

<b>Topic:</b>	Landmarks & Historical Districts
<b>Resource Type:</b>	Regulations
<b>State:</b>	New York
<b>Jurisdiction Type:</b>	Municipal
<b>Municipality:</b>	Village of Tarrytown
<b>Year (adopted, written, etc.):</b>	1991
<b>Community Type - applicable to:</b>	Suburban; Rural
<b>Title:</b>	Village of Tarrytown Historic Districts & Landmarks Ordinance
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### ***Abstract***

The Historic Districts and Landmarks Ordinance was created to protect and promote the use of historic districts and landmark sites which will stabilize and improve property values while also attracting tourists and visitors.

### ***Resource***

Village of Tarrytown NY Historic Districts and Landmarks  
Code of the Village of Tarrytown NY Chapter 191

#### **§ 191-1. Findings; purpose.**

A. The Tarrytown Board of Trustees hereby finds and declares that it is desirable to take measures to provide for the creation of historic districts and landmark sites and structures in furtherance of the following public purposes, which are found to promote the economic benefits, the cultural and educational advantages and the general welfare of the Village of Tarrytown:

(1) To provide for the protection and enhancement of structures which are illustrative of the growth and development of our nation, our state and our village and which are of particular historic or aesthetic value to Tarrytown.

(2) To recognize and ensure the preservation of those elements of the village's past which represent many and varied architectural, artistic and cultural achievements which cannot be duplicated or otherwise replaced.

(3) To promote the use of historic districts and landmark sites and structures as a means of providing enjoyment and unique educational benefit by perpetuating the physical evidence of Tarrytown's past.

(4) To stabilize and improve property values of such districts, sites and structures and otherwise promote their reuse.

(5) To protect and enhance the village's attractions to tourists and visitors. **[Amended 5-6-1991 by L.L. No. 5-1991]**

(6) To foster civic pride in those elements of the village's past which give Tarrytown its unique character and set it apart from other communities.

B. The Tarrytown Board of Trustees hereby further finds and declares that demolition or decay of historic landmarks and inappropriateness or poor quality of design in the exterior appearance of buildings erected in historic districts adversely affect the desirability of the immediate area and neighboring areas for residential and business or other uses and by so doing impair the benefits of occupancy of existing property in such areas, impair the stability and value of both improved and unimproved real property in such areas, prevent the most appropriate development of such areas and destroy a proper relationship between the taxable value of property in such areas and the cost of municipal services provided therefor.

#### **§ 191-2. Criteria for designating historic districts and landmarks.**

A. In order to promote the general welfare through the preservation and protection of buildings and structures of historical or architectural interest, the Board of Trustees may, from time to time, enact local laws creating historical districts and historical landmarks. In considering whether or not to create such district or landmark, the following criteria and definitions shall be followed.

B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

HISTORIC DISTRICT — An area of the village which is:

- (1) One having special character and special historic value;
- (2) Representing one or more periods or styles of art or architecture typical of one or more past eras; and
- (3) Geographically combining such factors in a distinct and identifiable portion of the village so as to constitute a discernible district.

HISTORIC LANDMARK — A building, structure or parcel of land, not located in a designated historic district, which possesses one or more of the following characteristics:

(1) Association with persons or events of historic significance to the village, region, state or nation;

(2) Illustrative of historic growth and development of the village, region or nation;

(3) In the case of structures, embodying distinctive characteristics of a type, period or method of construction or representing the work of a master or possessing unique architectural and artistic qualities or representing a significant and distinguishable entity; or

(4) Which has been duly included on the National Register of Historic Places maintained by the United States Secretary of the Interior or which has been duly included on the New York State Historic and National Districts Inventory or the New York State Archaeological Site Inventory maintained by the New York State Board of Historic Preservation.

C. The Board of Trustees may establish landmarks and historic districts, or rescind such designation, after application of the criteria in Subsections A and B. The Board of Trustees may act on its own motion and conduct an independent investigation into the proposed designation or rescission or it may refer the matter to any Board it deems appropriate for its consideration and recommendations. The Planning Board shall, in turn, refer the matter to the Architectural Review Board for its consideration and recommendations. Any recommendation shall include a statement of how the building or structure or district complies with or fails to comply with the applicable qualification criteria set forth in Subsection A and B. Notice of the proposed designation or rescission of such designation shall be sent by registered mail to the owner of the property proposed for designation, describing the property proposed and announcing a public hearing by the Board of Trustees to consider the designation. When the proposed designation or rescission of designation involves so many owners that individual notice is infeasible, notice may instead be provided by publication in the official newspaper designated for the purpose at least 10 days prior to the date of the public hearing. No building permits shall be issued until the Board of Trustees has rendered its decision. **[Amended 9-5-1989 by L.L. No. 12-1989]**

### **§ 191-3. Historic Grove Street District established.**

A. The Board of Trustees hereby designates the area consisting of all lots which front on either side of Grove Street between Neperan Road and East Elizabeth Street an historic district hereunder, to be known as the "Historic Grove Street District." The Board of Trustees hereby finds and declares that such area has special character and special historical value, such area represents one or more periods and styles of art and architecture of one or more past eras, such area geographically combines such factors in a distinct and identifiable portion of the village so as to constitute a discernible district and such area contains a significant number of buildings and structures that display the

architecture and related features of the latter part of the 19th century and are of construction and design typical of that period of American history, as follows:

(1) No. 1 Grove Street, the red brick Victorian edifice of the Historical Society of the Tarrytowns, with hardware and finishing touches of the period.

(2) No. 2 Grove Street, the white clapboard Victorian edifice with the tower facing the Hudson River, with hardware and finishing touches of the period intact.

(3) No. 8 Grove Street, the white clapboard mansard-roofed Victorian structure with the original hardware, marble fireplaces, fixtures, porcelain keyholes and locks and Victorian window treatment; also the barn with the original beams and window treatment.

(4) No. 15 Grove Street, the brick structure with the original plaster work in the dining room ceiling, the original marble fireplaces, the original unique stair treatment and the original porches on the front and rear of the building.

(5) No. 19 Grove Street, the Italianate building of the Historical Society, built of brick with the Victorian window treatment on the exterior as well as the interior, the marble fireplaces, original hardware and the unique circular stairway and tower in the rear of the building, the original porch also in the rear of the building.

B. The Board of Trustees further finds and declares, on the basis of its own inspection of such area and its consideration of the facts regarding such area that have previously been brought to its attention and that are set forth in the minutes of the Board of Trustees dated January 23, January 30, February 14, February 27 and March 13, all in 1978; and the meetings of the Planning Board dated January 17, February 14, March 21, June 13, July 11 and December 19, all in 1977, and February 1 and March 20, both in 1978, that without the encouragement and assistance of the village and the establishment of restrictions that will serve to protect, enhance and perpetuate the specific buildings, sites and representative character of the Historic Grove Street District, the aforesaid buildings and area which are important to the village as a whole, and to its character and preservation, may be so deteriorated as to become a blight upon the community.

#### **§ 191-4. Construal of provisions.**

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of any structure, whether a landmark or within an historic district or otherwise, which does not involve a change in design, material, color or outer appearance thereof.

#### **§ 191-5. Penalties for offenses; abatement of violations.**

A. Penalties for offenses.

(1) It shall be unlawful for any person, firm or corporation to construct, alter, repair, move, remove, demolish, equip, use, occupy, change the appearance of or maintain any building or structure or portion thereof which is a duly designated landmark or is located in a duly designated historic district hereunder, in violation of any provision of this chapter, or to fail in any manner to comply with a notice, directive or order of the Building Inspector hereunder or to construct, alter, use, occupy or destroy any building or structure or part thereof in a manner not permitted by an effective certificate of appropriateness or building permit or certificate of occupancy properly issued hereunder.

(2) Penalties shall be as provided in Chapter 1, General Provisions, Article II. **[Amended 5-6-1991 by L.L. No. 5-1991]**

B. Abatement of violations. Appropriate actions and proceedings may be taken at law or in equity to prevent unlawful construction or demolition or to restrain, correct or abate a violation of the provisions of Subsection A hereof or to prevent acts, conduct or business declared illegal in this chapter; and these remedies shall be in addition to the penalties prescribed in Subsection A hereof.