

**VILLAGE OF CROTON-ON-HUDSON
BOARD OF TRUSTEES**

LOCAL LAW INTRODUCTORY NO. 14 OF 2025

**A LOCAL LAW TO AMEND CHAPTER 230, ZONING, OF THE CODE OF THE
VILLAGE OF CROTON-ON-HUDSON TO ADD ALTERNATE MEMBERS ON THE
PLANNING BOARD AND ZONING BOARD OF APPEALS**

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section One. Article XV, Administration and Enforcement, of Chapter 230, of the Code of the Village of Croton-on-Hudson is hereby amended to be renumbered to Article XVI. Article XVI, Amendments and Interpretation, of Chapter 230, of the Code of the Village of Croton-on-Hudson is hereby amended to be renumbered to Article XVII.

Section Two. Article XV, of Chapter 230, of the Code of the Village of Croton-on-Hudson is hereby amended to be retitled as “Alternate Member”, and will be written as follows:

§230-165. Definitions.

As used in this subsection, the following term shall have the meaning indicated:

ALTERNATE MEMBER – An individual appointed by the Mayor, subject to the approval of the Village Board of Trustees, to serve on either the Village of Croton-on-Hudson Planning Board or Zoning Board of Appeals when a regular member has recused himself or herself or is other precluded from consideration of a matter before such Board or is absent or otherwise unable to participate at a meeting of the Board.

MEMBER – An individual appointed by the Mayor, subject to the approval of the Village Board of Trustees, to serve on the Village of Croton-on-Hudson Planning Board or Board of Appeals.

§230-166. Purpose.

This article provides a process for appointing one alternate member to the Planning Board or Zoning Board of Appeals to serve when a member has recused himself or herself or is otherwise precluded from consideration of a matter or is absent or otherwise unable to participate at a meeting of the Board.

§230-167 Declaration of Policy.

As a result of the recusals by Board members or other reasons which may keep a member of the Planning Board or Zoning Board of Appeals from participating in the consideration of a specific matter before such Board, official business may not always be able to be conducted and may delay or impede adherence to required timelines. The use of alternate members in such instances is hereby authorized pursuant to the provisions of this subsection.

§230-168. Authorization.

- A. The alternate member shall be appointed by the Mayor for a term of one year, subject to the approval of the Village Board of Trustees.
- B. An alternate member shall have all of the rights, privileges, and responsibilities of a member of the Planning Board or Zoning Board of Appeals. When an alternate member is voting or counting toward the calculation or composition of a quorum, that circumstance shall be noted in the minutes of the Board meeting.
- C. All provisions of state law relating to Planning Board or Zoning Board of Appeals member eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as any provision of a local law relating to Planning Board or Zoning Board of Appeals members, shall also apply to alternate members.
- D. An alternate member shall be able to attend meetings of the Planning Board or Zoning Board of Appeals, including work sessions, regular meetings, and executive sessions, as an observer but shall not sit with and participate in deliberations of the Board unless designated as outlined in § 230-168E.
- E. An alternate member shall sit with and participate in deliberations of the Board only upon the designation by the Chair of the Planning Board or Zoning Board of Appeals, and subject to § 230-168F below, shall substitute for a member who has recused himself or herself or is otherwise precluded from consideration of a matter or is absent or otherwise unable to participate at a meeting of the Board, but an alternate member shall not vote or count towards the calculation or composition of a quorum unless he or she is substituting for a member.
- F. An alternate member who is substituting for a member pursuant to this article may vote and count towards the calculation and composition of a quorum on all matters and issues if he or she has attended all the meetings held on any matter, or otherwise makes an informed decision based on sufficient knowledge of the matter at hand.

§230-169. Supersession of Village Law.

This article is hereby adopted pursuant to the provisions of § 10 of the New York State Municipal Home Rule Law and § 10 of the New York State Statute of Local Governments. It is the intent of the Village Board of Trustees, pursuant to § 10 of the New York State Municipal Home Rule Law, to supersede the provisions of § 7-712 of the Village Law relating to the appointment of members to the Village Zoning Board of Appeals and § 7-718 of the Village Law relating to the appointment of members to the Village Planning Board.

Section Three. Severability.

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions thereof, which other portions shall continue in full effect.

Section Four. Effective Date.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.