

Local Law No. 1 of 2026

State Environmental Quality Review Act
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

February 4, 2026

Determination: Please take notice that, according to the provisions of NYCRR, Part 617.7, and specifically 617.7(c), the Town of Union Vale Town Board, as Lead Agency, having reviewed and considered a Full Environmental Assessment Form and other data submitted for the referenced project, evaluated the proposed action, and has determined that the action as described below will not have a significant adverse impact on the environment and the Town Board has therefore adopted a Negative Declaration resolution to this effect.

Lead Agency: Town of Union Vale Town Board

Contact Person: Steve Frazier
Town of Union Vale Town Board
924 Duncan Road, LaGrangeville, NY 12540
Email: supervisor@unionvaleny.us

Name of Project: Local Law # 1 of 2026

Applicant: Town of Union Vale Town Board

Location: RD10 Zoning District

SEQR Status: Type 1

Description of Action:

A local law amending the Zoning Code Article XI §210-86, §210-56(E), and Attachment 210-3 relating to the establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the elimination of Conference Centers as a permitted use in the RD10 District (the “Proposed Action” or the “Proposed Legislative Action”).

Reasons Supporting This Determination:

The Town Board has carefully considered whether the Proposed Action would potentially have a significant adverse impact on the environment. For the reasons set forth below, the adoption of a New York State Environmental Quality Review Act (“SEQRA”) Negative Declaration by the Town Board is appropriate and a draft environmental impact statement (“EIS”) will not be prepared.

1. In accordance with the regulations implementing SEQRA, Part 1 of the Full Environmental Assessment Form (“EAF”), dated October 4, 2024 and redated and executed January 21, 2026, was prepared by the Town of Union Vale and reviewed by the Town Board. The Town Board determined that the Proposed Action should be classified as a Type 1 Action. On April 16, 2025, the Town Board resolved to circulate a Notice of Intent to Act as Lead Agency, which was circulated on April 22, 2025. There being no opposition, the Town Board assumed Lead Agency status.
2. Based upon an extensive review of the proposed amendment to the Union Vale Zoning Code Article XI §210-86, §210-56(E) and Attachment 210-3 to be known as Local Law No. 1 of 2026 and all supporting materials, comments submitted by the public, analysis and comments of the Town Board and its consultants and outside agencies, it has been determined that the Proposed Action will not have a significant adverse impact on the environment. The following shall serve as the Board’s findings to its review of the Full EAF Part 2 evaluating specific potential environmental concerns.
3. The Town Board has given due consideration to the Proposed Action as defined in 6 NYCRR §§ 617.2(b)(1) and 617.3(g). The Town Board has given due consideration to the public and agency comments on the Proposed Action including those on or before the public hearing.
4. The Town Board has completed Parts 1, 2 and 3 Full EAFs and other supporting material, as described herein and in the EAF Part 3 Narrative, and has concluded that there are no significant environmental effects as a result of the Proposed Action.
5. On October 2, 2024, Supervisor Frazier introduced a Local Law for the Town of Union Vale (the “Town”), now to be known as Local Law #1 of 2026, entitled “A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District” (the “Original Proposed Local Law”) which would amend §210-3, 210-56(E) and 210-86 as set forth in the proposed Local Law. The Board determined that the Action was a Type 1 Action for SEQRA purposes and determined that it would be Lead Agency.
6. The Action was referred to the Dutchess County Department of Planning and Development on October 17, 2024 pursuant to General Municipal Law §239-m and to the Town of Union Vale Planning Board pursuant to Town Code §210-83(A).
7. A public hearing on the Original Proposed Local Law was held on October 16, 2024, at which there were no comments made by the public.

8. The Dutchess County Department of Planning and Development responded to the Town's GML §239-m referral on November 6, 2024, and advised that the Proposed Action is a Matter of Local Concern with Comments.
9. The Board received comment from the Town of Union Vale Planning Board on November 14, 2024, which proposed one revision to Section 17(b) of the Original Proposed Local Law and, with said revision, made a favorable recommendation of the Local Law.
10. The Local Law was redrafted (the "First Revised Proposed Local Law") and was reintroduced on November 20, 2024 and was again referred to the Dutchess County Department of Planning and Development on November 22, 2024 and to the Town of Union Vale Planning Board in which no further comments were received.
11. A public hearing on the First Revised Proposed Local Law was held on December 4, 2024 and again on February 5, 2025.
12. The Town Board again reintroduced the Local Law on April 16, 2025 (the "Second Revised Proposed Local Law") and directed the public hearing to be held on May 21, 2025. The Board again determined that this was a Type I action and declared itself Lead Agency. Referral was sent to the Dutchess County Department of Planning and Development and Union Vale Planning Board on April 22, 2025 and responses were received on May 7, 2025 indicating no further comments.
13. The duly-noticed public hearing on the Second Revised Proposed Local Law was opened on May 21, 2025 and was held open for further comments on June 4, 2025 and July 16, 2025, at which all interested parties, for or against the Proposed Local Law, were heard.
14. The text of the Second Revised Proposed Local Law was inconsequentially corrected to amend two clerical errors: the Schedule of Use Regulations at 210 Attachment 3 was revised to correctly refer to the "RA5," "RA3," and "R1" zoning districts; and the term "plant" at Section 210-56(E)(17)(c)(14)(a) was corrected to "catering facility building."
15. At its regular meeting on January 21, 2026, the Town board voted to hold an additional public hearing on February 4, 2026 and authorized circulation of notice of the public hearing to adjacent municipalities in accordance with General Municipal Law ("GML") 239-nn.

As described more fully in the EAF Part 3 narrative, in addition to the Proposed Action, a Sketch Site Plan entitled "Fuscaldo Wedding Venue" and related documents were submitted to the Planning Board for a Sketch Plan Conference pursuant to Town of Union Vale Town Code §210-62 regarding the proposed use of a parcel (hereinafter "Freihofer Parcel") as a wedding venue in the RD10 District. The Freihofer Parcel project was determined by Code Enforcement Officer

(“CEO”) Kolb to be abandoned, per Town Code §210-63, because no full application was submitted to the Planning Board within six (6) months of the Sketch Plan meeting.

Further, following the determination by CEO Kolb that the existing Code provisions required a 100-acre parcel for the proposed Freihofer project, an area variance application was made to the Town of Union Vale Zoning Board of Appeals (“ZBA.”) The ZBA stated that it was not in a position to act because the issue of whether the use was permitted in the zone was not settled. As no action was taken thereafter, as with the Sketch Site Plan submitted to the Planning Board, the ZBA application has been effectively abandoned.

Notwithstanding that neither the Freihofer Sketch Site Plan nor the ZBA application are active, the Town Board has considered them to determine if that potential project, at the limited level of planning and design submitted, would result in any significant environmental impacts in accordance with 6 NYCRR 617.7.

At its regular meeting on February 4, 2026, the Town Board reviewed and adopted the Parts 2 and 3 EAF and reviewed the following SEQRA Findings:

a. Impact on Lands

Although the Proposed Legislative Action does not involve physical land disturbance, it is noted that some of the parcels which may be affected by this legislative action contain lands that meet the criteria identified in the Part 2 EAF. It is acknowledged that any potential future land development applications which may arise after the adoption of this legislation would be subject to a SEQRA review based on the merits of an individual land development application and at that time, the threshold impacts would be accordingly identified and addressed based on an individual development plan.

The Local Law #1 of 2026 has implemented a Land Banked Parking provision to minimize the full and immediate buildout of potential parking areas and has set the minimum lot area for such a use to 75 acres to further protect the land within this district. Moreover, the Special Permit Criteria requires that projects preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community; requires the formal and informal landscaping, stonewalls, entrance gates and similar features must be preserved whenever feasible; new construction shall be sited so as to have minimum impact on fields, meadows and woodlands; major grading or changing of topography shall not be permitted; unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved and the maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet. The Proposed Legislative Action will not have a significant adverse effect on lands.

The Sketch Site Plan provided for the now-abandoned Freihofer Parcel is conceptual in nature and provides no dimensional information pertaining to building size or impervious areas other than an assertion that the total lot coverage would be less than 5% of the 80.52-acre site. If a more complete design of the project were pursued after the adoption of Local Law #1 of 2026, the project would be subject to a review by the Planning Board which would require that the project

conform with the proposed Special Permit Criteria and, of course, pass independent SEQRA muster.

b. Impact of Geological Features

The Proposed Legislative Action does not result in physical disturbance. Individual applications will be subject to Town review on a case-by-case basis to evaluate the impact of geological features. See attached maps from the Dutchess County Natural Resource Inventory illustrating geological features in the Town of Union Vale. The Proposed Legislative Action will not have a significant adverse effect on geological features.

According to the Dutchess County Environmental Mapper tool, there are no unique geologic features on the Freihofer Parcel. If a more complete design of the Freihofer Parcel were pursued after the adoption of Local Law #1 of 2026, the project would be subject to a review by the Planning Board which would require that the project conform with Town of Union Vale Town Code including the proposed Special Permit Criteria, SEQRA, etc.

c. Impacts on Surface Water:

As the Proposed Action does not authorize site-specific development, it will not directly result in disturbance to streams, ponds, or wetlands. Any future development applications on parcels within the RD10 district will be subject to Town review on a case-by-case basis to assess the surface water impacts and mitigate as needed. See the Dutchess County Environmental Mapper tool which illustrates surface water features in the Town of Union Vale.

Moreover, the Special Permit Criteria require that projects preserve existing scenic and natural areas important to the community; require the formal and informal landscaping, stone walls, entrance gates and similar features must be preserved whenever feasible; require that new construction shall be sited so as to have minimum impact on fields, meadows and woodlands; specify that major grading or changing of topography shall not be permitted; and require that unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.

The Proposed Legislative Action will not have a significant adverse effect on surface waters

According to the Dutchess County Environmental Mapper tool, the proposed siting of the conceptual building on the Freihofer Parcel, and the preliminary information provided as presented to the Planning Board, there will be no significant impacts to the surface water features on site.

d. Impact on Groundwater

The Proposed Legislative Action does not authorize any specific use of groundwater. Any future individual development applications will be subject to Town review and Dutchess County Department of Health review on a case-by-case basis to evaluate water and septic usage in compliance with health and environmental regulations. Therefore, it is not anticipated that this Proposed Action will have a significant adverse impact on groundwater.

Development of the Freihofer Parcel will include an individual well on-site to provide water. As the conceptual plans provided to the Town Planning Board have not yet been designed or

engineered, further design would be required if the project was pursued after the adoption of Local Law #1 of 2026.

e. Impacts on Flooding

The Proposed Legislative Action does not entail physical disturbance. Any future development projects would be evaluated for flood zone compliance where necessary. See attached maps from the Dutchess County Natural Resource Inventory illustrating the 100-year floodplain and 500-year floodplain in the Town of Union Vale. There is no significant adverse impact to flooding from the Proposed Action itself.

The Freihofer Parcel is not located in a floodway or floodplain, so it can be assumed no impact on flooding will occur. However, further site-specific analysis would be conducted during the Planning Board review if the project were advanced.

f. Impacts on Air

The Proposed Action does not include a State regulated air emission source or involve any activity that will have more than a minimal impact on air quality. The Proposed Legislative Action will not have a significant adverse effect on air quality.

According to the limited documentation provided, development of the Freihofer Parcel will not include State regulated air emission sources or any activity that will have an impact on air quality.

g. Impact on Plants and Animals

There is no immediate disturbance to vegetation or wildlife habitat as the Proposed Action is legislative. Individual development proposals may affect habitats, and such impacts would be addressed on a case-by-case basis.

Moreover, the Special Permit Criteria require that whenever feasible, new construction shall be sited so as to have minimum impact on fields, meadows and woodlands; major grading or changing of topography shall not be permitted; unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved and the maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet. The Proposed Action will not have a significant adverse effect on plants and animals.

According to the Dutchess County Environmental Mapper tool, the Freihofer Parcel does not contain any rare plants or animals, but may provide habitat for an endangered or threatened species, the Indiana Bat. If the project design were advanced, any potential impact to the Indiana Bat would be evaluated at that time.

h. Impact on Agricultural Resources

The RD10 Zoning district contains properties that are in Agricultural District #21. The Proposed Action is a Text Amendment to the RD10 district, which is a legislative action; therefore, no direct physical disturbance on agricultural land is associated with this action. It is possible that individual applications for future development may have an impact by converting agricultural land to non-agricultural uses or result in increased development potential or pressure on farmland.

However, Local Law #1 of 2026 was intended to remove the use of Conference Centers, which was a permitted use and include a new Specially Permitted Use of Catering Facilities.

The Specially Permitted Use contains criteria to ensure new construction shall be sited so as to have minimum impact on fields, meadows and woodlands; major grading or changing of topography shall not be permitted; unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved. These limitations will limit the pressure on agricultural land. The Local Law also indicates that operations authorized and approved pursuant to the Local Law shall not conflict with provisions of the Agriculture and Markets Law pertaining to on-farm wineries, cideries, distilleries, or breweries.

The Freihofer Parcel is not located within Agricultural District #21 but is located partially in an Agricultural Priority Area. If the project were advanced, site-specific analysis in relation to agricultural soils would be identified and analyzed at that time.

i. Impact on Aesthetic Resources

No physical disturbance is associated with this Proposed Legislative Action. The land use of the Proposed Action, Catering Facilities, is not sharply different from current land use patterns and scenic or aesthetic resources. Individual applications will be subject to Town review on a case-by-case basis to evaluate any impact on aesthetic resources. No adverse impacts on aesthetic resources are anticipated.

Moreover, the Special Permit Criteria requires that whenever feasible; new construction shall be sited so as to have minimum impact on fields, meadows and woodlands; major grading or changing of topography shall not be permitted; unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved and the maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet, and the maximum aggregate square foot footprint of the lodging facilities shall be 5,000 square feet.

The criteria also set requirements relating to the setback of buildings and parking lots and provide adequate screening to preserve the rural character of the district and reduce visual impacts of any future developments.

The Freihofer Parcel is not located near any designated scenic or aesthetic resources.

j. Impact on Historical and Archeological Resources

The Proposed Legislative Action does not have direct disturbance to historical and archeological resources. Future development applications will require consultation with the State Historic Preservation Office (SHPO) if such resources are present. Moreover, the Special Permit Criteria requires that projects preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community. The Proposed Action does not create significant adverse impacts on historical and archaeological resources.

According to the Dutchess County Environmental Mapper tool, the Freihofer Parcel is not located near any historical or archaeological resources, therefore no impact is anticipated.

k. Impact on Open Space and Recreation

The Proposed Action is not located within an area listed in an adopted municipal open space plan. Therefore, the action will not result in any loss of a public open space resource designated in a governmental open space plan.

Development of the Freihofer Parcel is limited in the coverage of the 80.56 acre lot as established in the proposed Local Law. This limitation will assist in preserving the open space on this lot. If the design of the Freihofer Parcel were further advanced, the design would be reviewed so that any open space and recreational needs are identified and analyzed at that time.

l. Impact on Critical Environmental Areas

The Proposed Action will not have any impact on any critical environmental areas (CEAs) designated by NYSDEC because the Town of Union Vale does not contain any CEAs. Nor are any CEAs located adjacent to the Project Site. See attached map from the Dutchess County National Resource Inventory illustrating there are no CEA's in the Town of Union Vale.

m. Impact on Transportation

A comparative planning analysis (See attached Exhibit A – KARC Memo dated March 13, 2025) demonstrates that Catering Facilities are anticipated to generate significantly fewer vehicle trips during peak periods than Conference Centers, which the proposed amendment eliminates as a permitted use. This suggests a potential net reduction in traffic impacts.

Local Law #1 of 2026 restricts Catering Facilities to parcels with direct access to County and State Routes only, and grants the Planning Board authority to require a traffic study certified by a qualified professional and reviewed by the Town Engineer or Planner, to determine appropriate parking, access, and land banked parking requirements for each individual site plan during review of applications which are subject to the new Local Law. As such, the Proposed Action is not expected to result in a significant adverse impact on transportation infrastructure.

The Conceptual Plans for the Freihofer Parcel do not provide sufficient information to determine the proposed Traffic uses. If the project is pursued after the adoption of Local Law #1 of 2026, a site-specific analysis will need to occur to draw any conclusions on the degree of impact, although the proposed Local Law does provide limitation on the size of Catering Facilities, including required parking.

n. Impact on Energy

The Proposed Legislative Action does not have direct impacts on energy as no physical disturbance is taking place. Individual applications will be subject to Town review on a case-by-case basis to evaluate any impact on energy consumption. The Proposed Action will not result in a significant adverse impact.

Development of the Freihofer Parcel is expected to have a minor impact on energy. Site-specific review will occur to determine the impact on energy consumption for the proposed development.

o. Impact on Noise, Odor, and Light

The Proposed Action establishes additional controls to noise and light. These standards are consistent with standard noise regulations seen in many rural communities and ensure that noise

and lighting impacts are kept at a minimum. The Proposed Action provides the Planning Board with authority to require additional noise analysis. Further, the Town is authorized to conduct field-testing to verify noise levels, or the Town may require the property owner hire a consultant to conduct field-testing for submittal to the Town Building Department.

The Proposed Action authorizes the Planning Board to specify additional restrictions or conditions it deems appropriate relating to the use of amplified sound in order to reduce noise from traveling beyond the event area, including, but not limited to, prohibiting amplified sounds emanating from tents, pavilions, structures with open doors or windows, and other open or non-enclosed structures.

Further, the Proposed Action authorizes the Planning Board to specify permitted locations, required setbacks, and additional noise attenuation measures to regulate all sources of amplified sound, including but not limited to music and performances. Fireworks, firecrackers or other artificially generated loud noises are not permitted unless approved by the Town Board and a temporary permit is issued for the event.

Based on public comments, the proposed minimum lot size has increased from 50 acres under the original proposal, to 75 acres under the current proposal to allow for increased buffers between neighboring properties for noise and light. Further, the Proposed Legislative Action establishes additional controls for outdoor activities including the following:

- A. Any outdoor activities at a catering facility allowed under this section shall be held only on patio or terrace areas connected to the physical plant and approved as part of the site plan review and must comply with all setback and buffer requirements herein.
- B. Outdoor activities shall not be operated prior to 10 a.m. or later than 10 p.m., and in no event may amplified sound be used in any outdoor patio or terrace at any time. Indoor activities may not be operated prior to 10 a.m. or later than midnight but indoor amplified sound must be controlled such that no noise is heard on adjacent properties prior to 10 a.m. or after 10 p.m.
- C. Any outdoor use shall require an operating permit pursuant to the New York State Building Code.

The Planning Board will be authorized to require a lighting plan and all outdoor lighting associated with the facility shall be:

- A. Turned off after closing except as minimally required for safety purposes.
- B. Located, fully shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way. Light trespass across any property line shall not be in excess of 0.4 footcandle
- C. The maximum height for an outdoor light fixture, as measured from the finished grade to the top of the fixture, shall be no greater than 20 feet.
- D. Outdoor light fixtures installed above 15 feet in height shall have a manufacturer's maximum output rating of no greater than 400 lumens.
- E. The maximum allowable correlated color temperature (CCT) for outdoor Luminaires is 3000 K.

No significant odors are anticipated from the proposed use. Individual applications will be subject to Town review on a case-by-case basis to evaluate any impacts relating to noise, odor, and light. No significant adverse impact on noise, odor, or light are expected from the Proposed Action.

Any further development of the Freihofer Parcel will be held to the Special Permit standards set forth in the proposed Local Law.

p. Impact on Human Health

The Proposed Action does not introduce any uses known to generate hazardous materials or public health risks. Individual applications will be subject to Town review on a case-by-case basis to evaluate any potential impacts on human health. The Proposed Action presents no significant adverse human health impacts.

Although conceptual, the development plans for the Freihofer Parcel will not generate hazardous materials or be harmful to human health.

q. Consistency with Community Plans

The Proposed Action is consistent with the Town of Union Vale Comprehensive Plan¹ as noted in KARC Planning Consultants memo dated January 28, 2025 (Attached Exhibit B). The Comprehensive Plan outlines an intent to preserve large parcels of land which contribute to the rural character of the community and recommendations to update the zoning ordinance to adopt standards that preserve the natural appearance, viewsheds, limit grading, and reduce the number of parking spaces for commercial uses. The Proposed Legislative Action limits the maximum floor area of new Catering Facilities to 6,000 square feet and requires that parking areas be set back at least 200 feet from the property lines. The Proposed Action is compatible with the stated intent of the RD10 zoning district and other permitted uses within the RD10 district.

Individual applications will be subject to Town review on a case-by-case basis to evaluate consistency with community plans.

If pursued, development of the Freihofer Parcel will be held to the Special Permit standards set forth in the proposed Local Law #1 of 2026 and as outlined above to stay consistent with the Town of Union Vale Master Plan. Further review in regard to consistency with Community Plans for this site will occur during the Planning Board's review.

r. Consistency with Community Character

The Proposed Action is consistent with the community character of the RD10 zoning district. The Proposed Action is not replacing or eliminating existing facilities, structures, or areas of historical importance. The Proposed Action will not directly create demand for community services. As the Catering Facility use is replacing a more intensive use (Conference Center), the demand for community services may be equal to or lesser than this current permitted use. This addition of the Catering Facility use will not displace other residential permitted uses and will not impact the right to construct housing or allow temporary housing. The Proposed Action will not interfere with the use or enjoyment of officially recognized or designated public resources. The proposed

¹ Town of Union Vale Master Plan, October 2001.

amendment to the zoning code regulates height and implements screening regulations to ensure the project will stay in compliance with the community character. The proposed zoning text also sets objectives regarding preservation and rehabilitation of existing structures. The Proposed Action establishes design objectives that will preserve unique natural areas (ie., streams, ponds, woodlands) as well as new construction being sited as to minimize impacts on fields, meadows, and woodlands.

Individual applications will be subject to Town review on a case-by-case basis to evaluate consistency with community character. If pursued, development of the Freihofer Parcel will undergo review by the Planning Board to ensure the project complies with the community character.

For further information:

Contact Person: Steve Frazier, Supervisor
Town of Union Vale Town Board
Address: 924 Duncan Road, LaGrangeville, NY 12540
Telephone: 845.724.5600

A copy of this Notice of Negative Declaration will be filed with:

Town of Union Vale Zoning Officer/Code Enforcement Officer;
Town of Union Vale Town Board;
Town of Union Vale Town Clerk;
New York State Department of Environmental Conservation;
Dutchess County Department of Planning and Development
Dutchess County Department of Health
New York State Department of Health
New York State Department of Environmental Conservation
New York State Office of Parks, Recreation and Historic Preservation

Notice of this Negative Declaration must be published in the Environmental Notice Bulletin (ENB) Notices must be submitted by the lead agency to the Environmental Notice Bulletin by e-mail to <https://dec.ny.gov/enb/segra-form> and to the following address:

Environmental Notice Bulletin
625 Broadway
Albany, NY 12233-1750