

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:                     Type 1                     Unlisted

Identify portions of EAF completed for this Project:     Part 1                     Part 2                     Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

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and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

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A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

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There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

## **Town of Union Vale Town Board**

### **Part 3 EAF NARRATIVE Evaluation of Potential Environmental Impacts Local Law #1 of 2026**

**February 4, 2026**

The proposed action is the adoption of a new Local Law #1 of 2026 which amends the Zoning Code Article XI §210-86, §210-56(E), and Attachment 210-3 relating to the establishment of a Special Permit Use 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”).

### **SEQRA COMPLIANCE AND INVOLVED AND INTERESTED AGENCIES**

The Proposed Action’s potential environmental impacts must be reviewed pursuant to the State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, “SEQRA”). Pursuant to 6 NYCRR § 617.6(a)(1)(iv), “as soon as an agency receives an application for...approval of an action, it must” make a preliminary classification of the action as Type 1, Type 2 or Unlisted. This “preliminary classification will assist in determining whether a full EAF and coordinated review is necessary.” The Proposed Action has been determined to be a “Type 1 Action”.

The Town Board has completed Part I and, on February 4, 2026, adopted Part II of the Long Environmental Assessment Form (“EAF”) as required by 6 NYCRR § 617.6(a)(2).

For purposes of this action, the Town of Union Vale has reviewed the following information:

1. Draft Local Law #1 of 2026, which sets forth to modify the uses described in the RD10 District to establish a Special Permit Use for Catering Facilities with a temporary lodging component and eliminate the Permitted Use for Conference Centers. The primary action under review involves a text amendment to the Town’s Zoning Code Article XI §210-86, §210-56(E), and Attachment 210-3 relating to the establishment of a Special Permit Use 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. This text amendment is consistent with the Town’s Comprehensive Plan and stated land use objectives as described herein.
2. The Town Board has reviewed recommendations and analysis from Town consultants including: KARC memorandum dated January 28, 2025 regarding “Compliance of Proposed Text Amendment Effecting RD10 District with Town of Union Vale Master Plan” (Exhibit B); KARC memorandum dated March 14, 2025 regarding “Proposed Text

Amendment Effecting RD10 District – Addendum 1” and attached maps (Exhibit A); Compiled maps from Dutchess County Natural Resource Inventory Environmental Mapper Tool and Traffic Data (Exhibit C) regarding soils, steep slopes, bedrock and geology, wetlands and watercourses, aquifers, floodplains, rare plants and animals, agricultural lands, Critical Environmental Areas, and contaminated soils; Rennia Engineering Design memorandum dated January 9, 2025 regarding “Local Law Amending Zoning Code Article XI, §210-86, §210-56(E) and Attachment (Exhibit D), Rennia Engineering Design memorandum dated October 24, 2025 regarding Engineering Sight Distance Review and Attachments (Exhibit E), KARC memorandum dated April 21, 2025 regarding “Second Revised Local Law Amending Zoning Code to Permit Catering Facilities in the RD10 District – Review Memo” (Exhibit F), and KARC memorandum dated September 17, 2025 regarding “Second Revised Local Law Amending Zoning Code to Permit Catering Facilities in the RD10 District – Explanation of Dutchess County Traffic Data” (Exhibit G).

3. In addition to the Primary 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 Sketch Site Plan and supporting documents are annexed at Exhibit H. 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. See Code Enforcement Officer Letter attached hereto as Exhibit I.
4. 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. The ZBA application, supporting documents, and ZBA minutes are attached as Exhibit J. As no action was taken thereafter, as with the Sketch Site Plan submitted to the Planning Board, the ZBA application has been effectively abandoned.
5. 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.
6. In considering this proposed Local Law #1 of 2026, the Town Board has also fully considered the full record of the minutes, hearings, and submissions on earlier iterations of this Local Law, including two re-introductions of the Local Law (November 20, 2024 and April 16, 2025), multiple referrals to the Dutchess County Department of Planning and Development and the Town of Union Vale Planning Board, five public hearings (October 16, 2024; December 4, 2024; February 5, 2025; May 21, 2025, which hearing was held open to June 4, 2025 and July 16, 2025; and February 4, 2026), and all reports and records as were compiled and indexed at the regular Town Board meeting on January 21, 2026.

During the public hearings, this Board received comments both as to this Proposed Local Law as well as the potential Freihofer project.

In addition to the fact that the Freihofer Planning Board and ZBA applications are no longer active, it is clear that they were preliminary in nature and had not been designed beyond a sketch site plan nor had any regulatory permits been issued. At this time, no engineered development plans have been submitted, approved, or finalized. That project remains speculative and lacks the detailed engineering, infrastructure, traffic, and utility data necessary for a complete environmental review of potential site-specific impacts. Therefore, any future development plans for the Freihofer project, if pursued after the adoption of Local Law #1 of 2026, will be reviewed based on the merits of a designed site plan and associated technical reports, and will be subject to an independent SEQRA review.

Pursuant to 6 NYCRR § 617.3(g), the Town of Union Vale acknowledges that unjustified segmentation of environmental review is not allowed. However, in this case, a limited SEQRA review of the Freihofer Sketch Site Plan has been conducted. The limited review of that project is justified, appropriate, and no less protective of the environment based on the current nature and scope of that proposed action.

In this instance, segmentation of the SEQRA process would be justified on the following grounds:

1. Independent Legislative Action – Rezoning is a discretionary legislative act that does not by itself authorize or approve any development. It merely establishes the zoning envelope within which any future development would occur.
2. No Foreclosure of Environmental Review – This rezoning does not commit the Town, any of its Boards, or any other agency to approve any particular project development, nor does it limit the range of alternatives or mitigation measures that could be required during subsequent, project-specific environmental reviews.
3. Lack of Sufficient Detail for Full Review – Without a concrete development proposal, any attempt to evaluate the full environmental impacts would be speculative and premature, leading to potentially misleading or incomplete analysis.
4. Full Disclosure and Transparency – Obviously, there is in this instance, as with any Zoning Code amendment, the potential for future development consistent with the proposed RD10 district regulations and the Town's comprehensive plan. The present SEQRA review of the proposed Local Law and consideration of the Freihofer project based on the limited information available is being conducted transparently and in good faith, with a firm commitment to future SEQRA compliance.

Based on the above, the Town finds that the present SEQRA review is not being used to avoid or minimize environmental scrutiny, but rather to allow for a meaningful and legally proper review process at each appropriate stage. The current rezoning action is suitable for SEQRA review, and any future project will be subject to a full SEQRA analysis upon application.

Specific Code limitations relating to building setbacks, grading and modification to natural resources, outdoor activity locations, lodging limitations, buffers, lighting, and noise have been placed on the proposed Catering Facility use to distinguish Catering Facilities from previously permitted Conference Centers, maintaining a more controlled and lower-impact use that is similar in intensity to that of other specially permitted uses in the RD10 district, such as golf courses, bed and breakfast establishments, and private outdoor recreation facilities.

Notwithstanding the aforementioned regulatory justifications to segment the SEQRA review of the proposed Local Law from the speculative and abandoned Freihofer proposal, the Town Board has not segmented its review and has in fact included the Freihofer Sketch Site Plan in its SEQRA review of the proposed Code change to the extent possible.

## **EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

The following sets forth the supportive information for the conclusions provided for in the Full EAF Part 2 dated February 4, 2026.

### **1. 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 buildup of potential parking areas. The Land Banked Parking provision reduces land disturbance by limiting clearing, grading, and paving to only the number of parking spaces currently needed, allowing remaining areas to remain in natural or landscaped condition unless future demand requires expansion. This approach avoids unnecessary impervious surface and preserves more open space on the site.

The Local Law #1 of 2026 has set the minimum lot area for such a use to not less than 75 acres and requires that access to the facility shall be from a state or county highway. These requirements further protect the land within this district because only 25 parcels satisfy the criteria above.

Moreover, the Special Permit Criteria for a Catering Facility specified in Local Law #1 of 2026 require that projects preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community; requires that formal and informal landscaping, stonewalls, entrance gates and similar features must be preserved whenever feasible; requires that new construction shall be sited so as to have minimum impact on fields, meadows and woodlands; specifies that major grading or changing of topography shall not be permitted; requires that unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved; and specifies that 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 footprint of the lodging facilities shall be 5,000 square feet. Taken together, these provisions have been implemented specifically to limit land disturbance and ensure that the proposed legislative action will not have a significant adverse effect on lands.

The Sketch Site Plan provided for the now-abandoned Freihofer project is conceptual in nature and provides no dimensional information pertaining to building size, and virtually none as to impervious areas (<5%). If a more complete design of the project were pursued after the adoption of Local Law #1 of 2026, it would be subject to a review by the Planning Board which would require that it conform with the proposed Special Permit Criteria and, of course, pass independent SEQRA muster.

## **2. 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, annexed at Exhibit C. The Proposed Legislative Action will not have a significant adverse effect on geological features.

According to the Dutchess County Environmental Mapper tool in Exhibit C, 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.

## **3. 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 attached map from the Dutchess County National Resource Inventory illustrating surface water features in the Town of Union Vale in Exhibit C.

Moreover, the Special Permit Criteria require that projects preserve existing scenic and natural areas important to the community; 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. Taken together, these provisions have been implemented specifically to limit impacts on surface waters such as streams, ponds, and marshes and ensure that the proposed legislative action will not have a significant adverse effect on surface waters.

According to the Dutchess County Environmental Mapper tool in Exhibit C, there are potential wetlands and surface water 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 wetlands be delineated by a

certified professional and that the project conform with the proposed Special Permit Criteria, SEQRA, and other wetlands regulations.

#### **4. 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.

Any development at the Freihofer Parcel, like all development in Union Vale, would most surely require use of 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. Moreover, the project, if pursued, would be subject review under the newly adopted Dutchess County Aquifer Law, Local Law # 2 of 2024.

#### **5. 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 flooding impact will occur. However, further site-specific analysis would be conducted during the Planning Board review if the project were advanced.

#### **6. 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.

#### **7. 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 and reviewed by the Planning Board on a case-by-case basis.

Moreover, the Special Permit Criteria require that whenever feasible, new construction be sited so as to have minimum impact on fields, meadows and woodlands; major grading or changing of topography not be permitted; unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., be preserved; the maximum floor area of all dining

and bar facilities, including kitchens and storage areas, not exceed 6,000 square feet, and the maximum aggregate square foot footprint of the lodging facilities shall be 5,000 square feet.

The Proposed Legislative 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 the Indiana Bat. If the project were pursued, the design would be subject to additional review by the Planning Board and NYSDEC.

## **8. Impact on Agricultural Resources**

The RD10 Zoning district contains properties that are in Agricultural District #21 (see attached map in Exhibit C). 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. 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 to provide an opportunity for agricultural landowners to diversify income streams and support the continued viability of farming. The addition of Catering Facilities as a permitted use is intended to support agriculture-adjacent and farm-based enterprises, such as working farms hosting weddings, farm-to-table venues, or small-scale retreats.

The Specially Permitted Use provisions in the proposed code amendment contain criteria to ensure new construction be sited so as to have minimum impact on fields, meadows and woodlands; major grading or changing of topography not be permitted; and unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., 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.

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

## **9. 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 within the RD10 zoning district. Individual applications for development 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 require that, whenever feasible, new construction be sited so as to have minimum impact on fields, meadows and woodlands; major grading or changing of topography not be permitted; unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., be preserved; the maximum floor area of all dining and bar facilities, including kitchens and storage areas, 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. No adverse impacts on aesthetic resources are anticipated.

## **10. Impact on Historical and Archeological Resources**

The Proposed Legislative Action does not disturb 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 require that projects preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community. The Proposed Action does not create any significant adverse impact on historical and archaeological resources.

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

## **11. 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.

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.

## **12. 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 RD10 zone or the Freihofer Parcel. See attached map from the Dutchess County National Resource Inventory in Exhibit C, which illustrates there are no CEAs in the Town of Union Vale.

## **13. Impact on Transportation**

A comparative planning analysis (see attached Exhibit A – KARC Memo dated March 14, 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 further restricts Catering Facilities to parcels with direct access to County and State Routes. Parcels with frontage on CR 9, CR 21, CR 24, and CR 90 are included. These County roads all carry posted speed limits of 55 mph and based on Dutchess County Traffic Viewer, accommodate between 1,000 and 5,000 average daily trips. The Dutchess County Traffic Viewer data demonstrates that county roads that serve the RD10 district currently carry only a fraction of their available capacity. With current AADT volumes ranging in the hundreds to low

2,000s compared to practical capacities in the 10,000–12,000 range, the roadway system has substantial reserve capacity to accommodate additional trips generated by new uses in the RD10 District. These conclusions are statistically supported by the data analyzed and detailed in the KARC memo dated September 17, 2025, annexed hereto as Exhibit G.

In addition, the proposed Local Law provides authority for the Planning Board to require a traffic study certified by a qualified professional and reviewed by the Town Engineer or Planner. Such studies will be used to set appropriate limits on facility capacity, determine appropriate parking and land banked parking requirements, and ensure that access points maintain safe line of sight. Line of sight is a mandatory criterion under NYSDOT review for all State roads.

Also, an engineering review letter from Rennia Engineering Design (see attached Exhibit D – Rennia memo dated January 9, 2025) further confirms that the Local Law has been thoughtfully structured to avoid adverse traffic impacts. In particular, the letter cites provisions requiring direct access to state or county highways, limitations on the number of guest rooms to prevent hotel-scale operations, and Planning Board authority to require traffic studies on specific applications.

Returning to potential development of the Freihofer Parcel, in addition to the excess capacity on Bruzgul Road, the public hearings on earlier iterations of this RD10 amendment included questions raised regarding entryway visibility and line of sight from the Freihofer Parcel to Bruzgul road at the point shown on the Sketch Site Plan. On this issue, the Board has reviewed the analysis of Rennia Engineering Design (see annexed Exhibit E dated October 24, 2025) which indicates that the potential driveway location is a permissible entrance location. If the Freihofer project is advanced following adoption of Local Law #1 of 2026, site-specific analysis would be required regarding traffic impacts, including detailed review of driveway placement, sight distances, and roadway capacity. The proposed Local Law also limits the size of Catering Facilities and associated parking, which will further mitigate potential impacts.

#### **14. 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 would introduce new operational energy demands associated with building lighting, cooking, and HVAC systems. Although these demands are expected to be minor with no significant adverse environmental impacts on the existing electric network, a site-specific energy analysis will be required as part of future environmental review.

#### **15. Impact on Noise, Odor, and Light**

The Proposed Legislative Action establishes additional controls to noise and light associated with the proposed Catering Facility use. 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 Legislative Action provides the Planning Board with the authority to require additional noise analysis on an as-needed basis. Further, the Town is authorized to conduct field-testing to verify noise levels, or the Town may require the property owner to hire an acoustical

consultant to conduct field-testing for submittal to the Town Building Department as part of their inspection requirements.

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. An engineering review letter from Rennia Engineering Design (Exhibit D – Rennia memo dated January 9, 2025) concludes that the Local Law includes sufficient provisions to allow for control and mitigation of noise in relation to neighboring parcels.

Based on public comments, the proposed minimum lot size has increased from 50 acres under the original iteration of the Local Law, to 75 acres under the current iteration of the Local Law to allow for increased buffers between neighboring properties for screening of 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. If the project were advanced, any further development of the Freihofer Parcel will be held to the Special Permit standards set forth in the proposed Local Law.

## **16. 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.

## **17. Consistency with Community Plans**

The Proposed Action is consistent with the Town of Union Vale Comprehensive Plan<sup>1</sup> as noted in KARC Planning Consultants memo dated January 28, 2025 (attached as 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.

Moreover, the Special Permit Criteria for a Catering Facility require that projects preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community; require the formal and informal landscaping, stonewalls, entrance gates, and similar features be preserved whenever feasible; new construction be sited so as to have minimum impact on fields, meadows, and woodlands; major grading or changing of topography not be permitted; unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., be preserved; the maximum floor area of all dining and bar facilities, including kitchens and storage areas, not exceed 6,000 square feet, and the maximum aggregate footprint of the lodging facilities be 5,000 square feet. Taken together, these provisions have been implemented specifically to limit land disturbance and ensure that the Proposed Legislative Action will not have a significant adverse effect on lands.

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 would be held to the Special Permit standards set forth in the proposed Local Law #1 of 2026 and as outlined

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<sup>1</sup> Town of Union Vale Master Plan, October 2001.

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.

## **18. 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.

The addition of the Catering Facility use will not displace 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 Action implements screening regulations to ensure future projects are 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 (i.e., streams, ponds, woodlands) as well as new construction being sited as to minimize impacts on fields, meadows, and woodlands. In addition, the Local Law requires substantial setbacks—no building or parking area may be located closer than 200 feet to a property line, nor within 500 feet of the exterior wall of an approved habitable space. These setback provisions were intentionally included to buffer adjacent residential properties and to maintain the open, rural visual character of the district.

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.

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Based on the application materials including plans reports and presentations, the Proposed Action will not create any significant adverse environmental impacts, and a Negative Declaration is warranted under SEQRA.

# EXHIBIT A

Proposed Text Amendment RD10

**TO:** Steve Frazier, Town Supervisor  
Union Vale Town Council

**FR:** KARC Planning Consultants, Inc.

**DATE:** March 14, 2025

**RE:** Proposed Text Amendment Effecting RD10 District – Addendum 1

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Based on public comments and concerns voiced at the February 5, 2025, public hearing, KARC offers the following information for consideration by the Town regarding the attached draft Local Law.

## OVERVIEW

Many of the public's comments and concerns focused on the future operations and logistics of Catering Facilities, should the use be added as a special permit use within the RD10 zoning district. As the Town is proposing Catering Facilities as a special permit use—rather than a by-right use—the Town retains the authority to impose specific stipulations and requirements to govern the proposed use if and when a project is reviewed by the Planning Board.

The following comments address potential impacts regarding noise, lighting, traffic, and the number of new parcels impacted by the proposed local law.

## SPECIAL USE PERMIT REVIEW

The Town may consider adding a stipulation requiring renewal of special use permits granted to Catering Facilities, pursuant to Section 210-55 of the code. The following language could be added to the draft Local Law Section 210-56(E)(17):

**Special use permit review.** Any special use permit issued to a catering facility under this section shall be reviewed by the Planning Board annually on or before the anniversary of the issuance of such special use permit. The Zoning Administrator shall issue a written report annually to the Planning Board regarding each catering facility's compliance with the terms of the special use permit and the provisions of the Town Code, including, but not limited to, § 210-56(E). In the event the Zoning Administrator's written report indicates compliance violation(s), the Planning Board shall hold a public hearing to review the continuation of the special use permit. Within 90 days of the conclusion of the public hearing, the Planning Board shall issue a written determination which may amend or revoke the special use permit based upon the findings of its annual review.

## NOISE REGULATIONS

The Town Code currently regulates noise under Section 210-24(A), which sets the following limits:

- Sixty decibels on the A-weighted scale (60 dbA) between the hours of 7:00 a.m. and 8:00p.m.
- Fifty decibels on the A-weighted scale (50 dbA) between the hours of 8:00 p.m. and 7:00a.m.

These standards will be applied to Catering Facilities, as they are to all uses, and are in line with standard noise regulations seen in many rural communities across Dutchess County. These regulations will serve to ensure that noise impacts do not unreasonably extend beyond the property boundaries. To further highlight these noise regulations in direct association with the proposed Catering Facility use, the following should be considered as additions to proposed Section 210-56(E)(17):

[15] Noise/sound. Proposed catering facilities must demonstrate compliance with the noise performance standards as outlined in §210-24(A). The Planning Board may require an additional noise analysis. Subsequent to special use permit approval, the Town is authorized to conduct field-testing to verify noise levels, or the Town may require the property owner to hire an acoustical consultant to conduct field-testing for submittal to the Town Building Department as part of their inspection requirements.

[a]. The Planning Board may 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. The Planning Board may 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 in accordance with §210-45.

## LIGHTING REGULATIONS

The Town Code currently regulates exterior lighting under Section 210-24(D) to prevent unreasonable glare or light trespass beyond property boundaries. Section 210-24(D) sets the following parameters:

- No glare beyond property boundaries
- Planting and light shields shall be required to alleviate impacts on neighboring residential properties
- Illumination more than 0.4 footcandle is not permitted beyond any property boundary
- Lighting fixtures shall be shielded from above and from the sides when necessary

These standards will be applied to Catering Facilities, as they are to all uses, and are in line with standard lighting regulations seen in many rural communities across Dutchess County. These regulations will serve to ensure that light pollution and glare does not unreasonably extend beyond the property boundaries. The following should be considered as additions to proposed Section 210-56(E) "Standards and Requirements for Certain Special Permit Uses."

[16] Lighting. Proposed catering facilities must demonstrate compliance with the glare and heat performance standards as outlined in §210-24(D). The Planning Board may require a lighting plan. 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

## COMPARISON OF USES

The following table compares two uses that are currently permitted by special use permit within the RD10 zoning district, Conference Center and Inn, against the proposed special permit use of Catering Facility. The table is intended to provide easy comparison of the various restrictions and limitations placed on each of these uses.

	Conference Center	Inn	Catering Facility
<b>Rooms (max)</b>	Not Limited	10	10
<b>Max Length of Stay</b>	7 days	Not Limited	4 days
<b>Dining Seats (max)</b>	No max but must be used by Conference Center participants, not for serving general public	30 max	Not Limited
<b>Max Floor area</b>	5% of land included in proposal	Not Limited	6,000 SF
<b>Max Lodging Floor Area</b>	Not Limited	Not Limited	5,000 SF
<b>Minimum lot area</b>	100 acres	20 acres	50 acres
<b>Access</b>	State/County highway or Town roadway (not part of a residential subdivision)	State/County highway or Town roadway (not part of a residential subdivision)	State/County highway
<b>Building Location</b>	> 150 feet of any property line nor within 250 feet of a neighboring residence	Not Limited	> 200 feet of any property line nor within 500 feet of the existing exterior wall of an approved Habitable Space
<b>Parking Location</b>	> 150 feet of any property line nor within 250 feet of a neighboring residence	> 100 feet of any property line	> 200 feet of any property line nor within 500 feet of the existing exterior wall of an approved Habitable Space
<b>Parking Requirements</b>	Not Limited	1 space per guest room	1 space per guest room plus either 1 space per 150 SF of service area accessible to customers or 1 space per 200 SF of gross floor area, whichever is greater
<b>Land Banked Parking</b>	Not Limited	Not Limited	up to 25% of the required parking

## TRAFFIC & TRIP GENERATION

Public concerns regarding increased traffic have been evaluated based on ITE (Institute of Transportation Engineers, 7th Edition) trip generation rates. Based on the analysis below, it can reasonably be determined that Catering Facilities will have a smaller traffic impact than Conference Centers, which are currently permitted and proposed to be prohibited within the district. Furthermore, Catering Facilities will likely have a traffic impact that is equal to or lesser than other permitted uses within the RD10 zoning district, such as Places of Worship and Day Camps.

Land Use	ITE Land Use Classification	ITE Trip Generation Rate (Peak Hour of Generator)	Trip Generation at Peak Hour for the Maximum Permitted Density*
Place of Worship	Church	11.76 per 1,000 sq. ft. GFA	118 Vehicle Trips
Day Camp	Day Care Center	13.56 per 1,000 sq. ft. GFA	230 Vehicle Trips
Conference Center	Resort Hotel	1.23 per occupied room	321 Vehicle Trips
Catering Facility	Quality Restaurant & Motel	10.82 per 1,000 sq. ft. GFA & 0.76 per occupied room	73 Vehicle Trips

\*Assumptions utilized to determine a reasonable maximum permitted size or density for each use are outlined below:

- Place of Worship: A maximum GFA (gross floor area) of 10,000 sq. ft. was assumed for Places of Worship
- Day Camp: A maximum GFA 17,000 sq. ft. was assumed for Day Camp as this is the approximate GFA of all buildings at Tymor Park that are utilized for yearly summer camps.
- Conference Center: A maximum density of 261 hotel rooms was assumed for Conference Center based on Town Code Section 210-56(E)(4)(b)(5) which currently permits “maximum floor area of all conference center facilities shall not exceed 5% of the land included in the project proposal.” Utilizing the maximum lot area of 100 acres, the provision above would allow for a maximum floor area of 5 acres, or 217,800 sq. ft. Subtracting 40% of floor area for common areas, restaurants, and meeting spaces, the remaining floor area of 130,680 sq. ft. was divided by an average hotel unit size of 500 sq. ft., resulting in a maximum density of 261 hotel rooms.
- Catering Facility: Per the proposed regulations in the draft Local Law Section 210-56(E)(17)(c)(5) and (8), the maximum floor area of all dining and bar facilities is 6,000 sq. ft. and the maximum number of guest rooms shall not exceed 10.

## IMPACT ON NUMBER OF ELIGIBLE SITES

The proposed local law will increase the number of eligible parcels from **16** to **37**, due to the reduction in minimum lot size from **100 acres** to **50 acres**. Please note that eligible sites are also limited by the requirement that “access to the facility shall be from state or county highway” (See attached map). However, Catering Facilities will be subject to more restrictive operational requirements compared to Conference Centers, including:

- Maximum **10 rooms** for lodging (compared to no maximum for Conference Centers)
- Maximum **4-day** length of stay (compared to **7 days**)
- Maximum **6,000 sq. ft.** floor area (compared to 5% of the land area for Conference Centers)
- **200 ft** setback from property lines (**50 ft** greater than Conference Centers)
- **500 ft** setback from neighboring habitable spaces (**250 ft** greater than Conference Centers)
- Parking requirements specified by the number of rooms and gross floor area

However, based on this analysis, the Town Board may want to consider increasing the minimum lot size to a larger number, such as 75, to minimize the number of new parcels that are impacted by the proposed code change.

## CONCLUSION

The proposed local law aims to regulate event spaces within the RD10 zoning district by introducing Catering Facilities as a special permit use while prohibiting the use of Conference Centers. This approach ensures that Catering Facilities operate under stricter regulations regarding noise, lighting, traffic, and parcel eligibility, making them a less intense use compared to Conference Centers. Key limitations include a maximum 6,000 sq. ft. floor area, stricter setback requirements, and limits on lodging duration and capacity, all of which reduce potential impacts compared to the currently permitted Conference Centers, which face fewer restrictions on size and lodging.

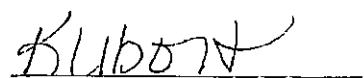
Overall, the amendment does not seek to eliminate event spaces but rather to increase oversight and control over their operations. By requiring compliance with detailed noise and lighting regulations, the proposed law ensures that Catering Facilities remain lower-impact and more community-friendly than Conference Centers. This shift reflects the town’s intent to balance economic opportunity with neighborhood compatibility, allowing event venues to operate under more structured and enforceable guidelines. As noted in our previous memorandum dated January 28, 2025, is consistent with the 2001 Master Plan.

However, based on this analysis, the Town Board may want to consider increasing the minimum lot size to 75 acres to further limit the number of new parcels impacted by the proposed changes, ensuring a more measured and controlled expansion of Catering Facilities within the district. The Town Board may also wish to apply a provision regarding renewal of

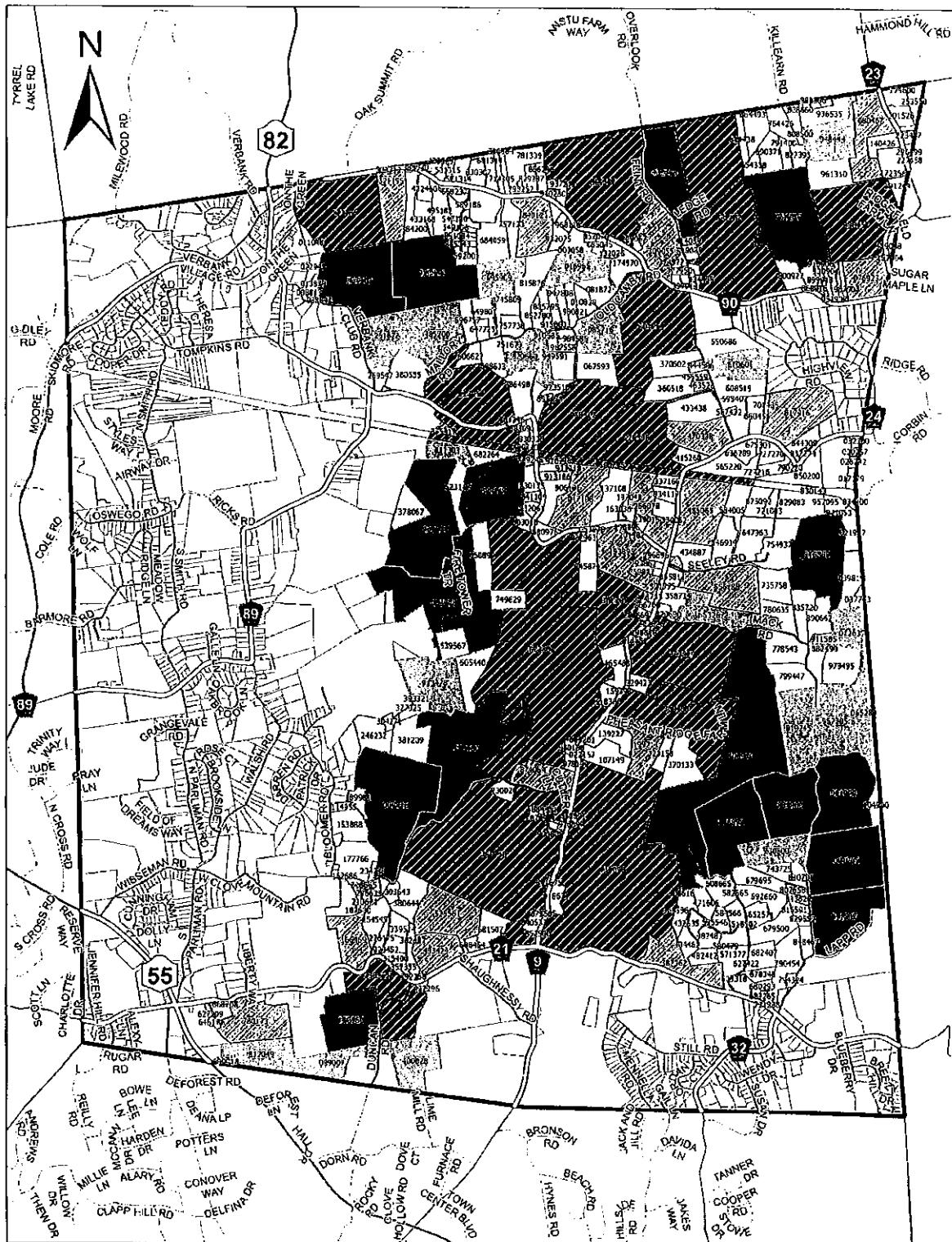
Catering Facility special use permits to monitor implementation and operations over time.

Please do not hesitate to contact us if you have any further questions.

Sincerely,



Kelly Libolt



## Town of Union Vale Rural Agricultural District (RD10)

- RD10 Parcels less than 50 acres
- RD10 Parcels 50+ acres
- RD10 Parcels 100+ acres
- RD10 Parcels 50+ acres AND Intersect with County & State Rds
- Parcels
- State & County Roads

This map is Intended for planning purposes only.  
The Department of Planning and Development shall not be held liable  
for any misuse or misrepresentation of the information contained herein.  
No guarantee of accuracy or completeness is intended or implied.

Produced by Dutchess County Department of Planning & Development  
February, 2025

# EXHIBIT B

# KARC

PLANNING CONSULTANTS, INC.

**TO:** Steve Frazier, Town Supervisor  
Union Vale Town Council

**FR:** KARC Planning Consultants, Inc.

**DATE:** January 28, 2025

**RE:** Compliance of Proposed Text Amendment Effecting RD10 District with Town of Union Vale Master Plan

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KARC has been asked to review the proposed zoning amendments (see below) to ensure that the action aligns with the Town's Master Plan, which is the community's guiding document outlining long-term land use and development goals. The Town of Union Vale adopted their current Master Plan in October 2001. We have analyzed the proposed zoning amendment to Article XI, 210-86, 210-56(E) and Attachment 210-3 relating to Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and Elimination of Conference Center as a Permitted Use (see attached Exhibit A) for compliance with the Master Plan and offer the following findings:

**Master Plan Land Use and Development Goals:**

The 2001 Master Plan outlines three goals to further the community's stated vision, "*To maintain the rural character of the town through the preservation of open spaces.*" We believe the proposed zoning text amendment referenced above aligns with *Goal 1: Preserve rural character* by controlling the size, location, and design of commercial development while still providing for appropriate expansion of the town's tax base and employment opportunities. The proposed amendment also aligns with *Goal 2: Quality of Life* by regulating excessive illumination.

**Goal 1: Preservation of Rural Character**

The Master Plan outlines actions to achieve each of the plan's identified goals. Within the goal of preserving the community's rural character, Action 2 (page 8-9) specifically recommends that the minimum lot size requirement within certain zoning designations be increased in an effort to preserve larger lot sizes. The Plan recommends that areas [formerly] zoned as R-100 be upzoned to a 3-acre minimum. Some parcels located within the current RD10 zoning district were formerly zoned R-100. The remainder of the RD10 zoning district was formerly zoned R-225 or R-135, which the Master Plan similarly recommends a minimum lot size of 10 acres or 5 acres, respectively.

**The proposed zoning amendment to Section 210-56(E) "Standards and Requirements for Certain Special Permit Uses" requires that "the establishment of the Catering Facilities shall only be on a parcel of not less than 50 acres." The minimum lot size requirement of 50 acres far exceeds the recommendation made within the 2001 Master Plan and aligns with the**

stated intent to preserve large parcels which contribute to the rural character of the community.

Action 2 also includes recommendations for the Town to update the zoning ordinance to adopt standards that preserve the natural appearance and viewsheds, limit grading, and reduce the number of parking spaces for commercial uses.

The proposed zoning amendment to Section 210-56(E) "Standards and Requirements for Certain Special Permit Uses" outlines several design objectives to guide the development and review of Catering Facilities within the district. These design objectives include preservation of unique natural areas, adaptive reuse of existing structures when feasible, and thoughtful siting of new construction to reduce impacts on natural features and avoid grading or major changes in topography. Proposed Section 210-56(E)(17)(c)(13) also affords the Planning Board the ability to consider reduced parking and land banked parking as deemed reasonable based on a project's traffic study. Each of these proposed design considerations for Catering Facilities serves the purpose of implementing recommendations made within the Town's 2001 Master Plan.

The proposed zoning amendment also aims to preserve the rural character of the area by (a) limiting the maximum floor area of new facilities to 6,000 square feet or less, and (2) requiring that parking areas be setback at least 200 feet from any property line. The addition of these design objectives will ensure that new construction of Catering Facilities on large parcels will occupy a relatively small footprint and be setback a substantial distance from existing public roads to reduce visibility and impacts on viewsheds.

Moreover, the proposed zoning amendment would exclude Conference Centers from the RD10 zone, a use presently allowed. By excluding Conference Centers and allowing a less intense, more highly regulated Catering Facility use, the proposed zoning amendment advances the vision of the Master Plan to preserve the rural character of the community.

#### Goal 2: Quality of Life

Within the goal of ensuring quality of life for all residents, Action 5 (page 16) specifically recommends that the Town establish illumination guidelines for both direct and spillover effects on commercial and residential developments, as supported by Greenway Connection Section E4. The Master Plan also recommends that the Town explore the possibility of limiting hours of lighting of parking lots.

Within the proposed zoning amendment Section 210-56(E)(17)(c)(16), the new zoning explicitly permits the Planning Board to require a lighting plan for Catering Facilities to ensure that all outdoor lighting associated with special events is (a) turned off after closing and (b) located, fully shielded, and directed such that no direct light falls outside the



PLANNING CONSULTANTS, INC.

**property line, or into the public right-of-way. The proposed zoning amendment directly aligns with the Master Plan by seeking to control excessive illumination and light pollution as a means to protect the rural character of the community.**

The proposed zoning amendment to permit Catering Facilities as a special permit use within the RD10 zoning district also aligns with the intent of the zoning district and is comparable with other land uses currently permitted within the RD10 district.

**Current Zoning Code:**

Section 210-5(B)(1)(a) of the code outlines that “the Rural Development 10 (RD10) District is intended to provide for the continuing natural resource, conservation, open space, agricultural and farm, recreational, larger-scale institutional and low-density rural residential use consistent with the existing development pattern of the Town’s most environmentally sensitive lands, including its principal scenic vistas, rural countryside, agricultural lands and groundwater aquifer.” Non-residential uses permitted by-right in the RD-10 district include Agriculture, Farm, Public Park or Recreation Area, Fire Station, Government Office or Meeting Hall. Non-residential uses permitted by special permit in the RD-10 district include Camp or Campground, Golf Course, Hunting or Fishing Club, Private outdoor recreation facility, Alternate or Congregate Care facility, Church or Place of Worship, Day Camp, Nursing Home, Animal Hospital, Bed and Breakfast Establishment, Boarding Stable, Conference Center, Inn, Kennel, Riding Academy, Veterinarian’s office, Extractive operation including soil mining. Conference Centers would be eliminated by the proposed amendment.

**The proposed addition of Catering Facilities as a special permit use is not in conflict with the stated intent of the RD10 zoning district, and in fact the proposed use is regulated and conditioned in such a way that it will be less intense a use than many of those uses, such as congregate care facilities and extractive mining operations. As noted above, the addition of Catering Facilities as a special permit use allows for the town to establish careful management and design considerations to ensure compatibility with the existing development pattern in the RD10 district. The addition of Catering Facilities as a permitted use may also contribute to the continued operation of sites within the RD10 district as agriculture and farming due to growing market demand for small scale event facilities on otherwise rural agricultural and farming properties. Finally, Catering Facilities are likely to be similar or less intense in terms of intensity of use to other special permit uses in the RD10 district, such as golf courses, bed and breakfast establishments, and private outdoor recreation facilities, all of which are consistent with the Goals and Actions recommended by the Master Plan. Thus, as a use introduced into the RD10 zoning district, coupled with the elimination of the Conference Center as a permitted use, the addition of carefully regulated Catering Facilities as a proposed use actually inclines the zoning more toward the vision of the Master Plan.**

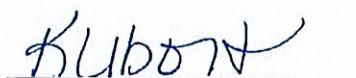
# KARC

PLANNING CONSULTANTS, INC.

Based on the above assessment, we believe proposed zoning amendment to Article XI, 210-86, 210-56(E), and Attachment 210-3 relating to Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and Elimination of Conference Centers as a Permitted Use is consistent with the 2001 Master Plan. Furthermore, these changes are compatible with the stated intent of the RD10 zoning district and other uses permitted within the district.

Please do not hesitate to contact us if you have any further questions.

Sincerely,

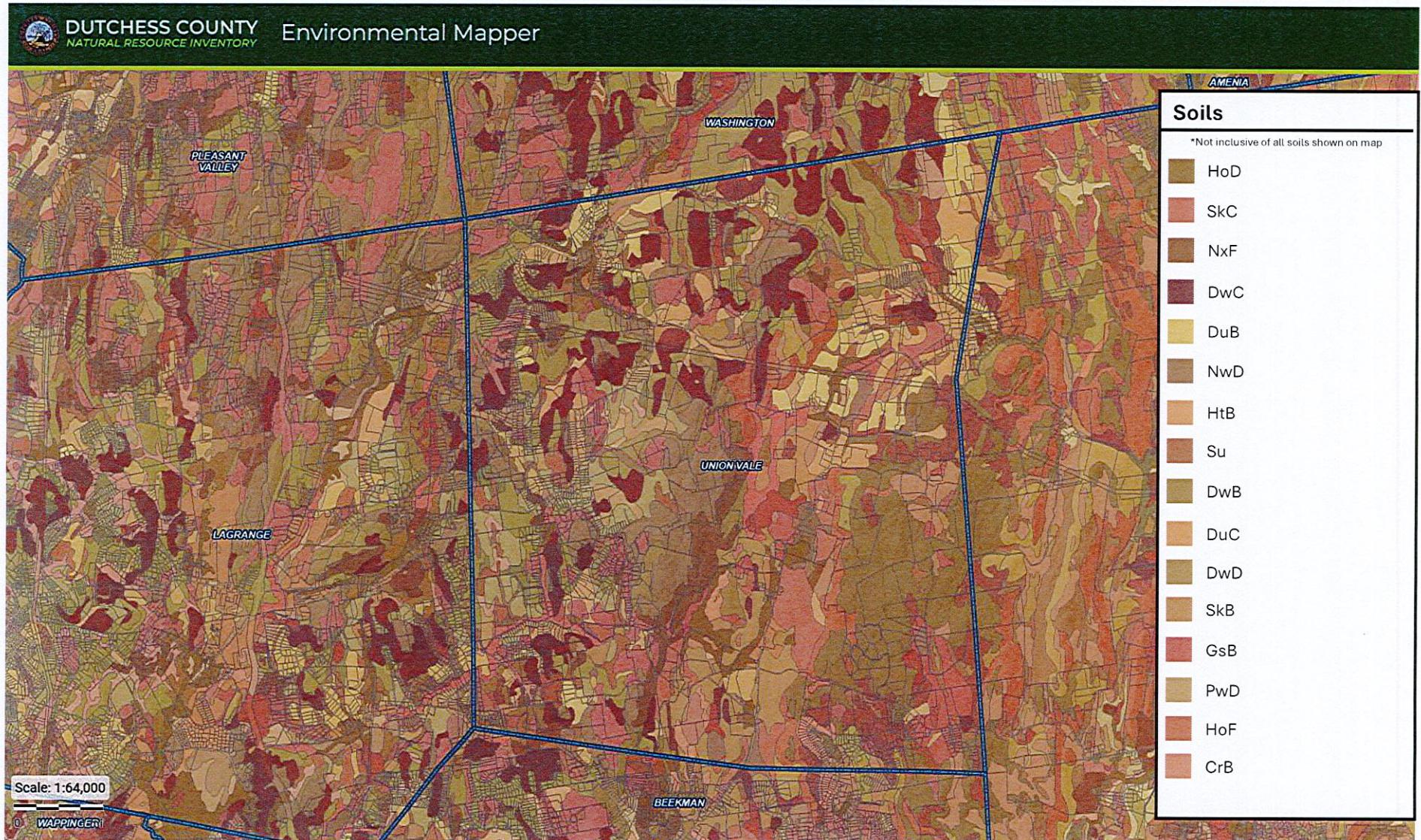


Kelly Libolt

# EXHIBIT C

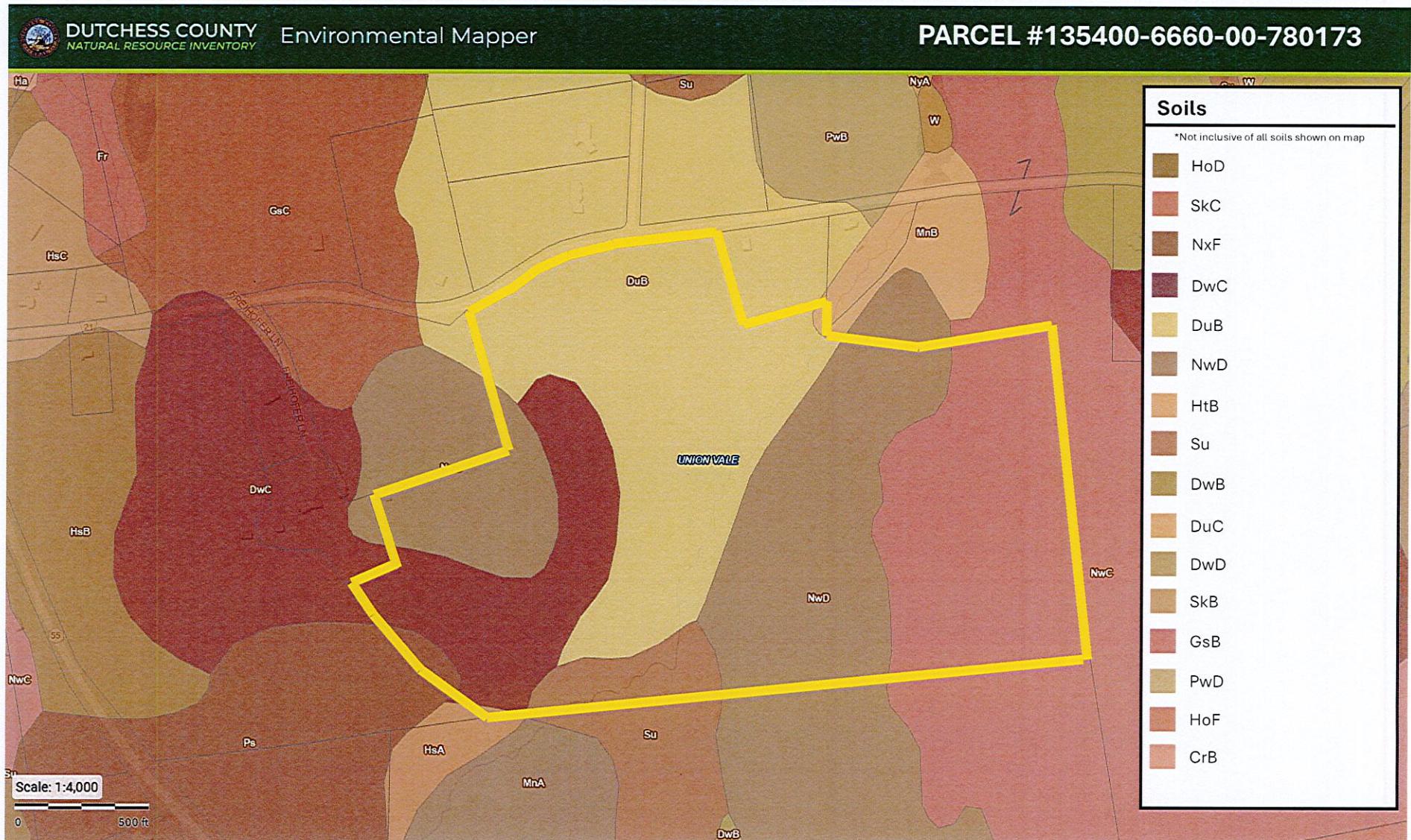
# Soils

(Dutchess County Natural Resource Inventory)



# Soils

(Dutchess County Natural Resource Inventory)



# Soils

(1999 US Department of Agriculture General Soil Map)

## SOIL LEGEND\*

- 1 Hudson-Vergennes-Raynham
- 2 Hoosic-Wayland-Copake
- 3 Farmington-Galway-Stockbridge
- 4 Cardigan-Dutchess-Nassau
- 5 Bernardston-Pittstown
- 6 Charlton-Chatfield-Hollis
- 7 Stockbridge-Georgia
- 8 Taconic-Rock Outcrop-Macomber
- 9 Nassau-Rock Outcrop-Cardigan
- 10 Hollis-Chatfield-Rock Outcrop

\*The units on this legend are described in the text under the heading "General Soil Map Units."

Compiled 1999

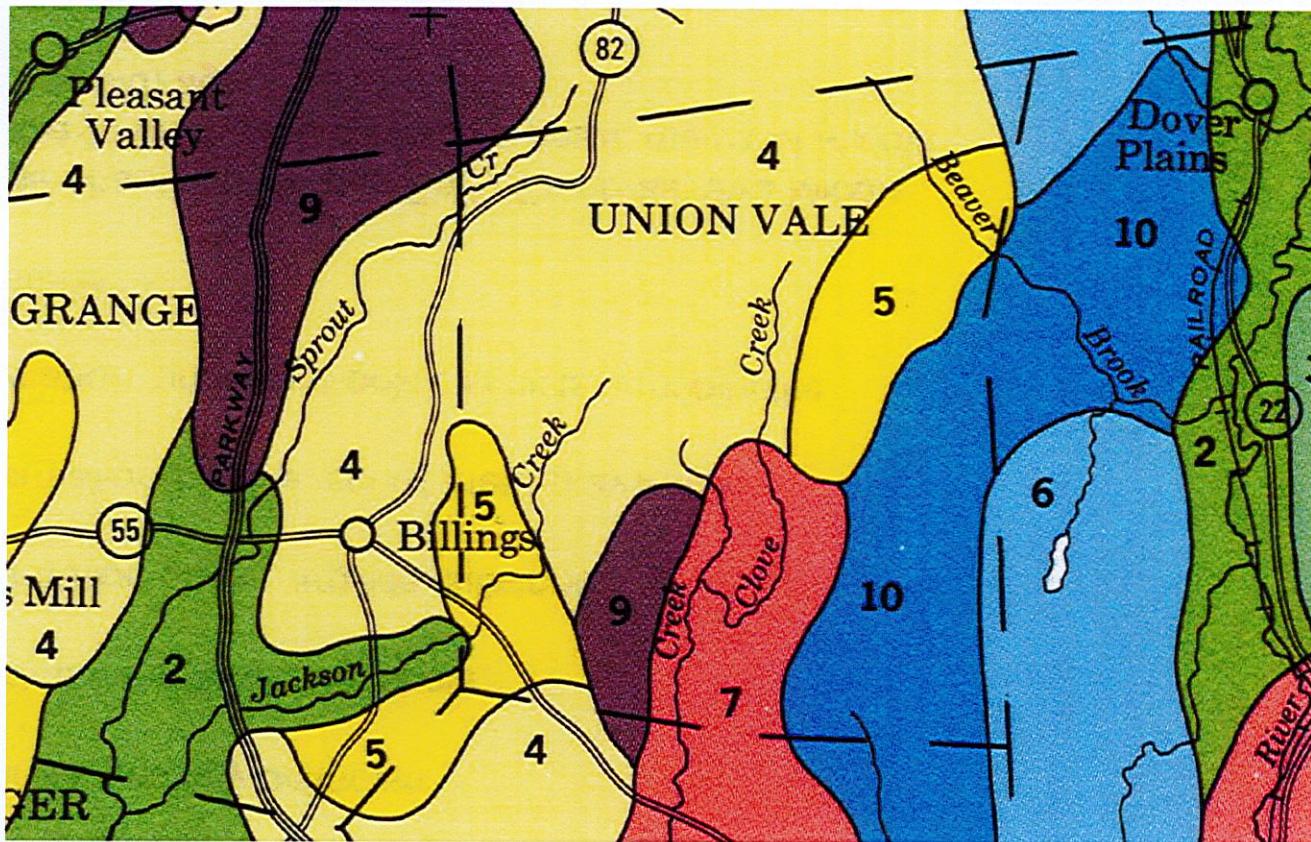
Each area outlined on this map consists of more than one kind of soil. The map is thus meant for general planning rather than a basis for decisions on the use of specific tracts.

UNITED STATES DEPARTMENT OF AGRICULTURE  
NATIONAL RESOURCES CONSERVATION SERVICE  
CORNELL UNIVERSITY AGRICULTURAL EXPERIMENT STATION

## GENERAL SOIL MAP

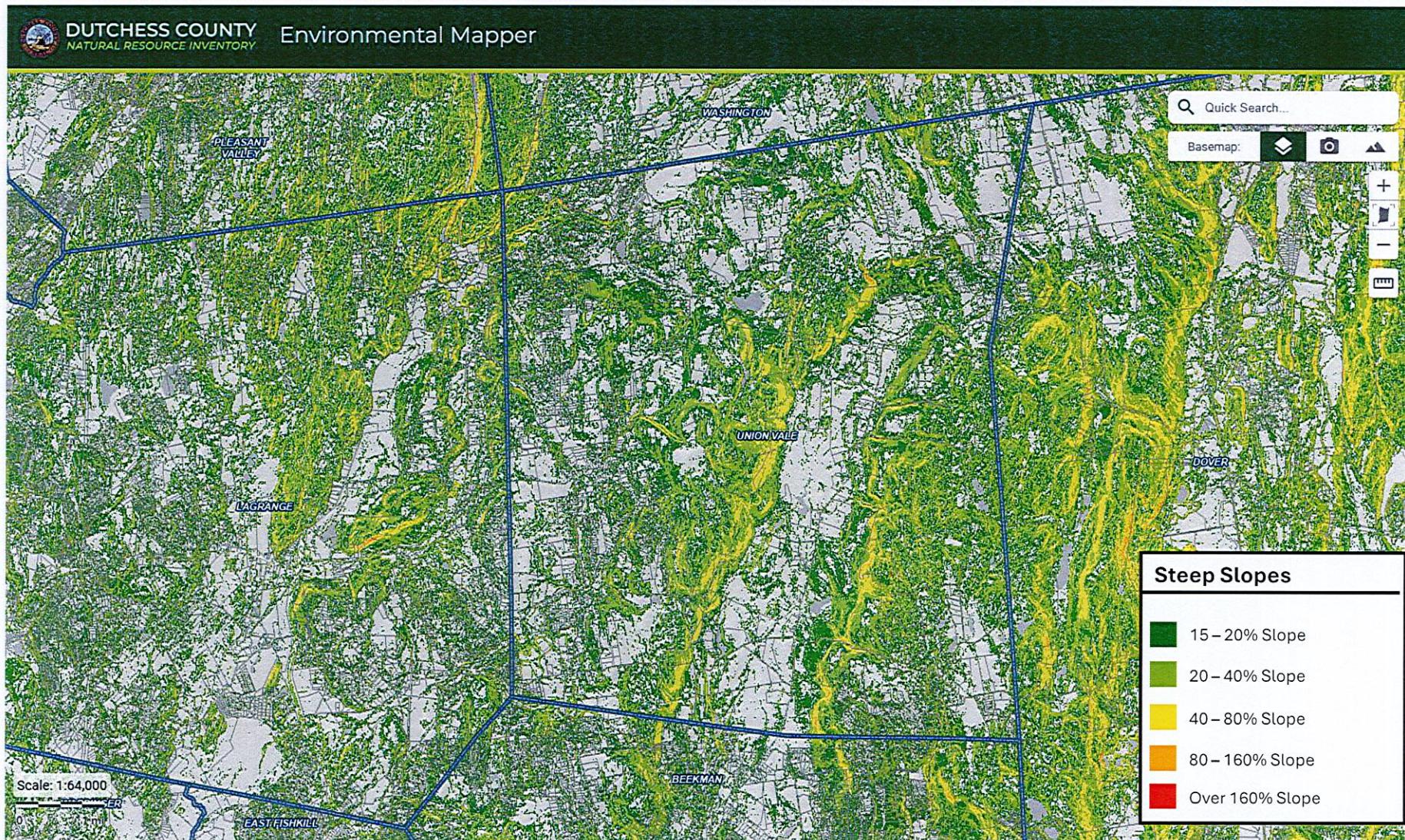
DUTCHESCH COUNTY, NEW YORK

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0 4 8 Km



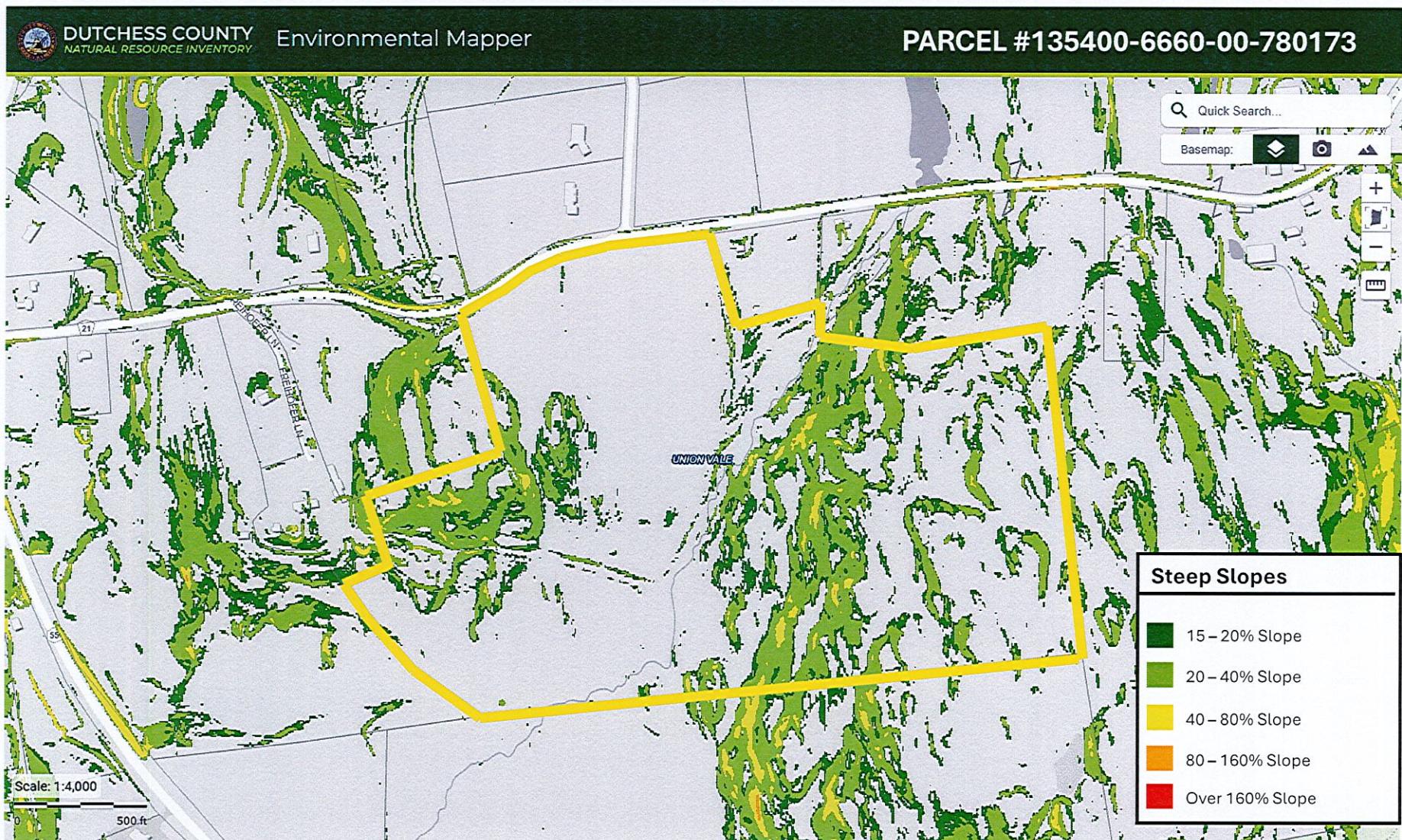
# Steep Slopes

(Dutchess County Natural Resource Inventory)



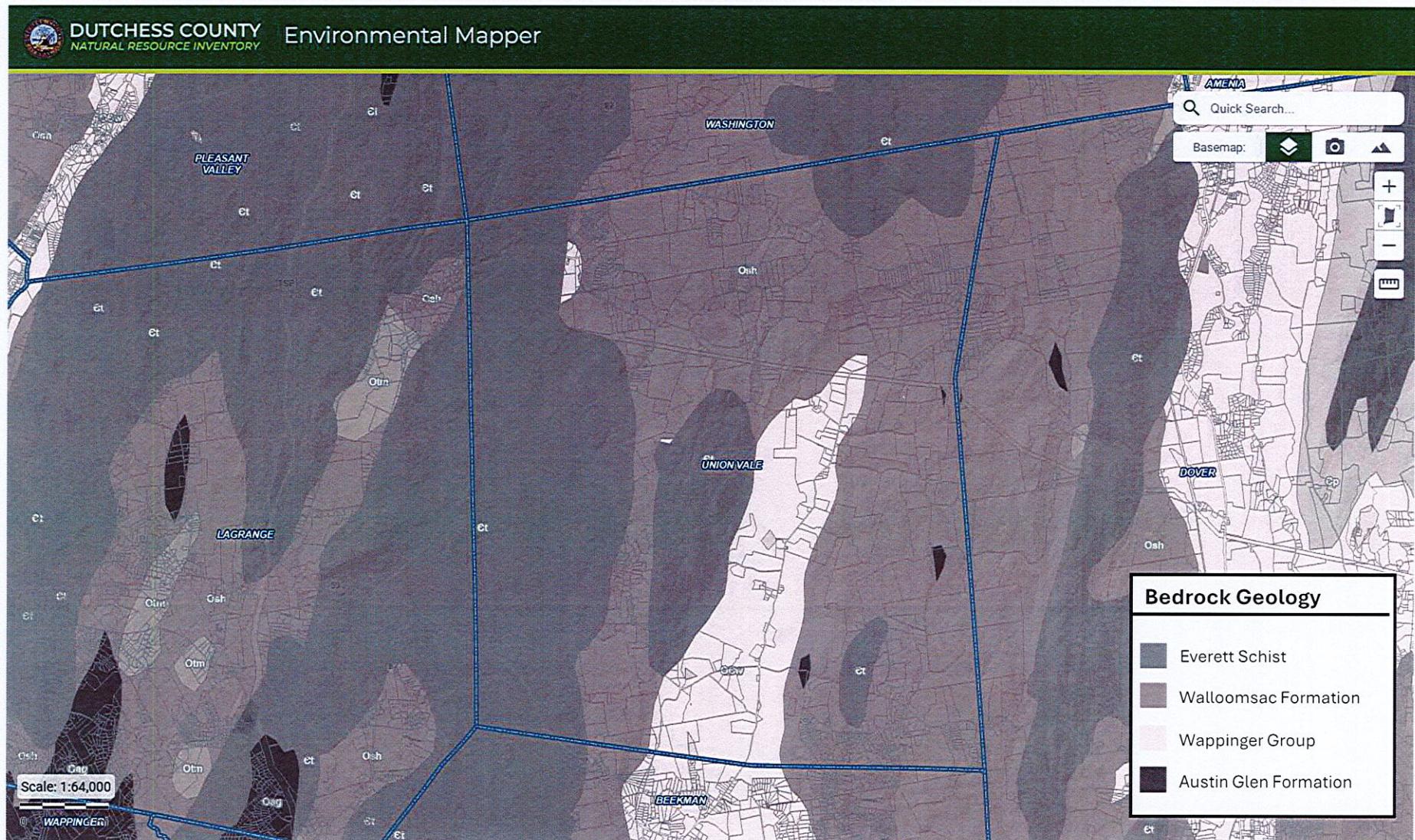
# Steep Slopes

(Dutchess County Natural Resource Inventory)



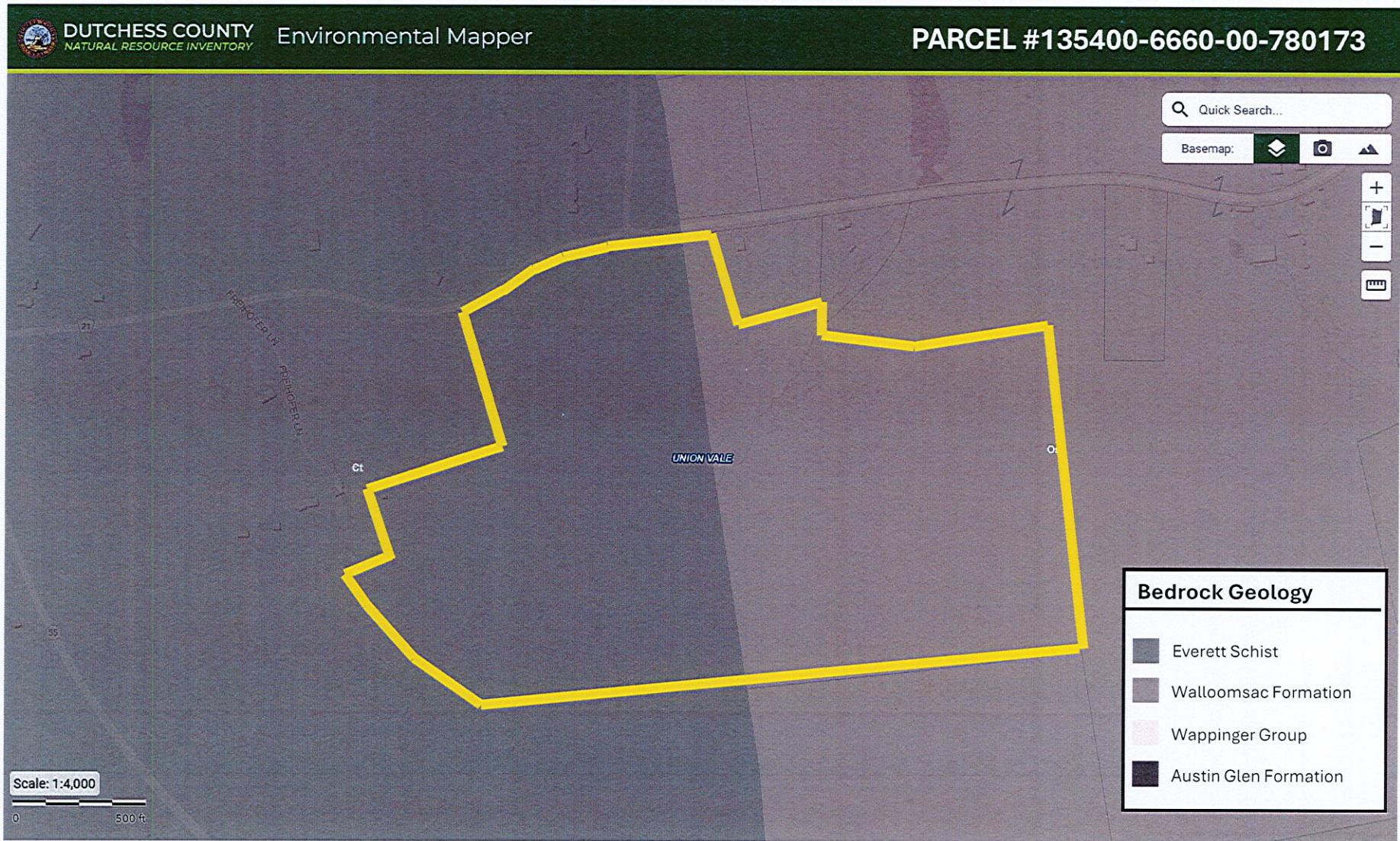
# Bedrock / Geology

(Dutchess County Natural Resource Inventory)



# Bedrock / Geology

## (Dutchess County Natural Resource Inventory)



# Bedrock / Geology

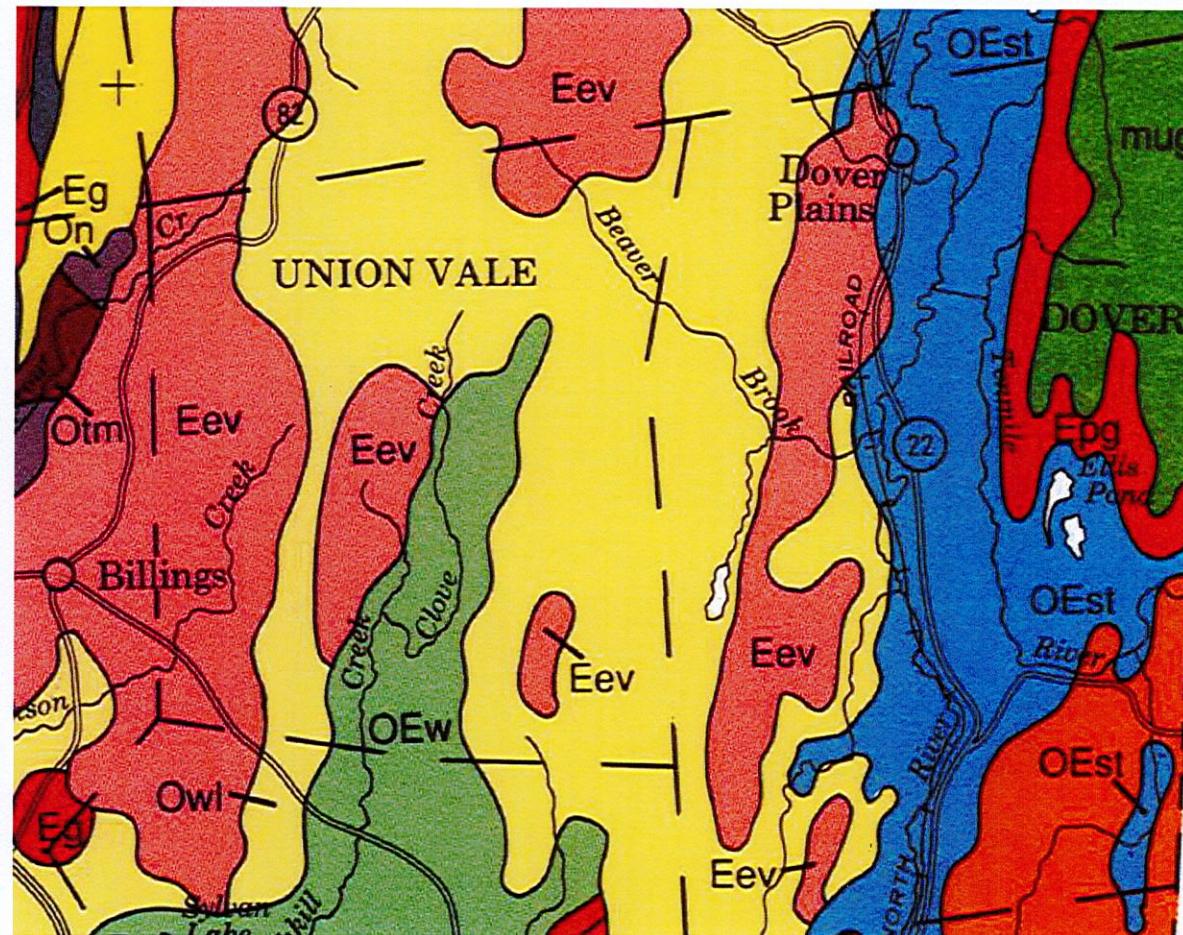
(1992 Dutchess County General Geology Map)

- OEw** Wappinger Group (including Fishkill limestone and dolostone).
- Eev** Everett Schist-locally with minor meta-graywacke lenses.
- Owl** Walloomsac Formation-phyllite, schist,meta-graywacke

## GENERAL GEOLOGY MAP DUTCHESS COUNTY, NEW YORK

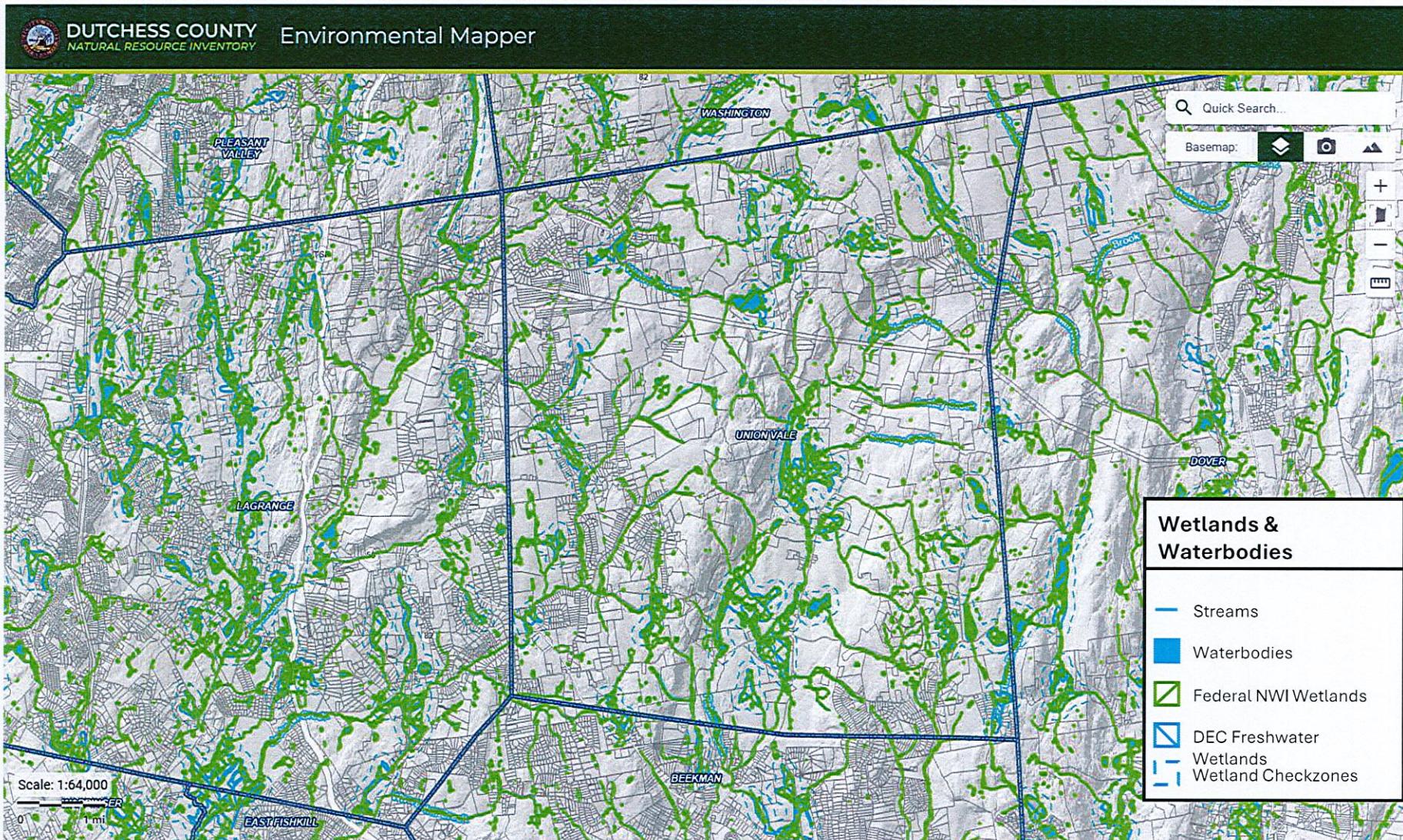
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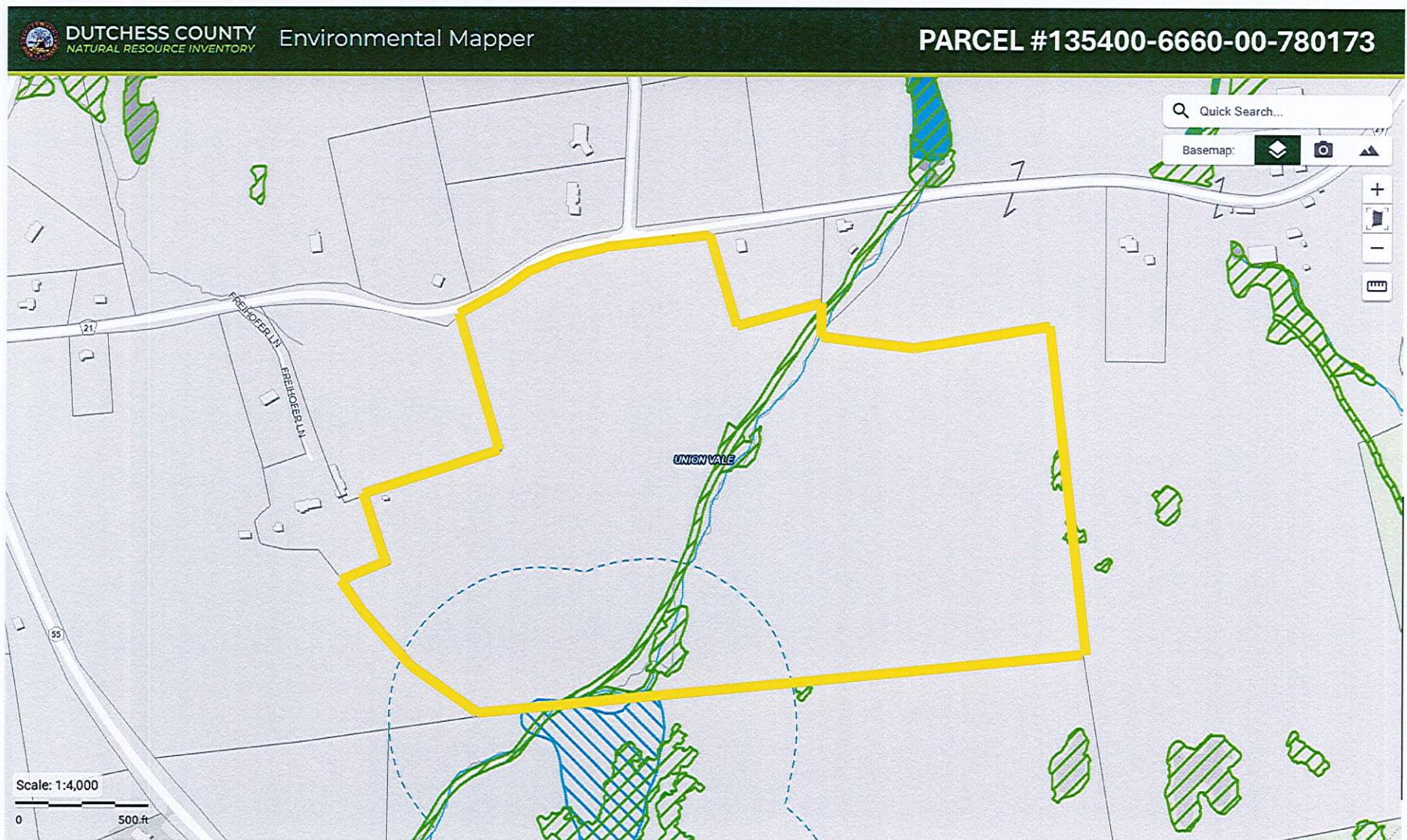
# Wetlands & Watercourses

(Dutchess County Natural Resource Inventory)



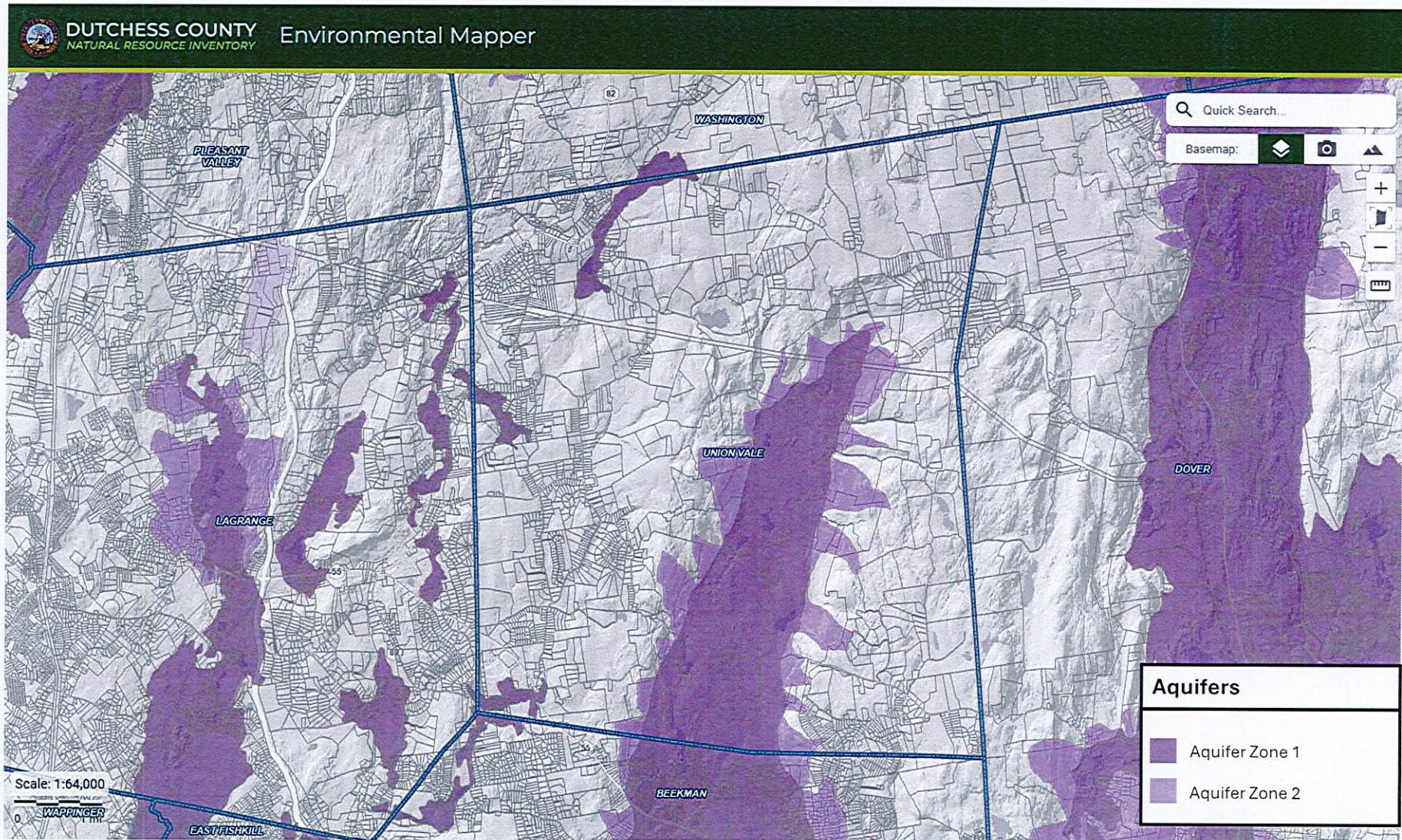
# Wetlands & Watercourses

(Dutchess County Natural Resource Inventory)



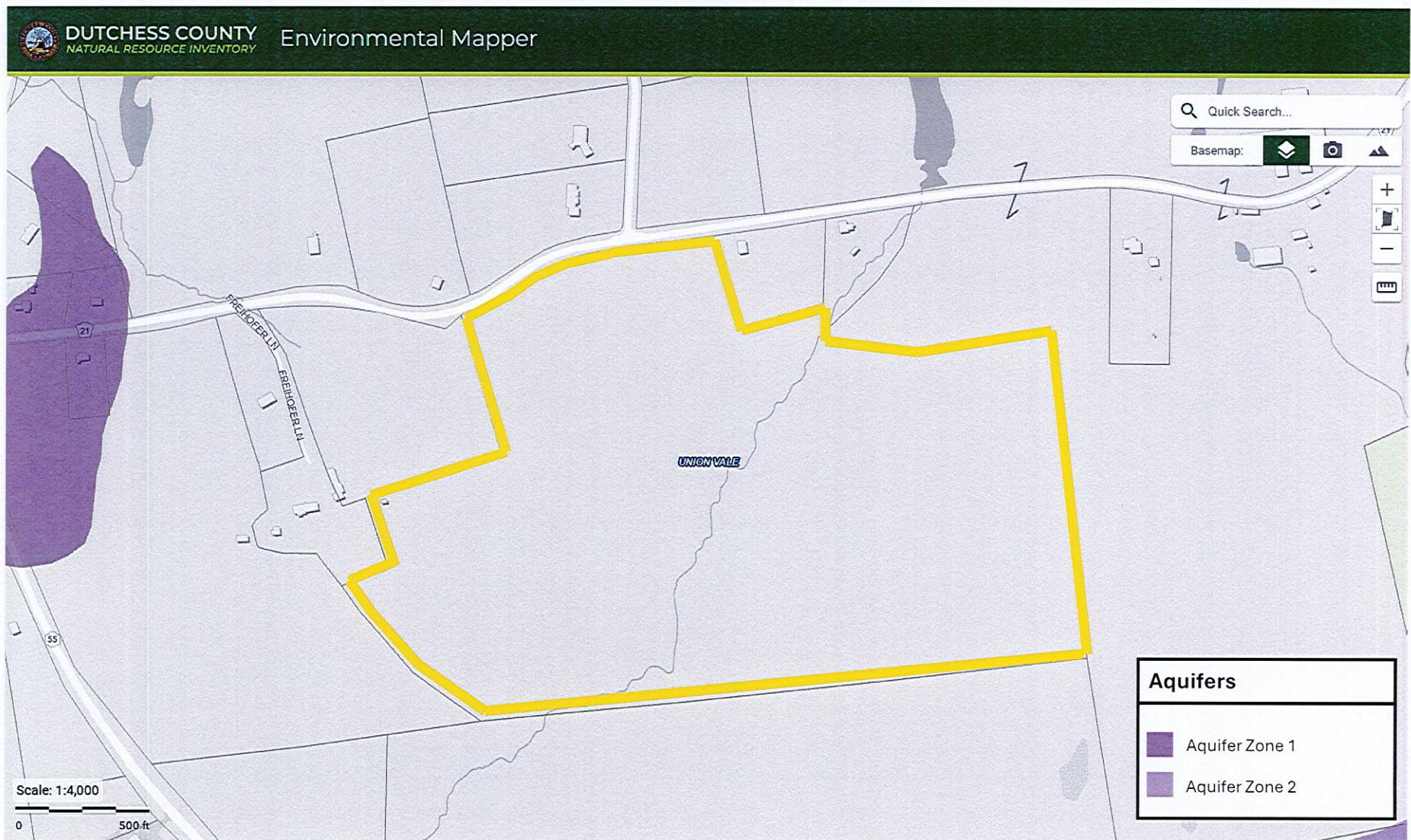
# Aquifers

(Dutchess County Natural Resource Inventory)



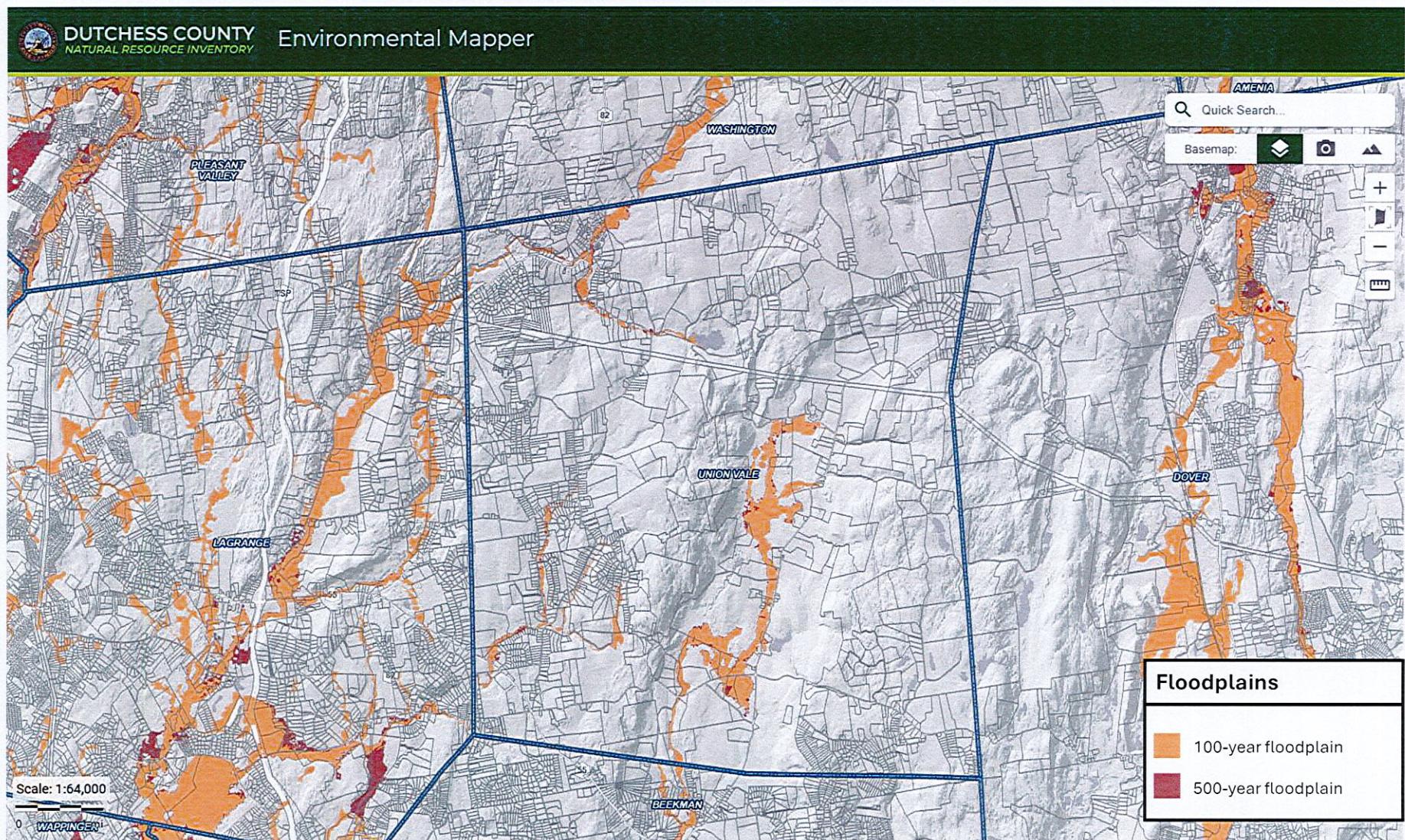
# Aquifers

(Dutchess County Natural Resource Inventory)



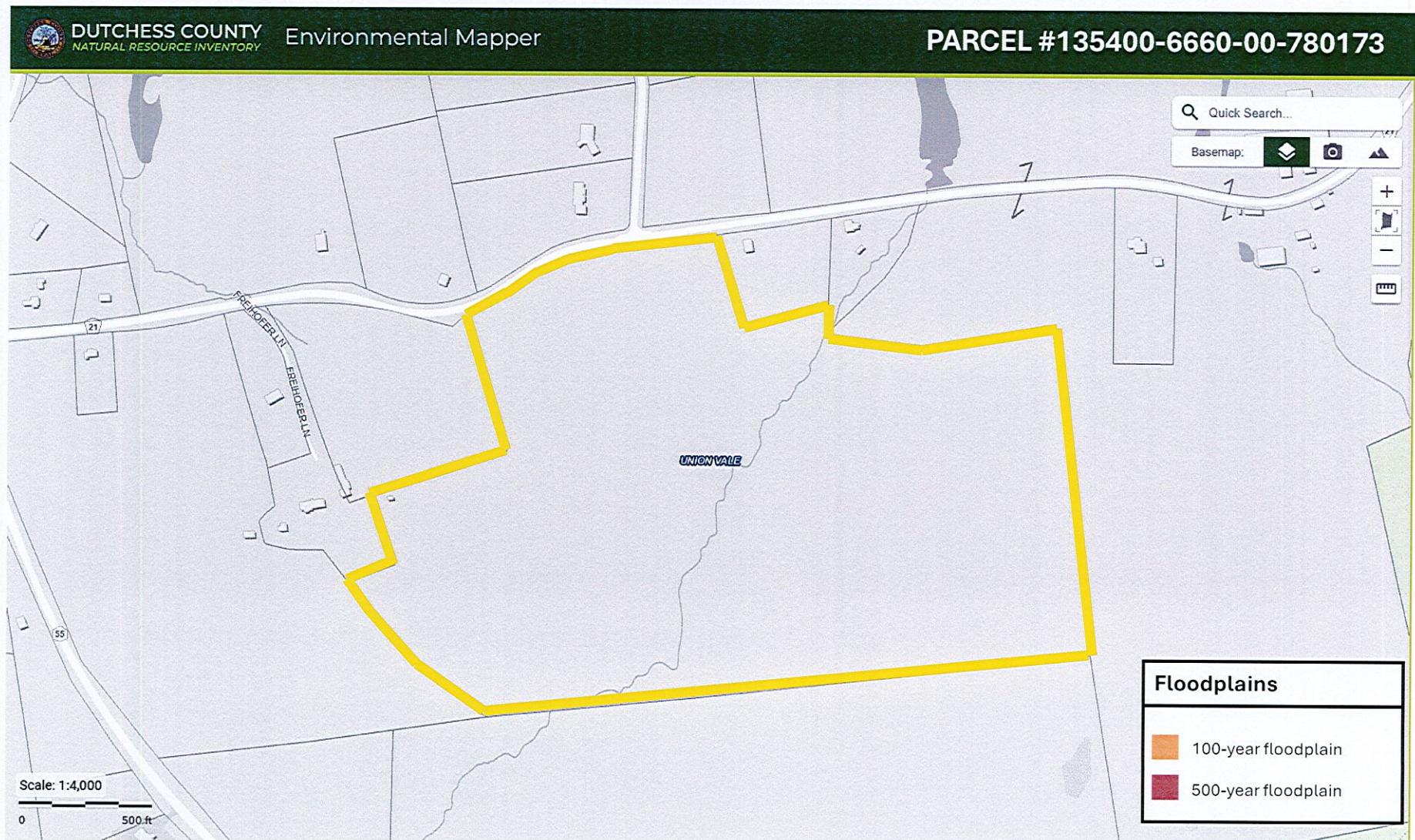
# Floodplains

(Dutchess County Natural Resource Inventory)



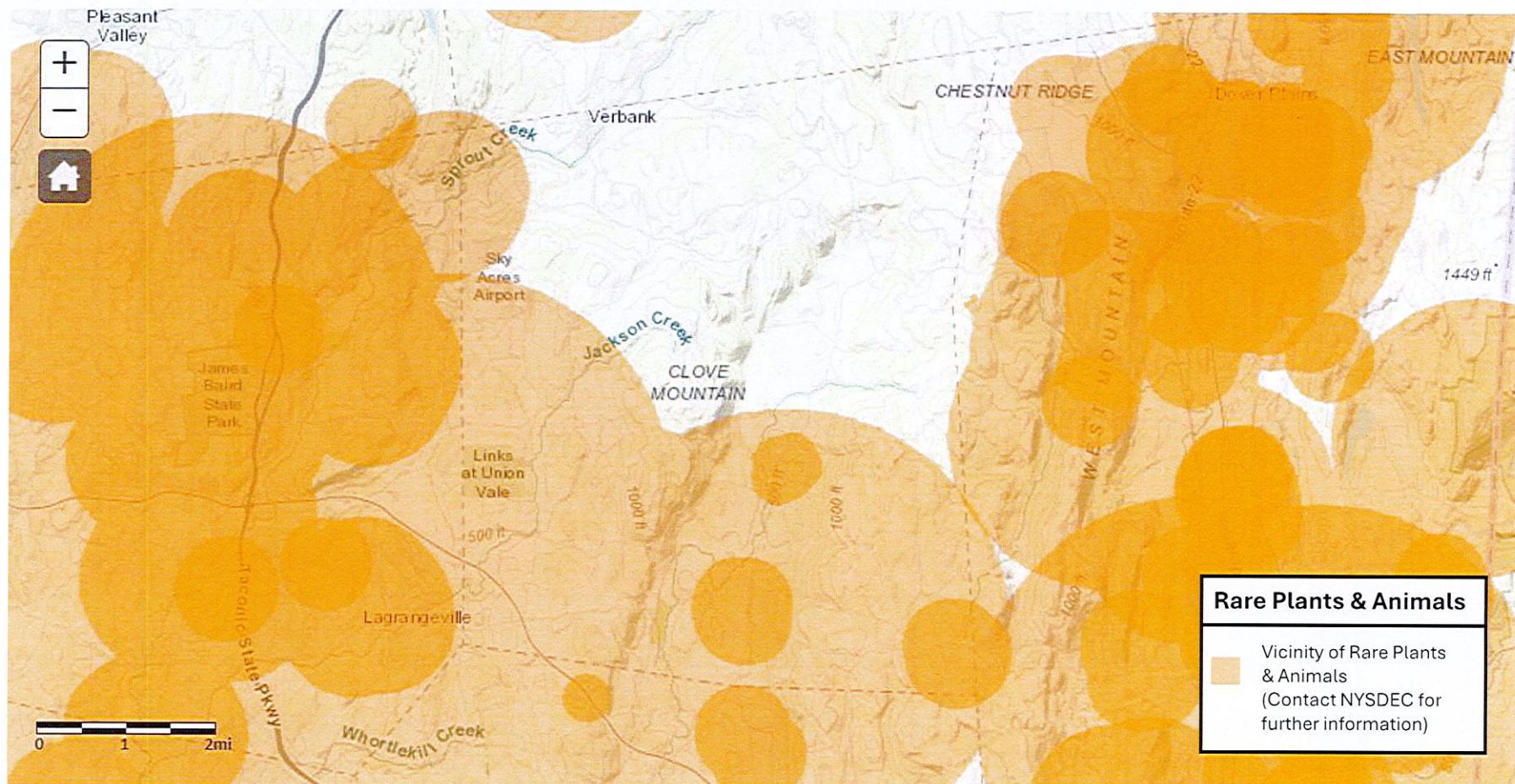
# Floodplains

(Dutchess County Natural Resource Inventory)



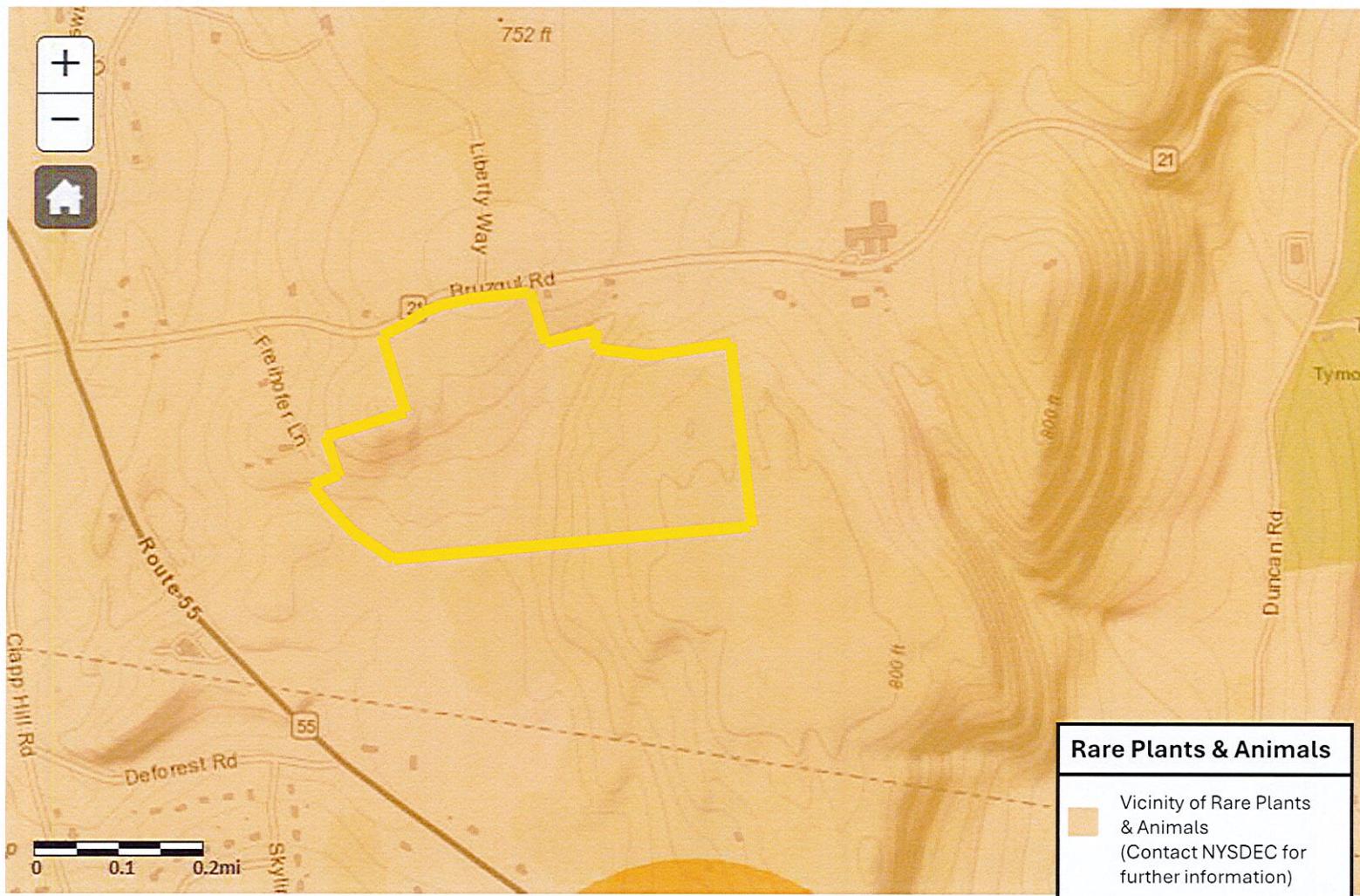
# Rare Plants and Animals

(NYSDEC Environmental Resource Mapper)



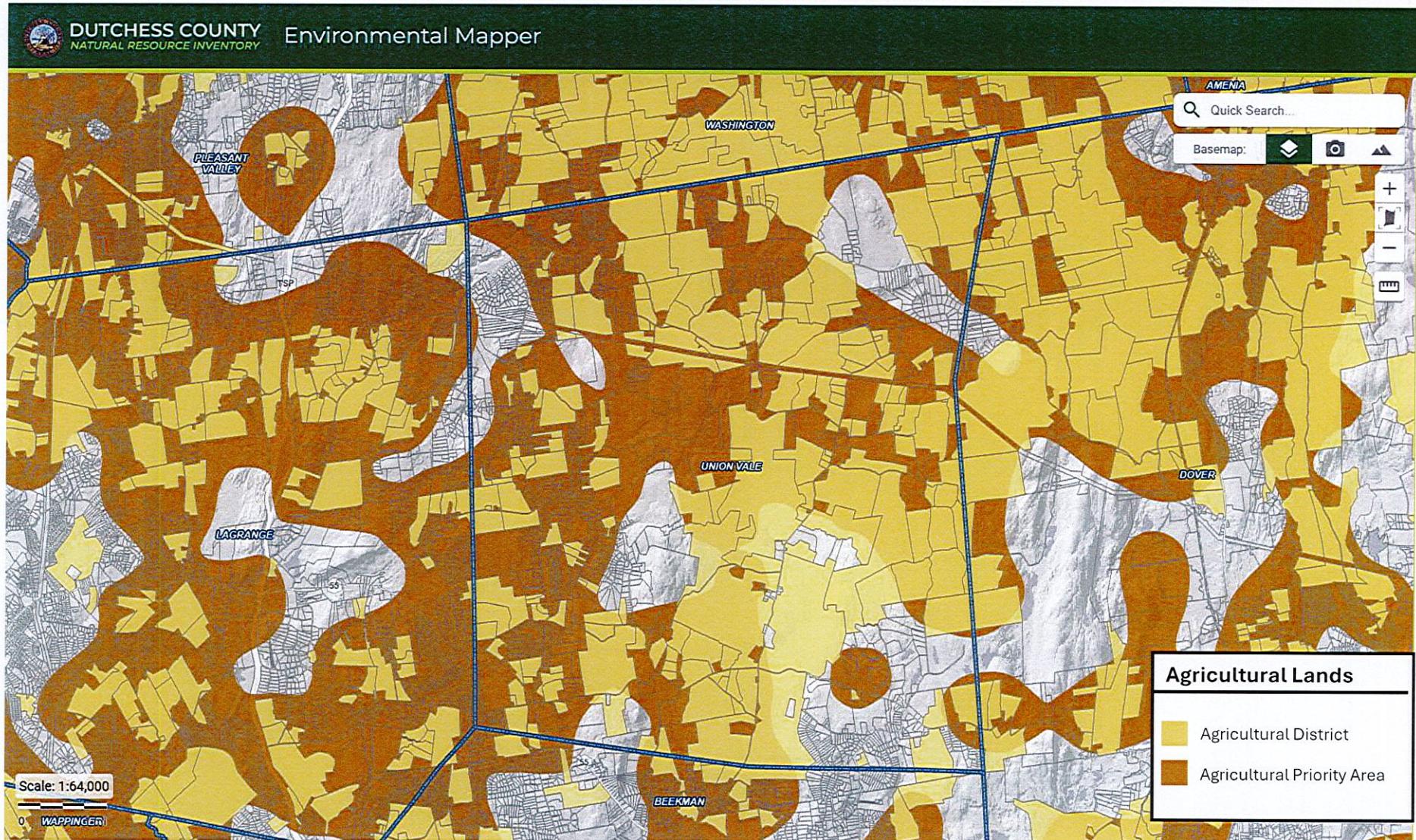
# Rare Plants and Animals

(NYSDEC Environmental Resource Mapper)



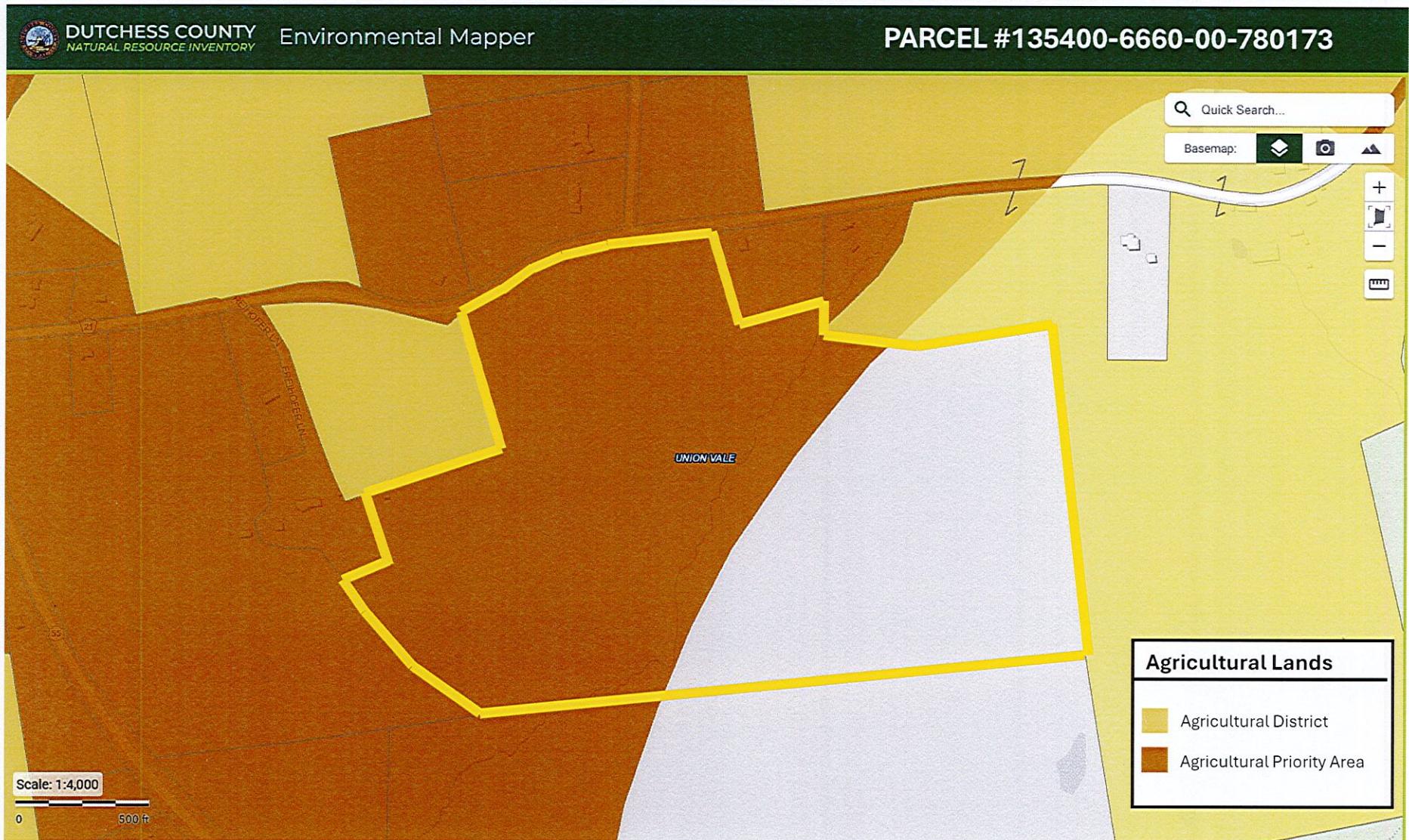
# Agricultural Lands

(Dutchess County Natural Resource Inventory)



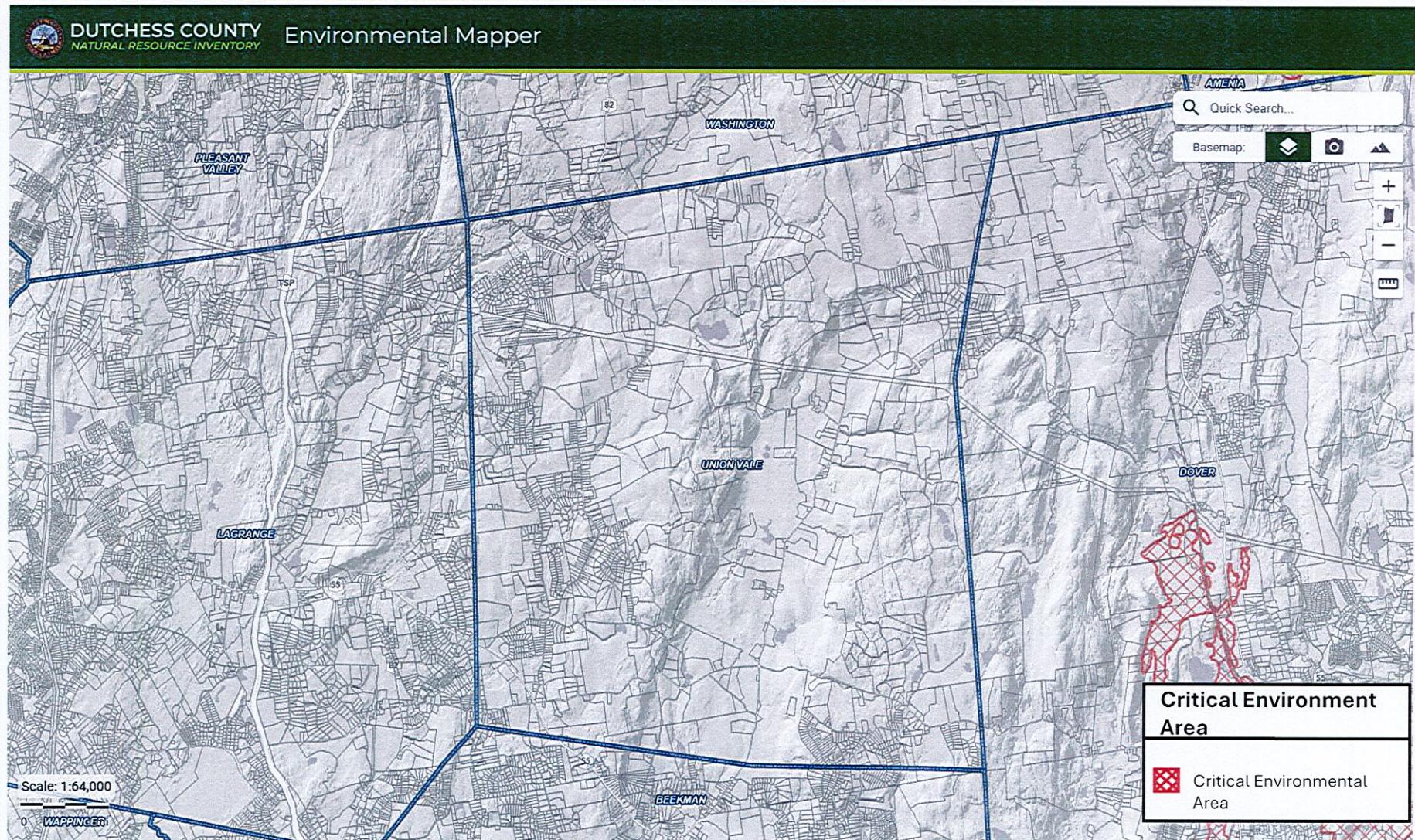
# Agricultural Lands

(Dutchess County Natural Resource Inventory)



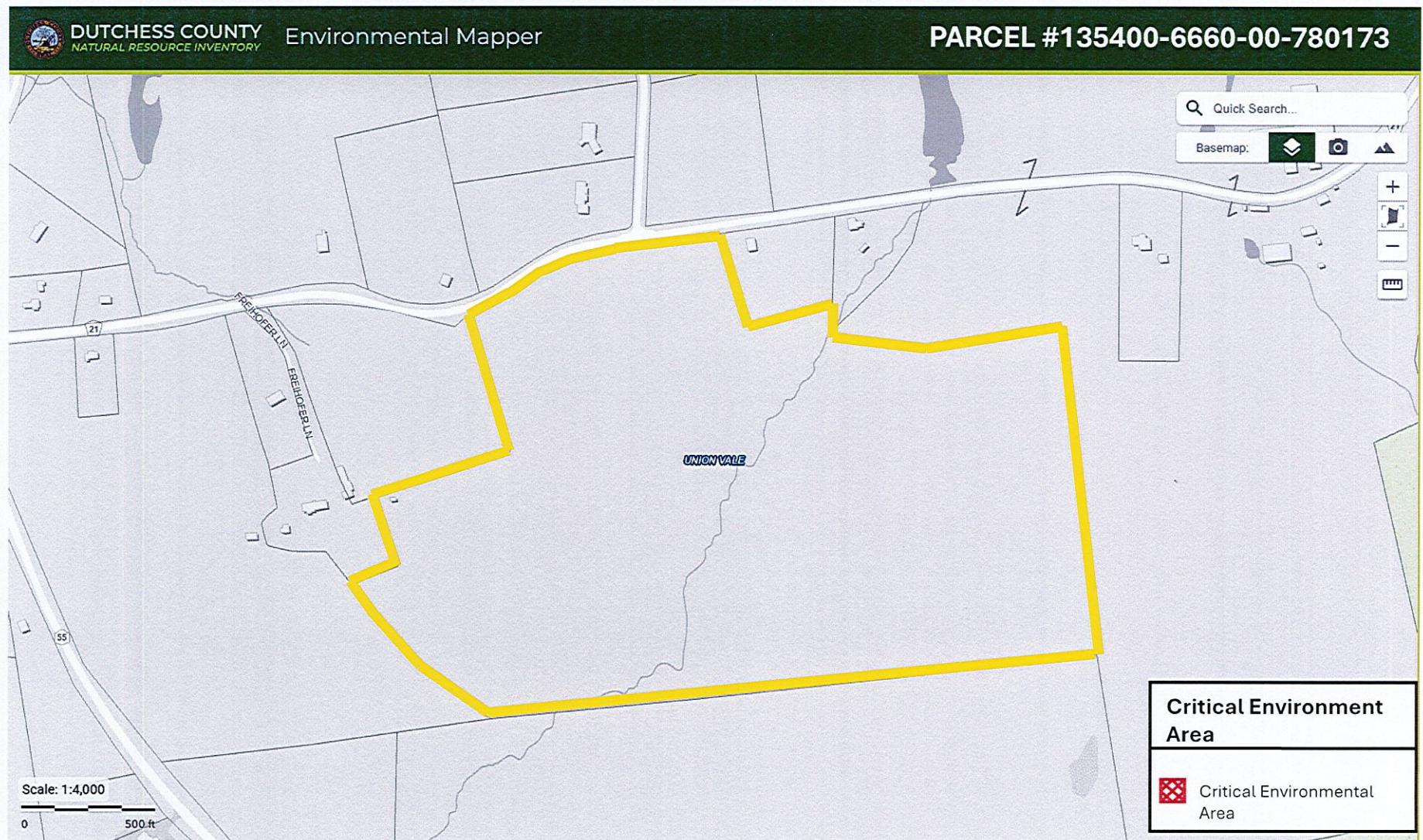
# Critical Environmental Areas (CEAS)

(Dutchess County Natural Resource Inventory)



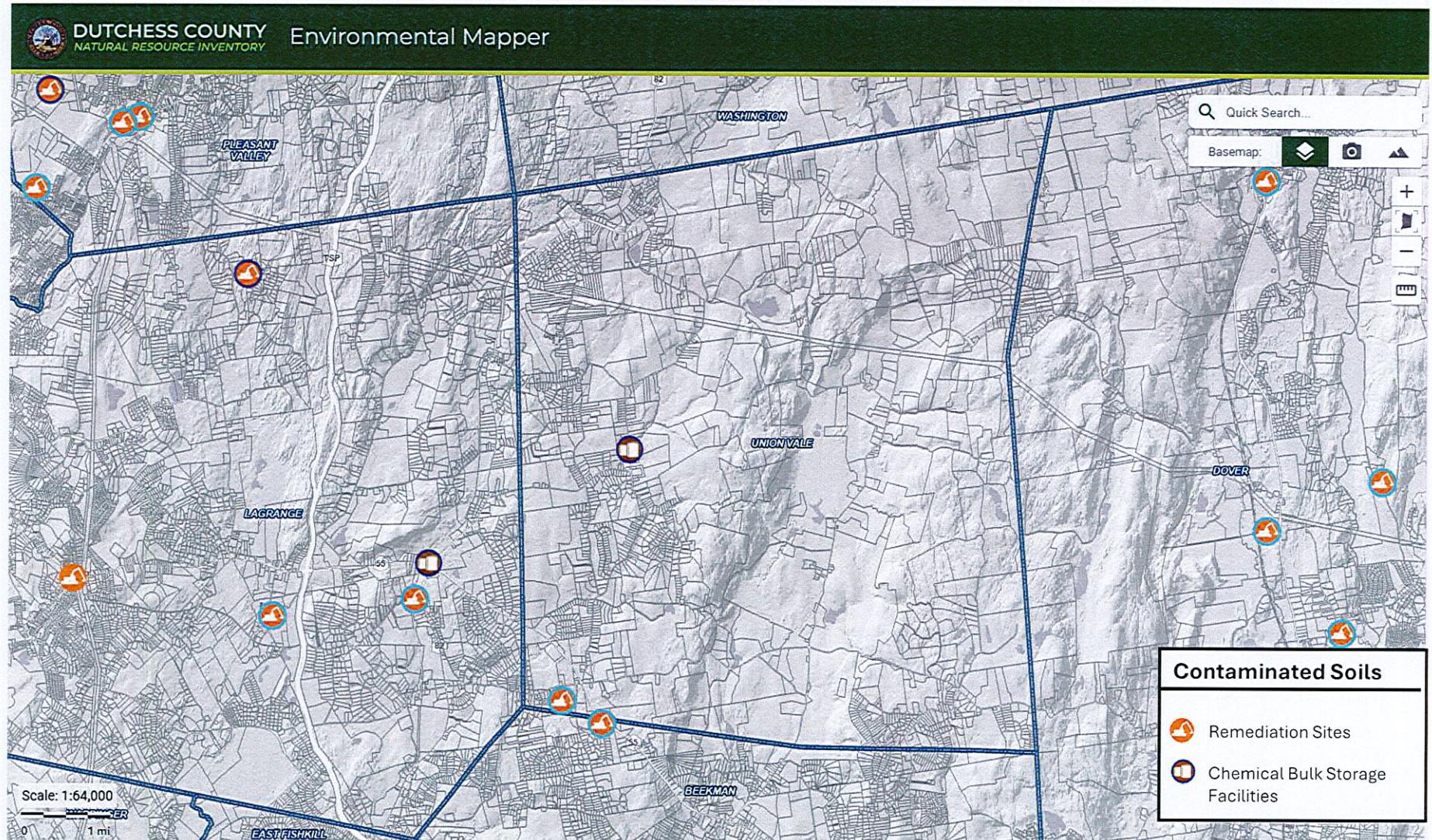
# Critical Environmental Areas (CEAS)

(Dutchess County Natural Resource Inventory)



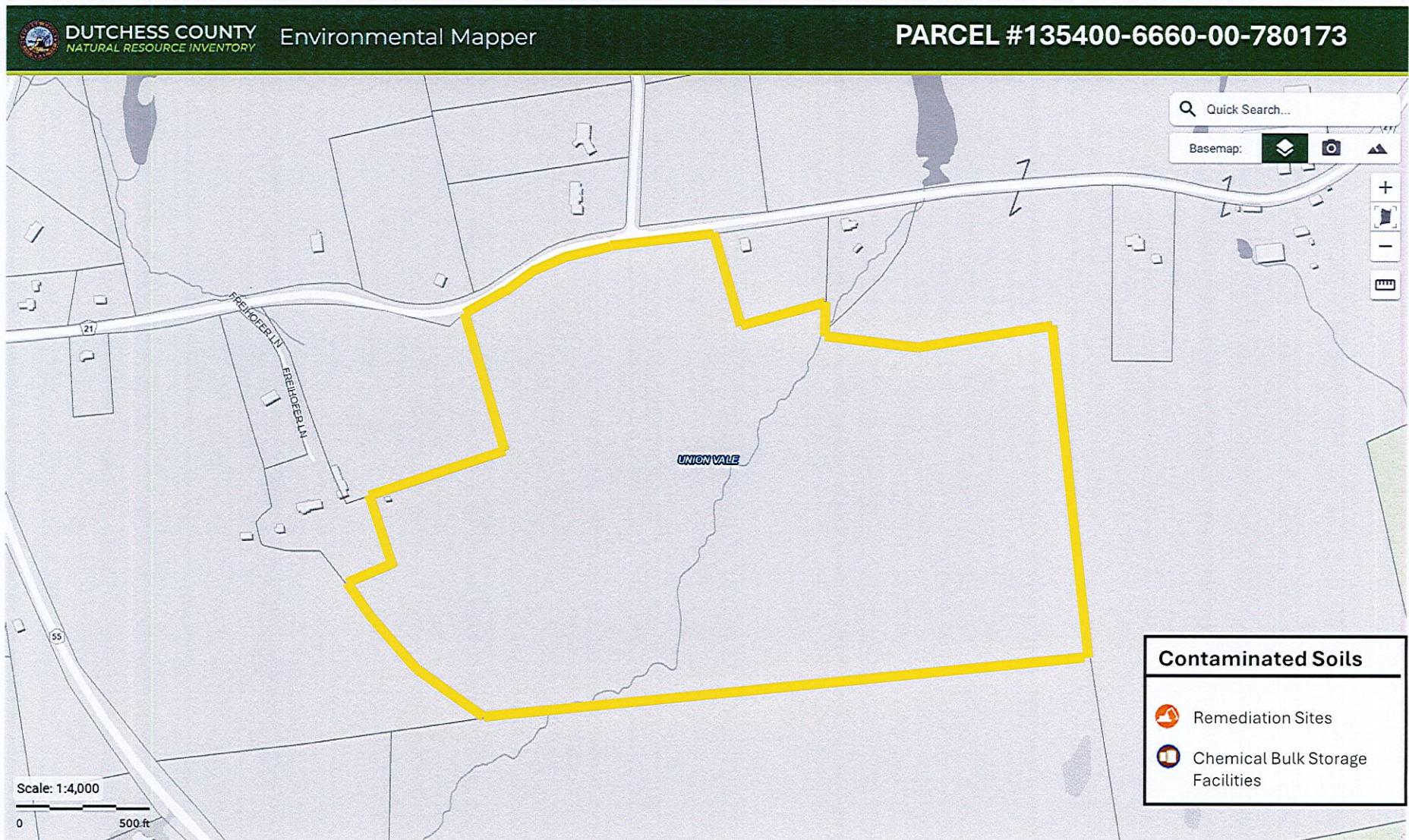
# Contaminated Soils

(Dutchess County Natural Resource Inventory)



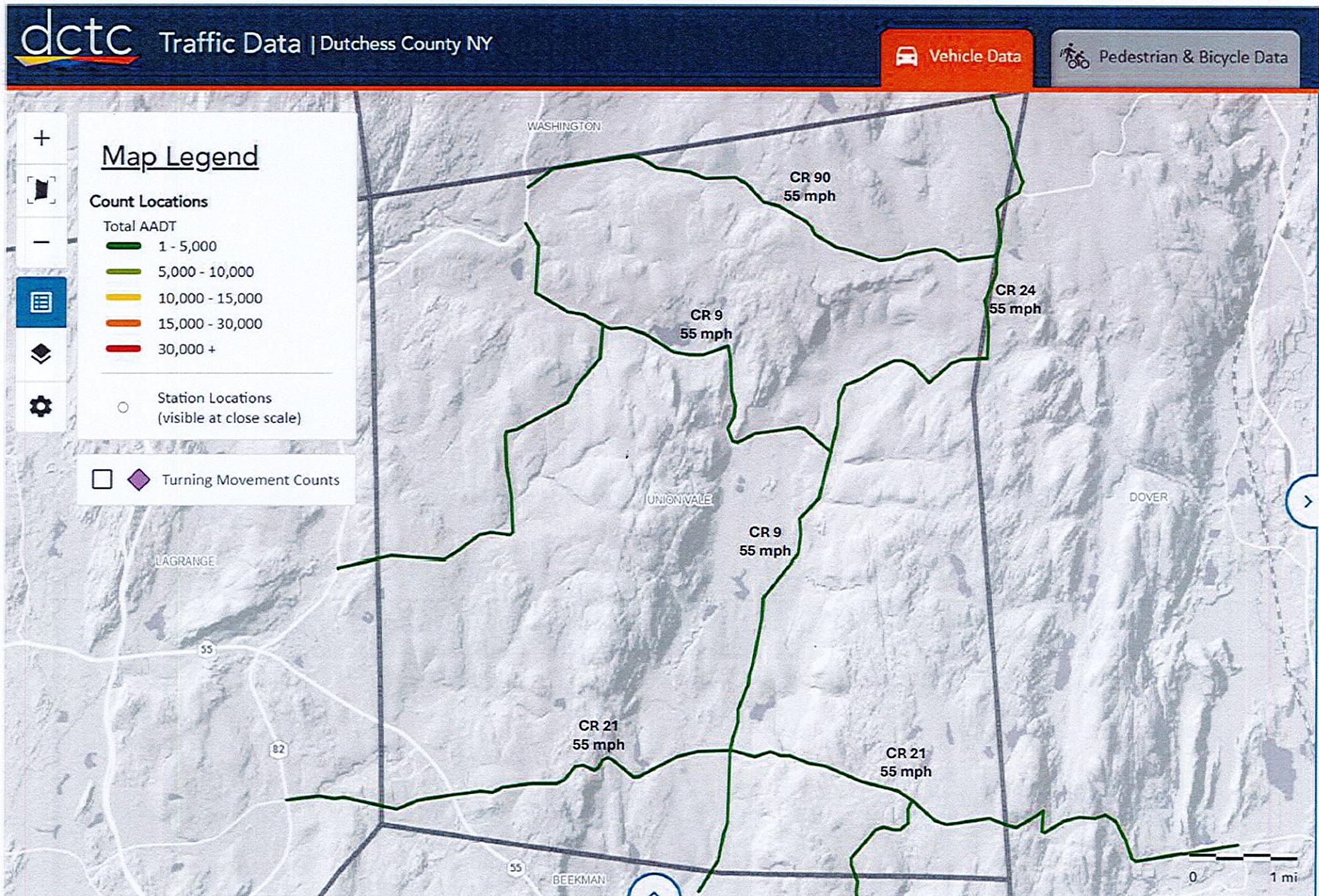
# Contaminated Soils

(Dutchess County Natural Resource Inventory)



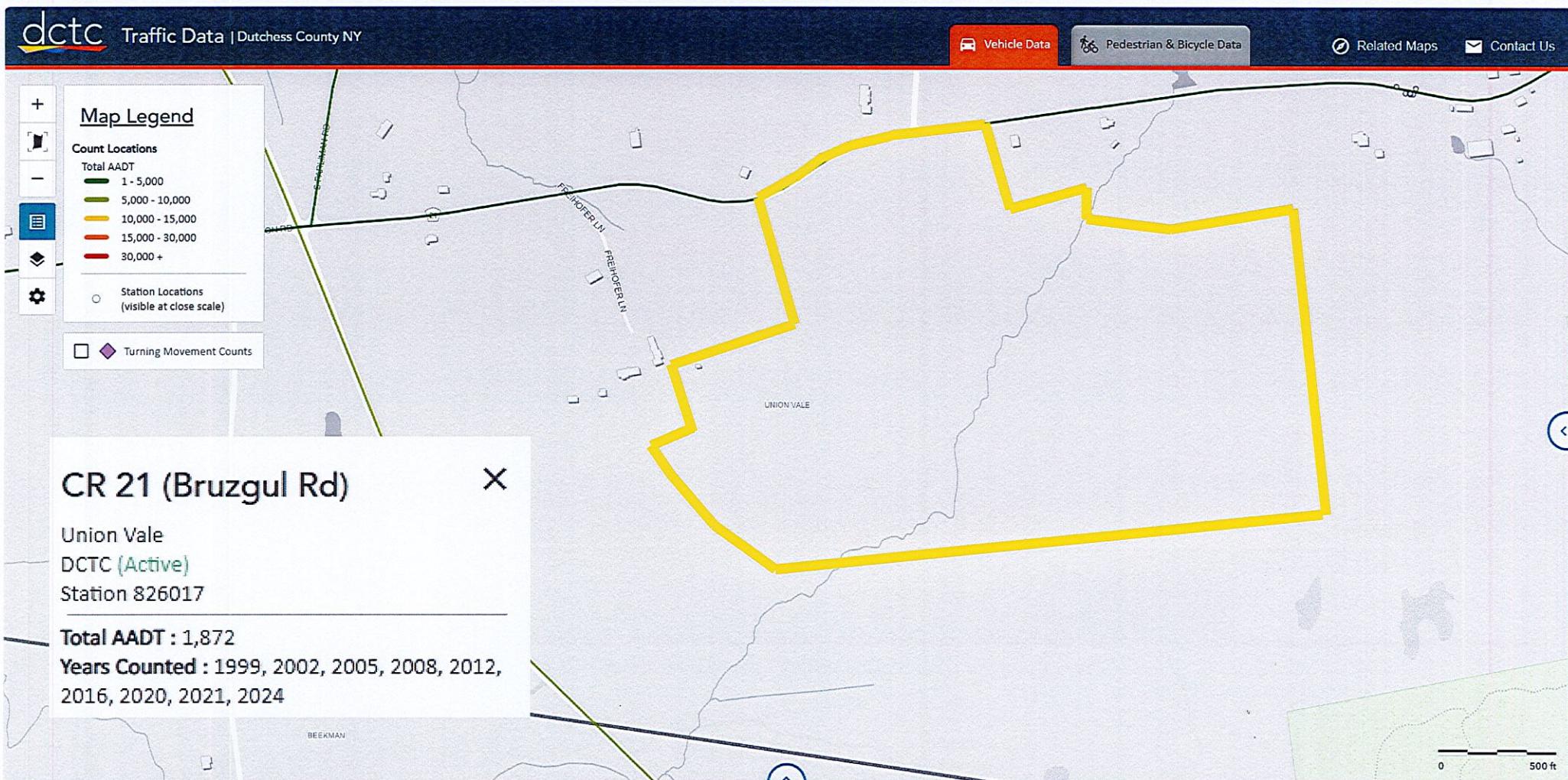
# Traffic Data

(Dutchess County Traffic Data)



# Traffic Data

(Dutchess County Traffic Data)



# **EXHIBIT D**

# **RENNIA ENGINEERING DESIGN, PLLC**

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6 Dover Village Plaza, Suite 5, P.O. Box 400, Dover Plains, NY 12522  
Tel: (845) 877-0555 Fax: (845) 877-0556

January 9, 2025

Town of Union Vale  
249 Duncan Road  
Union Vale, NY 12540  
Attn: Mr. Steve Frazier, (Town of Union Vale Supervisor)

**Re: Local Law Amending Zoning Code Article XI, §210-86, §210-56(E),  
and Attachment 210-3  
Engineering Review**

Dear Supervisor Frazier and Members of the Board:

We have reviewed the proposed above referenced local law and offer the following comments:

We note several sections of the proposed local law that include requirements that will help to protect properties that could potentially be impacted by a catering facility, should one be developed. The proposed local law appears to have been thoughtfully drafted to allow for control and mitigation of noise in relation to neighboring parcels.

These sections are as follows:

1. 210-56(E) (17)-(a) requires a large parcel of at least 50-acres, allowing for centrally located facilities and significant setback requirements listed below;
2. 210-56(E) (17)-(c)-(7) requires that no building or parking area associated with the catering facility shall be located closer than 200 feet to any property line, nor within 500 feet of the existing exterior wall of an approved Habitable Space. These setback requirements will help to avoid noise impacts;
3. 210-56(E) (17)-(c)-(12) requires that "Screening shall be provided by intervening landform and/or vegetation to reduce visual and other impact on neighboring residential properties in the reasonable discretion of the Planning Board." This allows the Planning Board to require sufficient noise & visual buffering, or even request noise studies by an applicant to ensure that noise is properly mitigated.
4. 210-56(E) (17)-(c)-(14)[a] limits outdoor activities at the catering facility to 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. This will keep noise generating activities in and/or closely related to the buildings, and not spread all over the site and require that they also meet the separation requirements listed above.
5. 210-56(E) (17)-(c)-(14)[b] requires that 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 be 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.-This is a very strong code section to protect against noise trespass outside of the operational period.

**Re: Local Law Amending Zoning Code Article XI, §210-86, §210-56(E),  
and Attachment 210-3  
Engineering Review**

6. 210-56(E) (17)-(c)-(15) Specifically allows the Planning Board to require a noise analysis in connection with an individual application. Subsequent to special use permit approval, the Town is authorized to conduct field-testing to verify noise levels, or the Town may require the property owner to hire an acoustical consultant to conduct field-testing for submittal to the Town Building Department as part of their inspection requirements. This allows the Planning Board to require sufficient noise studies by an applicant, to confirm that noise is properly mitigated.

Speaking to the generation of noise by such a use generally, our research indicates that a typical wedding noise level falls around 90-100 decibels. We also found calculators supporting a conclusion that that the 500-foot separation proposed in the proposed code should be sufficient to reduce the 100 db to -0-, and any vegetation or terrain that further buffers a catering facility will mitigate the noise even more.

In regard to the traffic concerns the following code sections will help to avoid traffic impacts, we note again that the draft law seems to have considered these impacts in its approach. Specifically:

1. 210-56(E) (17)-(c)-(6) requires access to the facility from a state or county highway. This will avoid traffic impacts to town roads and ensure that the roadways have capacities for additional traffic that may be generated by a Catering Facility.
2. 210-56(E) (17)-(c)-(8)[c] limit the total number of guest rooms to 10. This will limit the size of an event and by including guest rooms for on-site stays, the traffic coming to and leaving an event will be spread out over time, as opposed to all traffic entering or exiting all at once. This provision also ensures that the anticipated venue does not become a typical, high-density hotel-type event venue.
3. In addition to these code sections that are included, the Planning Board can require traffic studies as part of their review process on specific applications.

Thank you for the opportunity to review the proposed law, and let us know if any further review or input is required.

Please do not hesitate to contact me with any questions, (845) 877-0555.

Sincerely,



Thomas Harvey  
Project Engineer

# **EXHIBIT E**

# **RENNIA ENGINEERING DESIGN, PLLC**

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6 Dover Village Plaza, Suite 5, P.O. Box 400, Dover Plains, NY 12522  
Tel: (845) 877-0555 Fax: (845) 877-0556

October 24, 2025

Town of Union Vale  
249 Duncan Road  
Union Vale, NY 12540  
Attn: Mr. Steve Frazier, (Town of Union Vale Supervisor)

**Re: Local Law Amending Zoning Code Article XI, §210-86, §210-56(E),  
and Attachment 210-3  
Engineering Sight Distance Review**

Dear Supervisor Frazier and Members of the Board:

As requested, our office has reviewed the viability of the potential commercial driveway access that would be required to serve a potential wedding venue that was the subject of a sketch plan review in 2024. While the project would require the zoning code amendment, in order to be permitted for a wedding venue, we have analyzed the feasibility of the ingress and egress to and from the site, based on the Sketch Site Plan, Fuscaldo-Wedding Venue, dated December 17, 2023, as prepared by M. Gillespie & Associates Consulting Engineers PLLC. This sketch plan proposes a commercial driveway entrance directly across from Liberty Way, on Bruzgul Road (aka County Route 21). Said sketch plan is included as Exhibit-1.

A sight distance evaluation was completed at the potential access drive intersections on County Route 21 (CR-21). Available intersection sight distance was measured from the perspective of a vehicle exiting the site. It was also measured for a vehicle traveling westbound along CR-21 looking straight ahead to turn left into the Site. The available intersection sight distance should provide drivers a sufficient view of the intersecting driveway to allow a vehicle to enter or exit the intersection without excessively slowing vehicles traveling at or near the operating speed on CR-21.

Our office has analyzed the feasibility of this access, based on the Dutchess County Department of Public Works Highway Work Policies, with a focus on The Sight Distance Requirements show in Figures 1 & 2. These figures are included as Exhibit-2, with the required values highlighted.

Bruzgul Road is posted as a 55 miles per hour (MPH) limit, but the area of the proposed entrance has 40 MPH curve warnings signs. Based on a Dutchess County DPW standards, the 85<sup>th</sup> percentile speed should be used to establish the required sight distances. A traffic study conducted by Dutchess County, in 2024 concluded that 85<sup>th</sup> percentile speed was 50.7 (MPH) for the eastbound lane and 50.4 MPH for the westbound traffic. (Refer to Exhibit-3.) Based on this exceeding 50 MPH, the sight distance requirements were based on the 55 MPH standards.

**Re: Local Law Amending Zoning Code Article XI, §210-86, §210-56(E),  
and Attachment 210-3  
Engineering Sight Distance Review**

The following table shows the required and available sight distances, based on field measurements and observations by our office on 10/15/2025.

Intersection		Right-Turn from Site	Left-Turn from Site	(TSD) Left-Turn from CR-21	SSD (Westbound)
CR 21 & Commercial Entrance	Recommended	610'	610'	445'	469'
	Available	570'+/-	310'+/-	450'+	470'+
	Available with Clearing	610'+	610'+	600'+	NA

Based on this analysis, our office observed that the required sight distances are not currently available, however clearing the vegetation to improve the right and left turn sight lines is expected to allow the required sight distances to be met or exceeded. This is not an unusual situation, where improvements are needed to meet the sight distance requirements. In fact, the approvals of the Bruzgul Heights Subdivision, which created Liberty Way included a sight line easement on the property proposed for the wedding venue to allow for continued maintenance of the sight distances. (See Exhibit 4.) Since the proposed entrance is directly across from the Liberty Way entrance, this clearing will also help to maintain the available sight lines for a potential commercial entrance directly across from Liberty Way, although it will remain the owner's responsibility to maintain the sight distances required for the private commercial driveway.

While it would be ultimately up to the applicant's team to prove that the potential entrance can be constructed without causing a significant environmental impact, based on our office's investigations, we believe it is a permittable entrance location. Should the project move forward, the entrance will require review, approval and permitting by the Dutchess County Department of Public Works.

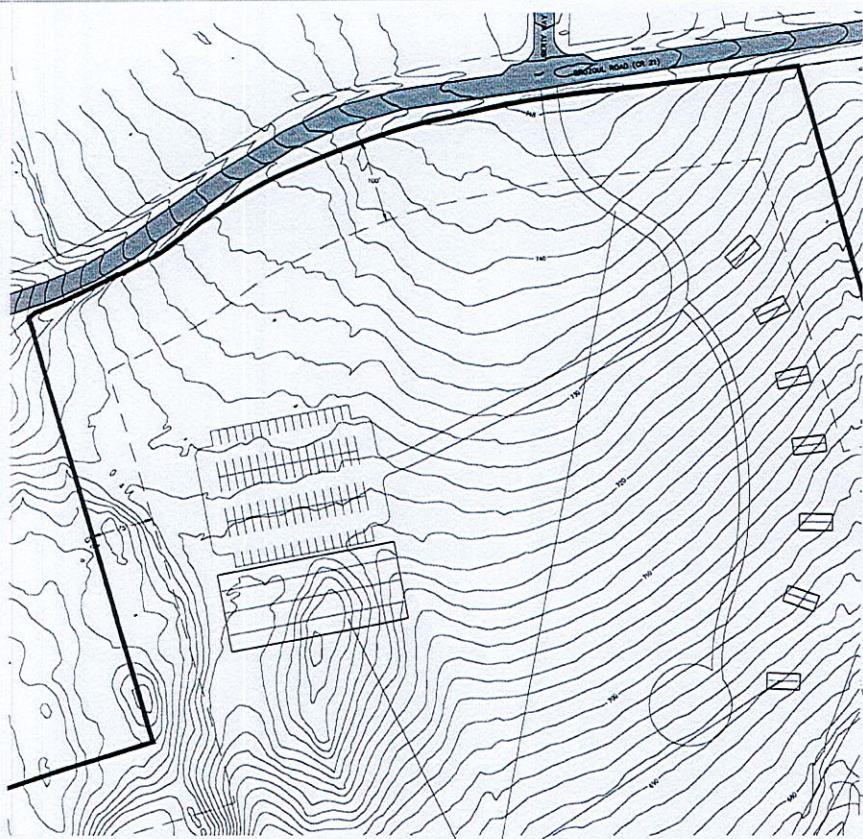
Please do not hesitate to contact me with any questions, (845) 877-0555.

Sincerely,



Thomas Harvey  
Project Engineer

Encl: Exhibits 1, 2, 3, & 4

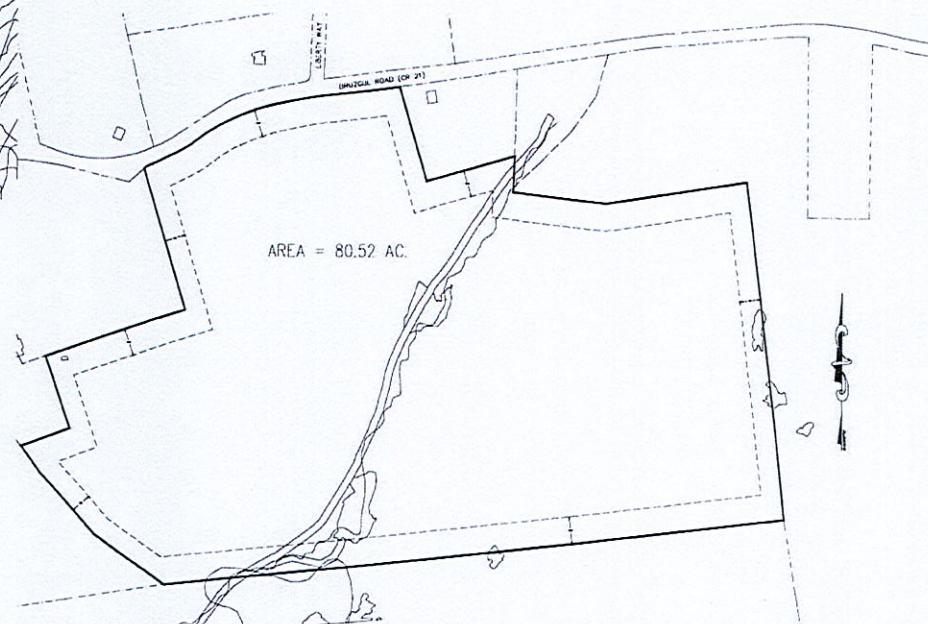


QUEST COTTAGES (TYPICAL)  
PROPOSED ACCESS ROAD  
BARN - WEDDING VENUE

**SATION 210-56(B) INN** AN INN SHALL BE ALLOWED BY SPECIAL PERMIT IN THE HHD, HAS, AND HAJ AND TC DISTRICTS, PROVIDED THAT:

- (A) THE INN SHALL BE LIMITED TO A MAXIMUM OF 10 GUEST ROOMS.
- (B) THE INN MAY PROVIDE DINING FACILITIES OPEN TO BOTH GUESTS AND THE GENERAL PUBLIC AS AN ACCESORY USE. THE TOTAL NUMBER OF SEATS IN ITS DINING ROOM, ITS OUTDOOR DINING AREAS AND ITS LOUNGE, IF ANY, SHALL, HOWEVER, NOT EXCEED 30 SEATS.
- (C) THE INN MAY NOT OPERATE AS A NIGHTCLUB, AS SUCH USE IS DEFINED IN ARTICLE XI, § 210-16A, OF THIS CHAPTER.
- (D) THE INN SHALL BE ESTABLISHED THROUGH THE ADAPTIVE REUSE OF EITHER A RESIDENTIAL OR NONRESIDENTIAL STRUCTURE EXISTING ON MAY 30, 2002, EXCEPT IN THE TC DISTRICT WHERE ADAPTIVE REUSE IS ENCOURAGED BUT NOT REQUIRED.
- (E) THE MINIMUM LOT AREA SHALL BE 20 ACRES IN EITHER THE HHD OR HAS DISTRICT AND 10 ACRES IN THE HAJ DISTRICT.
- (F) ACCESS TO THE FACILITY SHALL BE PROVIDED FROM A STATE, OR COUNTY HIGHWAY OR A THROUGH TOWN HIGHWAY OTHER THAN A RESIDENTIAL SUBDIVISION.
- (G) APPROPRIATE WATER SUPPLY AND SANITARY SEWAGE DISPOSAL FACILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWN OF UNION VALE, THE DUTCHESSE COUNTY HEALTH DEPARTMENT AND THE NEW YORK STATE DEPARTMENTS OF HEALTH AND ENVIRONMENTAL CONSERVATION.
- (H) NO PARKING AREA OR OTHER IMPROVEMENT ASSOCIATED WITH THE FACILITY SHALL BE LOCATED WITHIN 100 FEET OF ANY PROPERTY LINE IN THE HHD DISTRICT OR WITHIN 75 FEET OF ANY PROPERTY LINE IN THE HAS OR HAJ DISTRICTS, OR SUCH GREATER DISTANCE, AS MAY BE PRESCRIBED WITHIN THE DISTRICT SPECIFIC AREA AND BULK REGULATIONS. SCREENING SHALL BE PROVIDED BY INTERVENING LANDFORM AND/OR VEGETATION TO REDUCE VISUAL AND OTHER IMPACT ON NEIGHBORING RESIDENTIAL PROPERTIES.

PARCEL PLAT - SCALE 1:50'



TOWN OF UNION VALE PLANNING BOARD	
APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF UNION VALE, NEW YORK, ON THE _____ DAY OF _____, 20____, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ENRICHMENT, OR REVISION TO THE PLAT AS APPROVED, SHALL VOID THIS APPROVAL.	
SIGNED THIS _____ DAY OF _____, 20____.	
Chairman of the Planning Board of the Town of Union Vale, New York	

OWNER	
FUSCALDO ENTERPRISES, LLC	
81 TIMBERLAKE LANE PLEASANT VALLEY, NY 12569	

OWNERS CONSENT	
THE UNDERSIGNED OWNER OF THIS PROPERTY HEREBY STATES THAT HE/ SHE PLANS TO USE THE PROPERTY AS DESCRIBED IN THE PLAT, AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS OF THE PLAT AS APPROVED. A COPY OF THIS PLAT IS BEING MAILED TO THE OWNER OF THIS PROPERTY AND IS BEING DEPOSITED WITH THE OFFICE OF THE DUTCHESSE COUNTY CLERK.	
Dated: _____	

SHEET No.	
SH1	
SH1	



PROJECT NO. 2023-008  
DRAWN BY MEG  
CHECKED BY MEG  
REVISIONS

MEG  
OVA

NYSPE# 074666

SHEET No.

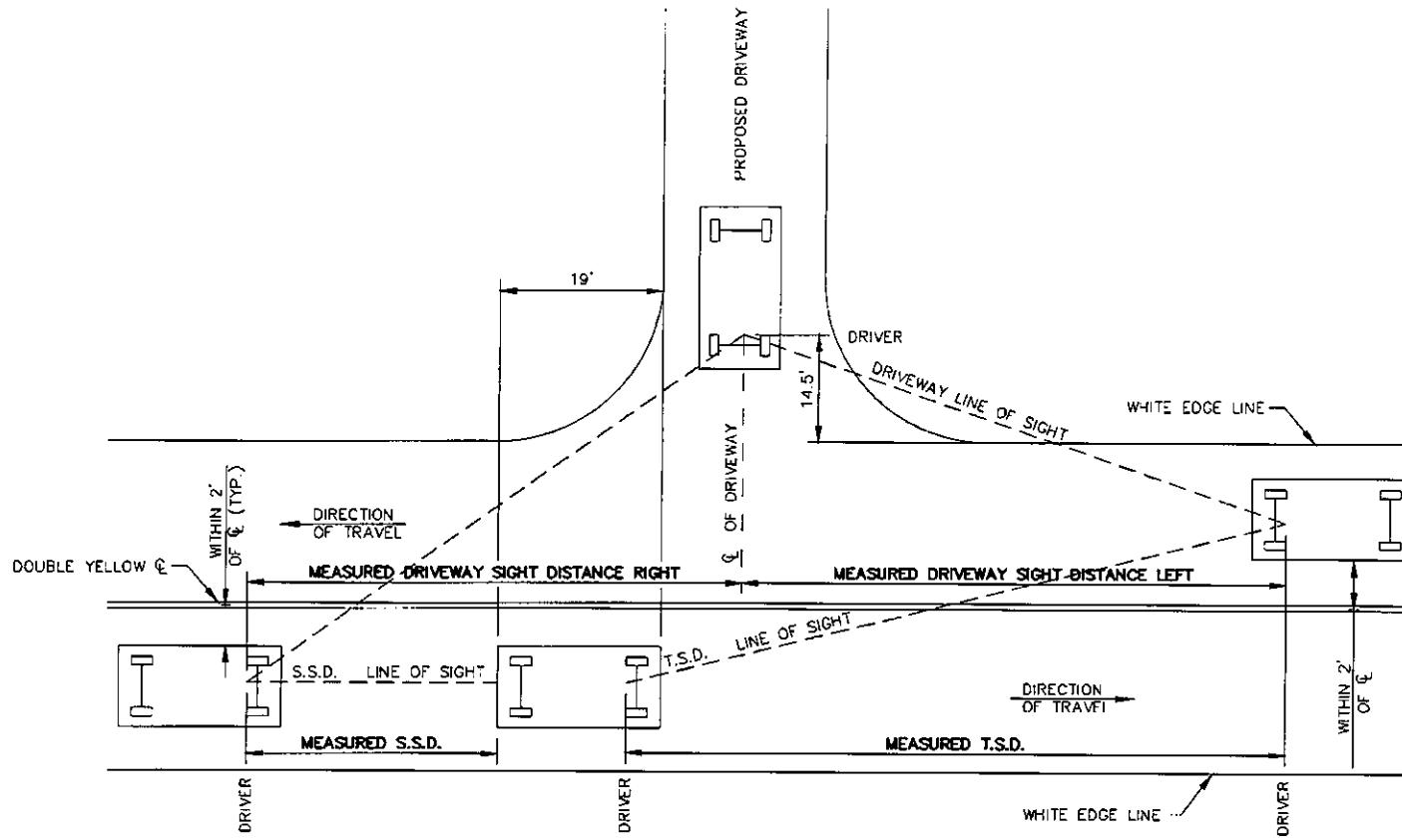
SH1  
SH1



SKETCH SITE PLAN	
FUSCALDO - WEDDING VENUE	
TOWN OF UNION VALE	
DUTCHESSE CO., NEW YORK	
DECEMBER 17, 2023	
SCALE(S) AS NOTED	

## SIGHT DISTANCE MEASUREMENTS DETAIL

NOT TO SCALE



NOTES:

1. DRIVEWAY SIGHT DISTANCES AND TURNING SIGHT DISTANCE (T.S.D.) ARE MEASURED 42" ABOVE FINISHED DRIVEWAY SURFACE AND ROAD PAVEMENT SURFACE.
2. STOPPING SIGHT DISTANCE (S.S.D.) IS MEASURED FROM 42" ABOVE PAVEMENT (EYE HEIGHT) TO 24" ABOVE PAVEMENT (BRAKE LIGHT ELEVATION).
3. MINIMUM SIGHT DISTANCE MEASUREMENTS SHALL BE IN ACCORDANCE WITH "SIGHT DISTANCE REQUIREMENTS TABLE", FIG. 2.

DUTCHESS COUNTY  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY WORK PERMIT POLICY

SIGHT DISTANCE MEASUREMENTS DETAIL

DATE:  
CCT CB, 2024

FIG:  
1

**FIGURE 2 - SIGHT DISTANCE REQUIREMENTS**

POSTED SPEED LIMIT (MPH)	SIGHT DISTANCE (LEFT & RIGHT)	SSD (< 3%)	SSD GRADE ADJUSTMENT				TSD
			DOWNGRADE		UPGRADE	UPGRADE	
			3%	6%	3%	6%	
30	335'	200'	205'	215'	200'	184'	245'
35	390'	250'	257'	271'	237'	229'	285'
40	445'	305'	315'	333'	289'	278'	325'
45	500'	360'	378'	400'	344'	331'	365'
50	555'	425'	446'	474'	405'	388'	405'
55	610'	495'	520'	553'	469'	450'	445'

If sight distance requirements are based on the 85th Percentile Speed instead of the highway posted speed limit, the following conditions must be met by the applicant:

- \* A qualified Professional Engineer with expertise in traffic engineering shall be engaged for the purpose of performing a spot speed study at the proposed driveway location.
- \* The speed study is coordinated through the DCDPW to ensure that an acceptable method is used and the exact study location is determined.
- \* Yielded from this study will be the 85th Percentile Speed of traffic during a specific time period determined by the DCDPW.
- \* The 85th Percentile Speed will be used in the table above to determine required sight distances. The distances determined using 85th Percentile Speed may be increased by 10% to account for limitations of speed study accuracy and methodology, if requested by the DCDPW.
- \* Sight lines must provide for a minimum of 6" of vertical clearance to any obstruction or grade.

For commercial driveways that serve heavy truck traffic, the DCDPW may require sight distances appropriate for the specific vehicle class anticipated during normal use.

In all cases, the DCDPW shall have final approval authority for sight distance requirements for proposed highway entrance locations.

Dutchess County  
Traffic Count Hourly Report

ROAD #: CR CR21 ROAD NAME: BRUZGAL RD  
 DIRECTION: Eastbound FACTOR GROUP: 30  
 STATE DIR CODE: 6 WK OF YR: 24  
 DATE OF COUNT: 06/16/2024  
 NOTES LANE 1:

FROM: NY 55  
 REC. SERIAL #: JQ65  
 PLACEMENT: 2100ft E/O Liberty Wy  
 @ REF MARKER:  
 ADDL DATA: Class Speed  
 COUNT TYPE: VEHICLES

TO: CR 9 CLOVE VALLEY RD  
 FUNC. CLASS: 07  
 NHS: no  
 JURIS: Village  
 CC Stn:  
 BATCH ID: DCTC List 1

COUNTY: Dutchess  
 TOWN:  
 LION#:  
 BIN: 3343940  
 RR CROSSING:  
 HPMS SAMPLE:

COUNT TAKEN BY: ORG CODE: NDS INITIALS: JSO

PROCESSED BY: ORG CODE: NDS INITIALS: WST

12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11
TO																							
1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	

DATE	DAY	AM												PM												DAILY TOTAL	DAILY HIGH	DAILY COUNT	DAILY HIGH
1	S																												
2	S																												
3	M																												
4	T																												
5	W																												
6	T																												
7	F																												
8	S																												
9	S																												
10	M																												
11	T																												
12	W																												
13	T																												
14	F																												
15	S																												
16	S																												
17	M	3	3	1	2	4	19	49	27	28	45	53	75	76	82	84	77	71	49	53	46	37	28	12	3	1111	127	17	
18	T	3	2	1	2	6	20	57	67	63	65	55	46	57	68	76	86	111	127	86	41	38	34	19	10	1111	119	16	
19	W	3	5	2	1	6	16	33	47	65	52	56	67	65	71	63	71	101	113	83	53	54	29	14	8	1078	113	17	
20	T	6	1	1	3	3	15	58	61	48	45	62	60	63	55	71	93	103	101	85	65	48	41	19	12	1119	103	16	
21	F	6	4	0	5	7	15																						
22	S																												
23	S																												
24	M																												
25	T																												
26	W																												
27	T																												
28	F																												
29	S																												
30	S																												

AVERAGE WEEKDAY HOURS (Axle Factored, Mon 6AM to Fri Noon)												ADT																	
4	3	1	3	6	16	49	58	58	56	55	56	60	63	74	85	108	115	78	53	47	36	17	10	1111					
DAYS Counted	HOURS Counted		WEEKDAYS Counted		WEEKDAY Hours		AVERAGE WEEKDAY						Axle Adj. Factor	Seasonal/Weekday Adjustment Factor	ESTIMATED														
5	119		4		96		115						1.000	1.109	AADT														

ROAD #: CR21 ROAD NAME: BRUZGAL RD  
 STATION: 826017 STATE DIR CODE: 6  
 FROM: NY 55 PLACEMENT: 2100ft E/O Liberty Wy  
 TO: CR 9 CLOVE VALLEY RD  
 COUNTY: Dutchess  
 DATE OF COUNT: 06/16/2024

Dutchess County  
Traffic Count Hourly Report

ROAD #: CR CR21 ROAD NAME: BRUZGAL RD  
 DIRECTION: Westbound FACTOR GROUP: 30  
 STATE DIR CODE: 7 WK OF YR: 24  
 DATE OF COUNT: 06/16/2024  
 NOTES LANE 1:

FROM: NY 55  
 REC. SERIAL #: JQ65  
 PLACEMENT: 2100ft E/O Liberty Wy  
 @ REF MARKER:  
 ADDL DATA: Class Speed  
 COUNT TYPE: VEHICLES  
 PROCESSED BY: ORG CODE: NDS INITIALS: WST

TO: CR 9 CLOVE VALLEY RD  
 FUNC. CLASS: 07  
 NHS: no  
 JURIS: Village  
 CC Stn:  
 BATCH ID: DCTC List 1

COUNTY: Dutchess  
 TOWN:  
 LION#:  
 BIN: 3343940  
 RR CROSSING:  
 HPMS SAMPLE:

COUNT TAKEN BY: ORG CODE: NDS INITIALS: JSC

DATE	DAY	AM												PM												DAILY TOTAL	HIGH COUNT	DAILY HOUR	
		12 TO 1 1 2 TO 3 4 5 TO 6 TO 7 TO 8 TO 9 TO 10 11 TO 12 1 TO 2 TO 3 TO 4 TO 5 TO 6 TO 7 TO 8 TO 9 TO 10 TO 11 TO 12																											
1	S																												
2	S																												
3	M																												
4	T																												
5	W																												
6	T																												
7	F																												
8	S																												
9	S																												
10	M																												
11	T																												
12	W																												
13	T																												
14	F																												
15	S																												
16	S																												
17	M	4	0	1	0	5	29	65	34	50	66	71	72	93	84	86	57	64	63	50	46	38	15	9	5	1184	112	8	
18	T	1	3	3	4	6	30	86	93	117	72	64	59	48	69	109	70	100	101	71	51	38	35	16	9	7	1200	117	8
19	W	8	1	0	1	5	30	68	58	87	78	65	70	73	69	72	80	77	67	57	31	34	31	17	7	1086	87	8	
20	T	7	0	1	5	4	28	82	90	104	69	73	57	61	55	69	81	95	70	50	53	25	25	10	8	1122	104	8	
21	F	7	1	2	3	5	32																						
22	S																												
23	S																												
24	M																												
25	T																												
26	W																												
27	T																												
28	F																												
29	S																												
30	S																												

6	1	2	3	5	30	AVERAGE WEEKDAY HOURS (Axle Factored, Mon 6AM to Fri Noon)												ADT 6 1152						
						WEEKDAYS Counted	WEEKDAY Hours	AVERAGE WEEKDAY						Axle Adj. Factor	Seasonal/Weekday Adjustment Factor	ESTIMATED								
								High Hour	% of day	77	55	42	31	20	14									
6	119	4	96			105		9%		1.000		1.109												

ROAD #: CR21 ROAD NAME: BRUZGAL RD  
 STATION: 826017 STATE DIR CODE: 7 FROM: NY 55 TO: CR 9 CLOVE VALLEY RD COUNTY: Dutchess  
 DATE OF COUNT: 06/16/2024 PLACEMENT: 2100ft E/O Liberty Wy

**Dutchess County  
Classification Count Average Weekday Data Report**

ROAD #:	CR CR21	ROAD NAME:	BRUZGAL RD	YEAR:	2024	STATION:	826017
COUNTY NAME:	Dutchess	MONTH:	June				
REGION CODE:	8						
FROM:	NY 55						
TO:	CR 9 CLOVE VALLEY RD						
REF-MARKER:							
END MILEPOINT:	1179	NO. OF LANES:	2	DIRECTION:	East	West	TOTAL
FUNC-CLASS:	07	HPMS NO.		NUMBER OF VEHICLES	1098	1143	2241
STATION NO:	6017	LION#		NUMBER OF AXLES	2210	2299	4509
COUNT TAKEN BY:	ORG CODE: NDS	INITIALS: JSO		% HEAVY VEHICLES (F4-F13)	4.92%	4.99%	4.95%
PROCESSED BY:	ORG CODE: NDS	INITIALS: WST		% TRUCKS AND BUSES (F3-F13)	24.50%	25.72%	25.12%
				AXLE CORRECTION FACTOR	0.99	0.99	0.99

BATCH ID: DCTC List 1

VEHICLE CLASS	F1	F2	F3	F4	F5	F6	F7	F8	F9	F10	F11	F12	F13	TOTAL
NO. OF AXLES	2	2	2	2.5	2	3	4	3.5	5	6	5	6	8.75	
ENDING HOUR	1.00	0	6	1	0	0	0	0	0	0	0	0	0	7
	2.00	0	2	0	0	0	0	0	0	0	0	0	0	2
	3.00	0	1	0	0	0	0	0	0	0	0	0	0	1
	4.00	0	2	1	0	0	0	0	0	0	0	0	0	3
	5.00	0	2	0	0	0	0	0	0	0	0	0	0	2
	6.00	0	8	3	0	2	0	0	0	0	0	0	0	13
	7.00	0	21	8	2	4	1	0	0	0	1	0	0	37
	8.00	1	43	13	0	4	0	0	0	0	0	0	0	61
	9.00	0	38	13	1	4	0	0	0	0	0	0	0	56
	10.00	0	38	14	0	4	0	0	0	0	0	0	0	56
DIRECTION	11.00	0	38	11	0	3	0	0	0	0	0	0	0	52
East	12.00	0	36	14	0	3	0	0	0	0	0	0	0	53
	13.00	2	44	14	0	4	0	0	0	0	0	0	0	64
	14.00	0	42	12	0	2	0	0	0	0	0	0	0	56
	15.00	1	53	11	1	2	0	0	0	0	1	0	0	69
	16.00	1	61	17	0	3	0	0	1	0	0	0	0	83
	17.00	2	82	20	0	5	0	0	1	0	0	0	0	110
	18.00	1	84	24	0	2	0	0	0	0	0	0	0	111
	19.00	2	73	13	0	1	0	0	0	0	0	0	0	89
	20.00	0	44	12	0	1	0	0	0	0	0	0	0	57
	21.00	1	39	6	0	1	0	0	0	0	0	0	0	47
	22.00	0	32	5	0	0	0	0	0	0	0	0	0	37
	23.00	0	20	2	0	0	0	0	0	0	0	0	0	22
	24.00	0	9	1	0	0	0	0	0	0	0	0	0	10
TOTAL VEHICLES	11	818	215	4	45	1	0	2	0	2	0	0	0	1098
TOTAL AXLES	22	1636	430	10	90	3	0	7	0	12	0	0	0	2210
ENDING HOUR	1.00	0	4	0	0	0	0	0	0	0	0	0	0	4
	2.00	0	2	0	0	0	0	0	0	0	0	0	0	2
	3.00	0	1	1	0	0	0	0	0	0	0	0	0	3
	4.00	0	2	1	0	0	0	0	0	0	0	0	0	4
	5.00	0	2	2	0	0	0	0	0	0	0	0	0	4
	6.00	0	12	6	0	0	0	0	0	0	0	0	0	18
	7.00	1	41	15	0	3	0	0	0	0	0	0	0	60
	8.00	2	62	22	2	4	0	0	0	0	0	0	0	92
	9.00	0	81	22	1	3	0	0	0	0	0	0	0	107
	10.00	0	56	12	0	3	0	0	1	0	0	0	0	72
DIRECTION	11.00	1	47	16	0	3	0	0	0	0	0	0	0	67
West	12.00	1	50	16	1	3	0	0	0	1	0	0	0	74
	13.00	0	40	13	1	3	0	0	0	0	0	0	0	57
	14.00	2	42	13	1	3	0	0	0	0	0	0	0	61
	15.00	2	57	18	0	2	1	0	0	0	0	0	0	80
	16.00	1	58	16	0	4	0	0	0	0	0	0	0	79
	17.00	1	68	19	0	5	0	0	1	0	0	0	0	94
	18.00	1	62	14	0	4	0	0	0	0	0	0	0	81
	19.00	0	51	13	0	2	0	0	0	0	0	0	0	66
	20.00	0	32	4	0	2	0	0	0	0	0	0	0	38
	21.00	1	27	5	0	1	0	0	0	0	0	0	0	34
	22.00	0	21	5	0	0	0	0	0	0	0	0	0	26
	23.00	0	12	3	0	0	0	0	0	0	0	0	0	15
	24.00	0	6	1	0	0	0	0	0	0	0	0	0	7
TOTAL VEHICLES	13	836	237	6	45	2	0	3	1	0	0	0	0	1143
TOTAL AXLES	26	1672	474	15	90	6	0	10	5	0	0	0	0	2299
GRAND TOTAL VEHICLES	24	1654	452	10	90	3	0	5	1	2	0	0	0	2241
GRAND TOTAL AXLES	48	3308	904	25	180	9	0	18	5	12	0	0	0	4509

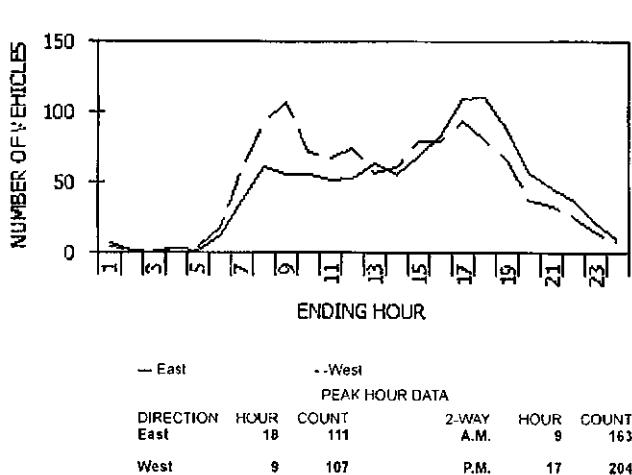
VEHICLE CLASSIFICATION CODES:

- F1. Motorcycles
- F2. Autos\*
- F3. 2 Axle, 4-Tire Pickups, Vans, Motorhomes\*
- F4. Buses
- F5. 2 Axle, 6-Tire Single Unit Trucks
- F6. 3 Axle Single Unit Trucks
- F7. 4 or More Axle Single Unit Trucks
- F8. 4 or Less Axle Vehicles, One Unit is a Truck
- F9. 5 Axle Double Unit Vehicles, One Unit is a Truck
- F10. 6 or More Double Unit Vehicles, One Unit is a Truck
- F11. 5 or Less Axle Multi-Unit Trucks
- F12. 6 Axle Multi-Unit Trucks
- F13. 7 or More Axle Multi-Unit Trucks

\* INCLUDING THOSE HAULING TRAILERS

FUNCTIONAL CLASS CODES:

RURAL	URBAN	SYSTEM
01	11	PRINCIPAL ARTERIAL-INTERSTATE
02	12	PRINCIPAL ARTERIAL-EXPRESSWAY
02	14	PRINCIPAL ARTERIAL-OTHER
06	16	MINOR ARTERIAL
07	17	MAJOR COLLECTOR
08	17	MINOR COLLECTOR
09	19	LOCAL SYSTEM



SOURCE: NYSDOT DATA SERVICES BUREAU

**Dutchess County**  
**Speed Count Average Weekday Report**

Page 1 of 2  
Date: 08/14/2024

Station: 826017  
Road #: CR CR21 Road name: BRUZGAL RD  
From: NY 55  
To: CR 9 CLOVE VALLEY RD  
Direction: East

Start date: Sun 06/16/2024 07:00  
End date: Fri 06/21/2024 06:45  
County: Dutchess  
Town:  
Speed limit: 55  
LION#:

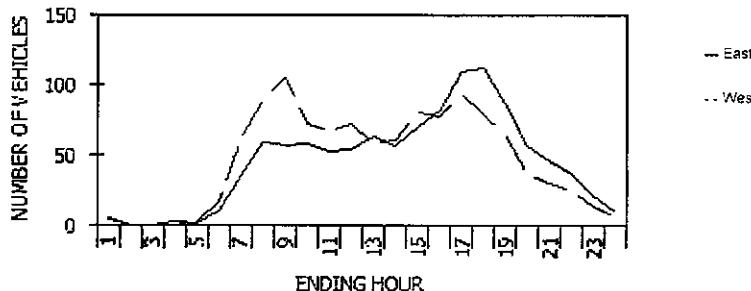
Count duration: 120 hours  
Functional class: 7  
Factor group: 30  
Batch ID: DCTC List 1  
Count taken by: Org: NDS Init: JSO  
Processed by: Org: NDS Init: WST

**Speeds, mph**

Hour	0.0-	30.1-	35.1-	40.1-	45.1-	50.1-	55.1-	60.1-	65.1-	70.1-	75.1-	80.1-	85.1-	% Exc	Avg	50th%	85th%	Total						
	30.0	35.0	40.0	45.0	50.0	55.0	60.0	65.0	70.0	75.0	80.0	85.0	115.0	55.0	60.0	65.0	70.0	75.0						
1:00	0	0	2	2	2	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	42.1	42.6	47.8	6		
2:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0		
3:00	0	0	0	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	42.5	42.6	44.3	1		
4:00	0	0	0	1	2	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	45.7	46.3	48.9	3		
5:00	0	0	0	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	47.0	45.0	53.6	2		
6:00	0	0	1	2	4	4	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	47.0	48.2	53.0	11		
7:00	0	1	4	15	9	5	2	0	0	0	0	0	0	5.6	0.0	0.0	0.0	0.0	44.5	44.4	51.6	36		
8:00	0	1	5	18	24	9	3	0	0	0	0	0	0	5.0	0.0	0.0	0.0	0.0	45.6	46.3	51.7	60		
9:00	0	2	4	18	25	6	2	0	0	0	0	0	0	3.5	0.0	0.0	0.0	0.0	45.0	46.0	49.0	57		
10:00	0	2	10	21	19	7	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	43.5	44.2	49.6	59		
11:00	0	0	8	16	22	6	1	0	0	0	0	0	0	1.9	0.0	0.0	0.0	0.0	44.7	45.6	49.8	53		
12:00	2	0	5	17	20	6	1	0	0	0	0	0	0	1.9	0.0	0.0	0.0	0.0	42.7	45.0	49.8	54		
13:00	0	1	6	26	23	7	1	0	0	0	0	0	0	1.6	0.0	0.0	0.0	0.0	44.5	44.9	49.7	64		
14:00	0	0	6	22	22	6	1	0	0	0	0	0	0	1.8	0.0	0.0	0.0	0.0	44.8	45.2	49.7	57		
15:00	0	1	10	22	26	9	2	0	0	0	0	0	0	2.9	0.0	0.0	0.0	0.0	44.6	45.4	50.3	70		
16:00	0	0	6	26	39	8	3	0	0	0	0	0	0	3.7	0.0	0.0	0.0	0.0	45.6	46.2	49.9	92		
17:00	0	1	8	34	46	16	5	0	0	0	0	0	0	4.5	0.0	0.0	0.0	0.0	45.8	46.4	51.5	110		
18:00	1	1	5	36	47	19	3	0	0	0	0	0	0	2.7	0.0	0.0	0.0	0.0	45.4	46.4	51.4	112		
19:00	0	0	8	24	34	17	3	1	0	0	0	0	0	4.6	1.1	0.0	0.0	0.0	46.1	46.7	52.4	87		
20:00	0	0	5	22	19	8	2	1	0	0	0	0	0	5.3	1.8	0.0	0.0	0.0	45.4	45.4	51.6	57		
21:00	0	1	5	13	19	7	1	0	0	0	0	0	0	2.2	0.0	0.0	0.0	0.0	45.1	45.1	50.8	46		
22:00	0	1	5	13	11	6	1	0	0	0	0	0	0	2.7	0.0	0.0	0.0	0.0	44.4	44.9	51.3	37		
23:00	0	0	4	7	7	2	1	0	0	0	0	0	0	4.8	0.0	0.0	0.0	0.0	44.3	44.7	49.9	21		
24:00	0	0	2	4	2	1	1	0	0	0	0	0	0	10.0	0.0	0.0	0.0	0.0	44.2	43.8	52.6	10		
Avg. Daily Total	3	12	112	361	422	150	33	2	0	0	0	0	0	3.2	0.2	0.0	0.0	0.0	45.0	45.8	50.7	1095		
Percent	0.3%	1.1%	10.2%	33.0%	38.5%	13.7%	3.0%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%											
Cum. Percent	0.3%	1.4%	11.6%	44.5%	83.1%	96.8%	99.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%											
Average hour	0	0	5	15	18	6	1	0	0	0	0	0	0										46	

**TRAFFIC FLOW BY DIRECTION**

Direction	Hour	Avg. Speed		50th% Speed		85th% Speed	
		East	West	East	West	East	West
East	18	45.0	45.3	45.8	45.8	50.7	50.4
West	9	112	106	163	204		



**Dutchess County  
Speed Count Average Weekday Report**

Page 2 of 2  
Date: 08/14/2024

Station: 826017  
Road #: CR CR21 Road name: BRUZGAL RD  
From: NY 55  
To: CR 9 CLOVE VALLEY RD  
Direction: West

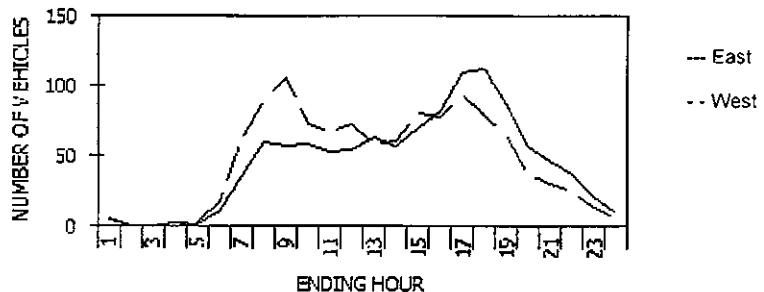
Start date: Sun 06/16/2024 07:00  
End date: Fri 06/21/2024 06:45  
County: Dutchess  
Town:  
Speed limit: 55  
LION#: 7  
Count duration: 120 hours  
Functional class: 7  
Factor group: 30  
Batch ID: DCTC List 1  
Count taken by: Org: NDS Init: JSO  
Processed by: Org: NDS Init: WST

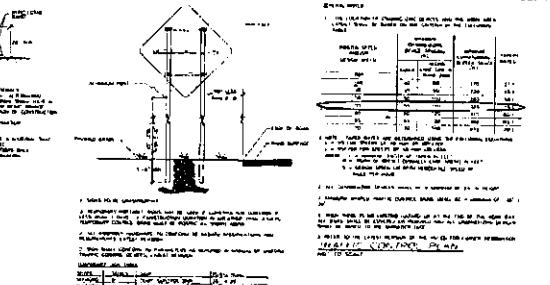
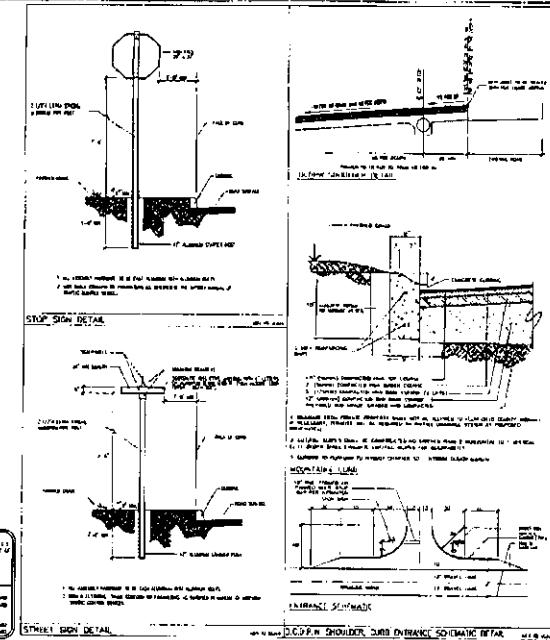
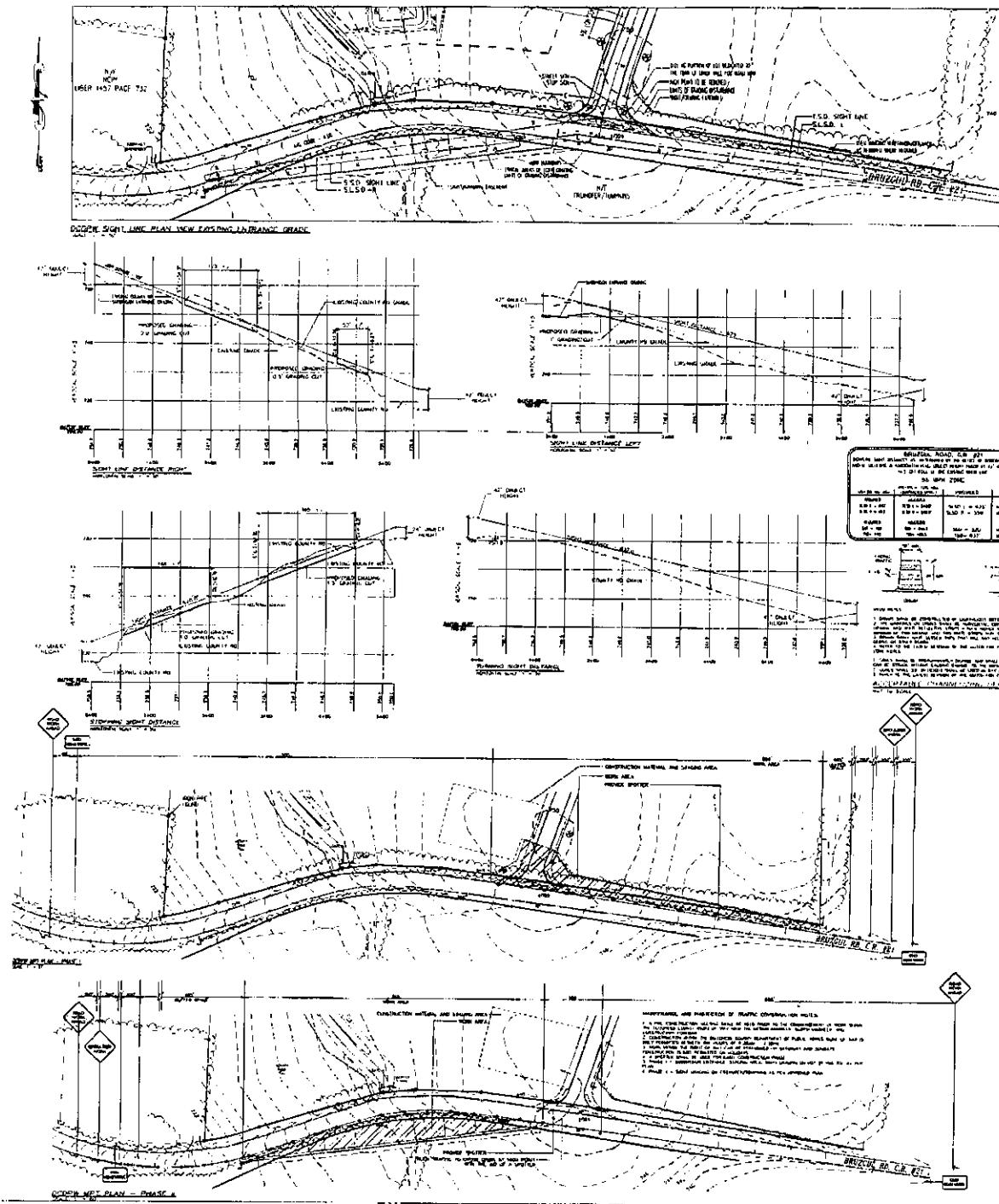
**Speeds, mph**

Hour	0.0- 30.0	30.1- 35.0	35.1- 40.0	40.1- 45.0	45.1- 50.0	50.1- 55.0	55.1- 60.0	60.1- 65.0	65.1- 70.0	70.1- 75.0	75.1- 80.0	80.1- 85.0	85.1- 115.0	% Exc 55.0	% Exc 60.0	% Exc 65.0	% Exc 70.0	% Exc 75.0	Avg	50th%	85th%	Total
1:00	0	0	1	1	1	2	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	45.7	47.6	53.2	5
2:00	0	0	0	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	42.5	42.6	44.3	1
3:00	0	0	0	0	0	1	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	52.5	52.6	54.3	1
4:00	0	0	0	0	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	42.5	42.6	44.3	1
5:00	0	0	1	0	0	2	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	45.3	51.3	53.9	3
6:00	0	0	1	3	10	3	1	0	0	0	0	0	0	5.6	0.0	0.0	0.0	0.0	47.1	47.6	52.2	18
7:00	0	0	3	15	29	14	1	0	0	0	0	0	0	1.6	0.0	0.0	0.0	0.0	46.7	47.3	52.1	62
8:00	0	0	5	20	46	17	2	0	0	0	0	0	0	2.2	0.0	0.0	0.0	0.0	46.6	47.2	51.7	90
9:00	0	0	6	30	50	17	3	0	0	0	0	0	0	2.8	0.0	0.0	0.0	0.0	46.2	46.8	51.3	106
10:00	0	0	8	26	28	9	2	0	0	0	0	0	0	2.7	0.0	0.0	0.0	0.0	45.0	45.5	50.1	73
11:00	0	0	4	27	28	8	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	45.2	45.5	49.7	67
12:00	0	1	9	27	26	7	1	0	0	0	0	0	0	1.4	0.0	0.0	0.0	0.0	44.3	45.0	49.5	73
13:00	0	1	6	23	22	5	2	0	0	0	0	0	0	3.4	0.0	0.0	0.0	0.0	44.5	44.9	49.6	59
14:00	0	0	4	24	25	8	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	45.2	45.6	49.8	61
15:00	0	0	4	32	35	9	1	0	0	0	0	0	0	1.2	0.0	0.0	0.0	0.0	45.4	45.7	49.7	81
16:00	0	0	6	28	30	12	2	0	0	0	0	0	0	2.6	0.0	0.0	0.0	0.0	45.5	45.9	51.0	78
17:00	0	1	4	42	35	10	2	0	0	0	0	0	0	2.1	0.0	0.0	0.0	0.0	45.0	45.0	49.8	94
18:00	0	0	6	31	31	11	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	45.1	45.5	49.9	79
19:00	0	0	6	22	24	10	3	0	0	0	0	0	0	4.6	0.0	0.0	0.0	0.0	45.6	46.0	51.7	65
20:00	0	0	4	16	11	5	1	0	0	0	0	0	0	2.7	0.0	0.0	0.0	0.0	44.7	44.6	50.5	37
21:00	0	1	2	14	11	2	1	0	0	0	0	0	0	3.2	0.0	0.0	0.0	0.0	44.2	44.5	49.5	31
22:00	0	0	5	12	6	2	0	1	0	0	0	0	0	3.6	3.6	0.0	0.0	0.0	43.6	43.4	49.3	26
23:00	0	0	2	5	4	2	1	0	0	0	0	0	0	7.1	0.0	0.0	0.0	0.0	45.1	45.0	52.3	14
24:00	0	0	1	3	2	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	43.1	43.4	47.8	6
Avg. Daily Total	0	4	88	403	456	156	23	1	0	0	0	0	0	2.1	0.1	0.0	0.0	0.0	45.3	45.8	50.4	1131
Percent	0.0%	0.4%	7.8%	35.6%	40.3%	13.8%	2.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%				
Cum. Percent	0.0%	0.4%	8.1%	43.8%	84.1%	97.9%	99.9%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%				
Average hour	0	0	4	17	19	5	1	0	0	0	0	0	0	0	0	0	0	0				47

**TRAFFIC FLOW BY DIRECTION**

Direction	Hour	Avg. Speed		50th% Speed		85th% Speed	
		East	West	45.0	45.8	50.7	50.4
<b>Peak Hour Data</b>							
East	18	Count	112	2-way	Hour	9	Count
West	9	106		A.M.	17	163	P.M.
						204	





PROJECT NO. 2009-183  
DRAWN BY: TMG  
CHECKED BY: BBB  
REVISIONS:  
JUNE 23, 2011  
SEPTEMBER 19, 2011  
OCTOBER 10, 2011  
FEBRUARY 12, 2012  
FEBRUARY 20, 2012  
MAY 5, 2012  
MAY 10, 2012  
JULY 16, 2012  
SEPTEMBER 6, 2012  
DECEMBER 1, 2012  
MARCH 2013  
MAY 2013  
MAY 21, 2014  
MAY 2014  
MAY 24, 2014

NYSPE #089370  
SHEET No.  
6 7

# DOCPW SIGHT LINE ANALYSIS & DETAILS

## BRUZGUL HEIGHTS

DUTCHESSE COUNTY, NEW YORK  
MAY 18, 2010

# **EXHIBIT F**



PLANNING CONSULTANTS, INC.

**TO:** Steve Frazier, Town Supervisor  
**CC:** Union Vale Town Council  
**FR:** KARC Planning Consultants, Inc.  
**DATE:** April 21, 2025  
**RE:** Second Revised Local Law Amending Zoning Code to Permit Catering Facilities  
in the RD10 District – Review Memo

---

Dear Supervisor Frazier and Members of the Town Board,

This memorandum serves as a follow-up to our previous correspondence and recommendations regarding the proposed local law amending the Union Vale Zoning Code to permit Catering Facilities as a special permit use in the RD10 zoning district.

We have reviewed the revised Proposed Local Law (see attached), which incorporates several changes made in response to public comments received during the February 5, 2025 public hearing and the planning recommendations issued by our office (memo dated March 14, 2025), and further discussion by the Town Board. The following key updates are noted:

- **Increase in Minimum Lot Size:** The required minimum lot size for Catering Facilities has been raised from 50 acres to **75 acres**, reducing the number of eligible parcels and further limiting potential impacts on the district. The revised local law has decreased the number of eligible sites to 25 (see attached map and table).
- **Strengthened Performance Standards:** Additional and clarified provisions for **noise, lighting, and outdoor use** have been included, ensuring that operations remain in line with community character and minimize disturbance to neighboring properties.

These modifications reflect thoughtful consideration of both professional planning guidance and resident concerns, while maintaining a clear intent to support limited event-based land uses within the rural RD10 context.

It should also be noted that the proposed local law retains enhanced standards related to building setbacks, outdoor activity locations, and lodging limitations that continue to distinguish Catering Facilities from previously permitted Conference Centers, maintaining a more controlled and lower-impact land use.

We find the proposed zoning amendment, as revised, to be consistent with the goals and land use objectives of the Town's adopted Comprehensive Plan and recommend that the revised Proposed Local Law now be forwarded to the Town Board for formal review and

**KARC**

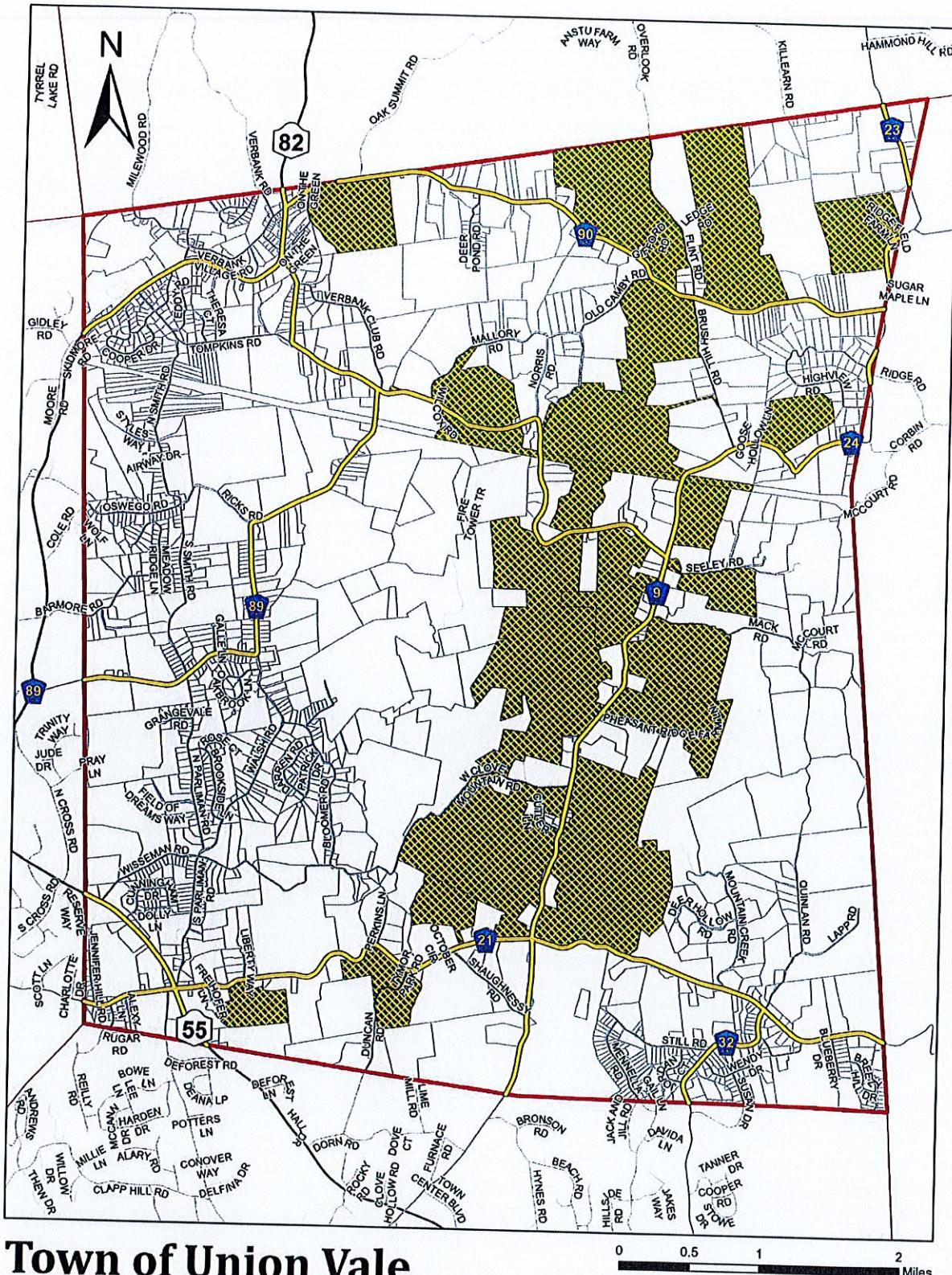
PLANNING CONSULTANTS, INC.

potential adoption.

Please let us know if any further clarification or assistance is needed prior to the upcoming hearing.

Sincerely,

Kelly Libolt  
Kelly Libolt



# **Town of Union Vale**

## **Rural Agricultural District (RD10)**

 RD10 Parcels 75+acres AND Intersect with County and State Rds

## Parcels

— State & County Roads

This map is intended for planning purposes only.  
The Department of Planning and Development shall not be held liable  
for any misuse or misrepresentation of the information contained herein.  
No guarantee is given.

No guarantee of accuracy or completeness is intended or implied.  
Produced by Dutchess County Department of Planning & Development  
March, 2025

RD10 Parcels of 75+ Acres that Intersect with County and State Roads						
OBJECTID	SBL	Number	Street	Jurisdiction	Zip	Acreage
1	6862-00-291753	197	Old Camby	Verbank	12585	206.1 Ac
2	6761-00-873563		Clove	Lagrangeville	12540	686.49 Ac (c)
3	6963-00-056153	729-739	Chestnut Ridge	Millbrook	12545	167.9 Ac (c)
4	6861-00-360288	1-111	Pheasant Ridge Farm	Lagrangeville	12540	173.6 Ac (D)
5	6760-00-338262	249	Duncan	Lagrangeville	12540	109.6 Ac.
6	6762-00-627417	435	Clove	Verbank	12585	173.68 Ac (s)
7	6760-00-750718	1885	Clove	Lagrangeville	12540	549.15 Ac (c)
8	6762-00-500328	771	Waterbury Hill	Lagrangeville	12540	162.7 Ac
9	6863-00-213257	190	Flint	Millbrook	12545	270.33 Ac (S)
10	6863-00-542182	749	Camby	Millbrook	12545	381.825 Ac (S)
11	6861-00-193895		Clove	Lagrangeville	12540	84.09 Ac
12	6660-00-780173		Brugul	Lagrangeville	12540	80.52 Ac
13	6861-00-362529	2224-2226	Clove	Lagrangeville	12540	198.5 Ac
14	6862-00-225348		Brush Hill	Millbrook	12545	146.42 Ac (s)
15	6862-00-485065	48	Chestnut Ridge	Millbrook	12545	90 Ac (S)
16	6762-00-355417	291	Clove	Verbank	12585	75.6 Ac (c)
17	6863-00-309055		Flint	Millbrook	12545	76.19 Ac (S)
18	6860-00-130698	1886-2028	Clove	Lagrangeville	12540	581.60 Ac (c)
19	6763-00-113166	47	Camby	Verbank	12585	176.58 ac (s)
20	6862-00-038412	60-64	Old Camby	Verbank	12585	135.97 Ac
21	6861-00-556788	132	Seeley	Lagrangeville	12540	87.9 ac (s)
22	6861-00-161705	2259	Clove	Lagrangeville	12540	105 Ac (S)
23	6760-00-525561	10	October	Lagrangeville	12540	84.138 Ac (s)
24	6862-00-817416		Chestnut Ridge	Dover Plains	12522	94.63 Ac (d)
25	6862-00-017108	783	Clove	Millbrook	12545	77.00 Ac (S)

# **EXHIBIT G**



PLANNING CONSULTANTS, INC.

**TO:** Steve Frazier, Town Supervisor  
**CC:** Union Vale Town Council  
**FR:** KARC Planning Consultants, Inc.  
**DATE:** September 17, 2025  
**RE:** Second Revised Local Law Amending Zoning Code to Permit Catering Facilities  
in the RD10 District – Explanation of Dutchess County Traffic Data

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Dear Supervisor Frazier and Members of the Town Board,

This memorandum is provided to clarify the Dutchess County Traffic Data maps (the “maps”) provided to the Town Board as **Exhibit C** of the EAF Part 3 Supplemental Narrative provided to the board for review. The maps were generated using the Dutchess County Traffic Viewer and reflect recent Annual Average Daily Traffic (AADT) volumes on County roads serving the Town of Union Vale and the RD10 Zoning District.

#### **About AADT**

Annual Average Daily Traffic (AADT) represents the average number of vehicles traveling along a roadway segment each day over the course of a year. It is the standard metric used by transportation planners and engineers to evaluate roadway usage and compare traffic volumes against roadway capacity.

#### **Traffic Counts in Union Vale**

The primary County Roads serving the Town of Union Vale include the following. AADT data<sup>1</sup> is provided by Dutchess County and NYSDOT:

Road	Segment	AADT
CR 21	Bruzgul Road	1,872
CR 21	Wingdale Mountain Road	2,326
CR 9	Clove Road	1,283
CR 9	Clove Valley Road	1,792
CR 9	North Clove Road	389
CR 24	Chestnut Ridge Road	1,002
CR 90	Camby Road	579

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<sup>1</sup> [DCNY | Traffic Data](#) This app shows current and historical vehicle traffic data from Dutchess County's annual traffic count program and from data provided by NYSDOT. The Dutchess County traffic count program includes more than 800 count stations on county and local roads, with 150-200 traffic counts conducted annually, with most stations counted every 3 years.



PLANNING CONSULTANTS, INC.

All of the County Roads listed above are predominantly<sup>2</sup> posted at 55 mph and function as County highways designed for regional travel.

**Typical Capacity of Rural County Roads<sup>3</sup>**

- A standard two-lane rural highway posted at 55 mph typically has a practical daily capacity of about 10,000–12,000 vehicles per day.
- Even under conservative assumptions (lower speeds, geometric constraints, or higher turning activity), effective capacity is typically 8,000–10,000 vehicles per day.

**Conclusion:**

The Dutchess County traffic data indicate that Union Vale's County roads currently carry only a fraction of their available capacity. Although all improvements remain subject to Dutchess County Highway review, existing AADT volumes—typically in the hundreds to low 2,000-vehicle range—are well below the practical daily capacity of approximately 10,000–12,000 vehicles per day for a standard two-lane rural highway. This suggests that the roadway system has substantial reserve capacity to accommodate additional trips generated by new uses in the RD10 District. Nevertheless, the traffic impacts of individual parcels or projects should be evaluated during site plan review so that a qualified traffic engineer can consider site-specific factors such as driveway density, turning movements, peak-hour factors, and roadway geometry, which influence road congestion and safety.

Please let us know if any further clarification or assistance is needed.

Sincerely,

---

Kelly Libolt

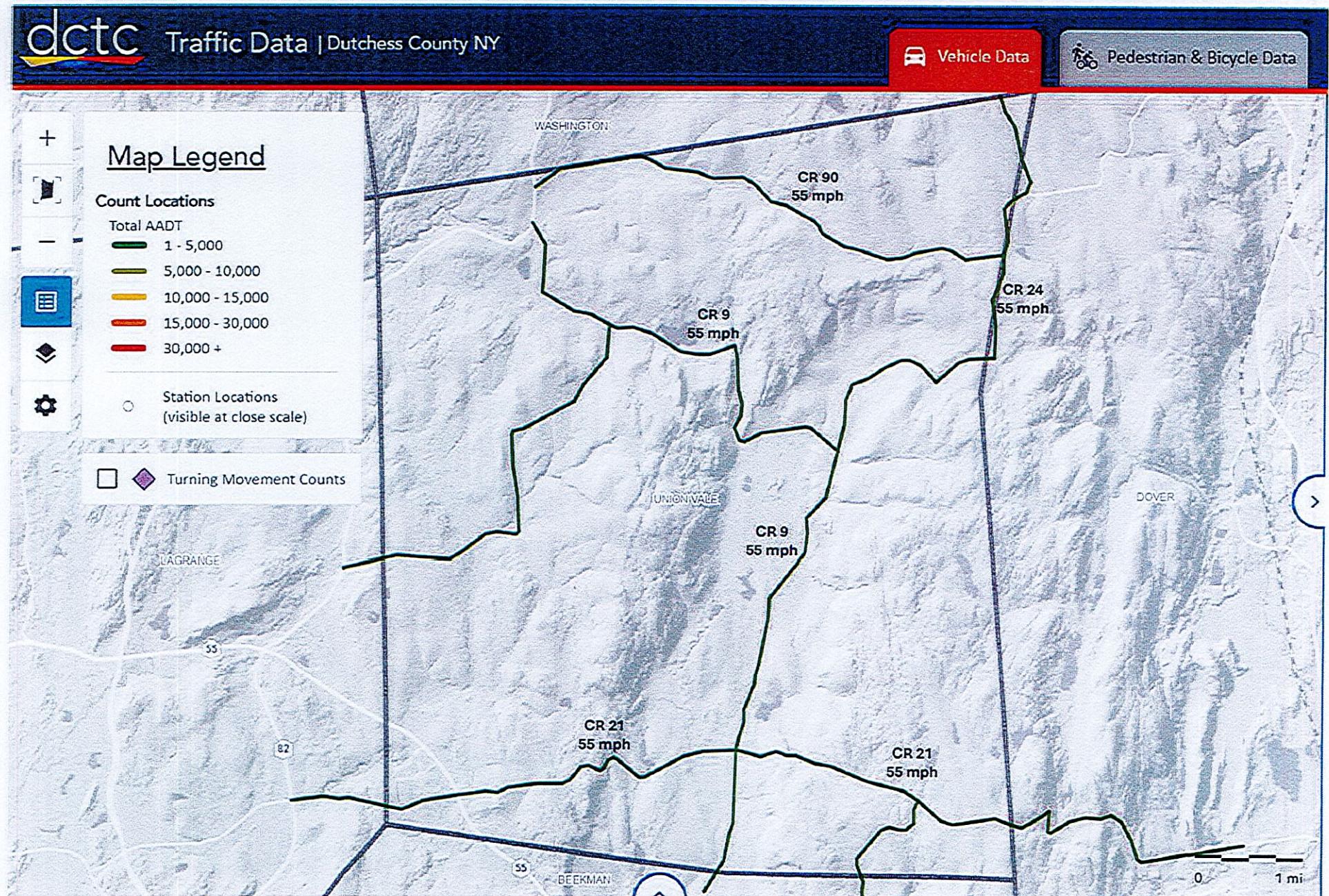
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<sup>2</sup> Sections of each roadway have more restrictive speed limits given geographical limitations such as vertical and horizontal curves

<sup>3</sup> U.S. Federal Highway Administration, HPMS Field Manual – “Procedures for Estimating Highway Capacity”

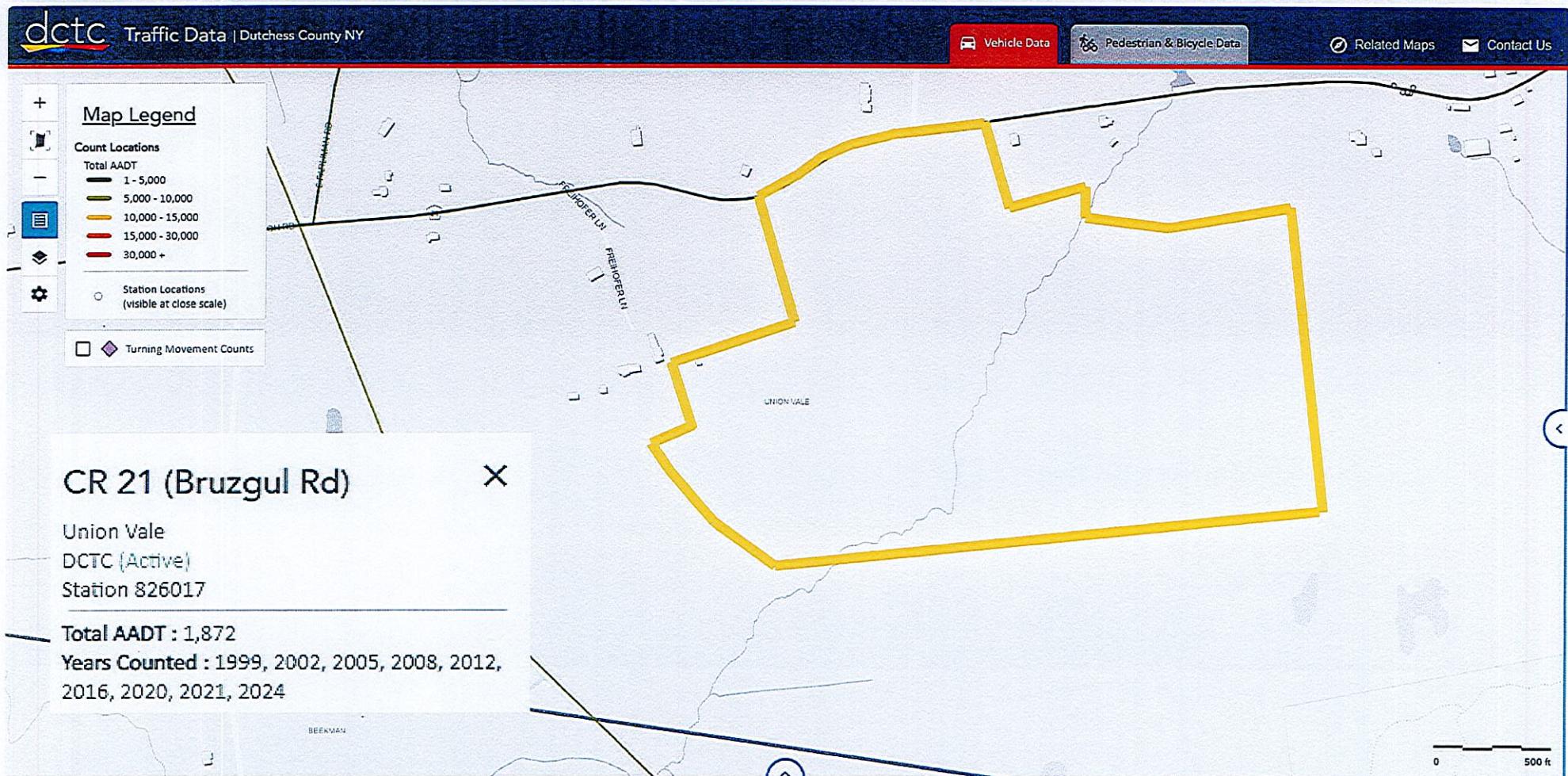
# Traffic Data

(Dutchess County Traffic Data)

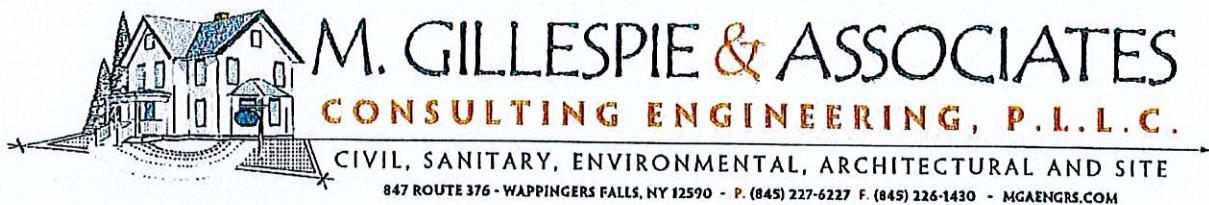


# Traffic Data

(Dutchess County Traffic Data)



# **EXHIBIT H**



March 12, 2024

Town of Union Vale  
attn: Planning Board Chair and Board Members  
249 Duncan Road  
LaGrangeville, NY 12540

Re: *Sketch Site Plan for Fuscaldo – Wedding Venue*  
*Tax Grid Parcel # - 6660-00-780173 – 80.52 acres*  
*Bruzgul Road (C.R. 21)*  
*Town of Union Vale*

**SENT VIA HAND DELIVERY AND EMAIL ([pbzba@unionvaleny.us](mailto:pbzba@unionvaleny.us)) – 2 pages + attachments**

Dear Chair and Board Members -

Please see enclosed within this submission the following:

- Original and eleven copies of completed application dated February 22, 2024
- Original and eleven copies of Short Form Environmental Assessment Form (EAF) dated February 22, 2024
- Eleven copies of Deed of Property
- Three full scale sets of maps and 8 half scale prints (Sheet SH1 of SH1) dated February 22, 2024
- Eleven (11) copies of Agricultural Data Statement
- One (1) check in the amount of \$500.00 for sketch application fee
- One (1) check in the amount of \$500.00 for escrow fee

On behalf of our client, we would respectfully request that the project be entertained for a work session with regards to the above referenced project.

The subject parcel is a total of 80.52 acres and located within the RD-10 zoning district. It is the intent of the prospective purchaser to develop the parcel to support a wedding venue. Access will be provided from County Road 21 (Bruzgul Road), across from Liberty Way. Usage will primarily be on the weekend.

In general, the site will comprise a Barn Facility in which to hold weddings and small guest cottages. The site will be served by an on-site well and an on-site sewage disposal system in addition to providing stormwater management.

In a review of the Town of Union Vale Zoning Code, there is not an explicit definition for a wedding venue under allowable uses. The closest Use is that on an Inn.

As per Section 210-56(8), the following is provided –

**(8) Inn.** An inn shall be allowed by special permit in the RD10, RA5 and RA3 Districts, provided that:

- (a)** The inn shall be limited to a maximum of 10 guest rooms.
- (b)** The inn may provide dining facilities open to both guests and the general public as an accessory use. The total number of seats in its dining room, its outdoor dining areas and its lounge, if any, shall however not exceed 30 seats.
- (c)** The inn may not operate as a nightclub, as such use is defined in Article **XII**, § **210-86A**, of this chapter.
- (d)** The inn shall be established through the adaptive reuse of either a residential or nonresidential structure existing on May 30, 2002.
- (e)** The minimum lot area shall be 20 acres in either the RD10 or RA5 District and 10 acres in the RA3 District.
- (f)** Access to the facility shall be provided from a state or county highway or a through Town roadway other than a residential subdivision street.
- (g)** Adequate water supply and sanitary sewage disposal facilities shall be provided in accordance with the requirements of the Town of Union Vale, the Dutchess County Health Department and the New York State Departments of Health and Environmental Conservation.
- (h)** No parking area or other improvement associated with the facility shall be located within 100 feet of any property line in the RD10 District or within 75 feet of any property line in the RA5 or RA3 Districts, or such greater distance as may be prescribed within the District Schedule of Area and Bulk Regulations. Screening shall be provided by intervening landform and/or vegetation to reduce visual and other impact on neighboring residential properties.

We respectfully request this work session in order to clarify that the Use is permitted. If you have any additional questions or concerns, please do not hesitate to call. Thank You.

Very truly yours,



Michael E. Gillespie, P.E.  
M. Gillespie & Associates, Consulting Engineering, PLLC

cc: G. Kolb (via email)  
client  
file

cg:MEG

Dutchess County Clerk Recording Page

Record & Return To:

CORBALLY GARTLAND & RAPPLEYEA  
35 MARKET ST

POUGHKEEPSIE, NY 12601

Date Recorded: 5/18/2023  
Time Recorded: 3:32 PM

Document #: 02 2023 1548

Received From: CORBALLY GARTLAND & RAPPLEYEA

Grantor: HERMAN W FREIHOFER TRUST  
Grantee: GLESHI ELIZABETH A

Recorded In: Deed  
Instrument Type:

Tax District: Union Vale

Examined and Charged As Follows :

Recording Charge: \$320.00  
Transfer Tax Amount: \$0.00  
Includes Mansion Tax: \$0.00  
Transfer Tax Number: 3999

Number of Pages: 5

\*\*\* Do Not Detach This Page  
\*\*\* This is Not A Bill

Red Hook Transfer Tax:

RP5217: Y  
TP-584: Y

County Clerk By: *[Signature]*  
Receipt #: 14355  
Batch Recd #: 103

Bradford Kendall  
County Clerk



022023 1548

Trustee's Deed

7/10/20  
6/20  
2020  
3/20

THIS INDENTURE made the 16 day of April, two thousand twenty-three.

BEWEEN

ELIZABETH A. GILESKI, with an address of 28 Freihofer Lane, Lagrangeville, NY 12540, as Successor Trustee of the HERMANN W. FREIHOFER LIVING TRUST dated June 11, 2014, as to the grantor's forty-four (44%) interest in the premises conveyed hereunder, as party of the first part, and

ELIZABETH A. GILESKI and HERMANN W. FREIHOFER JR., as tenants in common, with an address of 28 Freihofer Lane, Lagrangeville, NY 12540, as to the forty-four (44%) interest in the premises conveyed hereunder, as party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said trust, and by Article 11 on the Estates, Powers and Trusts Law, and in consideration of Zero Dollars (\$0.00), paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns of the party of the second part forever,

ALL that certain one plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Lagrangeville, Town of Unionvale, County of Dutchess, State of New York, more particularly bounded and described as is set forth on Schedule "A" annexed hereto.

BEING the same premise, conveyed by HERMANN W. FREIHOFER to HERMANN W. FREIHOFER, as Trustee of the Hermann W. Freihofer Living trust dated June 11, 2014 by deed dated August 11, 2014 and recorded in the Dutchess County Clerk's Office on September 3, 2014 as Document #6,02 2014 5184.

HERMANN W. FREIHOFER died a resident of Dutchess County, State of New York on October 14, 2022.

This is an in-kind distribution pursuant to Article Eight from the Trustee of the Trust, identified as the party of the first part.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of whether individually, or by virtue of said will or otherwise;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the distributees or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the trust fund of the same for any other purpose. The word "party" shall be construed as it is used "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN THE PRESENCE OF:

HERMANN W. FRIHOFER LIVING TRUST  
dated June 14, 2014

By: *Elizabeth A. Gileski*  
ELIZABETH A. GILESKI,  
Successor Trustee

STATE OF NEW YORK

COUNTY OF DUTCHES

On the 26 day of April, 2023, before me, the undersigned, a notary public in and for said state, personally appeared ELIZABETH A. GILESKI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that it was executed by her in its capacity, and that by its signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

*[Signature]*  
Notary Public

Tax Identification number: 6660-00-780473

Vacant Lot on Bruzgul Road, Englewood, NY 12540

Record and Return to:

Allan B. Rappleyea, Esq.  
Corbally Gartland and Rappleyea, LLP  
35 Market Street, 5th Floor  
Poughkeepsie NY 12561

ALLAN B. RAPPLEYEA  
Notary Public, State of New York  
Reg. No. 5008140  
Qualified In Dutchess County 27  
Commission Expires Feb. 16, 2027

SCHEDULE

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Union Vale, in the County of Dutchess and State of New York, bounded and described as follows:

BEGINNING at the southeast angle of intersection of the LaGrangeville-Clove County Highway and the Billings-Poughquag State Clove Road south 81 degrees 45' east 7 chains 90 links; thence south 85 degrees east 13 chains 40 links; thence south 67 degrees 30' east 2 chains; thence South 59 degrees 30' east 4 chains; thence south 82 degrees 45' east 2 chains; thence north 86 degrees 45' east 1 chain 95 links to a fence post in the stonewall; thence north 65 degrees 15' east 3 chains 91 links; thence north 81 degrees 45' east 2 chains 32 links; thence still along the south side of the road south 84 degrees 15' east 14 chains 13 links to Bruzgul's line; thence along Bruzgul's line south 16 degrees 15' west 6 chains 83 links to a corner in the stonewall; thence south 68 degrees 30 east 5 chains 17 links; thence south 84 degrees 45' east 7 chains 98 links; thence south 7 degrees 15' west 18 chains 87 links to the northeast corner of DeForest's farm; thence along DeForest's north line and along the land of Acken north 81 degrees 30' west 53 chains 69 links to the east line of the Billings-Poughquag State Highway; thence along the east line of the State Highway north 24 degrees 30' west 2 chains 4 links to a concrete post; thence north 22 degrees west 4 chains 96 links to a concrete post; thence north 9 degrees west 3 chains 14 links; thence north 4 degrees 45' west 1 chain 61 links; thence north 7 degrees 15' west 3 chains 53 links to a concrete post; thence north 2 degrees 15' east 4 chains 97 links to the place of beginning, containing 143.75 acres of land to be the same more or less.

EXCEPTING AND RESERVING all that certain piece or parcel of land situate in the Town of Union Vale, County of Dutchess, and State of New York, bounded and described as follows:

BEGINNING at a post in a corner of fences on the Southerly side of the County Road leading to Pleasant Ridge, and running thence along the wall, the line of lands of Bruzgal South 16 degrees 39' West 200.3 feet and South 15 degrees 40' west 132.3 feet; thence along other lands of the party of the first part hereto passing through a large maple tree standing on the westerly side of said wall North 89 degrees 48' West 320.7 feet to a pipe set in the southwesterly corner of the herein described premises; thence North 2 degrees 04' West 251.5 feet to a pipe set in the fence line on the Southerly side of the above mentioned County Road thence along the same South 84 degrees 39' East 428.2 feet to the point or place of beginning, containing 2.92 acres.

EXCEPTING therefrom the premises conveyed by Rosa L. Freihofer to Leo Freihofer and Margaret Freihofer, his wife by deed dated April 23, 1968 and recorded in the Dutchess County Clerk's Office in Liber 1241 of Deeds at Page 646.

Also excepting therefrom the premises conveyed by Rosa L. Freihofer to Hermann Freihofer by deed dated September 26, 1985 and recorded in the Dutchess County Clerk's Office in Liber 1415 of Deeds, at Page 675.

BEING the same premises described in a Deed dated January 13, 1987 and recorded in the Dutchess County Clerk's Office on December 22, 1988 in Liber 1821 at page 371, from Leo Freihofer, Jr. Executor and Hermann W. Freihofer, Executor to Leo Freihofer, Jr. and Hermann W. Freihofer as Tenants in common.

Being the same premises conveyed by LEO FREIHOFER, JR. and HERMANN W. FREIHOFER, as Executors of the Estate of Rosa L. Freihofer, to LEO FREIHOFER, JR. and HERMANN W. FREIHOFER by a correction deed dated October 4<sup>th</sup>, 2000, and recorded in the office of the Dutchess County Clerk as Document No. 02 2000 10227.

The premises are in an agricultural district and are entirely owned by the transferor.

## ***Short Environmental Assessment Form***

### ***Part 1 - Project Information***

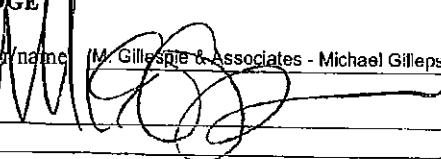
#### **Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

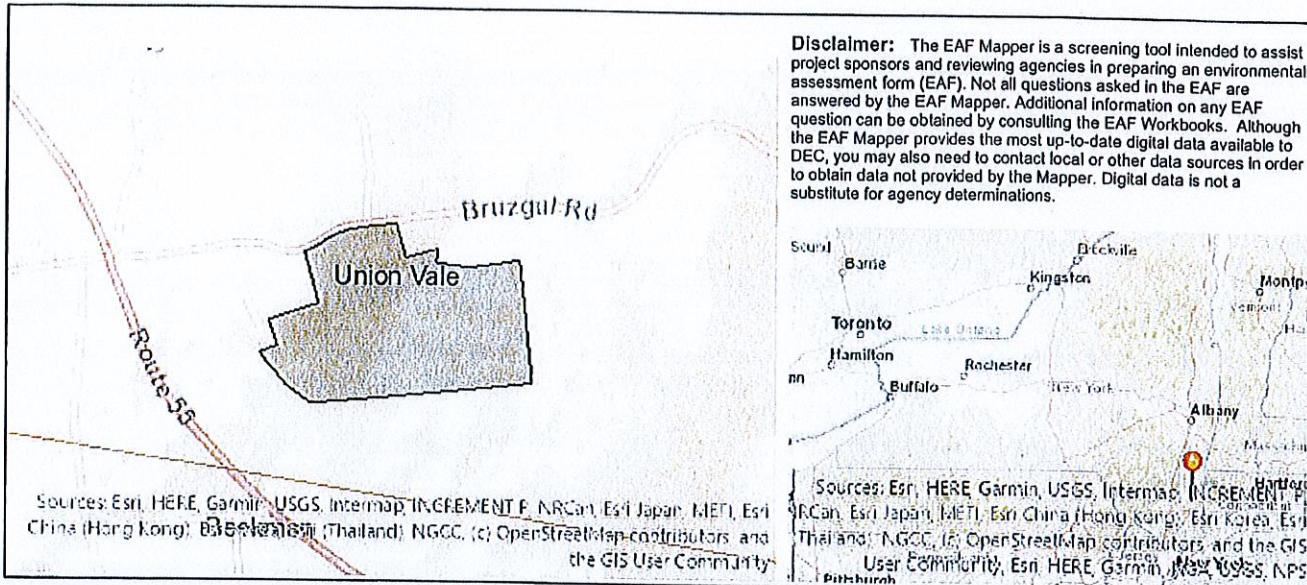
<b>Part 1 - Project and Sponsor Information</b>			
<b>Name of Action or Project:</b> Bruzgul Road - Wedding Venue			
<b>Project Location (describe, and attach a location map):</b> Bruzgul Road, Lagrangeville, NY			
<b>Brief Description of Proposed Action:</b> Proposed use for a wedding venue			
<b>Name of Applicant or Sponsor:</b> Joe Fuscaldo		<b>Telephone:</b> (845) 518-2355 <b>E-Mail:</b> <a href="mailto:j.fuscaldo@yahoo.com">j.fuscaldo@yahoo.com</a>	
<b>Address:</b> 81 Timberlake Lane			
<b>City/PO:</b> Pleasant Valley		<b>State:</b> New York	<b>Zip Code:</b> 12569
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: DCDPW, DCDBCH, NYSDEC (SPDES)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		80.52 acres 6.5 +/- acres 80.52 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ On-Site Individual Well _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ On-Site Sewage Disposal System _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:							
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban							
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?							
Indiana Bat <table border="1" style="float: right; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NO</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/></td> <td style="padding: 2px;"><input checked="" type="checkbox"/></td> </tr> </table>				NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
16. Is the project site located in the 100-year flood plan?							
_____ <table border="1" style="float: right; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NO</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td style="padding: 2px;"><input checked="" type="checkbox"/></td> <td style="padding: 2px;"><input type="checkbox"/></td> </tr> </table>				NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
17. Will the proposed action create storm water discharge, either from point or non-point sources?							
If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____							
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?							
If Yes, explain the purpose and size of the impoundment: Storm Water Measure will be Implemented which may include Storm Water Holding Facilities _____ _____							
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?							
If Yes, describe: _____ _____							
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?							
If Yes, describe: _____ _____							
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>							
Applicant/sponsor name: M. Gillespie & Associates - Michael Gillespie      Date: 2/22/2024 Signature:  Title: Owner							

# EAF Mapper Summary Report

Tuesday, March 12, 2024 9:40 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

## TOWN OF UNION VALE PLANNING BOARD



### APPLICATION FOR SKETCH PLAT REVIEW / CLASSIFICATION

Town of Union Vale Planning Board

249 Duncan Road, Tymor Park

LaGrangeville, NY 12540

Tel: (845) 724-5600

Fax: (845) 724-3757

Planning email: [pbzba@unionvaleny.us](mailto:pbzba@unionvaleny.us)

Name of Applicant: Joe Fuscaldo

Address of Applicant: 81 Timberlake Lane, Pleasant Valley, NY 12569

Telephone Number: (845) 518-2355 Tax Map Parcel #: 6660-00-780173

Email of Applicant/Agent: mgillespie@mgaengrs.com

Location of Proposed Project Site: Bruzgul Road

Current Use of Site: Vacant

Proposed Use of Site: Wedding Venue

Work to be Undertaken: X new project site, including new building/improvement

       modification to existing building

       modification to existing developed site

       change of use existing building site

Zoning District: RD-10  RA-5 , RA-3 , R-1.5  R-1 , H ,  
NC , TC , A

Owner of Property (if not applicant): Elizabeth A. Gilleski & Hermann W. Freihofer, Jr.

Address of Owner: 28 Freihofer Lane, Lagrangeville, NY 12540

Name of Agent (architect, engineer, etc.): M. Gillespie & Associates Consulting Engineering

Address of Agent: 822 Main Street, Suite 310, Hopewell Junction, NY 12533

Telephone Number of Agent: (845) 227-6227

Email of Agent: mgillespie@mgaengrs.com

The undersigned, having been advised of the requirement for Sketch Plat Review and Classification by the Town of Union Vale Code Enforcement Officer, hereby requests final approval of the above-identified sketch plat by the Union Vale Town Planning Board in accordance with Code Chapter 210, Chapter 192 of the Town Law and the Zoning Law of the Town of Union Vale. The undersigned acknowledges that the official date of the application is that of the next regularly scheduled meeting of the Planning Board, as established by the Planning Board's annual calendar, provided at which time a sketch plan in full accordance with the requirements of said Zoning Law, a copy of this application form, Environmental Assessment Form required to initiate compliance with the State Environmental Quality Review Act, and receipt of payment of the application fee, and shall be submitted not less than fourteen (14) days prior to the meeting, in order to constitute a complete application. Said fee shall be paid to the Town of Union Vale and submitted through the Planning Board Secretary.

In order to assist prospective applicants in complying with the Sketch Plat Review and Classification procedure, including noting in checklist format that date to be included in a particular Sketch Plat submission, Town's Planning Consultant maintains office hours on the first Wednesday afternoon of each month at the Planning Board Office.

Signature of Applicant: Joseph Fuscaldo Date: 2/22/2024

If the applicant is not the owner of the premises, written proof of the applicant's right to act behalf of the owner in this matter must be submitted.

Please note the attachments:



SKETCH PLAT in accordance with requirements of  
the Town Zoning Law Section 192  
Environmental Assessment Form (Part I)



() Short Form  
() Long Form



SKETCH PLAT Application Fee in accordance with  
Town's Fee Schedule \$ 500.00 (Town Code Section 128-1)



Authorization, if application, to act for owner Copy  
of Original Deed of Property

Other data ABD DATA STMLT

AGRICULTURAL DATA STATEMENT

1. Name and address of applicant:

Fuscaldo Enterprises, LLC

81 Timberlake Road

Pleasant Valley, NY 12569

2. Location of the proposed action:

Bruzgul Road - Tax Grid ID - 135400-6660-00-780173

3. Description of the proposed action to include: (1) Size of parcel or acreage to be acquired and tax map identification number of tax parcel(s) involved; (2) The type of action proposed (e.g., single-family dwelling or subdivision, multi-family development, apartment complex, commercial or industrial facility, school, community or public service facility, airport, etc.) and (3) project density.  
**[Please provide this information on the reverse side of this application and attach additional description as necessary.]**

4. Name, address, telephone number and type of farm of owner(s) of land within the agricultural district which land contains farm operation(s) and upon which the project is proposed or which is located within 500 feet of the boundary of the property upon which the project is proposed:

A. Name: Hermann W. Freihofer

Address & Telephone #: 28 Freihofer Lane, LaGrangeville, NY 12540

Type of farm: Dormant

B. Name: Steven L. Arnold

Address & Telephone #: 1781 Bruzgul Road, LaGrangeville, NY 12540

Type of farm: Unknown

C. Name: Trade farms Inc.

Address & Telephone #: 1928-1946 Bruzgul Road, LaGrangeville, NY 12540

Type of farm: Horse

D. Name: \_\_\_\_\_

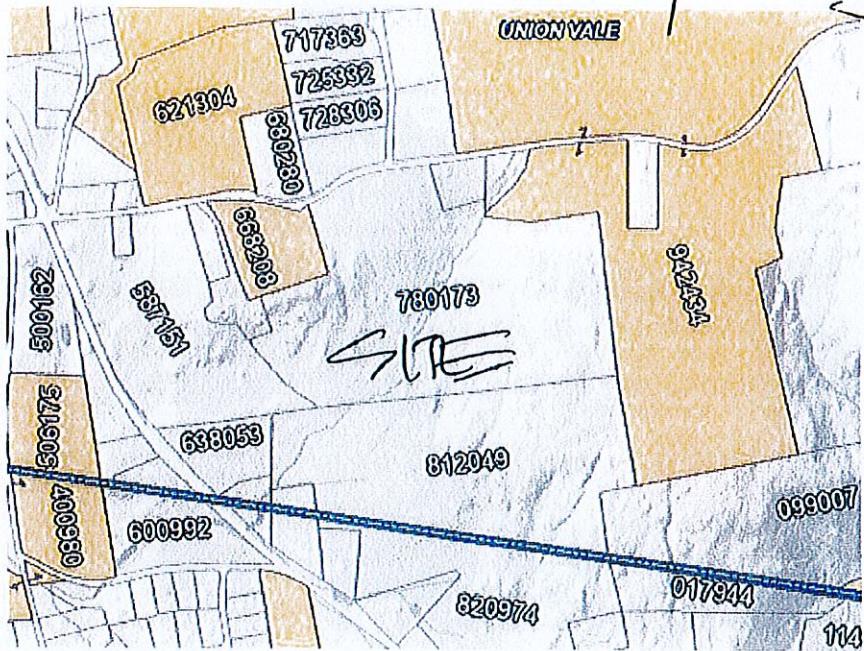
Address & Telephone #: \_\_\_\_\_

Type of farm: \_\_\_\_\_

5. Tax map or other map showing the site of the proposed project relative to the location of farm operations identified in the ADS.

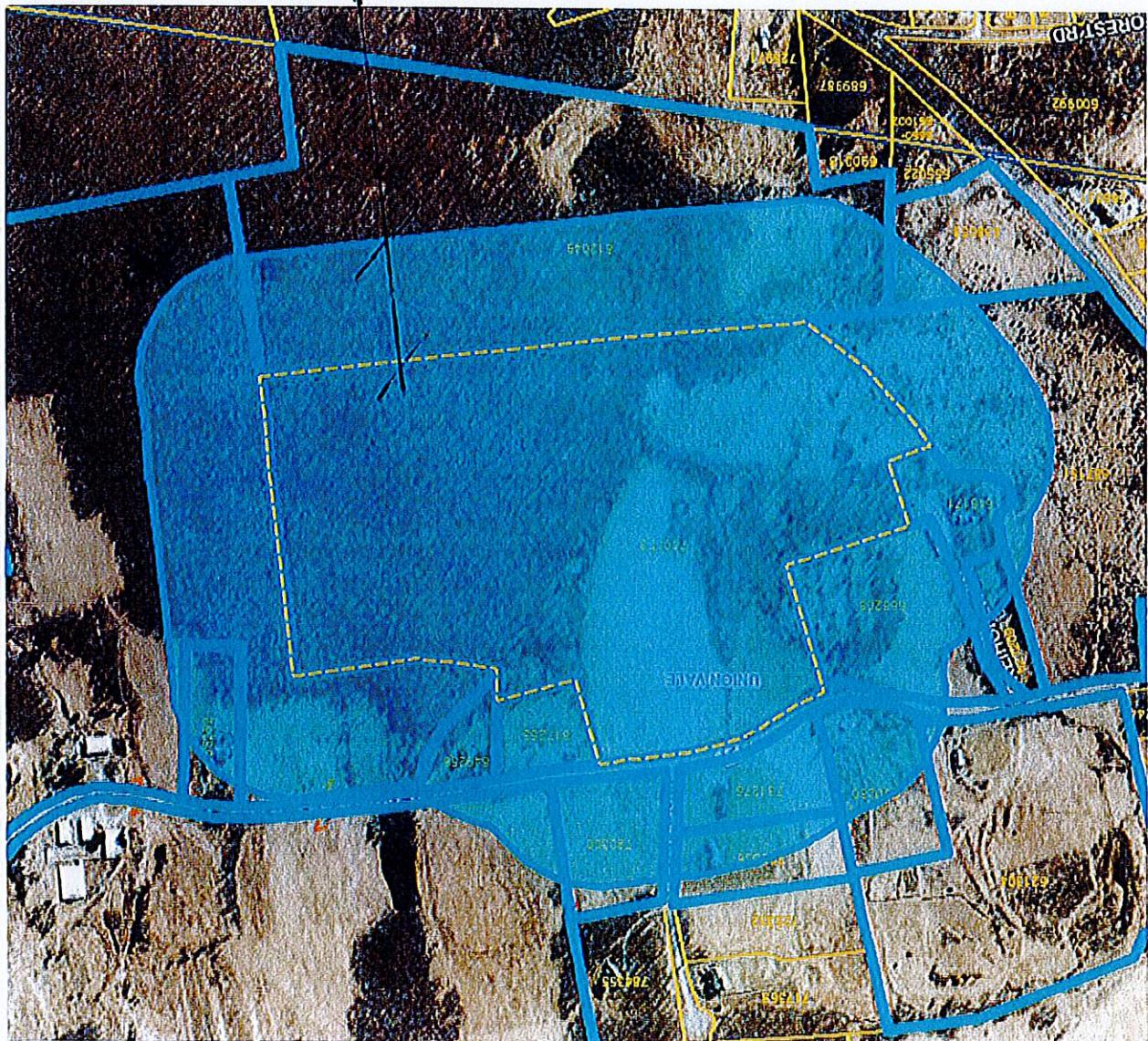
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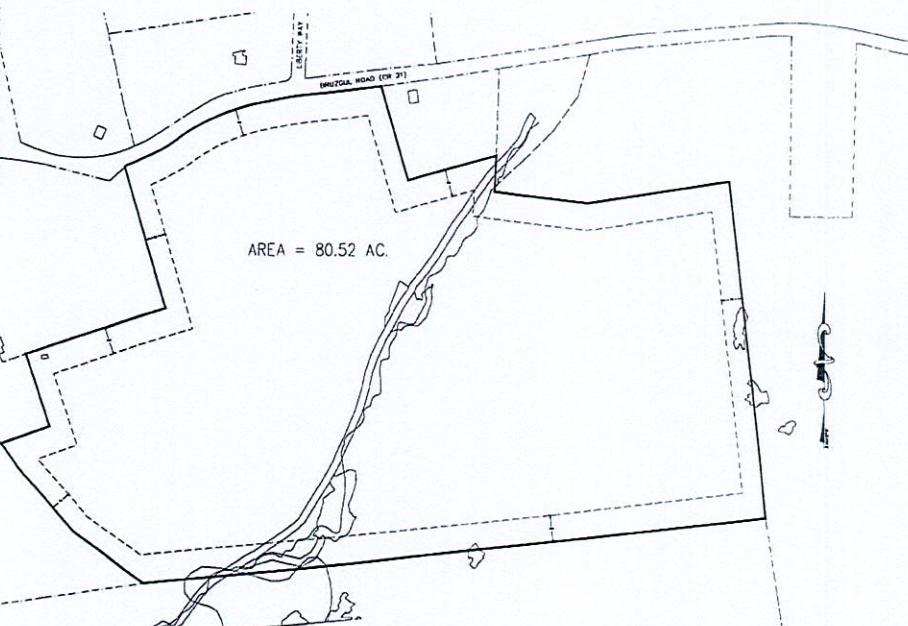
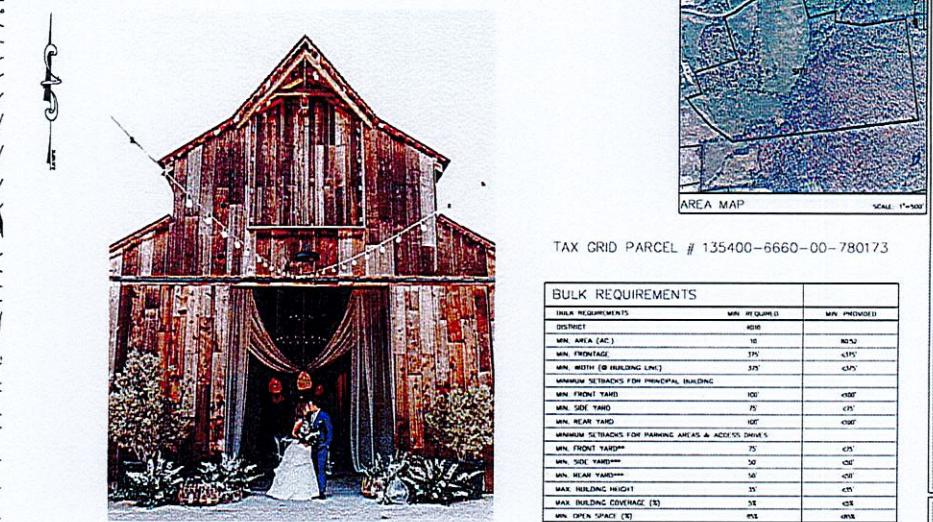
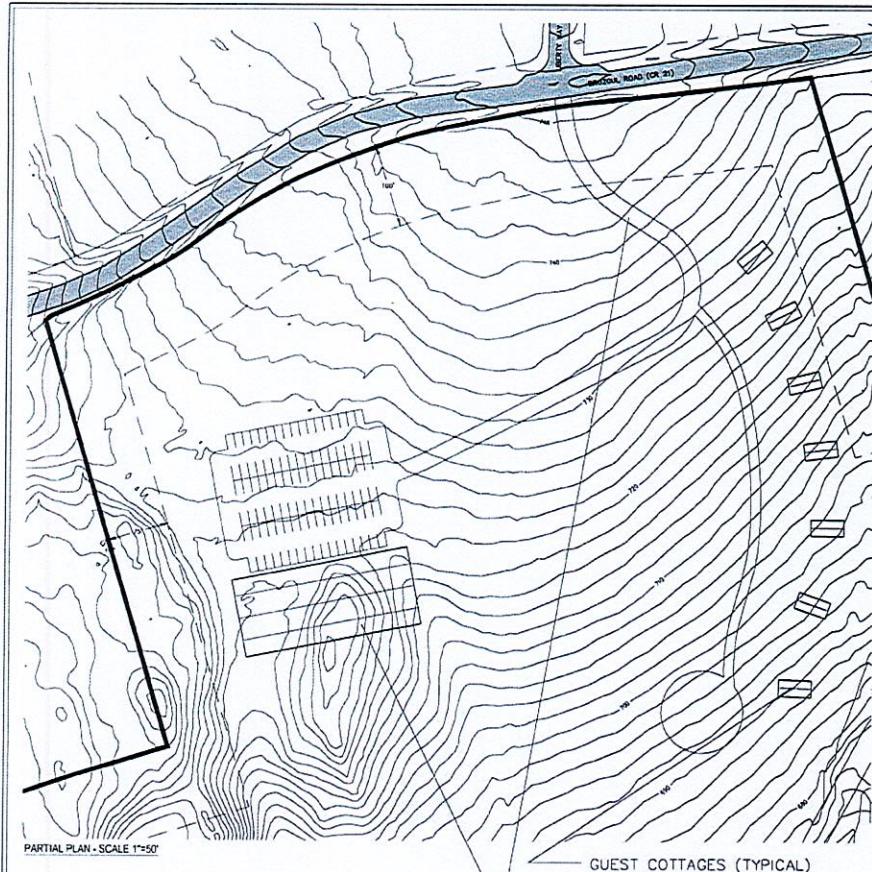


N.T.S.

500'



H.T.S.



TOWN OF UNION VALE PLANNING BOARD

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF UNION VALE, DUTCHESS COUNTY, NEW YORK, THE DAY OF 20, 2013, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF THE RESOLUTION, AND CHANGES, ENRICHMENT, MODIFICATION OR REVISION TO THE PLAT AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS 20 DAY OF 20, 2013.

Chairman of the Planning Board of the Town of Union Vale, NY 12569

OWNER  
FUSCALDO  
ENTERPRISES, LLC  
81 TIMBERLAKE LANE  
PLEASANT VALLEY, NY 12569

OWNERS CONSENT  
THE UNDERSIGNED OWNER OF THIS PROPERTY HEREBY STATES  
THAT HE/SHE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS  
TERMINATIONS, AND THAT HE/SHE HAS READ AND UNDERSTOOD THE  
CONDITIONS AS STATED HEREIN AND TO THE FILING OF THIS MAP  
WITH THE OFFICE OF THE DUTCHESS COUNTY CLERK.

OWNER  
DAR

NYSPE# 074666  
SHEET NO.  
SH1  
SH1

SKETCH SITE PLAN - WEDDING VENUE  
FUSCALDO  
TOWN OF UNION VALE  
SCALES: AS NOTED  
PROJECT NO. 202308  
DRAWN BY: MEC  
CHECKED BY: MEC  
REVISIONS  
M. GILLESPIE  
& ASSOCIATES  
CONSULTING ENGINEERING, PLLC  
EQUITY PLANNING & DEVELOPMENT, LLC  
www.mecgroup.com

DUTCHESS CO., NEW YORK  
DECEMBER 17, 2013



**Town of Union Vale Planning Board**

*Town of Union Vale Town Hall  
249 Duncan Road  
Lagrangeville, NY 12540*

**Regular Meeting Agenda  
April 11<sup>th</sup> 2024 7:30 P.M.**

Planning Board Members:

Chairperson: Alain Natchev, Members: Scott Kiniry, Kaye Saglibene, Michael Mostachetti, Anita Fina Kiewra, Larry Knapp & Joshua Redinger

**I. CALL TO ORDER / DETERMINATION OF QUORUM**

**II. BUSINESS SESSION**

- Review the agenda
- Approve March meeting minutes

**III. CORRESPONDENCE**

**IV. PUBLIC HEARING**

**PROJECT NAME**

**James Intrieri garage site plan review**  
Owner/ Applicant: James Intrieri  
Location: 3056 Route 82 Verbank NY  
12585. Parcel 6662-00-177724

**PROJECT DETAILS**

Application for site plan review for proposed 60' x 64' garage located in the NC district.

Meeting # 2

**I. REGULAR SESSION / NEW BUSINESS**

**PROJECT NAME**

**Fuscaldo Sketch Plat Review**  
Owner: Hermann Freihofer & Elizabeth  
Gilleski  
Applicant: Joe Fuscaldo  
Engineer: M. Gillespie & Associates  
Address: Bruzgul Road  
Parcel #: 6660-00-780173

**PROJECT DETAILS**

Sketch Plat Review for proposed wedding venue located on Bruzgul Road in the RD-10 Zone.

Meeting # 1

**I. REGULAR SESSION / OLD BUSINESS**

**PROJECT NAME**

**ECS Exercise Sketch Plat review**  
Owner/Applicant: Ed Stickter  
Engineer: Willingham Engineering  
Location: Route 55, Lagrangeville NY 12540  
Parcel: #6660-00-466275

**PROJECT DETAILS**

Applicant submitted a revised landscaping plan to approved plan dated 3/20/2023

Meeting # 11

**PROJECT NAME**

**Bonavenia Enterprises**

Owner/ applicant: Bonavenia Enterprises/  
Laurie Bonavenia  
Engineer: Day Stokosa Engineering  
Location: E. Noxon Rd & Clapp Hill Rd  
Parcel: 6660-00-437115

**PROJECT DETAILS**

Review of a conservation subdivision of a 45.83-acre lot located in the TC district.

48 townhomes in a grid style, 3 additional single-family homes along Clapp Hill Road, with the pre-existing commercial space to the south. Approvals needed:

- Major Subdivision
- Special Use Permit- Subdivision
- Site Plan Review

Meeting # 4

**II.**

**OTHER BUSINESS**

None

**III.**

**ADJOURNMENT**

- **NEXT DEADLINE: April 18<sup>th</sup> 2024** (by Noon)
- **NEXT MEETING: May 9<sup>th</sup> 2024**



**Town of Union Vale Planning Board**  
*Town of Union Vale Town Hall*  
*249 Duncan Road*  
*Lagrangeville, NY 12540*  
**UNION VALE PLANNING BOARD**  
Minutes of the Regular Meeting 7:30 pm  
**April 11<sup>th</sup> 2024**

Members Present: Chairperson Alain Natchev, Members: Anita Fina Kiewra, Kaye Saglibene, Larry Knapp & Joshua Redinger

Members Absent: Scott Kiniry & Michael Mostachetti

Others Present: Thomas Harvey, Town Engineer

**CALL TO ORDER / DETERMINATION OF QUORUM**

Chairperson Natchev determined that there was a quorum for the Planning Board ("The Board") to conduct business and called the meeting to order.

**BUSINESS SESSION**

The Board approved meeting minutes from March 2024

**CORRESPONDENCE**

None

**PUBLIC HEARING**

**PROJECT NAME**

**James Intrieri garage site plan review**  
Owner/ Applicant: James Intrieri  
Location: 3056 Route 82 Verbank NY 12585.  
Parcel 6662-00-177724

**PROJECT DETAILS**

Application for site plan review for proposed 60' x 64' garage located in the NC district.

Meeting # 1

Chairperson Natchev opened the public hearing and welcomed the applicant and owner Mr. James Intrieri to discuss the application. Mr. Intrieri has stated that he is proposing a 60' x 64' storage building in accessory to his principal business of an auto repair shop. He intends to use the building to store vehicles, it will not have any water, and electricity will be installed at a later date. Chairperson Natchev asked if the board or from the public had any comments or questions, with none the Chairman made a motion, to hold over the public hearing to the next meeting due to not receiving a response from Dutchess County on the referral.

**REGULAR SESSION / NEW BUSINESS**

**PROJECT NAME**

**Fuscaldo Sketch Plat Review**  
Owner: Hermann Freihofer & Elizabeth  
Gilleski  
Applicant: Joe Fuscaldo  
Engineer: M. Gillespie & Associates  
Address: Bruzgul Road  
Parcel #: 6660-00-780173

**PROJECT DETAILS**

Sketch Plat Review for proposed wedding venue located on Bruzgul Road in the RD-10 Zone.

Meeting # 1

Mr. Joe Fuscaldo, applicant on the application gave an overview of the application. He stated they are proposing a barn style wedding venue, with 7 small cottages for the wedding party to stay the night in, it will not be operated as a hotel, the cottages will only be used when there is an event being held. He stated they plan on using the other areas of the property a farming type operation, as a pick your own planting. Chairperson Natchev asked the applicant to further explain the cottages and their utilities. Mr. Fuscaldo stated they will be separate buildings but they will not have any kitchens, they will be styled more as hotel rooms, with just a full bathroom. The board had a discussion regarding the determination letter, stating that the code administrator George Kolb, classified the proposed application as a conference center, as there is no specific code for wedding venue in the town code. The applicant stated the wedding guest size would be a maximum of 160 people. There will be no cooking in the venue, it will only have a prep kitchen area for outside catering. The applicant also stated they intend on building the structure to absorb sound, to keep the noise at a minimum. Mr. Fuscaldo stated the plan is just preliminary to confirm the use is allowed. Mr. Thomas Harvey town engineer stated that according to the town code a conference center use would require 100 acres, and this parcel is under that minimum, so a variance may be required. With no further questions or comments the matter was adjourned.

#### REGULAR SESSION / OLD BUSINESS

##### PROJECT NAME

###### **Bonavenia Enterprises**

Owner/ applicant: Bonavenia Enterprises/  
Laurie Bonavenia  
Engineer: Day Stokosa Engineering  
Location: E. Noxon Rd & Clapp Hill Rd  
Parcel: 6660-00-437115

##### PROJECT DETAILS

Review of a conservation subdivision of a 45.83-acre lot located in the TC district.

48 townhomes in a grid style, 3 additional single-family homes along Clapp Hill Road, with the pre-existing commercial space to the south. Approvals needed:

- Major Subdivision
- Special Use Permit- Subdivision
- Site Plan Review

##### Meeting # 4

Mr. Brian Watts, engineer on the application gave an update on the application, which include some corrections on the lighting, and landscaping. He stated that the county had submitted their comments on the application. Dutchess County made some suggestions which can be found in attached letter from Dutchess County Planning & Development on April 10<sup>th</sup>, 2024, titled:

“ZR24-044, Bonavenia Enterprises Subdivision.”

Chairperson Natchev asked the applicant if they have done a traffic analysis, Mr. Watts stated they have not done that, as they are waiting for the Department of Public Works to review and comment. The board suggested the applicant discuss with their engineer how they will mitigate the public water supply. Town Engineer Mr. Thomas Harvey suggested the applicant submit a formal letter that details their responses to the county’s comments made on the referral. With no more comments from the board, Chairperson Natchev offered the following resolution, which was unanimously approved by the board titled:

" TOWN OF UNION VALE PLANNING BOARD  
SEQRA LEAD AGENCY/DETERMINATION OF SIGNIFICANCE RESOLUTION  
SUBDIVISION, SPECIAL USE PERMIT, SITE PLAN  
and TOWN BOARD ROAD WIDTH CODE CHANGE  
Bonavenia Enterprises, LLC"

The matter was adjourned.

<u>PROJECT NAME</u>	<u>PROJECT DETAILS</u>
<b>ECS Exercise Sketch Plat review</b> Owner/Applicant: Ed Stickter Engineer: Willingham Engineering Location: Route 55, Lagrangeville NY 12540 Parcel: #6660-00-466275	Applicant submitted a revised landscaping plan to approved plan dated 3/20/2023 Meeting # 11

Chairperson Natchev welcomed applicant Matt Towne, engineer & owner Ed Sticter. Chairperson Natchev commented that the applicant has not submitted items that were needed as condition of the approval in August 2023, such as the revised landscaping plan. He continued that the application has expired as of February 2024, and the board will need a new application submitted under the new TC zone to be reviewed for approval by the Planning Board.

Mr. Towne stated that the applicant never received a copy of the approved resolution from August 10<sup>th</sup> 2023 indicating the expiration date. Chairperson Natchev stated it was verbally stated during the August meeting and the resolution was read to the applicant, and suggested the applicant write a letter to the Towns attorney, and it will be reviewed, as the Planning Board does not have jurisdiction to extend an expired application, and that it should have been submitted before the date of expiration. He also advised the applicant to review his application with Code Administrator George Kolb to see if any TC zone changes will apply to his application. The matter was adjourned.

#### **OTHER BUSINESS**

Town Board member Pat Cartalemi discussed with the Planning Board the amendments to the town code regarding the TC Zone. Chairperson Natchev asked if the board members had any additional comments to the proposed changes, with none, Chairperson Natchev offered the following resolution, which was unanimously approved by the board titled:

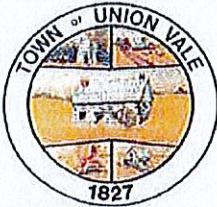
**“TOWN OF UNION VALE PLANNING BOARD  
REFERRAL RE CH §192, ZONING CODE CHANGES”**

#### **ADJOURNMENT**

As there was no further business, a motion was made by the Chairperson Natchev and unanimously accepted by the Board, to adjourn the meeting at 8:25 PM.

The next regular/public meeting of the Planning Board is scheduled for **Thursday May 9<sup>th</sup> 2024** the agenda will close on **April 2024 at 12:00 Noon**. Items for consideration at the **April** meeting must be received by that date.

# **EXHIBIT I**



## TOWN OF UNION VALE

### Building Department

249 Duncan Road

Lagrangeville, NY 12540

TEL (845) 724-5953 – FAX (845) 724-3757

E-Mail ~ [building2@unionvaleny.us](mailto:building2@unionvaleny.us)

C.E.O George A. Kolb Jr.

FILE COPY

10-10-2021

10/5/2025

To : Joseph Fuscaldo  
81 Timberlake lane  
Pleasant Valley NY 12569

Re: P/B review for Wedding Venue

Dear Mr. Fuscaldo,

Upon review of your project and in accordance with the Town of Union Vales Planning Board adopted procedures the following information is supplied.

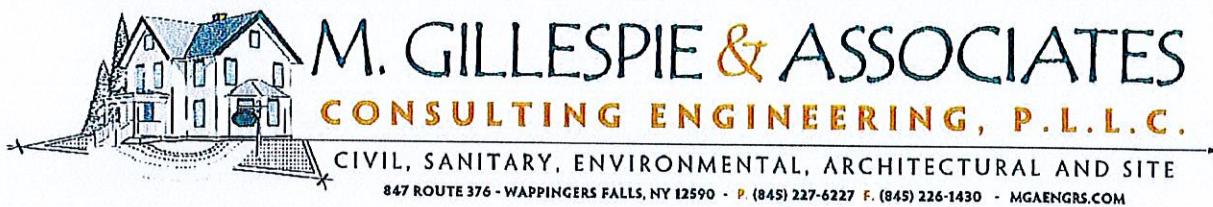
Your project has not been presented or submitted with new information with-in the 6-month time frame for review and is considered abandoned under these procedures. You may request that all unused escrow fees be returned. If you wish to re-open your previous application you may do so by re-submitting the complete full application package, escrow fees and all required materials associated with your project.

Please contact me office with any additional questions.

Sincerely,

George Kolb  
Town of Union Vale C.E.O

# EXHIBIT J



June 11, 2024

Town of Union Vale  
attn: ZBA Chair and Board Members  
249 Duncan Road  
LaGrangeville, NY 12540

Re: ***Area Variance for Fuscaldo – Wedding Venue***  
***Tax Grid Parcel # - 6660-00-780173 – 80.52 acres***  
***Bruzgul Road (C.R. 21)***  
***Town of Union Vale***

***SENT VIA HAND DELIVERY AND EMAIL ([pbzba@unionvaleny.us](mailto:pbzba@unionvaleny.us)) – 2 pages + attachments***

Dear Chair and Board Members -

Please see enclosed within this submission the following:

- Eight (8) copies of completed application dated June 11, 2024
- Eight (8) copies of Short Form Environmental Assessment Form (EAF) dated June 11, 2024
- Eight (8) copies of survey / sketch site plan (Sheet SH1 of SH1) dated February 22, 2024
- One (1) check in the amount of \$250.00 for ZBA Application Fee

On behalf of our client, we would respectfully request that the project be placed on the next available ZBA agenda for consideration.

The subject parcel is a total of 80.52 acres and located within the RD-10 zoning district. It is the intent of the prospective purchaser to develop the parcel to support a wedding venue. Access will be provided from County Road 21 (Bruzgul Road), across from Liberty Way. Usage will primarily be on the weekend.

In general, the site will comprise a Barn Facility in which to hold weddings and small guest cottages. The site will be served by an on-site well and an on-site sewage disposal system in addition to providing stormwater management.

The Town of Union Vale Zoning Code Enforcement Officer has defined the Use as a "Conference Center" which is a permitted Use within the RD10.

A "Conference Center" requires a minimum acreage of 100 acres. The subject parcel is 80.5 acres. A variance of 19.5 acres is required.

If you have any additional questions or concerns, please do not hesitate to call. Thank You.

Very truly yours,



Michael E. Gillespie, P.E.  
M. Gillespie & Associates, Consulting Engineering, PLLC

cc: G. Kolb (via email)  
client  
file

cg:MEG



Zoning Board of Appeals  
249 Duncan Road  
Lagrangeville, NY 12540  
(845) 724-5600  
Email: pbzba@unionvaleny.us

## APPLICATION FOR APPEAL TO ZONING BOARD OF APPEALS

Application Date: 6/11/2024

Application for (*check all that apply*):  Interpretation  Area Variance  Use Variance

1. (*If applicable*) Application denied by Code Enforcement Officer/ Building Inspector on  
2/24, 2024. (*Attach copy of denial.*)

2. Applicant's Name: Joe Fuscaldo

Owner of Property (*if different*) Hermann W. Freihofer, Jr.

Applicant's Address 155 Davis Road, Salt Point, NY 12578

Applicant's Phone Number (845) 518-2355 cell

Applicant's Email Address: j.fuscaldo@yahoo.com

3. Property Location Bruzgul Road

Zoning District (*check one*):  RD-10  RA-5  RA-3  R-1.5  
 R-1  H  NC  TC  A

Tax Map Parcel # 6660-00-780173

4. Request relates to the following provision(s) of the Union Vale Code:

*(The Code provisions should be listed in the Code Enforcement Officer's denial letter. List all that apply and, if you are seeking an area variance, specify the extent of the variance you are seeking, for example the exact number of feet that you are seeking to reduce a setback requirement. Attach additional sheet if necessary.)*

Article: \_\_\_\_\_ Section: 210 Subsection: 79 Extent: B(1)

Article: \_\_\_\_\_ Section: \_\_\_\_\_ Subsection: \_\_\_\_\_ Extent: \_\_\_\_\_

Article: \_\_\_\_\_ Section: \_\_\_\_\_ Subsection: \_\_\_\_\_ Extent: \_\_\_\_\_

5. **Describe in the space provided below -- or in an attachment -- the proposed project and the nature of the requested interpretation(s) and/or variance(s).**

Note the following and please read *all* instructions (## 3 and 4 apply to all applications):

1. For **variances**, tell us what you want to do and explain how the Union Vale Code prevents you from doing it. In addition to the description provided below, you must also complete a separate form (entitled either "**AREA VARIANCE APPLICATION**" or "**USE VARIANCE APPLICATION**") for each variance you are requesting. These forms are attached.
2. If you are seeking an **interpretation** *in order to proceed with a project*, describe what you want to do, and explain how the Code Enforcement Officer's interpretation of the Union Vale Code prevents you from doing it. Also explain why the Code Enforcement's interpretation is erroneous. If you are seeking an **interpretation** *because you object to a proposed project*, describe the project to which you object, and explain why the Code Enforcement Officer's interpretation of the Union Vale Code is erroneous.
3. If you are submitting any or all information in an **attachment**, indicate in the lines below if the attachment is a simple narrative or a letter (for example, from an attorney or engineering firm). If your attachment is a narrative, it should have the applicant's name, property location, and date of the application at the top. If your attachment is a letter, identify in the lines below who the letter is from and its date.)
4. If, along with this application, you are submitting any of the "Recommended Supplements To Application" identified in the **Requirements for An Appeal to Union**

**Yale Zoning Board of Appeals** (including building plans, photographs, technical reports, and letters from property owners):

- a. You must refer to the supplement(s) in your description in the lines below and/or in your attached narrative or letter. If there are multiple supplements, each should be identified individually. For example, if there are multiple photographs, the photographs should be identified with a number and your description should refer to the photograph number that is pertinent.
- b. If you are submitting a technical report, it is strongly recommended that the report be prepared in accordance with The Elements of Technical Writing by Blake and Bly (Macmillan General Reference, A Simon & Schuster Macmillan Company, 1633 Broadway, New York, NY) Copyright 1993. Quality writing (including clarity, organization and content) enhances the effectiveness of the report, and a well written report will expedite consideration of your application.

(SEE ATTACHED)

6. Has any application for any other permit(s) affecting the property been submitted to and/or issued by any other government agency?  No  Yes. If yes, please list in detail *(attach separate pages if necessary):*

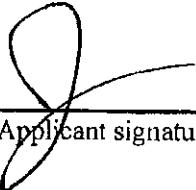
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7. Have there been any previous appeals to the ZBA seeking the same or similar relief as requested here? If so, when, and what determination was made by the ZBA?

None Known of

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Applicant signature

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6/11/2024

Date

APPLICANT (please sign): 

### **AREA VARIANCE APPLICATION**

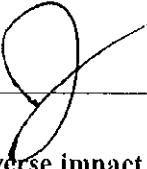
**PLEASE COMPLETE AND ANSWER THE FOLLOWING (on a separate sheet for each variance requested, and attach additional sheets if necessary):**

**Will there be any undesirable change in the character of the neighborhood, or a detriment to nearby properties if this variance is granted? If yes, please describe. If not, why not?**  
The project is located off a County Road without a "neighborhood" theme in the localized area.

Explain why you cannot achieve your goals via a reasonable alternative that does not involve the necessity for an area variance, or that involves a lesser variance, and explain why you believe relief from the Zoning Board of Appeals is necessary and justified. Describe alternatives that might reduce the extent of the variance or eliminate the need for the variance. If there are no alternatives, explain why not. If there are alternatives, explain the features that distinguish the alternatives (for example with respect to size, placement, materials, etc.), and explain why you did not choose any such alternative.

**The parcel size is set. There is not a way to reduce variance based upon the size of the parcel that exists.**

Is the variance substantial? Please explain the basis for your conclusion.  
No. The parcel is 80.5 acres and the minimum required for "Conference Center" use is 100 acres. The acreage short is 19.5 acres.

APPLICANT (please sign): 

Will the variance have any adverse impact on physical or environmental conditions in the neighborhood or district? If yes, please describe. If not, why not?

No. All requirements and regulated activities will obtain  
requisite approvals.

Is this a self-created difficulty? Please explain your answer.

The parcel is the size that it is.

## ***Short Environmental Assessment Form***

### ***Part 1 - Project Information***

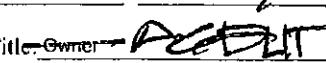
#### **Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

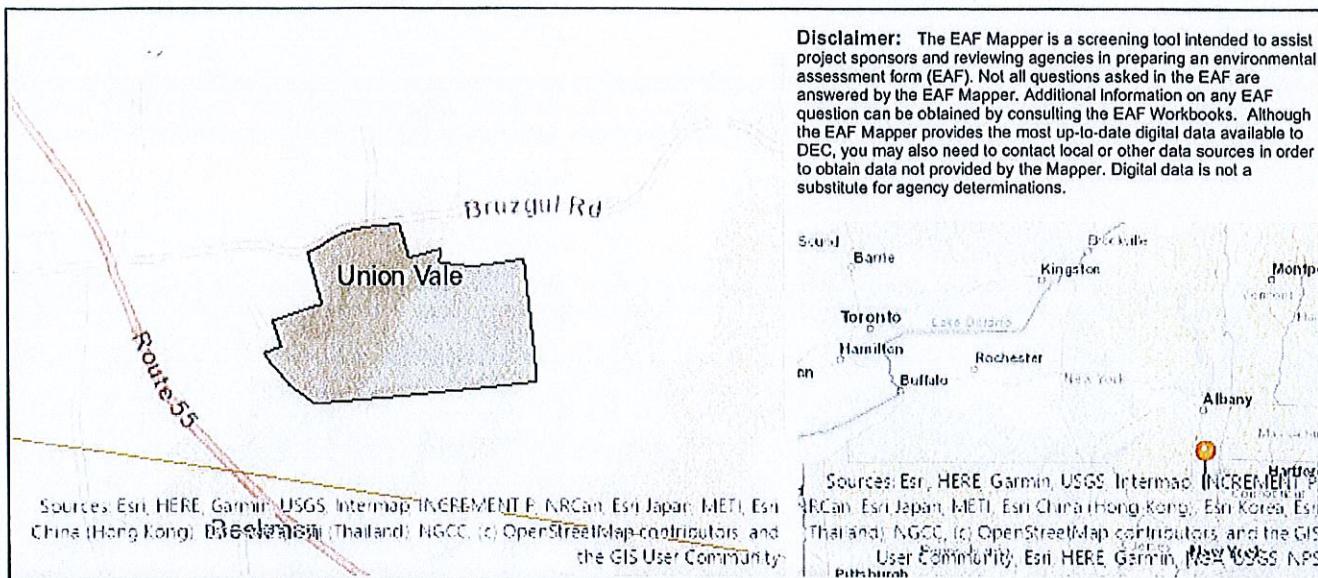
<b>Part 1 – Project and Sponsor Information</b>	
<b>M. Gillespie &amp; Associates - Michael Gillespie</b>	
Name of Action or Project:	
Bruzgul Road - Wedding Venue	
Project Location (describe, and attach a location map):	
Bruzgul Road, Lagrangeville, NY	
Brief Description of Proposed Action:	
Proposed use for a wedding venue	
Name of Applicant or Sponsor:	
Joe Fuscaldo	
Telephone: (845) 518-2355	
E-Mail: j.fuscaldo@yahoo.com	
Address:	
81 Timberlake Lane	
City/PO: Pleasant Valley	
State: New York	
Zip Code: 12569	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?	
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	
2. Does the proposed action require a permit, approval or funding from any other government Agency?	
If Yes, list agency(s) name and permit or approval: DCDPW, DCOBCH, NYSDEC (SPDES), PLANNING B, ZBA	
3. a. Total acreage of the site of the proposed action? <span style="float: right;">80.52 acres</span> b. Total acreage to be physically disturbed? <span style="float: right;">6.5 +/- acres</span> c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">80.52 acres</span>	
4. Check all land uses that occur on, are adjoining or near the proposed action:	
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)	
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):	
<input type="checkbox"/> Parkland	

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ On-Site Individual Well _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ On-Site Sewage Disposal System _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:	
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	
Indiana Bat <input type="checkbox"/> <input checked="" type="checkbox"/> YES	
16. Is the project site located in the 100-year flood plan?	
<input checked="" type="checkbox"/> <input type="checkbox"/> YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	
If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <hr/> <hr/>	
<input type="checkbox"/> <input checked="" type="checkbox"/> YES	
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	
If Yes, explain the purpose and size of the impoundment: Storm Water Measure will be Implemented which may include Sorm Water Holding Facilities <hr/>	
<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> YES	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	
If Yes, describe: <hr/>	
<input checked="" type="checkbox"/> <input type="checkbox"/> YES	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	
If Yes, describe: <hr/>	
<input checked="" type="checkbox"/> <input type="checkbox"/> YES	
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>	
Applicant/sponsor name: M. Gilcepi Associates - Michael Gillespie Signature:  Date: 2/22/2024 Title: Owner 	

# EAF Mapper Summary Report

Tuesday, March 12, 2024 9:40 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

## UNION VALE ZONING BOARD OF APPEALS

### Minutes of the Regular Meeting

7:30 pm

July 2<sup>nd</sup> 2024

Members Present: Chairperson Jane Smith and Board members Dennis Dunning, John Hughes, Ilana Nilsen & Michael McPartland

### **CALL TO ORDER / DETERMINATION OF QUORUM**

Chairperson Jane Smith determined that there was a quorum for the Zoning Board of Appeals ('the Board') to conduct business and called the meeting to order.

### **CORRESPONDENCE**

None

### **BUSINESS SESSION**

Approve meeting minutes from June 4<sup>th</sup> 2024 with revisions.

### **PUBLIC HEARING**

#### **PROJECT NAME**

**Somsag Accessory Apartment SUP**

Owner/ Applicant: Mike & Tara Somsag

Engineer: Edward Mauro

Address: 57 South Parliman Rd Lagrangeville NY 12540

Parcel #: 6660-00-515375

#### **PROJECT DETAILS**

Application for the conversion of detached 2-story structure to 1-bedroom accessory apartment located in the RA-3 Zone.

1. Footprint sqft variance §210-56(B)(2)(b) extent 369 sqft;
2. Apartment sqft variance §210-56B(2)(d) extent 237 sqft & §210-56B(1)(b)(3);
3. Lot size variance §210-56(B)(2)(a) extent 1.2 acres.

The Zoning Board of Appeals will also consider whether the existing building form is 'indigenous to a rural area' as set forth in 210-56(B)(2)(b), and, therefore, whether any other modification of the exterior appearance of the structure requires a variance."

#### Meeting # 2

Chairperson Smith opened the public hearing and welcomed Mr. Mauro, engineer on the application to present the application. Mr. Mauro explained the current owners purchased the property with a detached structure on the property which has a certificate of occupancy as an office building. He explained that shortly after the purchase the zone was changed from the TC zone to an RA-3 zone, and the owners would like to make the lower level a handicapped accessible apartment for the mother in law while keeping an office space above to be used by the owner. The board asked the applicant to explain the orientation of the structure which Mr. Mauro stated that the front of the building faces the home, and that the structure can not really be seen from the road. With no other comments or questions from the public or the board, the board discussed the factors they must consider when reviewing an application and the conditions that would be imposed should the variances be granted. The Board then unanimously voted as follows:

The Town of Union Vale Zoning Board of Appeals **GRANTS** the three Somsag area variances.

1. Footprint sqft variance §210-56(B)(2)(b) extent 369 sqft;
2. Apartment sqft variance §210-56B(2)(d) extent 237 sqft & §210-56B(1)(b)(3);
3. Lot size variance §210-56(B)(2)(a) extent 1.2 acres.

The Board's findings with respect to each variance and the conditions imposed are set forth in attachments titled:

*Zoning Board of Appeals approval on the application of Mike & Tara Somsag  
for an Application for the conversion of detached 2-story structure to 1-  
bedroom accessory apartment located in the RA-3 Zone Located at 57 South  
Parliman Rd Lagrangeville NY 12540 Parcel #: 6660-00-515375*

#### **REGULAR SESSION / NEW BUSINESS**

Chairperson Smith had to leave after the Public Hearing and delegated the role of chair to Member Dunning for the remainder of the meeting.

<b><u>PROJECT NAME</u></b>	<b><u>PROJECT DETAILS</u></b>
<b>Fuscaldo Area Variance</b>	Application for an area variance of 19.5 acres for required minimum lot size of 100 acres for proposed wedding venue conference center located in the RD-10 Zone.
Owner: Hermann Freihofer & Elizabeth Gilleski	
Applicant: Joe Fuscaldo	
Engineer: M. Gillespie & Associates	
Address: Bruzgul Road	Meeting # 1
Parcel #: 6660-00-780173	
Chairperson Smith welcomed the applicant Mr. Fuscaldo who is in contract to purchase the property and Mr. Gillespie, engineer on the application. Mr. Gillespie stated this is an application for an area variance for a proposed wedding venue, with 7 cottages to be used by the wedding party which will only occupy about 8-10 acres of the property.	

The board asked the applicant to comment on the history of their application before the Planning Board. Mr. Gillespie stated a few months ago they went before the Planning Board for a sketch plat review. He explained during the review it was discovered that under use of a conference center, which was determined by the Code Administrator, that the property did not meet minimum acreage of 100 acres for that use. Mr. Gillespie stated they received good feedback from the Planning Board in regards to the concept of the project.

The Board stated they do not think that the application is at a point to be reviewed by the Zoning Board of Appeals, as it still unclear as to if this type of use is considered a conference center, and that other environmental impacts should be discussed before the Planning Board before the ZBA can decide. Mr. Gillespie stated the plan provided to both the Planning Board and ZBA is just a preliminary sketch to get an idea if the concept is allowed. He continued that the project fits within a conference center definition as per Code Administrator. Member Dunning asked the applicant if he could indicate whether they have explored other alternatives, such as the possibility of purchasing additional land in which case would not require a variance, or a less of a variance, and to elaborate on why the applicant considers the request not substantial, as they are asking for about 20% difference in the acreage required.

It was recommended to the applicant to submit a request for a work session which would allow the applicant to discuss the matter with the Town Engineer, Town Attorney, Planning Board Chair, ZBA Chair & Code administer, so that the applicant can get guidance as to the best way forward. Mr. Fuscaldo, purchaser of the property indicated that he is in contract to purchase the property pending the approvals and has a limited time to do so as per the contract. The board and applicant agreed the best way forward is to submit a work session review application before resubmitting a revised application with the boards suggested comments. The matter was adjourned.

**PROJECT NAME**

**Dyckman Addition Side Yard Area Variance**

Owner: Jonathan Dyckman

Applicant/Architect: Daniel Contelmo Architects

Address: 9 Robinwood Lane

Parcel #: 6661-00-987262

Mr. Contelmo, Architect on the project began by explaining the details of the application, which is a proposed two-story addition to the existing one family dwelling. Mr. Contelmo stated the addition will have an additional bedroom & office, and there are no alternatives to the placement of the addition due to the septic location and the layout of the existing home. Mr. Contelmo stated the neighboring property's garage is placed next to this addition, therefore no detriment to any neighboring properties. The board recommended the applicant revise the application to clarify and label what the provided photos & drawings are and number them accordingly and to also to submit a written description of the project.

With no further discussion the board made a motion, which was unanimously approved by the board to accept the application as complete with the condition that the applicant submit a revised application with the changes recommended before the deadline of July 16<sup>th</sup>, and Scheduled a Public Hearing on the Application for Tuesday, August 6<sup>th</sup> 2024 @ 7:35 pm.

**REGULAR SESSION / NEW BUSINESS**

None

**OTHER BUSINESS**

None

**ADJOURNMENT**

As there was no further business, a motion was made by the Chairperson Smith, seconded by Member Dunning and unanimously accepted by the Board, to adjourn the meeting at 9:35 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday August 6<sup>th</sup> 2024, at 7:30 PM.** The agenda will close on **July 16<sup>th</sup> 2024 at 12:00 Noon.** Items for consideration at the **August meeting must be received by that date.**

**PROJECT DETAILS**

Application for a side yard area variance of 8' for a proposed 18' x 36' two story addition to existing dwelling located in the RA-3 zone.

Meeting # 1



## Town of Union Vale Zoning Board of Appeals

*Town of Union Vale Town Hall  
249 Duncan Road  
Lagrangeville, NY 12540*

### Regular Meeting Agenda

At Town Hall  
August 6<sup>th</sup> 2024 @ 7:30 PM

#### Zoning Board Members:

Chairperson: Jane Smith, Members: John Hughes, Ilana Nilsen, Dennis Dunning & Mike McPartland

#### **I. CALL TO ORDER / DETERMINATION OF QUORUM**

#### **II. BUSINESS SESSION**

Approve meeting minutes from July 2<sup>nd</sup> 2024

#### **III. CORRESPONDENCE**

Letter from Michael Gillespie July 24<sup>th</sup> regarding Fuscaldo application to be adjourned to the September 3, 2024 meeting.

#### **IV. PUBLIC HEARING**

##### PROJECT NAME

**Dyckman Addition Side Yard Area Variance**  
Owner: Jonathan Dyckman  
Applicant/Architect: Daniel Contelmo Architects  
Address: 9 Robinwood Lane  
Parcel #: 6661-00-987262

##### PROJECT DETAILS

Application for a side yard area variance of 8' for a proposed 18' x 36' two story addition to existing dwelling located in the RA-3 zone.

Meeting # 2

#### **V. REGULAR SESSION / NEW BUSINESS**

##### PROJECT NAME

**Cimmino Area Variance**  
Owner: James Cimmino  
Applicant/Builder: Gerlad Thorpe  
Address: 200 Mennella Road  
Parcel #: 6859-01-27195

##### PROJECT DETAILS

Application for a side yard area variance of 8' for proposed 22' x 20' detached garage located in the R1 zone.

Meeting # 1

#### **VI. REGULAR SESSION / OLD BUSINESS**

None

#### **VII. OTHER BUSINESS**

None

#### **VIII. ADJOURNMENT**

- **NEXT DEADLINE:** August 13<sup>th</sup> 2024 (by Noon)
- **NEXT MEETING:** September 3<sup>rd</sup> 2024

**UNION VALE ZONING BOARD OF APPEALS**  
**Minutes of the Regular Meeting**  
**7:30 pm**  
**August 6<sup>th</sup> 2024**

Members Present: Chairperson Jane Smith and Board members Dennis Dunning, John Hughes, Ilana Nilsen

Members Absent: Michael McPartland

**CALL TO ORDER / DETERMINATION OF QUORUM**

Chairperson Jane Smith determined that there was a quorum for the Zoning Board of Appeals ("the Board") to conduct business and called the meeting to order.

**CORRESPONDENCE**

None

**BUSINESS SESSION**

Approve meeting minutes from July 2024.

**PUBLIC HEARING**

<u>PROJECT NAME</u>	<u>PROJECT DETAILS</u>
Dyckman Addition Side Yard Area Variance Owner: Jonathan Dyckman Applicant/Architect: Daniel Contelmo Architects Address: 9 Robinwood Lane Parcel #: 6661-00-987262	Application for a side yard area variance of 8' for a proposed 18' x 36' two story addition to existing dwelling located in the RA-3 zone.  Meeting # 2  Mr. Contelmo, Architect on the project began by explaining the details of the application, which is a proposed two-story addition to the existing one family dwelling. Mr. Contelmo stated there was no alternative location to put the addition due to location of well and septic, and current layout of the home. Mr. Contelmo stated the closest neighbor to the addition will not have much of a visual from their home as the addition faces the neighbor's garage. He continued that the design of the addition from the front appears to look like a one-story addition, and slopes down in the rear to a two-story addition, and the design fits best with the character of the existing home.

There was a discussion about how much of the addition is protruding into the setback, which is approximately 100 sqft of the total 600 sqft footprint of the addition. It was also noted by the board that the lot size is now substandard due to previous zoning changes, however all the neighboring lots are roughly the same size.

With no other comments or questions from the public or the board, the board discussed the factors they must consider when reviewing an application and the conditions that would be imposed should the variances be granted. The Board then unanimously voted as follows:

The Town of Union Vale Zoning Board of Appeals **GRANTED** the Dyckman addition side yard variance of 8'.

The Board's findings with respect to each variance and the conditions imposed are set forth in attachments titled:

*Zoning Board of Appeals approval on the application of Jonathan Dyckman  
of an 8' side yard setback for the addition of an 18' x 36' two story addition to  
existing dwelling located in the RA-3 Zone at 9 Robinwood Lane,  
Lagrangeville NY 12540 Parcel #: 6661-00-987262*

## REGULAR SESSION / NEW BUSINESS

<u>PROJECT NAME</u>	<u>PROJECT DETAILS</u>
<b>Cimmino Area Variance</b> Owner: James Cimmino Applicant/Builder: Gerald Thorpe Address: 200 Mennella Road Parcel #: 6859-01-27195	Application for a side yard area variance of 8' for proposed 22' x 20' detached garage located in the R1 zone.

Meeting # 1

Chairperson Smith welcomed the owner Mr. Cimmino. There was a discussion regarding the required side set back needed for this application, which was clarified to be 25' side setback for accessory structures. Mr. Cimmino stated the property is approximately 4 acres, but very narrow from side to side, so due to this, the location of the septic and well, and existing driveway there were not any alternative for the location of the garage to not be within the setbacks.

There was a discussion about the lot and the parcel overlay that exists between them and the neighbor. Mrs. Cimmino stated there is a deed overlap, and that they have tried to clear that up in the past with the neighbor, without success. The board indicated that the location of the deed overlap is not near where the proposed garage is located, and may not be relevant to the decision on the matter.

The board asked the owner to modify some of the information regarding the correct code provision that a variance is needed for, and it was also noted the size of the garage needs to be correctly amended to 22' x 24' which also needs to be updated on the code administrator's determination letter. The board advised the applicant to make these changes before the next deadline for review, and, if acceptable, the board will schedule the public hearing for September, otherwise hold the application over to be reviewed for completion.

## OTHER BUSINESS

Chairperson Smith gave brief review to the board of the work session for the Fuscaldo application.

## ADJOURNMENT

As there was no further business, a motion was made by the Chairperson Smith, seconded by Member Dunning and unanimously accepted by the Board, to adjourn the meeting at 8:35 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday September 3<sup>rd</sup> 2024, at 7:30 PM.** The agenda will close on **August 13<sup>th</sup> 2024 at 12:00 Noon.** Items for consideration at the September meeting must be received by that date.

**FILE COPY**

July 18, 2024

**Re: Fuscaldo Area Variance**

Owner: Hermann Freihofer & Elizabeth Gilleski  
Applicant: Joe Fuscaldo  
Engineer: M. Gillespie & Associates  
Address: Bruzgul Road  
Parcel #: 6660-00-780173

To: Members of the Zoning Board of Appeals and Board Secretary Emily Cole:

At the July 2, 2024 meeting of the Zoning Board of Appeals, a question was raised as to whether Code Enforcement Officer Kolb's Determination (as set forth in his Determination Letter dated April 23, 2024), correctly classified the proposed use of the above project as a "Conference Center," a permitted use in the RD-10 district. (A copy of the Determination Letter and the Conference Center definition from the Union Vale Town Code are attached.)

This question was raised again at a work session with the applicant and Town officials held on July 17, 2024.

Pursuant to NY Town Law Section 267-B [1], I ask that the Zoning Board of Appeals take up this preliminary definitional issue, and do so at the ZBA's next meeting to be held on August 6, 2024, at 7:30 p.m. at the Union Vale Town Hall, 249 Duncan Road, Lagrangeville, NY 12540.

The Zoning Board Secretary is requested to give notice of this meeting to the applicant and as otherwise required by the Town Code.

Sincerely,

Jane Simkin Smith, Chairperson of the Union Vale Zoning Board of Appeals

cc: James Nelson, Esq.  
Steven Frazier, Supervisor  
Gillespie & Associates, PE  
George A. Kolb, Jr., Town CEO  
Alain Natchev, Planning Board Chair  
All ZBA Members  
Thomas Harvey, PE

2-5/22

**building2 unionvaleny.us**

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**To:** Mike Gillespie  
**Subject:** RE: ZONING DETERMINATION LETTER Fuscaldo

**From:** Mike Gillespie <mgillespie@mgaengrs.com>  
**Sent:** Tuesday, May 21, 2024 12:26 PM  
**To:** building2 unionvaleny.us <building2@unionvaleny.us>  
**Subject:** Re: ZONING DETERMINATION LETTER Fuscaldo

Good afternoon George. A presentation was made a planning board a month or so ago regarding Fuscaldo's wedding venue. Received a good reception, but there's the issue that it's less than required acreage. We're looking for a formal referral from the planning board to the zoning board, but do we have to submit a formal application? There's a ton of fees that are associated with it and if the zoning board turns us down then it's all for nothing so I was hoping we could just continue our submittal under a Sketch plan get a referral from the planning board to the ZBA and see where it goes. Let me know or you can or catch me on my cell. Thank you.

**M. Gillespie PE**

M. Gillespie & Associates Consulting Engineering, P.L.L.C.  
822 Main Street- Suite 310  
Hopewell Junction, NY 12533  
p (845) 227-6227  
c (845) 590-2521  
web - [www.mgaengrs.com](http://www.mgaengrs.com)

Sent from my iPhone

On Mar 22, 2024, at 10:41 AM, building2 unionvaleny.us <[building2@unionvaleny.us](mailto:building2@unionvaleny.us)> wrote:

Mike ,  
Please see ZDL  
Please send in with your digital application

George A. Kolb Jr.  
C.E.O. T/O Unionvale

<ZONING DETERMINATION LETTER FERRIS.docx>

## **CONFERENCE CENTER**

A facility used for business, professional or institutional **conferences** and seminars, often with campus-type accommodations for sleeping, eating and recreation.

to any other property line.

(k) In order to effectuate the conversion of a portion of a residential dwelling to a bed-and-breakfast establishment, no addition to the structure greater than 100 square feet in gross floor area shall be authorized.

(3) **Boarding stable.** A boarding stable shall be allowed by special permit in any residential district, provided that:

- The site shall have a minimum land area of 10 acres.
- The total number of horses either boarded or owned by the owner of the boarding stable shall not exceed one horse per acre of land area devoted to the use.
- Buildings or other fully enclosed structures associated with the facility shall be located not less than 100 feet from any property line nor less than 250 feet from any neighboring residence.
- Yard areas shall be landscaped and/or maintained in agricultural use and natural screening shall be provided, where necessary, to harmonize with the character of the neighborhood.
- No fenced area, including exercise ring, nor any manure storage area shall be located within 100 feet of any lot line, nor shall any manure storage area be located within 100 feet of any stream or water body, 150 feet of any well or spring providing a source of potable water or within 200 feet of the nearest neighboring residence.

~~(4) Conference center.~~ A conference center shall be allowed by special permit in the RD10, RA5 and RA3 Districts, provided that:

- The establishment of the conference center facilitates the development of a parcel of not less than 100 acres in low-density, nonresidential use while preserving existing buildings through adaptive reuse and/or scenic and natural areas important to the community.
- The following design objectives are met:
  - The exterior of existing houses, barns and related structures shall be appropriately rehabilitated and restored wherever feasible. Consideration shall be given to quality of original architecture and subsequent modifications, current condition and relationship of the structures to the overall property or area when considering the feasibility of appropriate rehabilitation and/or restoration.
  - Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.
  - New construction shall be sited so as to have minimum impact of 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.
  - The maximum floor area of all conference center facilities shall not exceed 5% of the land included in the project proposal.
  - Access to the facility shall be from a state or county highway or a through Town roadway other than a residential subdivision street.
  - No building or parking area associated with the conference center shall be located closer than 150 feet to any property line, nor within 250 feet of any neighboring residence.
  - Adequate water supply and sewage disposal facilities shall be provided in accordance with the requirements of the Town of Union Vale, the Dutchess County Department of Health, and the New York State Departments of Health and Environmental Conservation.
  - While dining and lodging facilities for periods of not more than seven calendar days may be provided as part of the conference center facilities for the use and benefit of participants in events at the conference center, no restaurant, tavern, nightclub, hotel, motel or inn serving the general public shall be operated and maintained upon the premises.
- Any conference center allowed by special permit in the TC District shall be subject to the above criteria, except to the extent not applicable due to anticipated new construction, and alternately be an integral part of a Planned Mixed Use Development.

(5) **Convenience store.** A convenience store selling gasoline in combination with a quick-stop retail food store shall be allowed by special permit in the NC and TC Districts, provided that:

- The maximum gross floor area shall be 2,000 square feet.
- The maximum number of fuel dispensing nozzles shall be 12.
- The convenience store and its associated site shall be designed and operated to ensure that each of the following criteria is met:
  - An adequate number of parking spaces shall be provided on site for customers making purchases at the retail store but not buying gasoline. These parking spaces shall be located so as to not interfere with safe entry and exit for motorists purchasing gasoline.
  - Fuel pumps and associated canopy structures shall meet the dimensional limitations, design standards and restrictions as to number set forth below:
    - No fuel pump or associated canopy structure shall either be located or otherwise project into a required side or rear yard or either be located or otherwise project within 40 feet of the front property line in the NC District or within 60 feet of the front property line in the TC District.
    - No canopy structure shall exceed 48 feet in length, 30 feet in width or the minimum height necessary to both accommodate vehicles in accordance with code requirements for vertical vehicular clearance and provide for a pleasing roof design.
    - All canopy structures shall comply with the following design parameters:
      - The design of the canopy structure shall relate in form and the use of materials and color to the principal structure(s) on the premises.
      - The design of the canopy shall include the use of natural finishes to the extent practicable in consideration of building and fire code requirements and shall exclude the use of reflective or glossy materials such as plastic, lacquers and shiny materials.

Town of Union Vale, NY Additional standards and requirements for certain special permit uses.

[iii] The design of the canopy shall employ colors that are harmonious and blend in with the rural character of the area.

[iv] The design of the canopy shall employ a nonilluminated fascia and shall display no advertising messages, corporate logos or similar features on such fascia.

[v] The design of the canopy shall include recessed lighting arranged and shielded so as to reflect light downward with the direct sources of such illumination not visible from any public street or roadway or adjoining property. The lighting provided shall not exceed a footcandle rating of 30 footcandles on a horizontal plane three feet above the ground at any location beneath the canopy.

[vi] The design of the canopy structure shall accommodate concealed fire protection and suppression equipment in accordance with the New York State Uniform Fire Prevention and Building Code and pertinent NYSDEC and NFPA requirements.

[d] Not more than one canopy structure shall be located on any convenience store, or other gasoline service, premises.

[e] In order to maintain the neat and orderly appearance of the site, the following requirements shall be met:

[i] An enclosed and suitably screened trash dumpster shall be provided for use by store employees and other appropriate trash receptacles provided on the premises for use by customers.

[ii] All rooftop heating/ventilating/air conditioning or refrigeration units shall be directed away from adjacent residential properties.

[iii] There shall be no outdoor display of merchandise.

[iv] All vending machines shall be located within the building.

[f] The convenience store shall in addition meet all applicable standards otherwise stated for gasoline station or automobile service facilities set forth in below § 210-56E(6) of this article.

(6) Gasoline station; automobile service facility; public or commercial garage. A gasoline station, automobile service facility, or public or commercial garage shall be allowed by special permit in the NC and TC Districts, provided that:

(a) No such establishment shall be located within 200 feet of any school, church, public library, theatre, park, playground or other public gathering place designed for occupation by more than 50 people.

(b) The area for use by motor vehicles, including storage, except access drives thereto, as well as any structures, shall not encroach on any required yard area.

(c) All fuel pumps and associated canopy structures shall comply with both the limitations as to number and the location and design requirements otherwise set forth in above § 210-56E(5) of this article for convenience stores.

(d) Entrance and exit drives shall total not more than two in number and shall have an unrestricted width of not less than 24 feet nor more than 30 feet and be located not less than 16 feet to any side or rear lot line.

(e) Gasoline or flammable oils in bulk shall be stored fully underground, in accordance with New York State Environmental Conservation Law Part 614 Regulations, as administered by NYSDEC, and may not be closer than 25 feet to any lot or street line.

(f) All major repair work, storage of materials, supplies and parts shall be located within a structure fully enclosed on all sides, not to be construed as meaning that the doors on any repair shop must be closed at all times.

(g) No inoperative motor vehicle shall be kept on the premises for longer than 14 calendar days except in instances where necessary repair parts have been ordered and delivery is awaited. The location of all such inoperative vehicles shall be suitably screened to obscure view from both neighboring properties and public rights-of-way and shall not be within the required front yard.

(h) In addition to other landscaping requirements established by this chapter, suitable year-round buffering and landscaping shall be provided in all rear and side yards through a mix of deciduous and evergreen planting.

(7) Hotel or motel. A hotel or motel shall be allowed by special permit in the TC District, provided that:

(a) The minimum lot area shall be three acres for the first 16 guest rooms, plus an additional 4,000 square feet of lot area for each additional guest room provided.

(b) Accessory uses to the hotel or motel development shall be limited to the following:

[1] Meeting rooms.

[2] Restaurant and dining facilities serving either guests exclusively or the general public, provided however in the latter instance that additional on-site parking is provided.

[3] Recreational facilities, such as swimming pools and tennis courts.

[4] Small personal service/retail shops fully within the hotel or motel and selling newspapers, magazines, small gifts and similar items.

[5] One accessory resident apartment.

(8) Inn. An inn shall be allowed by special permit in the RD10, RA5 and RA3 Districts, provided that:

(a) The inn shall be limited to a maximum of 10 guest rooms.

(b) The inn may provide dining facilities open to both guests and the general public as an accessory use. The total number of seats in its dining room, its outdoor dining areas and its lounge, if any, shall however not exceed 30 seats.

(c) The inn may not operate as a nightclub, as such use is defined in Article XII, § 210-88A, of this chapter.

(d) The inn shall be established through the adaptive reuse of either a residential or nonresidential structure existing on May 30, 2002.

(e) The minimum lot area shall be 20 acres in either the RD10 or RA5 District and 10 acres in the RA3 District.

## Town of Union Vale, NY Additional standards and requirements for certain special permit uses.

- (f) Access to the facility shall be provided from a state or county highway or a through Town roadway other than a residential subdivision street.
- (g) Adequate water supply and sanitary sewage disposal facilities shall be provided in accordance with the requirements of the Town of Union Vale, the Dutchess County Health Department and the New York State Departments of Health and Environmental Conservation.
- (h) No parking area or other improvement associated with the facility shall be located within 100 feet of any property line in the RD10 District or within 75 feet of any property line in the RA5 or RA3 Districts, or such greater distance as may be prescribed within the District Schedule of Area and Bulk Regulations. Screening shall be provided by intervening landform and/or vegetation to reduce visual and other impact on neighboring residential properties.
- (9) Office building. An office building shall be allowed by special permit in the Airport (A) District, provided that the office building, whether as a separate use or in combination with an authorized trade shop or light manufacturing use, consists of not more than 10,000 square feet of
- (10) Office park. An office park shall be allowed by special permit in the TC District, provided that:
  - (a) The overall project site is a minimum of 12 contiguous acres. Any individual lot created within an approved office park development shall be not less than one acre.
  - (b) The land proposed as an office park may be owned by more than one person but shall be considered a single contiguous parcel of land for purposes of special use permit application to the Planning Board. The application shall be submitted jointly by all owners and, if approved, shall be jointly binding on all owners.
  - (c) An overall master plan, including appropriate material and design guidelines, shall be presented for facility-wide lot configuration, access, building, parking, utilities, storm water management, landscaping, signage and other improvements, including their integration to the extent practicable with development either existing or potential on adjacent TC District lands. The overall plan shall also describe by location and square footage the intended mix of permissible office, personal service and business service establishments.
  - (d) A program shall also be defined for the allocation of total permissible signage among the various office park tenants and/or occupancies. Said schedule shall, in combination with the standards set forth in Article V, § 210-26, of this chapter, serve as the basis for the Code Enforcement Officer's consideration of subsequent applications for the issuance of individual sign permits within the office park.
  - (e) To the extent deemed appropriate by the Planning Board, the overall master plan may provide for a reduction in whole or in part of internal setbacks between uses within the office park to provide opportunity for modified building and parking configuration such as envisioned by the Town Master Plan, County Directions and Greenway Connections documents cited at Article I, § 210-3, of this chapter, including zero lot line buildings and joint parking areas.
  - (f) Adequate central water supply and common sewage facilities shall be provided in accordance with the requirements of the Town of Union Vale, the Dutchess County Health Department and the New York State Departments of Health and Environmental Conservation.
  - (g) Not less than 40% of the total acreage within the office park shall be comprised of suitable landscaped and maintained open areas distributed throughout the site in accordance with sound site planning practices.
  - (h) Proper provision shall be made for the long-term ownership and maintenance of open space and associated landscaping, parking areas, accessways, water supply and sanitary sewage facilities, signage, lighting and other features appurtenant to the office park development.
  - (i) A written statement shall be provided indicating intent as to final ownership, including plans for rental, cooperative, condominium, fee simple sale or some combination thereof. The statement should include consideration of the proposed ownership and maintenance plan for the open space areas and other improvements, as cited above.
  - (j) A proposed development schedule shall be submitted indicating anticipated occupancy dates for the start and completion of construction and occupancy of the one or several phases of the office park development, most particularly including a schedule for the installation of project-wide infrastructure.
  - (k) A separate special use permit shall not be required for the establishment of individual uses within an office park once a special permit has been issued by the Planning Board for the office park development in its entirety, provided that such uses are consistent with the office park master plan which accompanied the special use permit application, including the further consideration of any modifications or conditions that may have been imposed by the Planning Board in its issuance of the special use permit. Prior to the initiation of other land alteration or building construction within the office park or upon any authorized parcel, lot, portion or phase thereof, site plan review and approval in accordance with Article VII of this chapter shall, however, be required on a project-specific basis and, if individual building sites are provided, subdivision plat approval shall additionally be required pursuant to Chapter 102, Subdivision of Land.
  - (l) Except as otherwise provided herein, all other requirements for development within the TC District, including but not limited to those minimum requirements set forth in either Article IV, Area and Bulk Regulations, or Article V, Supplementary Regulations, shall be strictly met.
- (11) Restaurant, fast-food or drive-in facility. A fast-food or drive-in restaurant shall be allowed by special permit in the TC District, provided that:
  - (a) The standard design package for any franchise facility shall be subject to modification so as to comply with the architectural and site plan preferences of the Town of Union Vale so as to achieve the community's land use and design objectives as set forth in the Town Master Plan and embodied in this chapter.
  - (b) Vehicle stacking lanes for drive-in service shall be adequate so that adjacent pedestrian and vehicular ways will not be obstructed and that the safety of both pedestrians and motorists can be assured.
  - (c) The inclusion of accessory recreational facilities and similar amusement areas, including tot lots, video games, and the like, as part of the restaurant shall be strictly prohibited.
  - (d) Hours of operation shall be reviewed and approved by the Planning Board so as to be compatible with adjacent business and residential areas and to avoid the creation of any nuisance condition.
  - (e) No fast-food or drive-in restaurant shall be located within 1,500 feet of another fast-food or drive-in restaurant.
- (12) Riding academy. A riding academy shall be allowed by special permit in the RD10, RA5, RA3 and TC Districts, provided that:
  - (a) The minimum lot or parcel area shall be 20 acres.