

Historic Preservation Laws in Dutchess County Comparison Chart

Municipality	Chapter	Certificate of Appropriateness or Similar Review Process Required	Economic Hardship Relief/Administrative Relief
Village of Fishkill	Chapter 171, Article IXA	No person shall carry out any restoration, reconstruction, or new construction within the Historic Preservation Overlay Zone, nor shall any person make any material exterior alteration or other change in the appearance of a property or a structure, its siding material, light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements visible from a public street which affect the appearance and cohesiveness of the historic district in which it is located, without first obtaining a certificate of appropriateness from the Architectural Review Board. In-kind replacement of windows, roofing materials, siding and other such elements, and repainting of structures with the same color shall not be considered a material change requiring a certificate of appropriateness.	An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply to the Zoning Board of Appeals for relief on the ground of hardship. In order to prove the existence of hardship in this case, the applicant shall establish that the property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible
Town of Amenia	Chapter 121, Section 14.2	No certificate of appropriateness. Within the HPO District, site plan approval shall be required for the following activities (including residential uses that are otherwise allowed without site plan review: (1) Construction of any structure or any addition to a structure where the size of the new structure or of the addition will be greater than 200 square feet in footprint area, including residential structures. (2) Demolition of any structure more than 65	Site plan approval exemptions. Within the HPO District, the site plan approval requirement shall not apply to: (1) Agricultural uses, except for agricultural structures with a footprint exceeding 10,000 square feet. (2) The repair and maintenance of existing structures. (3) Activities carried out pursuant to a site plan or special use permit approved prior to the enactment

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		<p>years old.</p> <p>(3) Alteration of any structure, including re-siding, reroofing, window replacement, or other alterations that change the exterior appearance, excluding painting, repairs, and maintenance.</p>	<p>of this section and still in effect.</p> <p>(4) Any construction, addition, or alteration which is not visible from a public road or street when the leaves are off the trees.</p>
Town of Poughkeepsie	Chapter 126	<p>No certificate of appropriateness.</p> <p>The Historic Preservation Commission shall review all plans for the moving, exterior construction, alteration or repair, landscaping or demolition of places, sites, structures or buildings designated as landmarks or landmark sites and all places, sites, structures or buildings wholly or partly within the boundaries of the historic district.</p>	No hardship option.
Town of Beekman	Chapter 93	<p>No certificate of appropriateness.</p> <p>All exterior alterations, reconstruction, demolition, new construction or moving of a designated landmark or property within an historic district shall require approval by the Planning Board.</p>	No hardship option.
Town of Red Hook	Chapter 143, Section 45	<p>No person shall carry out any alteration, demolition, or new construction of a regulated structure until the Planning Board has issued a certificate of appropriateness or a resolution deeming such certificate is not required and, when required, a building or demolition permit from the Building Inspector. The certificate of appropriateness required by this section shall</p>	<p>An applicant whose certificate of appropriateness has been denied by the Planning Board may apply to the Planning Board for relief on the grounds of hardship. In order to prove the existence of hardship, the Planning Board must find that:</p> <p>(a) In the absence of the requested hardship determination, the property is incapable of earning a</p>

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		<p>be in addition to, and not in lieu of, any building permit or other approval required by the Town of Red Hook Code.</p>	<p>reasonable return, regardless of whether that return represents the most profitable return possible;</p> <p>(b) In the case of a proposed demolition, the applicant shall establish that:</p> <p style="padding-left: 40px;">[1] The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and</p> <p style="padding-left: 40px;">[2] Efforts to find a purchaser interested in acquiring the property and preserving it have failed.</p>
<p>City of Poughkeepsie</p>	<p>Chapter 19, Section 4.5</p>	<p>No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of a landmark or property within an historic district, nor shall any person make any material change in the appearance of such property or landmark, its light fixtures, signs, sidewalks, fences, steps, paving, or other exterior elements which affect the appearance and cohesiveness of the landmark or historic district, without first obtaining a certificate of appropriateness from the Commission.</p>	<p>An applicant whose certificate of appropriateness has been denied or approved with conditions that the applicant finds unacceptable may apply for a certificate of economic hardship for the purposes of obtaining relief from the strict application of this chapter.</p>