

VILLAGE OF BUCHANAN RESOLUTION
IN CONSIDERATION OF PROPOSED NYS
LEGISLATION S4547A & A4854A– ACCESSORY DWELLING UNIT LAW

Introduced by: _____
Seconded by: _____
Dated: _____

WHEREAS, the New York State Legislature is considering the adoption of the current revision to S4547A & A4854A - Accessory Dwelling Unit (ADU) Law which amends the Real Property Law concerning Accessory Dwelling Units by superseding local zoning as it relates to residential zoning districts and land use; and

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

WHEREAS, S4547A & A4854A if adopted would override Local Zoning and Municipal Home Rule, permitting accessory apartments as of right, with minimal regulation in all residential districts, including multifamily districts, and on any lot regardless of its zoning with an existing residential use; and

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

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

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

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

WHEREAS, the Village of Buchanan has long history of meeting the special housing needs of the community including the ability to establish accessory apartments since 1989; and

NOW THEREFORE BE IT RESOLVED, that the Village of Buchanan adamantly opposes S4547A & A4854A Accessory Dwelling Unit Law; and

BE IT FURTHER RESOLVED, that the Village of Buchanan urges the Governor of the State

of New York, and the New York Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers.

Upon Roll Call Vote:

Mayor Theresa Knickerbocker _____

Trustee Richard Funchion _____

Trustee Anthony Capicotti _____

Trustee Sean Murray _____

Trustee Nicolas Zachary _____

Vote: Resolution carried by a vote of ____ to ____

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)

I, Cynthia Kempter, Village of the Village of Buchanan, do hereby certify that the above resolution was duly adopted at a regular meeting of the Village of Buchanan held on March 1, 2022 and that the above resolution is a true and correct transcript thereof.

CYNTHIA KEMPTER, Village Clerk