

LOCAL LAW NO. 4 OF 2025, AMENDING CHAPTER  
18A HISTORICAL AREAS OF BOARD REVIEW AND  
CHAPTER 2 OF ARCHITECTURE AND COMMUNITY  
BOARD OF REVIEW OF THE CODE OF THE TOWN  
OF ORANGETOWN TO PROVIDE FOR FIVE BOARD  
MEMBERS OF HAVOR AND AUTHORIZE HAVOR TO  
REVIEW BUILDING PERMIT APPLICATIONS IN  
HISTORIC DISTRICT IN LIEU OF ACABOR REVIEW

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN AS FOLLOWS:

Section 1. – Chapter 18A of the Code of the Town of Orangetown entitled Historical Area Board of Review (HAVOR) is amended to read as follows:

§ 18A-2. Board of Review established; terms of office.

There is hereby created in the Town of Orangetown a Board of Review which shall be known as the "Orangetown Historical Areas Board of Review." This Board shall perform all duties and functions delegated to it by this chapter and as authorized elsewhere in the Town Code, as well as all duties and functions delegated to a board of review by any local law which establishes a historical area in any portion of the unincorporated part of the Town of Orangetown.

- A. Any member presently serving out a term of office on the Historical Areas Board of Review shall continue as a member of this Board and shall serve to the end of his/her term of office as if he/she had first been appointed to this Board.
- B. One member shall be appointed for a term of one year; one member shall be appointed for a term of two years; two members shall be appointed for a term of three years; and three members shall be appointed for a term of four years. Thereafter, the terms of office of the members shall be fixed so that a member's term does not exceed five years.
- C. Any vacancy occurring before the end of the term of any member shall be filled by the Town Board by appointment for the remainder of the expired term.
- D. The Town Board shall appoint the Chairperson who shall serve a one-year term ending December 31 of the year.
- E.

§ 18A-3. Qualifications of Board members.

- A. The Historical Areas Board of Review shall consist of five members to be appointed by the Town Board.
- B. Any member presently serving on the Historical Areas Board of Review as of the date of this chapter shall continue as members of this Board, and his or her term of office shall continue as if he or she had first been appointed to this Board.
- C. The Town Board shall appoint one member who shall be a resident of the Hamlet of Palisades.
- D. The Town Board shall appoint one member who shall be a resident of the Hamlet of Tappan.
- E. At least one member appointed by the Town Board shall be a member in good standing of a recognized historical or preservation society operating within Rockland County.
- F. The remaining members appointed by the Town Board shall be residents of the Town of Orangetown.

#### § 18A-4. Quorum.

Three members of the Board shall constitute a quorum. A majority of the members present shall be required for a determination of any matter presented, but in no event shall a majority be less than three.

Section 2. Chapter 2 of the Code of the Town of Orangetown entitled Architecture and Community Board of Review (ACABOR), is amended to read as follows

#### §2-4 To review applications for building permits.

Every application for a building permit for the construction, reconstruction or alteration of any structure in excess of 1,000 cubic feet of cubical contents proposed for construction, and every application for the development or subdivision of land, and any such application for a building permit, land use or any other development with the Town of Orangetown filed with the Town Board, Planning Board or Building Inspector shall be referred to the Architecture and Community Appearance Board of Review (ACABOR) within seven days of the submission of the application, provided that it conforms in all respects to all other applicable laws and ordinances. This law shall not apply to an application for a single- or two-family residence or residential accessory structure on individual property, except that the Building Inspector, in his discretion, may refer such an application to the Board of Review if it appears, in the light of the standards set forth in § 2-5, that there is a need for such referral. Notwithstanding the foregoing, any property located within an Historic Area as defined in Chapter 12 shall be referred to the Historic Area Board of Review (HABOR) for review of the application under the provisions of this Chapter, in lieu and in place of a referral to the ACABOR referenced above, including for review of any signs located in an Historic Area, as set forth in §2-5(B)(5) of this Chapter.

#### Section 3. Authority

This proposed Local Law is enacted and adopted pursuant to NYS Municipal Home Rule Law §10, and in accordance with the procedures prescribed in NYS Municipal Home Rule §20.

#### Section 4. Severability

If any section, subdivision, paragraph, clause or phrase of this Local Law shall be adjudged invalid, or held to be unconstitutional, by any court of competent jurisdiction, any judgment or order made thereby shall not affect the validity of this Local Law as a whole, or any part thereof, other than the part or provision so adjudged to be invalid or unconstitutional.

#### Section 5. Effective Date

This Local Law shall take effect upon publishing and posting a copy in the manner prescribed by applicable laws, and upon filing a copy with the NYS Secretary of State.