

VILLAGE OF LARCHMONT
LOCAL LAW # 13-2016

A local law to amend the Zoning Law by establishing limitations on placement and noise impacts of generators and HVAC (heating, ventilating, and/or air conditioning) equipment in certain zoning districts

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

Section One. Purpose and Intent.

To protect and preserve open space, neighborhood character, the environment, visual and aural aesthetics, and the welfare of the community, this local law establishes limitations on where generators and HVAC (heating, ventilating, and/or air conditioning) equipment may be located on lots within the One-Family Residence and Waterfront Coastal Zone Districts and provides for additional controls to limit the noise such equipment generates.

Section Two. Paragraph 381-41.J. of the Zoning Law of the Code of the Village of Larchmont is hereby added to read as follows:

§ 381-41. Supplementary standards for specific accessory uses and structures.

J. Generators and outdoor HVAC equipment. Generators and outdoor HVAC (heating, ventilating, and/or air conditioning) equipment shall be permitted outdoors as accessory structures in all One-Family Residence Districts and the Waterfront Coastal Zone District in accordance with all of the following requirements:

(1) A concrete or other paved pad or pads supporting such equipment shall not exceed eighty (80) square feet in total.

(2) Such equipment shall not be located in the front or side-front yard and shall be located in the rear yard wherever possible. Where such placement in the rear yard is impractical or infeasible, such equipment shall be located in a side yard as close to the principal building as possible, but in no circumstance shall the side yard setback of the equipment be less than one-half of the required side yard setback for the principal building.

(3) Such equipment shall be screened by vegetation of a type, height and density that provides for year-round screening, so that the generator or HVAC equipment shall not be visible at grade level from adjoining property or the public street. Such screening shall be maintained in good condition at all times.

(4) Such equipment shall comply with the maximum sound pressure levels set forth in section 195-3 of the Village Code. Additionally, the Building Inspector or appropriate land use board may require such equipment to be enclosed with materials specifically designed and intended to attenuate such sound so as to bring them down to the levels mandated by the Village Code. Post-installation testing to measure the adequacy of such noise attenuation and compliance with the Village Noise Code may be required.

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 hereof, which other portions shall continue in full force and effect.

Section Four. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.