

542 WARBURTON AVE

HASTINGS-ON-HUDSON, NY

**4,995 SF RETAIL
BUILDING FOR SALE**

**3-STORY BUILDING IN
THE HEART OF DOWNTOWN
HASTINGS-ON-HUDSON**

**RARE FRONT AND BACK
STOREFRONT SPACE**

**HIGH VISIBILITY ON BOTH
AVENUE AND PLAZA SIDES
FOR TWO RETAIL TENANTS**

**'TOP TIER' HASTINGS
RESIDENTS EARN MORE THAN
TWICE THE NY STATE AVG.
MEDIAN HH INCOME**

RM FRIEDLAND
COMMERCIAL REAL ESTATE SERVICES

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THE OPPORTUNITY

This well-located property plays a crucial role for those who live in the local community of Hastings-on-Hudson, which is a perfect example of shoppers choosing to shop local. While both downtown and highway retail properties have their unique advantages, downtown retail properties, such as this one, are often considered more desirable. Highway retail properties, while convenient for quick stops, often lack the same level of ambiance and variety, which can affect consumer satisfaction and loyalty. The village has a reputation for being affluent, which can translate into a more robust consumer base with higher disposable income. This demographic can be favorable for retail businesses, particularly those offering premium or niche products. One of the primary advantages of downtown retail properties is their high visibility and foot traffic. Downtown areas are typically bustling with activity, attracting both locals and day visitors. This constant flow of potential customers increases the likelihood of spontaneous purchases and brand exposure. Capitalizing on an opportunity such as this one will not only have positive economic impacts on the surrounding community, it fosters a dynamic and resilient commercial environment resulting in a positive return on investment.

THE LOCATION

Hastings-on-Hudson is known for its picturesque setting along the Hudson River and its charming small-town atmosphere. This is attractive to both businesses and consumers, driving higher foot traffic to retail establishments. The Village offers a high quality of life with good schools, parks, and recreational activities, attracting residents, who in turn support local businesses and retail establishments. Downtown retail and office properties are more accessible to a broader range of consumers creating a vibrant atmosphere that encourages longer visits and higher spending. Retail and office properties in such areas benefit from local support and community-driven events that boost foot traffic and sales. Hastings-on-Hudson is only located about 20 miles north of Manhattan so its proximity to NYC offers businesses access to a large metropolitan market while benefiting from a quieter suburban environment, which is especially appealing for commuters and small business owners looking for a balance between city and suburban life.

2 | PROPERTY DESCRIPTION



PROPERTY INFORMATION

ADDRESS: 542 Warburton Ave, Hastings-On-Hudson, NY
SECTION: 4.70
BLOCK: 49
LOT: 10
LOT SIZE: 1,742 SF | 0.04 Acres
LOT DIMENSIONS: 21.2' X 83.5'

BUILDING INFORMATION

BUILDING SIZE: 4,995 SF
BUILDING DIMENSIONS: 21' x 71'
STORIES: 3
ZONING: Zoning District: CC
Central Commercial District
ASSESSMENT (23/24): \$781,700
REAL ESTATE TAXES (23/24): \$18,184
DESCRIPTION: Three story commercial building located in the heart of downtown Hastings with high visibility on both front and back of the property due to its' location at the municipal parking lot.

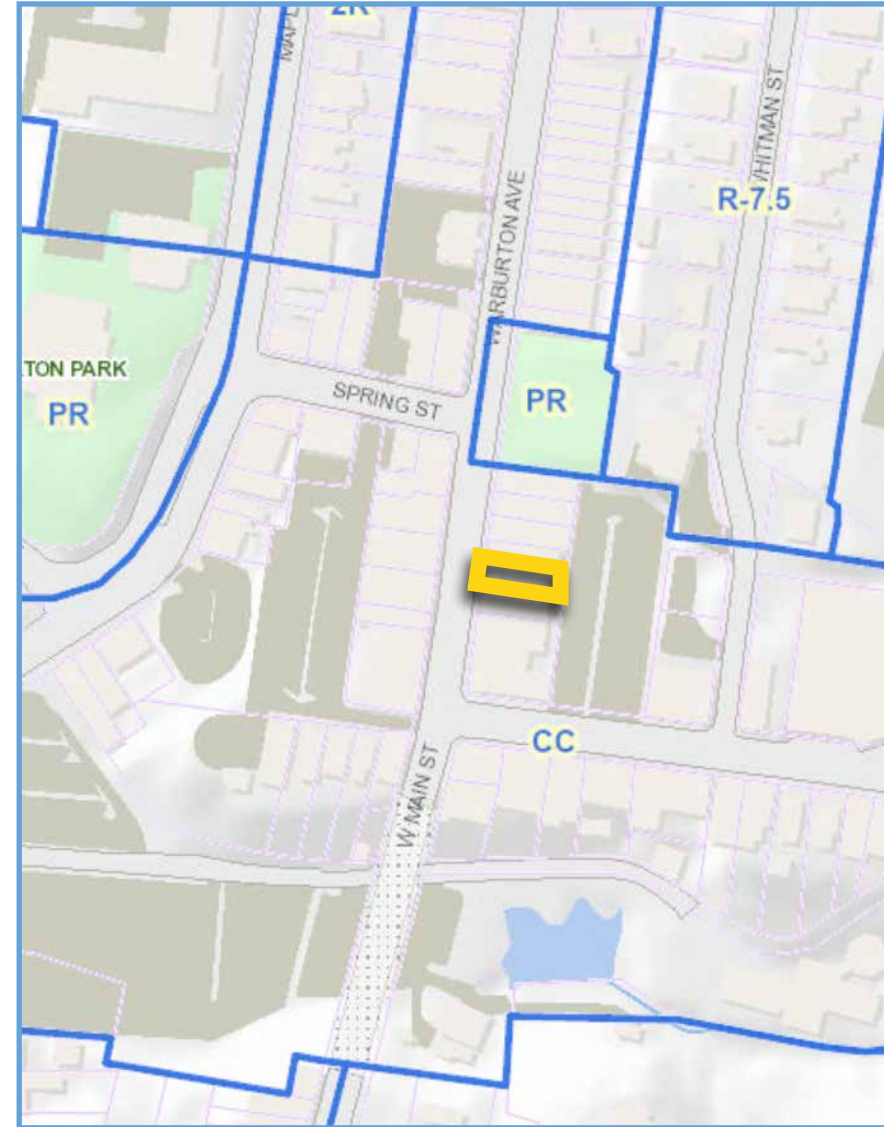
PROPERTY IMAGES | FRONT



PROPERTY IMAGES | BACK



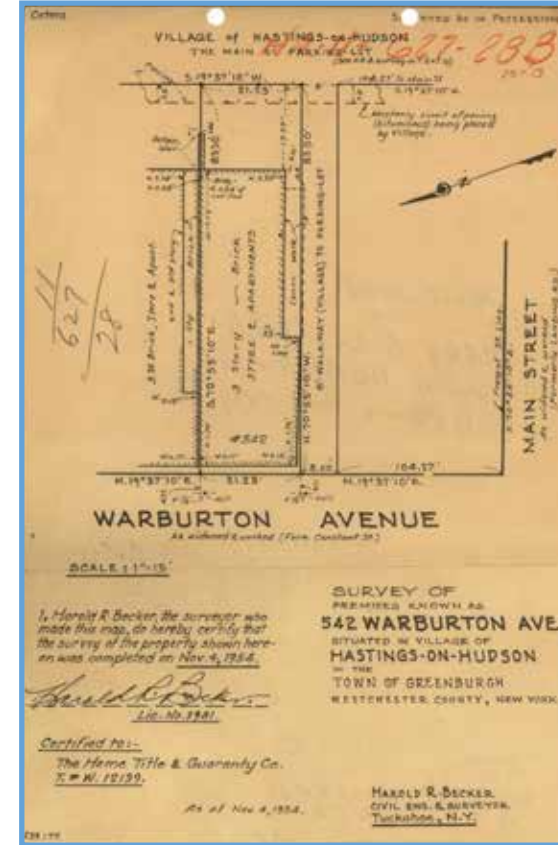
ZONING MAP




TAX MAP



SURVEY CARD




PROPERTY CARD



TOWN OF GREENBURGH
 177 Hillside Ave
 Greenburgh, NY 10607
 (914) 989-1520

PROPERTY DATA CARD (Online)

Location: 542 WARBURTON AVE		Parcel ID: 4.70-49-10		Class: 482 - Row Type Store Det, no Party Walls	
Location		General Information		Special Districts	
542 WARBURTON AVE HASTINGS ON HUDSON, NY 10706		Living Units Alternate ID: 4094570 School District Former SBL: 10/11/0627/28B Additional Lots Zoning: CC		NY001 - NO. YONKERS DISTRICT WR001 - COUNTY REFUSE DIST	
Land Information		Assessment Information			
Total Acres: 0.04		Land	Building	Total	Yr
Square Feet: 1,742		286,100	495,600	781,700	'24
Property Notes					
Recent Sales/Ownership History		Tax Data			
Date	Price	Sale Type	Arms Length	Reference #	Type
5/6/2005	\$0		No	45132/422	
Tax Data		Assessment		Exemptions	
County/Town Tax	\$2,216.68 (2024)	611,800	'23	County / Town	School
School Tax	\$12,413.74 (2023)	611,800	'22	NO	NO
* Village Tax	\$3,466.87 (2023)	611,800	'22		0
Total		\$18,240.90			
Total tax amount may contain exemptions * Village Tax does not apply if parcel ID begins with 7 or 8					
Recent Permit Information					
Permit Date	Permit #	Price	Description		



3 | LOCATION OVERVIEW

Hastings-On-Hudson, NY, offers businesses a unique advantage with its picturesque setting and proximity to New York City. Nestled along the Hudson River, this village provides a serene environment that attracts a steady flow of visitors and residents seeking a high quality of life, making it an ideal location for businesses catering to affluent consumers. With its proximity to major metropolitan areas, Hastings-On-Hudson benefits from the economic strength of New York City while offering a more relaxed and attractive atmosphere for both customers and employees. The village's well-maintained parks, scenic trails, and waterfront views draw in both locals and tourists, providing a steady stream of potential customers for businesses focused on leisure, recreation, and hospitality.

Hastings-On-Hudson boasts a highly educated and affluent community, making it an attractive market for businesses in professional services, creative industries, and upscale retail. The presence of excellent schools and a culturally rich environment means that the village attracts professionals and families with high disposable incomes, creating opportunities for businesses in sectors such as finance, health care, real estate, and boutique retail. With a community that values sustainability and forward-thinking, businesses that prioritize environmental responsibility and innovation are well-positioned to thrive here. The engaged, progressive population also supports local businesses, creating a strong sense of loyalty and community participation. For businesses looking to blend urban opportunity with suburban appeal, Hastings-On-Hudson is a prime location.

DINING



HARVEST ON THE HUDSON

PARKS



MACEACHRON PARK

MASS TRANSIT



METRO NORTH TRAIN STATION

CULTURE



OLD TOWN HASTINGS

TOP TIER

58% of the Hastings-On-Hudson population can be categorized as 'Top Tier', with residents earning more than three times the US household income. They enjoy an affluent lifestyle, spending generously on luxurious homes, upscale salons, spas, fitness centers, and frequent vacations, both domestic and international. Their leisure activities include attending operas, classical concerts, charity events, and shopping at high-end retailers. These highly educated professionals, many of whom have postgraduate degrees and accumulated wealth exceeding \$3 million, often work in consulting or run their own businesses. Despite their busy schedules, they make time for personal wellness and family, while actively managing their substantial investment portfolios.

Married couples, often with older children, dominate the market, and homeownership is prevalent, with high property values and above-average mortgage usage. These residents live in suburban neighborhoods near major metropolitan areas, especially along the coasts. With disposable income to spare, they make home improvements, and stay informed through media like newspapers, radio, and the internet. Their focus on long-term financial security includes a range of insurance policies and active retirement investments, all while maintaining a strong commitment to their families and communities.

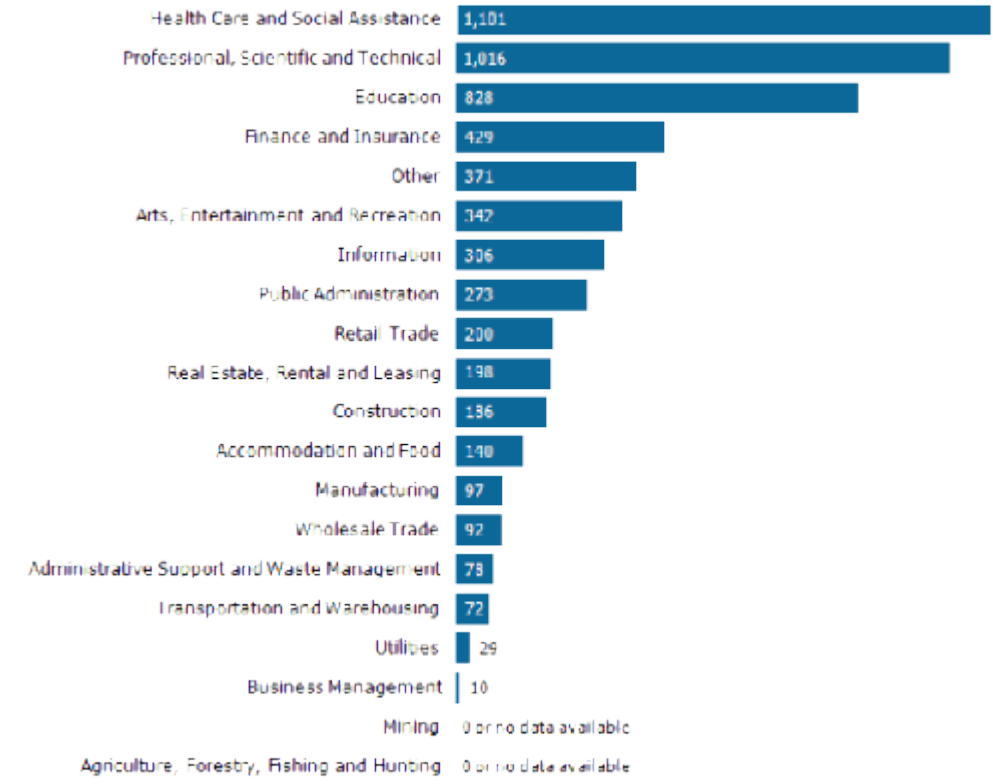


DEMOGRAPHIC SNAPSHOT

HASTINGS-ON-HUDSON

Estimated Population (2023)	9,807
Projected Population (2028)	9,637
Daytime Population (2023)	10,292
Population Growth Since 2010	+0.05%
Estimated Population Density (2023)	2,658
Average Household Size	2.84
Female / Male Ratio (2023)	51.9% / 48.1%
Projected Female / Male Ratio (2028)	52 / 48%
Median Age	49.3
Age 19 Years or Less	2,177 (22.2%)
Age 20 to 59 Years	4,266 (43.5%)
Age 60 Years or Over	3,364 (34.3%)
High School/GED Graduate	9.2%
College Graduate	37.1%
Graduate/Professional Degree	43.7%
Median Household Income	\$182,693
Per Capita Income	\$94,659
Median Home Value	\$1,066,120
Median 12 Month Change in Value (Est.)	+6.3%

EMPLOYMENT BY INDUSTRY (2023)



AREA MAP



CONFIDENTIALITY

This is a confidential brochure intended solely for your limited use and benefit in determining whether you desire to express any further interest in the purchase of 542 Warburton Ave, Hastings-On-Hudson, NY (the "Property").

This brochure was prepared by RM Friedland LLC, ("RMF"), in its role as Advisor and Exclusive Sales Agent and has been reviewed by representatives of Ownership. It contains selected information pertaining to the Property and does not purport to be all-inclusive or to contain all of the information which prospective purchasers may desire. It should be noted that all financial projections are provided for general reference purposes only in that they are based on assumptions relating to the general economy, competition, and other factors beyond the control of RMF or Owner(s) and, therefore, are subject to material variation. Additional information and an opportunity to inspect the Property and plans will be made available to interested and qualified investors. Neither Owner(s), RMF nor any of their respective officers nor employees, have made any representation or warranty, expressed or implied, as to the accuracy or completeness of this brochure or any of its contents, and no legal commitments or obligations shall arise by reason of this brochure or any of its contents. All square footage measurements must be independently verified.

Owner(s) expressly reserve the right, at its sole discretion, to reject any or all expressions of interest or offers to purchase the Property and/or to terminate discussions with any entity at any time with or without notice. Owner(s) shall have no legal commitment or obligation to any entity reviewing this brochure or making an offer to purchase the Property unless and until a written agreement satisfactory to Owner(s) has been fully executed, delivered, and approved by Owner(s) and any conditions to Owner(s) obligations thereunder have been satisfied or waived.

By receipt of this brochure, you agree that this brochure and its contents are of a confidential nature, that you hold and treat it in the strictest confidence, and that you will not disclose this brochure or any of its contents to any other entity without the prior written authorization of Owner(s) nor will you use this brochure or any of its contents in any fashion or manner detrimental to the interest of Owner(s) or RM Friedland LLC.

It is essential that all parties to real estate transactions be aware of the health, liability and economic impact of environmental factors on real estate.

RMF does not conduct investigations or analysis of environmental matters and, accordingly, urges its clients to retain qualified environmental professionals to determine whether hazardous or toxic wastes or substances (such as asbestos, PCB's and other contaminants or petrochemical products stored in underground tanks) or other undesirable materials or conditions are present at the Property and, if so, whether any health danger or other liability exists. Such substances may have been used in the construction or operation of buildings or may be present as a result of previous activities at the Property. Various laws and regulations have been enacted at the federal, state and local levels dealing with the use, storage, handling, removal, transport and disposal of toxic or hazardous wastes and substances.

Depending upon past, current and proposed uses of the Property, it may be prudent to retain an environmental expert to conduct a site investigation and/or building inspection. If such substances exist or are contemplated to be used at the Property, special governmental approvals or permits may be required. In addition, the cost of removal and disposal of such materials may be substantial. Consequently, legal counsel and technical experts should be consulted where these substances are or may be present.

While this brochure contains physical description information, there are no references to condition. Neither Owner(s) nor RMF make any representation as to the physical condition of the Property.

Prospective purchasers should conduct their own independent engineering report to verify property condition. In this brochure, certain documents, including leases and other materials, are described in summary form. The summaries do not purport to be complete nor, necessarily, accurate descriptions of the full agreements involved, nor do they purport to constitute a legal analysis of the provisions of the documents. Interested parties are expected to review independently all relevant documents.

The terms and conditions stated in this section will relate to all of the sections of the brochure as if stated independently therein. If, after reviewing this brochure, you have no further interest in purchasing the Property at this time, kindly return this brochure to RMF at your earliest possible convenience. Photocopying or other duplication is not authorized. This brochure shall not be deemed an indication of the state of affairs of Owner(s), nor constitute an indication that there has been no change in the business or affairs of Owner(s) since the date of preparation of this brochure.

Once you have expressed an offer to acquire the property and have demonstrated certain bonafides satisfactory to owner, certain further and additional information may be provided in order for you to complete your due diligence investigation.

Zoning is a critical factor in the value of this property. All zoning information must be independently verified.

ZONING

FAR	LOT AREA
0.51	UNDER 3,500
0.51	3,500.00
0.508	3,600.00
0.507	3,700.00
0.505	3,800.00
0.503	3,900.00
0.502	4,000.00
0.5	4,100.00
0.498	4,200.00
0.497	4,300.00
0.495	4,400.00
0.493	4,500.00
0.492	4,600.00
0.49	4,700.00
0.488	4,800.00
0.487	4,900.00
0.485	5,000.00
0.48	5,100.00
0.475	5,200.00
0.47	5,300.00
0.465	5,400.00
0.46	5,500.00
0.455	5,600.00
0.45	5,700.00
0.445	5,800.00
0.44	5,900.00
0.435	6,000.00
0.43	6,100.00
0.425	6,200.00
0.42	6,300.00
0.415	6,400.00
0.41	6,500.00
0.405	6,600.00
0.4	6,700.00

FAR	LOT AREA
0.395	6,800.00
0.39	6,900.00
0.385	7,000.00
0.383	7,100.00
0.381	7,200.00
0.379	7,300.00
0.377	7,400.00
0.375	7,500.00
0.373	7,600.00
0.371	7,700.00
0.369	7,800.00
0.367	7,900.00
0.365	8,000.00
0.363	8,100.00
0.361	8,200.00
0.359	8,300.00
0.357	8,400.00
0.355	8,500.00
0.353	8,600.00
0.351	8,700.00
0.349	8,800.00
0.347	8,900.00
0.345	9,000.00
0.343	9,100.00
0.341	9,200.00
0.339	9,300.00
0.337	9,400.00
0.335	9,500.00
0.333	9,600.00
0.331	9,700.00
0.329	9,800.00
0.327	9,900.00
0.325	10,000.00
0.324	10,100.00

FAR	LOT AREA
0.323	10,200.00
0.322	10,300.00
0.321	10,400.00
0.32	10,500.00
0.319	10,600.00
0.318	10,700.00
0.317	10,800.00
0.316	10,900.00
0.315	11,000.00
0.314	11,100.00
0.313	11,200.00
0.312	11,300.00
0.311	11,400.00
0.31	11,500.00
0.309	11,600.00
0.308	11,700.00
0.307	11,800.00
0.306	11,900.00
0.305	12,000.00
0.304	12,100.00
0.303	12,200.00
0.302	12,300.00
0.301	12,400.00
0.3	12,500.00
0.299	12,600.00
0.298	12,700.00
0.297	12,800.00
0.296	12,900.00
0.295	13,000.00
0.294	13,100.00
0.293	13,200.00
0.292	13,300.00
0.291	13,400.00
0.29	13,500.00

FAR	LOT AREA
0.289	13,600.00
0.288	13,700.00
0.287	13,800.00
0.286	13,900.00
0.285	14,000.00
0.284	14,100.00
0.283	14,200.00
0.282	14,300.00
0.281	14,400.00
0.28	14,500.00
0.279	14,600.00
0.278	14,700.00
0.277	14,800.00
0.276	14,900.00
0.275	15,000.00
0.274	15,100.00
0.273	15,200.00
0.272	15,300.00
0.271	15,400.00
0.27	15,500.00
0.269	15,600.00
0.268	15,700.00
0.267	15,800.00
0.266	15,900.00
0.265	16,000.00
0.264	16,100.00
0.263	16,200.00
0.262	16,300.00
0.261	16,400.00
0.26	16,500.00
0.259	16,600.00
0.258	16,700.00
0.257	16,800.00
0.256	16,900.00

FAR	LOT AREA
0.255	17,000.00
0.254	17,100.00
0.253	17,200.00
0.252	17,300.00
0.251	17,400.00
0.25	17,500.00
0.249	17,600.00
0.248	17,700.00
0.247	17,800.00
0.246	17,900.00
0.245	18,000.00
0.244	18,100.00
0.243	18,200.00
0.242	18,300.00
0.241	18,400.00
0.24	18,500.00
0.239	18,600.00
0.238	18,700.00
0.237	18,800.00
0.236	18,900.00
0.235	19,000.00
0.234	19,100.00
0.233	19,200.00
0.232	19,300.00
0.231	19,400.00
0.23	19,500.00
0.229	19,600.00
0.228	19,700.00
0.227	19,800.00
0.226	19,900.00
0.225	20,000.00
0.225	OVER 20,000

PERMITTED USES

§ 295-76. Central Commercial (CC) Districts.

[Amended 10-3-2000 by L.L. No. 2-2000; 1-21-2003 by L.L. No. 1-2003]

A. Principal uses. The following uses are permitted principal uses in a CC District:

- (1) Banks and restaurants, without drive-throughs only.
- (2) Personal service establishments.
- (3) Other service establishments, but excluding gasoline filling stations and motor vehicle storage, repair or service establishments.
- (4) Outlets and pickup stations for laundries and cleaning establishments. Washing of apparel on the premises is prohibited. Complete cleaning of wearing apparel or household effects on the premises is permitted only if noncombustible solvent is used.
- (5) Production and processing of goods, provided that such goods are to be sold at retail on the premises, the area so used does not exceed 40% of the retail area, and the installation will not have an adverse effect on neighboring uses.
- (6) Business and professional and Village-related governmental offices.
- (7) Funeral parlors.
- (8) Copying, offset, and incidental job printing.
- (9) Municipal parking lots and parking structures.
- (10) Self-service and hand laundries.
- (11) Places of worship.
- (12) Membership clubs.
- (13) Public utility structures.
- (14) Governmental offices in existence on January 21, 2003.
- (15) Retail uses except the sale of motor vehicles.
- (16) Mixed-use buildings, provided that: [Amended 4-19-2005 by L.L. No. 5-2005]
 - (a) Any residential dwelling unit contained therein has a minimum gross floor area of 500 square feet.
 - (b) Only nonresidential uses are permitted on the ground

floor. The Planning Board, however, after a public hearing held upon the same notice as that required for a zoning variance, may, in its discretion, permit residential use on the ground floor in the CC District, but only if such residential use is not located on that portion of the ground floor story that abuts a street, is compatible with neighboring properties, and is consistent with the commercial nature of the CC District.

- (c) Artist studios shall be permitted above the ground floor story.
- (17) Museums and cultural uses in existence on January 21, 2003.

B. Principal uses requiring a special use permit. The following uses are permitted principal uses in a CC District but require a special use permit issued pursuant to Article X of this chapter:

- (1) Hotels, provided that:
 - (a) A hotel may be located on a lot with retail, office or other commercial uses allowed as a permitted use or by special use permit in the CC District, but shall not be permitted in combination with multifamily dwellings or any residential use.
 - (b) The maximum length of stay of any guest room shall be limited to 15 days in any thirty-day period. A guest register logging the time and departure of all guests shall be available for review at all times.
 - (c) A hotel may include the following accessory uses: conference rooms, dining areas, banquet facilities, indoor fitness area, retail shops and administrative offices or any other use that the Zoning Board of Appeals determines to be customary and incidental to a hotel use.
 - (d) Guest rooms are permitted food storage and microwave ovens. Refrigerated food storage is limited to six-cubic-foot capacity storage units. Microwave ovens shall be utilized on a table or bench not to exceed 36 inches in height. Nothing herein shall permit kitchenettes or kitchens within a guest unit.
 - (e) Each guest room shall be served individually by a bathroom.

(f) The hotel shall be in compliance with this chapter and all applicable building, electrical, health, fire and other safety codes.

- (g) The special use permit shall specify the maximum number of guest rooms approved by the Zoning Board of Appeals.
- (h) Every application for a hotel special use permit shall be accompanied by a fee to be set by the Board of Trustees.
- (i) A hotel permit expires after five years or on change of ownership. In such cases, the owner has 60 days to renew the permit.

(j) Anyone operating a hotel without a special use permit shall be guilty of an offense punishable by a fine of not less than \$1,000. Each month's continued violation will constitute a separate additional violation. Further, violation of any condition in this section or imposed by the granting of the permit shall lead to revocation of the permit.

(k) A hotel use shall require site plan approval from the Planning Board.

C. Accessory uses. The following uses are permitted accessory uses in a CC District but only in conjunction with a principal use that is permitted in a CC District:

- (1) Any accessory use permitted in an LC District as set forth in § 295-75B above.
- (2) Signs accessory to an establishment, located on the same lot, provided that:
 - (a) Not more than one such sign shall be permitted for each tenant on the premises on each wall fronting on a street.
 - (b) The aggregate area of all permanent or wall signs shall be no greater than the length of such wall in feet times two.
 - (c) In addition, where the building is set back from the street line a distance of 25 feet or more, one freestanding sign, with a total area of not more than 80 square feet, may be erected. No such freestanding signs shall encroach on any required yard.
 - (d) Any sign permitted under this section must be approved by the Architectural Review Board and must comply with the provisions of Chapter 234, Signs, of the Hastings-on-Hudson Code.

D. Minimum lot size and width. Subject to the provisions of Subsections A through C, all lots in a CC District shall have an area of at least 2,500 square feet and a width of at least 20 feet.

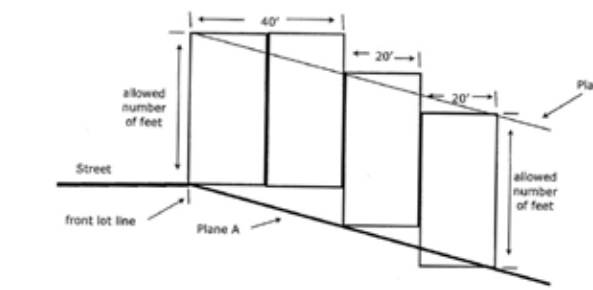
E. Required yards; maximum building height and coverage. Subject to the provisions of Subsections A through C and § 295-82C and the design guidelines for the Central Commercial District adopted by the Board of Trustees, each building and structure in a CC District shall have: [Amended 11-16-2010 by L.L. No. 8-2010]

- (1) No required front yard, except where the Planning Board finds that an absence of front yard would adversely impact existing views as determined in accordance with the provisions of § 295-82, or would impede traffic. In such case, the Planning Board may require a front yard up to 10 feet deep;
- (2) A rear yard at least 10 feet deep at the ground floor and 20 feet above the ground floor; but if either side or the rear of the lot is adjacent to a residence district then the rear yard shall be at least 30 feet deep;
- (3) No side yard, except that where a side yard adjoins either a residence district or a one- or two-family dwelling, in which case a side yard shall be provided at least 10 feet deep; and
- (4) A maximum height of 40 feet and no more than three stories except as follows:

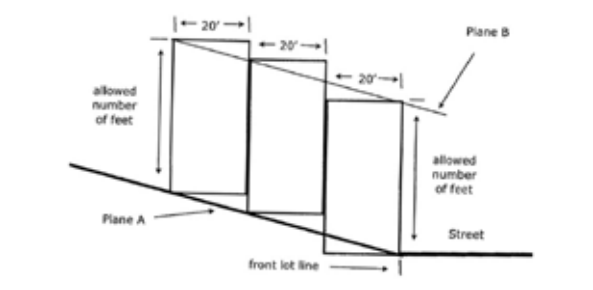
[Amended 12-16-2008 by L.L. No. 29-2008]

- (a) Where Plane B (NOTE: Plane B is defined in § 295-5, Height, Building, Subsection B.) slopes down from the front lot line, a structure that does not exceed 40 feet in height measured at the front lot line (or at any required setback) may extend horizontally at up to such height toward the rear lot line for the greater of: 40 feet from the front lot line (or required setback) or 20 feet after it has exceeded Plane B, at which point it must come down to or below the height of Plane B. Thereafter, it may, one or more times, extend horizontally at up to such height toward the rear lot line until it exceeds the height of Plane B for 20 feet, at which point it must come down below the

height of Plane B, except that no portion of the 20 feet of the structure closest to the rear lot line (or required setback) may exceed Plane B. See diagram of side view below.



- (b) Where Plane B (NOTE: Plane B is defined in § 295-5, Height, Building, Subsection B.) slopes up from the front lot line, a structure that does not exceed 40 feet in height measured at the front lot line (or at any required setback) may extend horizontally at up to such height toward the rear lot line to a point 20 feet or more from the front lot line (or required setback). Thereafter, it may, one or more times, step up to a height such that it will be below Plane B when extended horizontally at up to such height for 20 feet toward the rear lot line, except that the last 20 feet of the structure closest to the rear lot line (or required setback) must end below Plane B. See diagram of side view below.



- (c) On steeply sloped sites (a ten-foot change in elevation from the front lot line to the rear lot line), an increase of an additional floor may be permitted by the Planning Board, provided:

- [1] The site slopes downward from the street line and the lowest story is below street grade; or
- [2] The site slopes upward from the street line and the fourth story is set back from the front lot line (or any required setback) by no less than 20 feet;
- [3] The maximum height does not exceed 40 feet as measured and determined in § 295-5 (Building Height) and § 295-76E(4); and [4] Any structure with an additional floor shall meet all requirements set forth in § 295-82, View Preservation (VP) Districts.

F. Facade changes. [Amended 11-16-2010 by L.L. No. 8-2010]

- (1) All construction, reconstruction, and alterations to buildings or structures within the CC District shall conform to any design guidelines duly adopted by the Board of Trustees for the CC District.
- (2) Where site plan review and approval is required by the Planning Board, said site plan, including building elevations or renderings, shall be referred to the Architectural Review Board, which shall serve in an advisory capacity to said Planning Board. No further review and approval by the Architectural Review Board is required for issuance of a building permit if the Architectural Review Board has issued a favorable recommendation to the Planning Board during site plan review.
- (3) Any alteration to a facade or roof of a building or structure that does not require site plan approval or a building permit, including but not limited to changing a window, door, awning, or siding, but not including painting, shall be approved by the Architectural Review Board.
- (4) A disapproval by the Architectural Review Board under this section may be appealed to the Hastings-on-Hudson Zoning Board of Appeals in the same manner as is provided in § 295-140 of this Chapter.

APPLICABLE REGULATIONS

Regulations Applicable to All Districts

§ 295-12. Application of general regulations. The regulations set forth in this article shall apply in all zoning districts.

§ 295-13. Conformity required.

No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations specified in this chapter for the district in which it is located or is to be moved.

§ 295-14. Completion of structures issued building permit before chapter.

Nothing in this chapter shall be deemed to require any change in the plans, construction or designated use of any building for which a building permit was duly issued and on which actual construction was lawfully begun and diligently carried on prior to the adoption of this chapter, provided that the building shall be completed within 12 months after the passage of this chapter.

"Actual construction" is hereby defined to be the actual placing of construction materials in their permanent position, fastened in a permanent manner, except that where a basement or cellar is being excavated, such excavating shall be deemed to be actual construction, or where demolition or removal of an existing structure has been begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction. Similarly, whenever a district shall be changed hereafter, the provisions of this chapter with regard to building permits issued prior to the passage of this chapter shall apply to building permits issued for construction in that changed district before the time the amendment effecting the change becomes effective.

§ 295-15. Conflicting standards.

In case of conflict between this chapter and any other Village statute, bylaw, local law or regulation, the more restrictive standard shall apply. Examples of such standards would include but not be limited to greater width or size of yards or other open spaces; or a lower height of building; or a fewer number of stories; or a greater percentage of lot area to be left unoccupied.

§ 295-16. Environmental matters.

The use, reuse, development or redevelopment of all lots, buildings, structures or open lands shall be subject to review in accordance with the environmental review procedures established in the State Environmental Quality Review Act (SEQRA),¹ and

the regulations promulgated pursuant thereto and in the following chapters of the Hastings-on-Hudson Code: Steep Slopes (Ch. 249); Tree Preservation (Ch. 273); Flood Damage Prevention (Ch. 146); Environmental Quality Review (Ch. 131), and any other applicable local laws relating to matters regulating the natural or man-made environment.

1. Editor's Note: See Environmental Conservation Law Article 8.

Accessory building attached to main building. Anything in this chapter to the contrary notwithstanding, if any accessory building is attached to a main or principal building, including attachment by means of a breezeway or a roofed passageway, that attached accessory building shall comply in all respects with the requirements of this chapter applicable to the main building. All other accessory buildings shall comply with the requirements for accessory buildings as set forth in this chapter.

§ 295-18. Building lots and open spaces.

A. Lot measurements. All measurements herein shall be deemed to run to and from the pertinent property lines, excepting only in the case of a property owner whose title runs beyond a street line boundary to a point within such street in which case, for purposes of measuring front, side and/or rear yards, the property line shall be deemed to be equivalent to the street line.

B. Lot for every building. Every building hereafter erected and every use hereafter established shall be located on a lot as defined herein. Unless otherwise permitted in this chapter, there shall be only one use or use category permitted per lot.

C. Subdivision of a lot. Where a lot is formed hereafter from part of a lot already occupied by a building or structure, that separation shall be effected in such a manner as not to impair conformity with any of the requirements of this chapter with respect to the existing building and all yards and other required spaces in connection therewith. No permit shall be granted for the erection of a building or structure upon the new lot thus created unless it complies with the provisions of this chapter.

D. Irregularly shaped lots. Where a question exists as to the proper application of any of the requirements of this chapter to a particular lot or parcel because of the peculiar or irregular shape of the lot or parcel, the Zoning Board of Appeals shall determine how the requirements of this chapter shall be applied.

E. Required open space.

(1) No lot shall be so reduced in area as to make any yard, court or other required open space smaller than the minimum required under this chapter.

(2) No part of a yard, court or other required open space provided about any building or structure for the purpose of complying with the provisions of this chapter shall be included as a part of a yard, court or other open space required under this chapter for another building or structure.

F. Yards abutting district boundary lines. Where any rear yard or side yard of a lot adjoins a district boundary line, that adjoining rear or side yard shall have the dimensions required by the more restrictive of the two adjoining districts.

§ 295-19. Required street frontage and access; access to sewers.

A. Except as provided in Subsection B, no building permit shall be issued for the establishment of any use or the construction of any building or structure, or any part thereof, unless the lot upon which that use is to be established or that building or structure is to be built has frontage of at least 70% of the lot width required for that district on a street or highway that has been suitably improved to Village, county or state road standards or a bond posted therefor, and unless the actual access to the use, building or structure will be over that frontage or over a right-of-way or easement satisfactory in location and physical condition to the Village for such purposes, as set forth in § 7-730 of the Village Law, all in accordance with the provisions of § 7-736 of the Village Law.

B. If a building permit is sought for the establishment of any use or construction on a lot that has street frontage of less than 70% of the required width for the district in which the lot lies, the application for a building permit must be reviewed and approved by the Planning Board.

C. No building permit shall be issued for the establishment of any use or the construction of any building or structure, or any part thereof, unless the building, structure or use has access to a public sewer.

§ 295-20. Required yards.

A. Yard for every building. No part of a required yard or other open space provided about any building or on any lot for the purpose of complying with the provisions of this chapter shall be

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included as any part of the required yard or open space for any other building or any other lot.

B. Obstructions in yards. No buildings or structures, or any projection from buildings or structures, shall be permitted in a required yard, except as follows:

(1) Cornices, canopies, eaves or cantilevered roofs or similar features may project not more than two feet into a required yard, but only if the feature is at least 10 feet above grade. Features less than 10 feet above grade may project not more than 12 inches into the required yard.

(2) Notwithstanding Subsection B(1), bay windows may project not more than two feet into a required yard.

(3) Belt courses, windowsills and other ornamental features may project not more than six inches into a required yard.

(4) A chimney may project not more than two feet into a required yard.

(5) A freestanding steel stair may project no more than four feet into a required yard; but no required freestanding steel stair on any structure may be constructed on the front or any side thereof which faces on a street or be roofed over or enclosed.

(6) A terrace or uncovered porch or deck with its floor level no higher than that of the main entrance to the building may project into a required yard not more than six feet; or to a point not closer than six feet to any property line; or to a point 1/2 of the minimum required setback from any property line, whichever projection is the least.

(7) No balcony shall project into a required yard.

(8) Except as set forth in Subsection E below, fences or walls, or a fence on top of a wall, less than 6 1/2 feet in height may be erected anywhere on the lot. Fences or walls, or a fence on top of a wall, 6 1/2 feet or greater in height shall be set back as far as the Building Inspector deems necessary for visibility and shall conform to the requirements set forth herein for buildings.

C. Parking, paving and structures on required yards in residential districts. With the exception of driveways and sidewalks constructed in compliance with §§ 295-39 through 295-44 below, in residential districts:

(1) No motor vehicle, trailer, recreational vehicle, snowmobile, mobile home, boat or permanent or temporary structure shall

be placed on any required yard nor shall any portion of any required yard be paved.

(2) No portion of any required yard shall be paved except for walkways, not exceeding four feet in width, to the principal or any accessory structure on the lot.

(3) Subsections C(1) and (2) shall not apply to any property that, before the passage of this chapter, was thus regularly used, provided that such use complies with the local law or zoning ordinance in effect immediately prior to the date on which this chapter becomes effective.

(4) No site plan shall permit any structures, parking or paving on a required yard.

D. Front yard depth.

(1) Except as provided in Subsection D(2), the depth of a required front yard in any residence district shall be the number of feet specified in Article IX of this chapter.

(2) If, on one side of a street within 250 feet of any lot, there is pronounced uniformity of alignment of the fronts of existing buildings and of the depths of front yards that is less than the required minimum depth specified in this chapter, the Zoning Board of Appeals may permit a reduction in the required depth of the front yard for a new building on that lot, or expansion of an existing building on that lot, provided that the spirit and intent of this chapter is met and that the depth of the front yard shall conform as nearly as practicable to that existing on the neighboring lots.

E. Visibility at intersections.

(1) On a corner lot, no fence, wall, hedge or other structure or planting shall be erected, placed or maintained in such a way as to obstruct traffic visibility across the triangular area formed by the two intersecting street right-of-way lines and a straight line connecting points along those street right-of-way lines, which points, are located 50 feet distant from the theoretical point of intersection of the lines, measured along the street lines. Grading of corner lots shall be in conformance with this chapter to the maximum possible extent.

(2) Subsection E(1) above shall not apply to existing trees, provided that no branches are closer than 10 feet to the ground.

F. Corner lots. On a corner lot, the side yard abutting the street shall be not less than the required front yard or 15 feet, whichever is greater. The property owner shall elect which of

the two yards not abutting the streets is the rear yard, except that the Planning Board shall make such determination for lots located within the CC District.

G. Side yard width in relation to length. When a side yard exceeds 50 feet in length, its required width shall be increased one foot for each 10 feet of length in excess of 50 feet. § 295-21. Height limitations; courts.

A. Height.

(1) Unless regulated specifically herein, the height limitations of this chapter shall not apply to chimneys, church spires and church belfries, standpipes, cross-member-style television antennas, ham operator antennas, flagpoles or sculpture, provided that such structures (with the exception of church spires and church belfries) do not extend more than 15 feet above the level of the roof on which they are located.

(2) No towers, non-church belfries, penthouses, scenery lofts, cupolas, water towers and water tanks, wind energy devices, elevator shafts, transmitting and receiving dishes or cones, monuments, transmission towers and cables of public utilities or similar structures or mechanical appurtenances may be erected on any building unless approved by the Planning Board after a finding by that Board that they are in furtherance of §§ 295-2 and 295-3 above. If so approved, such structures shall be screened in a manner determined by the Planning Board to be appropriate and consistent with the exterior of the building, unless such screening would defeat their purpose. In any event, such structures shall not exceed the maximum height permitted in the district; shall not be used for sleeping or housekeeping purposes or for any commercial purposes other than such as may be incident to the permitted use of the principal building; and shall not cover at any level more than 10% of the area of the roof on which they are located.

(3) The requirements of Subsection A(2) of this section shall not apply to personal wireless service facilities, which are regulated by § 295-85 of this chapter.

B. Height of accessory buildings. The height of accessory buildings shall not be greater than 15 feet in the case of sloped roofs or 12 feet in the case of flat roofs, except that accessory garages in multifamily districts may provide recreation space on the roofs thereof to conserve open space for grass and trees.

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