

March 3, 2022

E-10

2022 – _____

RESOLUTION OF THE TOWN OF HARRISON TOWN BOARD IN OPPOSITION TO
THE PROPOSED ACCESSORY DWELLING UNIT LAW

On the motion of Board Member _____, seconded by Board Member
_____, it was,

WHEREAS, the New York State Senate is considering the adoption of S4547A – Accessory Dwelling Unit (hereafter “ADU”) Law which proposes to amend 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 Law powers; and

WHEREAS, S4547A if adopted, would override Local Zoning and Municipal Home Rule, requiring local municipalities to adopt a local law permitting accessory units as of right, with minimal regulation, in all residential districts, including multi-family districts and on any lot regardless of its zoning; and

WHEREAS, the proposed law would prohibit a municipality’s ability to craft specific regulations while considering the impacts on the locality’s environment, infrastructure, parking, school enrollment, as well as emergency services coverage 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 Town of Harrison; and

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

WHEREAS, these additional contemplated illegal dwelling units do not comport with local Zoning Laws, nor the New York State Building and Fire Codes, and create hazardous and dangerous conditions; and

WHEREAS, the proposed legislation causes additional concerns regarding the conversion of hotel and office space to residential use as of right without any local oversight; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the following Resolution, adamantly opposing the S4547A Accessory Dwelling Unit Law or any successor bill thereto; and

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

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately upon adoption.

Adopted by the following vote:

Ayes: Board Members _____, _____, _____ and _____.

Nays: _____

Absent: _____