

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN by the Town Board of the Town of Ramapo, that pursuant to the provisions of the Town Law of the State of New York, a public hearing will be held at 7:00 o'clock P.M. (Prevailing Time) at the Ramapo Town Hall, 237 Route 59, Suffern, New York, 10901, on the 14th day of June, 2017, to consider the adoption of a local law entitled **“A LOCAL LAW AMENDING LOCAL LAW NO. 10-2004 (ZONING LAW), AS AMENDED, IN RELATION TO THE DEFINITION OF GROSS FLOOR AREA”** which local law shall provide as follows:

(INSERT LOCAL LAW ATTACHED HERETO)

NOTICE IS HEREBY FURTHER GIVEN that all interested persons will be given an opportunity to be heard.

Dated: Suffern, New York
May 25, 2017

TOWN BOARD OF THE TOWN OF RAMAPO

By YITZCHOK ULLMAN
DEPUTY ULLMAN

CHRISTIAN G. SAMPSON
Town Clerk

MICHAEL L. KLEIN, ESQ.
Town Attorney, Town of Ramapo
Town Hall, 237 Route 59
Suffern, New York 10901

LOCAL LAW NO.

**A LOCAL LAW AMENDING LOCAL LAW NO. 10 – 2004
(ZONING LAW), AS AMENDED, IN RELATION TO THE
DEFINITION OF GROSS FLOOR AREA**

**BE IT ENACTED, BY THE TOWN BOARD OF THE TOWN OF RAMAPO AS
FOLLOWS:**

Section 1. Legislative Intent and Findings.

Definitions within the Town of Ramapo’s Zoning Law applicable to the calculation of floor area ratio (“FAR”) are confusing in some situations involving basement space.

“Floor Area Ratio” is defined as “The gross floor area of all buildings on a lot divided by the area of the lot.” “Gross Floor Area” is defined in relevant part as “A. The sum of the gross horizontal area of every floor of a building measured from the inside perimeter of the exterior walls of the building or from the inside perimeter of the exterior walls to the interior of the party walls separating the two buildings, including:

- (1) Basement space, but excluding non-habitable space below grade (subbasement) devoted to mechanical equipment, or accessory storage.

The term “subbasement” is not defined elsewhere in the Zoning Law nor in the NYS Uniform Fire Prevention and Building Code. Ramapo’s definition of “basement” is defined as that term is used in the NYS Uniform Fire Prevention and Building Code. For the purpose of calculating FAR, it will be clearer to eliminate the reference to “subbasement” and to instead rely only on the reference to and definition of “basement”. Thus, basement space that is non-habitable devoted to mechanical equipment or storage will be excluded from the calculation of gross floor area accomplishing the same result as in the current definitions, but with less confusion. The Term “accessory storage” is being replaced with “storage” as the reference to “accessory” is superfluous.

Section 2. Amendment to Zoning Law Definitions.

Amend Section 376-5 “Definitions” “Gross Floor Area” to read as follows:

GROSS FLOOR AREA –

- A. The sum of the gross horizontal area of every floor of a building measured from the inside perimeter of the exterior walls of the building or from the inside perimeter of the

exterior walls to the interior of the party walls separating the two buildings, including:

- (1) Basement space, but excluding nonhabitable space ~~below grade (subbasement)~~ devoted to mechanical equipment, or accessory storage.
 - (2) Attic space, whether or not a floor has been laid, over which there is a structural headroom of six feet three inches or more.
- B. Regardless of the internal arrangement of a building, it shall be deemed to have at least one floor for each 20 feet of height or a major fraction thereof. However, "floor area" does not include:
- (1) Terraces, porches and steps.
 - (2) Crawl space.
 - (3) Stairways/stairwells.