

**INTRODUCTORY LOCAL LAW NO. __ OF THE YEAR
2021 MODIFYING CHAPTER 207 OF THE CODE OF THE
VILLAGE OF HIGHLAND FALLS, ENTITLED,
SUBDIVISION OF LAND, TO REGULATE LOT LINE
CHANGES**

BE IT ENACTED by the Village Board of Trustees of the Village of Highland Falls as follows:

SECTION 1 – TITLE

This Local Law shall be referred to as MODIFYING CHAPTER 207 OF THE CODE OF THE VILLAGE OF HIGHLAND FALLS, ENTITLED, SUBDIVISION OF LAND, TO REGULATE LOT LINE CHANGES.

SECTION 2

Chapter 207 of the Code of the Village of Highland Falls, entitled, “Subdivision of Land,” is modified as follows:

The definition of “subdivision,” contained in § 201-2 of Article II, entitled, “Definitions,” is modified by including the text “and lot line adjustments” at the end of the sentence, after the word “resubdivision,” to read as follows:

SUBDIVISION – The division of real property into lots, plots, blocks or sites, with or without streets, for the purpose of offering such lots, plots, blocks or sites for sale to the public or for the purpose of providing one or more additional building sites. The term "subdivision" shall be deemed to include resubdivision and lot line adjustments.

A new Article III, entitled, “Lot Line Adjustments” is hereby added to Chapter 207 entitled “Subdivision of Land” of the Code of the Village of Highland Falls and the following articles and provisions renumbered as needed. The new Article II shall read as follows:

ARTICLE II LOT LINE ADJUSTMENTS

§ 207-3. Purpose.

A "lot line adjustment" is the relocation or revision of a lot line of a lot, which revision is intended to correct minor boundary problems and is not intended to create a new lot for development purposes and which revision will result in land area to become part of an existing adjacent lot or parcel, provided that such lot line adjustment does not create a parcel at variance with the bulk requirements of the zone in which such parcel is located. A lot line adjustment to an existing non-conforming lot shall not make any non-conformity more severe.

§ 207-4. Application and fee.

The applicant shall file an application for the consideration of a lot line adjustment in the form provided by the Planning Board. The fees required by the Standard Schedule of Fees for the Village of Highland Falls shall be paid at the time of application by the applicant. Ten copies of the lot line adjustment plat shall be presented to the Secretary of the Planning Board by the last business day of the month prior to the next regularly scheduled monthly

meeting of the Planning Board.

§ 207-5. Attendance of applicant at Planning Board meeting.

- (1) The applicant or his/her duly authorized representative shall attend the meeting of the Planning Board to discuss the lot line adjustment.

§ 207-6. Approval Procedure.

A. Sketch plan.

- (2) Submission of plat. Any applicant for a lot line adjustment shall submit a plat, prepared by a licensed land surveyor and suitable for recording, depicting the lot line adjustment as well as all buildings, structures, improvements and bulk requirements.
- (3) Study of sketch plan. The Planning Board shall, within 62 days of an applicant's first appearance, determine whether the sketch plan meets the purposes of this chapter and shall, where it deems it necessary, make specific recommendations, in writing, to be incorporated by the applicant in the next submission, if any, to the Planning Board.
- (4) Public Hearing Optional. A public hearing may be held in the discretion of the Planning Board on all plats submitted in final form within 62 days of their submission to the Planning Board. The hearing must be advertised at least once in a newspaper of general circulation in the Village at least 10 days and no more than 30 days prior to the hearing; by posting notice thereof at the property site; and by mail to the owners of property within 500 feet of the proposed lot line change and to any other persons whom the Board deems to be particularly affected. The applicant shall file proof of compliance with the provisions herein at the hearing.
- (5) Final approval of the sketch plan in the case of lot line adjustment. Following the completion of the sketch plan procedure, the Planning Board may, approve, conditionally approve, with or without modification, or disapprove the plat. The Board shall specify, in writing, its reasons for any such disapproval. After all requirements and conditions of the resolution pertaining to the sketch plan have been satisfied, the Planning Board shall authorize the filing of a deed at the Orange County Clerk's Office which deed shall contain a metes and bounds legal description of the property being transferred and a reduced plat acceptable to the County Clerk for recording as a schedule to the deed. If not filed or recorded in the office of the County Clerk within 90 days of the date upon which such plat is approved, the plat shall become null and void. The Planning Board may extend the time for filing and recording such plat if, in its opinion, such extension is warranted by the particular circumstances thereof, for not to exceed two additional periods of 90 days each.

SECTION 3 - VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.