

**NOTICE OF ADOPTION
LOCAL LAW 1-2025
MORATORIUM ON BUILDING PERMITS FOR
DUAL DRIVEWAY ACCESS TO A LEGAL LOT**

INCORPORATED VILLAGE OF MATINECOCK

The Board of Trustees of the Incorporated Village of Matinecock, Nassau County, New York, at a meeting of said Board duly called and held on Tuesday, January 28, 2025, at which a quorum was present and voting, after due notice and a public hearing, duly adopted, Local Law 1-2025 entitled, “*Moratorium on Dual Driveway Access*”.

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Matinecock as follows:

SECTION I. Legislative Intent and Purpose:

The Board of Trustees finds that permitting or allowing the construction of an additional driveway or driveways, that is not necessary or critical for providing a single means of access to a building lot from a private or public road, may have possible and potential adverse impacts on neighboring properties by generating additional traffic, creating unnecessary noise and light pollution and requiring the unwarranted disruption of the natural landscaping all for a driveway that is not essential to the property owner’s access or use and the enjoyment of his property.

It is the intent of the Board of Trustees to impose this temporary moratorium to allow it time to review the Village’s Zoning Ordinance and consider whether a permanent restriction on additional driveways should be adopted and thereafter enforced. The temporary suspension of construction will avoid unnecessary and irreparable destruction or damage to the physical elements of the Village, preserve the existing quality of life and property values in the Village, and secure the health, safety and general welfare of the community while the review is being conducted. This temporary action will accomplish the Village's objectives of considering the future of the Village.

ARTICLE I.

Section 1. Commencing January 28, 2025 and for a period of six (6) months thereafter, the Building Inspector is prohibited from issuing a building permit for, or allowing or permitting the construction of an additional driveway, which new driveway would provide additional access to a public or private road for any building lot which has existing access to a public or private road, no application for the construction of an additional driveway on a legal building lot shall be accepted, processed or approved by the Village. Any Building permit presently issued prior to December 15, 2024 for the construction of an additional driveway will remain in force and effect.

Section 2. The Board of Trustees may, by resolution, extend the moratorium provided for herein for up to two (2) ninety (90) day periods or, alternatively, to terminate the moratorium prior to its expiration.

Section 3. In the event that this local law causes a severe and substantial financial hardship to any property owner, an application may be made in writing to the Board of Trustees

requesting an exemption from the provisions of this law. The Board of Trustees may grant such exemption where, in its sole discretion, the Board of Trustees determines financial hardship exists as a result of the application of the provisions of this law. If an application is granted, the Board of Trustees may impose any conditions it deems reasonable or necessary.

ARTICLE II.

If any section, provision or part of this local law shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the local law as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

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

By Order of the Board of Trustees
Jennifer A. Zoufaly
Village Clerk/Treasurer

Dated: February 13, 2025