED – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Peter Beardsley be and hereby is reappointed Chairperson of the Advisory Committee for the Disabled for a one-year term ending December 31, 2015.

ANTENNA ADVISORY BOARD – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Tibor “Ted” Sohonyay be and hereby is reappointed as Chairperson of the Antenna Advisory Board for a term expiring December 31, 2015.

ARCHITECTURE AND COMMUNITY APPEARANCE REVIEW COUNCIL –
Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Ciorsdan Conran hereby is reappointed as a member of the Architecture & Community Appearance Review Council (ACARC) for a three-year term expiring December 31, 2017.

ARCHITECTURE AND COMMUNITY APPEARANCE REVIEW COUNCIL –
Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Ciorsdan Conran be and hereby is appointed as Chairperson of the Architecture & Community Appearance Review Council (ACARC) for a one-year term expiring December 31, 2015.

BOARD OF ASSESSMENT REVIEW – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Lawrence A. Mandelker is hereby reappointed as Chairperson of the Board of Assessment Review for a one-year term expiring December 31, 2015.

CABLE TELEVISION ADVISORY COMMITTEE – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Dean Travalino hereby is reappointed to the Cable Television Advisory Committee for a term ending December 31, 2015.

CABLE TELEVISION ADVISORY COMMITTEE – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Dean Travalino be and hereby is reappointed as Chairperson of the Cable Television Advisory Committee for a term ending December 31, 2015.

CONSERVATION ADVISORY COUNCIL – Appointment of Member

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Janet Anderson hereby is appointed to the Conservation Advisory Council for a two year term expiring December 31, 2016.

EMERGENCY MANAGEMENT COMMITTEE – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Adam Ochs hereby is reappointed as Chairperson of the Emergency Management Committee for a term expiring December 31, 2015.

HOUSING COMMITTEE – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Linda Rae is reappointed to the Housing Committee for a two-year term ending December 31, 2016.

HOUSING – Appointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Linda Rae hereby is appointed as Housing Committee Chairperson for a term expiring December 31, 2015.

LAKES MANAGEMENT COMMITTEE – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that David Sachs hereby is reappointed as Chairperson of the Lakes Management Committee for a term expiring December 31, 2015.

LANDMARKS ADVISORY COMMITTEE – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that W. Theodore Strauss hereby is reappointed as Chairperson of the Landmarks Advisory Committee for a term expiring December 31, 2015.

OPEN SPACE AND PRESERVES ADVISORY COMMITTEE – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Greg Monteleone is hereby reappointed a member of the Open Space and Preserves Advisory Committee for a two-year term expiring December 31, 2016.

OPEN SPACE AND PRESERVES ADVISORY COMMITTEE – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Greg Monteleone hereby is reappointed Chairperson of the Open Space and Preserves Advisory Committee for a term expiring December 31, 2015.

PARKS AND RECREATION ADVISORY COUNCIL – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Ian Harris hereby is reappointed Chairperson of the Parks and Recreation Advisory Council for a term expiring December 31, 2015.

PLANNING BOARD – Reappointment of Member

On motion by Mr. Parsons, seconded by DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Jerome Kerner is hereby reappointed to the Planning Board for a five-year term ending December 31, 2019.

PLANNING BOARD – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Jerome Kerner hereby is reappointed Chairperson of the Planning Board for a term expiring December 31, 2015.

STORMWATER MANAGEMENT COMMITTEE – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Paul Lewis hereby is reappointed member of the Stormwater Management Committee for a two-year term expiring December 31, 2016.

STORMWATER MANAGEMENT COMMITTEE – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Paul Lewis hereby is reappointed Chairperson of the Stormwater Management Committee for a term expiring December 31, 2015.

SUSTAINABILITY COMMITTEE – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Robert Karpel hereby is appointed Chairperson of the Sustainability Committee for a term ending December 31, 2015.

ZONING BOARD OF APPEALS – Reappointment of Chairperson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Robin Price, Jr. hereby is hereby reappointed as Chairperson of the Zoning Board of Appeals for a term expiring December 31, 2015.

ADVISORY COMMITTEE FOR THE DISABLED – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Dean Travalino, is reappointed as member of the Advisory Committee for the Disabled for a three-year term ending December 31, 2017.

ANTENNA ADVISORY BOARD – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Tom LoBosco be and hereby is reappointed as a Member of the Antenna Advisory Board for a five-year term expiring December 31, 2019.

ARCHITECTURE AND COMMUNITY APPEARANCE REVIEW COUNCIL – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Virginia LoBosco hereby is reappointed as a member of the Architecture & Community Appearance Review Council (ACARC) for a three-year term expiring December 31, 2017.

CABLE TELEVISION ADVISORY COMMITTEE – Reappointment of Members

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Steve Shapiro, Ray Moore, and Glenn DeFaber hereby are reappointed to the Cable Television Advisory Committee for terms ending December 31, 2015.

CONSERVATION ADVISORY COUNCIL – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Bob Sullivan hereby is reappointed to the Conservation Advisory Council for a two-year term expiring December 31, 2016.

HOUSING COMMITTEE – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Glenn DeFaber is hereby reappointed to the Housing Committee for a two-year term ending December 31, 2016.

LAKES MANAGEMENT COMMITTEE – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Jan Andersen is hereby reappointed to the Lakes Management Committee for a five-year term ending December 31, 2019.

OPEN SPACE AND PRESERVES ADVISORY COMMITTEE – Reappointment of Members

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Callie Bauer, Mike Ferrara, and Mark Gordon are hereby reappointed as members to the Open Space and Preserves Advisory Committee for two-year terms ending December 31, 2016 and that David Gordon is reappointed as an associate member to the Open Space and Preserves Advisory Committee for a term ending December 31, 2016.

PARKS AND RECREATION ADVISORY COUNCIL – Reappointment of Members

On motion by Mr. Parsons, seconded by Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Sophie Bernier, Maryanne Brogan, and Peter DeVittorio hereby are reappointed to the Parks and Recreation Advisory Council for two-year terms ending December 31, 2016.

STORMWATER MANAGEMENT COMMITTEE – Reappointment of Members

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Joel Smith, Peter Ripperger, and Janet Andersen hereby are reappointed to the Stormwater Management Committee for two-year terms ending December 31, 2016.

SUSTAINABILITY COMMITTEE – Re-Appointment of Members

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Michael R. Gordon hereby is reappointed to the Sustainability Committee for a two-year term ending December 31, 2016.

ZONING BOARD OF APPEALS – Reappointment of Member

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Carolyn Mandelker hereby is reappointed to the Zoning Board of Appeals for a five-year term ending December 31, 2019.

ELECTIONS OFFICER – Reappointment of Janet L. Donohue

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Janet L. Donohue hereby is reappointed as Elections Officer for a one-year term expiring December 31, 2015.

REGISTRAR OF VITAL STATISTICS – Reappointment of Janet L. Donohue

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Janet L. Donohue hereby is reappointed as Registrar of Vital Statistics for a one-year term, expiring December 31, 2015.

BUILDING INSPECTOR – Reappointment of Deputy

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Paul Bauer hereby is reappointed as Deputy Building Inspector for a one-year term, expiring December 31, 2015.

DOG CONTROL OFFICER – Reappointment of Christine McKenna

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Christine McKenna hereby is reappointed as Dog Control Officer for a term expiring December 31, 2015.

WILD OAKS ADMINISTRATOR – Reappointment of Leo Masterson

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Leo Masterson hereby is reappointed as Wild Oaks Administrator for a term expiring December 31, 2015.

OAKRIDGE SEWER AND WATER ADMINISTRATOR - Reappointment of Joel Smith

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Joel Smith hereby is reappointed as Oakridge Sewer and Water Administrator for a term expiring December 31, 2015.

OAKRIDGE WATER BILLING ADMINISTRATOR – Reappointment of Deirdre Casper

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Deirdre Casper hereby is reappointed as Oakridge Water Billing Administrator for a term expiring December 31, 2015.

TOWN ATTORNEY – Reappointment of Town Attorneys

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Herodes & Molé, P.C., Mahopac, New York hereby are reappointed as Attorneys for the Town of Lewisboro subject to a negotiated contract, for a term expiring December 31, 2015.

ATTORNEY – Reappointment of Special Counsel for Planning Board

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Keane & Beane, P.C., White Plains, New York hereby is reappointed as special counsel to the Planning Board subject to a negotiated contract for a one-year term expiring December 31, 2015.

ATTORNEY – Re-appointment of Special Counsel for Planning, Zoning and Building Department

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Greg Monteleone, Goldens Bridge, New York hereby is appointed as special counsel for Planning, Zoning and Building Department matters at an hourly rate of \$175 an hour, for a one-year term expiring December 31, 2015.

TOWN ENGINEER – Reappointment of Town Engineers

On motion by Mr. Parsons, seconded by Mr. , the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Kellard Sessions Consulting, P.C., Armonk, New York, hereby is reappointed as Town Engineers for the Town of Lewisboro, subject to a renegotiated contract, for a one-year term expiring December 31, 2015.

TOWN PLANNER AND WETLANDS INSPECTOR – Reappointment of Town Planner & Wetlands Inspector

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Kellard Sessions Consulting, P.C., Armonk, New York, hereby is reappointed as Town Planner and Wetlands Inspector for the Town of Lewisboro, subject to a negotiated contract, for a one-year term expiring December 31, 2015.

TOWN PROSECUTOR - Reappointment of Greg Monteleone

On motion by Mr. Kelly, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Greg Monteleone of Goldens Bridge, New York hereby is appointed as Town Prosecutor at an hourly rate not to exceed \$175 an hour for the year ending December 31, 2015.

TOWN AUDITOR – Reappointment of Town Auditor

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that O’Connor Davies Munns & Dobbins, LLP hereby are appointed Town auditors for the year ending December 31, 2015.

MEMBERSHIPS – Authority to Join Organizations and Pay Dues

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that memberships in the following professional organizations for 2015 are approved, and the required 2015 dues be paid, in the amounts estimated below:

Association of Towns of NYS \$1,500
New York Planning Federation - \$200
Sustainable Westchester - \$1,200
Westchester Municipal Officials Association - \$750
Westchester Putnam Association of Town Supervisors - \$180
Westchester Municipal Planning Federation - \$75

ASSOCIATION OF TOWNS – Re-appointment of Delegate and Alternate

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Peter Parsons hereby is re-appointed as the 2015 delegate and Daniel Welsh as the 2015 alternate delegate to represent the Town of Lewisboro at the annual meeting of the Association of Towns of New York State.

FIRE INSPECTORS – Reappointment

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Peter Barrett hereby is reappointed as Fire Inspector for a one-year term, expiring December 31, 2015, and be it further

RESOLVED, that Paul Bauer hereby is reappointed Fire Inspector for a one-year term, expiring December 31, 2015.

SUPERVISOR – Reappointment of Confidential Secretary/Benefits Administrator

Mr. Parsons noted his reappointment of Mary Hafter as his Confidential Secretary/Benefits Administrator for a term expiring December 31, 2015.

SUPERVISOR - Reappointment of Deputy

Mr. Parsons noted his reappointment of Councilman Peter DeLucia as Deputy Supervisor for a term expiring December 31, 2015.

TOWN CLERK – Reappointment of Deputy Town Clerk, Deputy Elections Officer, Deputy Registrar

Supervisor Parsons noted the Town Clerk’s reappointment of Jennifer Caviola as her Deputy Town Clerk, Deputy Elections Officer and Deputy Registrar of Vital Statistics for a term expiring December 31, 2015.

RECEIVER OF TAXES – Reappointment of Deputy

Supervisor Parsons noted the Receiver of Taxes’ reappointment of Diane Crocker as her Deputy for a term expiring December 31, 2015.

HIGHWAY SUPERINTENDENT – Reappointment of Deputy

Supervisor Parsons noted the Highway Superintendent’s reappointment of Joseph Posadas as his Deputy for a term expiring December 31, 2015.

TOWN HISTORIAN – Reappointment

Supervisor Parsons announced that he had reappointed Maureen Koehl as Town Historian for a term expiring December 31, 2015.

CEMETERY COMMISSIONER – Reappointment of Stephen T. Johnson

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Stephen T. Johnson hereby is reappointed Cemetery Commissioner at an annual stipend of \$4,000 for a term expiring December 31, 2015.

PARKS AND RECREATION - Set Seasonal Salary Ranges

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the 2015 part-time seasonal staff salary ranges as proposed by the Superintendent of Parks and Recreation in a memo dated January 5, 2015 hereby is approved.

MILEAGE – Rate Set

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Town employees and elected officials shall be reimbursed for use of a personal vehicle for Town business, when a Town-owned vehicle is not available for use, at the per-mile rate set by the IRS.

KENNEL - Authorize Agreement

On motion by Mr. DeLucia seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Supervisor is hereby authorized to sign a one-year agreement, for a term expiring December 31, 2015, between the Town and the South Salem Animal Hospital that provides for holding and sheltering dogs, in accordance with the provisions of the New York State Agriculture and Market Law, and in accordance with the provisions of Chapter 105 of the Code of the Town of Lewisboro, at a cost of \$37.00 per twenty-four hours or part thereof, and \$32.00 if dog belongs to the Town of Lewisboro and it waiting to be adopted out, said approval subject to counsel's review of the agreement.

LIBRARY – Authorize Annual Agreement

On motion by Mr. DeLucia, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign the 2015 agreement with the Lewisboro Library.

NEWSPAPER – Designation of Official Newspaper

On motion by Mr. DeLucia, seconded by Mr. , the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Town Board does hereby designate the Lewisboro Ledger as the official newspaper for the Town of Lewisboro for a term expiring December 31, 2015.

FINANCE – Designation of Banks

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that Bank of America, J. P. Morgan Chase, Wells Fargo, Signature Bank, TD Bank and Putnam County Savings Bank are hereby approved as the depositories for Town funds during the year 2015.

FINANCE – Approve Bank Depository Agreements

On motion by Mr. DeLucia, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Supervisor hereby is authorized to sign bank depository agreements.

FINANCE – Transfer Authorization

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, the Town Supervisor and the Town Comptroller are hereby authorized to make transfers of funds not to exceed \$10,000 a month, among the appropriation lines of the 2015 Town Budget.

HIGHWAY DEPARTMENT – Agreement to Purchase Tools

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that pursuant to Section 142 of the Highway Law, the Superintendent of Highways of the Town of Lewisboro is hereby authorized to purchase equipment, tools and other implements to be used for highway maintenance, construction or reconstruction during 2015, subject to the limitations of budgetary appropriations and public bidding requirements.

HIGHWAY DEPARTMENT – Agreement to Spend Funds

On motion by Mr. DeLucia, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that pursuant to the provisions of Section 284 of the Highway Law, the Agreement to Spend Town Highway funds budgeted for the year 2015, as presented to the Town Board by the Superintendent of Highways, is hereby approved.

HIGHWAY DEPARTMENT – Highway Estimate and Budget

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Annual Highway Estimate and Budget for 2015, as presented by the Superintendent of Highways, hereby is approved.

MEETINGS – Dates Set

On motion by Mr. DeLucia, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE: Yes - Parsons, DeLucia, Kelly, Welsh (4)
 No - None (0)
 Absent - Pappalardo (1)

RESOLUTION

RESOLVED, that Town Board meetings shall take place on the second and fourth Mondays of the month. Such meetings will normally be held at the Town House at 7:30 p.m. Additional meetings will be held as the Board deems necessary.

LIAISONS – Discussion re: the Supervisor’s 2015 Liaisons List

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 as follows:

THE VOTE: Yes - Parsons, DeLucia, Kelly, Welsh (4)
 No - None (0)
 Absent - Pappalardo (1)

RESOLUTION

RESOLVED, that the Town Board does approve the 2015 Town Board Liaison List below.

TOWN OF LEWISOBORO 2015 TOWN BOARD LIAISON LIST

Advisory Committee for the Disabled	John Pappalardo
Architecture & Community Appearance Review Council	Peter DeLucia
Antenna Advisory Board	Peter DeLucia
Assessor's Office	Peter Parsons
Building Department	Peter DeLucia
Cable Television Committee	Frank Kelly
Conservation Advisory Council CAC	Dan Welsh
Court Clerk's Office	John Pappalardo
East of Hudson Watershed Corporation	Peter Parsons
Emergency Management Committee	Frank Kelly
Finance Department	Peter Parsons
Grants	Dan Welsh
Highway Department	Frank Kelly
Housing Committee	John Pappalardo
Katonah-Lewisboro School Board	Peter Parsons
Labor Negotiations	John Pappalardo
Lakes Committee	Dan Welsh
Landmarks Advisory Committee	John Pappalardo
Library	Peter Parsons
Maintenance Department	Frank Kelly

Oakridge & Wild Oaks Water/Sewer District	Peter DeLucia
Open Space Advisory Committee OSAC	Dan Welsh
Parks & Recreation. Advisory Council	Peter DeLucia
Parks & Recreation Department	Peter DeLucia
Planning Board	Peter DeLucia
Police Department	Peter DeLucia
Recycling Department (Sustainability Committee)	Dan Welsh
Stormwater Management Committee	Dan Welsh
Tax Receiver's Office	Peter Parsons
Town Clerk's Office	Peter Parsons
Zoning Board of Appeals	Peter DeLucia

REGULAR TOWN BOARD MEETING:

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted 4-0 to approve meeting minutes and to receive and file departmental reports.

THE VOTE: Yes - Parsons, DeLucia, Kelly, Welsh (4)
 No - None (0)
 Absent - Pappalardo (1)

MINUTES - Approved

On the above motion and second, the minutes of the December 15, 2014, Town Board meeting were approved.

REPORTS – Monthly Reports

On the above motion and second the December reports from the Police and Planning Departments were received and filed.

FINANCE - Authorize 2015 Budget Transfer

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 as follows:

THE VOTE: Yes - Parsons, DeLucia, Kelly, Welsh (4)
 No - None (0)
 Absent - Pappalardo (1)

RESOLUTION

RESOLVED, that the Town Board does approve the 2015 budget transfer of \$34,000 from the police part-time salary appropriation to the general fund re-build appropriation due to the retirement of Police Officer Gordon Moccio, who was formerly receiving disability compensation under General Municipal Law Section 207-C.

LAUREL RIDGE (AKA OAKRIDGE COMMONS) – Approval of Well #7

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

WHEREAS, the developer of the Laurel Ridge (aka Oakridge Gardens) multifamily residential development has requested that the Town Board of the Town of Lewisboro accept Well #7 and associated water and sewer improvements that have been installed to date; and

WHEREAS, to date, the project developer has installed Well #7, the water main, fire hydrants and associated vales which have been installed to serve Phases 1 and 2 of the subject development, and the sewer main extension installed to serve Phase 1 (installed from Oakridge Drive to Sewer Manhole #10 which serves Unit 19B); and

WHEREAS, the Town Board must accept said improvements in order for the Building Department to be able to issue Certificates of Occupancy for the residential units of said development that are to be serviced by Well #7, and

WHEREAS, the Town’s engineering consultants, Kellard Sessions Consulting, P.C., have confirmed to the Town that the as-built installation of Well #7 and the water and sewer mains are satisfactory and that the only remaining open item associated with said improvements is final approval from the Westchester County Department of Health, which is dependent on additional water quality testing; and

WHEREAS, water quality tests associated with Well #7 had been completed in the past to the satisfaction of the Westchester County Department of Health; however, the Health Department determined at time of final approval that said test results had expired and were no longer considered valid, thus necessitating an additional round of testing as required by the Health Department; and

WHEREAS, it is expected that the water quality test results will be available shortly, and that as long as such results are satisfactory, the Westchester County Department of Health would issue its approval of Well #7 and associated infrastructure, and

WHEREAS, the project developer of the residential units to be serviced by Well #7 has completed construction of certain units that are ready to be sold to third party purchasers, and

WHEREAS, the developer will need Certificates of Occupancy to close the sale of said units, and

WHEREAS, it is anticipated that the water test results and Department of Health approval will be obtained prior to the next Town Board meeting, and

WHEREAS, the Town Board agrees to conditionally accept Well #7 and associated water and sewer improvements, the conditions of which are i) satisfactory water test results, ii) Westchester County Department of Health approval, and iii) final approval of the Town's engineering consultants;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lewisboro hereby conditionally accepts Well #7, the water main, fire hydrants and associated valves which have been installed to serve Phases 1 and 2 of the subject development, and the sewer main extension installed to serve Phase 1 (installed from Oakridge Drive to Sewer Manhole #10 which serves Unit 19B), exclusive of all sanitary sewer service laterals and water service connections to the individual units, the conditions of which are i) satisfactory water quality test results, ii) Westchester County Department of Health approval, and iii) final approval of the Town's engineering consultants; and

BE IT FURTHER RESOLVED, that once the aforementioned conditions are satisfied to the satisfaction of the Town's engineering consultants, then Well #7 and associated water and sewer improvements shall be deemed to be accepted by the Town Board, and certificates of occupancy may be issued with respect to residential units to be serviced by Well #7 and associated water and sewer improvements, and

BE IT FURTHER RESOLVED, that if the aforementioned conditions are not satisfied within sixty (60) days of the date of this Resolution, then this Resolution shall be deemed rescinded, after which a new application to the Town Board would have to be made for Well #7 to be considered for acceptance.

CLAIMS – Authorized for Payment

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 4-0 to authorize payment of the Town's bills in the amount of \$130,988.38.

POLLING OF BOARD AND ANNOUNCEMENTS

LEWISBORO FIRST DAY - Successful

Supervisor Parsons thanked everyone that was involved with the Lewisboro First Day, including the Lewisboro Land Trust, the Garden Club, the Wolf Conservation Center, the Parks and Recreation Department, the Lewisboro Lions Club, Arts Onatru, Animals Galore, and the Sanctuary Series. Mr. Parsons estimates that at least 350 people participated in the events though he is sure that there was duplication in the numbers. He also gave congratulations to the following individuals for initiating the celebration: Rose Bonano of the Garden Club, Dana Mayclim of Parks and Recreation, Bobbe Stultz of the Lewisboro Land Trust and Dean Travalino of Arts Onatru and the Sanctuary Series.

LEWISBORO LEDGER – Top 10 Positive Things in Lewisboro

Supervisor Parsons stated that he wrote a letter to the Lewisboro Ledger stating the top 10 positive things in Lewisboro to counter the article that ran in the December 31, 2014 Lewisboro ledger titled "Top 10 Lewisboro Headline of 2014", which were mostly negative. Mr. Parson's article will run in the January 8, 2015 Lewisboro Ledger.

ASSOCIATION OF TOWNS – Training School & Annual Meeting

The annual meeting of the Association of Towns will be held in New York City on February 15 – 18, 2015.

RECYCLING CENTER - Looking at Expanding

Mr. Welsh stated that there is a lot of interest in enhancing what is going on at the recycling center with the possibility of accepting textiles and doing other expanded things.

ADA COMPLIANCE – Completion

Mr. Kelly did note that the Town has come into compliance with the American with Disabilities Act. Mr. Kelly thanked the committee and the maintenance department for all of their hard work and dedication.

ONATRU FARM – Ideas from Public

Mr. Kelly would like to accept some ideas from the public regarding the use of the Onatru Farmhouse facility. His thought is that part of the facility could be a museum or that some performing arts groups could contact the Board with ideas that they may have.

VOLUNTEERS – Thank You

The Board thanked all of the volunteers in our community that put in many hours of work to make our community a successful one. Neighbors and friends are making the town successful.

SOLAR USAGE – Increase Usage

Mr. DeLucia, while driving around Canada and Vermont noticed that these areas have a very high usage of solar power. He would like to see our town look into this further moving forward in 2015.

MEETINGS – Dates Set

Upcoming meetings of the Board include a work session meeting on January 26, 2015 at 7:30 p.m. at the Lewisboro Town House.

EXECUTIVE SESSION – To Discuss Personnel Issues

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 4-0 to go into executive session at 8:26 p.m. to discuss personnel issues.

On motion by Mr. DeLucia seconded by Mr. Kelly, the Board voted 4-0 to come out of executive session at 9:20 p.m.

ADJOURNMENT

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 4-0 to adjourn at 9:21 p.m.

Janet L. Donohue
Town Clerk

Monthly Report December 2014

Quantity	Bld Permit	Permit	CC/CO	RM	EQ	total
31	Res Minor Work	4960	2080	58	650	7748
1	Res ADD	1650	1550	2	50	
1	Res Acc Str	1020	920	2	50	
12	Res Alt	6100	4900	24	150	
0	Res New	0	0	0	0	
0	Res Renew	0	0	0	0	
0	Comm Alt/Add	0	0	0	0	
0	Comm Minor	0	0	0	0	
2	ZBA/ACARC	750	0	4	0	
0	Other Permits	0	0	0	0	
0	220-76C	0	0	0	0	
15	Wetlands	2400	1350	0	150	
8	Civil Penalty	12900	0	0	0	
0	Copies	13.25	0	0	0	
0	Misc	0	0	0	0	
Total						

Total Receipts :	\$ 41,733.25
Total Deposits:	\$ 41,733.25

Bldg Insp: John Bant
 Date: 11/15

Total: 41733.25

Total Deposit: 41733.25

Difference 0

Res. MW	BP	CC	RM	EQ	Residential Add	BP	CO	RM	EQ	line total	
Motta	190	90	2	50	Peter		1650	1550	2	50	3252
Hoffman	160	60	2	50							0
Daley	110	20	2	0							0
Mardon	170	70	2	0							0
Bowes	120	20	2	50							0
Battista	160	60	2	0							0
Coleman	120	20	2	50							0
White	200	100	2	50							0
Gerbush/Bonano	220	120	2	50							0
Westlake	170	70	2	0							0
White	110	20	2	0							0
Geist	150	50	2	0							0
Seirup	120	20	2	50							0
Oddo	140	40	2	0	Column Total		1650	1550	2	50	3252
Sinsheimer	190	90	2	50	Subtotal					3252	
Schwartz	200	100	2	50	Comm. MW	BP	CO	RM	EQ	line total	
Gross	180	80	2	50							0
Moon	130	30	2	0							0
Amico	210	110	2	0							0
Lordi	170	70	2	0							0
Amico	370	270	2	0	Column Total		0	0	0	0	0
Rand	200	100	2	0	Subtotal					0	
Romano	140	40	2	50	Res. Alt	BP	CO	RM	EQ	line total	
Racz	220	120	2	0	McEvoy		140	40	2	50	232
Melyychak	190	90	2	0	Myers		1760	1660	2	0	3422
Whittaker	170	70	2	0	Wallach		950	850	2	0	1802
Kelly	170	70	2	0	Hogan		180	80	2	0	262
Martins	140	40	2	50	Klimberg		500	400	2	0	902
Gough	140	40	2	50	Pandjiris		300	200	2	0	502
					Greene		200	100	2	0	302
					Cannova		500	400	2	50	952
					Ferrara Reitman		700	600	2	50	1352
					Picerni		210	110	2	0	322
					Guider		310	210	2	0	522
					Verizon Wireless		350	250	2	0	602
					Column Total		6100	4900	24	150	11174
					Subtotal					11174	
					Res. New	BP	CO	RM	EQ	line total	
											0
											0
											0
					Column Total		0	0	0	0	0
					Subtotal					0	
					220-76C	BP	CO	RM	EQ	line total	
											0
											0
											0
											0
					Column Total		0	0	0	0	0
					Subtotal					0	

						0	
		Column Total	1020	920	2	50	1992
Subtotal	13.25	Subtotal		1992			

2015
Complete DOT Program Agreement

ID 8518

Partners in Safety Inc. under the terms and conditions of this agreement shall provide drug and alcohol testing services to the Employer that meet the compliance requirements of the U.S. Department of Transportation as defined in 49 CFR Part 40 and Part 382 and your individual policy.

Complete DOT Program:

\$35.50 per Employee per year

Includes:

- All random drug tests performed by SAMSHA-certified lab (50% of employees)
- All random alcohol tests using approved evidential breath testing device (10% of employees)
- GC/MS Confirmation
- Medical Review Officer service
- Specimen Collection
- Overnight shipment of specimen
- Random selection of employees
- Record Management
- Internet Resulting/Updating
- Collection Site Management
- DOT Audit Assistance
- Blind Specimen Submissions
- MIS Reports
- Monthly Billing
- Medical facility invoicing & payment processing
- Consultation with medical professionals

Additional Charges:

(Pre-employment, post-accident, reasonable cause or follow-up tests performed during normal business hours). Please note: The use of non-approved medical facilities may result in additional fees.

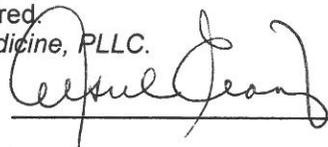
DOT drug test at lab or offices of Partners In Safety:	\$ 48.00 per test
DOT drug test with collection performed at an approved walk-in medical facility:	\$ 78.00 per test
Return-to-Duty/Follow-Up drug test including observed specimen collection performed at:	
• offices of Partners In Safety:	\$ 78.00 per test
• approved walk-in medical facility:	\$ 108.00 per test
DOT Breath Alcohol test at offices of Partners In Safety:	\$ 38.00 per test
DOT Breath Alcohol test at an approved walk-in medical facility:	\$ 50.00 per test
DOT/19A physical performed at offices of Partners In Safety:	\$ 60.00 per person
Split Specimen Testing - re-test of positive specimen by another SAMHSA-certified lab: (only when requested by employee within 72 hours of MRO's notification)	\$ 250.00 per test
Emergency Service: (for special situations requiring urgent on-site collections or tests on nights, weekends or holidays)	\$ 150.00 per hour (minimum of 2 hours, plus the cost of the test)

On-site medical services available upon request, minimum volume required.
Professional medical services are provided by *Partner in Safety and Medicine, PLLC.*

Signature and Title _____

Client: Town of Lewisboro

Date: _____



Ursula Clancy, President

Partners In Safety, Inc.

Westchester
gov.com

Robert P. Astorino, County Executive

Westchester County

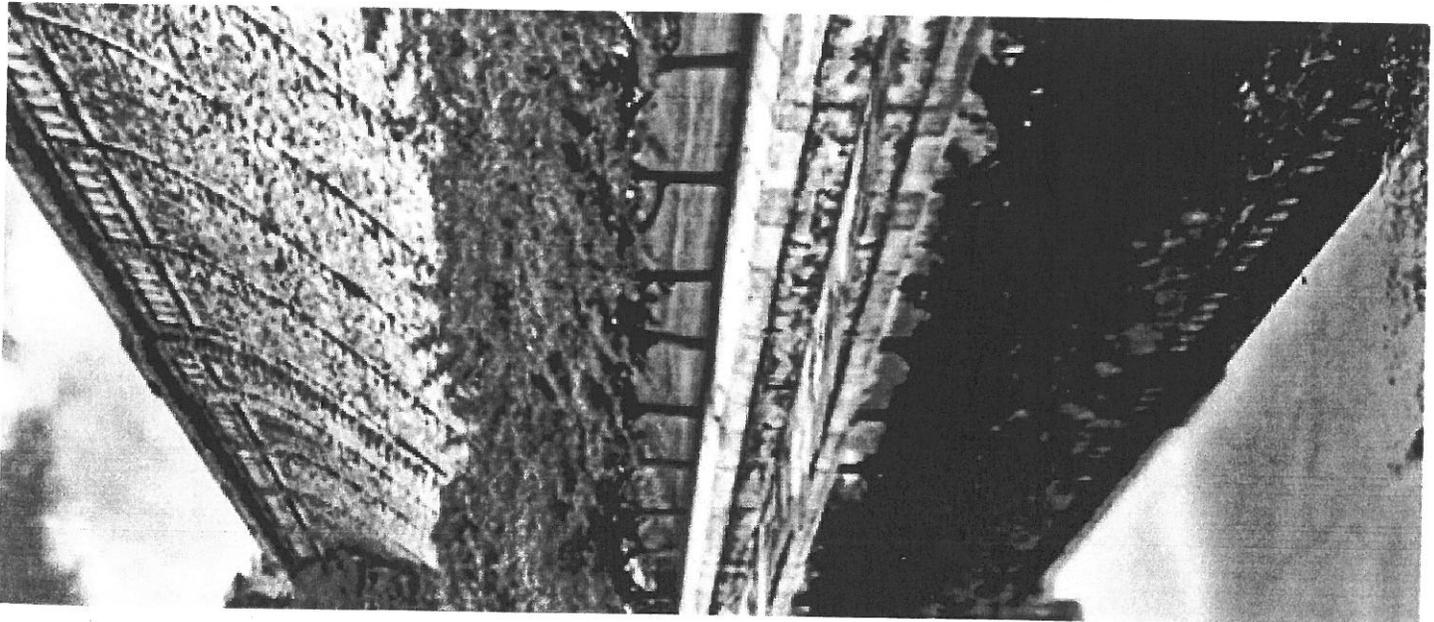
“Property Tax Freeze” Legislation & Government Efficiency Plan Presentation

Kevin Plunkett
Deputy County Executive

Lawrence Soule
Budget Director

Ann Marie Berg
Commissioner of Finance

January 21, 2015



Requirements for Tax Rebate

- 2015/2016- The taxpayer's primary residence must have qualified for the STAR exemption (owner-occupied, primary residences where the resident owners and their spouse's income is less than \$500,000.)
- Taxing jurisdiction must have a freeze compliant budget for a taxpayer to be eligible for credit with respect to that jurisdiction.
- 2016- A local government efficiency plan must be approved by the State Director of Budget.
- The Tax-Cap for municipalities starting their fiscal year beginning January 1, 2015 is 1.56%.

Local Government Efficiency Plan

- A Government Efficiency Plan (GEP) should identify the past, present and/or future shared services, cooperation agreements, mergers and/or efficiencies that will be implemented by the individual town (or the various signatories) to achieve savings either individually or in the aggregate:
 - in 2017, by 1% of the 2014 tax levy
 - in 2018, by 1% of the 2014 tax levy
 - in 2019, by 1% of the 2014 tax levy
- The aggregate estimated tax levies for all municipalities in Westchester County for 2014 is estimated at \$1.5 billion with the County accounting for almost half of that total.
- The look-back period for a municipality with regard to eligible efficiencies commences on the first day of the taxing jurisdiction's 2012 fiscal year.

Important Dates

Due Date	Entity Submitting	Recipient	Description
1/21/2015	County and Local	OSC and NYS Tax & Finance	Submit certification of compliance with tax-cap
2/6/2015	Local	County Department of Budget	Notification of intent to participate in the County's plan
3/31/2015	Local	County Department of Budget	Submit completed efficiency plans to County Dep. of Budget
4/30/2015	County	Local	County sends back consolidated plans for Local Gov's review
5/15/2015	Local	County Department of Budget	Submit all certifications to County Department of Budget*
6/1/2015	County	State	Submit plan and certifications to the State

***Certifications:**

- The Local Government will implement the plan
- The Local Government's actions will lead to the estimated savings
- The consolidated plan will result in the estimated savings for all members

Local Government Units (municipalities, special districts, etc.) responsibilities are highlighted yellow.

Suggestions

- Identify any efficiencies or shared services initiated after the start of your 2012 fiscal year and calculate the estimated savings for fiscal years 2017-2019.
- Review the County's shared services booklet for ideas. (Link is at the back of the presentation)
- When submitting plans to the Department of Budget, use the Excel template given and provide back-up data on consequent sheets.

Submissions

- Send notice of intent to participate with the County to Morgan Abdelnour at mda2@westchestergov.com by Friday, February 6.
- Include name, municipality, title, and contact information.
- We will then send templates for plan submission to you to fill out and return. The templates will also be posted on the Westchester County Department of Budget's website.

Example of Joint Government Units

Example:

One county, one city, three towns, two villages, and three fire districts develop a Government Efficiency Plan together. All of these local governments have fiscal years that begin on January 1, except for the two villages, which have fiscal years that begin on June 1.

For the local governments with a January 1 fiscal year, the levy used would be for the 2014 fiscal year.

For the two villages, the levy used would be the 2014-15 fiscal year, as this fiscal year begins in 2014.

The total levy for the participating local governments is \$78,000,000. The savings requirement that would need to be achieved is one percent of this levy - \$780,000.

	Local Fiscal Year Beginning in 2014	Levy for that Year
County A	2014	\$40,000,000
City A	2014	\$10,000,000
Town A	2014	\$7,000,000
Town B	2014	\$5,000,000
Town C	2014	\$6,000,000
Village A	2014-15	\$3,000,000
Village B	2014-15	\$4,000,000
Fire District A	2014	\$900,000
Fire District B	2014	\$1,100,000
Fire District C	2014	\$1,000,000
Total Levy		\$78,000,000

$$\begin{array}{r}
 \text{Total Levy for Participating Local Governments} \quad \$78,000,000 \\
 \times \quad 1\% \quad \times \quad 1\% \\
 \hline
 \text{Savings Requirement} \quad \mathbf{\$780,000}
 \end{array}$$

Example of a Savings Plan

Example:

One county, one city, three towns, two villages, and three fire districts develop a Government Efficiency Plan together with a savings requirement of \$780,000. The cooperation agreements, shared services, mergers, and efficiencies included in the Government Efficiency Plan would generate savings of \$790,000 in 2017, \$809,000 in 2018, and \$829,000 in 2019, exceeding the savings requirement.

Description of cooperation agreement, shared service, merger, or efficiency	Savings Generated in Fiscal Year		
	2017	2018	2019
County A enters into a cooperation agreement to have City A, Town A, Town B, Town C, Village A, and Village B undertake snow removal and road maintenance for the county in their respective local governments	\$300,000	\$310,000	\$320,000
Fire District A, Fire District B, and Fire District C merge	\$100,000	\$100,000	\$100,000
Town A and Town C continue to share tax collection services	\$30,000	\$30,000	\$30,000
Town B implements the efficiency of a lockbox payment system that reduces the need for administrative personnel	\$70,000	\$71,000	\$72,000
Town A and Village A enter into a cooperation agreement to create a single police force instead of two separate police forces	\$95,000	\$100,000	\$105,000
Village B implements the efficiency of eliminating its duplicative assessment	\$35,000	\$35,000	\$35,000
County A shares services with City A, Town A, Town B, Town C, Village A, and Village B by taking over the maintenance and administration of all of city, towns, and village parks	\$160,000	\$163,000	\$167,000
Total Savings	\$790,000	\$809,000	\$829,000
Savings Requirement	\$780,000	\$780,000	\$780,000

Current County Shared Services

- Public Safety
 - Westchester County polices a few local municipalities in Westchester, reducing the overall burden on taxpayers. A multitude of specialized units within the county police are available to assist other municipalities.
- Emergency Communications Center (ECC)
 - The ECC also known as "60 Control" provides primary dispatch services to 48 (83%) of the 58 fire departments and 26 (58%) of the 45 EMS agencies in the county.
- Westchester Intelligence Center
 - The Westchester Intelligence Center of the District Attorney's office is a collaborative partner with local, state, and federal agencies to facilitate information sharing.
- Employee Assistance Program (EAP)
 - EAP is low-cost and is designed to help employees with problems that may affect job performance such as legal, financial, family, emotional, psychiatric, marital, and alcohol and substance abuse.

Current County Shared Services cont.

- **Public Works and Transportation**
 - Currently offers assistance to local municipalities with fleet management, highway signage, salt brine, traffic engineering studies, etc.
- **Information Technology Education and Training Center**
 - The center provides a number of in-house, hands-on training opportunities for county and local municipal employees.
 - Tap into professional art and graphic design services to help package, promote and market programs and services to public and professional audiences along with digital printing services.
- **Human Resources**
 - Westchester County handles the human resources responsibilities for some local municipalities.
- **Laboratories and Research**
 - The Forensic Science Laboratory Services provides analytical services on a variety of evidence submitted by the 47 municipal law enforcement agencies in Westchester County
- **County Clerk**
 - The County Clerk's Westchester Records Online is made available to all Westchester County municipalities. It is a web-based application, allowing users to find data about and images of documents ranging from deeds, to maps, and summonses filed in the office of the County Clerk.

Additional Information

- **Property Tax Credit Fact Sheet**
 - <http://www.budget.ny.gov/pubs/press/2014/ptfc/rp5301fs.pdf>
- **Property Tax Guidance Document**
 - <http://www.budget.ny.gov/pubs/press/2014/ptfc/pub1030.pdf>
- **Certification Link**
 - <https://portal.osc.state.ny.us/Enrollment/login?3>
- **Shared Services**
 - <http://www3.westchestergov.com/images/stories/pdfs/sharedServices2013.pdf>
- **NYTowns Presentation**
 - <http://twnytowns.s3.amazonaws.com/articles/Enacted%20Tax%20Freeze%20Program.pdf>
- **NYS Bill Search: Bill No. S6359D**
 - <http://public.leginfo.state.ny.us/menugetf.cgi>

Q & A

Contact Information

P: 914/995-2858

Email: Lsoule@Westchestergov.com

Weevils

Recommended for control of Mile-a-Minute Vine by:

- US Department of Agriculture Forest Service
- Watershed Agricultural Council (Brendan Murphy) who spotted it in Old Field Preserve when inspecting work done using previous grant and suggested a possible grant application for weevils to fight the vine
- Jeff Main, Senior Curator, Ward Pound Ridge Reservation who has used thousands of the weevils to fight Mile-a-Minute vines successfully in the Reservation.

MILE-A-MINUTE WEED (*Persicaria perfoliata* (L.) H. Gross)



Dense mats of mile-a-minute weed overgrow a forest edge, completely covering other vegetation.

(Photo by Randy Westbrooks, U.S. Geological Survey)

Introduction

Mile-a-minute weed (*Persicaria perfoliata* (L.) H. Gross, formerly *Polygonum perfoliatum*, L.) is an annual vine in the Polygonaceae or Buckwheat family. It is native to eastern Asia including India, Bhutan, Nepal, China, Burma, Japan, Korea, Indonesia, Bangladesh, Siberia, the Philippines, New Guinea, the Malay peninsula and the Indochina peninsula. The plant was introduced into the United States in the 1930s from Japan at a plant nursery in York County, Pennsylvania, and an introduction garden in Prince Georges County, Maryland. Although mile-a-minute weed was eradicated from the introduction garden, it became established and eventually spread from the Pennsylvania site. Since mile-a-minute weed was introduced, its range has expanded in several directions for approximately 300 miles.

Ecological Threat

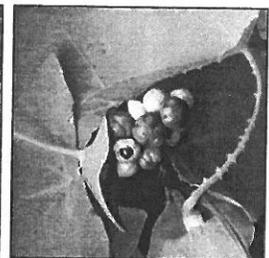
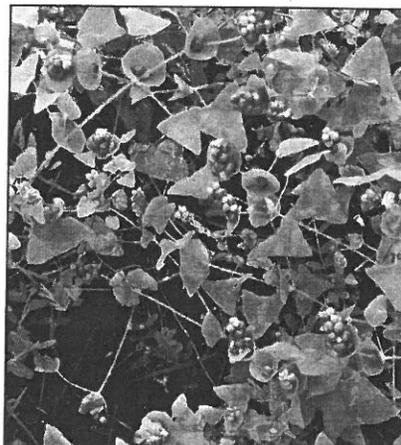
Mile-a-minute weed grows rapidly, out-competing native species by blocking available light. It infests nurseries, orchards, openings in forested areas, roadsides, and drainage ditches. As an early successional species, mile-a-minute weed grows rapidly in areas previously treated with herbicides, such as kudzu eradication sites, powerline rights-of-way, and recreational areas. Plant diversity is greatly reduced in these areas. Subsequently, wildlife species are affected by diminished food and habitat sources.

Economic Damage

Mile-a-minute weed is particularly threatening to forest regeneration by out-competing tree seedlings. It is extremely difficult to eradicate with a single herbicide application due to prolonged seed persistence in the soil. The seeds may survive in the soil for up to 6 years. Mile-a-minute weed also infests recreational and residential areas. Dense thickets of the sharp-spined plants can provide an unpleasant experience.

Identification and Biology

Mile-a-minute weed varies in height depending on habitat. In open areas it forms dense mats that cover everything, including small trees and shrubs. At forest edges, plants climb on other vegetation reaching up to 8 m in height. The light green, triangular leaves, 4 to 7 cm long and 5 to 9 cm wide, are alternately arranged along the stem. The stems are green, turning reddish with age and becoming woody near the base. The main veins, petioles and stems have sharp, recurved hook-like barbs. The ocrea, a saucer shaped sheath 1 to 2 cm in diameter encircles the node. The inflorescence is a spike-like cluster of 10 to 15 tiny white flowers. The fruits resemble blueberries and are 5 mm in diameter, arranged in clusters. Each fruit contains a single round, shiny-black achene. Annual plants have shallow, fibrous roots. In the eastern United States, mile-a-minute weed germinates in full sun in early spring, flowering begins in early June or July, and fruits are produced between early August and the first frost, usually mid-October.

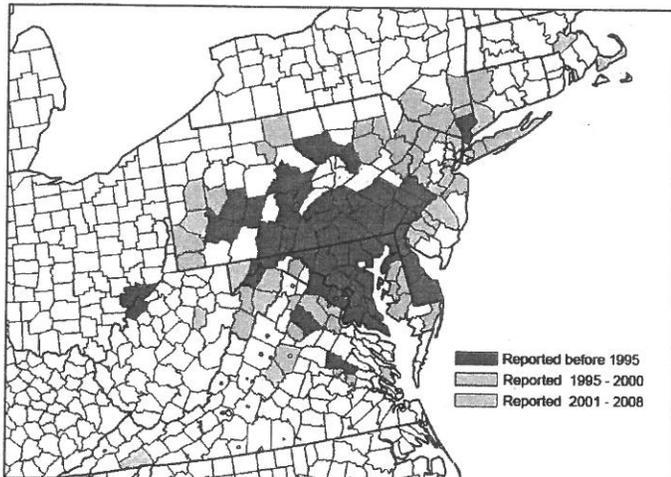


Triangular leaves, recurved barbs, and numerous bright blue fruits make mile-a-minute weed easy to identify.

(Photos by Denise Binion, USDA Forest Service)

Distribution

Mile-a-minute weed is currently found in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Washington, DC, and West Virginia. Fifteen additional states within Plant Hardiness zones 6 and 7 have climates favorable to mile-a-minute weed establishment, growth, and spread.



Counties in the eastern United States with mile-a-minute weed.

Habitat

Mile-a-minute weed is a colonizer of disturbed sites and open areas, wetlands, forest edges, stream banks, roadsides, and open fields. Although it can tolerate partial shade, mile-a-minute utilizes its ability to attach to other plants and climb over them to reach higher light levels. Mile-a-minute weed prefers moist soils but survives in relatively dry areas.

Control and Management

Mechanical Methods

Because of its relatively weak root system, hand pulling, weeding and cultivation are useful for small infestations. Hand pulling of seedlings should be done before the sharp recurved barbs harden. Plant removal can continue throughout the summer, but is more effective when done before seeds are produced. Repeated low mowing and trimming will prevent flowering and reduce or eliminate seed production. However, seeds that remain in the ground may germinate for up to 6 years.

Cultural Methods

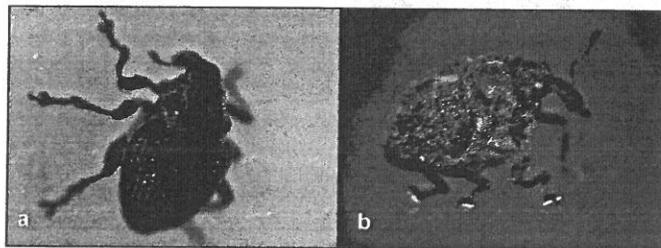
Maintain vegetation continuity and avoid creating gaps in existing vegetation. Maintain vegetative buffers along streams and forest edges to prevent establishment of and seed dispersal.

Herbicides

Both pre- and post-emergent herbicides are effective in killing mile-a-minute weed.

Biological Control

From 1996 to 2001, weed populations were surveyed in China, and 111 insect species were collected and identified. Among the insect species, a weevil, *Rhinoncomimus latipes* Korotyaev (Coleoptera: Curculionidae) proved to be the most promising biological control agent. The larva of the weevil causes damage to mile-a-minute weed by boring into the plant's stem. In 2000-2003 *R. latipes* was shipped to a Delaware quarantine facility for host range testing. In 2004, *R. latipes* was reared at the University of Delaware and the New Jersey Department of Agriculture, and released in Delaware and New Jersey based on recommendations of the Technical Advisory Group and subsequent approval by the Animal and Plant Health Inspection Service, Plant Protection and Quarantine. A total of approximately 150,000 weevils were released in five states from 2005 through 2009.



Rhinoncomimus latipes. Adult weevils are black upon emergence (a), but turn orange-brown (b) soon after feeding on mile-a-minute weed.

References and Resources

Visit the following Web sites for additional information on mile-a-minute weed.

<http://ag.udel.edu/enwc/research/biocontrol/mileaminute.htm>

www.nps.gov/plants/alien/fact/pope1.htm

Contact

Yun Wu, USDA Forest Service,
Forest Health Technology Enterprise Team (FHTET),
180 Canfield Street, Morgantown, WV 26505.
(304) 285-1594, ywu@fs.fed.us



Pesticides used improperly can be injurious to humans, animals, and plants. Follow the directions and heed all precautions on the labels.

NOTE: Some States have restrictions on the use of certain pesticides. Check your State and local regulations. Also, because registrations of pesticides are under constant review by the Federal Environmental Protection Agency, consult your county agricultural agent or State extension specialist to be sure the intended use is still registered.



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LOCAL LAW NUMBER 1-2015 OF THE TOWN OF LEWISBORO

SECTION 1 -- TITLE

This Local Law shall be known as 2015 Amendments to Section 199-10 of Chapter 199: Taxation.

SECTION 2 -- ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law 1-2015 that this law shall take effect immediately upon its passage:

SECTION 3 – VEHICLES & TRAFFIC

Section 199-10 of Chapter 199, Taxation, is hereby amended to extend to Gold Star Parents the tax exemptions provided therein, in accordance with Section 458-a(7) of the Real Property Tax Law of the State of New York:

Amend §199-10. Increase in exemption.

- A. In accordance with the authorization of Subparagraph (ii) of Paragraph (d) of Subdivision 2 of § 458-a of the Real Property Tax Law, the maximum allowable exemption of Paragraphs (a), (b) and (c) of Subdivision 2 of § 458-a of such law is hereby increased to \$54,000.00, \$36,000.00 and \$180,000.00, respectively.
- B. In accordance with the authorization of Paragraph (b) of Subdivision 7 of § 458-a of the Real Property Tax Law, Gold Star Parent as defined in Paragraph (a) of Subdivision 7 of § 458-a is included within the definition of “qualified owner” as provided in Paragraph (c) of subdivision 1 of § 458-a, and the property owned by a Gold Star Parent is included within the definition of “qualifying residential real property” as provided in Paragraph (d) of subdivision 1 of § 458-a, provided that such property shall be the primary residence of the Gold Star parent. The exemptions provided in subsection A above shall apply to Gold Star Parents as provided herein, with the exception of the exemption contained in Paragraph (c) of Subdivision 2 of § 458-a of the Real Property Tax Law.

SECTION 4 – HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town’s discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5 -- SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6 – EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: _____, 2015

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK

Town of Carmel, NY
Tuesday, January 6, 2015

Chapter 156. Zoning

Article IV. Supplementary Regulations

§ 156-45.1. Bed-and-breakfast establishments.

[Added 3-1-1995 by L.L. No. 2-1995]

- A. Purpose. It is the specific purpose and intent of this provision to address the need of residents to locate convenient accommodation for visitors, to provide local accommodation for short-term visitors to the community, to encourage preservation of large older dwellings by providing a cost-effective alternative or adaptive use that can relieve the maintenance burden on the owners of such buildings and to encourage the preservation of large residential lots and their open space character by permitting an alternative use consistent with the residential character of the community. Furthermore, it is the purpose and intent of this provision to provide economic support for present resident families, to protect and preserve property values, to ensure healthy and safe living conditions and to have more effective regulation and control of Town growth and development. In furtherance of these purposes, specific conditions are set forth below for bed-and-breakfast establishments.
- B. Special permit. The Planning Board may grant a special permit for a bed-and-breakfast establishment in any district subject to the following requirements which shall be considered continuing conditions for the validity of any special permit issued hereunder:
- (1) The property and principal and accessory structures thereon shall conform to the lot area, yard and other requirements for the zoning district in which the property and structures are located unless a variance therefor shall have been granted by the Zoning Board of Appeals.
 - (2) The building housing a bed-and-breakfast establishment shall be an existing, detached single-family dwelling and its use as a bed-and-breakfast establishment shall not conflict with its appearance or function as such.
 - (3) The minimum size lot on which a bed-and-breakfast establishment may be located is 50,000 square feet. A bed-and-breakfast establishment may be permitted on a lot with a smaller area only if such lot is located in a nonresidential district and the Planning Board finds that a bed-and-breakfast establishment can be adequately accommodated within the existing principal dwelling building and that it will not overburden the property and that it will be a use compatible with the surrounding properties.
 - (4) In residential districts, a special permit for a bed-and-breakfast establishment may not be approved for a dwelling located within 1,000 feet (property line to property line) of an existing dwelling for which a bed-and-breakfast establishment permit has been issued and remains valid.
 - (5) The owner of the lot upon which the bed-and-breakfast establishment is to operate shall occupy and maintain the bed-and-breakfast establishment as his/her legal residence.

- (6) The maximum number of bedrooms that may be available to overnight guests shall be four. The Planning Board shall be responsible for determining and limiting the number of bedrooms in each dwelling in connection with its review of the special permit application.
 - (7) Meal service shall be limited to a morning meal served to overnight guests only.
 - (8) No less than one off-street parking space shall be provided per bedroom designated as available for overnight guests. Said parking shall be in addition to the parking required by this chapter for the single-family dwelling use. The Planning Board shall be responsible in connection with its review of the special permit application for determining that the required number of parking spaces can be provided in a safe manner on the subject lot so as to not establish a nuisance or burden for adjacent and surrounding lots.
 - (9) Evidence of the approval of the proposed method and adequacy of water supply and sewage disposal shall be obtained from the Putnam County Department of Health.
 - (10) Signage shall comply with the provisions for signs in residential districts as set forth in § 156-41B, provided there shall be no more than one sign, which may be freestanding, not exceeding two square feet in area.
 - (11) Smoke alarms shall be installed in each bedroom of the bed-and-breakfast establishment.
- C. Application. The application for a special permit for a bed-and-breakfast establishment shall be made in five copies to the Secretary of the Planning Board. The application shall consist of the following:
- (1) Name and address of owner.
 - (2) Lot area, tax map sheet-block-lot number and zoning district in which the property is located.
 - (3) Names and addresses of all property owners within 500 feet of the property for which the special permit is sought.
 - (4) Property survey showing the size of the lot in square feet and all structures thereon as well as parking area prepared and sealed by a licensed surveyor or engineer.
 - (5) Floor plans of the existing dwelling with identification of the bedroom(s) to be used by overnight guests.
 - (6) Description of number and location of existing and proposed parking spaces demonstrating compliance with the requirements of this section.
 - (7) Signed notarized authorization by the owner authorizing the Town of Carmel Building Department to make inspection(s) of the property at any reasonable time during daylight hours for the purpose of determining compliance with all code requirements, including those of this section.
 - (8) An application fee in an amount set forth in a Fee Schedule adopted by the Town Board.
- D. Public hearing. Within 61 days of the receipt of a complete application, the Planning Board shall convene a public hearing. At least 10 days prior to the date of the hearing, legal notice of such hearing shall be published in the official newspaper of the Town and notice shall be mailed to all property owners within 500 feet of the property for which the special permit is sought.
- E. Action. The Planning Board shall approve, approve with conditions or disapprove the application in accordance with the provisions of § 274-b of the Town Law.

- F. Permit period and renewal. The special permit shall be granted for a period of three years and may be renewed for additional three-year periods. An application for renewal of the special permit shall be made to the Building Department on a form provided by that department and with a fee in an amount set forth in a Fee Schedule adopted by the Town Board. The Building Department shall reissue the permit if inspection of the premises finds it to be in compliance with all applicable codes, the requirements of this section and the provisions of the original approval. Should the Building Department find that the premises are not in compliance with all applicable codes, the requirements of this section and the provisions of the original approval, the Building Department shall refer the application to the Planning Board for action.
- G. Refusal by applicant of inspection and/or violation of continuing conditions of special permit. If any inspection of the property and dwelling by the Town of Carmel for the purpose of ensuring compliance with the provisions of this section is refused by the owner, when said inspection occurs at any reasonable time during daylight hours or the continuing conditions of the special permit are violated, the special permit shall be subject to revocation after a hearing by the Planning Board at which the permit holder is given an opportunity to be heard.
- H. Site plan required. When during the review of an application, the Planning Board finds that significant site work will be required to increase parking areas, to enlarge subsurface sewage disposal areas or to otherwise alter physical site conditions, the Board shall require the submission of a site plan which shall be processed concurrently with the application for a special permit. In all other situations, site plan approval by the Planning Board shall not be required.

BEACH, COMMERCIAL

A natural or man-made shore adjacent to a body of water or a constructed pool, open to the general public for a fee.

BED-AND-BREAKFAST ESTABLISHMENT

An owner-occupied dwelling in which no more than four bedrooms are available as overnight accommodations for paying, transient guests to whom a morning meal may be served.
[Added 3-1-1995 by L.L. No. 2-1995]

BILLBOARD

A sign which directs attention to a product, business, service or entertainment conducted, sold or offered elsewhere than upon the lot on which said sign is located.

BOARDING, LODGING OR ROOMING HOUSE

A dwelling having no more than one kitchen, occupied by one family and three or more boarders, roomers or lodgers who are lodged with or without meals and who use it as a temporary residence.

BUILDING

A combination of materials to form a construction adapted to permanent, temporary or continuous occupancy or use and having a roof.

BUILDING LENGTH

The mean horizontal distance between the furthestmost walls of a building.

CAMP

Any area of land or land and water, including any buildings, tents, shelters or other accommodations for recreational use, including such accommodations suitable for temporary or seasonal group living purposes.

CAMP, DAY

Any camp, as defined in this chapter, offering day care or instruction for adults or children and not qualifying as a private educational institution or day nursery, as defined in this chapter.

CELLAR

That space in a building that is partly or entirely below grade and which has more than half of its heights measured from floor to ceiling, below the average established curb level or finished grade of the ground adjoining the building.

CLUSTER DEVELOPMENT

A residential development that obtains a lot count through conventional subdivision approval, then develops the parcel at the same density that would be allowed in the zoning district in which the site is located, provided that the remaining undeveloped land shall be reserved and improved for permanent open space use.
[Amended 7-2-2008 by L.L. No. 2-2008]

CONVALESCENT HOME or NURSING HOME

Any establishment where three or more persons suffering from or afflicted with or convalescing from any infirmity, disease or ailment are habitually kept or boarded or housed for remuneration other than a group home or community residence, as defined by the Laws of the State of New York, municipal or incorporated hospitals and establishments for the care of the mentally ill, licensed by the State Commissioner of Mental Hygiene, or maternity homes licensed by the State Commissioner of Health or other governmental agencies.

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Sample Legislation: Bed-and-Breakfast Inns

Bed-and-Breakfast Inns

Bed-and-breakfast inns are a wonderful alternative to hotels and motels for travelers. For the establishment owners, it's a great way to meet new people while making extra money. Since bed-and-breakfast inns are becoming more and more popular, it's a good idea to have legislation to ensure that they retain their charm while meeting zoning and building code regulations. We offer free sample legislation that restricts the length of a visitor's stay; requires that only breakfast is served; prohibits cooking facilities in bedrooms; specifies the number of parking spaces that must be provided; sets forth the maximum number of guests at any one time; contains restrictions on signs; and requires owner occupancy. An application must be submitted for review, before even alterations to the building design, and inspections are required.

Sample Ordinances:

[Mount Morris, V. NY: Ch. 61](#)

[Riverhead, T. NY: § 108-3 and § 108-64.5](#)

[West Goshen, Twp. PA: § 84-57.3 and § 84-4](#)

[Return to Sample Legislation Archive](#)

Mount Morris, V. NY:

Chapter 61 BED-AND-BREAKFASTS

[HISTORY: Adopted by the Board of Trustees of the Village of Mount Morris 3-10-1994 as L.L. No. 3-1994. Amendments noted where applicable.]

§ 61-1. Purpose.

The purpose of this chapter is to authorize and regulate the establishment and operation of bed-and-breakfasts in the Village of Mount Morris and to ensure the preservation of the character, integrity and property values of surrounding areas within which such facilities are located and maintained.

§ 61-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BED-AND-BREAKFAST — A dwelling in which rooms are rented to guests with no more than one (1) meal served daily, and the entire service, food and lodging are to be included in one (1) stated price.

DWELLING — A building containing one (1) or more rooms with provision for living, cooking, sanitary and sleeping facilities arranged for the permanent occupancy of one (1) family and used exclusively therefor.



CALENDAR OF UPCOMING EVENTS

CONFERENCES

IIMC Region II

Dover, DE
1/13/2015 - 1/16/2015

MA Municipal Association

Boston, MA
1/22/2015 - 1/25/2015

WEBINARS

Session I: Intro to eCode360®
1/8/2015 - 2:00pm - 3:00pm

Session II: eCode360® for Admins
1/9/2015 - 2:00pm - 3:00pm

SPECIAL EVENTS



[Message from our President](#)

§ 61-3. Compliance with Uniform Code required; classification.

All bed-and-breakfasts shall comply with the applicable provisions of the New York State Uniform Fire Prevention and Building Code and the rules and regulations promulgated thereunder. All bed-and-breakfasts are, for the purpose of such code and this chapter, classified as B-2 (transient occupancy) for the purpose of construction, conversion and alteration under said code, rules and regulations.

§ 61-4. Permitted zones.

Bed-and-breakfasts shall be a permitted accessory use in any and all of the R-Districts of the Village of Mount Morris as established in the Village Zoning Code.

§ 61-5. Application.

- No bed-and-breakfast shall be established or operate within the Village of Mount Morris without first obtaining an application issued by the Code Enforcement Officer in accordance with the terms and conditions of this chapter. The applicant will submit four (4) copies of each of the following: an application, site plan and other supporting documentation to the Code Enforcement Officer along with a nonrefundable application fee of fifty dollars (\$50.). The power to approve, approve with conditions or deny the application and site plan as required by this chapter is vested in the Code Enforcement Officer after review thereof by the Village Planning Board.

- Upon receipt of the application, site plan and application fee, the Code Enforcement Officer shall examine and review same to determine that it is complete, adequate in all respects and complies with the conditions of this chapter. After he has reviewed the application, site plan and other supporting documentation and determined same to be complete in all respects, he shall refer same to the Planning Board for its review and action within seven (7) days of receipt of the application. Simultaneously he shall deliver the application fee to the Village Clerk-Treasurer. The application and site plan shall contain the following:

(1) Name, address and telephone number of the owner(s) and the applicant if the owner is not the applicant.

(2) Address of proposed bed-and-breakfast, together with tax parcel identification number.

(3) Zoning district classification of the site.

(4) A sketch, drawn to scale, showing the floor plan of the dwelling, together with any proposed changes, renovations and additions to same.

(5) A site plan showing the applicant's entire land holdings, that portion of the applicant's property under consideration, as well as all parcels and streets within two hundred (200) feet of applicant's property, and the current uses thereof.

(6) The site plan shall be drawn to scale and include the following information:

(a) Title of drawing.

(b) North point, scale and date.

(c) Boundaries of the project (site).

(d) Location of all existing or proposed site improvements, including buildings, additions, expansions, driveways, parking areas, streets, retaining walls, fences and hedges.

(e) Location of all existing and proposed access and egress drives.

(f) Location, design and size of all existing and proposed signs and outdoor lighting facilities.

(g) Location of existing and proposed buffer and screening areas, structures and vegetation.

- The Planning Board may require such additional or supportive information as it deems necessary for a complete assessment of the proposed bed-and-breakfast so as to ensure its compatibility with existing and permitted building and land uses adjacent to the site and in close proximity thereto.

§ 61-6. Conditions.

- The owner of the bed-and-breakfast must reside in and continue to reside in the dwelling as his/her/their principal residence. The owner will provide a sworn statement certifying to such residency upon request of the Code Enforcement Officer.
- The parcel improved by the bed-and-breakfast shall provide or establish off-street parking spaces for the members of the owner's family residing in the dwelling unit as well as at least one (1) parking space per room or unit let. Further, said parking spaces shall not be established or permitted in the front yard of the site and shall be located or screened from view so as to provide no variation from the residential character of the site.
- Each bed-and-breakfast shall be established, maintained and operated so as to preserve and compliment the residential character and integrity of the surrounding area when the facility is established in a residential district as provided for in the Village Zoning Code.
- The number of paying guests accommodated per night shall not exceed twenty-four (24). Further, no guest shall stay for a period of time in excess of thirty (30) consecutive days.
- Each bedroom occupied by a paying guest shall be equipped with a properly installed and functioning smoke detector. Further, a smoke detector shall be properly installed and functioning on or near the ceiling in the room or hallway from which each bedroom rented to paying guests exists.
- The Code Enforcement Officer shall be given such access to the dwelling as he deems necessary from time to time for the purpose of making inspections to ensure compliance with all federal, state and local codes, rules and regulations, including the New York State Uniform Fire Prevention and Building Code. Such inspections may be made with or without prior notice thereof.
- A single exterior sign or display may be established on the site of the bed-and-breakfast. Said sign or display shall not exceed eight (8) square feet in area. No freestanding sign shall be located less than fifteen (15) feet from the front property line nor less than five (5) feet from the side property line. No freestanding sign may be located less than fifty (50) feet from any other freestanding sign. Further, said sign or display shall be as unobtrusive as reasonably possible and may be illuminated by no more than two (2) seventy-five-watt light bulbs which shall be shielded so as to prevent glare, etc.
- The bed-and-breakfast shall be maintained and operated at all times so as to comply with the New York State Uniform Fire Prevention and Building Code and the rules and regulations promulgated thereunder, as amended.

- The driveway entrance or exit shall not exceed fifteen (15) feet in width.
- The Planning Board shall have the right to impose and include much other and additional conditions as it may deem necessary to effectuate the purpose of this chapter.
- The owner shall not make any change, deviation, modification or variation from the application and site plan once the same is approved by the Planning Board.
- Minimum lot size is ten thousand (10,000) square feet.
- Minimum house size is two thousand (2,000) square feet.

§ 61-7. Review procedures.

- Within thirty (30) days of the Planning Board's receipt of a completed application and site plan from the Code Enforcement Officer, the Planning Board shall act on it. In the event that the Planning Board fails to take such action, the application and site plan shall be deemed approved. The Planning Board's action shall be in the form of a written statement to the Code Enforcement Officer with a copy to the applicant clearly stating its recommendation for approval, conditional approval with the conditions enumerated, or denial with the reasons therefor. A copy of the minutes of the Planning Board meeting at which the application and site plan are considered may be deemed a sufficient report. The Planning Board's review of the application and site plan shall include but not be limited to the following considerations:

(1) Adequacy and arrangement of vehicle traffic access and circulation.

(2) Location, arrangement, appearance and sufficiency of off-street parking.

(3) Location, arrangement, size and design of lighting and signs.

(4) Relationship and compatibility of proposed use (bed-and-breakfast) to uses of adjacent parcels in the immediate vicinity, together with their scale.

(5) Adequacy, type and arrangement of trees, shrubs, fences and other landscaping or improvement constituting a visual or noise-detering buffer between the site and adjacent or adjoining uses.

(6) Any other matter which may effect the health, welfare and safety of the community as a whole and the parcels in the immediate vicinity of the site.

- The Planning Board's statement may include recommendations as to desired renovations to the application and site plan.

§ 61-8. Repealer.

Any provision of the Mount Morris Village Zoning Code or the local laws of the Village of Mount Morris which are in conflict with or inconsistent with this chapter shall be deemed repealed to the extent of such inconsistency on the effective date of this chapter.

§ 61-9. Penalties for offenses.

A violation of these zoning provisions is hereby declared to be an offense, punishable by a fine not exceeding three hundred fifty dollars (\$350.) or imprisonment for a period not to exceed six (6) months, or both, for conviction of a first offense; for a conviction of a second offense both of which were committed within a period of five (5) years, punishable by a fine not less than three hundred fifty dollars (\$350.) nor more than seven hundred dollars (\$700.) or imprisonment for a period not to exceed six (6) months, or both; and, upon conviction for a third or subsequent offense all of which were committed within a period of five (5) years, punishable by a fine not less than seven hundred dollars (\$700.) nor more than one thousand dollars (\$1,000.) or imprisonment for a period not to exceed six (6) months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of such zoning provisions shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

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Riverhead, T. NY:**§ 108-3. Definitions.**

BED-AND-BREAKFAST --- The renting of not more than three rooms in an owner-occupied dwelling for lodging and serving of breakfast to not more than six casual and transient roomers, provided that the renting of such rooms for such purpose is incidental and subordinate to the principal use of the dwelling. The "bed-and-breakfast" use shall at no time be construed as a dwelling as defined by this chapter. The "bed-and-breakfast" use shall conform to the special permit provisions of this chapter; such special permit approved pursuant to Article XIII of this chapter. **[Added 7-19-1994]**

§ 108-64.5. Bed-and-breakfast facilities. [Added 7-19-1994]

The Town Board, in its consideration of bed-and-breakfast facilities, shall incorporate the special permit requirements of § 108-3 of this chapter and shall require the following:

- The bed-and-breakfast use shall be an accessory use to the principal use in residential, commercial and agricultural zoning use districts.

- The use in all districts allowed under this section shall be exclusively owner-occupied single-family housing. "Owner-occupied single-family housing" shall mean your legal primary residence as defined in the federal and state tax laws, with proof of real estate ownership/title of said premises and property.

- Residential buildings incorporating bed-and-breakfast as an accessory use shall be a minimum of 2,000 square feet in living area.

- The length of stay within a bed-and-breakfast shall be a maximum duration of one week or seven consecutive days, and documentation verifying the length of stay of each guest, such as a registration ledger or receipts, will be made available to the Code Enforcement Officer or the Building Department upon request.

- Cooking facilities shall be restricted from use in guest bedrooms.

- Guest rooms may not be used as legal residences in order to enroll children into a school district.

- Upon the issuance of a special permit for bed-and-breakfast facilities, the Town Board shall require an annual inspection and compliance permit for bed-and-breakfast use upon real property to be issued by the Building Department for continued operation. The Town Building Department shall either approve or deny the reissuance of this compliance permit for the bed-and-breakfast use as a result of such inspection. Said compliance permit is not transferable with the real property. New property owners must obtain a new compliance permit pursuant to Subsection J of this special permit requirement being fulfilled, i.e., a new written permission from the property owner allowing the town to conduct periodic inspections including the annual inspection shall be on file with the Building Department before issuance of the new compliance permit.
- All guest rooms must conform to the New York State Uniform Fire Prevention and Building Code requirements for habitable space.
- A site plan and detailed floor plan shall be required as a condition of this special permit.
- Written permission from the property owner allowing the town to conduct periodic inspections including the annual inspection shall be on file with the Building Department before issuance of the compliance permit.
- Each special permit shall expire five years after the date of the initial compliance permit issued from the Building Department. The applicant must apply for a special permit renewal following the regular special permit process outlined within the Town Code.
- An application for a compliance permit shall be filed with the Building Department with a filing fee of \$100 upon the initial application. No additional filing fee shall be required for five years after the date of the issuance of the initial compliance permit from the Building Department. Upon special permit renewal, as required in Subsection K of this section, a filing fee of \$100 for a compliance permit shall become due. **[Added 5-2-1995]**

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West Goshen, Twp. PA:

§ 84-8. Definitions.

BED-AND-BREAKFAST INN — An owner-occupied building designed, used and occupied as a single-family residence having, as an accessory use therein, public lodging rooms and facilities for, and serving food and drink prepared within the building to, preregistered transient guests, which meets the requirements of § 84-57.3 of this chapter. **[Added 11-24-1987 by Ord. No. 17-1987]**

§ 84-57.3. Bed-and-breakfast inns. **[Added 11-24-1987 by Ord. No. 17-1987]**

No single-family residential building may be used or occupied as a bed-and-breakfast inn without compliance with all of the regulations established in this section and the issuance by the Zoning Officer of a use and occupancy permit.

- A bed-and-breakfast inn may be located in any zoning district but only within a building determined by the Pennsylvania Historic and Museum Commission to be an historic building or a building eligible to be listed on the National Register of Historic Places or a building, 90% of the structure of which is documented to the satisfaction of the Zoning

Officer to be more than 100 years old and is certified by the Chester County Historical Society or the Township Planning Commission to be locally historically prominent because of its age, architecture or association with a prominent person or family.

- The number of guest rooms for transient accommodation shall not exceed three in any building having a habitable floor area, as defined in § 84-56C(1), of 3,000 square feet or less. One additional guest room may be added for each additional 600 square feet of habitable floor area up to a maximum total number of six guest rooms.

- The minimum lot size shall be the minimum lot size designated in the applicable zoning district, plus an additional 10,000 square feet for each guest room for any lot less than one acre.

- The building shall be the "principal residence" of the "owner," as these latter two terms are defined in § 84-56C(1).

- At a minimum, parking shall be provided as required by the minimum parking regulations of the applicable district; provided, however, that one additional parking space shall be required for each guest room and for one employee, if any. In all residential districts, the minimum parking setback from an adjacent property line shall be 15 feet, and, when four or more guests and employee parking spaces are provided, the parking area shall be screened from direct view of any adjacent residential use by a completely planted visual barrier consisting of a double row of evergreen plantings with a minimum height of six feet after the planting and placed no more than eight feet apart. The required plantings shall be staggered so as to provide as complete a visual barrier as is possible.

- No more than one employee shall be permitted to work on the premises at any time, and none shall be present between the hours of 11:00 p.m. and 6:00 a.m. Members of the owner's immediate family who are residents on the premises shall not be considered employees, whether or not paid.

- Notwithstanding anything contained in any of the applicable district regulations, any inn containing four or more guest rooms shall be served by public sewer.

- All applicable requirements of the township's Building, Electrical, Fire and Plumbing Codes shall be met.

- No guest may be registered for a maximum continuous period in excess of seven consecutive nights. The owner shall maintain a guest register and shall preserve registration records for a minimum of three years. The register and all records shall be made available for inspection by the Township Zoning Officer or Codes Enforcement Officer at any time.

- Any meals provided and any amenities connected with the guest rooms, such as a swimming pool or tennis court, shall be solely for the use of the owner, the owner's family and the owner's registered guest.

- One sign shall be permitted identifying the property as a bed-and-breakfast inn. The sign shall not exceed three square feet in area, shall be set back a minimum of three feet

from the road right-of-way and shall contain no information other than identification of the premises as the named bed-and-breakfast inn.

- An application for a use and occupancy permit and the procedure for issuance shall be as set forth in § 84-56B(1)(a) through (f) and B(2).
- Upon compliance with all of the requirements of this section and other applicable codes and regulations, the Zoning Officer shall be authorized to issue a permit which shall be valid for a period of one year unless sooner revoked for violation of any condition imposed by the Zoning Officer, any misrepresentation of fact made to the Zoning Officer or Codes Enforcement Officer in conjunction with the application and review process or violation of this section or any provision of this Code. Within 30 days prior to the expiration of any such permit, the property owner shall make application for a permit renewal to the Zoning Officer, who shall, as a condition of issuance of such renewal, make an inspection of the premises for which the permit is sought to determine continued compliance with this Code. In the event that the Zoning Officer determines that a violation exists, the permit shall not be renewed until the violation is cured.
- Upon nonrenewal or revocation of the permit for cause shown, the use of the premises as a bed-and-breakfast inn shall immediately cease, and continuation thereof shall subject the owner to the penalty provisions of this chapter and/or such other legal action as the township shall determine necessary.

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TOWN OF LEWISBORO

LOCAL LAW NUMBER __-2014 OF THE TOWN OF LEWISBORO

AMENDMENT TO CHAPTER 220, SECTIONS 220-2, 220-23, 220-24, 220-25.1, 220-26, 220-32, 220-40 AND 220-40.1 OF THE LEWISBORO TOWN CODE

BE IT ENACTED by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1. Chapter 220, Section 220-2(B), entitled “Definitions and word usage,” is hereby amended to add the following definition to read as follows:

§ 220-2. Definitions and word usage.

B. For the purposes of this chapter only, certain words and terms used herein are defined as follows:

AFFORDABLE AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) UNIT –
A for-purchase housing unit that is affordable to a household whose income does not exceed 80% of the area median income (AMI) for Westchester as defined annually by the U.S. Department of Housing and Urban Development (HUD) and for which the annual housing cost of a unit including common charges, principal, interest, taxes and insurance (PITI) does not exceed 33% of 80% AMI, adjusted for family size and that is marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan. A rental unit that is affordable to a household whose income does not exceed 60% AMI and for which the annual housing cost of the unit, defined as rent plus any tenant paid utilities, does not exceed 30% of 60% AMI adjusted for family size and that is marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan.

Section 2. Chapter 220, Subsections A and D(13) of Section 220-23, entitled “Schedule of regulations for residential districts,” is hereby amended to read as follows:

§ 220-23. Schedule of regulations for residential districts.

A. Permitted principal uses in R-4A, R-2A, R-1A, R-1/2A and R-1/4A Districts are as follows:

- (1) One-family detached dwellings, not to exceed one dwelling on each lot.
- (2) Two-family dwellings in new residential developments only, for the purposes of compliance with Section 220-25.1 of this chapter, when at least one such dwelling unit meets the requirements of section 220-25.1 of this chapter.
- (3) Public schools.
- (4) Town of Lewisboro municipal uses.
- (5) *Ranching, and the raising of field and garden crops, provided that:
 - (a) No storage of manure or any other odor- or dust-producing substance shall be permitted within 150 feet of a street, property line, watercourse or wetlands area.
 - (b) No retail sales shall be permitted on the premises except as provided in Subsection A(11) below.
 - (c) Not less than two acres of land is available for the first animal and one acre for each additional animal.
 - (d) All animal feed is stored in rodent-proof containers.
- (6) *Landfilling, regrading and removal of earth material, subject to Town Board rather than Board of Appeals review.
- (7) *Places of worship or religious instruction, including parish houses.
- (8) *Hospitals, nursing homes and eleemosynary institutions.
- (9) *Private kennels.
- (10)*Temporary storage of contractors' equipment.
- (11)*Temporary stands for the sale and display of field and garden crops grown on the premises.
- (12) *Public utilities, except a communication facility as defined in this chapter.

- (13) *Professional offices (to be permitted only in the R-2A, R-1A, R-1/2A and R-1/4A Districts). See also §220-43.1 for additional requirements.
- (14) Child day care, provided that child day care shall at all times comply with any applicable New York State laws and regulations. All child day-care centers, group family day-care homes, family day-care homes and school-age child-care programs shall register with and furnish proof of current New York State approval to the Building Department of the Town of Lewisboro.
- (15) *Communication facility, communication tower, antenna tower or monopole, as further regulated in §220-41.1 of this chapter.
- (16) *Private nature preserves.
- (17) Riding academies.
- (18) *Private schools, colleges, public libraries, museums and art galleries.

NOTE: * Indicates use is subject to special permit approval as set forth in Article V and must conform to any additional requirements in connection with such approval.

D. Permitted accessory uses. Uses or structures customarily incidental to any permitted principal use are permitted, provided that such accessory use shall not include any activity commonly conducted for gain, except as hereinafter excepted, or any private way or walk giving access to such activity. Permitted accessory uses are as follows:

- (12) Accessory apartments.
- (13) Accessory residence dwelling.

Section 3. Chapter 220, Subsections A(1), B(1), C(1), and D(1) of Section 220-24, entitled “Schedule of regulations for nonresidential districts,” is hereby amended to read as follows:

§ 220-24. Schedule of regulations for nonresidential districts.

A. Permitted uses in CC-20 Districts.

(1) Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter.

Permitted principal uses are as follows:

- (a) Any principal use, including special permit uses, permitted in the R-4A District as regulated therein.
- (b) Multifamily dwellings, subject to the requirements of §220-26 of this chapter excluding subsections B(5), D, F and H therein.
- (c) Separate dwelling unit or units on floors above any permitted principal nonresidential use if separated by un-pierced fire walls and ceilings and provided with an exterior entrance separate from the nonresidential use.
- (d) Office buildings for business, governmental or professional use.
- (e) *Research laboratories.
- (f) *Manufacturing, fabricating, finishing or assembling or products.

NOTE: * Indicates special permit uses subject to special permit review and approval procedures in § 220-32 and to requirements specified in Article V.

B. Permitted uses in SU Districts.

(1) Permitted principal uses. All uses must be conducted from fully enclosed structures except as may be otherwise expressly provided in this chapter or as may be approved by the Planning Board as part of site development plan review.

Permitted principal uses are as follows:

- (a) Any principal use, including special permit uses, permitted in the R-4A District as regulated therein.
- (b) Multifamily dwellings, subject to the requirements of §220-26 of this chapter excluding subsections B(5), D, F and H therein.
- (c) Any facility required for transmission, treatment or temporary storage of electricity, gas, water, sewage, steam, refuse, cable television, telephone

service and telegraph service, except a communication facility as defined in this chapter. Such facilities shall include but not be limited to electric transformers, pumping stations and reservoir structures.

C. Permitted uses in RB Districts.

(1) Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter.

Permitted principal uses are as follows:

- (a) Stores and shops for the conduct of retail businesses, but excluding automobile service.
- (b) Multifamily dwellings, subject to the requirements of §220-26 of this chapter excluding subsections B(5), D, F and H therein.
- (c) Full-service restaurants and taverns, excluding fast-food restaurant establishments and outdoor counter, drive-in or curbside service.
- (d) Limited-service carry-out restaurants including 10 or fewer seats.
- (e) *Limited-service carry-out restaurants including more than 10 seats.
- (f) Grocery stores, food markets, health-food stores and supermarkets.
- (g) Personal service businesses, such as but not limited to, hairdressers, shoemakers and tailors, serving the public directly.
- (h) Professional, banking, governmental and business offices.
- (i) Indoor recreation facilities.
- (j) Separate dwelling unit or units on floors above any permitted principal nonresidential use if separated by un-pierced fire walls and ceilings and provided with an exterior entrance separate from the nonresidential use.
- (k) Any principal use, including special permit uses, permitted in the R-2F-10 District as regulated herein.
- (l) *Laundry, dry-cleaning, furniture stripping/refinishing and photo/printing processing establishments.

- (m) *Gasoline service stations.
- (n) Child day care, provided that child day care shall at all times comply with any applicable New York State laws and regulations. All child day-care centers, group family day-care homes, family day-care homes and school-age child-care programs shall register with and furnish proof of current New York State approval to the Building Department of the Town of Lewisboro.

NOTE: * Indicates special permit uses subject to special permit review and approval procedures in § 220-32 and to requirements specified in Article V.

D. Permitted uses in GB Districts.

- (1) Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:
 - (a) Any principal use, including special use permit uses, permitted in the RB District as regulated therein.
 - (b) Multifamily dwellings, subject to the requirements of §220-26 of this chapter excluding subsections B(5), D, F and H therein.
 - (c) Separate dwelling unit or units on floors above any permitted principal nonresidential use if separated by un-pierced fire walls and ceilings and provided with an exterior entrance separate from the nonresidential use.
 - (d) Sales and service agencies for motor vehicles, provided that any outdoor storage or display of vehicles offered or intended for sale complies with the requirements for accessory outdoor storage or display. Overnight outdoor storage of vehicles awaiting servicing shall be limited to the number of parking spaces designated for such use on an approved site development plan.
 - (e) Landscape nurseries.
 - (f) Storage and sale of building materials, provided that any outdoor storage or display complies with the requirements for accessory outdoor storage or

display.

(g) *Commercial kennels.

(h) *Fast-food establishments.

(i) *Manufacturing, fabricating, finishing or assembling of products and research laboratories.

NOTE: * Indicates special permit uses subject to special permit review and approval procedures in § 220-32 and to requirements specified in Article V.

Section 4. Chapter 220, Section 220-25.1, entitled “Inclusionary Affordable Affirmatively Furthering Fair Housing (AFFH) Dwelling Units” is hereby enacted to read as follows:

§ 220-25.1. Inclusionary Affordable Affirmatively Furthering Fair Housing (AFFH) Dwelling Units.

A. Required Affordable AFFH Dwelling Units. Within all residential developments of ten (10) or more dwelling units created by subdivision or site plan, no less than ten percent (10%) of the total number of dwelling units must be created as affordable AFFH dwelling units. In residential developments of five (5) to nine (9) dwelling units, at least one affordable AFFH dwelling unit shall be created. No preferences shall be utilized to prioritize the selection of income-eligible tenants or purchasers for affordable AFFH dwelling units created under this section. Notwithstanding the above, all such affordable AFFH dwelling units, whether for purchase or for rent, shall be marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan. This section shall not apply to any development of dwelling units constructed prior to the enactment of this section, or to any development of dwelling units to be constructed which has received Planning Board approval prior to the enactment hereof. Previously approved middle-income dwelling units shall continue to comply with Section 220-26(F) of this chapter.

- B.** Time period of affordability and property restriction. Dwelling units designated as affordable AFFH dwelling units must remain affordable in perpetuity from date of initial certificate of occupancy for rental properties and from date of original sale for ownership units. A property containing any affordable AFFH dwelling units must be restricted using a mechanism such as a declaration of restrictive covenants in recordable form acceptable to the Town Attorney which shall ensure that the affordable AFFH dwelling unit shall remain subject to the affordable regulations of this section. Among other provisions, the covenants shall require that the affordable AFFH dwelling unit be the primary residence of the resident household selected to occupy the unit. Upon approval, such declaration shall be recorded against the property containing the affordable AFFH dwelling unit prior to the issuance of a Certificate of Occupancy for the development.
- C.** Eligibility. Such affordable AFFH dwelling units shall be available for sale, resale or continuing rental only to income-eligible families for AFFH dwelling units as defined in §220-2 of this chapter.
- D.** Unit appearance and integration.
- (1) Within one-family dwelling developments, the affordable AFFH dwelling units may be one-family dwellings or may be incorporated into one or more two-family dwellings or multifamily dwellings, subject to the review and approval of the Planning Board. Each one-family affordable AFFH dwelling

unit may be located on a lot meeting fifty percent (50%) of the minimum lot area for the one-family dwellings in the development. Each two-family affordable AFFH dwelling and each multifamily affordable AFFH dwelling shall be located on a lot meeting the minimum lot area for the one-family dwellings in the development. The Planning Board shall require that all affordable AFFH dwellings be as indistinguishable as possible in appearance from the other one-family dwellings in a development. Interior finishes and furnishings may be reduced in quality and cost to assist in the lowering of the cost of development of the affordable AFFH dwelling units.

(2) Within multifamily developments, affordable AFFH dwelling units shall be physically integrated into the design of the development in a manner satisfactory to the Planning Board and shall be distributed among efficiency, one-, two-, three- or four-bedroom units in the same proportion as all other units in the development unless a different proportion is approved by the Planning Board as being better related to the housing needs, current or projected, of the Town of Lewisboro. Interior finishes and furnishings may be reduced in quality and cost to assist in the lowering of the cost of development of the affordable AFFH dwelling units.

(3) The Planning Board must consider authorizing the clustering of dwelling units in a residential development in order to permit the construction of the minimum number of affordable AFFH units required by this section. Any type of housing units may be incorporated into a residential development for

this purpose. The Planning Board is not to distinguish the affordable AFFH units any more than is necessary to accommodate the construction of the minimum number of affordable AFFH units required by this section in a residential development.

E. Minimum floor area.

(1) The minimum gross floor area per dwelling unit shall not be less than the following:

Dwelling Unit	Minimum Gross Floor Area (square feet)
Efficiency	450
1-bedroom	700
2-bedroom	900
3-bedroom	1,100 (including at least 1.5 baths)
4-bedroom	1,300 (including at least 1.5 baths)

(2) For purposes of this section, the Planning Board may allow paved terraces or balconies to be counted toward the minimum gross floor area requirement in an amount not to exceed 1/3 of the square footage of such terraces or balconies.

F. Occupancy standards. In renting or selling, the following occupancy schedule shall apply to affordable AFFH dwelling units, subject to the New York State Uniform Fire Prevention and Building Code requirements:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum

Efficiency	1	1
1	1	2
2	2	5
3	3	7
4	4	9

G. Affirmative marketing. The affordable AFFH dwelling units created under the provisions of this section shall be sold or rented, and resold and re-rented during the required period of affordability, to only qualifying income-eligible households. Such income-eligible households shall be solicited in accordance with the requirements, policies and protocols established in the Westchester County Fair & Affordable Housing Affirmative Marketing Plan so as to ensure outreach to racially and ethnically diverse households.

H. Continued eligibility for occupancy of rental dwelling units.

- (1) Applicants for rental units referred to in this section shall, if eligible and if selected for occupancy by the owner or manager of the development in accordance with the provisions of this Chapter, sign leases for a term of no more than two years.
- (2) As long as a resident remains eligible and has complied with the terms of the lease, said resident shall be offered a two-year renewal of the lease. If a resident's annual gross income should subsequently exceed by more than 20% the maximum then allowable, as defined in §220-2 of this Chapter, said resident may

complete his current lease term and shall be offered a non- AFFH rental dwelling unit available in the development at the termination of such lease term, if available. If no such dwelling unit shall be available at said time, the resident may be allowed to sign one additional one-year lease for the AFFH dwelling unit he occupies but shall not be offered a renewal of the lease beyond the expiration of said term.

- (3) Notwithstanding the foregoing, renewal of a lease shall be subject to the conditions of federal, state or county provisions that may be imposed by the terms of the original development funding agreements for the development or to the provisions of other applicable local law.

I. Resale requirements. In the case of owner-occupied affordable AFFH dwelling units, the title to said property shall be restricted so that in the event of any resale by the home buyer or any successor, the resale price shall not exceed the then-maximum sales price for said unit, as determined in this chapter, or the sum of:

- (1) The net purchase price (i.e. gross sales prices minus subsidies) paid for the unit by the selling owner, increased by the percentage increase, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers in the New York-Northern New Jersey Area, as published by the United States Bureau of Labor Statistics (the "Index") on any date between (a) the month that was two months earlier than the date on which the seller acquired the unit and (b) the month that is

two months earlier than the month in which the seller contracts to sell the unit. If the Bureau stops publishing this index, and fails to designate a successor index, the Town will designate a substitute index; and

- (2) The cost of major capital improvements made by the seller of the unit while said seller of the unit owned the unit as evidenced by paid receipts depreciated on a straight line basis over a 15 year period from the date of completion and such approval shall be requested for said major capital improvement no later than the time the seller of the unit desires to include it in the resale price.
- (3) Notwithstanding the foregoing, in no event shall the resale price exceed an amount affordable to a household at 80% of AMI at the time of the re-sale.

J. Administration. The administration of the compliance and eligibility related to the rental, sales and marketing of such AFFH dwelling units shall be performed by the County of Westchester.

K. Tax assessment. The limited rental income and/or sales value of AFFH dwelling units shall be taken into consideration by the Town Assessor in determining the full value basis for assessments on such units.

Section 5. Chapter 220, subsections A, B(1), B(2), B(5), D, E(1) and E(2) of Section 220-26, entitled “R-MF Multifamily residence District,” are hereby amended to read as follows:

§ 220-26. R-MF Multifamily Residence District.

- A. Minimum site area. The lot upon which such dwelling units shall be constructed shall have an area of not less than ~~7~~ 15 acres, except when located within and served by a

public water and sewer district of the Town of Lewisboro, in which case the minimum lot area shall be 15,000 square feet.

B. Development density.

- (1) The average gross density shall not exceed ~~two~~ **four (4)** density units per acre of net lot area. The area of any wetlands, water bodies, watercourses or steeply sloped land, as defined by § 220-21 of this chapter, shall first be identified and multiplied by a factor of 0.75. The resulting number shall then be deducted from the gross total lot area to yield the net total lot area to be used in calculating the maximum allowable development density.
- (2) The Planning Board may authorize an increase in permitted density by not more than ~~50%~~ **40%** if the applicant constructs at least 1/3 of the additional density units as middle-income dwelling units **and/or affordable affirmatively furthering fair housing (AFFH) units, as defined in this chapter.** The Planning Board shall base its determination of the appropriate number of additional density units upon consideration of the location and environmental suitability of the specific site and the proposed development design to accommodate such an increased density.
- (5) The site plan for multifamily dwellings proposed to be constructed on property immediately adjacent to land located in a single-family residence district shall incorporate a density transition area. For purposes of this subsection, the “density transition area” is defined as land in an R-MF district, **or a district in which R-MF is a permitted use,** located within a prescribed distance of the boundary line between the R-MF district **or other district in which R-MF is a permitted use,** and a single-family residence district not located along a street right-of-way. The distance

shall be equal to ~~fifty percent (50%)~~ of the minimum lot width applicable in the adjacent single-family residence district. Within such an area, the average gross development density shall not exceed two density units per acre of land area. The Planning Board may modify this requirement if existing features or land use reduce the need or substitute for the density transition area.

- D. Open space and recreation area. At least ~~30%~~ ~~50%~~ of the gross area of the site shall be preserved as permanent open space, free of buildings and parking areas, and shall be landscaped or left in its natural state in accordance with plans approved by the Planning Board.
- (1) Character. Such areas shall encompass land having meaningful ecological, aesthetic and recreational characteristics, with access, shape, drainage, location, topography and extent of improvements suitable, in the opinion of the Planning Board, for the intended purposes.
 - (2) Preservation. Permanent preservation of such areas shall be legally assured, to the satisfaction of the Planning Board and the Town Attorney, by the filing of appropriate covenants, deed restrictions, easements or other agreements or the creation of a park district. Except for developments comprised solely of rental units and except where all or parts of such open space areas are deeded to and accepted by the Town of Lewisboro or a recognized conservation organization, ownership of such open space areas shall be divided equally among all property owners within the development, and a property owners association, membership in which shall be mandatory for all owners in the development, shall be incorporated, which association shall be responsible for maintenance, liability insurance and local taxes. Such association shall be empowered

to levy assessments against property owners to defray the cost of maintenance, and to acquire liens, where necessary, against property owners for unpaid charges or assessments. In the event that the property owners' association fails to perform the necessary maintenance operations, the Town of Lewisboro shall be authorized to enter on such premises for the purpose of performing such operations and to assess the cost of so doing equally among all affected property owners.

- (3) Improvements. Except as provided below, within such common open space areas, a total of not less than 300 square feet per density unit shall be improved with common recreational facilities, such as swimming pools; tennis, basketball, volleyball and shuffleboard courts; playground equipment, etc., for the use of the residents of the premises and their guests, which facilities shall not be operated for profit. Where the Planning Board determines that a suitable recreation area of adequate size cannot be properly located within a multifamily development, or is otherwise not practical, the Board may require as a condition of approval of any site development plan a payment to the Town of a sum which shall constitute a trust fund to be used by the Town exclusively for neighborhood park, playground or recreation purposes, including the acquisition of property. Such sum shall be determined in accordance with a fee schedule established by resolution of the Town Board, and which shall be filed in the Office of the Town Clerk.

E. Required parking.

- (1) Parking spaces shall be provided in number and design according to the provisions of Article VII of this chapter.

~~(2) At least 1/3 of the minimum required parking spaces shall be enclosed within garages or carports, except where the Planning Board determines, in connection with its review of the site development plan, that a lesser number is appropriate. In no case shall more than 2/3 of the minimum required parking spaces be so enclosed.~~

(3) The Planning Board may require, if deemed appropriate, the provision of a suitable screened parking area solely for the storage of boats, motor homes and similar recreational vehicles belonging to inhabitants of the development.

Section 6. Chapter 220, Subsection (B)(2) of Section 220-32 entitled

“Approving agency,” is hereby amended to read as follows:

§ 220-32. Special permit uses.

B. Approving agency. Applications for special permit uses shall be reviewed and acted upon by the Planning Board with the following exceptions:

(2) The Board of Appeals is hereby designated and authorized to review and take action on applications for the following special uses:

- (a) Temporary storage of contractor’s equipment.
- (b) Private kennels.
- ~~(e) Accessory apartments.~~
- (c) Ranching and the raising of field and garden crops.
- (d) Temporary stands for the sale and display of field and garden crops grown on the premises.
- (e) Any use that was established legally as a special permit use and for which a special permit was issued, but for which provisions have since been deleted by amendment from the schedule of permitted principal and accessory uses. If such previously issued permit was in effect at the time

of deletion by amendment, it may be continued or renewed upon review in accordance with special permit procedures.

Section 7. Chapter 220, Subsections A, C, E, F, G, H, I, and J of Section 220-40, entitled “Accessory apartments,” are hereby amended to read as follows:

§ 220-40. Accessory apartments.

It is the specific purpose and intent of this section to allow accessory apartments on one-family parcels of minimum size of ½ acre to provide the opportunity for the development of affordable housing AFFH units ~~to meet the needs of the elderly, the young, persons of middle income, and the relatives or domestic employees of the owners of the principal residence.~~ It is also the purpose of this ~~limited, special use~~ provision to allow more efficient use of the Town’s existing ~~stock of dwellings and the Town’s existing stock of accessory buildings, and to afford~~ existing residents the opportunity to remain in large, underutilized houses by virtue of the added income ~~for them from an~~ produced by accessory apartments, and to protect and preserve property values in the Town of Lewisboro. To help achieve these goals to promote the other objectives of this chapter and of the Town Development Plan, the following specific standards and limitations are set forth for such accessory apartment use.

A. Occupancy.

- (1) The owner(s) of the one-family lot upon which the accessory apartment is to be located shall occupy and maintain as his or her legal full-time residence at least one of the dwelling units on the lot, ~~either the accessory or the main dwelling.~~
- (2) The maximum occupancy of the accessory apartment is ~~two persons per bedroom.~~ ~~If the apartment has three or more bedrooms, the maximum occupancy is four persons.~~

C. Size.

(1) The minimum floor area for an accessory apartment located within a principal dwelling building shall be 300 square feet, but in no case shall it exceed ~~50%~~ 25% of the total floor area of the dwelling building in which it is located. ~~unless, in the opinion of the Zoning Board of Appeals, a greater amount of floor area is warranted by the specific circumstances of the particular building. It shall be in the discretion of the Zoning Board of Appeals to allow an increase in the footprint of the principal dwelling building, but in no case shall such increase in footprint exceed 25% of the existing footprint.~~ In no case shall the footprint of the principal dwelling building exceed 50% of the existing footprint. Any such addition shall be accompanied by an approved building permit and certificate of occupancy.

(2) For an accessory apartment located in an existing accessory building, the minimum floor area shall also be 300 square feet. ~~In addition, it shall also be in the discretion of the Zoning Board of Appeals to allow an increase in the footprint of the accessory building of up to 600 square feet.~~ Any such addition shall have an approved building permit and a certificate of occupancy.

E. ~~Inspection and registration. Terms and conditions of permit.~~

(1) ~~Accessory apartments shall be subject to inspection by the Building department every five years to verify compliance with building and fire codes. A fee for this inspection, the amount of which is to be set by the Town Board, may be charged for each inspection.~~

~~An accessory apartment use permit shall be issued for a ten year period. The permit may be renewed for additional ten year periods following inspection of the premises by the Building Inspector, submission of a~~

~~renewal application form issued by the Building Department and a sworn affidavit stating that the conditions as originally set forth by the Zoning Board of Appeals have not changed in any way. The Building Inspector shall specifically determine that the premises still meet the standards of the Town of Lewisboro Housing Code and regulations and that the original qualifying conditions still exist.~~

- (2) At the time of the inspection referred to herein, a registration form shall be completed by the owner of the accessory apartment and returned to the Building Department within 10 days of receipt. This form shall include the basic facts about the accessory apartment, including the owner's name(s), tenant's name(s), location, size, and percentage of the principal building it occupies. Registration forms must be signed by the property owner and notarized. Registration forms for middle-income accessory apartments shall include the amount of monthly rent paid by the tenant, and the annual gross income of the tenant as reported on federal income tax forms for the previous year.

~~The permit shall also state that it shall become null and void if any conditions are not complied with and if the owners of the property as identified in the permit cease to occupy one of the dwelling units on the premises as his legal residence. In the event of the transfer of title to the property to other than a spouse or a trust for the owner, the permit shall expire when the current lease expires or the tenant in residence at the time of title transfer relinquishes his/her residency; at which time, the new owner must apply for a new permit to continue the accessory apartment use.~~

- F. All accessory apartments, whether in the principal dwelling building or an accessory building, must meet the standards of the Town of Lewisboro Housing Code and regulations. Accordingly, inspections for compliance as required by the Building Inspector ~~shall will~~ be made, and a certificate of occupancy must be secured prior to the use of the accessory apartment. ~~A property owner who accepts a special permit under this section makes a contract with the Town. Accordingly, notwithstanding acceptance of inspection of the accessory apartment upon renewal application and at biennial registration, if the need arises, authority is also included for periodic inspections to determine if the original qualifying conditions still exist at any time during the term of the permit. Refusal by the property owner or the tenant of any inspection of the premises by the Building Inspector's office will constitute a violation of the special permit. A violation hearing will be scheduled before the Zoning Board of Appeals, which could result in the revocation of the special permit.~~
- G. Assessment. The property which contains any accessory apartment shall be assessed in the manner authorized by the State of New York. If the owner of an accessory apartment has agreed to register the apartment as a middle-income apartment and to limit the monthly rent to the amount set forth in §220-26(F)(4) of this chapter, ~~or if the accessory apartment is an affordable housing unit,~~ the assessor shall take the limitation on rental income into account in determining the amount, if any, the accessory apartment will add to the assessed value of the property.
- H. Administration. The Housing Committee ~~and the Housing Administrator~~ shall monitor middle-income accessory apartments in the Town and, through the

Building Department, shall oversee the regulations pertaining thereto.

Specifically, the Housing Committee ~~and the Housing Administrator~~ shall be responsible for:

- (1) Maintaining a list of available middle-income accessory apartments.
- (2) Determining a prospective renter's eligibility for renting a middle-income accessory apartment.
- (3) Maintaining a list of eligible renters of middle-income accessory apartments.
- (4) Monitoring the turnover in the owners of middle-income accessory apartments.
- (5) Monitoring the turnover in the renters of middle-income accessory apartments.
- (6) Establishing policies and procedures, as well as the requisite forms required, to review income and eligibility requirements and rents charged.

~~Filing. A copy of the original special permit signed by the Chairman of the Zoning Board of Appeals and by the property owner, with a copy of Subsection E, shall be filed with the County Clerk, Division of Land Records, Westchester County, by the Town at the permit holder's expense, within 30 days of the date of approval of the original permit.~~

I. Other provisions.

~~A fee shall be paid in an amount set forth in a fee schedule established by resolution of the Town Board.~~

- (1) Rent. The rent for any middle-income accessory apartment shall not exceed

the permitted rentals for middle-income dwelling units, as described in §220-26(F)(4) of this chapter.

(2) If any middle-income unit shall become vacant, the owner shall inform the Housing ~~Committee Administrator~~ of the vacancy. The Housing ~~Committee Administrator~~ shall inform the eligible middle-income persons on the waiting list of the vacancy.

(3) The owner of a unit may list his or her as a middle-income unit. The unit, once listed as a middle-income unit, will be eligible for assessment as provided in ~~§220-40G of~~ this chapter and shall be subject to the rent limitations and other rules established for middle-income housing units.

(4) Occupancy. The occupants of a middle-income accessory unit must qualify as members of a middle-income family, as defined in §220-2 of this chapter.

~~Term. Once an accessory apartment is listed as a middle income unit, it must remain as a middle income unit for the full term of its permit.~~

(5) The owner of a middle-income accessory apartment shall have the right to choose any tenant from the list of eligible tenants that is maintained by the ~~Housing Administrator and~~ Housing Committee ~~Chairman~~.

(6) Exemptions. In the event no middle-income family is on the Housing Committee's waiting list for a middle-income accessory apartment, or in the event that no family on the waiting list agrees to rent the accessory apartment,

the Housing Committee may exempt the accessory apartment from the above middle-income requirements for the term of the next lease or occupancy.

Section 8. Chapter 220, Subsections A, E(1), and G of Section 220-40.1, entitled “Accessory residence dwellings,” are hereby amended to read as follows:

§ 220-40.1. Accessory residence dwellings.

- A. Minimum lot area. A minimum lot area of ~~4 20~~ acres shall be provided and shall include a minimum buildable area, as defined herein, equal to that required for an individual lot in the zoning district in which the accessory residence dwelling is to be located.
- E. Size; number of bedrooms.
- (1) The exterior size of an accessory residence dwelling shall not exceed ~~2,000~~ ~~1,500~~ square feet, or be less than 600 square feet, in gross floor area, excluding uninhabitable and unfinished garage and basement space as defined herein.
- G. Prohibition of other accessory uses. The establishment of an accessory residence dwelling on a lot shall prohibit the use of that lot and any buildings on the lot as an accessory apartment, as defined herein; and the existence of an accessory apartment shall prohibit the establishment of an accessory residence dwelling. ~~Further, the accessory use of renting rooms shall be strictly prohibited in both the principal and accessory residence dwellings; and~~ The accessory use of a professional office, studio or home occupation shall be strictly prohibited in the accessory residence dwelling, or by any occupant of the accessory dwelling.

Section 9. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be

declared to have been separately adopted and shall remain in full force and effect.

Section 10. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated: _____, 2014

BY THE ORDER OF THE TOWN BOARD OF
THE TOWN OF LEWISBORO

JANET L. DONOHUE, TOWN CLERK

