



Village of Monroe

7 Stage Road, Monroe, NY 10950

Tel: (845) 782-8341 · Fax: (845) 782-3006

STATE OF NEW YORK)
COUNTY OF ORANGE) ss
VILLAGE OF MONROE)

Mayor

Neil S. Dwyer

Trustees

Debra Behringer
Andrew Ferraro
John Karl, III
Martin O'Connor

Clerk

Kimberly Zahra

Treasurer

Anthony Feliz

Attorney

Alyse D. Terhune

Building Department

James Cocks
782-8341 x128

Police Department

Darwin Guzman, Chief
782-8644

Department of Public Works

783-4440

Water Department

782-8341 x122

Planning Board

Jeff Boucher, Ch.

Zoning Board of Appeals

Paul S. Baum, Ch.

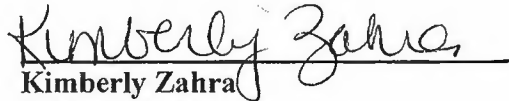
Village Historian

Linda Burroughs

I, Kimberly Zahra, the Village Clerk of the Village of Monroe, New York, having legal custody of the original records, do hereby attest that the enclosed resolution dated March 7, 2023 is a correct copy of said original, with the original filed in my office:

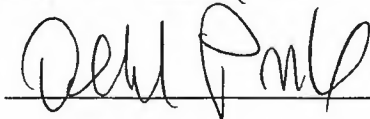
Adoption of Local Law #3 of 2023 -- Providing for a Temporary Modification to Chapter 80 of the Village of Monroe Municipal Code

Witness my hand and seal on this 14th day of July, 2023



Kimberly Zahra
Village Clerk
Village of Monroe, New York

Sworn to before me this
14th day of July, 2023



NOTARY

DEBORAH R. PROULX
Notary Public, State of New York
No. 01PR6362189
Qualified In Orange County
Commission Expires: July 24, 2025

Village of Monroe Board of Trustees Meeting – March 7, 2023

ADOPTION OF LOCAL LAW #3 OF 2023 – “PROVIDING FOR A TEMPORARY MODIFICATION TO CHAPTER 80 OF THE VILLAGE OF MONROE MUNICIPAL CODE”:

WHEREAS, the Village Board of the Village of Monroe, New York (“Village Board”) duly noticed a public hearing held on March 7, 2023; and

WHEREAS, the Village Board solicited public comment during said public hearing on March 7, 2023; and

WHEREAS, the proposed local law temporarily suspends the issuance of demolition permits to structures and buildings located in the Village of Monroe historic district or listed on the State or Federal Registry of Historic Places; and

NOW, THEREFORE, BE IT RESOLVED that:

- 1. The above “WHEREAS” paragraphs are incorporated herein by reference.**
- 2. The Local Law, Providing for A Temporary Modifications to Chapter 80 of the Village of Monroe Municipal Code, as attached is adopted as Local Law No. 3 of 2023 of the Village of Monroe on March 7, 2023.**
- 3. The Village Board hereby directs the Village Clerk to take all steps to process and file said Local Law.**
- 4. This Resolution shall be effective immediately.**

**VILLAGE OF MONROE
LOCAL LAW #3 of 2023 PROVIDING FOR A
TEMPORARY MODIFICATIONS TO CHAPTER 80
OF THE VILLAGE OF MONROE MUNICIPAL CODE**

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Legislative Purpose.

The Board of Trustees of the Village of Monroe finds that there exist within the Village buildings and structures that have a special character or special historical or aesthetic interest or value in American history, architecture and culture; that it is feasible to preserve and continue the use of such improvements; and that such improvements face the danger of being uprooted and destroyed without adequate consideration of the irreplaceable loss to the people of the Village of Monroe of the aesthetic, cultural and historical values represented by such improvements. It is the sense of the Village Board that the standing of Monroe as a community steeped in the history and culture of Orange County and the Hudson Valley region requires the maintenance and

enhancement of the historical, aesthetic, cultural and architectural heritage of the Village.

Section 2. Temporary suspension of demolition and structural modification permits.

A. The Board of Trustees finds and determines that structures and buildings located within the Village of Monroe Historic District (identified as 98NR01380), and all structures and buildings listed or eligible for listing on the State of New York Historic Register and/or the National Historic Register, whether located in the Historic District or not, are currently unprotected by local laws intended to preserve their historic character and, thus, are vulnerable to irreparable loss through insensitive modification which threatens the historic character or through complete destruction. Therefore, for a period of six (6) months following the date of adoption of this local law, the Board of Trustees hereby imposes a suspension on all permits issued pursuant to Chapter 80 of the Village of Monroe Code for whole or partial modification to or demolition of any and all structures or buildings located within the Historic District or identified as National Register, State Register, or eligible for listing on the National Register or State Register of Historic Places, on the Cultural Resource Information System (CRIS) published by the New York State Office of Parks, Recreation and Historic Preservation (SHPO). A copy of the Historic District and CRIS listing is appended to this local law. However, any building or structure that meets the criteria above is also subject to these provisions.

B. Nothing in this local law shall prohibit the demolition of a structure or building deemed unsafe by the building inspector. However, if the structure or building is located within the Historic District or listed on or eligible for listing on the National Register or State Register of Historic Places, then the application for a demolition permit shall be referred to the Village Board for a determination whether the permit should be issued in whole or in part. To inform its decision, the Village Board shall cause the property to be inspected by the Village engineer, who shall issue a report as to whether all or any portion of the structure or building can safely remain.

Section 3. Waiver

The record owner of a property covered by this suspension may apply to the Village Board of Trustees for a waiver for good cause shown. However, economic hardship alone shall not constitute good cause.

Section 4. Expansion

This suspension may be extended by one (1) additional period of up to three (3) months by resolution of the Village Board upon a finding of need for such extension.

Section 5. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly

adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

The Board received a proposed local law this evening. This proposed local law allows a historic preservation function within the Planning Board. Attorney Terhune asks that the Board review the proposed local law in depth and come up with questions for the Planner and herself.

On a motion by Trustee Karl, seconded by Trustee O'Connor

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None



Village of Monroe

7 Stage Road, Monroe, NY 10950

Tel: (845) 782-8341 · Fax: (845) 782-3006

STATE OF NEW YORK)
COUNTY OF ORANGE) ss
VILLAGE OF MONROE)

Mayor

Neil S. Dwyer

Trustees

Debra Behringer
Andrew Ferraro
John Karl, III
Martin O'Connor

Clerk

Kimberly Zahra

Treasurer

Anthony Feliz

Attorney

Alyse D. Terhune

Building Department

James Cocks
782-8341 x128

Police Department

Darwin Guzman, Chief
782-8644

Department of Public Works

783-4440

Water Department

782-8341 x122

Planning Board

Jeff Boucher, Ch.

Zoning Board of Appeals

Paul S. Baum, Ch.

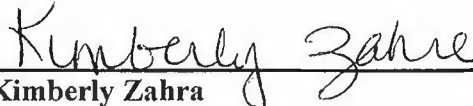
Village Historian

Linda Burroughs

I, Kimberly Zahra, the Village Clerk of the Village of Monroe, New York, having legal custody of the original records, do hereby attest that the enclosed resolution dated June 20, 2023 is a correct copy of said original, with the original filed in my office:

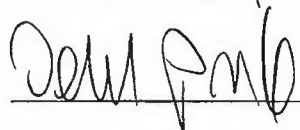
Adoption of Local Law #6 of 2023 – Local Law to Extend the Temporary Moratorium on Land Use Development Processing and Approvals

Witness my hand and seal on this 14th day of July, 2023



Kimberly Zahra
Village Clerk
Village of Monroe, New York

Sworn to before me this
14th day of July, 2023



NOTARY

DEBORAH R. PROULX
Notary Public, State of New York
No. 01PR6362189
Qualified in Orange County
Commission Expires: July 24, 2025

**VILLAGE OF MONROE
BOARD OF TRUSTEES MEETING
TUSEDAY, JUNE 20, 2023
(www.villageofmonroe.org)**

**ADOPTION – LOCAL LAW #6 OF 2023 – LOCAL LAW TO EXTEND THE
TEMPORARY MORATORIUM ON LAND USE DEVELOPMENT PROCESSING AND
APPROVALS:**

**VILLAGE OF MONROE
LOCAL LAW TO EXTEND THE TEMPORARY MORATORIUM ON LAND
USE DEVELOPMENT PROCESSING AND APPROVALS**

WHEREAS, an introductory Local Law, titled “**Local Law to Extend the Temporary Moratorium on Land Use Development Processing and Approvals,**” was introduced before the Board of Trustees of the Village of Monroe on June 6, 2023; and

WHEREAS, upon notice duly published and posted, a hearing was held on said Local Law on June 20, 2023, whereat public discussion was heard concerning the merits of said Local Law and after hearing from all those present wishing to speak, the Board of Trustees declared the public hearing closed on June 20, 2023; and

WHEREAS, pursuant to General Municipal Law § 239-m, the proposed local law was duly referred to the Orange County Planning Department on June 6, 2022, which Department responded by letter dated June 7, 2023, that the action was a “local determination”; and

WHEREAS, the proposed local law was referred to the Village of Monroe Planning Board pursuant to Village Code § 200-77 and a response was received; and

WHEREAS, the proposed local law and notice of public hearing was duly referred to the Town of Monroe, Town of Palm Tree, Village of Kiryas Joel, Village of South Blooming Grove and the Village of Harriman; and

WHEREAS, the Board of Trustees determined that this was a Type II action pursuant to

6 NYCRR 617.5(c)(36), adoption of a moratorium on land development, of the regulations implementing the State Environmental Quality Review Act (SEQRA), requiring no further SEQRA action.

NOW THEREFORE, BE IT RESOLVED, that the introductory Local Law, titled “**Local Law to Extend the Temporary Moratorium on Land Use Development Processing and Approvals**,” of the Village of Monroe be and hereby is adopted on June 20, 2023, as Local Law No. 6 of 2022 of the Village of Monroe.

VILLAGE OF MONROE

A LOCAL LAW TO EXTEND THE TEMPORARY MORATORIUM ON LAND USE DEVELOPMENT PROCESSING AND APPROVALS

BE IT ENACTED by the Village Board of the Village of Monroe, Orange County, New York, as follows:

Section 1. Legislative Purpose.

The purpose of this local law is to temporarily suspend processing of land use applications while the Village considers changes to its comprehensive plan and considers and adopts changes to its land use regulations. The Village Board referred the draft comprehensive plan update and certain draft local laws regulating historical properties, places of worship and schools, and architectural review to the Planning Board for comment. By letter dated June 1, 2023, the Planning Board recommended that the moratorium on land use development be extended for an additional three (3) months. The Village Board also received numerous letters and comments from the public and landowners addressing concerns with certain aspects of the comprehensive plan update and the draft local laws implementing the comprehensive plan’s goals.

Although the Village has been working diligently to revise the comprehensive plan within the time limits set in the original moratorium, the Village Board accepts the Planning Board’s recommendation for a limited extension of the moratorium to consider that Board’s comments and also address comments made by the public.

This temporary extension allows the Village to maintain the land use status quo while it considers the Planning Board and public comments. The intent of this extension remains the same as the June 20, 2022 moratoria, which is to amend its comprehensive plan and land use regulations to provide for controlled growth that will not unduly impact the public welfare, community

services, schools, and infrastructure, to preserve open space, protect historic buildings and scenic features important to the Village's character, and to plan for a proper mix of residential and commercial development. The overall purpose of this limited extension is to promote community planning values by regulating land development based on a carefully considered plan. This extension prevents a "race of diligence" by those seeking to obtain approvals before the updated comprehensive plan and regulations are in place. This local law will protect the public interest and welfare until an amended comprehensive plan and zoning law are adopted.

The Village Board finds and determine that several planning issues affecting the Village's growth should be addressed by amending the comprehensive plan and zoning law to address, among other planning issues, planning for and locating senior citizen housing, preserving local historic buildings and structures, updating use and bulk regulations to maintain the character of the Village housing stock, developing overlay districts to protect critical environmental resources and scenic viewsheds considered important to the Village's character, developing regulations applicable to the Village of Monroe's historic district, and creating architectural review regulations. The purpose of this moratorium is to allow the Village Board time to comprehensively address these issues in a thoughtful and fair way.

Section 2. Moratorium Imposed.

A. For a period of three (3) months following the date of adoption of this local law, no development approval shall be granted in the Village of Monroe unless expressly exempted from this moratorium pursuant to Section 3 below. The term "development approval" shall mean any application for an approval of a discretionary nature required for all development in the Village, including, but not limited to, any approval of a subdivision, site plan, special permit or variance application proposing such development. "Development approval" shall also mean any permit for clearing, filling, and grading where such permit is not part of or necessary to an approved subdivision, special permit or site plan that has completed SEQR and has applied for and received a permit pursuant to said approval. In addition, no new applications for any development approval shall be accepted and/or processed by any of the Village's boards, unless expressly exempted from this moratorium pursuant to Section 3 below. This local law is binding on all Village boards, officers, and employees and on all persons and property requiring development approval within the Village.

B. This moratorium may be extended by one (1) additional period of up to three (3) months each by resolution of the Village Board upon a finding of need for such extension.

C. During the period of the moratorium, the Village shall endeavor to adopt an amended comprehensive plan and planning and zoning regulations of development in the Village.

Section 3. Exceptions to Moratorium.

A. The following types of development approvals or building permits may be granted or conditionally granted during the moratorium:

1. A building permit for the construction of a single-family or two-family home on an approved lot, or for the addition of an accessory building or structure to an existing single-family or two-family home.
2. Approval by the Zoning Board of Appeals of an application for an interpretation or an area variance for the construction of a single-family or two-family home on an approved lot, or for the addition of an accessory building or structure to an existing single-family or two-family home.
3. Approval of an application for the adaptive reuse of a Historic Building pursuant to Village Code § 200-61.1.
4. Approval of a lot line adjustment.
5. Approval of an addition, alteration or reconstruction of an existing structure which results in no material change in such structure and which is not intended or designed to accommodate any new or different use of such structure.
6. Subdivisions that have received preliminary Planning Board approval prior to the date of adoption of this law.
7. Applications for site plan and/or special permit that have received conditional or final Planning Board approval.
8. Amendment to an approved site plan for the purpose of satisfying a condition of the original site plan.
9. Amendments to an approved site plan which result in no material change and which are not intended or designed to accommodate any new or different use of the property.
10. The issuance of building permits to a property that has received final subdivision, site plan or special permit approval.

B. No development approval application shall be accepted for review by any of the Village's boards, officers or employees on or after the date of adoption of this local law, except for an application seeking a development approval described in subsections A.

C. A development approval shall not be granted unless the approved application complies with all zoning and other requirements in effect on the date of approval.

D. An application for a development approval that is not described in subsection A of Section 3 shall not be accepted by the reviewing board or official during the moratorium. However, if a complete application for such development approval was submitted to the reviewing

board or official prior to the date of introduction of this local law to the Village Board, the applicant may request the Planning Board to continue review of the application, but such review shall be for SEQR purposes only and shall be undertaken at the property owner's risk.

F. This moratorium shall not prohibit the denial of an application.

Section 4. Administrative Relief from Moratorium.

A. In order to prevent an unlawful taking of property and to prevent irreparable harm, the Village Board is authorized to grant limited relief from this moratorium pursuant to the standards and requirements herein. An applicant seeking such relief shall be required to show by clear and convincing evidence, including credible dollars and cents proof, that the applicant cannot make any reasonable use of its property with any of the uses permitted in the relevant zoning district; that the moratorium causes irreparable injury to the applicant; and that it would be unreasonable and unjust not to grant relief from the moratorium. Any relief granted by the Village Board shall be the minimum necessary and the Village Board may impose conditions on any relief granted.

B. All such applications shall be actions subject to SEQR. The Village Board may designate the Planning Board or the Zoning Board of Appeals as lead agency for such applications if the Village Board deems it advisable. In the event relief from the moratorium is granted by the Village Board, the applicant shall proceed to other Village board(s) or officials to apply for required development approval(s). Notwithstanding any relief granted pursuant to this section, development approval shall not be granted unless the approved application complies with all zoning and all other requirements in effect on the date of approval.

C. The applicant or any other person aggrieved by a decision of the Village Board hereunder may apply to the state supreme court pursuant to article seventy-eight of the civil practice laws and rules.

Section 5. Notice to Applicants - Change in Zoning Requirements.

This section provides notice to all applicants that although an application authorized in Section 3 or Section 4 above may proceed through the Planning Board and/or ZBA review process, the property owner proceeds at his or her own risk because such application may be impacted or denied because of a change in zoning requirements. A development approval shall not be granted unless the approved application complies with all zoning and other requirements in effect on the date of approval.

Section 6. Default Approvals Abolished.

Notwithstanding any law, rule, or regulation to the contrary, no development approval shall be granted, deemed granted or dispensed with because of the passage of time. All development approvals granted during the period of the moratorium shall require the affirmative vote of the

reviewing board(s) with jurisdiction and endorsement of the plat or plan as otherwise required by law.

Section 7. Supersession of Inconsistent Laws, if any.

The Village Board hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation and any provision of the state Village Law or other special law that may be declared inconsistent or in conflict with this local law. The state law provisions that shall be, and hereby are, superseded include, but are not limited to, all of Article 7 of the Village Law and any other provision of law that the Village may supersede pursuant to the state Municipal Home Rule Law and the Constitution of the State of New York. The courts are specifically requested to take notice of this legislative intent and apply such intent in the event the Village has failed to specify any provision of law that may require supersession. The Village Board hereby declares that it would have enacted this local law and superseded such provision had it been apparent.

Section 8. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision, or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

Section 9. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State

On a motion by Trustee Ferraro, seconded by Trustee Karl

Ayes: Trustees Behringer, Ferraro, Karl and O'Connor

Nays: None