

**UNION VALE TOWN CENTER ZONING DISTRICT CHANGES PUBLIC HEARING
JANUARY 18, 2023: UNION VALE TOWN HALL 7:00 PM
249 DUNCAN ROAD, UNION VALE, NEW YORK**

PRESENT: Supervisor Betsy Maas

**Town Council: Kevin Durland, Kevin McGivney, Perry Gusikoff, John Welsh
Planning Chair, Pat Cartalemi, PB Member Alain Natchev, CEO George Kolb
Highway Superintendent, Ed Kading**

Town Engineer: Tom Harvey

Town Clerk: Andrea Casey

Town Attorney: Attorney Jeff Battistoni

Supervisor Maas opened the public hearing at 7:00 PM

Supervisor Maas summarized the law and spoke about some of the feedback that was received from Dutchess County and the community.

Tom Harvey, Town Engineer, Zoning Administrator, George Kolb and Fire Advisory Board and Councilman John Welsh spoke about some of the concerns in detail.

Public Comment:

Ray Freda (Dolly Lane, Town of Union Vale) is in favor of the current changes to update the outdated zoning code.

Cheryl Jandura (Wissemans Road Town of Union Vale), moved here to escape from the busyness of the city and congestion would like to aim development for a more environmental impact, creating proper traffic circles to help minimize the speed, she is in favor of senior housing – wants to attract people to live here, not profit from it.

Corrina Kelley (W. Clove Mtn Road, Town of Union Vale)- her biggest concerns are that if every parcel were built out, the population would double she wonders how this would impact the local resources. Other areas of concern are area of subsidized housing and disallowing non-for profits.

Britney Hendrick-(Town of Union Vale) is concerned with the LaGrange intersection of S. Cross Road, she would like that area considered due to the numerous accidents.

Yvonne Chassange (Town of Union Vale) – asked about when the study for 27,000 cars on route 55 was done, also asked about the geology of the area and where the water would come from.

Leo Freihofer- (Freihofer Lane, Town of Union Vale) is concerned about noise and lighting, will there be hours and lighting all night. Concerns about selling parcel they own and how this will affect their property.

Glenn Morrison (Bloomer Road Town of Union Vale)- sees there are pros and cons, some more restrictive and less, is in favor of no gas stations and noted there may be higher density building areas, also is concerned about traffic on Route 55 and side roads.

As there were no further comments from the public, Supervisor Maas closed the hearing at 7:43PM.

Respectfully Submitted,

Andrea Casey

Andrea Casey, Town Clerk

UNION VALE TOWN BOARD MEETING

**JANUARY 18, 2023: UNION VALE TOWN HALL 7:54 PM
249 DUNCAN ROAD, UNION VALE, NEW YORK**

PRESENT: Supervisor Betsy Maas

Town Council: Kevin Durland, Kevin McGivney, Perry Gusikoff, John Welsh

Highway Superintendent, Ed Kading

Town Clerk: Andrea Casey

Town Attorney: Attorney Jeff Battistoni

Supervisor Maas opened the regularly scheduled meeting at 7:54 with a Salute to the Flag and a moment of silence for the Judge Paul Pancio and his Family who lost their daughter.

Motion Approve Minutes: Councilman Welsh made a motion to approve the December 21, 2022 meeting minutes, seconded by Councilman Durland and all were unanimously in favor.

Supervisor Report

- Town Board members have received the list of warrants/abstracts; cash receipts, escrow reports, Building Dept. report, performance vs budget report and lists of all deposits made in both the General Fund and Highway Fund.
- St. Paulies Textile shed year end letter stated 37,798lbs of clothing was donated which clothed over 6,000 people, the Town of Union Vale received \$3,023.87 for this.
- As per Town Policy, the Tax Collector has showed proof of payment for her own parcel
- Cash Flow: 8% over budget and at 96% of expenses
- General Fund: \$2,779,407.00 Highway Fund: \$487,992.00 Total: \$3.267 Million
- 232 people have paid their property taxes this week
- Bus Safety tickets have generated \$84.00
- Asks the Board to review Master Fee Schedule and vaPolices which will be voted on in February
- Just a note that there is a recreation fee for each lot that is designed to help subsidize improvements in the park

Town Board Reports

Councilman Welsh very active on TC Zone changes

Councilman McGivney- working on TC, glad to see the public engagement and he is looking forward to moving on

Councilman Durland has also been working on TC zone changes.

Councilman Gusikoff is glad the town got a chance to address the concerns of the residents to clarify and move forward

Highway

Superintendent Kading reported on the Highway Dept. salt shed issue, he is working on options with solutions would like to meet with the Board to remedy it permanently. Had a contractor come to stabilize the building, waiting to figure the next step, hopefully it will be empty in April and repair after. The highway crew with assistance of Stanford Line Company put up the flag pole on Route 55. Culverts, only 3 that are of any real concern and will address at appropriate time, 4 have been fixed. Note to the residents, please stay back from active plow trucks during a storm.

Town Clerk Report

Town Clerk Casey reported on the large array of items the textile shed accepts and encouraged all to use it. She also noted Town of LaGrange closed their recycling center and many were joining ours as a result.

Public Comment on Agenda Items- None

Conservation Advisory Council –

Josh Redinger, Chair, said 2 new members have joined, Britney & Liselotte. Both are qualified bring much expertise. They have formally submitted climate smart community which will provide potentially large amounts of funding. The grant was rejected for pollinator garden but they will not give up.

Parks Report

Jake Gosnell, Park Manager reported the new truck is 10 days away. 11 Tymor was inspected after renters have moved out and will re-rent when ready after minor fix. Trailer King is holding the truck plow at last year's price.

Recreation, submitted by Recreation Director Maggie Collins

We had a successful turn out for our week and a half of Full TGTT Days. This program ran from the beginning of the local grade school's Winter Break into the New Year, and we enjoyed organizing games, themed crafts, and a Winter Party during that time. Registration for our TGTT Programs is open on the Parks and Rec website, and we look forward to seeing everyone going into next month. We are already beginning to plan out our next Summer season. Information on our Summer Camp programs will be on the Town of Union Vale's website, as well as the Parks and Rec website within the next coming weeks. Families can look out for future emails from our listserv, as well as posts on our social media for the announcement of registration being open. We look forward to welcoming back families to enjoy what our park has to offer.

Staff requested to increase summer camp to market rates to be comparable to other area camps. Currently pricing is \$340 for residents and \$400 for non-residents.

Motion to Increase Camp Prices

Councilman Welsh made a motion to increase Traditional, Teen Leadership, Kids Camp prices by \$10 for both the resident and non-resident rate. This was seconded by Councilman Gusikoff and all were unanimously in favor.

Constable Report Submitted by George Treadwell, CIC

Constable Monthly Report for December 2022:

Constables patrolled approximately 650 miles of town roads including all properties filling the Explorer with 60.9 gallons of gasoline.

The (3) town court dates totaled 27 cases on the dockets with 11 actual appearances and (4) cases were dismissed for failure to prosecute (officer failed to show for court). There were no issues to report. Constables had no issues to report during patrols this month. (majority of nightly shifts at light display) Additional Note: Constables completed 32 nights of traffic detail at the Light Display (with 2 additional nights canceled due to weather). There were only 2 nights of very heavy traffic. Other than the normal officer interactions with visitors parking on roads to view lights despite signage and providing directions there were no issues to report.

Playground at Godfrey Park– meeting with playground committee next week to review various plans.

RPTS Renewals without Filing for Exemptions

As per Governor Hochul, Dutchess County is required to send out 2 notices reminding residents of the senior citizen tax exemptions. This must budgeted accordingly for the Town to send out the notice next year.

New Requirements for Code Enforcement Officers

New Requirements for the Code Enforcement Officer have now increased from 24 to 26 as per the State.

Real Property Tax Exemption for First Responders

Up to a 10% reduction in assessed home value, must be active members, must be in service for 3 years, also a \$200 credit for being a member – you cannot have both to claim on income taxes – criteria must be established and a local law must be established. Going forward the will speak with Fire Commissioner and gather ideas.

Short Term Rentals and new Proposed Legislation

Senator Hinchey wanted to make a State database, or impose a \$250 penalty a day for homeowners who do not report short term rental properties. Supervisor Maas had a conversation with the Senator asking it to be optional that the Senator disagreed with.

Motion to Approve EAF

Councilman Welsh made a motion to approve the Environmental Assessment form Part 2 and Part 3 for the Town Center Zoning which was seconded by Councilman Gusikoff and all were unanimously in favor.

Resolutions (see attached)

- Local Law # 1 of 2023 RESOLUTION OF ADOPTION Town Center District Zoning Amendments
- 20-2023 Ratifying Salt Shed Back Wall Repair- Welsh, Durland

Public Comment- Elfriede Tillman loved the Tymor Christmas lights, thank you to the park crew.

Motion to Pay Bills

Councilman Welsh made a motion to approve budget adjustments, warrants, transfers & pay bills, which was seconded by Councilman Durland and all were unanimously in favor.

Motion to Adjourn

At 8:48 PM Supervisor made a motion to adjourn the meeting which was seconded by Councilman Welsh and all were unanimously in favor.

Respectfully Submitted,


Andrea Casey, Town Clerk

draft

Local Law # 1 of 2023

RESOLUTION OF ADOPTION

Town Center District Zoning Amendments

WHEREAS:

1. This resolution proposes new legislation in the form of a local law amending various provisions of the Town of Union Vale zoning law and adds new provisions.
2. The Town Board wanted to update zoning to ensure that the TC district and its land use regulations implement policy direction as established in the adopted Town of Union Vale Master Plan, to consider modifications to the zoning code in the TC District as suggested by the Planning Board, to provide additional guidance as to how future development in the TC district can meet community goals, especially those related to community character and the environment, and to consider upgrading private road and driveway construction standards so as not to present long-term safety, upkeep and access issues for property owners and the Town.
3. This Local Law was introduced by the Town Board of the Town of Union Vale as Local Law #4 – 2022, entitled “A local law of the Town of Union Vale, Dutchess County, New York to amend Town Code Chapter 192 entitled “Subdivision of Land,” Chapter 210 entitled “Zoning,” and Chapter 128 entitled “Fees, Land Use,” relating to the TC Zone, Subdivisions, as well as Road Requirements and Related fees”; and it will now be referred to as Local Law # 1 of 2023.
4. The purpose of this action is to adopt a local law that amends selected provisions of the Town of Union Vale Subdivision Law, Zoning Law as it relates to the TC District, the Fee Schedule Law, and Highway Standards. Further purposes are to implement the 2001 Town of Union Vale Master Plan. The Master Plan outlined a variety of goals pertaining to the TC district that have not been fully implemented. Ongoing and new issues facing the Town and the TC District necessitated a re-evaluation of development standards there. The Master Plan seeks to promote the TC district as a place for mixed uses and small businesses designed to meet the needs of the Town, and in so doing, to ensure that the small and rural character and the environment of the Town are preserved.
5. Protection of the environment and maintenance of the rural character of the Town are paramount policies of the Town and this local law is established to update the zoning regulations for the TC district to ensure consistency between future development and that Master Plan.

6. The action of adopting a local law by itself will not result in any physical change to the environment. Each future proposed development in the TC district will require full review by the Planning Board and will include an environmental evaluation of that specific site. The Town recognizes that there are potential impacts that may occur and be mitigated via those projects.
7. The proposed zoning changes, however, are designed to further the environmental protection goals of the Town of Union Vale. The Town concludes that no significant adverse impacts to the environment will result upon adoption of these amendments because they are essentially strengthening the review process and mitigation measures to be used in the TC District. These measures include:
 - Requiring a conservation subdivision (for lot splits) or conservation design (for multi-structure developments on a single lot) that preserves 50% of the parcel as permanent open space. This requirement will not only result in open space that will continue to contribute to the character of the Town and its environment but will result in a development pattern that is designed with rural character as its foundation.
 - Updating the TC District purpose statement that now emphasizes development that is of the scale, intensity and design in keeping with the desire to develop this area as a traditional hamlet oriented to mixed uses and small scale commercial uses.
 - Large scale and high impact uses such as gas stations have been removed from being allowed in the TC District. Dimension standards have been updated to control the scale and intensity of those uses that are allowed.
 - Language has been added throughout the regulations to ensure proper review of traffic, well, water, aesthetic, community character, and other environmental impacts.
 - The Planned Mixed-Use Development District has been removed as an allowable technique because it had few development standards and was replaced with development standards having defined environmental performance standards.
 - A density bonus incentive has been added for the TC District specifically to promote low impact development, solar integrated buildings, buildings that meet LEED energy standards, electric charging stations, trails and pathways, pollinator friendly landscaping, and forest and wildlife management planning.
 - Emphasizes siting of new structures in a manner accessible to emergency vehicles.
 - Added design standards for all building within the TC District that will promote community character and quality development through regulation of the aesthetic

elements of buildings, parking lots, signs, lighting, and other site features.

- Updated parking lot requirements to include location and landscaping standards will positively contribute to preventing erosion and runoff, heat islands, and mitigate parking lot aesthetic concerns.
 - Incorporated Dark Sky Compliant lighting standards to control glare off-site and on roads for all development in the TC District.
 - Enhanced landscaping requirements for the TC District, including screening of commercial buildings so that they will have minimal or no impact on adjacent parcels.
 - Prevented new roads and streets that are too wide, with too much pavement and over-built.
 - Added in development standards that allow for multifamily dwellings and townhouses in a manner consistent with the environment and the character of Union Vale.
 - Enhanced Site Plan and Special Use Permit application materials that detail all-natural resources that may be on the site including requiring review of the Town's Natural Resource Inventory, photosimulations and traffic impact analysis. In particular, the updates address the need for thorough traffic impact analysis and mitigation of adverse impacts along Routes 55 and CR 21. Also included are authorizations for the Planning Board to require hydrology studies to ensure that the proposed use has adequate water supplies and septic system capacity. New standards to review and mitigate impacts of development in the TC District on rare species, critical habitats, or listed species.
 - Promotion of more pedestrian linkages from the TC District to other locations in Town.
8. Thus, the proposed land use regulatory changes of this action strengthen environmental protections when new development is proposed and will therefore positively benefit the Town of Union Vale and is fully consistent with the goals of SEQR. The depth and breadth of environmental topics addressed in the Town's Master Plan and translated into land use regulations via these proposed amendments illustrate the commitment Union Vale has made to protect, preserve, and enhance the environment. The primary purpose of the proposed amendments is to implement these principles through land use regulations.
9. This proposed Zoning Law is the result of hours of work over 11 months by a working/review committee comprised of members of the Planning Board, Town

Board, Highway Superintendent, Town Engineer, and the Town's Code Enforcement Officer with professional assistance from Jim Nelson, our Land Use Attorney from VanDeWater & VanDeWater and Nan Stolzenburg, AICP of Community Planning and Environmental Associates.

10. Said Local Law has been on the desks, after distribution by email, of the members of the Town Board of the Town of Union Vale for at least seven (7) days, exclusive of Sunday.
11. A copy of the proposed Local Law No. 1 of 2023 is attached hereto as Exhibit A and incorporated herein, with the language to be deleted ~~Stricken~~ and the language to be added underscoring, and the Town Board does hereby waive a verbatim reading of said Local Law and directs that said Local Law be spread across the record as if it in fact, had been read verbatim.
12. The Dutchess County Department of Planning and Development prepared an updated Zoning Map for the Town of Union Vale as of January 12, 2023 and a copy is attached hereto as Exhibit B and incorporated herein.
13. Notice of said public hearing was given to the Clerks of the adjoining towns pursuant to General Municipal Law § 239-m and the proposed Local Law and notice of the public hearing were given to the Dutchess County Department of Planning and Economic Development for its advisory review in accordance with § 239-m of the General Municipal Law. Comments were duly received by the Dutchess County Department of Planning and Economic Development and taken into consideration by the Town Board.
14. Public hearings in relation to said Local Law were held on December 21, 2022 at 7:00 p.m., and a supplemental public hearing was held on January 18, 2023 at 7:00 p.m. Prevailing Time.
15. Public comments from the December 21st public hearing were reviewed by the Town of Union Vale Town Board, the review committee and Nan Stolzenburg and subsequently, the Town Board prepared a final version of the proposed zoning amendments to include clarifications attached as Amendment A to this resolution.

NOW THEREFORE BE IT RESOLVED,

- A. The Town of Union Vale Town Board, as lead agency, has classified the adoption of this Local Law as a Type I Action pursuant to 6 NYCRR § 617.6, and will review the Action and all relevant supporting information and documentation, and make the

determination that there will be no significant adverse environmental impacts associated with the adoption of Local Law # 1 – 2023 and will issue a Negative Declaration.

BE IT FURTHER RESOLVED,

- A. The Town Board hereby adopts the annexed Local Law, Town of Union Vale Local Law # 1 OF 2023 entitled “A LOCAL LAW OF THE TOWN OF UNION VALE, DUTCHESS COUNTY, NEW YORK TO AMEND TOWN CODE CHAPTER 192 ENTITLED “SUBDIVISION OF LAND,” CHAPTER 210 ENTITLED “ZONING,” AND CHAPTER 128 ENTITLED “FEES, LAND USE,” RELATING TO THE TC ZONE, SUBDIVISIONS, AS WELL AS ROAD REQUIREMENTS AND RELATED FEES”; and
- B. The Town Board hereby adopts the annexed Town of Union Vale Zoning Map as prepared by the Dutchess County Department of Planning and Development on January 12, 2023; and
- C. That the Town Board directs the Town Clerk to inform the Dutchess County Planning and Development Office of its decision by forwarding a copy of Local Law # 1 by any method preferred by the Planning and Development Office; and
- D. That the Town Board instructs the Town Clerk to maintain a hard copy file in her office in Town Hall to contain all parts of this law and instructs the Town Clerk to ensure all parts of this law be maintained on the Town’s website until that time when the Town Code is completely updated and accessible; and
- E. That the Town Board directs the Town Clerk to file Local Law # 1 of 2023, as adopted by the Town Board, with the New York Secretary of State in accordance with applicable provisions of law, and specifically Article 3, §27 of the Municipal Home Rule Law, so that Local Law # 1 of 2023 shall take immediate effect upon such filing.

Councilman Welsh offered the following Resolution, which was seconded by

Councilman Gusikoff, who moved its adoption:

The foregoing Resolution was duly put to a vote which resulted as follows:

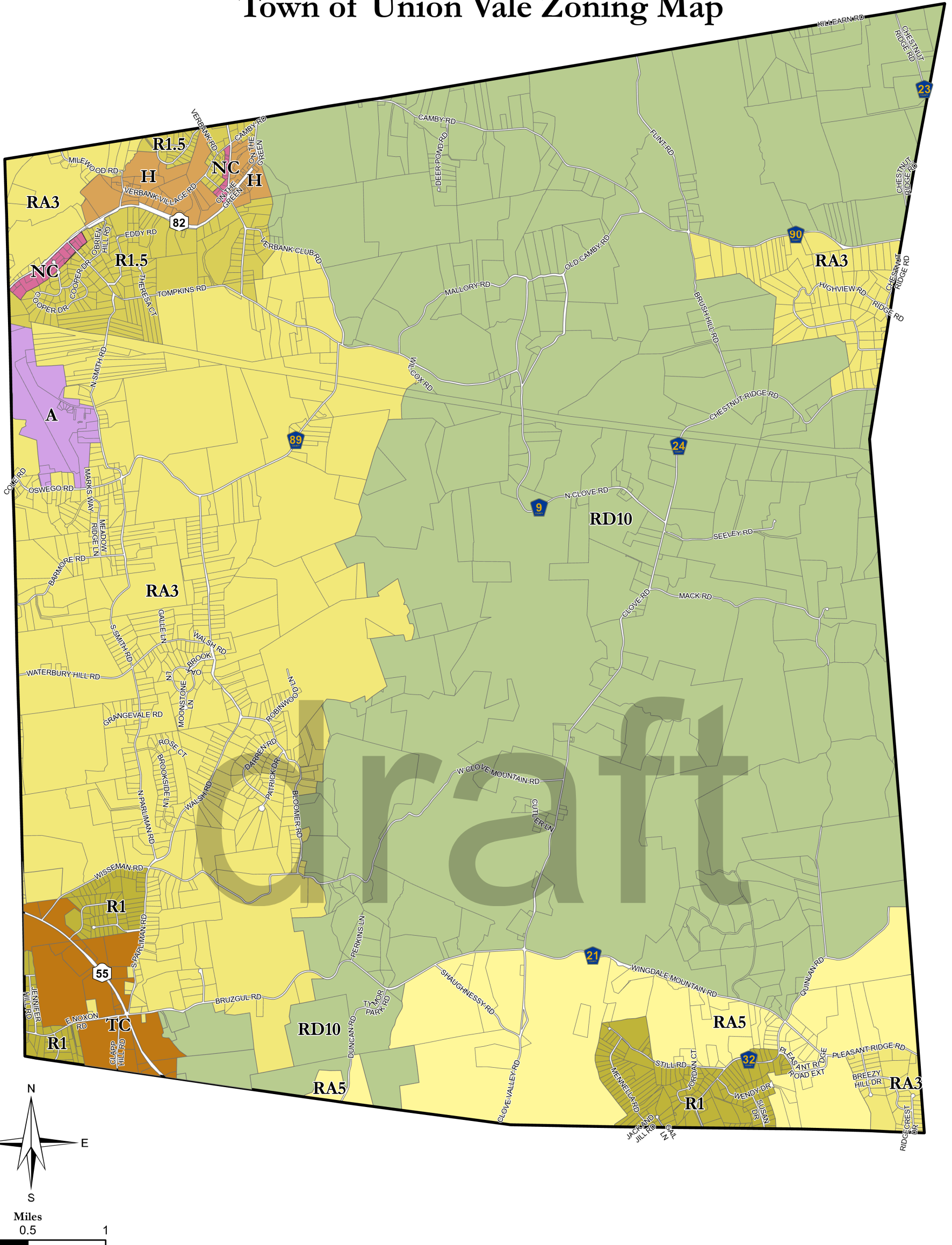
Councilman Durland	Aye				Dated: Union Vale, New York January 18, 2023
Councilman Gusikoff	Aye	Ayes	4		
Councilman McGivney	Nay	Noes	1		
Councilman Welsh	Aye				
Supervisor Maas	Aye				

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 Welsh, seconded by Councilman Gusikoff, and adopted at the meeting of the Town Board, held on January 18, 2023.



 ANDREA CASEY, TOWN CLERK

Town of Union Vale Zoning Map



Legend

- | | |
|-----------------------|--------------------------------|
| MUNICIPALITY BOUNDARY | R1, RESIDENTIAL 1 DISTRICT |
| PARCEL BOUNDARIES | R1.5, RESIDENTIAL 1.5 DISTRICT |
| A, AIRPORT DISTRICT | RA3, RESIDENTIAL 3 DISTRICT |
| CB, CORRIDOR BUSINESS | RD10, RURAL AGRICULTURAL |
| H, HAMLET DISTRICT | RA5, RESIDENTIAL 5 DISTRICT |
| NC, NEIGHBORHOOD CORE | TC, TOWN CENTER |



Map Prepared By Dutchess County
 Department of Planning and Development
 Approved: January 5, 2016
 Updated: December 17, 2021
 DRAFT update prepared January 12, 2023

Zoning District boundaries are enacted by the Municipalities. These maps are based on information supplied by the Municipalities, per agreement with Dutchess County Department of Planning and Development. Zoning district lines are updated at the pleasure of the Municipality. Check with local municipal officials for most recent boundary delineations.

**TOWN OF UNION VALE TOWN BOARD
RESOLUTION No. 2-2023:**

**RESOLUTION AUTHORIZING EMERGENCY REPAIR OF SALT SHED
BACK WALL**

The following Resolution was offered by Councilman Welsh and seconded by Councilman Durland:

WHEREAS, the Town of Union Vale Highway Department Salt Shed suffered from a catastrophic accident when the back wall collapsed in December of 2022; and

WHEREAS, the Highway Superintendent was concerned for the safety of the crew and any passersby in the event that the stabilizing effect of a large supply of salt being removed from along the side walls, could also cause a collapse; and

WHEREAS, the decision was made, in conjunction with our Building Department Manager and our Town Engineer to cable the back wall of the salt shed consistent with the plans designed by our Town engineer; and

WHEREAS, this was deemed an emergency by the Town Supervisor, the only contractor who was available to both quote and perform the job was Kevin W. Beck Contracting for a total of \$7,445.00; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby ratifies the previous decision to hire Kevin W. Beck Contracting and authorizes the Town Supervisor to make full payment for the completion of a job well done.

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
January 18th, 2022



Andrea Casey, TOWN CLERK