

RESOLUTION OF INTRODUCTION

Supervisor Maas reported on two development issues at the February 16th meeting.

First, her research indicates that the 2002 creation of the Town Center (“TC”) district was aimed at assuring that Union Vale residents would have town-based mixed institutional, community service, commercial, residential and other uses readily available to them (§210-5B(1)(h)). However, many of those needs can now be met in neighboring towns, and Planning Board Chair Cartalemi reports that several applicants and potential applicants advise that today, other allowed uses and combinations of allowed uses in that general area contain too many barriers for owners while Planning and Town Board members question why our Code would enforce a type of commercial building that our residents neither need or want in that location today.

Ms. Maas further reported, after consulting with the Highway Superintendent and Town Board members regarding concerns that common driveways and privately-owned roads which are not constructed to full Town Highways specification, could present property owners and the Town with long-term safety, upkeep and access issues.

Ms. Maas suggested that the Town Board review both the TC district, and the common driveway and private road issues, with an eye to seeing how they should be modified.

In order to allow for this review and public input, she suggested the adoption of a 90-day moratorium on the consideration of applications for and the issuance of approvals, variances and permits for the uses currently allowed in the TC zone, and also for private roads and common driveways in the Town. Having a short moratorium, which could only be extended for good cause, also assures that potential applicants will not be spending money and time to meet standards which

might be modified.

To adopt a moratorium, which is a type of local law, the Municipal Home Rule Law requires a public hearing. Councilman Durland offered the following Resolution, which was seconded by Councilman Welsh who moved its adoption:

WHEREAS, on March 2, 2022, Councilman Durland introduced a Local Law for the Town of Union Vale, to be known as Local Law No. 3 of 2022, entitled A LOCAL LAW ADOPTING A MORATORIUM ON THE CONSIDERATION OF APPLICATIONS FOR AND THE ISSUANCE OF APPROVALS, VARIANCES AND PERMITS FOR USES ALLOWED IN THE TOWN CENTER DISTRICT, AND FOR COMMON DRIVEWAY AND PRIVATE ROAD PERMITS IN THE TOWN, which Local Law shall be incorporated as Town Code Chapter ____, NOW THEREFORE,

BE IT RESOLVED, that a public hearing be held in relation to the adoption of a 90-day Moratorium on the consideration of applications for and the issuance of approvals, variances and permits for uses allowed in the TC district, and applications for and the issuance of permits for common driveways and private roads in the Town, a copy of which proposed local law is annexed hereto as Exhibit A, at which hearing parties in interest shall have an opportunity to be heard, to be held at a special Town Board meeting at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 on April 6, 2022, at 7:00 p.m., prevailing time.

Notice of said Public Hearing shall be posted and published in the official newspaper of general circulation in the Town of Union Vale by the Town Clerk, at least ten (10) days before such hearing, and that such Notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 (in the Town of Union Vale) on April 6, 2022, at 7:00 o'clock p.m. prevailing time, on proposed Local Law No. 3 of 2022, a Local Law of the Town of Union Vale, Dutchess County, New York, adopting a 90-day moratorium, subject to extension for good cause, on the consideration of applications for and the issuance of approvals, variances and permits for uses allowed in the Town Center Zoning district, and for common driveway and private road permits in the Town, the adoption of which Local Law is a Type II action requiring no environmental review.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed Local Law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between the date of this Notice and the date of the Public Hearing.

TAKE FURTHER NOTICE, that all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid. In addition to in-person viewing the public hearing will be held on Zoom and carried on the Town of Union Vale YouTube channel for live viewing (access at www.unionvaleny.us). The Zoom invite is for this public hearing is: <https://us02web.zoom.us/j/84936345261?pwd=NEZMdE1Lc1Q3RjNtZk50bzh4ZDJOUT09>
Meeting ID: 849 3634 5261 with Passcode: 426824.

The invite for participating on Zoom will also be posted on the Town of Union Vale website www.unionvaleny.us the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at townclerk@unionvaleny.us or (845) 724-5600. In-person

attendees will be able to sign up when entering the hearing room. For any other questions contact the Town Clerk at townclerk@unionvaleny.us or (845) 724-5600.

Dated: Union Vale, New York
March 2, 2022



ANDREA CASEY, TOWN CLERK

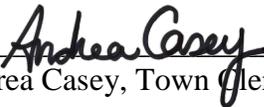
BE IT FURTHER RESOLVED, that the Town Clerk shall refer a copy of this resolution, the annexed proposed local law, and the Notice of Public Hearing to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing, refer a copy of this resolution, the annexed proposed local law, and the Notice of Public Hearing to the Dutchess County Department of Planning and Economic Development for advisory review in accordance with §239-m of the General Municipal Law, and distribute a copy of this resolution, the annexed proposed local law and the Notice of Public Hearing to the Town of Union Vale Planning Board for its review and recommendation pursuant to Town Code §210-83.

BE IT FURTHER RESOLVED, that the adoption of this proposed Moratorium Local Law, is a Type II action requiring no environmental review pursuant to 6NYCRR617.5(__). The preceding resolution was offered by Councilman Durland, who moved its adoption, seconded by Councilman Welsh.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

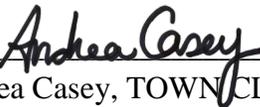
Councilman Durland	Aye
Councilman Gusikoff	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York
March 2, 2022



Andrea Casey, Town Clerk

I, Andrea Casey, Town Clerk of the Town of Union Vale DO, HEREBY CERTIFY that the foregoing is a true copy of a resolution offered by Councilman Durland, seconded by Councilman Welsh, and adopted at the special meeting of the Town Board, held on March 2, 2022.



Andrea Casey, TOWN CLERK

Exhibit A

TOWN OF UNION VALE

PROPOSED LOCAL LAW # 3 – 2022

A LOCAL LAW ADOPTING A MORATORIUM ON THE CONSIDERATION OF APPLICATIONS FOR AND THE ISSUANCE OF APPROVALS, PERMITS AND VARIANCES FOR USES IN THE TOWN OF UNION VALE TOWN CENTER ZONE, AND FOR COMMON DRIVEWAYS AND PRIVATE ROADS IN THE TOWN.

§ -1. Findings.

Supervisor Maas and Planning Board Chair Cartalemi have advised that the in-town mixed community service, commercial, residential and other uses, which the 2002 and 2010 zoning amendments allowed in the Town Center zone, are now available to Union Vale residents in nearby towns; and that the preferences of residents and developers, as well as the market for them, may have changed.

Supervisor Maas also advised that there is the potential for future safety, access and upkeep issues if the Town continues to allow common driveways and private roads which do not have to meet the Town Highway standards.

To allow for public input and the Town Board's evaluation of potential changes to these Code provisions, a temporary 90-day moratorium on the consideration of applications for and the issuance of approvals, permits and variances relating to the uses currently allowed in the Town Center zone, and the approval of common driveways and private roads in the Town, is proposed. This moratorium, which can only be extended for good cause, will preserve the status quo and also avoid potential prejudice to property owners and developers who might apply.

§ -2. Statutory Authority.

This Chapter is adopted pursuant to Municipal Home Rule Law §§10(1)(ii)(a)(14),

10(1)(ii)(d)(3), (10)(1)(ii)(a)(12), and 10(1)(ii)(a)(6), which grant Towns the authority to enact local laws regarding the matters allowed by the Statute of Local Governments, those relating to their property, affairs and governance, and those relating to their roads, highways and property, respectively.

§ _____ -3. Supersession of State Law.

This Chapter _____ shall supersede Town Law §§267-b, 274-a, 274-b, 276 and 277, and the application of the Town of Union Vale's Zoning Code (Ch 210) and its Subdivision Code (Ch 192), to the extent they are inconsistent with this Chapter.

§ _____ -4. Scope of Controls

During the effective period of this Local Law, neither the Union Vale Planning Board, Zoning Board of Appeals or any board officer or employee shall , except as provided below, accept, consider or process applications for or issue variances, approvals, interpretations or permits for any of the uses currently allowed under Union Vale Zoning Code §210 Attachment 2 or otherwise in the Town Center zoning district, or for any common driveway or private road permit pursuant to Town Code Chapters 111, A215 or otherwise.

§ _____ -5. Exceptions

The restrictions provided for in this Chapter shall not apply to holders of current and valid approvals or permits for the uses, common driveways and private roads referred to in §4 above.

§ _____ -6 Term.

This Local Law shall remain in force for a period of 90-days from its effective date. It may for good cause be renewed, extended and modified by the Town Board of the Town of Union Vale

for up to two additional 90-day periods.

§ _____-9 Effective Date.

This Local Law shall take effect upon its adoption and filing with the New York State Secretary of State.