

**VILLAGE OF TUXEDO PARK  
PLANNING BOARD  
November 10, 2021  
7:30 P.M.**

**Official Present:** Chair JoAnn Hanson  
Member Richard Witte  
Member Portia Hinshaw  
Member Jay Reichgott  
Rick Golden, Attorney for the Board, Burke, Miele,  
Golden & Naughton, LLP  
John C. Ledwith IV, Building Inspector  
Desiree Hickey, Recording Secretary

**Attendees:** Mayor David McFadden, Meg Vaught

Chair Hanson opened the meeting at 7:30 p.m.

**Review: Local Law 3 of 2021 Regarding Site Plan Approval Authority**

The Planning Board met to review Local Law 3 of 2021 of the Village of Tuxedo Park draft by Mayor McFadden. This was initially brought forward at the October Board of Trustees meeting. It is the intent of this local law to amend Village Law Chapter 100, Zoning. Specifically, the Village currently authorizes and delegates Site Plan Review and Approval Authority to the Board of Architectural Review for certain applications. Mayor McFadden addressed the Board sharing his thoughts. The changes in the Local Law 3 of 2021 would realign site plan approvals to the Planning Board instead of the Board of Architectural Review Board. Engineering is a Planning Board duty and aesthetics should be before the Board of Architectural Review. When it comes to projects taking place on properties where there is already an existing structure the BAR issues approval not the Planning Board. Mayor McFadden noted it would be a significant improvement separating powers by eliminating any gray areas. Recently this became an issue when the BAR approved a project for the Tuxedo Club, which involved multiple road cuts and included an increase in the amount of impervious surface on their property. In addition, Mayor McFadden stated, when it comes to consultants, the Planning Board should be the only Board to work with engineers and the Board of Architectural Review should only work with the architects. This would create fewer and shorter meetings and cut down costs to the applicants.

Several comments were made by the Board members. Member Reichgott was in general agreement and noted the Building Inspector should be the gate keeper. Member Hinshaw reaffirmed the amendment would minimize the process. Mayor McFadden suggested that site plan approval would first go to the Planning Board with the Building Inspector

developing the footprint then to the BAR and stay at the BAR. When applicants need to go before the BZA, work sessions should take place between Boards. Member Witte noted that aesthetic recommendations can take up to 5 – 6 years to complete, which is an issue he experienced personally. Member Reichgott suggested that design guidelines should be amended to upgrade materials and roof lines. Ridgeline requirements were discussed. Attorney Golden will take into consideration the Village Code for ridgelines and consider adjacent properties. Chair Hanson agrees with the different skill sets and corrections needed for the law and noted it isn't that simple when pulling apart a footprint and the Board relies on the Village Engineer that serves both Boards.

The Board of Trustees will keep open the discussion to amend the law, which should be a 6 – 8-month time period for a decision. The Planning Board will work with the Attorney Golden to draft a second version of the proposed legislation taking into consideration all comments to share with the Board of Trustees. When the initial plan is proposed, Attorney Golden will check with the Board of Trustees in order to proceed instead of waiting until the end to address issues.

### **Adjournment**

At 8:36 p.m., a motion was made by Chair JoAnn Hanson to end the meeting. Member Portia Hinshaw seconded the motion.

The vote was 4 - 0 in favor of the motion.

Respectfully submitted,

Desiree Hickey

Recording Secretary