

RESOLUTION OF INTRODUCTION

It was reported that by state law the Dutchess County Department of Planning and Development has thirty (30) days to review and comment on proposed substantive Zoning Law changes (General Municipal Law §239-m), while our Planning Board has forty-five (45) days (Code §210-83) to make its report to the Town Board on them. Given this, it was suggested that the processes be synchronized, making both the County and Planning Board's response times thirty (30) days for proposed substantive zoning law changes.

It was also suggested that Code §210-81, §210-83 and §210-84 be updated to reflect three things: That since 1982 the Town has made Zoning Law changes by adopting Local Laws, rather than ordinances, that under state law the adoption of Zoning Law moratoria do not require SEQR (Environmental) review, and that referral to Dutchess County under General Municipal Law §239-m is not required for administrative zoning law changes.

In order to effect these amendments by Local Law a public hearing is required, and Councilman Welsh offered the following Resolution, which was seconded by Councilman Gusikoff, who moved its adoption:

WHEREAS, on May 4, 2022, Councilman Welsh introduced a Local Law for the Town of Union Vale to be known as Local Law #3 of 2022, entitled "A Local Law Amending Zoning Code Article XI, §210-81, §210-83 (A), (B) and (C), §210-84 (B) and (C) and §210-85, regarding zoning law changes, Planning Board reports and the environmental review of moratoria", *now, therefore,*

BE IT RESOLVED, that a public hearing be held in relation to the adoption of these Local Law amendments, a copy of which is annexed hereto as Exhibit A, with the language to be deleted ~~Stricken~~ and the language to be added underscored, at which hearing parties in interest shall have an opportunity to be heard at a Town Board meeting at the Town Hall, 245 Duncan Road,

LaGrangeville, New York 12540, on May 18, 2022 at 7:00 p.m., prevailing time, and

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 May 18, 2022, at 7:00 o'clock p.m. prevailing time, on proposed Local Law #3 of 2022, of the Town of Union Vale, Dutchess County, New York, being "A Local Law Amending Zoning Code Article XI, §210-81, §210-83 (A), (B) and (C), §210-84 (B) and (C) and §210-85, regarding zoning law changes, Planning Board reports and the environmental review of moratoria", and

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, and on the Town's website at www.unionvaleny.us, and

TAKE FURTHER NOTICE, that all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at www.unionvaleny.us).

<https://us02web.zoom.us/j/89223530209?pwd=eDIENFFiZGFOZ1NDQk5wVHE3dEdlZz09>

Meeting ID: 892 2353 0209 with Passcode: 715664.

The invite for participating on Zoom will also be posted on the Town of Union Vale website www.unionvale.ny.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
May 4, 2022



ANDREA CASEY, TOWN CLERK

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a copy of this Notice of Public Hearing to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing, forward a copy of this resolution, the annexed proposed local law, the Environmental Assessment Form 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, this action being exempt from referral to the Dutchess County Department of Planning and Development, and

BE IT FURTHER RESOLVED, that after reviewing the annexed Environmental Assessment Form, Part 1, this Board determines that the adoption of these Local Law amendments is an Unlisted Action under the State Environmental Quality Review Act, there are no other Involved Agencies, and that it will conduct the environmental review thereof.

The preceding Resolution was offered by Councilman Welsh who moved its adoption, seconded by Councilman Gusikoff.

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	Abstain
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York
May 4, 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 Welsh, seconded by Councilman Gusikoff, and adopted at the special meeting of the Town Board, held on May 4, 2022.



Andrea Casey, Town Clerk

Exhibit A
TOWN OF UNION VALE
PROPOSED LOCAL LAW #3 – 2022

ARTICLE XI
Amendments

§210-81. Statutory procedure.

This chapter, or any part thereof, including both the text and the Zoning District Map indicating the various district boundaries, may from time to time be amended, supplemented, changed, modified or repealed by the Town Board, ~~in the manner prescribed by §265 of the Town Law.~~

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~~§210-83. Report of Town Planning Board.~~

- ~~A. All proposed amendments, supplements, changes or modifications introduced by the Town Board and originating by either petition or by motion of the Town Board, with the exception of those to adopt a moratorium, shall be referred to Planning Board for a period of not less than 45-30 calendar days for a report and recommendation thereon.~~
- ~~B. In undertaking such review, the Planning Board shall make inquiry and provide recommendation concerning the matters specified below:~~
- ~~(1) Whether such change is consistent with the purposes embodied in this chapter as applied to the particular zoning districts concerned.~~
 - ~~(2) Which areas and establishments in the Town will be directly affected by such change and in what way will they be affected.~~
 - ~~(3) Whether adequate public services and facilities and other supporting infrastructure exist or can be created to serve the needs of any additional development that may occur as a result of such change.~~
 - ~~(4) The indirect implications of such change in its effect on other regulations.~~
 - ~~(5) Whether such proposed amendment is consistent with the underlying objectives of this chapter, including but not limited to whether such proposed amendment is consistent with the Town of Union Vale Master Plan (2001) and Dutchess County land use policies as set forth in Directions (1987) and/or Greenway Connections (2000).~~

~~C. If the Planning Board fails to report its recommendation within 45-30 calendar days or such longer period as may be specified by the Town Board, the Town Board may act without such report and the Planning Board's failure to report shall be deemed a recommendation of approval of the proposed amendment.~~

§210-8483. Town Board procedure.

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B. Required referral.

(1) ~~The Town Board shall transmit a full statement of any proposed amendment, whether a zoning text amendment or a Zoning District Map amendment, that meets the referral requirements of §§239-l and 239-m of the General Municipal Law or the Dutchess County Department of Planning and Development ("Department") to the Dutchess County Department of Planning for its review and recommendation. The Town Board shall not take action on such proposed amendment until a recommendation has been received from the County Planning Department or 30 calendar days have elapsed since the Department received such full statement.~~

(2) ~~If the Town Board requests, the Planning Board shall make inquiry and provide recommendation regarding proposed amendments, supplements, changes or modifications concerning the matters specified below:~~

- (a) ~~Whether such change is consistent with the purposes embodied in this chapter as applied to the particular zoning districts concerned.~~
- (b) ~~Which areas and establishments in the Town will be directly affected by such change and in what way will they be affected.~~
- (c) ~~Whether adequate public services and facilities and other supporting infrastructure exist or can be created to serve the needs of any additional development that may occur as a result of such change.~~
- (d) ~~The indirect implications of such change in its effect on other regulations.~~
- (e) ~~Whether such proposed amendment is consistent with the underlying objectives of this chapter, including but not limited to whether such proposed amendment is consistent with the Town of Union Vale Master Plan and Dutchess County land use policies as set forth in Directions and/or Greenway Connections.~~

C. Compliance with SEQRA.

- (1) Proposed zoning text and Zoning District Map amendments other than moratoria are both actions subject to the provisions of the New York State Environmental Quality Review Act. Any action to initiate an amendment to this chapter shall be specifically accompanied by either a Short or Full Environmental Assessment Form (EAF) as deemed appropriate by the Town Board pursuant to SEQRA, Article 8 ~~en~~ of the Environmental Conservation Law and Title 6 Part 617 NYCRR.

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| §210-~~8584~~. Reimbursable Costs

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