

**INCORPORATED VILLAGE OF EAST HILLS
BOARD OF TRUSTEES
PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2025**

A LOCAL LAW AMENDING CHAPTER 271, SECTIONS 266 AND 267 OF THE VILLAGE CODE WITH RESPECT TO THE CLASSIFICATIONS OF IMPERVIOUS SURFACES AND SUBSTANTIALLY IMPROVED STRUCTURES AS THEY PERTAIN TO STANDARDS FOR STORMWATER RETENTION.

The Board of Trustees of the Incorporated Village of East Hills enacts into local law the following amendment:

Section 1: Purpose and intent.

This Local Law aims to clarify regulations regarding the on-site retention and discharge of stormwater runoff, with a specific focus on impervious surfaces and artificial turf, in response to new construction trends. Additionally, the definition of "substantially improved structures" is amended to align with definitions in other sections of the Village of East Hills Code.

Section 2: Content.

Section 271-266 "Construction or alteration" is repealed, and in its place is inserted the following provision:

§ 271-266. Construction or alteration.

Any construction or alteration upon any lot that results in an increase of impervious surface on such lot equal to or greater than 200 square feet must include facilities for on-site retention and discharge of stormwater runoff from the added area of impervious surface. Impervious surfaces include, but are not limited to, roofs, driveways, on-grade and raised patios, athletic courts, swimming pools and spas, accessory equipment, retaining walls, window wells, areas of artificial turf, stepping stones, piers, egress wells, walkways and stoops. Areas of permeable materials and decks are excluded from calculations of impervious surfaces. In instances where runoff from new rear yard patios, athletic courts and impervious surfaces, in the opinion of the Code Enforcement Official, will not have an adverse effect on adjoining or down-slope properties, the Code Enforcement Official shall have the authority to allow exceptions to these requirements.

Section 271-267 “New or substantially improved structures” is repealed, and in its place is inserted the following provision:

§ 271-267 New or substantially improved structures.

All new or substantially improved structures shall provide for the on-site stormwater retention for the entire structure and all impervious surfaces on the subject property. A "substantially improved structure" is defined as the enlargement, replacement or alteration of any structure where the new work area exceeds 50% of the existing building area or which would classify as a Level 3 alteration by the Existing Building Code of NYS.

Section 3: Separability.

If any section or provision of this local law shall be adjudged to be invalid or ineffective by any Court or competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law or its remainder, and shall be confined in its operation to the section or provision or part of this local law which is directly involved in the controversy in which a judgment was rendered.

Section 4: Effective Date.

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