

Local Law No. 1 of 2026

**RESOLUTION OF ADOPTION**

**A LOCAL LAW AMENDING ZONING CODE ARTICLE XI §210-86, §210-56(E), AND ATTACHMENT 210-3 RELATING TO THE ESTABLISHMENT OF A SPECIAL PERMIT IN THE RD10 DISTRICT FOR CATERING FACILITIES WITH A TEMPORARY LODGING COMPONENT AND THE ELIMINATION OF CONFERENCE CENTERS AS A PERMITTED USE IN THE RD10 DISTRICT, AS REVISED**

The following Resolution of Adoption was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_, who moved its adoption:

***WHEREAS***, on October 2, 2024, Supervisor Frazier introduced a Local Law for the Town of Union Vale (the “Town”), initially to be known as Local Law #2 of 2024, entitled “A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District” (the “Original Proposed Local Law”), a copy of which proposed law, together with the Resolution of Introduction and meeting minutes dated October 2, 2024, are annexed at “Exhibit A”; and

***WHEREAS***, pursuant to the State Environmental Quality Review Act (“SEQRA”), the Town Board, which had before it a Full Environmental Assessment Form (“FEAF”), attached hereto as “Exhibit B”, determined that adopting the Original Proposed Local Law was a Type 1 Action for SEQRA purposes at its regular meeting on October 2, 2024, and also determined that it would be the SEQRA Lead Agency; and

***WHEREAS***, the Original Proposed Local Law was referred to the Dutchess County Department of Planning and Development on October 17, 2024 pursuant to General Municipal

Law §239-m, and to the Town of Union Vale Planning Board pursuant to Town Code §210-83(A); and

*WHEREAS*, a duly-noticed public hearing on the Original Proposed Local Law was held on October 16, 2024, the minutes of which are annexed hereto as “Exhibit C”, at which hearing there were no comments made by the public, the Town Board discussed the Original Proposed Local Law, voted to remove paragraph 13(B) relating to parking requirements, and then resolved to continue the public hearing at a later date; and

*WHEREAS*, the Dutchess County Department of Planning and Development responded to the Town’s GML §239-m referral on November 6, 2024, attached hereto as “Exhibit D”, and advised that the Action was a Matter of Local Concern with Comments; and

*WHEREAS*, the Board received comment from the Town of Union Vale Planning Board on November 14, 2024, attached hereto as “Exhibit E”, which proposed one revision to Section 17(b) of the Original Proposed Local Law and, with said revision, made a favorable recommendation of the Local Law; and

*WHEREAS*, the Original Proposed Local Law was modified after considering the comments of the Dutchess County Planning Department and following discussion of the Town Board at the October 16, 2024 meeting to provide Land Banked Parking in lieu of immediate construction, to require lodging facilities not be used by transient guests not associated with an event on site, to limit the maximum square footage of all lodging facilities to 5,000 square feet, to prohibit outdoor activity prior to 10 a.m., to prohibit indoor activity prior to 10 a.m. and after midnight, to require that no noise be heard on adjacent properties prior to 10 a.m. or after 10 p.m., and to allow the Planning Board to require a noise analysis and lighting plan prior to



issuance of the special use permit, all without diminishing the standard preexisting noise limitations under Town Code §210-24; and

**WHEREAS**, these modifications were incorporated into and reflected in a redrafted Local Law (the “First Revised Proposed Local Law”) which was reintroduced on November 20, 2024 for consideration at a public hearing to be held on December 4, 2024, which Resolution of Re-Introduction, redlined Proposed Local Law, and meeting minutes of November 20, 2024 are attached hereto as “Exhibit F”; and

**WHEREAS**, the First Revised Proposed Local Law was again referred to the Dutchess County Department of Planning and Development on November 22, 2024 pursuant to General Municipal Law §239-m, and to the Town of Union Vale Planning Board pursuant to Town Code §210-83(A); and

**WHEREAS**, a duly-noticed public hearing on the First Revised Proposed Local Law was held on December 4, 2024, the notice and minutes of which are attached hereto as “Exhibit G”, at which hearing all wishing to be heard were heard, including community members who voiced concerns regarding the proposed Local Law, at the conclusion of which the Board tabled the vote to await the Dutchess County Department of Planning and Development’s response, and to potentially extend the public hearing; and

**WHEREAS**, the Dutchess County Department of Planning and Development responded on December 18, 2024, this time deeming the Action a Matter of Local Concern with no comments, attached hereto as “Exhibit H”, and the Town of Union Vale Planning Board submitted no further comment to the Town Board on the First Revised Proposed Local Law; and

**WHEREAS**, another duly-noticed public hearing on the First Revised Proposed Local Law, then referred to as Local Law #1 of 2025 (formerly Local Law #2 of 2024), was held on

February 5, 2025, the notice and minutes of which are attached hereto as "Exhibit I", at which hearing community members voiced their comments and concerns, and the Board received written correspondences (included at "Exhibit I"). The public hearing was closed, and no vote was taken; and

**WHEREAS**, a Second Revised Proposed Local Law, again referred to as Local Law #1 of 2025, was prepared which incorporated changes in response to public comments received during the February 5, 2025 public hearing and recommendations of consultants contained in the March 14, 2025 memorandum attached at "Exhibit T" to increase the minimum lot size from 50 acres to 75 acres, to strengthen performance standards for lighting, to incorporate a reference to the noise limitations in Town Code §210-24(A), and to allow the Planning Board to require further noise studies, increased setbacks, or other noise attenuation measures to ensure that operations would remain in line with community character and minimize disturbance to neighboring properties, which Second Revised Proposed Local Law, the Resolution of Re-Introduction for it dated April 16, 2025, a new FEAF Part 1, and meeting minutes of April 16, 2025 are attached hereto as "Exhibit J"; and

**WHEREAS**, the Town Board, when it reintroduced the Second Revised Proposed Local law directed that a public hearing be held on May 21, 2025, again directed referral to the Dutchess County Department of Planning and Development and the Union Vale Planning Board, and further directed that notices be sent to the Clerks of adjoining Towns; and

**WHEREAS**, in the April 16, 2025 Re-Introduction Resolution, this Board, having considered the new FEAF which was attached to it, again determined that this was a Type 1 Action and declared itself Lead Agency; and

**WHEREAS**, the Second Revised Proposed Local Law was referred to the Dutchess County Department of Planning and Development and the Union Vale Planning Board on April 22, 2025, and notice of the hearing was given to contiguous Towns; and

**WHEREAS**, the Town Board received a response from the Dutchess County Department of Planning and Development on May 7, 2025, attached hereto as "Exhibit K", stating that adopting the Proposed Law was a Matter of Local Concern with no comment. No additional comments were received from the Union Vale Planning Board; and

**WHEREAS**, the duly-noticed public hearing on the Second Revised Proposed Local Law was opened on May 21, 2025 (the minutes and notice for which are annexed hereto as "Exhibit L"), at which all of those who desired to be heard on the Second Revised Proposed Local Law were heard, and the hearing was held open to be continued at the June 4, 2025 Town Board meeting at 7:00 p.m. at Town Hall; and

**WHEREAS**, the public hearing was continued on June 4, 2025 (the minutes of which are annexed hereto as "Exhibit M"), at which all of those who desired to be heard on the Second Revised Proposed Local Law were heard, and the Board received a written comment (contained at "Exhibit M") and the hearing was held open to be continued at the July 16, 2025 Town Board meeting at 7:00 p.m. at Town Hall; and

**WHEREAS**, the public hearing was continued on July 16, 2025 (the minutes of which are contained at "Exhibit M"), at which time all interested parties were heard, and the hearing was duly closed; and

**WHEREAS**, at its regular meeting held on August 27, 2025 (the minutes of which are contained at "Exhibit M"), the Board members discussed moving forward with the RD10

amendment and voted in favor of authorizing the Town Board consultants to prepare the necessary documentation to complete the environmental review of the action; and

*WHEREAS*, the text of the Second Revised Proposed Local Law was inconsequentially corrected to amend two clerical errors: the Schedule of Use Regulations at 210 Attachment 3 was revised to correctly refer to the “RA5,” “RA2,” and “R1” zoning districts, and the term “plant” at Section 210-56(E)(17)(c)(14)(a) was corrected to “catering facility building.” The corrected text is attached hereto as “Exhibit N”; and

*WHEREAS*, the correction of these typographical errors was a clerical rather than a substantive change to the Proposed Local Law, and therefore did not require re-referral to the Dutchess County Department of Planning and Development or the Town of Union Vale Planning Board; and

*WHEREAS*, in addition to the primary action described above, in early 2024, Joseph Fuscaldo expressed interest in developing an 80.52-acre parcel, presently owned by Elizabeth A. Gilleski and Hermann W. Freihofer, Jr. and identified as Tax Parcel No. 6660-00-780173 (the “Freihofer Parcel”), as a wedding venue with guest cottages; and

*WHEREAS*, on February 22, 2024, Union Vale Code Enforcement Officer George A. Kolb, Jr. issued a Notice of Zoning Determination, attached hereto as “Exhibit O”, saying that the development of the Freihofer Parcel as a wedding venue “would fall more clearly under the ‘Conference Center’ use;” and

*WHEREAS*, on March 12, 2024, Mr. Fuscaldo submitted a “Sketch Site Plan” together with an application, attached hereto as “Exhibit P”, to the Town of Union Vale Planning Board (the “Planning Board”) requesting sketch review and the scheduling of a work session to review a potential wedding venue at the Freihofer Parcel which is in the RD-10 zoning district; and

**WHEREAS**, the application included a Short EAF (“SEAF”) Part 1 and a map entitled “Sketch Site Plan for Fuscaldo – Wedding Venue” prepared by M. Gillespie & Associates Consulting Engineering, PLLC, dated December 17, 2023, included at “Exhibit P”; and

**WHEREAS**, on April 11, 2024, at a regular meeting, Mr. Fuscaldo introduced and explained the project to the Planning Board, which minutes are included at “Exhibit P”; and

**WHEREAS**, on April 23, 2024, George A. Kolb, Jr. issued a revised Notice of Zoning Determination (attached at “Exhibit Q”) reiterating that a wedding venue use of the Freihofer Parcel was most similar to a Conference Center use, but stating that Conference Centers require a 100-acre minimum under Union Vale Code Section 210-56(E)(4) and that the existing 80.52-acre Freihofer Parcel would therefore require an area variance from the Union Vale Zoning Board of Appeals (the “ZBA”); and

**WHEREAS**, on June 11, 2024, Mr. Fuscaldo submitted an application for a 19.5-acre area variance to allow the use of the subject 80.52-acre Freihofer Parcel as a wedding venue which application is attached at “Exhibit R”; and

**WHEREAS**, on July 2, 2024, the ZBA determined that the application was not properly before it because the issue of whether the use was allowed in the zone was not yet settled. The meeting minutes of the July 2, 2024 meeting and the subsequent August 6, 2024 meeting, at which the application was also briefly discussed, along with correspondence from the ZBA Chair to the ZBA members, are included at “Exhibit R”; and

**WHEREAS**, because any potential development of the project depicted in the Sketch Site Plan at the Freihofer Parcel would require either variances or the adoption of the Second Revised Proposed Local Law, this Board has determined that it is appropriate to review the potential environmental impacts of the Second Revised Proposed Local Law with consideration to the

limited information provided in the Sketch Site Plan submitted by Mr. Fuscaldo and attached hereto at “Exhibit P”; and

**WHEREAS**, because Mr. Fuscaldo did not continue to pursue the application before the Planning Board of the Town of Union Vale within the statutory 6-month timeframe for review, on October 5, 2025, the Code Enforcement Officer alerted Mr. Fuscaldo that his application was considered abandoned, which correspondence is attached hereto as “Exhibit S”; and

**WHEREAS**, as further described in the FEAF Part 3 annexed at “Exhibit Z,” although the hypothetical Fuscaldo project described above was preliminary in nature, was not designed beyond a Sketch Site Plan, and is now abandoned according to the Union Vale Code Enforcement Officer, the Town Board considered the Sketch Site Plan in its SEQRA review of the Proposed Local Law to the extent possible and in accordance with 6 NYCRR §617.3(g); and

**WHEREAS**, the Town Board has reviewed a memorandum of KARC Planning Consultants (“KARC”), dated January 28, 2025, regarding the consistency of this Action with the Town’s Comprehensive Plan; a March 14, 2025 memorandum addressing multiple questions and concerns raised; an April 21, 2025 memorandum addressing modifications to the First Proposed Local Law following the February 5, 2025 public hearing, and a September 17, 2025 memorandum addressing Dutchess County Traffic Data, all annexed at “Exhibit T”; and

**WHEREAS**, the Town Engineer, Thomas Harvey, PE, has submitted an opinion regarding the traffic and noise aspects of this rezoning and the efficacy of their control by the terms of the Second Revised Proposed Local Law, dated January 9, 2025, and a memorandum regarding Engineering Site Distance Review dated October 24, 2025, both of which are annexed at “Exhibit U”; and

**WHEREAS**, this Town Board has reviewed the FEAF Part 1 and, pursuant to further review by KARC, made inconsequential changes to sections B(e) and C(3)(c) as reflected at “Exhibit V” and authorized the Supervisor to execute the FEAF Part 1 at its regular meeting on January 21, 2026; and

**WHEREAS**, at the January 21, 2026 meeting, the draft minutes of which are annexed hereto as “Exhibit W,” the Town Board received a draft FEAF Part 2 prepared by KARC and reviewed and considered same; and

**WHEREAS**, the Board, having received additional information and documentation from its consultants and wishing to give the public an opportunity to respond to all relevant information, resolved to set an additional public hearing to be held on February 4, 2026 and authorized the Town Clerk to circulate a notice of the Public Hearing to adjacent municipalities in accordance with GML 239-nn, which resolution is included with the meeting minutes at “Exhibit W”; and

**WHEREAS**, in accordance with the Open Meetings Law §103(e), more than 24 hours prior to the January 21, 2026 meeting, the Town caused to be posted to its website for public inspection the compiled record of the proceedings with an Index of Exhibits, a draft copy of the inconsequentially revised FEAF Part 1, a draft of the FEAF Part 2 prepared by the Town planning consultant, and a draft copy of the Resolution to set a public hearing; and

**WHEREAS**, similarly, more than 24 hours prior to the February 4, 2026 meeting, the Town caused to be posted to its website for public inspection a draft copy of the FEAF Part 3 form and narrative, a draft of the SEQRA Negative Declaration, and a draft of the resolution adopting the FEAF Part 2, Part 3, and Negative Declaration to be discussed by the Town Board at the February 4 meeting; and

**WHEREAS**, at its meeting on February 4, 2026, the draft meeting minutes of which are annexed at “Exhibit X,” the Town Board opened the duly-noticed Public Hearing, received comment from all those who wished to be heard at that time, heard from KARC regarding the Draft FEAF Part 2 and Part 3 documents which had been prepared, and allowed the Town’s consultants to respond directly to the concerns posed by the public; and

**WHEREAS**, the Town Board reviewed the FEAF Part 2 (annexed hereto as “Exhibit Y”) and FEAF Part 3 form and narrative (annexed at “Exhibit Z,” exhibits thereto excluded as redundant of materials already annexed herein<sup>1</sup>) prepared by its consultants, and further reviewed the Short EAF submitted to the Planning Board and ZBA for the potential Freihofer project at “Exhibit P” and “Exhibit R,” the memoranda prepared by KARC, the memoranda prepared by Rennia Engineering, and the limited information regarding the potential use of the Freihofer Parcel as a wedding venue as depicted in the Sketch Site Plan and other documents at “Exhibit P” and “R,” which review assumed said plans would be limited by the requirements of this Second Revised Proposed Local Law; and

**WHEREAS**, after considering all of the above, the Board reviewed and discussed the draft Negative Declaration prepared by its consultants (annexed at “Exhibit AA”), found that no significant environmental impact will result from the adoption of the Second Revised Proposed Local Law and, therefore, no further environmental review of this rezoning is required and no Environmental Impact Statement (“EIS”) must be prepared, and therefore resolved to adopt the FEAF Part 2, the FEAF Part 3, and the Negative Declaration (resolution annexed hereto at “Exhibit BB”); and

**WHEREAS**, on February 4, 2026, after having adopted the SEQRA documents as described above and annexed hereto, while the duly-noticed public hearing remained open, the

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<sup>1</sup> See documents contained at Exhibits T, Y, U, P, S, and R.



Town Board gave the public the opportunity to comment further, which comments were received and acknowledged and which did not identify any new issues which the Board had not already identified, addressed, and considered, and the Board subsequently voted to close the public hearing; and

**WHEREAS**, a copy of the Second Revised Proposed Local Law, now referred to as Local Law #1 of 2026 (previously Local Law #1 of 2025 and formerly Local Law #2 of 2024), as attached hereto at “Exhibit N” is incorporated herein, and the Town Board does hereby waive a verbatim reading of said Local Law and directs that the Second Revised Proposed Local Law be spread across the record as if it, in fact, had been read verbatim; and

**WHEREAS**, said Local Law has been on the desks of the members of the Town Board of the Town of Union Vale for at least seven (7) days, exclusive of Sunday; and

**WHEREAS**, this Town Board has considered all of the foregoing documentation, proceedings, comments, and correspondence received regarding this Second Revised Proposed Local Law; now, therefore

**BE IT RESOLVED** that the proposed Local Law annexed at “Exhibit N” be and is hereby enacted: TOWN OF UNION VALE LOCAL LAW #1 OF 2026 entitled A LOCAL LAW AMENDING ZONING CODE ARTICLE XI §210-86, §210-56(E), AND ATTACHMENT 210-3 RELATING TO THE ESTABLISHMENT OF A SPECIAL PERMIT IN THE RD10 DISTRICT FOR CATERING FACILITIES WITH A TEMPORARY LODGING COMPONENT AND THE ELIMINATION OF CONFERENCE CENTERS AS A PERMITTED USE IN THE RD10 DISTRICT; and

**BE IT FURTHER RESOLVED** that this Local Law shall be referred to as §210-86, §210-56(E), and attachment 210-3 of the Town of Union Vale Town Code; and

***BE IT FURTHER RESOLVED*** that this Local Law shall take effect upon adoption by the Town Board and filing with the New York State Secretary of State in accordance with applicable provisions of law, and specifically Article 3, §27 of the Municipal Home Rule Law.

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

Councilman Durland	_____
Councilman Harrington	_____
Councilman McGivney	_____
Councilman Redinger	_____
Supervisor Frazier	_____

I, Andrea Casey, Town Clerk of the Town of Union Vale do hereby certify that the foregoing is a true copy of a resolution offered by Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, and adopted at meeting of the Town Board, held on February 18, 2026.

\_\_\_\_\_  
Andrea Casey, Town Clerk

# EXHIBIT A

## **RESOLUTION OF INTRODUCTION**

***WHEREAS***, on October 2, 2024, Supervisor Frazier introduced a Local Law for the Town of Union Vale to be known as Local Law #2 of 2024, entitled “A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District”, which would amend §§210-3, 210-56(E) and 210-86 as set forth on the proposed Local Law attached hereto and incorporated herein as if recited herein; and

***WHEREAS***, by State Law the Dutchess County Department of Planning and Development has thirty (30) days to review and comment on proposed Zoning Law changes (General Municipal Law §239-m), and by Town Code a referral is required to the Town of Union Vale Planning Board §210-83(A); and

***WHEREAS***, an action to amend the Town Zoning Code is a Type I Action under the New York State Environmental Quality Review Act (SEQRA), and

***WHEREAS***, that because only the Town Board can consider and adopt changes to the Town Code, that it is the only involved agency, and the Board deems it appropriate and proper that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law,

### ***NOW THEREFORE BE IT RESOLVED,***

1. That a public hearing be held on October 16, 2024 at the Union Vale Town Hall in relation to the adoption of these Local Law amendments, and
2. Notice of said Public Hearing shall be posted and published in the official newspaper of general circulation in the Town of Union Vale by the Town Clerk, at least ten (10) days before such hearing, and that such Notice shall be in the following form:

**NOTICE OF PUBLIC HEARING*****TAKE NOTICE*** that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 (in the Town of Union Vale) on October 16, 2024 at 7:00 o'clock p.m. prevailing time, on proposed Local Law #2 of 2024, of the Town of Union Vale, Dutchess

County, New York, being "A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District".

3. Copies of the aforesaid proposed Local Law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between the date of this Notice and the date of the Public Hearing, and on the Town's website at [www.unionvaleny.us](http://www.unionvaleny.us) and all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at [www.unionvaleny.us](http://www.unionvaleny.us)). The Zoom invite for this public hearing is: <https://us02web.zoom.us/j/81850171331?pwd=yUMT3qutapaGATglqCmWS7V13wGaI> D.1 Meeting ID: 818 5017 1331 with Passcode: 893961. The invite for participating on Zoom will also be posted on the Town of Union Vale website [www.unionvale.ny.us](http://www.unionvale.ny.us) the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600. In-person attendees will be able to sign up when entering the hearing room. For any other questions contact the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600.

4. The proposed action is a Type I Action under SEQRA and the Town Board declares that it is the Lead Agency for purposes of conducting the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law.

5. The matter is referred for comment to Dutchess County Planning and the Town Planning Board and the Town Clerk is directed to deliver the entire packet of application materials to the Dutchess County Planning Board and the Town Planning Board for review and recommendation

pursuant to General Municipal Law §239-m §210-83(A) of the Town Code, respectively.

**Dated: Union Vale, New York**

**October 2, 2024**

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

Councilman Durland	Aye
Councilman Cartalemi	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Frazier	Aye

I, Andrea Casey, Town Clerk of the Town of Union Vale do hereby certify that the foregoing is a true copy of a resolution offered by Supervisor Frazier, seconded by Councilman Cartalemi, and adopted at the special meeting of the Town Board, held on October 2, 2024.

  
\_\_\_\_\_  
Andrea Casey, Town Clerk

**LOCAL LAW NO. 2 OF 2024 FOR THE TOWN OF UNION VALE, NEW YORK**

**A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District**

**Section 1.** Section 210-86 “Definitions” is amended as follows [deletions are ~~stricken~~ and additions are underscored]:

**CATERING FACILITY**

A facility providing a gathering place for the conduct of scheduled events such as parties, weddings, banquets, business meetings and similar events and food and beverages for invited guests, not to include a bar, tavern or restaurant open to the public though sometimes operated in tandem therewith. Where allowed only by special permit pursuant to §210-56(E) (17), a catering facility shall include short-term accommodations of not more than four consecutive nights. May also be referred to as "banquet hall."

**Section 2.** Section 210-3 District Schedule of Use Regulations/Residential Districts is amended as follows [deletions are ~~stricken~~ and additions are underscored]:

**210 Attachment 3**

**Town Code of the Town of Union Vale**

**Chapter 210**

**ZONING District Schedule of Use Regulations / Residential Districts [Amended 3-11-2010 by L.L. No. 12-2010; 8-15-2013 by L.L. No. 2-2013; 10-6-2016 by L.L. No. 3-2016; L.L. No. 1-2024 by L.L. No. 2-2024]**

Key: P Permitted Use P\*

Permitted Use subject to Site Plan Approval P\*\*

Permitted Use subject to Subdivision Plat Approval SP Use subject to Special Use Permit. Please refer to Article VI, § 90, reference for specific standards and requirements for certain SP uses.

SP\* Use subject to Special Use Permit and Site Plan Approval

SP\*\* Use subject to Special Use Permit and Subdivision Plat Approval X Prohibited Use

Structure/ Land Use	Zoning Districts					Special Permit Reference
	RD 10	RD 5	RD 3	RD 1.5	H	
Catering Facility	<u>SP*</u>	X	X	X	X	<u>210-56(E)(17)</u>
Conference Center	<u>X</u> <u>SP*</u>	SP *	SP *	X	X	210-53(E)(4)

**Section 3.** Section 210-56(E) “Standards and Requirements for Certain Special Permit Uses” is amended as follows [additions are underscored]:

210-56(E)(17) Catering Facility. A catering facility shall be allowed by special permit in the R10 district, provided that:

(a) The establishment of the catering facilities shall only be allowed on a parcel of not less than 50 acres;

(b) The development of the catering facility shall preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community, unless on the basis of substantial evidence the buildings in question are deemed unsafe or incapable of reasonable rehabilitation and/or the preservation of such scenic and natural areas cannot be achieved without resulting in other harm to scenic or natural areas or the disturbance of same is in connection with the enhancement of those or other on-site scenic or natural areas.

(c) The following design objectives are met:

[1] 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.

[2] Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.

[3] New construction shall be sited so as to have minimum impact on fields, meadows and woodlands. Major grading or changing of topography shall not be permitted.

[4] Unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.

[5] The maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet.

[6] Access to the facility shall be from a state or county highway.

[7] 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 shall apply to all structures associated with the facility including accessory buildings, improvements and parking.

[8] Lodging facilities shall be available for periods of not more than four consecutive calendar days must be provided as part of the catering facilities for the use and benefit of participants in events at the catering facility. The maximum number of guest rooms in the aggregate shall not exceed 10. The guest rooms may be provided in individual or attached structures and may be attached or unattached to the catering facilities.

[9] Approval shall be obtained by the Dutchess County Health Department for sanitary sewage and water supply facilities, including, as may be determined applicable by the Planning Board, certification through either the Health Department or a licensed professional engineer retained by the applicant that the existing on-site water supply and sanitary sewage facilities are sufficient to accommodate the additional demands of the catering facilities on the residential parcel such use is proposed.

[10] Other permitting or licensing requirements of State, local or federal laws rules or regulations



shall be satisfied.

[11] Accessory uses to the catering facility development shall be limited to the following:

[a] Meeting rooms.

[b] Restaurant and dining facilities serving exclusively guests during events.

[12] 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.

[13] Notwithstanding any other provision of this chapter, parking requirements shall be at least

[a] One space per guest room plus

[b] Either one space for each 150 square feet of retail/service area accessible to customers or one space per 200 square feet of gross floor area, whichever is greater, provided however

[c] The Planning Board shall have discretion to require such additional parking as may reasonably be deemed necessary and may approve land banked parking.

[14] Outdoor Use and Occupancy.

[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 later than 10 p.m., and in no event may amplified sound be used in any outdoor patio or terrace at any time.

[c] Operating Permits to commercial ventures. Any outdoor use shall require an operating permit pursuant to the New York State Building Code.

[d] The Design Standards set forth in the provisions of § 210-24 of this Chapter shall apply to the patio or terrace areas just as they shall to the buildings and interior spaces.

**Section 4.** If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

**Section 5.** Pursuant to Section 22 of the Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

**Section 6.** This local law shall be effective upon filing with the Secretary of State.

**UNION VALE TOWN BOARD MEETING OCTOBER 2, 2024**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Pat Cartalemi, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Town Attorney: Attorney Jeff Battistoni**

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Supervisor Frazier called the meeting to Order to Order and Salute to the Flag at 7:30PM

**Motion Approve Minutes:** Councilman Welsh made a motion to approve the July 3, 2024 Meeting minutes which was seconded by Councilman Cartalemi and all were unanimously in favor.

**Supervisors Report**

- Working on the budget, thanks Thank Sarah Cross, our Accountant, for working on the budget and helping to prepare it.

**Board Member Reports**

*Councilman Welsh* – reviewing the 2025 budget

*Councilman Cartalemi*- reviewing the 2025 budget

*Councilman Durland* – reviewing the 2025 budget

*Councilman McGivney*- reviewing the 2025 budget

**Town Clerk Report** Clerk Casey reminded the residents that school tax payments are paid directly to the district.

**Recreation, submitted by Recreation Director Maggie Collins**

Next Friday we will host our annual TGTT Halloween Party for the local school district's half day. Students K-5th can join us at Tymor Park for pumpkin painting, Halloween themed games, and costumes are highly encouraged. More information on bus transportation from ASCD schools and registration can be found on the Parks and Recreation website. On October 18th we will host our annual Halloween Movie night. Patrons can enjoy this free event and start off the Fall season watching a spooky themed movie in the park after the sun is down. There will be a food truck serving food and drinks before and during the movie, and we encourage visitors to bring chairs or a blanket to sit on. On Monday October 28th from 3:30PM - 5PM the Beekman Pharmacy will be providing a vaccine clinic in our Large Hall within the main Park building to provide access to annual flu shots, shingles, RSV, and other vaccines. Walk-ins are welcome; you must have a valid form of ID and Medicare/Insurance cards. For more information you may call the Beekman Pharmacy or visit our social media page. We are planning to host another Adult Paint and Sip program around early to mid-November. Once we have that scheduled we will post it on our social media and Parks and Recreation website.

**Parks Report October 2, 2024 Submitted by Vincent Germano**

- The equestrian center held its last event of the year this past Sunday and the porta potty will be getting picked up later in the month.
- We have been working hard to clear trails that are blocked by fallen trees or that are overgrown, and clearing along both sides of the stream.
- The pool has been covered and winterized for the season. We will be doing some small repairs in the off season.
- We have been doing some needed maintenance on our equipment and reorganizing our maintenance shop now that the grass has started to slow down for the year.
- Our new truck has returned from the dealership after it starting having problems with the theft deterrent system, it was still under warranty so it was taken care of and we are very grateful to have it back.

**Library Report**

Presented by Library Trustee, Mike McPartland:

Thanks to the Supervisor & Town Council for your consideration of 2025 budget. Like last year we're run rating to finish the year below budget we're about 40% below right now and we expect

to finish the year in approximately the same position um so we very much appreciate the support and pledge to work in close partnership at the town as we advance. We have hired a new library manager we're very excited to see him start. His name is Greg Belvidere who is our prospective hire is graduated Binghamton University with a BA in English he was a four-year deans candidate list on the dean candidate list and holds a master's degree from CW Post in library science. We're eager to continue the accomplishments achieved the date including receiving the New York State Charter. We have met with the Mid-Hudson Library System Executive Director who was made aware of the well we've been made aware of the requirements for membership we're comfortable that we qualify for all of them. we've been told that membership for the for libraries participating is about \$10,000 a year which is well within budget. Lastly, I wouldn't be able to talk about the new library manager without at least giving a great note of thanks to Karen Foley for the work that she did she stepped in at a very critical time. Her dedication to advancing our efforts is very much appreciated we wouldn't be so well positioned without it.

**Public Comments Agenda Items- None**

**Budget 2025**

Supervisor Frazier noted it was filed with the Town Clerk on September 30<sup>th</sup>. He noted the 0% tax increase at this time and feels they have covered the Town's needs. There will also be a public hearing for public comments

Councilman Welsh inquired about the sales tax huge increase with 2024 at \$300,000.00. For 2025 we are estimating \$450,000.00 revenue. Supervisor Frazier noted that year to date we are beyond that but will look into it for further explanation.

Councilman Cartalemi questioned the increases in personnel services some are 2-3% others are various numbers and wanted to know the reason. Supervisor Frazier offered if he had specific questions they could go over them individually, overall a few employees are working in job titles hey weren't properly being compensated for which account for the higher increases. There is a 3% increase for employees and a 2% for elected officials. Councilman Welsh inquired about the 37% increase for the Constables and Cartalemi noted the 17% increase for Justices and 23% for the Court Clerk. Supervisor Frazier noted that these had not been increased in several years whereas Councilman Cartalemi felt the Court loses money. He also noted the Library budget is lower than anticipated for what was promised in the Charter. Some members of the town board thought it has to be \$50.00 per user per the Charter. Supervisor Frazier noted that if it was at the library's requested amount it would increase the budget 14%. There was further discussion on what the library budget should be and the increases in other areas such as for healthcare and needing to add more to highway expenses. There was also further discussion on the amount of public hearings

**Motion for Budget Public Hearing**

Supervisor Frazier Motion for budget public hearing on November 6<sup>th</sup> which was seconded by Councilman Welsh.

Roll Call: Councilman Cartalemi- Aye  
Councilman Welsh- Aye  
Supervisor Frazier- Aye  
Councilman McGivney- Aye  
Councilman Durland- Aye

**Library Manager Position**

Greg Belvidere has applied Supervisor Frazier had concerns about filling this position without a CO and with the upcoming referendum. Councilman Cartalemi, Welsh and Durland agreed they are chartered and do have budget for this position and feel it would serve the Town especially in the current situation.

**Motion to Approve Library Manager**

Councilman Cartalemi made a motion to hire the Library Manager which was seconded by Councilman Durland.

Roll Call: Councilman Cartalemi- Aye  
Councilman Welsh- Aye

Supervisor Frazier- Nay  
Councilman McGivney- Nay  
Councilman Durland- Aye

The motion passed with 3 Ayes 2 Nays

**Discuss Deputy Code Enforcement Officer**

Supervisor Frazier stated anticipating retiring at the end of 2025 proposed deputy CEO for a smooth transition going forward, with projected income from upcoming projects the cost would be a part time position for 3 days at \$53,000. Everyone agreed this would be an ideal situation to cover the town, the Supervisor will look into any civil service requirements and a resolution will be prepared.

**Discuss replacing Constable/Code Enforcement vehicle**

The 2015 constable/ building dept vehicle will need to be replaced in the near future, both depts prefer a 4-door pickup truck around \$50,000 msrp and hopeful for less on state bid. There was further discussion on other replacement and revenue to cover this purchase. Councilman Cartalemi offered that other auctions may be a good avenue as well.

**Town Hall server (obsolete)**

Our new IT consultant has been reviewing the equipment and the server is outdated and obsolete. The \$11,000 is the estimated cost of replacement and firewall and this can be pulled from the budget. Everyone agreed this is a critical element and needs to be done sooner than later.

**Motion to Replace Server**

Supervisor Frazier made a motion to replace the server with proper equipment in the estimated cost of \$11,000, seconded by Councilman Welsh and all were unanimously in favor.

**Town Reassessment**

Supervisor Frazier spoke about this topic last meeting and wanted to introduced the topic of having a town wide reassessment. He learned from the tax assessor that a home here in Town recently sold um for \$1.2 million but was assessed at \$350,000. Based on this it is more evidence to support the need for having this performed.

**RD10 Code Change**

Councilman Cartalemi noted they got good feedback from George Kolb and ironed out all the issues.

Introduction for Public hearing Local Law 2 of 2024 topic change RD10 zone code. This is posted on the Town Website. (See Resolutions #2024-30)

**Public Comment on Town Issues**

Erna Puletz, Hynes Road, spoke about the library, the concerns are the room, the space is not being shared fairly. They are worried their space is being taken over and the only space there is room for is for eating and playing games

Jean Hildebrand, Jordan Court, lived here for 39 years, upset about the space being taken over she was under the impression that half the room was to be used she feels the added items and equipment is creating a hazard and inhibiting their events. She would like more support from the town board.

Jean Moore, Darren road, lives here 50 years disappointed hearing the space is being taken away from full use for the seniors and with any steps to increase the taxes. She has major concerns about the spending for the library vs paying.

Cynthia Anne Mercier, Verbank village, appreciates the community and old-world skills that are valued in this group. She mentioned the highly educated librarian and is concerned about the salary of this new individual and would like to know this amount. The two issues are the seniors and the library and the management. She had concerns about the egress and fire hazard, all 30 cannot fit, drain on revenue for rentals and events.

Mike McPartland, apologizes for the need for this meeting, is happy to sit and talk to the seniors and the recreation director to come up with a solution. Asks that all issues be brought forth

**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

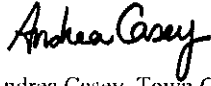
Councilman Durland made a motion to pay the bills and which was seconded by Councilman McGivney and all were unanimously in favor.

**Next Meeting**

October 16<sup>th</sup> at 7:30 and public hearing at 7:00 PM

**Motion to Adjourn** At 8:21 PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman McGivney and all were unanimously in favor.

Respectfully Submitted,

A handwritten signature in black ink that reads "Andrea Casey". The signature is written in a cursive, flowing style.

Andrea Casey, Town Clerk

# EXHIBIT B

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component in the RD10 District		
Project Location (describe, and attach a general location map): Refer to Zoning Map attached for identification of R10 sites.		
Brief Description of Proposed Action (include purpose or need): The Town Board of the Town of Union Vale proposes to establish a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District. The purpose of the project is to allow for and properly regulate catering facilities in this large-lot residential zone throughout the town in the best interests of immediate neighbors to any such development as well as the general health, safety and welfare of the Town, all in keeping with the character of the district. The proposed legislation will also require design features which ensure that such facilities will not appear to be traditional large-form commercial scale catering halls and/or associated traditional hotel forms in these pastoral settings.		
Name of Applicant/Sponsor: Town Board, Town of Union Vale		Telephone: 845-724-5600
		E-Mail: Townclerk@unionvaleny.us
Address: 249 Duncan Road		
City/PO: LaGrangeville	State: NY	Zip Code: 12540
Project Contact (if not same as sponsor; give name and title/role): Joseph P. Eriole, Esq., Attorney for the Town on this Action		Telephone: 845.452.5900
		E-Mail: jeriol@vandewaterlaw.com
Address: 249 Duncan Road		
City/PO: LaGrangeville	State: NY	Zip Code:
Property Owner (if not same as sponsor): NA		Telephone:
		E-Mail:
Address: 249 Duncan Road		
City/PO: LaGrangeville	State: NY	Zip Code: 12540

## B. Government Approvals

### B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board; adoption of zoning amendments	
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission	Town Board; adoption of zoning amendments	
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals	Town Board; adoption of zoning amendments	
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Town Board; adoption of zoning amendments	
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Town Board; adoption of zoning amendments	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Town Board; adoption of zoning amendments	
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	Town Board; adoption of zoning amendments	
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	Town Board; adoption of zoning amendments	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

R10

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

### C.4. Existing community services.

a. In what school district is the project site located? Arlington, Millbrook, Dover

b. What police or other public protection forces serve the project site?

NY State Police, Dutchess County Sheriff, local constables.

c. Which fire protection and emergency medical services serve the project site?

Union Vale Fire District

d. What parks serve the project site?

All town parks to the extent this is applicable, since the action would affect the R10 zone throughout the town.

### D. Project Details

#### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component in the RD10 District

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ NA acres

b. Total acreage to be physically disturbed? \_\_\_\_\_ NA acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ NA acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_

- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year

- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <span style="float: right;"><input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____</span>	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	
_____	
_____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	
_____	
_____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? If Yes:               <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?                  _____ Square feet or _____ acres (impervious surface)                  _____ Square feet or _____ acres (parcel size)</li> <li>ii. Describe types of new point sources. _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?                  _____                  _____</li> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>		
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>		
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

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iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

#### E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site			
a. Existing land uses.			
i. Check all uses that occur on, adjoining and near the project site.			
<input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
ii. If mix of uses, generally describe: _____			
b. Land uses and covertypes on the project site.			
Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

<p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: explain: _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database         </div> <div style="width: 45%;">           Provide DEC ID number(s): _____            Provide DEC ID number(s): _____         </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p> <p>_____</p>	



v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul>	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes:	
i. Name of aquifer: _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	



### **Section F Expansion**

The Town Board of the Town of Union Vale proposes to establish a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District.

With respect to impact mitigation, the entire purpose of the legislation is to allow for limited venue services and residential-style short term accommodations without the negative impacts associated with "conference centers." Conference centers are currently allowed in the R10 district. This legislation would make conference centers a prohibited use in the R10 and add catering facilities as a special permit use.

By creating a special permit specifically tailored to the type of catering facility deemed appropriate in the district, the Town exercise control over the impacts of any such development while encouraging attractive designs in keeping with the character of the district and the Town as a whole.

Limitations on the number of overnight lodging rooms available as well as tailored setback and design criteria ensure low impact development.

# EXHIBIT C

## NOTICE OF PUBLIC HEARING

**TAKE NOTICE** that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 (in the Town of Union Vale) on October 16, 2024 at 7:00 o'clock p.m. prevailing time, on proposed Local Law #2 of 2024, of the Town of Union Vale, Dutchess

County, New York, being "A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District".

Copies of the aforesaid proposed Local Law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between the date of this Notice and the date of the Public Hearing, and on the Town's website at [www.unionvaleny.us](http://www.unionvaleny.us) and all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at [www.unionvaleny.us](http://www.unionvaleny.us)). The Zoom invite for this public hearing is:

<https://us02web.zoom.us/j/81850171331?pwd=yUMT3qutapaGATglqCmWS7V13wGaID.1>

Meeting ID: 818 5017 1331 with Passcode: 893961

The invite for participating on Zoom will also be posted on the Town of Union Vale website [www.unionvale.ny.us](http://www.unionvale.ny.us) the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600. In-person attendees will be able to sign up when entering the hearing room. For any other questions contact the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600.

**UNION VALE TOWN BOARD MEETING OCTOBER 16, 2024 RD10 Public Hearing**  
**249 DUNCAN ROAD, UNION VALE, NEW YORK**  
**UNION VALE TOWN HALL 7:00 PM**  
**PRESENT: Supervisor Steve Frazier**  
**Town Council: Pat Cartalemi, Kevin Durland, Kevin McGivney, John Welsh**  
**Deputy Town Clerk: Emily Cole**  
**Town Attorney: Attorney Joe Eriole**

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Supervisor Frazier explained the purpose of this public hearing was regarding a potential code change to RD10 zoning and motioned the opening at 7:00pm seconded by Councilman Welsh and all were unanimously in favor. Attorney Eriole began by giving a summary of the process and noted no vote can take place tonight as there has been no response yet from Dutchess County and if no material changes are made to the potential law and review from Town Planner. Most changes were elaborating to what was already in the draft making clearer parameters for individuals. He further highlighted the changes, first item is 'landback' parking with added provisions such as a definition as a way to further preserve the green space. This would be further administered through a permitting process. Next, subsection 9 on lodging facilities a, that this allows lodging facilities however, the want to eliminate any doubt this is lodging for those not participating in the event such as a hotel. Attorney Eriole noted the Town Planner heavily suggested having a square footage limitation on the catering facility itself, and not for the maximum of the lodging facilities. The number was derived from 10 in the aggregate 5000 and thereby the number 500sqft was derived as a suite size from the Planners experience of what the Town wants to achieve in aesthetic. The third item #13, is further clarification on the 'landback' parking concept and further explained the idea, again in his opinion, not a material change. Another item the Planner had suggested would be the idea of not using typical paving for a parking lot, with preference to gravel or other materials for pervious materials for internal roads, not access points. This can be left out of the law and left up to the Planning Board to use their discretion based on the topography and safety of the landscape. Outdoor activities in 14b, more elaboration. Lastly, specific additions of studies the Planning Board could ask for such as noise, traffic study, and signage.

**Public Comment-** there were no comments from the public

The Board discussed factors such as 13B with regard to material for internal streets noting they like the idea but may not be appropriate for all areas and should be left for the Planning Board to distinguish per project. They also discussed the need for Planning Board to request traffic studies. There was further discussion on this topic.

**Motion to Remove Paragraph 13B**

Councilman Welsh made a motion to remove paragraph 13B as the Board feels it is not needed. This was seconded by Councilman Durland and all were unanimously in favor.

**Motion to Accept Amended Zoning Change**

Councilman Durland made a motion to accept the amended RD10 Zoning changes with exception of Paragraph 13B, which was already voted on. This was seconded by Councilman Cartalemi and all were unanimously in favor.

Attorney Eriole explained the Board should leave the public hearing open, and direct his office to redraft the changes and resubmit it to the Board and continue the hearing on the revised and final law which should leave room for the County's response. Attorney Eriole offered to send the revision to Dutchess County Planning.

**Motion to Continue the Hearing**

Supervisor Frazier made a motion to continue to Public Hearing until a later date which was seconded by Councilman Welsh and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk

**UNION VALE TOWN BOARD MEETING OCTOBER 16, 2024**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Pat Cartalemi, Kevin Durland, Kevin McGivney, John Welsh**

**Deputy Town Clerk: Emily Cole**

**Town Attorney: Attorney Joe Eriole**

**Highway Superintendent: Ed Kading**

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Supervisor Frazier called the regular meeting to order and Salute to the Flag.

**Motion Approve Minutes:** Councilman Welsh made a motion to approve the September 4, 2024 Meeting minutes which was seconded by Councilman Cartalemi and all were unanimously in favor.

**Supervisors Report**

- Made some minor refinements to the budget and added some figures that he was waiting to hear back on.

**Board Member Reports**

*Councilman Welsh* – reviewing the 2025 budget in detail and will report more later.

*Councilman Cartalemi*- reviewing the 2025 budget.

*Councilman Durland* – reviewing the 2025 budget.

*Councilman McGivney*- reviewing the 2025 budget.

**Town Clerk Report**

No Report as Deputy Cole was filing in for the Town Clerk who was attending training.

**Highway Superintendent Report**

Superintendent Kading reporting on road work and the status of some of the equipment. He further inquired about roads to abandon such as Wilcox Road as it is basically a driveway. Councilman Welsh agreed and Supervisor Frazier they would like to further research the legal issues.

**Recreation, submitted by Recreation Director Maggie Collins**

This afternoon the Parks Manager and I attended a meeting at Nooteeming Camp hosted by Dutchess County DPW Commissioner Robert Balkind. Our team and surrounding town's Parks and Recreation departments were invited to a tour of Camp Nooteeming campgrounds and building facilities. We were informed that in the future the County will be taking proposals from interested municipalities to potentially operate programs and rentals at the campground. It was very informative to see how they have operated their camp and a great chance to discuss different ideas on Summer Camp with fellow Recreation Directors.

This Friday we will be hosting our annual Halloween Movie Night. This is a free family event with the movie starting after the sun goes down at around 6:30pm and a food truck serving food before and during the movie. We encourage you to bring a chair or a blanket to sit on and bundle up for potentially cold weather. On Monday October 28th the Beekman Pharmacy will be providing a vaccine clinic in the large hall of the Main Park Building from 3:30-5pm. This clinic will allow residents close access to flu shots, RSV, shingles, and other vaccines. Walk-ins are welcome; you must have a valid form of ID and Medicare/Insurance cards. For more information, please see our event up on our social media pages as well as our Parks and Recreation website. Our team has enjoyed welcoming back students to our TGTT program for the half day off last Friday and the holiday this past Monday. Remaining Fall dates are open for registration on our Parks and Recreation website.

**Parks Report October 16, 2024 Submitted by Vincent Germano**

- We have been putting a lot of our time into clearing along the creek at the bottom of the Disc Golf Course.
- The grass is almost done growing so we are preparing to put our mowers away for the season.
- We have been clearing the leaves off most of the trails on the Tymor side of Duncan Road, we will move on to the ones on the equestrian center side in the coming weeks.



- The last of the roof work has been done, which included a small amount of siding and repairing a broken section of fascia and gutter.
- As the temperature is starting to get close to freezing we will be closing the seasonal bathrooms very soon.

### Library Report

Library Trustee President, Amy Watkins spoke about updates from the Library: . I will be as brief as possible and as always, if you or the residents have any questions, I am always available. Best on email during the workday because of my full-time job but I always enjoy hearing from you even if my response is slightly delayed.

1. An issue was brought up by the Town Supervisor earlier this year about the need for the library to complete an application for a Certificate of Occupancy, complete with drawings, and construction plans due, or he would ask the Building Department Head to shut the library down.
  - a. We never completed the application since we were not making any changes to the building (other than rugs, paint and new bookshelves)
  - b. Mr. Frazier threatened us in an email for not submitting the paperwork, but he said the town board agreed with this need as did the Building Dept.
  - c. WE observed there was never a town board vote on the matter so it would be difficult to say the "town board agreed". We proceeded on our own to research the issue.
  - d. We FOILED the town in search of all other applicants who use the space, namely the Seniors (on Fridays) and the Parks & Rec department to read their applications.
  - e. While it took the town longer than expected to respond to our FOIL, we found that no other users of the same space have completed an application for a Certificate of Occupancy.
  - f. We also found that the town issued Certificates of Compliance on the few occasions that construction work was taking place, and we assume that when we begin construction on the space upstairs to become the wonderful library space we envision, we will fill out all applications, get all building permits and follow all town rules for construction as users of the space in the past have.
  - g. Until then, our experts confirm to us, the space is pre-existing, non-conforming and therefore it should be grandfathered.
  - h. Until our construction permits are applied for in the future, we now consider this issue to be closed.
2. We have an exciting Civil Service update that was sent to Supervisor Frazier and me, so I apologize Board members if you have already read the news from him:
  - a. To summarize, Our Civil Service Representative confirmed from Albany the following --
  - b. Board of Regents charters establish not-for-profit educational corporations such as public libraries. (We received our hard-earned Charter in late July).
  - c. The library board of trustees, and not the town board has the authority to appoint and dismiss library personnel as per Education Law section 226(7). This is supported by the Opinions of the State Comptroller 74-614, June 7, 1974.
  - d. I am supplying the Dutchess County Human Resources Dept with the required paperwork, so from now on the Union Vale Library can hire on their own and no longer be a burden to the town board.
  - e. We thank you for your "Yea" votes in the past and look forward to working with you to deliver some wonderful services to our residents as equal partners.
3. Money requested by MHLS to join their system:
  - a. When meeting with the MHLS we learned that the annual cost to join the MHLS is \$4,000-\$8,000 and based on what we already have it would be closer to the \$4,000 amount.
4. We have been informed that there is a referendum on the ballot this election season which reads as follows:
  - a. Shall the town of Union Vale own and operate a public library?
  - b. Since we already have a chartered public library, we thought it might be helpful to put some context around these questions so we 'd like to invite all of you on the Board and all interested residents to join us next Wednesday, October 23rd at 7:00 PM at Library for a Q & A about the referendum.
  - c. We look forward to a good discussion and delivering many answers to any questions the public has before voting on November 5th.

Attorney Eriole advised Dr. Watkins to work with the Town Clerk to make sure the forum is properly noticed if the Town Board will be in attendance and will be speaking. He also wanted

on record that a Municipality should never be required to waive something that ought to be required just because it may have been missed in the past.

**Motion to Notice Library Forum**

Councilman Cartalemi made a motion to direct the Town Clerk to publish a public notice of the Library Forum on October 23<sup>rd</sup> at 7:00PM so the Town Board may attend and participate if necessary seconded by Councilman Welsh and all were in favor.

**Public Comment on Agenda Items- None**

Councilman Welsh added the Union Vale Fire Department is collecting soda tabs for the Ronald McDonald house.

**Motion to Approve Surplus**

Councilman Welsh made a motion to surplus the John Deere loader and various pipe fittings as surplus seconded by Councilman Cartalemi and all were unanimously in favor.

**RD10 Code Change**

Supervisor Frazier explained this was discussed at length during the public hearing prior to the meeting tonight. The changes will be posted on the website and the hearing will continue so they may wait to hear comments from Dutchess County Planning.

**2025 Budget Discussion**

Supervisor Frazier brought information to the meeting from questions that arose and also met with the Recreation Director on her budget and slight increase to camp registration fees which have made them all self-funded. The sales tax revenue through the end of September received is \$330,000 which explains how he arrived at the budgeted number. He further explained the Constable salary and that the original numbers from the prior year never included hours for training or working events totaling 516-man hours. Supervisor Frazier added \$5,000 as a savings for replacing future vehicles with cash saved. He also advised on the Justice line, after speaking with them although it is a cost to the Town it is necessary and added a raise for the Court Clerk. Councilman Cartalemi noted the increase to that salary being 23% from \$1,910 to \$2,349 and felt this was concerning along with Town Justice's salary increasing 17% since the Court always operates in the red. He feels this should be worked up to overtime and not do this in 1 year. Although he feels an increase is deserved he feels the focus should be on full-timers. There was further discussion on this topic as well as the sources of revenue. Councilman Cartalemi advocated going through the budget line by line at a special meeting.

**Public Comment on Town Issues**

Chuck Richwine, On the Green, spoke about potential charges from Mid Hudson Library System being in excess of the \$100,000 already being asked for. He noted the Millbrook Library is extremely under-utilized. He feels that the Mid Hudson System is antiquated as well as such institutions as post offices in the future. He noted the high cost of EMT service and advocated for combining forces perhaps as he has seen EMT's waiting for calls in 3 separate towns. He wishes the Town would focus on getting the cell tower revenue rather than fighting about the library. He invited the Town Board to either to call, email or visit his home to further discuss his ideas for the Town.

**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman Welsh made a motion to pay the bills and which was seconded by Councilman Cartalemi and all were unanimously in favor.

**Motion to Adjourn** At 8:15PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman Cartalemi and all were unanimously in favor.

Next meeting is November 6, at 7:30pm

Respectfully Submitted,



Andrea Casey, Town Clerk

# EXHIBIT D

# Dutchess County Department of Planning and Development

Exempt Only	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

## 239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Union Vale**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **LL regarding Catering Facilities, Temporary Lodging, and Conference Centers in the RD10 District**

Applicant: **Town Board**

Address of Property: **249 Duncan Rd, Lagrangeville, NY 12540**

### Exempt Actions: 239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

### No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

### Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☒ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other (Describe):

### Parcels within 500 feet of:

- ☐ State Road:
- ☐ County Road:
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested: **11/6/2024**

Entered By: **Gurnett, Clayton**

\*These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.\*

For County Office Use Only

## Response From Dutchess County Department of Planning and Development

### No Comments:

- ☐ Matter of Local Concern
- ☐ No Jurisdiction
- ☐ No Authority
- ☐ Withdrawn
- ☐ Incomplete - municipality must resubmit to County
- ☐ Exempt from 239 Review
- ☐ None

### Comments Attached:

- ☒ Local Concern with Comments
- ☐ Conditional
- ☐ Denial
- ☐ Incomplete with Comments- municipality must resubmit to County
- ☐ Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **10/17/2024**

Date Received: **10/17/2024**

Date Requested: **11/6/2024**

Date Required: **11/15/2024**

Date Transmitted: **11/6/2024**

Notes:

☐ Also mailed hard copy

☐ Major Project

Referral #: **ZR24-350**

Reviewer: 

Date Printed: 11/6/2024

**SUE SERINO**  
COUNTY EXECUTIVE



**EOIN WRAFTER, AICP**  
COMMISSIONER

**DUTCHESS COUNTY GOVERNMENT**  
**DEPARTMENT OF PLANNING & DEVELOPMENT**

November 6, 2024

To: Town Board, Town of Union Vale  
Re: **ZR24-350, LL Regarding Catering Facilities, Temporary Lodging, and Conference Centers in the RD10 District**

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

**ACTION**

The Town seeks to amend the Zoning Chapter of the Town Code in order to allow catering facilities with a "temporary lodging" component as a specially permitted use in RD10, and to remove conference centers as a permitted use in RD10.

**COMMENTS**

A clear definition should be provided for lodging facilities, also referred to as overnight lodging facilities in the draft local law, in Section 210-86 – Definitions.

Proposed Section 210-56(E)(17)(c)(14)(d) states "The Design Standards set forth in the provisions of § 210-24 of this Chapter shall apply to the patio or terrace areas just as they shall to the buildings and interior spaces." § 210-24 provides general performance standards relating to potential nuisances, while §210-64 provides site plan design criteria. The Board may want to reference both of these sections.

The definition of catering facility mentions that the use is not to include a bar or tavern, defined in the Town Code as "An establishment licensed under the laws of New York State for the sale of alcoholic beverages and their consumption on the premises". Given that these facilities have the potential to be sited on parcels with farm operations, the Board should consider including a subsection stating that this will not conflict with any provisions provided by Ag & Markets Law pertaining to on-farm wineries, cideries, distilleries, or breweries. See Ag & Markets guidance document titled "Guideline for Review of Local Laws Affecting Farm Operations Which Produce, Prepare and Market Crops for Wine, Beer, Cider and Distilled Spirits".

**RECOMMENDATION**

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner

By

A handwritten signature in black ink, appearing to read "CG", is written over a horizontal line.

Clayton Gurnett, Planner

# EXHIBIT E



**Town of Union Vale Planning Board**

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

Planning Board Members:

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

**Date: 11/14/2024**

RE: LOCAL LAW NO. 2 OF 2024 FOR THE TOWN OF UNION VALE, NEW YORK A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District

The Town of Union Vale Planning Board has reviewed the proposed local law and the following are our comments on it:

1. Section 17(b) should be revised to read: No sign shall ~~not~~ be internally illuminated or electronic but may be indirectly illuminated, unless required by state law or code.

With the recommended revisions, the Town of Union Vale Planning Board unanimously agreed to a favorable recommendation to the changes proposed in the local law.

---

Emily Cole, Planning Board Secretary

# EXHIBIT F



## **RESOLUTION OF RE-INTRODUCTION**

**WHEREAS**, on October 2, 2024, Supervisor Frazier introduced a Local Law for the Town of Union Vale to be known as Local Law #2 of 2024, entitled “A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District” “(Original Proposed Local Law””, which would amend §§210-3, 210-56(E) and 210-86 as set forth on the proposed Local Law attached hereto and incorporated herein as if recited herein; and

**WHEREAS**, the action was referred to the Dutchess County Department of Planning and Development pursuant to General Municipal Law §239-m), and to the Town of Union Vale Planning Board pursuant to Town Code §210-83(A); and

**WHEREAS**, a public hearing on the Original Proposed Local law was held on October 16, 2024 at which all wishing to be heard were heard, and although no comments were made by the public which required any revision to the Original proposed Local Law, the public hearing prompted discussion among Town Board members as to certain changes which were desired; and

**WHEREAS**, the Dutchess County Planning Board commented on the action by letter dated November 6, 2024 and its comments have been considered by the Town Board; and

**WHEREAS**, the Town of Union Vale Planning Board commented on the action by memo dated November 14, 2024 and its comments have been considered by the Town Board; and

**WHEREAS**, the Original Proposed Local Law was modified to reflect the comments of the Dutchess County Planning Department and are reflected in and incorporated into a redrafted Local Law (“Revised Proposed Local Law”); and

**WHEREAS**, the Union Vale Town Board wishes to consider the Revised Proposed Local Law; and

**WHEREAS**, the modifications to the Original Local law may be deemed sufficiently material to warrant a new public hearing on the Revised Proposed Local Law;

**NOW THEREFORE BE IT RESOLVED,**

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

3. Copies of the aforesaid Revised Proposed Local Law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between the date of this Notice and the date of the Public Hearing, and on the Town's website at [www.unionvaleny.us](http://www.unionvaleny.us) and all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at [www.unionvaleny.us](http://www.unionvaleny.us)). The Zoom invite for this public hearing is: <https://us02web.zoom.us/j/85112782960?pwd=Q1WX9Qzb7DvDWz8XuGD4tM6x1W> WLec.1 Meeting ID: 851 1278 2960 with Passcode: 525216. The invite for participating on Zoom will also be posted on the Town of Union Vale website [www.unionvale.ny.us](http://www.unionvale.ny.us) the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at

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

4. The proposed action is a Type I Action under SEQRA and the Town Board declares that it is the Lead Agency for purposes of conducting the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law.

5. The matter is referred for comment to Dutchess County Planning and the Town Planning Board and the Town Clerk is directed to deliver the entire packet of application materials to the Dutchess County Planning Board and the Town Planning Board for review and recommendation pursuant to General Municipal Law §239-m §210-83(A) of the Town Code, respectively.

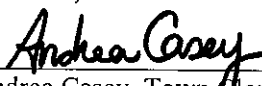
**Dated: Union Vale, New York**

**November 20, 2024**

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

Councilman Durland	Aye
Councilman Cartalemi	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Frazier	Aye

I, Andrea Casey, Town Clerk of the Town of Union Vale do hereby certify that the foregoing is a true copy of a resolution offered by Councilman Cartalemi seconded by Councilman Welsh, and adopted at the special meeting of the Town Board, held on November 20, 2024.

  
\_\_\_\_\_  
Andrea Casey, Town Clerk

LOCAL LAW NO. \_\_ OF 2024 FOR THE TOWN OF UNION VALE, NEW YORK

**A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District**

**Section 1.** Section 210-86 "Definitions" is amended as follows [deletions are ~~stricken~~ and additions are underscored]:

**CATERING FACILITY**

A facility providing a gathering place for the conduct of scheduled events such as parties, weddings, banquets, business meetings and similar events and food and beverages for invited guests, not to include a bar, tavern or restaurant open to the public though sometimes operated in tandem therewith. Where allowed only by special permit pursuant to §210-56(E) (17), a catering facility shall include short-term accommodations of not more than four consecutive nights. May also be referred to as "banquet hall."

**LAND BANKED PARKING**

Land designated to be reserved for a portion of parking required by this Code, which the Planning Board approves to be held and preserved as open space, rather than immediately constructed as parking.

**Section 2.** Section 210-3 District Schedule of Use Regulations/Residential Districts is amended as follows [deletions are ~~stricken~~ and additions are underscored]:

**210 Attachment 3**

**Town Code of the Town of Union Vale**

**Chapter 210**

**ZONING District Schedule of Use Regulations / Residential Districts [Amended 3-11-2010 by L.L. No. 12-2010; 8-15-2013 by L.L. No. 2-2013; 10-6-2016 by L.L. No. 3-2016; \_\_\_\_\_ - \_\_-2024 by L.L. No. \_\_-2024]**

Key: P Permitted Use P\*

Permitted Use subject to Site Plan Approval P\*\*

Permitted Use subject to Subdivision Plat Approval SP Use subject to Special Use Permit. Please refer to Article VI, § 90, reference for specific standards and requirements for certain SP uses.

SP\* Use subject to Special Use Permit and Site Plan Approval

SP\*\* Use subject to Special Use Permit and Subdivision Plat Approval X Prohibited Use

Structure/ Land Use	Zoning Districts				Special Permit Reference
	RD 10	RD 5	RD 3	RD 1.5	
Catering Facility	<u>SP*</u>	X	X	X	X <u>210-56(E)(17)</u>
Conference Center	<del>X</del> <u>SP*</u>	SP *	SP *	X	X 210-53(E)(4)



Section 3. Section 210-56(E) "Standards and Requirements for Certain Special Permit Uses" is amended as follows [additions are underscored]:

210-56(E)(17) Catering Facility. A catering facility shall be allowed by special permit in the R10 district, provided that:

(a) The establishment of the catering facilities shall only be allowed on a parcel of not less than 50 acres;

(b) The development of the catering facility shall preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community, unless on the basis of substantial evidence the buildings in question are deemed unsafe or incapable of reasonable rehabilitation and/or the preservation of such scenic and natural areas cannot be achieved without resulting in other harm to scenic or natural areas or the disturbance of same is in connection with the enhancement of those or other on-site scenic or natural areas.

(c) The following design objectives are met:

[1] 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.

[2] Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.

[3] New construction shall be sited so as to have minimum impact on fields, meadows and woodlands. Major grading or changing of topography shall not be permitted.

[4] Unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.

[5] The maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet.

[6] Access to the facility shall be from a state or county highway.

[7] 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 shall apply to all structures associated with the facility including accessory buildings, improvements and parking.

[8] Lodging facilities design features:

[a] Overnight lodging facilities shall be available for periods of not more than four consecutive calendar days per guest and must be provided as part of the catering facilities for the use and benefit of participants in events at the catering facility. The overnight lodgings shall not be used or hired for transient guests not associated with an event on site.

[b] No more than one of the guest rooms may be attached to the catering facilities; the others must be accessory outbuildings in order to avoid the appearance of a hotel or motel structure.

[c] The maximum number of guest rooms in the aggregate shall not exceed 10. The

[d] The maximum aggregate square foot footprint of the lodging facilities shall be 5,000 square feet.

[e] The outbuilding guest rooms may be provided in individual or attached structures and may be attached or unattached to the catering facilities.

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[9] Approval shall be obtained by the Dutchess County Health Department for sanitary sewage and water supply facilities, including, as may be determined applicable by the Planning Board, certification through either the Health Department or a licensed professional engineer retained by the applicant that the existing on-site water supply and sanitary sewage facilities are sufficient to accommodate the additional demands of the catering facilities on the residential parcel such use is proposed.

[10] Other permitting or licensing requirements of State, local or federal laws rules or regulations shall be satisfied.

[11] Accessory uses to the catering facility development shall be limited to the following:

[a] Meeting rooms.

[b] Restaurant and dining facilities serving exclusively guests during events.

[12] 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.

[13] Notwithstanding any other provision of this chapter, parking requirements shall be at least

~~[a] One~~one space per guest room plus

~~[b] Either~~either [a] one space for each 150 square feet of ~~retail~~service area accessible to customers or [b] one space per 200 square feet of gross floor area, whichever is greater, provided however

~~[e] The that the~~ Planning Board shall have discretion to require such ~~lesser or~~ additional parking as may reasonably be deemed necessary ~~and where based upon a traffic study certified by a qualified professional and reviewed by the Town Engineer or Planner, and the Planning Board may approve land banked parking. Land banked parking of up to 25% of the parking which would otherwise be required where:~~

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(1) Sufficient evidence has been provided by the applicant that supports the reduced parking needs.

(2) The area proposed for land banking of parking spaces is an area suitable for parking at a future time.

(3) The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.

(4) As part of the site plan review process, the applicant shall show the area to be banked on the site plan and marked as "Land Banked Future Parking."

(5) The Zoning Administrator or Building Inspector shall have the right to inspect the usage of the property from time to time during its operation to determine in their reasonable discretion whether all or any portion of the land banked parking area should be constructed as parking spaces.

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[14] Outdoor Use and Occupancy.

[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 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.

[c] Operating Permits to commercial ventures. Any outdoor use shall require an operating permit pursuant to the New York State Building Code.

[d] The Design Standards set forth in the provisions of § 210-24 of this Chapter shall apply to the patio or terrace areas just as they shall to the buildings and interior spaces.

[15] The Planning Board may require a 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.

[16] The Planning Board may require a lighting plan. All outdoor lighting associated with the special event 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.

[17] Signage.

[a] Only one freestanding sign up to 24 square feet is permitted per facility, which shall be located at the primary ingress to the property. Internal directional signs are permitted which shall not exceed 8 square feet. **No sign shall be internally illuminated**

[b] No sign shall not be internally illuminated or electronic but may be indirectly illuminated, unless required by state law or code.

[c] Temporary directional signage is allowed during event activities for parking and traffic flow as well as any required by the Planning Board for safety measures along access roads.

**Section 4.** If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

**Section 5.** Pursuant to Section 22 of the Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

**Section 6.** This local law shall be effective upon filing with the Secretary of State.

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**LOCAL LAW NO. 2 OF 2024 FOR THE TOWN OF UNION VALE, NEW YORK**

**A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District, As Revised**

**Section 1.** Section 210-86 "Definitions" is amended as follows [deletions are ~~stricken~~ and additions are underscored]:

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**Town Code of the Town of Union Vale**

**Chapter 210**

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Key: P Permitted Use P\*

Permitted Use subject to Site Plan Approval P\*\*

Permitted Use subject to Subdivision Plat Approval SP Use subject to Special Use Permit. Please refer to Article VI, § 90, reference for specific standards and requirements for certain SP uses.

SP\* Use subject to Special Use Permit and Site Plan Approval

SP\*\* Use subject to Special Use Permit and Subdivision Plat Approval X Prohibited Use

Structure / Land Use	Zoning Districts					Special Permit Reference
	R D1 0	R D 5	R D 3	R D	H	

				1. 5		
Catering Facility	<b>SP*</b>	X	X	X	X	<b>210-56(E)(17)</b>
Conference Center	<b>X</b>	S P*	S P*	X	X	<b>210-53(E)(4)</b>

**Section 3.** Section 210-56(E) “Standards and Requirements for Certain Special Permit Uses” is amended as follows [additions are underscored]:

210-56(E)(17) Catering Facility. A catering facility shall be allowed by special permit in the R10 district, provided that:

(a) The establishment of the catering facilities shall only be allowed on a parcel of not less than 50 acres;

(b) The development of the catering facility shall preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community, unless on the basis of substantial evidence the buildings in question are deemed unsafe or incapable of reasonable rehabilitation and/or the preservation of such scenic and natural areas cannot be achieved without resulting in other harm to scenic or natural areas or the disturbance of same is in connection with the enhancement of those or other on-site scenic or natural areas.

(c) The following design objectives are met:

[1] 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.

[2] Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.

[3] New construction shall be sited so as to have minimum impact on fields, meadows and woodlands. Major grading or changing of topography shall not be permitted.

[4] Unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.

[5] The maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet.

[6] Access to the facility shall be from a state or county highway.

[7] 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 shall apply to all structures

associated with the facility including accessory buildings, improvements and parking.

[8] Lodging facilities design features:

[a] Overnight lodging facilities shall be available for periods of not more than four consecutive calendar days per guest and must be provided as part of the catering facilities for the use and benefit of participants in events at the catering facility. The overnight lodgings shall not be used or hired for transient guests not associated with an event on site.

[b] No more than one of the guest rooms may be attached to the catering facilities; the others must be accessory outbuildings in order to avoid the appearance of a hotel or motel structure.

[c] The maximum number of guest rooms in the aggregate shall not exceed 10.

[d] The maximum aggregate square foot footprint of the lodging facilities shall be 5,000 square feet.

[e] The outbuilding guest rooms may be provided in individual or attached structures.

[9] Approval shall be obtained by the Dutchess County Health Department for sanitary sewage and water supply facilities, including, as may be determined applicable by the Planning Board, certification through either the Health Department or a licensed professional engineer retained by the applicant that the existing on-site water supply and sanitary sewage facilities are sufficient to accommodate the additional demands of the catering facilities on the residential parcel such use is proposed.

[10] Other permitting or licensing requirements of State, local or federal laws rules or regulations shall be satisfied.

[11] Accessory uses to the catering facility development shall be limited to the following:

[a] Meeting rooms.

[b] Restaurant and dining facilities serving exclusively guests during events.

[12] 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.

[13] Notwithstanding any other provision of this chapter, parking requirements shall be at least one space per guest room plus either [a] one space for each 150 square feet of service area accessible to customers or [b] one space per 200 square feet of gross floor area, whichever is greater, provided however that the Planning Board shall have discretion to require such lesser or additional parking as may reasonably be deemed necessary where based upon a traffic study certified by a qualified professional and reviewed by the Town Engineer or Planner, and the Planning Board may approve land banked parking. Land banked parking of up to 25% of the parking which would otherwise be required where:

(1) Sufficient evidence has been provided by the applicant that supports the reduced parking needs.

(2) The area proposed for land banking of parking spaces is an area suitable for parking at a future time.

(3) The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.

(4) As part of the site plan review process, the applicant shall show the area to be banked on the site plan and marked as "Land Banked Future Parking."

(5) The Zoning Administrator or Building Inspector shall have the right to inspect the usage of the property from time to time during its operation to determine in their reasonable discretion whether all or any portion of the land banked parking area should be constructed as parking spaces.

#### [14] Outdoor Use and Occupancy.

[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 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.

[c] Operating Permits to commercial ventures. Any outdoor use shall require an operating permit pursuant to the New York State Building Code.

[d] The Design Standards set forth in the provisions of § 210-24 and §210-64 of this Chapter shall apply to the patio or terrace areas just as they shall to the buildings and interior spaces.

[e] Operations authorized and approved pursuant to these 256(E)17) shall not conflict with any provisions of the Agriculture & Markets Law pertaining to on-farm wineries, cideries, distilleries, or breweries.

[15] The Planning Board may require a 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.

[16] The Planning Board may require a lighting plan. All outdoor lighting associated with the special event 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.

[17] Signage.

[a] Only one freestanding sign up to 24 square feet is permitted per facility, which shall be located at the primary ingress to the property. Internal directional signs are permitted which shall not exceed 8 square feet.

[b] No sign shall be internally illuminated or electronic but may be indirectly illuminated, unless required by state law or code.

[c] Temporary directional signage is allowed during event activities for parking and traffic flow as well as any required by the Planning Board for safety measures along access roads.

**Section 4.** If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

**Section 5.** Pursuant to Section 22 of the Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

**Section 6.** This local law shall be effective upon filing with the Secretary of State.

**UNION VALE TOWN BOARD MEETING NOVEMBER 20, 2024**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Pat Cartalemi, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Town Attorney: Attorney Jeff Battistoni**

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Supervisor Frazier called the meeting to Order to Order and Salute to the Flag at 7:30PM

**Motion Approve Minutes:** Councilman Welsh made a motion to approve the October 2, 2024 and September 18, 2024 meeting minutes which was seconded by Councilman Cartalemi and all were unanimously in favor.

**Supervisors Report**

- Addition to agenda due to auction results motioned to add to the agenda under new business, motioned by Councilman Welsh and seconded by Councilman Cartalemi.
- Finance Report: General Checking: \$ 95,341.00 General Savings: \$4,920.00, MSC Receipts: \$132,133.00, General MM: \$77,850.00 General NYCLASS: \$2,630,328.00, General NYCLASS-ARP: \$ 149,012.00 Total \$3,899,469.00
- Highway Checking: \$48,491.00, Highway Savings: \$2,242.00, Highway MM: \$31,989.00, Highway NYCLASS: \$70,576.00, Highway New Acct for W. Clove Mtn Bridge: \$584,432.00, NYCLASS- Reserve \$149,012.00, Total \$866,724 **Grand Total: \$4,786,211.00**

In light of a number of statements made at the last Board meeting, I have some comments to make in regards to the chronology of preparing the 2025 Union Vale operating budget. The budget was filed on time on September 30 and distributed to Town Board members in addition to being posted on the website. In the email along with the budget proposal I suggested the Board members review it and notify me of any concerns or suggestions of change. I also offered to schedule additional meetings to discuss the budget both in the email and at every Board meeting since if any Board members saw the need. No such requests have been made.

Our first Board meeting after the budget was introduced was two days later and I realized the Board members may have not had sufficient time to study the budget in detail and again made an appeal to let me know of any concerns they may have or if they'd like to schedule additional meetings. There were some preliminary concerns expressed, one being the amount of revenue predicted from sales tax and another the pay raises contained in the budget. I explained the pay raises were a 3% increase for staff with exceptions, and 2% increase for elected officials. The exceptions to the 3% pay raises were given to employees who have been working outside of their job titles and have not been properly compensated for the work they are doing. These employees are in both our Parks and Recreation departments. Our serving Recreation Director was raised to the level the previous Recreation Director had been paid as was our Park Manager. One Parks employee has been working in the position of Maintenance Worker and has not been receiving the pay rate associated with that position. Union Vale does not and has not offered longevity raises. The pay rates assigned to these positions have resulted in a base pay plus a cost of living increase through the years. A new employee is entitled to the same rate of pay as a seasoned employee in the same position. It was stated that salary increases amount to \$113,00. The amount resulting from pay raises is \$54,500 spread over 22 employees. Additional funds are expended on two new positions to be explained in a few moments and the increase to the Recreation Director salary was achieved by increasing program user fees. These increases have been achieved by moving funds around within the budget and by revenue projections. In preparing the 2025 budget I discovered several instances where budget lines have been underfunded. I corrected these. I was also informed that our tax assessor data collector, a position that had been in place historically had been cut previously, and the need for this personnel still exists. I restored this position in the budget. The Code Enforcement Officer expressed that he plans to retire end of 2025 and we made provisions to hire a Deputy Code Enforcement Officer to train for the position in the upcoming year. The Code Enforcement Officer projected this cost could be covered with anticipated increased revenue for 2025.

In studying past budgets I also discovered that anticipated sales tax revenue had been grossly underestimated for several years. I brought this closer in line with actual receipts with a still comfortable cushion. Several Board members expressed concern over this. In response, when actual insurance quotes came in at \$34,000 less than we had predicted rather than reallocate those funds to be spent we lowered the anticipated sales tax by that amount to quell Board member fears.

At each meeting several Board members have been very critical of the budget I've submitted but have offered absolutely no suggestions for change. The traditional manner in preparing and amending a budget would be for a Board member to suggest a change, we discuss among each other and reach an agreement or compromise on what the amendment should be. That has not happened at all in this case. It is the burden of the Board members to make these suggestions, not myself, however in each case there has been a concern I've given a suggested option to correct. Again, there has been no effort on behalf of the Board members to even consider the suggestions I've offered.

At our last meeting three members of the Board demanded they receive the Excel files of the budget. I stated this was highly irregular and contested it has never been done in the past here in Union Vale. One Board member insisted they had but I've confirmed they have not. I've also spoken with several neighboring towns and none of them follow that practice, instead following the steps I described previously.

I have proposed a lean and solid budget. I've patched holes discovered, am properly compensating our employees and have covered the entire Recreation budget including the Recreation Director salary increase with activity fee registration increases. I've also accomplished this with a 0% levy increase to the residents. This budget has been prepared in accordance with regulations set forth by the NY State Comptroller's Office.

#### **Board Member Reports**

*Councilman Welsh* – checking into infrastructure including furnace pond dam has concerns about water level and wants this to be addressed and wants the FEMA money used to correct the West Clove MT bridge. Supervisor Frazier noted the engineer was compiling a response and further explained the need for core drilling per opinions from 2 engineers.

*Councilman Cartalemi*- working on 2025 budget line by line to sure up numbers and be more comprehensive. He also commented on Supervisor Frazier's budget response and explained the need for the excel spreadsheet.

*Councilman Durland* – has been reviewing the 2025 budget. He also agrees the dam is a costly project either way and feels it's prudent to do the core drills to see the outcome.

*Councilman McGivney*- attended the Equestrian end of year event and commended Loretta Ryan, Director on the event. Reminds residents the burn ban is still in effect.

**Town Clerk Report** Clerk Casey advised that the 2025 Recycling permits will be on sale as of the first week of December.

**Highway Report** – no report, Ed Kading was unable to attend.

#### **Recreation, submitted by Recreation Director Maggie Collins**

On Wednesday December 4th we will host a Cookie Swap at Town Hall from 5pm-7pm. Residents and friends can join in on sharing their favorite cookie recipes and sweet treats with the community. If you are interested in joining please email me at [recreation@unionvaleny.us](mailto:recreation@unionvaleny.us) by the end of the day December 3rd so we can ensure you have a spot at a table and so we can keep you in touch about any additional or important information leading up to the event. We recommend participants bring at least two dozen of your treats to share, bring yourself a container to take goodies home, and we please ask that you let our staff know if your baked goods contain common allergens such as peanuts, tree nuts, and dairy either via email or when you arrive so we may add a label to your table to inform other attendees. Placements for first, second, and third will be announced at 6:30pm. Registration has been open for our Grand Illumination event scheduled for Saturday December 7th from 4:30pm-6pm. This event is free for residents and \$5 per family for non-residents. Families and friends can enjoy warm drinks and snacks, crafts, and a visit from Santa. At 6pm all will be invited outside into the park to enjoy watching the holiday lights turn on and start off the Winter season. We will also once again be accepting unwrapped toy donations on behalf of the Hope Through Pope toy drive. These toy donations will be enjoyed by the Children's Home of Poughkeepsie. The donation box is currently placed up in Town Hall, and will be located Santa at the Grand Illumination. More

information for both of these events can be found on our social media pages and the Parks and Recreation website.

**Parks Report November 20, 2024 Submitted by Vincent Germano**

- We have continued clearing leaves and down trees from trails and have started preparing for snow if it comes.
- The lift we rented has been returned after having it for a week. We were able to hang lights on the main park building, pole barn, town hall, and the #11 rental house, as well as trim multiple trees around the park.
- The seasonal bathrooms are closed and a porta potty will be moved down into the park once the soccer season concludes this Saturday.
- Many of the Christmas lights we put up around the park are older and failing, we have started to go through them and replace sections that don't work with new lights. We will be putting up lights and prepping for the grand illumination for the next few weeks.

**Animal Control, Submitted by ACO, Mary Jean Calvi**

Animal Control Report for the month of October 2024

During the month of October, there were no lost dogs and no found dogs. (received via email)

**Library Report**

Presented by Library Trustee President, Amy Watkins

The trustees had extensive conversations with three different attorneys both before and after the election two of the attorneys are referendum or ballot proposition experts and the third attorney is a library attorney. All three attorneys were on the same opinion about the recent ballot proposition due to the way the proposition was worded it was considered a nonbinding survey question which has no legal premise or reference to any statute it was not clear to some of the voters that a library already existed it was unclear to voters what happened if they voted no and it was also unclear to voters what happened if they voted yes and it is in no way shape or form a premise for abolishing the library the trustees have discussed the matter with the library Development Division in Albany and were happy to receive their support and encouragement we see our challenge as needing to get away from the politics surrounding this Library so we can focus on building the programs and services that an adorable rural library and a beautiful Park can offer. In addition, we have shared that the library uh portion of the budget does not raise the residents taxes the trustees have voted not to request more than the \$50 per capita for the next five years with this good faith effort we're showing our commitment to the fiscal responsibility of our to our residents. I also wanted to follow up because I know spam can be our worst enemy when it comes to email to an email that I sent to the supervisor on November 13, 2024 requesting that you affect the transfer of all Library funds from the town's bank account to the library's bank account immediately under New York State Ed law 259 it specifies that all money received from taxes and other public sources for the support of a public library or a free association library or a Cooperative Library System shall be paid over to the treasurer of such library or cooperative Library System upon the written demand of its trustees again please consider this our formal request for all encumbered and unspent funds from the 2023 and 2024 as well as all budgeted funds for the 2025 and into the future um we also continue to work on completing the library registration application and as always if you have any questions please do not hesitate to reach out to us you can reach us at trustees UV library.org

Attorney Battistoni noted he would have to research if the funds transfer should be done by the end of the year and offered to look research this for next meeting.

**Public Comments Agenda Items-**

Paula Young, Verbank Club Road, recently volunteered to help the library efforts, she cannot see anyone not being a fan of library's as she herself has found them to be extremely helpful in her life. She found information that was distributed about the library proposition was misleading after researching online and printed material. She feels if the information was presented differently it would have resulted in a different outcome.

Eileen Pucci, Hoofprint Road, wanted to remind residents resoundingly chose to not build a library in the town. She noted there are multiple library's in the area. She has concerns that the



costs will increase over time for operating cost and does not wish for a tax increase when the town has access to libraries.

Amy Hardisty, Liberty Way, spoke about the RD10 code change she objects to the code change allowing a catering facility in the acreage and sited other event venues in the area and the larger number of acres that these possess. She is very concerned about the noise, traffic and feels it poses a safety hazard to the surrounding area.

Vicki Pittman, Bruzgul Road, has concerns about the RD10 zone change as the parcel almost touches her property and is worried about being notified about these changes and would like more information.

Jean Moore, Darren Road, agrees this has been an ongoing topic and feels the residents have said many times they do not want a physical library and feels the library's in the area are sufficient and feels the Board should listen to the residents vote on this year's ballot.

Kevin Harrington, Chestnut Ridge Road, 66% of the town voted against the proposition and feels it was not poorly written and went through the proper channels. He cited not having seen the charter and would like to review it. He further spoke about the other library's in the area and costs.

Leah Struzzi, Wingdale Mtn Rd, spoke about her meeting with the former Supervisor about plans for the library and issues with paying mid-Hudson library systems. She noted that if a library increases the value of town and thereby will raise property values and is concerned about increased budget costs. She is not in favor of Union Vale building its own library due to costs and having other library's in the area.

#### **Large Hall Rental**

This went on during early voting and the restroom backed up which caused a major issue with the preplanned event. In the future the fee for park staff to be on hand.

#### **Motion to Refund Rental Fee**

Councilman Welsh motioned to refund the full amount of the rental fee seconded by Councilman McGivney all were unanimously in favor.

#### **RD10 Code Change**

Joe Eriole, summarized the RD10 changes to date, comments were received from DC County Planning and Union Vale Planning Board, and public enough to make changes to the law. Thereby this triggers a new public hearing with the clean copy of the law. DC will have an additional 30 days to make comments again and he further explained the process of adopting it and he suggest the public hearing be set for December 4<sup>th</sup>, 2024. Councilman Cartalemi asked about making changes and Attorney Eriole only nominal changes can be made, material changes would need to be re-noticed and reintroduced. He further noted that the RD10 change is a specifically for this type of use. If adopted, this would then need to be approved by Planning Board which could go along with an additional permitting process and public hearings. Councilman Cartalemi pointed on this is very detailed compared to other areas of the code.

#### **Motion to set Public Hearing for RD10**

Councilman Cartalemi made a motion to set a public hearing for RD10 reintroduction changes for December 4<sup>th</sup> at 7:00 PM seconded by Councilman Durland and all were unanimously in favor. (See Resolutions formal reading was waived)

#### **Resolution TOWN OF UNION VALE TOWN BOARD RESOLUTION NO. 32-2024: AUTHORIZING PURCHASE OF CONSTABLE/BUILDING DEPARTMENT REPLACEMENT VEHICLE**

#### **2025 Budget Discussion**

Councilman Cartalemi made his suggested to the 2025 budget

- Sales tax revenue is on target
- Disagrees with recycling center feels it should be increased in revenue to \$

- Interest \$80,000 budget to 140 and feels it should be \$115,000 due to average of last 3 years and feels due to necessary infrastructure costs will deplete the accounts thereby decreasing budget
- Property rental 90,000 on pace to be 100,000 hopes cell tower
- Building fees, budgeting \$220,000 and is worried about a potential upcoming project 155,000
- No increases in new revenue streams, although increases in existing revenue and would like to see this happen in 2025.
- TGTT current revenue \$9,000 and \$30,000 expenses – feels this needs to be addressed
- Expenses- Town Board Members do not need a raise changed to 0% increase
- Town Justice, feels a \$4000 raise total is too high but court clerk \$700-800 increase
- Supervisor no pay increase, confidential secretary line is budgeted for \$20,000 since the position is vacant proposes to move the \$10,000 of the \$20,000 to the Bookkeeper to keep her raise intact
- Tax Collector Raise, got a raise by removing Saturday hours
- Budget Officer raise should have 0% and thinks she should be the budget officer
- Town Clerk 3% raise
- Legal fees and Engineering fees – this should be decreased both down \$35,000 as well and this should be part of capital projects list
- Fuel, changed that to \$4,000
- Building Inspector, building deputy, reduce deputy to 8 weeks of training rather than 12 months no increase in salary
- Recreation Director should be at 3% increase
- Park Manager 3% increase
- Maintenance Helpers 3% increase
- 7410 – library increasing to \$255,000
- WC – same
- Highway Employees 3% increase
- Which would result in a 0% tax increase

Councilman McGivney disagrees with decreasing building deputy and the increase to the library budget. There was further discussion on this issue of funding the library.

Attorney Battistoni advised that they Town Board adopt the preliminary budget or if Councilman Cartalemi has a budget in a proper form it can be voted on as today is the deadline.

#### **Motion to Adopt Budget Officers 2025 Budget**

Supervisor Frazier made a motion to approve the tentative budget as prepared by the Budget Officer for 2025. This was seconded by Councilman McGivney and a roll call vote was requested:

Councilman Cartalemi	Nay
Councilman Durland	Nay
Councilman McGivney	Aye
Councilman Welsh	Nay
Supervisor Frazier	Aye

Final Vote 2/3 - failed

Supervisor Frazier motion to table the budget discussion until copies could be printed which was seconded by Councilman Welsh and all were unanimously in favor.

#### **Surplus Highway Equipment**

Results of loader came back from auction Loader was \$12,000 and pipe fittings at \$650 not exactly what we were hoping for but as per the Highway Superintendent, it is close enough.

Councilman Welsh made a motion to accept the bid results and sell the surplus items, seconded by Councilman McGivney all were unanimously in favor.

#### **(Recess during printing)**

Councilman Cartalemi distributed his copy of the 2024 budget

Councilman McGivney spoke about his concerns with having no time to review the changes and feels very apprehensive about passing this budget and is worried about not having had the time to

review these changes. Supervisor Frazier also cited that he was elected to take the town in a different direction and feels he had done that in his version that was solid, with support from the public, and a clear message not to fund a library in Union Vale and is concerned about passing a budget prepared by Councilman Cartalemi.

There was further discussion on the budget process.

**Motion to Approve 2025 Budget**

Councilman Welsh made a motion to approve the 2025 budget as presented by Councilman Cartalemi which was seconded by Councilman Durland and a roll call vote was requested:

Councilman Cartalemi	Aye
Councilman Durland	Aye
Councilman McGivney	Nay
Councilman Welsh	Aye
Supervisor Frazier	Nay
Final Vote 3/2 - passed	

**Public Comment on Town Issues**

Chuck Richwine, On the Green, commended Councilman Cartalemi on his budget and compared the introduction of summer camp years ago being a position akin to the library. He feels if the Board and Library work together it will be more efficient than using MHLS.

Amy Watkins, Cunningham Drive, inquired about the transfer of funds and hopes due to the fact that they are chartered.

Paula young, Verbank Club Road, pleased that the library will not increase revenue and looks forward to this being a wonderful opportunity for the town.

Leah Struzzi, Wingdale Mtn Road, spoke about the budget and being dissatisfied.

Betsy Maas, Clove Road, spoke about the library and how the decision came to be and the history of arriving at the decision of not choosing to contract with Mid Hudson Library System and to build a library in the Town of Union Vale. She cited having a Town Board more involved in managing town funds is better than sending it to MHLS.

Kevin Harrington, Chestnut Ridge Road, commented on the interesting statements made tonight and noted the majority of residents voting on the proposition which was clear. He noted statement that were made to him about donations

Tillman- Shaughnessy Road, inquired if this 501c3 had been filed with the IRS

**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman Durland made a motion to pay the bills and which was seconded by Councilman McGivney and all were unanimously in favor.

**Next Meeting**

December 4<sup>th</sup> at 7:30 and RD10 public hearing at 7:00 PM

**Motion to Adjourn** At 9:51PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman McGivney and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk

# EXHIBIT G

## **NOTICE OF PUBLIC HEARING**

***TAKE NOTICE*** that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 (in the Town of Union Vale) on December 4, 2024 at 7:00 o'clock p.m. prevailing time, on proposed Local Law #2 of 2024, of the Town of Union Vale, Dutchess County, New York, being "A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District as Revised".

Copies of the aforesaid Revised Proposed Local Law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between the date of this Notice and the date of the Public Hearing, and on the Town's website at [www.unionvaleny.us](http://www.unionvaleny.us) and all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at [www.unionvaleny.us](http://www.unionvaleny.us)). The Zoom invite for this public hearing is:

<https://us02web.zoom.us/j/85112782960?pwd=Q1WX9Qzb7DvDWz8XuGD4tM6x1WWLec.1>

Meeting ID: 851 1278 2960 with Passcode: 525216.

The invite for participating on Zoom will also be posted on the Town of Union Vale website [www.unionvale.ny.us](http://www.unionvale.ny.us) the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600. In-person attendees will be able to sign up when entering the hearing room. For any other questions contact the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600.

**UNION VALE TOWN BOARD PUBLIC HEARING DECEMBER 4, 2024**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Pat Cartalemi, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Town Attorney: Attorney Jeff Battistoni**

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Supervisor Frazier called the public hearing to Order at 7:00PM

Amy Hardisty- Liberty Way, is a wedding/event planner and consultant, not opposed to a venue in the RD10 district as a whole, just on any lot in the RD10 district that is less than 150 acres, as it doesn't provide the ample sound barrier needed for nearby neighbors. She is also not in favor of any venue on any RD10 lot that borders a residential zone for the same reason. Her main issue is noise, she cited each venue in the area is over 100 acres, she feels the 8pm noise ordinance should be in effect for Town of Union Vale.

Vicky Pittman- is not in favor of the change in zoning, there are no restaurants to be allowed and feels the wedding venue swap to conference center isn't a comparable swap. She cited examples of other things are not allowable in RD10 and does not feel the code should be changed on a per case basis.

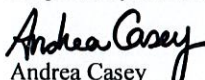
Hans Hardisty- Liberty Way, spoke about the RD10 zoning original intent and is not in favor of this change and feels the proposed changes should be considered in the larger scope of the master plan. Also has issues with the potential noise and impact on emergency services. Traffic is another issue, along with larger acreage for this type of venue.

Leah Struzzi, Wingdale Mtn Road, is not in favor of this type of venue noting the application of this area is not an ideal location and has concerns about the traffic and maintaining the towns rural character.

Joe Fuscaldo- potential property owner, spoke about his intention with his project highlighting 160 people not 200, created a soundproof building so no sound escapes the building and designed it accordingly. He explained fireworks would not be used the Town did not allow, they are envisioning a farm venue mirroring the houses on Liberty Way. He pointed out venues on 3 acres or less and wants this to be a working farm in some sense.

Supervisor Frazier noted they did not receive the information from DC Planning and would like to table a vote and potentially extend the public hearing. This was motioned by Supervisor Frazier and seconded by Councilman Welsh and all were unanimously in favor.

Respectfully Submitted,

  
Andrea Casey  
Town Clerk



**UNION VALE TOWN BOARD MEETING DECEMBER 4, 2024**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Pat Cartalemi, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Town Attorney: Attorney Jeff Battistoni**

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Supervisor Frazier called the meeting to Order to Order and Salute to the Flag at 7:30PM

**Motion Approve Minutes:** Councilman Welsh made a motion to approve the November 6, 2024 meeting minutes which was seconded by Councilman Cartalemi and all were unanimously in favor.

**Supervisors Report**

- Thanked resident Darren Sampson for volunteering his time to film the meetings.
- Reviewed the budget and observed that it will cost the residents \$1 more per parcel which was due to the cost of living adjustments cut from employees and some services and funneled into the library line which 2/3 of residents voted to not fund.

**Board Member Reports**

*Councilman Welsh* – nothing to report

*Councilman Cartalemi*- spoke about his impression of the 2025 budget. In his opinion, the original budget was crafted to make it look better which was done by removing money from the engineering and legal funds. There was almost \$70,000 taken out to supply things cost of living increases. He noted everybody got a raise, every single person that that is a full-time employee got a raise and encouraged the Supervisor to review the budget line by line as he did at the meeting, which was never presented in that format to the Town Board.

*Councilman Durland* – reiterated with Councilman Cartalemi and had nothing else to report.

*Councilman McGivney*- worked with Supervisor Frazier on replacing the old florescent lights at the equipment shelter for the recycle center we replaced them with newer LED fixtures that will use less electricity put off a lot more light. Secondly, he attended the cookie swap at Town Hall just prior to the meeting. Noted it's a great time got to sample a lot of the cookies that our residents made and brought & was a success, looks like it's going to be done again next year.

**Town Clerk Report**

Clerk Casey reported that the 2025 recycling passes are almost available but can be purchased and receive one in the mail as they become available.

**Town Justice** – Justice Paul Pancio spoke about the impacts of the budget on the Town Court, felt that statements made the court is failing is false, as they do generate some revenue. He also noted that as a Town Board They are here for Justice. He further spoke about the training and location. He stated the budget was not done correctly as it lacked input from the Departments especially the Court and from the residents. He also stressed the need for a raise for the Court Clerk as other towns are soliciting her.

Councilman Cartalemi apologized for any statements that were misinterpreted, he spoke about the research he did was in the northern part of the County. He does agree with a more itemized approach for the line items. They both agreed that training is a very important aspect for Court as well as all other departments.

**Recreation Report, Submitted by Recreation Director Maggie Collins**

Thank you to everyone who participated in our first ever community cookie swap. We had a lot of fun swapping recipes and delicious sweet treats! Congratulations to our winners, and we look forward to hosting another swap in the future.

This Saturday December 7th we will host the annual Grand Illumination scheduled from 4:30pm-6pm. This event is free for residents and \$5 per family for non-residents. Families and friends can enjoy warm drinks and snacks, crafts, and a visit from Santa. At 6pm all will be invited outside into the park to enjoy watching the holiday lights turn on and start off the Winter season. We will also once again be accepting unwrapped toy donations on behalf of the Hope Through Pope toy drive. These toy donations will be enjoyed by the Children's Home of Poughkeepsie. The donation box is currently placed up in Town Hall, and will be located Santa at the Grand Illumination. More information for both of these events can be found on our social

media pages and the Parks and Recreation website. She also Spoke about the first Union Vale Cookie Swap.

**Parks Report, Submitted by Park Manager Vincent Germano**

- The parks department has been focused on putting up Christmas lights and preparing for The Grand Illumination event that is taking place this coming Saturday at the park.
- Thankfully we had gotten our trucks ready and were able to deal with the storm that hit a few weeks ago and clear the areas that we are in charge of maintaining. The storm knocked out the transformer for the park building and central Hudson had to come in and replace it.

**Equestrian Center Report, Lorreta Ryan, Equestrian Center Director**

We had a fun year this year in June we had our annual draft horse poll which has been a long-standing tradition here at the park if any of you know Betty and Rich Albrecht and this year we had our biggest competitive field of horses we ever had since hosting the poll we had 10 teams in the lightweight and 12 teams in the heavyweight. This event is only possible through the generosity of our wonderful sponsors. I have the full list of the sponsors in the brochure, also posted on Facebook. Next year we'll be having our 30th Anniversary it'll be held on Saturday June 7th so mark your calendars if you've never been to this event. I strongly encourage you to bring the family and see some real horsepower power. If anybody wants to be a sponsor I can get you a sponsorship form. Last month we held our year-end celebration at the Links, we had about 80 people from friends, family, neighbors, trainers, Town Officials draft horse enthusiasts, Horse Show competitors, and volunteers again all coming out to mark the end of another year Thank you to the local businesses and people that supported our silent auction as well while those names and businesses are posted on our Facebook page. We held three horse shows this year April, June, and September and it's great to see the interest that year-over-year has grown. We even needed the assistance of our town constables for parking at the September show. She read a letter from an attendee of one of the shows. She also spoke about new awards and thanked everyone that helped.

**Library Report**

Randy Braun, Library Trustee Attorney

Spoke about proposition #2 and noted the verbiage of the question did not include "shall the town abolish the Union Vale Library". The trustees feel this was not sufficient to legally abolish the Union Vale Library and feels it is an advisory opinion. If there is another proposition citing the proper verbiage of abolishing the library, and it is voted no by the voters it fine however at this time they feel it is premature. While the trustees are willing to work with the board he stated that if there is an effort to abolish the library for example, in January that's going to force the trustee's hand to seek judicial intervention to confirm that the proposition in fact does not abolish the existing Library. The trustees have taken the oath of office required by the New York State Constitution and are fiduciaries and as fiduciaries they have to take all appropriate steps to protect the interests of the library. Abolishing the library on these facts is not something that the trustees believe is appropriate therefore, they are hopeful that they can work with the board moving forward. Education Law Section 259 deals with the turnover Library funds they are requesting 2024 funds to be turned over to the treasurer. They also are requesting 2023 even though the library wasn't chartered, funds were collected for the library for library purposes. 2025 nothing has come up yet but to the extent that any monies are collected in 2025 he asserted that those monies will have to be turned over upon demand not only collected but in 2023 we're also talking about monies that were encumbered for the specific Library purpose. The trustees are willing to work with the to try to resolve these issues but in the event that that can't be effectuated, the trustees are going to have to do is they're going to have to take appropriate legal action in order to advance that and that's only going to cost taxpayer funding to do that and we think that that would be a travesty.

Attorney Battistoni gave his opinion. Prior to the last meeting the president of the board Trustees of the library had submitted a letter to the town the letter included a written request for payment to the trustee to the treasurer of the Board of Trustees of funds that had been raised by taxes for Library purposes supported the library so at the last meeting he had to research that and did submit an email Tuesday to the town board members where he summarized his advice New York State education law section 259 is the relevant section and copied that for the town board members did distinguish between three years. For 2024 there's a budget where funds are encumbered for support of a public library and reading in part it says, "money received from taxes for the support of a public library shall be paid over to the treasurer of such Library upon



the written demand of its trustees” and so I think for 2024 fund should be turned over to the library treasurer in 2023. I didn't think it was clear we have to go back and look at what is in the budget from then since the library had not yet been chartered there's a reference here to having funds expended on properly authenticated vouchers they don't know whether an event happened in 2023 at the I don't know whether a separate fund was ever created in 2023. I don't know at the end of the year money stayed in the library fund or it got paid into the town general fund so we know what it needs to be done in a way just internally with the book here. 2025 is not there yet there are no funds so that was my advice in my email. I did say however as an ending matter that there's been a proposition in the town practically speaking right now there are three votes on the town that have been supported by the municipal Public Library. In January he speculates this will change direction. I think that the intent of the proposition was to address the issue of abolishing clearly the word abolish is not used but the intent is there.

Supervisor Frazier spoke Frank Reese at the Board of Regents who stated from the States point of view the proposition is binding. Attorney Battistoni stated this is a new issue and would prefer something in writing and urged the Town to gain this letter as soon as possible. There was further discussion on this matter.

#### **Public Comment Agenda Items**

Paula Young, Verbank Club Rd, spoke about the ideals that Supervisor Frazier & Councilman Elect Harrington ran on and had concerns that they are standing in the way of a public library. She hopes they can find other revenue sources such a cell tower.

Jean Moore, Darren Road, she spoke about the library steering committee results, the 414 proposition which failed by 139 votes and referenced misinformation being circulated. She also cited the library lease permissive referendum and how that was circumvented. She also spoke about the latest proposition in November and how it is under scrutiny over wording when the intent is obvious. She asks when the town board will do what the majority of residents want as recently demonstrated.

#### **Motion to Table RD10 Code Change Vote**

Councilman Cartalemi made a motion to table the vote until further notice which was seconded

#### **Recycling Center Rates**

Supervisor Frazier noted numbers were given based on rates prices look good, based on weight There will be a resolution on fee changes for next meeting.

#### **Public Comment Town Issues**

Chuck Richwine, on the Green, spoke about gaining other ways of generating town revenue such as the cell tower to help fund other services for the Town.

#### **Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

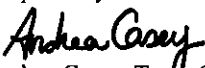
Councilman Durland made a motion to pay the bills and which was seconded by Councilman McGivney and all were unanimously in favor.

#### **Next Meeting**

December 18<sup>th</sup> at 7:30

**Motion to Adjourn** At 8:38PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman McGivney and all were unanimously in favor.

Respectfully Submitted,

  
Andrea Casey, Town Clerk

# EXHIBIT H

# Dutchess County Department of Planning and Development

TO  
FILE  
ONLY

To  
Co./Dept.  
Fax #

Date #pgs  
From  
Phone #

## 239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Union Vale**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **Revised LL no. 2 of 2024**

Applicant: **Town Board**

Address of Property: **249 Duncan Rd, Lagrangeville, NY 12540**

### Exempt Actions:\* 239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

### No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

### Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☒ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other (Describe):

### Parcels within 500 feet of:

- ☐ State Road:
- ☐ County Road:
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested: **12/2/2024**

Entered By: **Gurnett, Clayton**

\*These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.\*

For County Office Use Only

## Response From Dutchess County Department of Planning and Development

### No Comments:

- ☒ Matter of Local Concern
- ☐ No Jurisdiction
- ☐ No Authority
- ☐ Withdrawn
- ☐ Incomplete - municipality must resubmit to County
- ☐ Exempt from 239 Review
- ☐ None

### Comments Attached:

- ☐ Local Concern with Comments
- ☐ Conditional
- ☐ Denial
- ☐ Incomplete with Comments- municipality must resubmit to County
- ☐ Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **11/22/2024**

Date Received: **11/22/2024**

Date Requested: **12/2/2024**

Date Required: **12/20/2024**

Date Transmitted: **12/18/2024**

Notes:

☐ Also mailed hard copy

☐ Major Project

Referral #: **ZR24-406**

Reviewer: 

Date Printed: 12/18/2024

# EXHIBIT I



## NOTICE OF PUBLIC HEARING

**TAKE NOTICE** that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 (in the Town of Union Vale) on February 5<sup>th</sup> at 7:00 o'clock p.m. prevailing time, on proposed Local Law #1 of 2025 (formerly local law 2 of 2024), of the Town of Union Vale, Dutchess

County, New York, being "A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District".

Copies of the aforesaid proposed Local Law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between the date of this Notice and the date of the Public Hearing, and on the Town's website at [www.unionvaleny.us](http://www.unionvaleny.us) and all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at [www.unionvaleny.us](http://www.unionvaleny.us)). The Zoom invite for this public hearing is:

<https://us02web.zoom.us/j/89368763521?pwd=2TfgHfV9zibPDLY2pl8x2KjoabqgiZ.1>

Meeting ID: 893 6876 3521 with Passcode: 872425

The invite for participating on Zoom will also be posted on the Town of Union Vale website [www.unionvaleny.us](http://www.unionvaleny.us) the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600 x100. In-person attendees will be able to sign up when entering the hearing room. For any other questions contact the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600 x100.

SOUTHERN DUTCHESS NEWS  
NORTHERN DUTCHESS NEWS  
84 EAST MAIN STREET  
WAPPINGERS FALLS, NY 12590

**Affidavit of Publication**

TO: TOWN OF UNION VALE  
249 DUNCAN ROAD  
LAGRANGEVILLE, NY 12540

Re: Legal Notice #54916 PUBLIC HEARING 2/5/25 LOCAL LAW #1

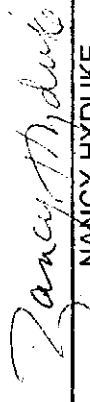
State of NEW YORK )  
County of DUTCHESS ) SS:

The undersigned is the publisher of Southern Dutchess News, a weekly newspaper published in WAPPINGERS FALLS, NEW YORK. A notice regarding PUBLIC HEARING 2/5/25 LOCAL LAW #1 was published in said newspaper once on 1/15/25. The text of the notice as published in said newspaper is as set forth below.

ALBERT M. OSTEN, Publisher

By:   
ROXANNE HOFFMAN  
Authorized Designee of the Publisher

Sworn to before me this 15th day of January, 2025.

  
NANCY HYDUKE  
Notary Public, State of NEW YORK  
No. 01HY6221990  
Qualified in DUTCHESS County  
My commission expires on September 26, 2026



**UNION VALE TOWN BOARD PUBLIC HEARING RD10 L.L. #1 OF 2025**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:00 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading - Absent**

**Town Attorney: Ian Lindars – Absent**

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Supervisor Frazier opened the public hearing at 7:30 P.M. He gave a summary of what the local law would encompass as a town wide code change for RD10 zoning. They are proposing removing “conference center” and replacing it with “wedding venue” which will have a lower impact on the towns rural character. He further explained that all projects set forth would still undergo the process and procedure through the towns planning board.

**Public Comment:**

Vicky Pitman – Bruzgul Road, spoke about her concerns with the noise from something such as a wedding venue. Although the proposal sounds nice, she does not wish it to be near her home. She is not in favor of this code change.

Luise Chassange, Bruzgul Road, opposes this vehemently as it opens to the door to other possibilities. Although it is not there yet, she feels a for-profit business in a residential area. She feels the country atmosphere is not suitable for a wedding venue. She is also concerned about traffic and Bruzgul already being dangerous and now a commercial venue would include more than cars.

Pat Cartalemi, Rose Court, spoke about issues of the code that need further clarification. This is for business meeting and similar events, or even 3-4-day events. He also pointed out the line ‘no major grading’ there is no definition and should be defined. He spoke about need for more specifics with maximum square footage other than dining a bar facilities in 6,000 sqft. He spoke about the 200 ft from property line and cited 64 decibels travel 200 feet, other areas of issue are outdoor activities and the noise ordinances with variable times, square footage, parking should also be clarified.

Josuha Mackey, representing Amy & Hans Harsidity, did a cost benefit analysis and urges the board to further research issues brought forth in his letter which was also distributed to the Town Board. (Attached)

Robert Stockley, Bruzgul Road, is concerned about Bruzgul and the traffic site distance with new development. He is not in favor of the code change and likes the town the way it is.

Hans Hardisty, Liberty Way, against the RD10 code change and spoke further about the issues with this potential change, he is also upset about the notice to residents about this change. He points out no petition or application has been filed. He is concerned this change is being done for an out-of-town developer rather than in the best interest of the Town. His other concerns are increased traffic, delivery vehicles and overall safety of travel for his family and neighbors. He brought forth a letter of a potential property buyer on Liberty way who will not purchase based on this potential change of code and further cited decrease in property values and it not being in line with the master plan.

Paul Canevari, Bruzgul Road, moved here to enjoy the rural beauty, he is against this code change and has concerns about the traffic, noise, and overall change or character of the Town.

Peter Rodriguez, Liberty Way, is worried about the increased traffic and the potential combination of drinking and driving. He is not in favor of this code change.

Adam Croner, Liberty Way, is against the wedding venue code change, sent an email outlining his concerns. His major worry is how many people oppose this idea and noted the number of people who have spoken out about not being in favor of this change.

Amy Hardisty, is firmly against the RD10 zoning changes, noted the reasons she is against this and cited it conflicts with the town code. She stated this code change is not a simple way of further defining conference center or to remove conference center from the code. She pointed out this also reduced the acreage required from 100 acres to 50 acres, goes against the town noise ordinance from 8:00pm to 10:00pm. Her concerns are that the Town Board reviewed this section of the code with knowledge of a looming application. In her opinion, allowing a wedding venue in this area goes against the Towns master plan. She feels based on these aforementioned items, this is spot zoning and is illegal and this code change is not in the best interest of the Town.

#### **Motion to Close the Public Hearing**

Councilman Durland motioned to close the hearing at 7:28 PM which was seconded by Councilman Harrington and were unanimously in favor. Supervisor Frazier noted all comments will be considered.

Due to the letter submitted by Attorney Mackey, the Board will not be voting on the items tonight but they will have discussion.

Comments from residents not in attendance are also attached

#### **UNION VALE TOWN BOARD MEETING FEBRUARY 5, 2025**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading - Absent**

**Town Attorney: Ian Lindars**

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Supervisor Frazier opened the meeting with a Salute to the Flag

**Motion Approve Minutes:** Councilman Welsh made a motion to approve January 8, 2025 meeting minutes which was seconded by Councilman Harrington and all were unanimously in favor.

#### **Supervisor Report**

- All agreed to add discussion of park truck for new business and an executive session for town security after new business
- Working on year end reports for county and the state, working with engineer on salt shed will have bid package for review soon
- Check website for status of town hall for closing tomorrow due to the impending storm
- Working on cell tower with assembly and senate
- Attorney Lindars updated the timeline for the cell tower, phone conference with cell tower company and NYS, home rule request, resolution has been sent and bill number secondary resolution and home rule request form to be submitted for the next phase, this is on target, although the time frames may facilitate a special meeting
- Library getting up to speed on the issues and proposition. Continuing to review

#### **Board Member Reports**

*Councilman Welsh-* RD10 vote reviewing zoning and master plan and find consistency and is unable to. Supervisor Frazier Advised to look at report from the planner

*Councilman Harrington* – staying abreast of the library issue and hopes for a resolution, has been following the park truck feels gas is better than diesel

*Councilman McGivney-* reviewing correspondence regarding the RD10 code change.

*Councilman Durland-* speaking to residents about rd10 change and reviewing the master plan

#### **Town Clerk Report**

Clerk Casey advised the 2025 recycling center permits are still available. Town of Union Vale is partnering with Town of Beekman for the annual ‘Valentines for Vets’ event this Saturday from 10:00-12:00pm please stop by and make a card which will be distributed to various VFW posts in the area.



### **Tax Collector Report**

Ms. Saglibene reported January 31<sup>st</sup> had 19% in and today 22%. She is hopeful she can pay fire dept soon. She also advised and credit cards taking up to 72 hours to clear the account. She reminded residents to come in person during the week or Saturday's 9-12.

### **Recreation Report, submitted by Recreation Director Maggie Collins**

Registration for our Summer Camp programs is currently open to town residents only, and will open up to non-residents this upcoming Monday, February 10th. Our team greatly suggests to non-residents that if you do not currently have a household account on our Parks and Recreation website, to do so in advance to allow a smooth registration process. For further information on our Summer Camp programs please visit our Social Media pages, our Parks and Recreation website, or call/email our team at the Parks Office. She gave a document to the Board about the budget changes for the summer camp hourly minimum wage rate and increased responsibility for some positions. She also advised the Board the concession stand manager is retiring and we will need to find a replacement.

### **Parks Report, submitted by Park Manager Vincent Germano**

- We are still taking down Christmas decorations. We are refinishing some of the signs around the park, such as the main Tymor Park sign in front of the park building and the Senior Center sign.
- The changes to the TGTT area were finished last week, which included new carpet and removing a non-structural wall.
- Our dump truck is having multiple problems with the Diesel particulate filter and fuel pressure. The highway has thankfully lent us one of their trucks so we can deal with the snow until we figure out what to do regarding our truck.
- The garage door opener at the 2 Tymor Park Road rental house was very old and kept having problems, so we replaced it.
- Our weekend Maintenance employee has put in his resignation notice. There is a job posting with more details on Indeed under The Town of Union Vale if anyone would like to apply.

### **Senior Center Report, President of the Senior Club**

On behalf of the Union Vale Senior Club (UVSC), I am pleased to provide this update on our recent activities, community initiatives, and upcoming events. Our club continues to grow, offering engaging opportunities for seniors while fostering a welcoming environment for both current and prospective members. With regard to Organizational Updates & Accomplishments With the start of the new year, we welcomed a new Executive Committee, which has been actively meeting for weekly working sessions at the Union Vale Senior Center Mondays through Wednesdays. We have expanded the hours on Fridays from 10 AM to 3 PM.

In January, we celebrated National Soup Month with a Senior Soup Celebration on January 24, which was a great success. Additionally, we launched a Resource Table, providing essential materials, including a feedback box, membership packets, and informational flyers to support community engagement and new member outreach. We also completed a thorough reorganization of the Senior Kitchen and storage areas, including an inventory update for our Medical Closet. Alongside this, we are actively working on proposed bylaw amendments to enhance club operations and sustainability. With regard to Community Growth Initiatives To further increase engagement, we continue to expand our social media presence and provide updates on club activities. Additionally, we have designed professional business cards to help members introduce prospective members to UVSC.

Looking ahead, we are actively planning exciting/025 activities and exploring new event opportunities, ensuring the club remains a thriving and dynamic community resource.

#### **Upcoming Events & Highlights**

Friendship February (Open to Prospective Members) Feb. 7: Origami 101-A creative and social activity for all.

Feb. 14: Valentine's Friendship Potluck - Members share a favorite dish while celebrating friendships. Feb. 21: Members-Only Luncheon & Monthly Membership Meeting.

Feb. 28: Game & Craft Da opportunity for prospective members to join in March Madness Month

March 7: Mahjong 101-A professional instructor will teach members how to play.

March 14: Game Day (open to prospective members).

March 21: Members-Only St. Patrick's Day Luncheon & Monthly Membership Meeting. March 28: Game & Craft Day (open to prospective members).

Spring is right around the corner and our Future Planning includes-

May 2: Kentucky Derby Party- We will be streaming the 151st Race and offering delectable delights and creative mocktails with a twist on classic Derby Day favorites.

We are in discussions on proposed New Events: We are discussing hosting a Senior Bazaar (tag sale), a Pig Roast or BBQ, Glamorous Grandparent Day, Gardening Party and having a Union Vale Senior Club booth at Tymor Equestrian Center events. We are exploring cost-effective options for events such as a BBQ or pig roast, with estimated costs and vendor discussions underway. The Union Vale Senior Club continues to thrive with strong community engagement, exciting events, and expanding membership opportunities. We appreciate the town's continued support and look forward to enhancing the lives of our senior residents.

#### **Public Comment Agenda Items- None**

#### **Deputy Code Enforcement Officer Discussion**

Good evening everyone. At my request Supervisor Frazier has allowed me to speak to the board concerning the future of the Union Vale building department and my concerns with the adopted budget for the 2025 year. For those of you that have yet to interact with my office my name is George Kolb the acting building, Zoning, Fire official for the Town of Union Vale.

I was hired approx. 15 years ago, by Supervisor Lisette Hitsman and previous councilman Steve Frazier and current councilman John Welsh. I guess I can surmise that the fact that I am seldom asked to attend these Town Board meetings shows the elevation of professionalism, efficiency of my office since my tenor, as well as showing the respect to the residents of this town. Since my hire, I firmly believe that this building office has become one of the most respected and efficiently run in all of Dutchess County, bar none. From the turnaround time of processing permits, to acting on complaints and compliance to building and town codes. As some of you are aware I've made the, somewhat sad decision, to retire at the end of this year and start the next chapter of my life (as they say). In order to have a meaningful transition period I had sat down several times with Supervisor Frazier last Fall to discuss an exit plan that would allow a part time deputy inspector to learn the many faceted duties and responsibilities of this position and nuances of the town. I have witnessed numerous towns and villages that have failed to provide a plan for transition and what disruption that it caused to its residents and the municipality.

A detailed plan with budgeted salaries and anticipated revenue were discussed at length to adequately train a new hire. This was a well thought out plan to the needs of the Town and its residents. As you are all aware during my tenure here, the start of the Covid epidemic in 2020 caused havoc with municipal lock downs. Many of the surrounding building departments simply closed down to the public. This office never closed and was always accessible to your residents and contractors. During that time, I assumed that revenue in my office would drop dramatically. To my surprise revenue in my office met its target for the two years that we endured this epidemic. In each of the following years up to this current year my anticipated budgeted revenue has exceeded by 20-30%. That equates typically from \$20,000 - \$30,000 in additional revenue each year to the town. This you can assume can be correlated to the additional work load for my department. To my surprise, this past budget cycle, the Town board failed to vote for Supervisor Frazier initial budget with a 0 % tax increase. It is my understanding that ultimately a budgeted amount of approx. \$220,000 was inserted to the approved budget for the funding of a library. This proposition for library funding was over overwhelmingly turned down in the last November election. This last-minute change removed both deserved raises for town staff and the addition to a part time deputy inspector for my office. I'm not here to discuss the politics or the need or lack of for a Town owned library. I'm here to try to explain how this will negatively affect the town. I strongly and respectfully request the current Town Board reconsider and amend the 2025-year budget to reflect the initial budget requests from Supervisor Frazier. Your residents deserve to have the building department operate as smoothly and efficiently as it has been for the last 15 years. But more importantly to give the deserved raises to your town staff. I have worked for several municipalities, and as I have always said for the past 15 years, these are some of the finest, thoughtful and hardest working municipal employees I have ever had the pleasure to work with. From the Town highway to the park maintenance workers. The recreation department. The court staff and Constables and All the Town Hall staff in every department. We all provide a service with respect and smile, whether it generates revenue or not. There's an old saying "NOT MY JOB" I have never heard those words in this Town. Every employee always offers to help each other for whatever and whenever their asked. ALWAYS! Every employee always treats

your residents with respect and unending patience. ALWAYS So, I speak for myself and all the employees of this town. Please reconsider these needed and deserved budget amendments. Thank you all for the time for allowing me to speak tonight on these important issues.

#### **DPW Signs by Dutchess County**

Supervisor Frazier sent the Board and email explaining DC County DPW is able to print these door deals for a much lower rate than commercial outfits. He would like to join with the Boards approval. Councilman Welsh, McGivney, Durland and Harrington agreed this is a great way to save money and work with the County.

#### **Motion to Join DPW Sign Program**

Councilman Harrington made a motion for the Supervisor to contact the DPW and facilitate all paperwork to join this program which was seconded by Councilman Welsh and all were unanimously in favor.

#### **Sponsor LaGrange Little League**

Supervisor Frazier explained the fee was \$750, for LaGrange little league, as it has been a longstanding tradition. Councilman Welsh & McGivney agreed to move forward, since Union Vale does not have their own team. Supervisor Frazier offered this could be moved from contingency fund and be drafted for next meeting.

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF AN OFFER OF A HIGHWAY RIGHT OF WAY (ROW) DEDICATION AND A DECLARATION OF A SNOW**

**EASEMENT (See Attached)** Vitale Property Snow Easement, asked to approved an accurate map that reflects the existing conditions, this is to allow the closing, there is no cost to the town, map was prepared by Engineer Brian Stokosa.

#### **Park Truck 2016 Emergency Repair**

Supervisor Frazier advised the Board the truck needs repair. This truck is set up for ice control and plowing which clears the fire houses and town property. A 2016 truck with rust damage and emissions issues. The repair is close to \$13,000.00 which is worst case scenarios. There was further discussion on this issue.

#### **Motion Repair 2016 Park Truck**

Councilman Harrington made a motion to move forward with the necessary repairs which was seconded by Councilman Welsh and all were unanimously in favor.

#### **Budget Amendments**

Building Dept Supervisor Frazier said when this was first brought up the entire board was in favor of this to preserve the continuity of the department. This would be a one-time cost and eligible for fund balance. Councilman Welsh suggested this might be an idea for correcting the park salaries. Councilman Durland explained that the budget adjustment was not a reflection on disservice to his department. Mr. Kolb further explained the extreme need for the benefit of the residents and the Town. Supervisor Frazier will have the Town Attorney write up a resolution for a future meeting.

Other amendments will be tabled after further research

**RD10 Code Changes** – Supervisor Frazier suggested to table the resolution, they are not prepared to vote due to the new correspondence.

Councilman Durland stated there were many fair points spoken about tonight and each hearing. He feels the inconsistency with the time in the code for 10:00pm is contradictory, the 100 acreage, perhaps a traffic study. He pointed out that the resident's tonight were here for a specific lot in the confines of this code change and this could potentially affect many lots in this district. Councilman Welsh noted not a single resident spoke in favor of this change and that the majority of this town is on RD10 and will affect many lots. There was further discussion on the other potential possibilities of what is already allowed within the code and focusing the conversation on the town code change not a specific project.

#### **Public Comment Town Issues**

Jean Moore, Darren Road, wrote 7 reasons to abolish the library and cancel the lease with the Union Vale Library. Full report on file in the office of the town clerk.

Laura Lahay, S. Smith Road, in opposition of the library, she feels the proposition is valid and is encroaching completely on the Senior Center. She asks the Board why is this still an issue after a fair vote.

Pat Cartalemi, Rose Court, spoke about the RD10 code change, he brought up issues with this project that were ignored when on the Town Board. He feels that this code change was for the specific developer and cited emails to that affect.

Attorney Eriele stated that no one has said there was not communication about this one particular property or even that it may not have been the impetus for considering this change. What was said was when it was determined it might be a good law to consider, that it would be something the board might find beneficial as a zone change within the RD10, this is not being done for the benefit of one developer or the urging of that developer and feels there as been no indication by this board that they would pass a bad law to satisfy any developer. Supervisor Frazier stated he researched all lots affected by this change.

Amy Hardisity, Liberty Way, stated that there are few restrictions, and feels this change was very specifically reduced from 100 acres to 50 acres to specifically allow this one particular parcel to qualify and that is why she has an issue.

**Executive Session** Councilman Welsh made a motion to enter executive session to discuss town security, which was seconded by Councilman McGivney and all were unanimously in favor.

**Executive Session** Councilman Welsh made a motion to exit executive session to resume the regular meeting which was seconded by Councilman Harrington and all were unanimously in favor. Supervisor Frazier advised that no decisions were made and no money allocated.

**Motion Approve Minutes:** Councilman Welsh made a motion to approve December 18, 2024 meeting minutes which was seconded by Councilman McGivney and all were unanimously in favor, however Councilman Harrington abstained as he was not on the Town Board at the time.

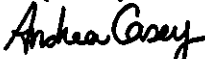
**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman Welsh made a motion to pay the bills and which was seconded by Councilman McGivney and all were unanimously in favor.

**Next Meeting** February 19, 2025 at 7:30pm

**Motion to Adjourn** At 8:54 PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman McGivney and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk

**From:** [Colin M. Martin](#)  
**To:** [townclerk.unionvaleny.us](#)  
**Cc:** [cheryl.fil.martin](#); [councilmandurand.unionvaleny.us](#); [councilmanmcgivney.unionvaleny.us](#);  
[councilmanpat@unionvaleny.us](#); [supervisor.unionvaleny.us](#)  
**Subject:** Opposition to change in zoning - Letter for meeting  
**Date:** Tuesday, January 14, 2025 3:29:25 PM

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Dear Town Board Members,

We write to you to express our **strong objection** to the proposed changes to the local zoning law that would allow catering facilities within the R-10 District of the Town of Union Vale.

Families in the area live in Union Vale for the peace, quiet, and privacy afforded by large lots, scenic views, and a rural atmosphere. Changing the law would hurt the integrity of our town and create a massive disturbance to the area.

Below is a list of the significant negative impacts we foresee if a wedding venue/catering facility is allowed on Bruzgul Road:

1. **Increased Traffic and Safety Risks:** Most important, the intersection of Route 55, East Noxon, Bruzgul Road is extremely hazardous. This would not only increase traffic from guests and vendors but could also add significant risks due to the higher volume of vehicles, including delivery trucks, buses, and staff. Additionally, a wedding venue could lead to more intoxicated drivers on the road. The road is already in need of a traffic study, but this venue would increase the traffic twofold.
2. **Noise:** The noise from the events and from the trucks delivering food and equipment, guests. The noise travels easily in the area as we are on the top of the hill and could become a significant disturbance to the surrounding community.
3. **Danger:** The blind spot at the top of Bruzgul Road already make it dangerous for children getting off the school bus or for anyone on the street to cross to get our mail. Adding more traffic or, worse, a venue entrance in this area would be a serious safety concern.
4. **Trespassing on our Private Road:** As residents of Liberty Way, we

already face concerns about non-residents using our private road for sightseeing (Sunsets). A catering facility would only exacerbate these issues, with more out-of-town visitors potentially trespassing and increasing traffic in our neighborhood.

5. **Decreased Property Values:** As the property owner that is directly across from the proposed venue would be, my property value would be mostly affected, and we have been informed by a local real estate attorney that this would also impact the value of our land.

6. **Uncertainty in future buildout:** We have no idea what the future are of this business in terms of expending the venue and therefore, further increasing traffic.

We urge the Town Board to carefully consider the long-term consequences of allowing a venue in this residential area. The potential for disruption to our community's peace, safety, and quality of life is substantial, and is completely counterintuitive to why our residents live here.

I would appreciate being informed about any upcoming meetings on this matter to share our insights further.

Thank you for your time and consideration.

Sincerely,

Colin and Cheryl Martin!  
31 Liberty Way

--  
**Colin M. Martin**

January 15, 2025

Benjamin Zimmerli  
24 Liberty Way  
LaGrangeville, NY 12540  
[ben.zimmerli@milliken.com](mailto:ben.zimmerli@milliken.com)  
845-235-7973

Zoning Board of Appeals  
Town of Unionvale  
249 Duncan Road  
LaGrangeville, NY 12540

*RE: Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District*

Dear Members of the Zoning Board,

I am writing to formally express my objection to the new wedding venue being proposed for development on Bruzgul Road in Unionvale, NY. As an owner of the property at 24 Liberty Way (across the street from proposed venue), I am deeply concerned about the potential impact this development may have on traffic safety, character of the neighborhood and noise.

Specifically, I would like to address the following points:

1. **Impact on Traffic and Safety:** The proposed development could significantly increase traffic in a 55 MPH highway zone in a section located on a hill with limited visibility. This section of road is dangerous as it stands today without having an entrance/exit from a wedding venue onto a high speed section of roadway. This will likely lead to unsafe driving conditions affecting both residents and the town in general. Although illegal, there will likely be impaired drivers leaving this wedding venue on a regular basis entering onto a road that is used by families, residents and visitors to Tymor Park for seasonal events in addition to general local and regional traffic.
2. **Environmental and Aesthetic Concerns:** The proposed construction will disrupt the natural landscape and alter the aesthetic character of the neighborhood.
3. **Noise and Privacy:** I am particularly concerned about the noise levels associated with the construction and the long-term effects it could have on my property's privacy and

value. The development seems to be positioned in such a way that it could infringe on the quiet, residential nature of the area.

4. **Addressing the Need for Development in the Town of Unionvale:** As resident of the town of Unionvale, I realize there is a realistic need and legal right to develop parts of our rural town. I support this; however, I believe it is the Zoning Boards responsibility to ensure that this is done in a safe and responsible manner. I believe this should include looking at parcels of land, perhaps even sections of town, as being appropriate or not for certain types of commercial development. Although the town is already zoned accordingly, I believe that the Zoning Board will have significant leeway to impact the approval or denial of exceptions or even setting new precedent for commercial development. In this specific case of a wedding venue on the crest of a hill on a windy high speed road (Bruzgul Road), I believe the Zoning Board should vote "no" and allow for another type of development to be proposed in the future. This specific property location with an entrance/exit onto Bruzgul road should only be developed into something with low traffic volume.

I respectfully request that the zoning board deny the request as submitted for development of this project. I am hopeful that through dialogue and further review, we can find a solution that supports both growth and the preservation of the character of our neighborhood.

I am more than willing to attend the zoning board meeting to further discuss my concerns and provide additional information if needed.

Thank you for your time and consideration.

Sincerely,

Benjamin Zimmerli





Justin LaFalce  
(845) 224-5792  
[jlafalce@kw.com](mailto:jlafalce@kw.com)  
2537 RT-52,  
Junction, NY, 12533

January 29, 2025

Dear: Union Vale Residents and Representatives:

My name is Justin LaFalce and I am a Team Leader with The Hudson Valley Team at Keller Williams Realty Partners - a highly skilled and dedicated group of real estate professionals. Our team consists of some of the top performing Realtors® in the Hudson Valley Region, with over 20 agents, we offer a higher level of experience, knowledge, and connections to bring our clients exactly what they need, no matter the situation.

It has come to my attention that there is a proposed zoning change to allow event / wedding venues in Union Vale in the RD-10 district.

I would like to bring to your attention that I was the listing agent for a property on Liberty Way. I had qualified buyers interested in this property, but it did not sell because of a rumor that a wedding and event venue was proposed on Bruzgul Road. This is a clear and relevant example of how a non-residential use can negatively affect residential property demand and values.

It is my professional opinion that a wedding and event venue in this residential area will have numerous negative effects on property values. As a realtor, we see how area businesses and local properties certainly play a factor on property values, and a venue will have all the following negative impacts (and likely others), on not only Liberty Way, but also surrounding areas as well due to:

**Increased Traffic:**

An event venue can significantly increase traffic congestion on local roads, especially during peak times when events are occurring. Visitors may struggle to find parking, leading to overflow into residential streets. Traffic comes not only from guests, but also staff, vendors, delivery trucks, and visitors. All of these pose risks during before, during and after events.

**Drunk Driving:**

Alcohol is often served at weddings and other events, which can increase the likelihood of drunk driving incidents in the area. This poses a danger not only to guests but also to residents, animals and pedestrians.

**Noise Affecting Quiet Enjoyment:**

Weddings and events can produce high levels of noise from music, celebrations, vehicles, fireworks, generators, equipment, and guest activities, disrupting the peaceful environment that residents expect.





Late-night events lead to disturbances that interrupt sleep and daily routines for neighbors. This is not limited to weddings, but also: Birthdays, Corporate, Holiday, Religious event happen all week all year.

**Light Pollution:**

Outdoor lighting from weddings and events, such as spotlights and decorative lights, can contribute to light pollution, adversely affecting the quality of life for nearby residents. Excessive lighting can disrupt the natural nocturnal environment and impact local farms and wildlife.

**General Aesthetics:**

A wedding venue could clash with the residential character of the neighborhood, altering its aesthetic appeal. The presence of large structures, parking lots, and increased foot traffic may detract from the charm and atmosphere of the area.

All in all, it is my professional opinion that an Event Venue will lower property values for its surrounding neighbors. This was evidenced by me first hand regarding a property on Liberty Way.

I appreciate your consideration to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin LaFalce".

Justin LaFalce  
Team Leader  
1(845) 224-5792  
jlafalce@kw.com

**More on our Team:**

Our team consists of some of the top performing Realtors® in the Hudson Valley Region. With a team of over 20 agents, we offer a higher level of experience, knowledge, and connections to bring our clients exactly what they need, no matter the situation. As active members of two Real Estate Boards and multiple listing services, our listings reach a wide audience, extending from the Hudson Valley to New York City, Long Island, and over 100 real estate websites. We maintain good standing with esteemed associations, including the Dutchess County Association of Realtors, Hudson Gateway Association of Realtors, New York State Association of Realtors, and the National Association of Realtors. The Team is well-equipped to handle both personal and commercial real estate transactions in 9 counties and we boast a fantastic new construction division. Additionally, we have developed strong partnerships with a diverse range of vendors, enabling us to refer our customers to trusted professionals who can guide them throughout their entire real estate journey.



**From:** [Colin Martin](#)  
**To:** [councilmandurland unionvaleny.us](#); [councilmanmcgivney unionvaleny.us](#); [townclerk unionvaleny.us](#); [councilmanpat@unionvaleny.us](#); [supervisor unionvaleny.us](#)  
**Cc:** [cheryl fil martin](#)  
**Subject:** Re: Opposition to change in zoning - Letter for meeting  
**Date:** Tuesday, February 4, 2025 8:01:55 PM

---

Hi all, I would like to make sure the below letter will be read tomorrow at the meeting as I will not be able to attend the meeting

Please confirm receipt of this email I did not get a response to my last email.

Colin Martin  
31 Liberty Way

Dear Town Board Members,

We write to you to express our **strong objection** to the proposed changes to the local zoning law that would allow catering facilities within the R-10 District of the Town of Union Vale.

Families in the area live in Union Vale for the peace, quiet, and privacy afforded by large lots, scenic views, and a rural atmosphere. Changing the law would hurt the integrity of our town and create a massive disturbance to the area.

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We urge the Town Board to carefully consider the long-term consequences of allowing a venue in this residential area. The potential for disruption to our community's peace, safety, and quality of life is substantial, and is completely counterintuitive to why our residents live here.

I would appreciate being informed about any upcoming meetings on this matter to share our insights further.

Thank you for your time and consideration.

Sincerely,

# MACKEY BUTTS & WHALEN LLP

ATTORNEYS AT LAW

February 5, 2025

Ellen L. Baker  
Robert R. Butts  
Robert B. Dietz  
Richard R. DuVall  
Ian S. MacDonald  
Joshua E. Mackey  
Cara A. Whalen

Hon. Steve Frazier, Supervisor  
Members of the Town Board  
Town of Union Vale  
249 Duncan Road  
LaGrangeville, NY 12540

Christina A. Mazzarella  
Alexander D. Salvato  
Elisabeth A. Schiffbauer

Re: Proposed Catering Facility Law  
Our File: 3478.0001

Emily Abrahams  
Tyrone Brown  
Richard J. Olson  
R. Keith Salisbury

Dear Supervisor Frazier and Members of the Town Board:

Our office has been asked by Hans and Amy Hardisty, residents of the Town of Union Vale (Town), to review and comment on the draft of the zoning amendment currently under review by this Town Board (Board).

Hon. Albert M. Rosenblatt

The legislation before this Board seeks to modify the permitted use of land within the R10 residential district of the Town through the deletion of the existing special permitted use of Conference Center, in place since the adoption of the zoning code in 2002, and replace it with a new special permitted use known as a Catering Facility. While a Catering Facility use was previously defined under the Code, it was not a permitted use in any zoning district of the Town.

It is our position that such an alteration of the land use regulations requires further review and discussion before any action can be undertaken by this Board. We are requesting that the Board table further consideration until it undertakes a more comprehensive review of the environmental and practical impacts of implementing the amendment.

Reply to:

☐ 3208 Franklin Avenue  
Millbrook, NY 12545  
P 845.677.6700  
F 845.677.2202

☐ 319 Mill Street  
Poughkeepsie, NY 12601  
P 845.452.4000  
F 845.454.4966

☐ 81 Main Street  
P.O. Box 308  
Sharon, CT 06069  
P 860.364.6232  
F 860.364.6429

www.mbwlawyers.com

As you are aware, a locality's comprehensive plan provides the framework and backbone for any land use regulations. The Town last adopted its Comprehensive Plan and Zoning Code in December of 2002. At that time the Board included the special permitted use of Conference Center within the Town based upon an analysis including a requirement for 100-acre site and a limitation of 5% development area on that acreage. The current proposal reduces the lot size in half while providing for an intensification of the proposed use on the property.

It is clear that zoning decisions must be based upon a comprehensive plan. While the current "plan" is over twenty years old, any change to zoning still needs to be reviewed in the context of development and benefit to the community. The enabling acts contemplate a comprehensive plan which suggests that the planning, if not the zoning, must encompass the whole territory of the Town. In this case,

and based upon statements made at the December 4, 2024 public hearing, the initial impetus for this change was initiated by the application of Joseph Fuscaldo, and his proposed plan for a catering facility (wedding venue) which he proposed to this Board. Such an application and proposal raises the concern of spot zoning. Rezoning requests made at the behest of any particular land owner (or potential land owner) who expects benefits from the change are susceptible to invalidation as being spot zoning. See, Buckley v. Fasbender, 1 NY2d 681 (1956)

As this Board is aware, spot zoning is a term used to describe an amendment which is invalid because it is not in accordance with a comprehensive plan. Whether the zoning was accomplished for the benefit of an individual owner, rather than pursuant to a comprehensive plan for the general welfare of the community, is a key consideration in determining whether an action is an invalid spot zoning approval. See Greenburg v City of New Rochelle, 206 Misc 28 (Sup. Ct. West. Co. 1954) aff'd, 284 AD 891 (2<sup>nd</sup> Dept 1954).

While most spot zoning cases deal with rezoning of small parcels of land, rezoning of large areas still can be considered spot zoning if it is out of character with the surrounding area, inconsistent with the comprehensive plan, and primarily intended to provide private benefits. Yellow Lantern Kampground v. Cortlandville, 279 AD2d 6 (3<sup>rd</sup> Dept 2000).

It is our position that this action needs a thorough analysis of the existing land use regulations and the environmental impacts associated with the adoption of this modification to those regulations. See, Los-Green, Inc. v. Weber, 156 AD2d 994 (4<sup>th</sup> Dept. 1989). In addition to the inclusion of a use, previously prohibited throughout the Town, the proposal reduces by half the required land size for a commercial operation within a residential zone, increases the intensification of the use, and potentially provides conflicting standards for noise complaints between the hours of the general noise ordinance and the operational hours of the site.

There are additional considerations that this Board should include in its deliberation on this proposal. Many of the articulated complaints associated with this particular use include the traffic generated by such a facility and noise impacts on adjoining residential property.

We urge this board to undertake a more extensive review of the potential environmental impacts associated with a modification of uses which provide the opportunity for a more intensive use of land within the R-10 residential zoned district.

Very truly yours,

**MACKEY BUTTS & WHALEN, LLP**

  
Joshua E. Mackey

# EXHIBIT J

**RESOLUTION OF RE-INTRODUCTION 33 of 2025**

**A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District**

*WHEREAS*, on October 2, 2024, Supervisor Frazier introduced a Local Law for the Town of Union Vale to be known as Local Law #2 of 2024, entitled “A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District” “(Original Proposed Local Law””, which would amend §§210-3, 210-56(E) and 210-86 as set forth on the proposed Local Law attached hereto and incorporated herein as if recited herein; and

*WHEREAS*, the action was referred to the Dutchess County Department of Planning and Development pursuant to General Municipal Law §239-m), and to the Town of Union Vale Planning Board pursuant to Town Code §210-83(A); and

*WHEREAS*, a public hearing on the Original Proposed Local law was held on October 16, 2024 at which all wishing to be heard were heard, and although no comments were made by the public which required any revision to the Original proposed Local Law, the public hearing prompted discussion among Town Board members as to certain changes which were desired; and

*WHEREAS*, the Dutchess County Planning Board commented on the action by letter dated November 6, 2024 and its comments have been considered by the Town Board; and

*WHEREAS*, the Town of Union Vale Planning Board commented on the action by memo dated November 14, 2024 and its comments have been considered by the Town Board; and

*WHEREAS*, the Original Proposed Local Law was modified to reflect the comments of the Dutchess County Planning Department and were reflected in and incorporated into a redrafted Local Law (“First Revised Proposed Local Law”); and



**WHEREAS**, the modifications to the Original Local were deemed sufficiently material to warrant a new public hearing on the Revised Proposed Local Law; and

**WHEREAS**, a public hearing on the First Revised Local law was held on December 4, 2024 at which all wishing to be heard were heard, and comments were made by the public to which the Town Board wished to be responsive resulting in a second revision to the proposed local law, which is attached hereto (“Second Revised Proposed Local Law”); and

**WHEREAS**, the Union Vale Town Board wishes to consider the Revised Proposed Local Law; and

**WHEREAS**, the modifications to the First Revised Proposed Local law may be deemed sufficiently material to warrant a new public hearing on the Revised Proposed Local Law;

***NOW THEREFORE BE IT RESOLVED,***

1. That a public hearing be held on May 21, 2025 at the Union Vale Town Hall in relation to the adoption of the Second Revised Proposed Local Law, and

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

**NOTICE OF PUBLIC HEARING** ***TAKE NOTICE*** that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 (in the Town of Union Vale) on May 21, 2025 at 7:00 o’clock p.m. prevailing time, on proposed Local Law #2 of 2024, of the Town of Union Vale, Dutchess County, New York, being “A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District as Revised”.

3. Copies of the aforesaid Revised Proposed Local Law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business

days between the date of this Notice and the date of the Public Hearing, and on the Town's website at [www.unionvaleny.us](http://www.unionvaleny.us) and all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at [www.unionvaleny.us](http://www.unionvaleny.us)). The Zoom invite for this public hearing is: <https://us02web.zoom.us/j/89010555759?pwd=yhEIX6Coaa2hI8umBH9YkLaO3N65Pk.1>

Meeting ID: 890 1055 5759 with Passcode: 536782

The invite for participating on Zoom will also be posted on the Town of Union Vale website [www.unionvale.ny.us](http://www.unionvale.ny.us) the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600. In-person attendees will be able to sign up when entering the hearing room. For any other questions contact the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600.

4. A revised EAF reflecting the Second Revised proposed Local Law has been prepared and submitted, and the proposed action is a Type I Action under SEQRA and the Town Board declares that it is the Lead Agency for purposes of conducting the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law.

5. The matter is referred for comment to Dutchess County Planning, the Town Clerk of the Towns of Beekman, Lagrange, Washington and Dover, and the Town Planning Board, and the Town Clerk is directed to deliver the entire packet of application materials to the Dutchess County Planning Board and the Town Planning Board for review and recommendation pursuant to General Municipal Law §239-m §210-83(A) of the Town Code, respectively.

Dated: Union Vale, New York  
April 16, 2025

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

Councilman Durland	Nay
Councilman Harrington	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Frazier	Aye

I, Andrea Casey, Town Clerk of the Town of Union Vale do hereby certify that the foregoing is a true copy of a resolution offered by Councilman Welsh, seconded by Councilman Harrington, and adopted at the board meeting of the Town Board, held on April 16, 2025.

  
\_\_\_\_\_  
Andrea Casey, Town Clerk

**LOCAL LAW NO. 1 OF 2025 FOR THE TOWN OF UNION VALE, NEW YORK**

**A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District, As Revised**

**Section 1.** Section 210-86 “Definitions” is amended as follows [deletions are ~~stricken~~ and additions are underscored]:

**CATERING FACILITY**

A facility providing a gathering place for the conduct of scheduled events such as parties, weddings, banquets, business meetings and similar events and food and beverages for invited guests, not to include a bar, tavern or restaurant open to the public though sometimes operated in tandem therewith. Where allowed only by special permit pursuant to §210-56(E) (17), a catering facility shall include short-term accommodations of not more than four consecutive nights. May also be referred to as "banquet hall."

**LAND BANKED PARKING**

Land designated to be reserved for a portion of parking required by this Code, which the Planning Board approves to be held and preserved as open space, rather than immediately constructed as parking.

**Section 2.** Section 210-3 District Schedule of Use Regulations/Residential Districts is amended as follows:

**210 Attachment 3**

**Town Code of the Town of Union Vale**

**Chapter 210**

**ZONING District Schedule of Use Regulations / Residential Districts [Amended 3-11-2010 by L.L. No. 12-2010; 8-15-2013 by L.L. No. 2-2013; 10-6-2016 by L.L. No. 3-2016; \_\_\_\_\_ - \_\_\_\_-2024 by L.L. No. \_\_\_\_-2024]**

Key: P Permitted Use P\*

Permitted Use subject to Site Plan Approval P\*\*

Permitted Use subject to Subdivision Plat Approval SP Use subject to Special Use Permit. Please refer to Article VI, § 90, reference for specific standards and requirements for certain SP uses.

SP\* Use subject to Special Use Permit and Site Plan Approval

SP\*\* Use subject to Special Use Permit and Subdivision Plat Approval X Prohibited Use

Structure / Land Use	Zoning Districts					Special Permit Reference
	RD 10	R D 5	R D 3	R D 1. 5	H	
Catering Facility	SP *	X	X	X	X	210- 56(E)(17)



Conferenc e Center	<b>SP</b> * <u>X</u>	SP *	SP *	X	X	<b>210-53(E)(4)</b>
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**Section 3.** Section 210-56(E) “Standards and Requirements for Certain Special Permit Uses” is amended as follows [additions are underscored]:

210-56(E)(17) Catering Facility. A catering facility shall be allowed by special permit in the R10 district, provided that:

(a) The establishment of the catering facilities shall only be allowed on a parcel of not less than 75 acres;

(b) The development of the catering facility shall preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community, unless on the basis of substantial evidence the buildings in question are deemed unsafe or incapable of reasonable rehabilitation and/or the preservation of such scenic and natural areas cannot be achieved without resulting in other harm to scenic or natural areas or the disturbance of same is in connection with the enhancement of those or other on-site scenic or natural areas.

(c) The following design objectives are met:

[1] 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.

[2] Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.

[3] New construction shall be sited so as to have minimum impact on fields, meadows and woodlands. Major grading or changing of topography shall not be permitted.

[4] Unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.

[5] The maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet.

[6] Access to the facility shall be from a state or county highway.

[7] 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 shall apply to all structures associated with the facility including accessory buildings, improvements and parking.

[8] Lodging facilities design features:

[a] Overnight lodging facilities shall be available for periods of not more than four consecutive calendar days per guest and must be provided as part of the catering facilities for the use and benefit of participants in events at the catering facility. The overnight lodgings shall not be used

or hired for transient guests not associated with an event on site.

[b] No more than one of the guest rooms may be attached to the catering facilities; the others must be accessory outbuildings in order to avoid the appearance of a hotel or motel structure.

[c] The maximum number of guest rooms in the aggregate shall not exceed 10.

[d] The maximum aggregate square foot footprint of the lodging facilities shall be 5,000 square feet.

[e] The outbuilding guest rooms may be provided in individual or attached structures.

[9] Approval shall be obtained by the Dutchess County Health Department for sanitary sewage and water supply facilities, including, as may be determined applicable by the Planning Board, certification through either the Health Department or a licensed professional engineer retained by the applicant that the existing on-site water supply and sanitary sewage facilities are sufficient to accommodate the additional demands of the catering facilities on the residential parcel such use is proposed.

[10] Other permitting or licensing requirements of State, local or federal laws rules or regulations shall be satisfied.

[11] Accessory uses to the catering facility development shall be limited to the following:

[a] Meeting rooms.

[b] Restaurant and dining facilities serving exclusively guests during events.

[12] 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.

[13] Notwithstanding any other provision of this chapter, parking requirements shall be at least one space per guest room plus either [a] one space for each 150 square feet of service area accessible to customers or [b] one space per 200 square feet of gross floor area, whichever is greater, provided however that the Planning Board shall have discretion to require such lesser or additional parking as may reasonably be deemed necessary where based upon a traffic study certified by a qualified professional and reviewed by the Town Engineer or Planner, and the Planning Board may approve land banked parking. Land banked parking of up to 25% of the parking which would otherwise be required where:

(1) Sufficient evidence has been provided by the applicant that supports the reduced parking needs.

(2) The area proposed for land banking of parking spaces is an area suitable for parking at a future time.

(3) The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.

(4) As part of the site plan review process, the applicant shall show the area to be banked on the site plan and marked as "Land Banked Future Parking."

(5) The Zoning Administrator or Building Inspector shall have the right to inspect the usage of the property from time to time during its operation to determine in their reasonable discretion whether all or any portion of the land banked parking area should be constructed as parking spaces.

[14] Outdoor Use and Occupancy.

[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 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.

[c] Operating Permits to commercial ventures. Any outdoor use shall require an operating permit pursuant to the New York State Building Code.

[d] The Design Standards set forth in the provisions of § 210-24 and §210-64 of this Chapter shall apply to the patio or terrace areas just as they shall to the buildings and interior spaces.

[e] Operations authorized and approved pursuant to these 256(E)17) shall not conflict with any provisions of the Agriculture & Markets Law pertaining to on-farm wineries, cideries, distilleries, or breweries.

[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 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.

[b] 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.

[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



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component in the RD10 District		
Project Location (describe, and attach a general location map): Town of Union Vale, New York (Refer to Zoning Map for identification of RD10 sites)		
Brief Description of Proposed Action (include purpose or need): The Town Board of the Town of Union Vale proposes to establish a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the elimination of Conference Centers as a Permitted Use in the RD10 District. The purpose of the project is to allow for and properly regulate catering facilities in this large-lot residential zone throughout the town in the best interests of immediate neighbors to any such development as well as the general health, safety, and welfare of the town, all in keeping with the character of the district. The proposed legislation will also require design features which ensure that such facilities will not appear to be traditional large-form commercial scale catering halls and/or associated with traditional hotels forms in these pastoral settings.		
Name of Applicant/Sponsor: Town of Union Vale Town Board		Telephone: 845-724-5600
		E-Mail: townclerk@unionvaleny.us
Address: 249 Duncan Road		
City/PO: LaGrangeville	State: NY	Zip Code: 12540
Project Contact (if not same as sponsor; give name and title/role): Joseph P. Eriole, Esq., Attorney for the Town on this Action		Telephone: 845-452-5900
		E-Mail: jeriole@vandewaterlaw.com
Address: 249 Duncan Road		
City/PO: LaGrangeville	State: NY	Zip Code: 12540
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:



## B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Adoption of Local Law - Zoning Text Amendment	
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

## C. Planning and Zoning

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	

### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

RD10

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? Text amendment to existing RD-10 district

### C.4. Existing community services.

a. In what school district is the project site located? Arlington CSD, Millbrook CSD, Dover Union Free SD

b. What police or other public protection forces serve the project site?

Dutchess County Sheriff Department, NY State Police

c. Which fire protection and emergency medical services serve the project site?

Union Vale Fire Department

d. What parks serve the project site?

All Town parks to the extent this is applicable, since the action would affect the RD10 zone throughout the Town.

### D. Project Details

#### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres

b. Total acreage to be physically disturbed? \_\_\_\_\_ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_

- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year

- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

Colin and Cheryl Martin  
31 Liberty Way

[Colin.m.martin@gmail.com](mailto:Colin.m.martin@gmail.com)

[Cherylfilmartin@gmail.com](mailto:Cherylfilmartin@gmail.com)

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**Colin M. Martin**

845.742.7781

f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <span style="float: right;"><input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____</span>	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____	
• Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	
_____	
_____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	
_____	
_____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

\_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

\_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?                  _____ Square feet or _____ acres (impervious surface)                  _____ Square feet or _____ acres (parcel size)</li> <li>ii. Describe types of new point sources. _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</li> </ul>	
<ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

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iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	



s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

#### E. Site and Setting of Proposed Action

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

e. Does the project site contain an existing dam? ☐ Yes ☐ No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No  
If Yes:  
i. Has the facility been formally closed? ☐ Yes ☐ No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_

iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No  
☐ Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
☐ Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ %	
_____ %	
_____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site	
<input type="checkbox"/> Moderately Well Drained: _____ % of site	
<input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site	
<input type="checkbox"/> 10-15%: _____ % of site	
<input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul>	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes:	
i. Name of aquifer: _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

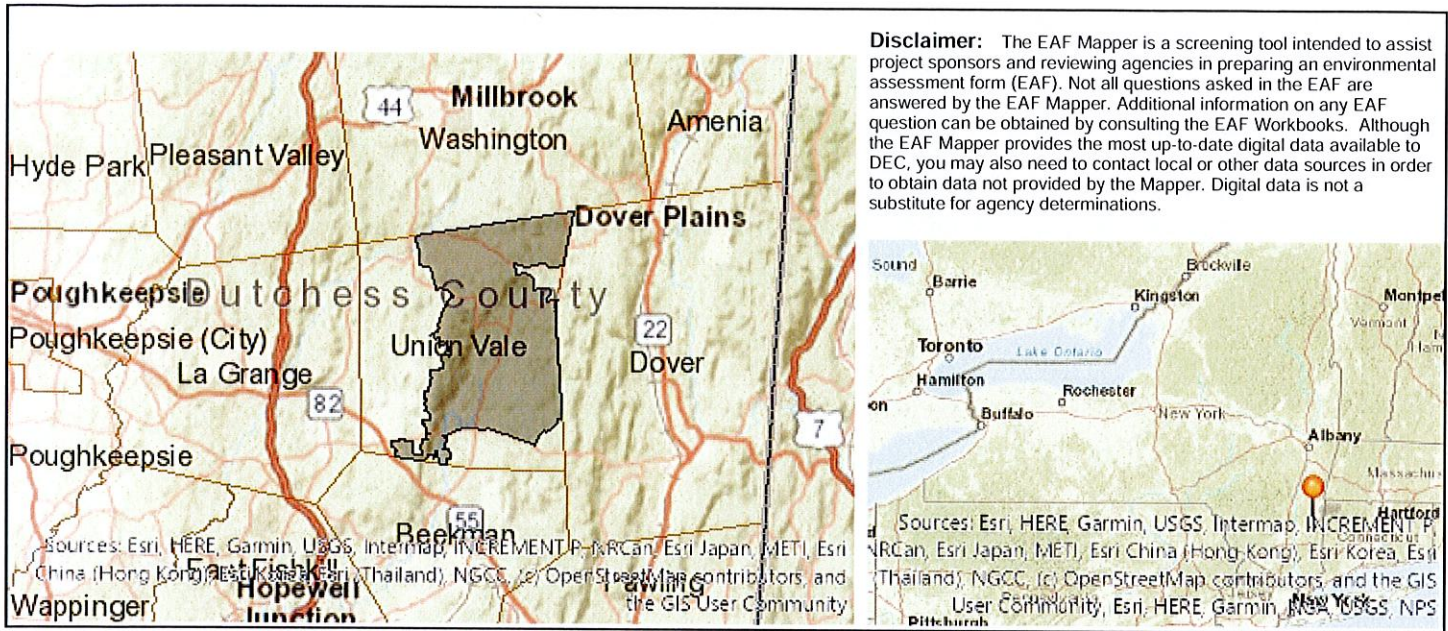
#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town Board, Town of Union Vale Date \_\_\_\_\_

Signature \_\_\_\_\_ Title Supervisor

**PRINT FORM**



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	825-36, 825-39, 825-39.1, 825-42, 825-44, 825-44.1, 862-354.2, 862-240, 862-347, 862-348, 862-349, 862-350, 862-350.1, 862-352, 862-353, 862-354.1, 862-280, 862-286, 862-289, 862-334, 862-299, 862-299.1, 862-299.2, 862-300, 862-344, 862-345, 862-345.1, 862-346.1
E.2.h.iv [Surface Water Features - Stream Classification]	C(T), D, C(TS), A
E.2.h.iv [Surface Water Features - Lake/Pond Name]	862-299, 862-349, 862-351, 862-353
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C



E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):111.1, NYS Wetland (in acres):26.7, NYS Wetland (in acres):19.4, NYS Wetland (in acres):21.3, NYS Wetland (in acres):192.1, NYS Wetland (in acres):158.4, NYS Wetland (in acres):22.9, NYS Wetland (in acres):28.4, NYS Wetland (in acres):17.3, NYS Wetland (in acres):38.8, NYS Wetland (in acres):20.9, NYS Wetland (in acres):24.4, NYS Wetland (in acres):31.5, NYS Wetland (in acres):42.7, NYS Wetland (in acres):24.1, NYS Wetland (in acres):43.3, NYS Wetland (in acres):31.1, NYS Wetland (in acres):253.9, NYS Wetland (in acres):28.5
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	VB-9, VB-12, VB-11, VB-18, VB-16, VB-3, VB-19, VB-17, VB-22, VB-28, VB-29, VB-31, VB-6, VB-27, VB-8, VB-7, VB-26, VB-42
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat, Bog Turtle, Northern Long-eared Bat, Timber Rattlesnake
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	New England Cottontail
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	DUTCc21
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:CLOVE MOUNTAIN FIRE OBSERVERS CABIN, Eligible property:CLOVE MOUNTAIN FIRE TOWER, Eligible property:CHAPEL OF THE CHILD, Eligible property:Hoxie Corners Stagecoach Shop, Eligible property:Former Union Vale School No. 3, Eligible property:127 Chestnut Ridge Road, Eligible property:403 Camby Road, Eligible property:576 West Clove Mountain Road, Eligible property:79 Camby Road
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

**UNION VALE TOWN BOARD MEETING APRIL 16, 2025**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading**

**Town Attorney: Ian Lindars**

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Supervisor Frazier opened the meeting with a Salute to the Flag and a moment of silence for Joann Griffin, long time resident and 22 years of service with Union Vale Fire Department as well as Beekman Fire Department.

**Approve Minutes-** March 19<sup>th</sup> meeting minutes tabled until May 7<sup>th</sup>

**Supervisor Report**

- Supervisor asked for an agenda change to remove UVFD and add Equestrian Report, motioned by Councilman Welsh, seconded by Councilman McGivney.
- Supervisor Frazier asked to add "Recycling Manager" & "Personnel Assistant" Resolutions to the Agenda, motioned by Councilman Welsh & seconded by Councilman McGivney.
- Finance Report: General Checking: \$1,619,086.00 MSC Receipts: \$20,034.00, General MM: \$68,688.00 General NYCLASS: \$2,677,792.00, General NYCLASS-Reserve: \$5,044.00 General NYCLASS-ARPA \$846.00 Total \$4,391,490.00
- Highway Checking: \$786,919.00, Highway MM: \$18,989.00, Highway NYCLASS: \$71,849.00, Highway New Acct for W. Clove Mtn Bridge: \$594,979.00, NYCLASS-Reserve \$176,725.00, total \$1,649,461.00 **Grand Total: \$6,040,951.00**
- March net income in favorable by \$177,000.00 vs the budget due to higher revenue and expense timing. YTD Revenue is up \$27,000.00 from summer camp, facility rentals, pool passes, and \$38,000.00 above what was anticipated. Year to date expense are \$150,000.00 favorable to the budget.
- Dutchess County will be closing Oak Summit Road for a bridge repair near Camby in early Spring, estimated 3-4-month closure.
- All Towns population 1,500 and above are required to have a .gov URL, and this has been requested and will be implemented with the new web team.

**Board Member Reports**

*Councilman Welsh-* Has been reviewing agenda topics, with focus on RD10 and W. Clove Mtn Bridge engineering.

*Councilman Harrington –* working with Peter Poltrack at the Recycling Center on equipment upgrades, and more to report later.

*Councilman McGivney-* working with the Planning Board on the Highway Dept lot line revision in anticipation of the salt shed replacement.

*Councilman Durland-* has had many calls from unhappy residents on the RD10 zoning change and has been reviewing other agenda items.

**Town Clerk Report**

Clerk Casey reminded residents of the "Orange Bag Campaign" scheduled for Saturday, April 26<sup>th</sup> at 10:00am. Orange bags are available for pick up at Town Hall as well. Reminder for Town residents

**Highway Report**

Superintendent Kading and his team have been performing maintenance on the trucks, sweeping the roads of excess salt. The corrected a drainage issue on Highview Road and day to day filling potholes. He also asked for an update with abandoning certain town roads.

**Recreation Report, submitted by Maggie Collins, Recreation Director**

Huge thank you to all of the volunteers that came to help stuff thousands of eggs for the upcoming Egg Hunts for All event. Our team appreciates all of your help preparing for this fun day. While this Saturday's weather prediction looks rainy, our Egg Hunts for All event is rain or shine. Emails with specific details on parking and timing of all the egg hunts will be sent out to



the email used to register on the Parks and Recreation website. Please reach out to the Park Office for any questions about the event. We look forward to seeing everyone there. We will be hosting a Red Cross Lifeguard certification course in early June. This is a multi-day course and those registered must attend all dates in order to complete the course. This certification includes a CPR and First Aid certification. Additional requirements, timing, and registration can be found on the Parks and Recreation website.

**Park Report, submitted by Park Manager, Vincent Germano**

- Warmer weather the grass has started to grow, with that comes mowing and trimming.
- The heavy winds have taken down some branches around the park and on the trails that we have been cleaning up.
- The outdoor bathrooms by the pool are open for the season, the outdoor bathrooms by the parking lot and at Godfrey Park will be open in the coming weeks.
- We are preparing for the Easter Egg Hunt this Saturday.
- We have started preparing the soccer fields for their season that starts this weekend.
- The equestrian center will have its first event of the year next weekend on April 27<sup>th</sup>, so we will start preparing the equestrian center for them over the next few weeks.
- On April 26<sup>th</sup> we have members of the Leadership Development Program of the Dutchess County Regional Chamber of Commerce coming to volunteer at the park and undertake some painting projects.

**Animal Control Report- No report**

**Equestrian Report, presented by Director, Loretta Ryan**

Mrs. Ryan noted that this is the 30<sup>th</sup> anniversary of the horse-pull Saturday June 7<sup>th</sup> beginning at 11:00am last year was the largest, this is due to the generosity of the sponsors. They are still accepting any sponsorships. Schedule of events can be found on the Town Website. All are welcome to assist and volunteer. UVFD will be selling concession items on April 27<sup>th</sup>.

**Public Comment on Agenda Items- None**

**Part-Time Employee Vacation Benefits**

There was a discrepancy in policy, there was discussion about increasing their benefits for retention and the board agreed to add language for revision.

**Deputy Clerk/ Land Use Secretary**

The current Deputy Clerk/ Land Use employee is leaving the area, and this allows for training in the interim, the resolution will reflect this.

**Resolutions (attached)**

- Resolution 30 of 2025 Hiring Part-Time Temporary Clerk
- Resolution 31 of 2025 CB 525 West LLC, petitioner in a Tax Certiorari Proceeding
- Resolution 32 of 2025, Ferme Montagne LLC, petitioner in a Tax Certiorari Proceeding
- Resolution of Re-Introduction 33 of 2025 A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District
- Resolution 34 of 2025 Promoting Solid Waste Attendant to Recycling Supervisor
- Resolution 35 of 2025 Hiring a Personnel Assistant

**Constable Vehicle Equipment Fitment**

Supervisor Frazier explained he obtained 2 quotes for the lighting for the new truck. He showed the board the comparable quote for Comlinx who is in connection with A-1 Communication who the town is familiar with. The board agreed to move forward with Comlinx as they had more attractive pricing and a good reputation.

**Motion for Constable Vehicle Lighting**

Councilman Harrington made a motion to move forward with Comlinx which was seconded by Councilman McGivney and all were unanimously in favor.

**West Clove Mtn Bridge Replacement**

Supervisor Frazier received a proposal from the Town Engineer, the board reviewed it. Attorney Lindars advised to do a formal resolution for the next meeting.

**Public Comments on Town Issues**

Jean Moore, Darren Road, spoke about the Union Vale Library hours and there is varying information on the hours on each site. She further spoke about the history of residents being asked if they wanted a library summarizing that the overall sentiment was no, aside from the former administrations. She is further dissatisfied with the Town paying for a library lawyer as the plaintiff and defendant and feels it a waste of taxpayer money.

**Executive Session** Councilman Harrington made a motion at 8:18pm to enter executive session regarding litigation with Town of Union Vale Library Trustees, which was seconded by Councilman Welsh and all were unanimously in favor.

**Executive Session** Councilman Welsh made a motion at 9:05pm to exit executive session to resume the regular meeting which was seconded by Councilman Harrington and all were unanimously in favor. Supervisor Frazier advised that no decisions were made and no money allocated.

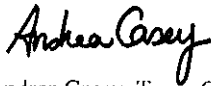
**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman Welsh made a motion to pay the bills and which was seconded by Councilman Harrington and all were unanimously in favor.

**Next Meeting** May 7<sup>th</sup> 2025 at 7:30pm

**Motion to Adjourn** At 9:06PM Councilman Harrington made a motion to adjourn the meeting which was seconded by Councilman McGivney and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk

# EXHIBIT K

# Dutchess County Department of Planning and Development

Pay Info Only	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

## 239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Union Vale**

Referring Agency: **Municipal Board**

Tax Parcel Numbers(s): **3382620000**

Project Name: **RD10**

Applicant: **Town Board**

Address of Property: **249 Duncan Road**

### Exempt Actions:\* 239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

### No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

### Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☒ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other (Describe):

### Parcels within 500 feet of:

- ☐ State Road:
- ☒ County Road:
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☒ Farm operation in an Agricultural District

Date Response Requested: **5/21/2025**

Entered By: **Casey, Andrea**

\*These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.\*

### For County Office Use Only

## Response From Dutchess County Department of Planning and Development

### No Comments:

- ☒ Matter of Local Concern
- ☐ No Jurisdiction
- ☐ No Authority
- ☐ Withdrawn
- ☐ Incomplete - municipality must resubmit to County
- ☐ Exempt from 239 Review
- ☐ None

### Comments Attached:

- ☐ Local Concern with Comments
- ☐ Conditional
- ☐ Denial
- ☐ Incomplete with Comments- municipality must resubmit to County
- ☐ Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **4/22/2025**

Date Received: **4/22/2025**

Date Requested: **5/21/2025**

Date Required: **5/21/2025**

Date Transmitted: **5/7/2025**

Notes:

☐ Also mailed hard copy

☐ Major Project

Referral #: **ZR25-108**

Reviewer: 

Date Printed: 5/7/2025

# EXHIBIT L



## **NOTICE OF PUBLIC HEARING**

***TAKE NOTICE*** that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 (in the Town of Union Vale) on May 21, 2025 at 7:00 o'clock p.m. prevailing time, on proposed Local Law #2 of 2024, of the Town of Union Vale, Dutchess County, New York, being "A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District as Revised".

1. Copies of the aforesaid Revised Proposed Local Law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between the date of this Notice and the date of the Public Hearing, and on the Town's website at [www.unionvaleny.us](http://www.unionvaleny.us) and all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at [www.unionvaleny.us](http://www.unionvaleny.us)). The Zoom invite for this public hearing is:

<https://us02web.zoom.us/j/89010555759?pwd=yhEIX6Coaa2hI8umBH9YkLaO3N65Pk.1>

Meeting ID: 890 1055 5759 with Passcode: 536782

The invite for participating on Zoom will also be posted on the Town of Union Vale website [www.unionvale.ny.us](http://www.unionvale.ny.us) the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600. In-person attendees will be able to sign up when entering the hearing room. For any other questions contact the Town Clerk at [townclerk@unionvaleny.us](mailto:townclerk@unionvaleny.us) or (845) 724-5600.

Legal Notices	Legal Notices	Legal Notices	Legal Notices	Legal Notices
1 <b>NOTICE OF PUBLIC</b>	hearing. If you wish to			1
2 <b>HEARING</b>	be called upon to com-			2
3 <b>TAKE NOTICE</b> that	ment during the public			3
4 the Town Board of the	hearing while partici-			4
5 Town of Union Vale	pating on Zoom, you			5
6 will hold a public hear-	can place your name			6
7 ing at the Town Hall,	on the list by contact-			7
8 249 Duncan Road,	ing the Town Clerk at			8
9 Lagrangeville, New	t o w n c l e r k @			9
10 York 12540 (in the	unionvaleny.us or			10
11 Town of Union Vale)	(845) 724-5600. In-			11
12 on May 21, 2025 at	person attendees will			12
13 7:00 o'clock p.m. pre-	be able to sign up			13
14 vailing time, on pro-	when entering the			14
15 posed Local Law #2 of	hearing room. For any			15
16 2024, of the Town of	other questions con-			16
17 Union Vale, Dutchess	tact the Town Clerk at			17
18 County, New York,	t o w n c l e r k @			18
19 being "A Local Law	unionvaleny.us or			19
20 <u>Amending Zoning</u>	(845) 724-5600.			20
21 <u>Code Article XI, §210-</u>				21
22 <u>86, §210-56(E), and</u>				22
23 <u>Attachment 210-3 re-</u>				23
24 <u>lating to the Establish-</u>				24
25 <u>ment of a Special Per-</u>				25
26 <u>mit in the RD10 District</u>				26
27 <u>for Catering Facilities</u>				27
28 <u>with a Temporary</u>				28
29 <u>Lodging Component</u>				29
30 <u>and the Elimination of</u>				30
31 <u>Conference Centers</u>				31
32 <u>as a Permitted Use in</u>				32
33 <u>the RD10 District as</u>				33
34 <u>Revised".</u>				34
35 1. Copies of the afore-				35
36 said Revised Pro-				36
37 posed Local Law will				37
38 be available for exam-				38
39 ination at the office of				39
40 the Clerk of the Town				40
41 of Union Vale, at the				41
42 Town Hall, 249				42
43 Duncan Road, La-				43
44 grangeville, New York				44
45 12540 between the				45
46 hours of 9:30 a.m. and				46
47 4:00 p.m. on all busi-				47
48 ness days between				48
49 the date of this Notice				49
50 and the date of the				50
51 Public Hearing, and				51
52 on the Town's				52
53 website at www.				53
54 unionvaleny.us and				54
55 all persons interested				55
56 shall have an opportu-				56
57 nity to be heard on said				57
58 proposal at the time				58
59 and place aforesaid				59
60 and in addition to in				60
61 person viewing, the				61
62 Public Hearing will be				62
63 held on Zoom and				63
64 carried on the Town				64
65 of Union Vale's				65
66 YouTube channel for				66
67 live viewing (access at				67
68 www.unionvaleny.us				68
69 ). The Zoom invite for				69
70 this public hearing is:				70
71 https://us02web.zoo				71
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73 ?pwd=yhEIX6C0aa2				73
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76 Meeting ID: 890 1055				76
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78 536782				78
79 The invite for partici-				79
80 pating on Zoom will				80
81 also be posted on the				81
82 Town of Union Vale				82
83 website www.				83
84 unionvale.ny.us the				84
85 morning of the public				85





## TOWN OF UNION VALE

249 Duncan Road  
Lagrangeville, NY 12540  
TEL (845) 724-5600 – FAX (845) 724-3757  
District # 1367

Andrea Casey  
Town Clerk

To:

Town of Beekman  
Town of Dover  
Town of LaGrange

Town of Pleasant Valley  
Town of Washington  
Village of Millbrook

Town of Union Vale Planning Board (email)  
Dutchess County Planning & Development (email)

From: Andrea Casey, Town Clerk

Date: April 21, 2025

RE: A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District as Revised

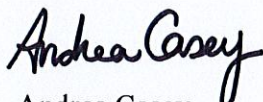
Dear Sir or Madam:

On behalf of the Town Board, I am forwarding a copy of the abstract of proposed Local Law #1 of 2025 for review and comment.

- Notice of Public Hearing
- Updated Resolution of Introduction with local law text
- EAF (updated)

Please provide your comments to the Town Board prior to the scheduled Public Hearing on **May 21, 2025** at 7:00 PM.

Sincerely,

  
Andrea Casey

Enclosure



**UNION VALE TOWN BOARD PUBLIC HEARING RD10 MAY 21, 2025**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:00 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Town Attorney: Ian Lindars, Jim Nelson, Hannah Atikson**

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Supervisor Frazier opened the public hearing at 7:00PM

Councilman Welsh made a motion for executive session for attorney client privilege meeting seconded by Councilman McGivney and all were unanimously in favor.

Supervisor Frazier returned and motioned to resume the public hearing which was seconded by Councilman Welsh and all were unanimously in favor.

Amy Hardisty-, Liberty Way, this is not the first, no one Union Vale resident has spoken in favor of this project. As a wedding planning professional, she felt the planning report was not done with event planning in mind. She asked about environmental assessment, still contradictory to the town code ordinance, feels this change is the result of a developers wish. She is not in favor of this zone change.

Joshua Mackey, attorney representing Amy & Hans, this law has no place in the town of union vale as it is a not consistent with the comprehensive plan, feels the plan should be reviewed by the Board. He further spoke about a preview of the upcoming lawsuit that will be filed if this local law is passed. He stated it targets 1 parcel, the law is arbitrary in terms of acreage, would like the Board to review and change the comprehensive plan as this area is in a rural area.

John Wynne, Traver Road, LaGrange, is in favor of this project, as there is no other facility like this and will provide jobs during development and after established. The venues would increase the tax revenue and overall nice to have facility that is closer than Poughkeepsie.

Hans Hardisty, Liberty Way, have not heard any residents speak in favor, wants to resubmit a letter from property assessment as this does not raise revenue and the modest change does not address the noise, light pollution, traffic, and declining property value, also strain on local resources such as fire and rescue. He also urges the board to listen to the residents and review the master plan. He is not in favor of this change.

Joe Fuscaldo, Davis Road, Developer of the property, they proposed 6,000sqft on an 80-acre parcel. He assures the Town the ordinances will be complied with an aims to make minimal impact and wants to keep it as farm like as possible.

Diana Lens, Verbank Club, she had her kids all live here, she is in favor of the project, she used to ride horse on land across the street that that is now houses. She loves the idea and would rather see a beautiful barn than more houses and feels it is a great idea.

Vicky Pitman, Bruzgul Road, is not in favor, questions why conference center is allowable and would like that removed rather than wedding venue added. She would prefer residential houses rather than a commercial venue. She is concerned about the safety of the road and noise this may impact, she feels laws are helpful but also only if they are followed.

Paul Canevari- is very much not in favor of this project lives nearby and is very concerned about accidents, traffic and noise, he urges the Town Board to reconsider passing this zone change.

**Motion to Continue Hearing**

Councilman Welsh made a motion to continue the public hearing on June 4<sup>th</sup> at 7:00pm seconded by Councilman Harrington and all were unanimously in favor.

**UNION VALE TOWN BOARD MEETING MAY 21, 2025**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading**

**Town Attorney: Ian Lindars**

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Supervisor Frazier called the meeting to Order to Order and Salute to the Flag at 7:40PM

Moment of silence Al Poelzl, longtime resident, active member of the Senior Club, who lived until 102. A moment of silence for another beloved resident, Richie Albrecht who was instrumental in the layout of Tymor Park and the creation of the Equestrian Center. Loretta Ryan sent a memo about what he meant to the Town.

**Motion Approve Minutes:** Councilman Welsh made a motion to approve March 19, 2025 and April 2, 2025 meeting minutes which was seconded by Councilman Harrington and all were unanimously in favor.

**Supervisors Report**

- Contacted DOT about Route 82 section of highway north of Verbank, they replied they would send a team out for temp repairs and it is on the docket for paving in the future.
- The Constable/ Code Enforcement vehicle is being outfitted with equipment and will be in service soon.

**Board Member Reports**

*Councilman Durland-* nothing to report

*Councilman McGivney-* reminded the residents the horse pull is June 7<sup>th</sup>, UVFD is providing refreshments and proceeds will go this good cause.

*Councilman Durland,* reviewing upcoming resolutions and fielding calls for RD10 zone.

*Councilman Welsh-* friends with him since high school, was park manager for a few years, built large pavilion next to the pool at his own, was a wonderful family man and resident

*Councilman Harrington,* -talking to residents, their main concern of abolishment of the library, has been keeping everyone informed, has been reviewing the road schedule is an excellent idea, roads are being upkeep very well, major work on Blueberry Drive and Brush Hill.

**Town Clerk Report**

Clerk Casey reminded everyone about shredding day on June 4<sup>th</sup>, please call her office to be added to the call list for truck arrival. The DEC has lifted the burn ban, no permits are required but please adhere to the regulations on the DEC website. Balloon Fest Tickets are available at discounted prices through Town Hall for residents only.

**Highway Report**

Superintendent Kading reported the culverts are being changed on W. Clove Mtn. Road, They are prepping for oil and chip seal for roads that have been selected for this year. Spoke to the State on the intersection of Route 82 and Verbank Village Road, the bridge on S. Road will be rerouted to our road and noted site distance is minimal due to the pine trees and the State has not been active about trimming them although requested.

Bids are in for the salt shed. Jennifer hill project is larger than anticipated requiring bid and engineering may not be ready until 2026, if so they will redistribute money to pave all of N. Parliman Road.

**Tax Collector Report**

Ms. Saglibene noted she sent out 100 second notices, 68 more to go, paid \$300,000.00 to Dutchess county, May penalty is 4%, reminded residents to ensure envelopes are hand stamped on or prior to May 31<sup>st</sup>. She thanked Dutchess County for their extensive road clean up.

**Animal Control (submitted)**

April 2025: there was 1 lost dog, 2 found dogs, 1 potentially rabid skunk & 1 dog assistance call.

March 2025: During the month of March there were no lost or found dogs.

**Public Comment on Agenda Items: - None**

**Resolutions (see attached)**

41-2025 Declaring Town Equipment Surplus and Authorizing its Sale at Public Auction

42-2025 Promoting Alternate Solid Waste Attendant to Solid Waste Attendant and Hiring Two Alternate Solid Waste Attendants

Supervisor Frazier noted, alternates do not accrue benefits. Councilman Welsh Mike Novak did a great job was always working and very effective in his position and sorry he had to leave. The entire Board expressed their sorrow to see him leave and wished him well.

39-2025 Amending Section 4.2 Vacations of the Town of Union Vale Employee Handbook

**Salt Shed Resolution**

Supervisor Frazier explained the paperwork was prepared, tabled until next meeting. Motioned by Supervisor Frazier and seconded by Councilman Welsh.

RD10 Code Changes Supervisor Frazier noted more work to be done, the continuation of the public hearing for June 4<sup>th</sup> and asked for this to be tabled which was motioned by Councilman Durland and seconded by Councilman Harrington and all were in favor.

**Public Comment on Town Issues**

Chuck Richwine, On the Green, he has also reached out to State 82, they advised they are doing a 'patch and pray' suggested each official reach out to County Executive, Sue Serino, to move repair up the timeline.

**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman Welsh made a motion to pay the bills and which was seconded by Councilman Harrington and all were unanimously in favor.

Supervisor Frazier asked for a quick 5-minute recess.

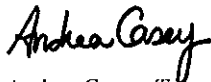
Supervisor Frazier explained there is local hay farmer, maintaining fields, enter into a service agreement in exchange for the product of hay, proceed with attorney on an agreement branch off of existing agreement. All agreed this will be better for the town and save money and time from the staff. All members of the board agreed to explore this.

Been approached by a baseball league, large league in the north east, renting Godfrey baseball, wants improvements for his use and wants some compensation and assurance to use the fields, waiting to receive formal proposal to ensure his use and also ability for the town residents to use it. Once details are received they can create a legal and satisfactory agreement. All members of the board agreed to explore this idea.

Next meeting is June 4<sup>th</sup> 2025, public hearing for RD10 7:00PM

**Motion to Adjourn** At 8:15PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman McGivney and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk

# EXHIBIT M

**UNION VALE TOWN BOARD PUBLIC HEARING RD10 JUNE 4, 2025  
249 DUNCAN ROAD, UNION VALE, NEW YORK (CONTINUATION MAY 21)  
UNION VALE TOWN HALL 7:00 PM  
PRESENT: Supervisor Steve Frazier  
Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh  
Town Clerk: Andrea Casey  
Town Attorney: Ian Lindars, Jim Nelson, Hannah Atkinson**

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Supervisor Frazier opened the public hearing at 7:00PM

Hans Hardisty, Liberty Way, one resident in favor and that resident is on the for-sale sign, he feels this has been a waste of time and money, and feels like this was done without input of residents and without proper notice. He also feels this will negatively impact property values. He is not in favor of the zone change and although does not want to, will initiate a lawsuit to combat this zone change.

Amy Hardisty, Liberty Way, is not in favor of this zone change. She summarized her points and noted they remade the law with a slight increase in acreage. Her concern is that the interest of the developer is taking precedence over the safety of the children and preservation of a serene setting and property values. She feels that her concerns are being ignored as well as her professional experience. The accommodations in the developer's proposal are 75ft off the nearest neighbor's property line on both sides. She referenced the plans not being viable and feels this is spot zoning and feels any judge would agree with the law set forth.

Colin Martin, Liberty Way, echoed Hans and Amy's comments. He formally objects to the RD10 zone change and wedding venue proposed.

Pete Rodrigues, Liberty Way, is very concerned about the safety aspects and moved here for rural life and is worried this may be compromised. He formally objects to this zone change.

Adam Cronin, Liberty Way, objects and is not in favor of this zone change. Asks the Town Board to listen to the concerns of the residents.

Paul Canevari, Bruzugul Road, his 3<sup>rd</sup> time speaking, he objects to this zone change. Feels the developer does not care about the neighbors and hopes the Town Board cares enough for neighbors. He feels there is enough other venues in the nearby area.

Michael Cote, Darren Road, is in favor of this project, watched the last hearing, seeing lots of exaggeration in concerns. Referenced the Links and noted there is no further crime or issues from venue. Feels a conference center and houses would have a larger adverse environmental impact. Feels the town could use commercial development to reduce tax burden for all residents.

Diana Lenz, Verbank Club Road, her and her family own 10 houses in Union Vale, would much prefer to see a beautiful barn rather than a conference center or low budget housing and feels the town needs more revenue sources. She is in favor of this project

Ben Zimmerli, Liberty Way, feels that stretch of road is dangerous and although the town could use other revenue sources but is not in favor of this zone change.

Vicky Pittman, Bruzugul Road, noted there are 128 wedding venues in the 12540-zip code. She feels they don't need another in a residential neighborhood. She can hear beeping and other noises far from her house and is concerned about any noise impacting the area. Feels the road is dangerous and is concerned about more population on this road. She is not in favor of this zone change.

Erica Canevari, Bruzugul Road, works in the event business and feels even though the school buses aren't during events, delivery's come during this time, she is very concerned about more drunk drivers and increased road traffic. She is not in favor of this zone change.

Vishal Patel (comments attached, submitted by email)

**Adjourn Hearing:** Councilman Welsh made a motion to adjourn this hearing until July 16<sup>th</sup> at 7:00pm which was seconded by Councilman Harrington and all were unanimously in favor.

**UNION VALE TOWN BOARD MEETING JUNE 4, 2025**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading**

**Town Attorney: Ian Lindars**

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Supervisor Frazier asked for an Attorney Client Meeting 7:25pm motioned by Councilman Harrington and seconded by Councilman McGivney, all were in favor.

Supervisor Frazier called the meeting to Order to Order and Salute to the Flag at 7:40PM

**Motion Approve Minutes:** Councilman Welsh made a motion to approve the May 7, 2025 meeting minutes, seconded by Councilman Harrington and all were unanimously in favor.

**Supervisors Report**

- Encouraged all to attend the draft horse pull and noted there will be a tribute to Richard Albrecht at 10:30am due to his recent passing and contribution to the event.
- The park truck arrived ahead of schedule and is in service. The constable/code enforcement will be ready in the next day.
- UnionValeMail still appears to be active and he noted that it no longer originates from Town Hall and he is informed it is being used for political purposes. The Town is in the process of developing a new town wide email distribution platform and anyone that would like to participate can supply their email to the Town Clerk. This process is in tandem with the improved new website which will be ready soon.

**Board Member Reports**

*Councilman Durland-* working on RD10 rezoning speaking to board members and community reviewing salt shed quotes.

*Councilman McGivney-* draft horse pull encourages all to attend, UVFD will be providing food

*Councilman Welsh-* salt shed vote regarding construction and pricing, pass approval which is desperately needed.

*Councilman Harrington –* reviewing salt shed and bids, easy to come to a conclusion, knocking on doors getting opinions on hot button issues, biggest issue is the library and the abolishment and upset paying attorney to fight each other over something they thought was being settled. Felt majority wanted to return to the Mid Hudson Library System and he agrees.

**Town Clerk**

Clerk Casey thanked Legal Shred for a great day of document shredding. She also advised about balloon fest tickets being available for Town Residents at discounted prices. The will be having a drop box for food items in connection with St. Vincent's food pantry at Town Hall.

**Tax Collector –** Next meeting will provide a close out report.

**Recreation Report, Submitted by Recreation Director Maggie Collins-Field**

Thank you to the Arlington Jazz Ensembles for another fun Music in the Park event. Even with the rainy weather it was the perfect evening for all. Thank you as well to the Cluck Truck team for their excellent service throughout the evening. We look forward to having everyone back again next year. The pool is officially open on the weekends from 11am-6pm. The pool opens during the week starting June 30th. This year we will have the pool open for residents to enjoy on Juneteenth; thank you to our Aquatics Director for organizing this. Friday June 27th we will have our annual Community Night event here at Town Hall. From 6pm-9:30pm residents and their family and friends can come tailgate at Town Hall to enjoy food and drinks from various food trucks, games, raffle prizes (tickets are cash only), and kick off the Summer season with a firework show. Once again, we will also have Town Departments tabling and available to ask our Town staff and volunteers questions and learn more about different programming and services offered by the Town. Further information on this event will be posted on the Parks and Rec

social media and website. Our team is working hard to prepare for the start of Summer Camp. We are excited to welcome new and former campers back to enjoy their time at Tymor Park.

**Parks Report submitted by Park Manager, Vincent Germano**

- Some areas around the park and equestrian center were too wet to mow and have become overgrown. We have been brush hogging them now that the ground is starting to dry out, as well as the roughs of the disc golf course.
- The pool is now open on weekends only, it will open on weekdays starting June 30<sup>th</sup>. The kiddie pool is currently not open as we had some tile come off and we have had to repair it but it should be ready for a health department inspection next week and open the following weekend.
- We have received the new dump truck for the parks department way ahead of schedule. We will be cleaning up our old vehicle to prepare it for sale.
- The annual Draft Horse Pull will take place this Saturday, June 7<sup>th</sup>, at the Tymor Equestrian Center. The event will start at 11am. Before the event a memorial will take place for Richard Albrecht, a dedicated and longtime resident of Union Vale and a key member of the Equestrian Center.

**Equestrian Center Report – next meeting**

**Senior Center Report, submitted by Leah S., Vice President, Union Vale Senior Club**

The Union Vale Senior Club continues to grow and thrive! We average about 20 members at our Friday meetings and have welcomed a steady stream of local seniors and their families interested in joining "the coolest club in town." Our newly extended hours, now Monday through Friday, are going smoothly thanks to dedicated member volunteers. I'd especially like to thank Treasurer Mrs. Moore and those who've stepped up to help cover the building during these hours. We were saddened by the recent passing of one of our beloved members at 102 years old. A condolence card was sent to his family on behalf of the club. President Erna Pultz is currently recovering from back surgery and we wish her a full recovery. In the meantime, I've had the pleasure of submitting a grant on behalf of the Club and the Town to Dutchess County. We're looking forward to the announcement in July. Our first senior trip to King Buffet was a hit! And we're excited for our June highlights: June 20: Father's Day Celebration June 23: "Monday with Mary" from Dutchess County Office for the Aging (10:30 AM-12 PM) Memberships for July-December are now open for \$15. Packets are available at Town Hall, on the UVSC Resource Table, and online. For updates, follow the Union Vale Senior Club on Facebook.

**Public Comment on Agenda Items- None**

**RESOLUTION NO. 45 OF 2025 DECLARING PARKS DEPARTMENT EQUIPMENT SURPLUS AND AUTHORIZING ITS SALE AT PUBLIC AUCTION (see attached)**

**RESOLUTION NO. 46 OF 2025 ADOPTING NEGATIVE DECLARATION WITH RESPECT TO THE TOWN OF UNION VALE HIGHWAY GARAGE SALT STORAGE SHED REPLACEMENT PROJECT (see attached)**

Engineer, Tom Harvey, explained he had shared the EAF and recommendation letter to the town board recommending the low bidder, Darlind Associates, he hopes the board going to award bid and finish SEQRA. Attorney Lindars noted it is all laid out in parts 1, 2 and 3 narrative and the negative declaration, he recommended they move forward with contract executed as well.

**RESOLUTION NO. 43 OF 2025 AWARDING GENERAL CONSTRUCTION CONTRACT FOR THE TOWN OF UNION VALE HIGHWAY GARAGE SALT STORAGE SHED REPLACEMENT PROJECT (see attached)**

**Public Comment Town Issues- No comments**

**Executive Session** Councilman Welsh made a motion to enter executive session to discuss litigation on the library copy machine at 8:16PM seconded by Councilman Harrington and all were unanimously in favor.

**Executive Session** Councilman Welsh made a motion to exit executive session at 8:42PM to resume the regular meeting which was seconded by Councilman Harrington and all were

unanimously in favor. Supervisor Frazier advised that no decisions were made and no money allocated.

Supervisor Frazier thanked volunteer, Darren Samson for his work of AV equipment and he comes in 1 hour early

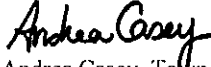
**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman Harrington made a motion to pay the bills and which was seconded by Councilman Welsh and all were unanimously in favor.

**Next Meeting** June 16, 2025 at 7:30pm

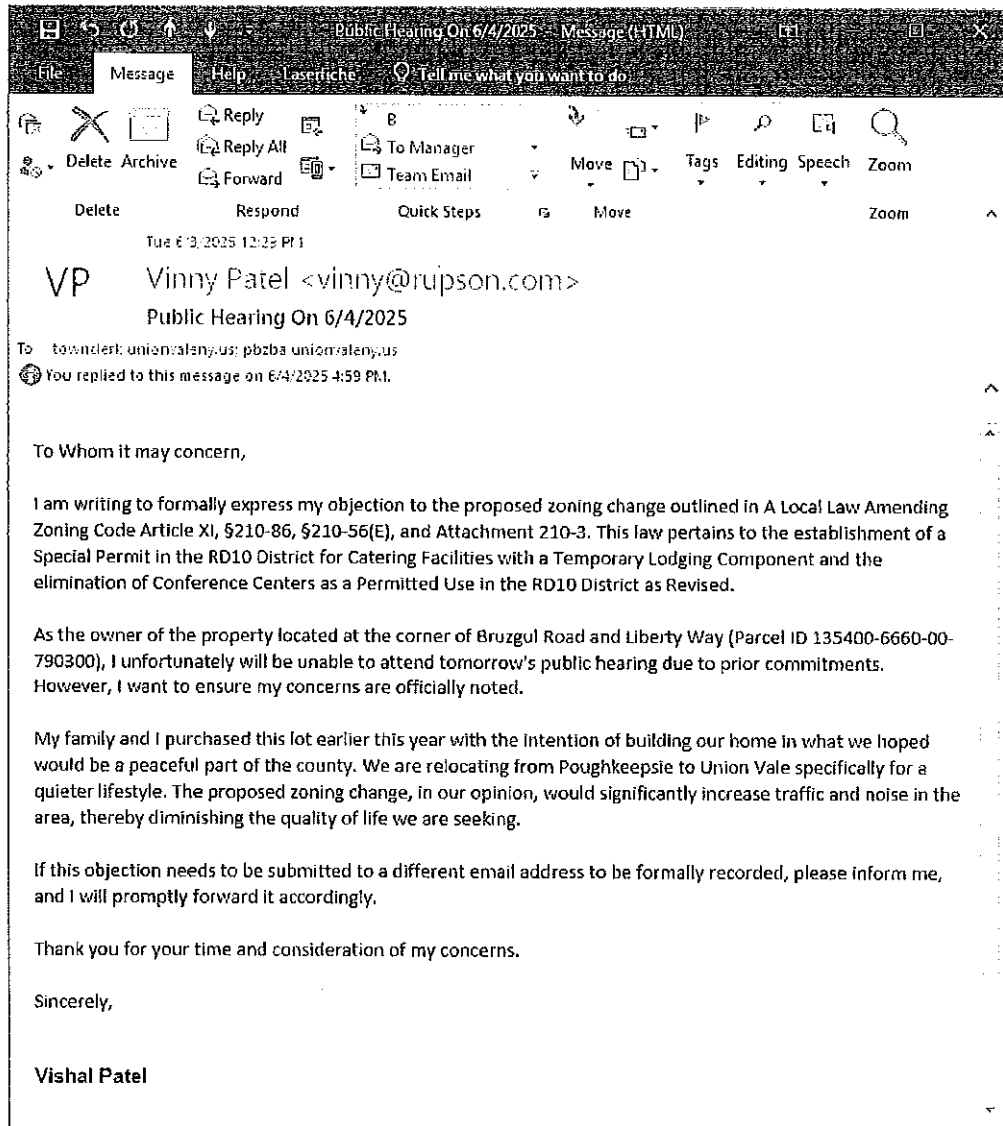
**Motion to Adjourn** At 8:43PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman Harrington and all were unanimously in favor.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Andrea Casey".

Andrea Casey, Town Clerk





**UNION VALE TOWN BOARD PUBLIC HEARING RD10 ZONE CHANGE LLI OF  
2025: JULY 16, 2025  
249 DUNCAN ROAD, UNION VALE, NEW YORK  
UNION VALE TOWN HALL 7:30 PM  
PRESENT: Supervisor Steve Frazier  
Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh  
Town Clerk: Andrea Casey  
Highway Superintendent: Ed Kading (Absent)  
Town Attorney: Jim Nelson, Hannah L. Atkinson**

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Supervisor Frazier motioned to enter an attorney client meeting motioned by Councilman Harrington seconded by Councilman Welsh. Upon returning from the attorney client meeting, Supervisor Frazier opened the floor to public comment for the RD10 public hearing

**Joe Fuscaldo**, property developer, he was shocked about allegations about his personal character and integrity. He came to find a rural farm to build a private wedding venue. He is a local from Pleasant Valley and did not come to disrupt anything in Union Vale. He said he has been to multiple weddings and none have ended in police or ambulance calls. He asks for some form of resolution and hope to create something special. He noted there will be no adverse environmental impact, no sound impact and minimal exposure and maximum safety. He hopes the town board will not be steamrolled for a minority rather than the bigger picture.

**Michael Cote**, Darren Road, spoke about the lack of consideration of the current owners and noted they inherited this parcel and need to sell it and are having a difficult time because of the way it is zoned. He worries about the towns exposure for preventing this from going through. He noted these venues are coming to Dutchess County and spoke about the long-term benefits such as lowering the residential tax base and asks the Town to not get caught up in the short term

**Amy Hardisty**, Liberty Way, she is a lifelong Dutchess County resident a spoke about her background and her love for the town from her childhood and how she worked hard to build a home here in a private, quiet setting. She highlighted all the items such that present an issue and the lack of support from the community other than those directly affected by the sale. She hopes the Town Board will consider the voices of the residents.

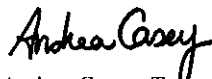
**Paul Canevari**, Bruzgul Road, spoke about the love of the area and the worry of the increased traffic and issues already with the road, he cited examples of this and wholeheartedly expressed that he is against this change.

#### **Motion to Close Public Hearing**

Councilman Harrington made a motion to close public hearing 7:50pm seconded by Councilman Welsh and all were unanimously in favor.

Attorney Nelson advised the board could continue this at a later date even though the hearing is closed which can be done during the regular business meeting. Supervisor Frazier explained that this has become a very complicated matter and wants to give it the attention it deserves and do it properly rather than quickly and is unable to give a date due to this reasoning.

Respectfully Submitted,



Andrea Casey, Town Clerk

**UNION VALE TOWN BOARD MEETING JULY 16, 2025**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading (Absent)**

**Town Attorney: Ian Lindars (Absent)**

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Supervisor Frazier called the meeting to Order to Order and Salute to the Flag after the conclusion of the RD10 Public Hearing.

**Motion Approve Minutes:** Councilman Welsh made a motion to approve the June 18, 2025 meeting minutes, seconded by Councilman Harrington and all were unanimously in favor.

**Supervisors Report**

- Discussion on alarm system at Town Hall, Councilman Welsh motioned to add this to the agenda seconded by Councilman Durland.
- General Checking: \$1,112,892.00 MSC Receipts: \$74,630.00, General MM: \$211,030.00 General NYCLASS: \$ 2,705,637.00, General NYCLASS-Reserve: \$5,097.00 General NY CLASS- ARPA \$855.00 **General Fund Total \$ 4,110,141.00**
- Highway Checking: \$584,591.00, Highway MM: \$32,872.00, Highway NYCLASS: \$72,596.00, Highway, Highway W. Clove Mtn Bridge \$601,166.00, NYCLASS- Equip. Reserve \$178,562.00, **Highway Fund Total: \$1,469,788.00 Grand Total: \$5,579,928.00**
- June 2025 is favorable by \$516,000.00 vs the budget due to higher revenues and timing of expenses. June YTD revenue is up \$46,000.00 and YTD expenses are also favorable vs the budget.
- Work on salt shed has begun, the footings are dug and formed and this should happen in the next 2 weeks, steel work is to be done.
- New website is getting close to launching complete with the real union vale mail, we encourage pre-subscription.

**Board Member Reports**

*Councilman Welsh-* those need roofs in Highway Garage, pavilions at the park and the rental house. Was pleased most of the park buildings were done last year.

*Councilman Harrington –* request for speed study on Camby Road, not sure how much the town can do, he does encourage a speed study especially heading east to west especially with the elevation drop. He has also been paying attention to roof repairs in the Town.

*Councilman Durland-* agrees with the sentiments of the other board members, he asked about the Camby Road area and will speak about it later on the agenda.

*Councilman McGivney-* has working on the hometown heroes' banners and working through the logistics in implementing this in the Town.

**Town Clerk Report**

Town Clerk Casey reminded residents that August 1 is the beginning of DEC hunting license sales and DOE tags. Balloon fest tickets are available. She also advised that St. Vincent de Paul food pantry has a drop box for non-perishable food at town hall.

**Highway Report**

Superintendent Kading sent a report: The salt shed got off to a great start with the demo and clean up being completed in three days. Excavation for footing is done and forms are in the ground waiting for concrete. All our oil and chip projects are complete and resurfacing of our roads is also done. We will be finishing changing the last two steel culvert pipes on West Clove Mt. next week in preparation for resurfacing it next year. The crew have been mowing road sides cleaning down trees and branches fixing road signs and clearing plugged culvert pipes. As always, all the crew has been busy.

Councilman Welsh noted Mr. Kading's impressive with the work done to the new plow truck he got a great deal on as well as other equipment.

**Tax Collector Report**

Ms. Saglibene informed the Board the County has been paid in full as well as the interest money totaling \$958.09. She will meet with the Assessor's office to reviewed any mail that has been returned to help save postage money. She urges residents to reach out to the Town Clerk for any questions after the close of the season. She noted the Saturday hours from January – March 31 were success and will continue again next year. She attended the tax collector meeting and was told the school taxes will be mailed around Labor Day and reminded everyone that these were paid directly to the district. She also the pay scale/ salary should be corrected going forward for future tax collectors and noted the camp personnel is making more than someone handling that kind of responsibility for the town.

**Animal Control Report – no report****Public Comment on Agenda Items- none****Camby Road Speed Study**

One resident asked for this and the Supervisor asked for more resident feedback in order to request this to Dutchess County and then ultimately, to the State. He urges more residents to write a memo to facilitate this study in order to make this case stronger with positive results. Councilman Welsh stated there was a similar situation in 2018 for Camby Road and did not receive much input. Councilman Harrington wondered what the decrease will be if a need is found. Councilman Durland inquired about the amount of accidents

**Alarm System at Town Hall**

Supervisor Frazier explained, commercial buildings are required to have annual alarm inspections. There were many deficiencies, when the system was updated they used the old sensors and these are triggering the deficiencies and as these are not their equipment they are not covered under warranty. The Town will have to pay to test so therefore it would be cheaper to just have them replaced so they are working and then covered. He will obtain quotes to have this job completed. The new system will also have battery monitoring included as well. The board agreed this was the most sensible and cost-effective solution.

**Motion for Replacement of Sensors**

Councilman Harrington made a motion to obtain a quote for a full replacement of all sensors to make the entire system up to date and wireless which was seconded by Councilman McGivney and all were unanimously in favor.

**Discuss Employee Handbook Amendment Regarding Holidays**

Supervisor Frazier explained how some departments are closed regularly Fridays and the Federal Standards are the "in lieu" of day which would create a 3-day work week which is an inconvenience to the residents. He feels just paying the additionally holiday without closing would be the easiest solution. This occurs 4x during the year and would be paid regular time not overtime as it is non-worked hours. If the Board is happy he will draft a resolution which they all felt this was a fair alternative. They will add the stipulation about the 4-day work week being disturbed in the resolution.

Supervisor Frazier also found the verbiage about requiring a doctor note to return to work in another section so they will revise the handbook to reference this section.

**Motion to Amend Employee Handbook**

Councilman Durland made a motion to direct the town attorney to write a resolution to amend employee handbook as drafted which was seconded by Councilman Harrington and all were unanimously in favor.

**Review Maintenance needs of Highway Building**

Supervisor Frazier agreed with Councilman Welsh on the roof and windows of the garage and this has been talked about and approved but never done. Also servicing the standby generators as they are dated and unreliable and this should also be replaced. The switching system is not in good shape and the electrical panel box also needs to be updated. He spoke with the Town Engineer and this may go out to bid due to price point, he advised to check into TIPS. This will be reviewed again at a later date.

Supervisor Frazier received the audit report which was very positive and the Town Attorney felt the balances were too high as per NYS audit comparison. He also spoke about the dam, haven't heard back from engineers, he did learn it was a 95% chance of not being salvaged. They may be able to lower the height of the dam and lower the risk which would still allow the lake to exist, more on this later.

**Public Comment on Town Issues – none**

**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman Welsh made a motion to pay the bills and which was seconded by Councilman Harrington and all were unanimously in favor.

**Next Meeting** August 6, 2025 at 7:30pm

**Motion to Adjourn** At 8:35PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman Harrington and all were unanimously in favor.

Respectfully Submitted,

A handwritten signature in black ink that reads "Andrea Casey". The signature is written in a cursive, flowing style.

Andrea Casey, Town Clerk

**UNION VALE TOWN BOARD MEETING AUGUST 27, 2025**  
**249 DUNCAN ROAD, UNION VALE, NEW YORK**  
**UNION VALE TOWN HALL 7:30 PM**  
**PRESENT: Supervisor Steve Frazier**  
**Town Council: Kevin Harrington, Kevin Durland, Kevin McGivney, John Welsh**  
**Town Clerk: Andrea Casey**  
**Highway Superintendent: Ed Kading**  
**Town Attorney: Ian Lindars**

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Supervisor Frazier called the meeting to Order to Order and Salute to the Flag.

**Motion Approve Minutes:** Councilman Welsh made a motion to approve the July 16, 2025 meeting minutes, seconded by Councilman Harrington and all were unanimously in favor.

#### **Supervisors Report**

- Asked for an amendment to the agenda to add 'discuss hiring of a specific person' during executive session, motioned by Supervisor Frazier, seconded by Councilman Durland, all in favor.
- General Checking: \$1,264,000.00 MSC Receipts: \$ 120,763.00, General MM: \$233,933.00 General NYCLASS: \$ 2,715,159.00, General NYCLASS-Reserve: \$5,115.00 General NY CLASS- ARPA \$858.00 **General Fund Total \$ 4,078,092.00**
- Highway Checking: \$526,059.00, Highway MM: \$33,774.00, Highway NYCLASS: \$72,852.00, Highway, Highway W. Clove Mtn Bridge \$603,282.00, NYCLASS- Equip. Reserve \$179,191.00, **Highway Fund Total: \$1,415,158.00 Grand Total: \$5,493,250.00**
- Overall YTD is favorable by \$269,000.00 vs the budget due to higher revenue (\$69,000.00) from higher rental of solar farm and franchise fees, cablevision, equestrian and mortgage tax.
- YTD Expenses are favorable \$200,000 vs the budget.
- The cell tower bill that was passed by the State Legislature has been signed by the Governor and waiting for a copy to present to the contractor.

#### **Board Member Reports**

*Councilman Welsh-* in anticipation of the budget, he is looking into capital projects to consider around the park and town further discussion later, watching salt shed construction, noted they did a great job with concrete and framing.

*Councilman Harrington --* Has been keeping up to date with the library issue. No changes but is hopeful in the near future he will have more information. He has also been thinking about the 2026 budget.

*Councilman Durland-* has been watching the salt shed, looks great for longevity and doing 2026 budget research.

*Councilman McGivney-* Encourages residents to attend the balloon festival. He also commented on the salt shed and the very sound construction being done.

#### **Town Clerk Report**

Clerk Casey reminded residents she will be selling the discounted tickets until the day before the festival and touched on a few highlights of the event. She also reminded residents of the pet supply drive Assemblyman AJ Beehan is hosting as Town Hall is a drop off site for items as well as the ongoing non-perishable food drive for St. Vincent DePaul's food pantry.

#### **Highway Department Report**

Superintendent Kading reported the salt shed construction is under way, trusses arriving this week with roof and shingles by end of next week. He is very pleased with the contractor the Town chose. The department is down to 3 full time employees due to departure of an employee and are looking to fill this vacancy as soon as possible. They are shouldering roads that were resurfaced, getting trucks prepared for the winter, he would like the town to purchase an equipment trailer to replace the existing one.

**Highway Trailer Discussion-** The Board agreed this did need to be replaced due to condition and safety. Mr. Kading recommended the Kaufman trailer as it is the lowest and funds are

available, the attorney can draw up a resolution for next meeting including the extra hitch and spare tire 82-inch width.

#### **Motion to Draft Trailer Resolution**

Councilman Durland made a motion to direct the attorney to draft a resolution up to 9500 for a 20-foot trailer for replacement for the highway department. This was seconded by Councilman Harrington and all were unanimously in favor.

#### **Animal Control Report**

June 2025 During the month of June, there was 1 lost dog, 3 found dogs and 1 wildlife call referred to DEC.

July 2025 - During the month of July, there were 2 lost dogs, 5 found dogs, and 2 dog complaints.

#### **UVFD President Report**

Kathy Welsh, President and PIO for the District. She reminded everyone they are still running the aluminum tab campaign, drop off location is town hall, if you can't get out please call. Thanks to everyone who has contributed, 80lbs so far. Appeal letter will be mailed out which asks for volunteers and monetary contributions. We are running a new recruitment campaign to gain new members to avoid having a paid dept and substantially increasing the fire tax on your property tax bill. Please look for yellow and blue. It will be a multi prong approach with intercepts at the Recycling Center and Hangers Café, with posters, post cards, videos, increasing social media. The volunteers will be at the Balloon fest as a fundraiser for Trees for Troops a program for donation of Christmas Trees for Troops. They will be serving Equestrian Center food.

#### **Public Comment on Agenda Items- None**

#### **Old Business:**

**Employee Handbook Amendments** – hoped to have them tonight but after reviewing it each section needs more attention that previously thought so he can do a comprehensive overall and correct anything that is confusing.

#### **Review Surplus Sales Results**

Ford Explorer \$5,400.00

Parks Dump Truck \$33,500

Mower - \$350 expecting \$50

#### **Motion to Accept Sales Results**

Councilman Welsh made a motion to accept all of the aforementioned auction results, seconded by Councilman McGivney and all were unanimously in favor.

#### **Review Alarm System Upgrade Quote**

Supervisor Frazier summarized the total price for the upgrade will be \$5,940.00 for the new wireless units which will help make the system more trouble free. All agreed this was essential to increase safety. They are the current provider and their inspection was what brought these issues to light.

#### **Motion to Accept Alarm Company Proposal**

Councilman Harrington made a motion to approve the contract with the alarm company and procedure with formal resolution at the next meeting which was seconded by Councilman McGivney and all were unanimously in favor.

#### **Review RD10 Code Change Proposal**

Supervisor Frazier feels this code change is a good change for the town despite the opposition and realizes that any change brings forth opposition and would like to cross the finish line. He feels it is essential to bring in limited commercial enterprises into the town rather than just subdivisions so the tax burden is not only on the residents.

Councilman Durland disagrees, he would not like to move forward and would like to take a more comprehensive approach and take a look at the entire zone. He agrees he too would like to bring in business but not in this specific instance. He would like to look at each zone and also include an update to the comprehensive plan and feels this does not fit.

Councilman Harrington feels they should proceed, it's important to realize that it was not for one particular property in fact, 32 other properties are affected and important to protect the rights of land owners to make a change. This project is beneficial not because of this one parcel but because it would apply to all the properties in RD10.

Councilman Welsh feels this should have brought forth in front of the ZBA rather than change RD10 throughout the entire town.

Supervisor Frazier explained it wasn't an approved use and the ZBA is not capable/allowed to give use variances that is not appearing in the code, and this would very likely to be challenged in court.

Councilman Durland noted it will affect 32 other lots and one project is what brought about the discussion. Supervisor Frazier noted this is an opportunity for farms not in use to have the ability to generate funds to keep their larger parcels.

Both agreed they do need to look at the comprehensive plan, and there was further discussion on the topic.

#### **Motion to Advise Attorney to Prepare Resolution**

Supervisor Frazier made a motion to direct the Town Attorney to prepare a resolution to vote on the RD10 zoning change which was seconded by Councilman Harrington.

This motion passed with a 4-1 vote.

Roll Call:

Councilman Harrington	Aye
Councilman Welsh	Aye
Supervisor Frazier	Aye
Councilman McGivney	Aye
Councilman Durland	Nay

#### **Public Comment Town Issue**

None

#### **Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman Welsh made a motion to pay the bills and which was seconded by Councilman Harrington and all were unanimously in favor.

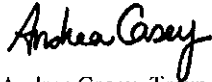
Next meeting is September 3, 2025 at 7:30pm

**Executive Session** Councilman Welsh made a motion at 8:15pm to enter executive session to discuss hiring a specific employee, which was seconded by Councilman Durland and all were unanimously in favor.

**Executive Session** Councilman Welsh made a motion to exit executive session at 8:39pm to resume the regular meeting which was seconded by Councilman Harrington and all were unanimously in favor. Supervisor Frazier advised that no decisions were made and no money allocated.

**Motion to Adjourn** At 8:40PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman Harrington and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk



# EXHIBIT N

LOCAL LAW NO. \_\_ OF 2025 FOR THE TOWN OF UNION VALE, NEW YORK

**A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District, As Revised**

**Section 1.** Section 210-86 “Definitions” is amended as follows [deletions are stricken and additions are underscored]:

**CATERING FACILITY**

A facility providing a gathering place for the conduct of scheduled events such as parties, weddings, banquets, business meetings and similar events and food and beverages for invited guests, not to include a bar, tavern or restaurant open to the public though sometimes operated in tandem therewith. Where allowed only by special permit pursuant to §210-56(E) (17), a catering facility shall include short-term accommodations of not more than four consecutive nights. May also be referred to as "banquet hall."

**LAND BANKED PARKING**

Land designated to be reserved for a portion of parking required by this Code, which the Planning Board approves to be held and preserved as open space, rather than immediately constructed as parking.

**Section 2.** Section 210-3 District Schedule of Use Regulations/Residential Districts is amended as follows:

**210 Attachment 3**

**Town Code of the Town of Union Vale**

**Chapter 210**

**ZONING District Schedule of Use Regulations / Residential Districts [Amended 3-11-2010 by L.L. No. 12-2010; 8-15-2013 by L.L. No. 2-2013; 10-6-2016 by L.L. No. 3-2016; \_\_ - \_\_-2025 by L.L. No. 1-2025]**

Key: P Permitted Use P\*

Permitted Use subject to Site Plan Approval P\*\*

Permitted Use subject to Subdivision Plat Approval SP Use subject to Special Use Permit. Please refer to Article VI, § 90, reference for specific standards and requirements for certain SP uses.

SP\* Use subject to Special Use Permit and Site Plan Approval

SP\*\* Use subject to Special Use Permit and Subdivision Plat Approval X Prohibited Use

Structure / Land Use	Zoning Districts						Special Permit Reference
	RD10	RA5	RA3	RD1.5	R1	H	
Catering Facility	SP*	X	X	X		X	<b>210-56(E)(17)</b>
Conference Center	SP* X	SP*	SP*	X		C	<b>210-53(E)(4)</b>

**Section 3.** Section 210-56(E) “Standards and Requirements for Certain Special Permit Uses” is amended as follows [additions are underscored]:

210-56(E)(17) Catering Facility. A catering facility shall be allowed by special permit in the R10 district,



provided that:

(a) The establishment of the catering facilities shall only be allowed on a parcel of not less than 75 acres;

(b) The development of the catering facility shall preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community, unless on the basis of substantial evidence the buildings in question are deemed unsafe or incapable of reasonable rehabilitation and/or the preservation of such scenic and natural areas cannot be achieved without resulting in other harm to scenic or natural areas or the disturbance of same is in connection with the enhancement of those or other on-site scenic or natural areas.

(c) The following design objectives are met:

[1] 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.

[2] Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.

[3] New construction shall be sited so as to have minimum impact on fields, meadows and woodlands. Major grading or changing of topography shall not be permitted.

[4] Unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.

[5] The maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet.

[6] Access to the facility shall be from a state or county highway.

[7] 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 shall apply to all structures associated with the facility including accessory buildings, improvements and parking.

[8] Lodging facilities design features:

[a] Overnight lodging facilities shall be available for periods of not more than four consecutive calendar days per guest and must be provided as part of the catering facilities for the use and benefit of participants in events at the catering facility. The overnight lodgings shall not be used or hired for transient guests not associated with an event on site.

[b] No more than one of the guest rooms may be attached to the catering facilities; the others must be accessory outbuildings in order to avoid the appearance of a hotel or motel structure.

[c] The maximum number of guest rooms in the aggregate shall not exceed 10.

[d] The maximum aggregate square foot footprint of the lodging facilities shall be 5,000 square feet.

[e] The outbuilding guest rooms may be provided in individual or attached structures.

[9] Approval shall be obtained by the Dutchess County Health Department for sanitary sewage and water supply facilities, including, as may be determined applicable by the Planning Board, certification through either the Health Department or a licensed professional engineer retained by the applicant that the existing



on-site water supply and sanitary sewage facilities are sufficient to accommodate the additional demands of the catering facilities on the residential parcel such use is proposed.

[10] Other permitting or licensing requirements of State, local or federal laws rules or regulations shall be satisfied.

[11] Accessory uses to the catering facility development shall be limited to the following:

[a] Meeting rooms.

[b] Restaurant and dining facilities serving exclusively guests during events.

[12] 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.

[13] Notwithstanding any other provision of this chapter, parking requirements shall be at least one space per guest room plus either [a] one space for each 150 square feet of service area accessible to customers or [b] one space per 200 square feet of gross floor area, whichever is greater, provided however that the Planning Board shall have discretion to require such lesser or additional parking as may reasonably be deemed necessary where based upon a traffic study certified by a qualified professional and reviewed by the Town Engineer or Planner, and the Planning Board may approve land banked parking. Land banked parking of up to 25% of the parking which would otherwise be required where:

(1) Sufficient evidence has been provided by the applicant that supports the reduced parking needs.

(2) The area proposed for land banking of parking spaces is an area suitable for parking at a future time.

(3) The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.

(4) As part of the site plan review process, the applicant shall show the area to be banked on the site plan and marked as "Land Banked Future Parking."

(5) The Zoning Administrator or Building Inspector shall have the right to inspect the usage of the property from time to time during its operation to determine in their reasonable discretion whether all or any portion of the land banked parking area should be constructed as parking spaces.

[14] Outdoor Use and Occupancy.

[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 **catering facility building** 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 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.

[c] Operating Permits to commercial ventures. Any outdoor use shall require an operating permit pursuant to the New York State Building Code.

[d] The Design Standards set forth in the provisions of § 210-24 and §210-64 of this Chapter shall apply to the patio or terrace areas just as they shall to the buildings and interior spaces.

[e] Operations authorized and approved pursuant to these 256(E)17) shall not conflict with any provisions

of the Agriculture & Markets Law pertaining to on-farm wineries, cideries, distilleries, or breweries.

[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 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.

[b] 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.

[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.

[17] Signage.

[a] Only one freestanding sign up to 24 square feet is permitted per facility, which shall be located at the primary ingress to the property. Internal directional signs are permitted which shall not exceed 8 square feet.

[b] No sign shall be internally illuminated or electronic but may be indirectly illuminated, unless required by state law or code.

[c] Temporary directional signage is allowed during event activities for parking and traffic flow as well as any required by the Planning Board for safety measures along access roads.

**Section 4.** If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

**Section 5.** Pursuant to Section 22 of the Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

**Section 6.** This local law shall be effective upon filing with the Secretary of State.

# EXHIBIT O





## 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.

### NOTICE OF ZONING DETERMINATION

Date: 2/22/2024

Code Official: George A. Kolb Jr.

C.E.O. T/O/ Union Vale

Subject issue: Conference/ Wedding Venue

Owner: Freihofer Leo  
12 Freihofer Ln  
Lagrangeville, NY, 12540

Applicant: Gillespie & Associates P.E.

Address of Site; Bruzgul Rd  
Grid #: 6660-00-780173  
Zoning District: RD10

**Determination ruling:** Application has been made for the construction of a Barn facility with associated cottages as outlined on the proposal from Gillespie P.E. Based on a review of the bulk regulation chart it appears that this proposed use would fall more clearly under the "Conference Center" use. The applicant is requesting a conceptual Sketch Plat conference to discuss with the Planning Board.

Approval required:  
Planning Board S.U.P & Site Plan

\*Please fill out in full all applicable applications you may find on the Town of Union Vale website under "Planning Board ". Please read all process and procedures for this approval you may find on this page of the website.

Direct all information requested to: **Planning Board / Zoning Board of Appeals Dept.**

\*Please also note that application for variance must be submitted to the ZBA **within 60** calendar days of this determination letter / see Sect. 210-79B(1) of T/O/Union Vale Code

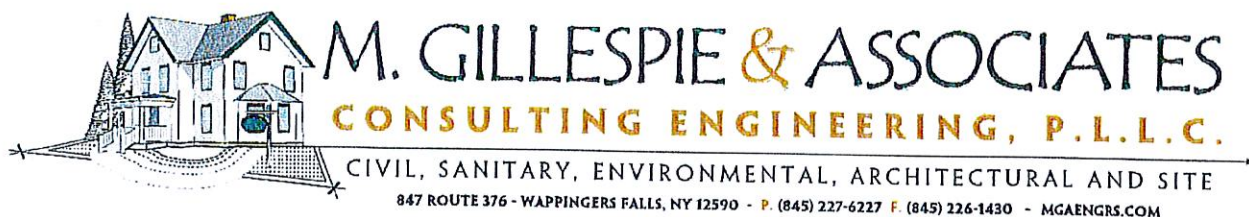
George A. Kolb Jr.  
Title: C.E.O. T/O/ Union Vale

Signature: G.K. George A. Kolb Jr. Date: rev. 5/17/2022

Forwarded to: \* For File



# EXHIBIT P



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.

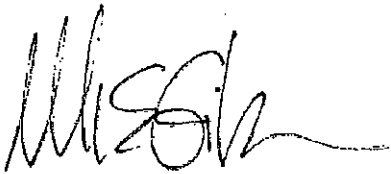
(f) Access to the facility shall be provided from a state or county highway or a through Town roadway other than a residential subdivision street.

(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:

Date Recorded: 5/18/2023

Time Recorded: 3:32 PM

CORBALLY GARTLAND & RAPPLEYEA  
35 MARKET ST

Document #: 02 2023 1548

POUGHKEEPSIE, NY 12601

Received From: CORBALLY GARTLAND & RAPPLEYEA

Grantor: HERMAN W FREIHOFFER TRUST

Grantee: GRESHI ELIZABETH A

Recorded In: Deed

Tax District: Union Vale

Instrument Type:

Examined and Charged As Follows :

Recording Charge: \$320.00

Transfer Tax Amount: \$0.00

Includes Mansion Tax: \$0.00

Transfer Tax Number: 9999

Red Hook Transfer Tax:

RP5217: Y

TP-584: Y

Number of Pages: 5

\*\*\* Do Not Detach This Page

\*\*\* This is Not A Bill

County Clerk By: [Signature]

Receipt #: 14355

Batch Record: 103

Bradford Kendall  
County Clerk



0220231548

Trustee's Deed

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

BETWEEN

ELIZABETH A. GILESKEI, with an address of 28 Freihofer Lane, Lagrangeville, NY 12540, as Successor Trustee of the HERMANN W. FREIHOFFER 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. GILESKEI and HERMANN W. FREIHOFFER 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 of 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 lot, 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 premises conveyed by HERMANN W. FREIHOFFER to HERMANN W. FREIHOFFER, 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 No. 02 2014 5184.

HERMANN W. FREIHOFFER 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 for any other purpose. The word "party" shall be construed as if it read "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. FREIHOFFER LIVING TRUST  
dated June 14, 2014

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

STATE OF NEW YORK

COUNTY OF DUTCHESS

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 executed the same 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, Engleenville, NY 12540

Record and Return to:

Allan B. Rappleyea, Esq.  
Corbally Gartland and Rappleyea, LLP  
35 Market Street, 5th Floor  
Poughkeepsie NY 12601

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

#### SCHEDULE A

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 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 52 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 66 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 8 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 9 chains 53 links to a concrete post; thence north 2 degrees 15' east 4 chains 27 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 southerly corner of the herein described premises; thence North 2 degrees 04' West 357.5 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, 1975 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 FREIHOFFER, JR. and HERMANN W. FREIHOFFER, as Executors of the Estate of Rosa L. Freihofer, to LEO FREIHOFFER, JR. and HERMANN W. FREIHOFFER by 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

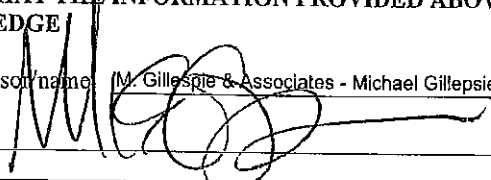
### Instructions for Completing

**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.

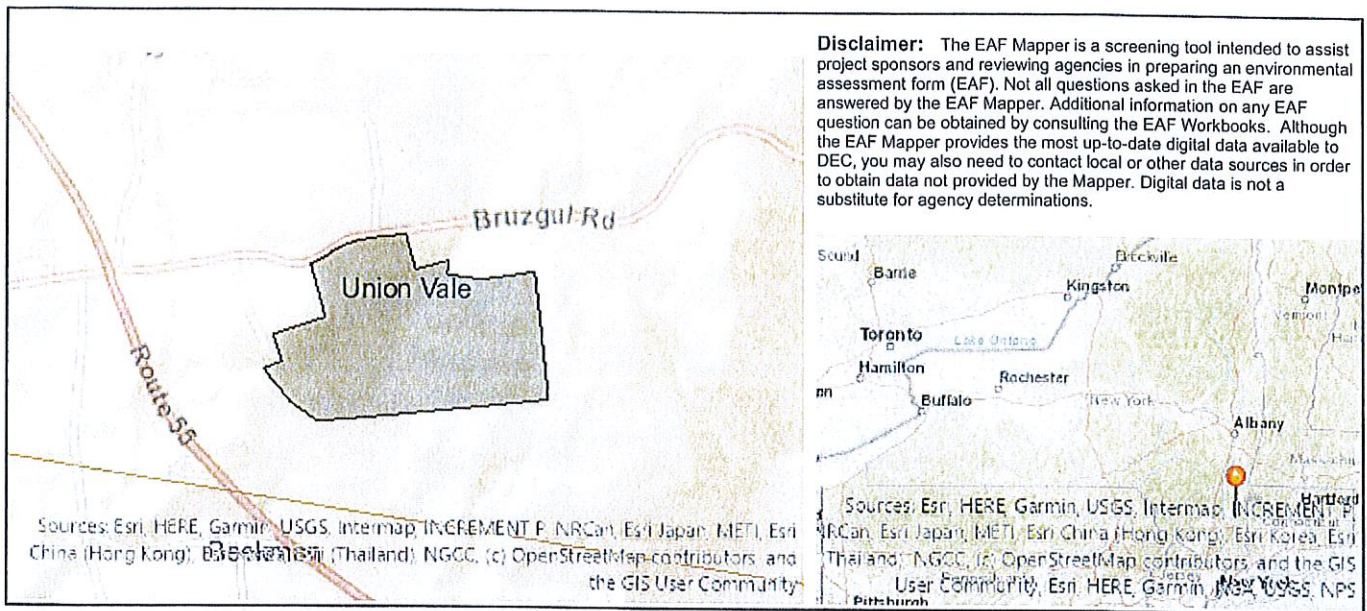
<b>Part 1 -- Project and Sponsor Information</b>			
Name of Action or Project: Bruzgul Road - Wedding Venue			
Project Location (describe, and attach a location map): Bruzgul Road, Lagrangeville, NY			
Brief Description of Proposed Action: Proposed use for a wedding venue			
Name of Applicant or Sponsor: 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.			NO <input checked="" type="checkbox"/>
			YES <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)			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		80.52 acres	
b. Total acreage to be physically disturbed?		6.5 +/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		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			

5. Is the proposed action,	NO	YES	N/A
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	
	<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?	NO	YES	
	<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	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
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	NO	YES
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>M. Gillespie &amp; Associates - Michael Gillespie</u> Date: <u>2/22/2024</u>		
Signature: <u></u> Title: <u>Owner</u>		

# 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: ☒ 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 ABT DATE 5/11/24



## 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 #: 1928-1948 Bruzgul Road, LaGrangeville, NY 12540

Type of farm: Horse

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

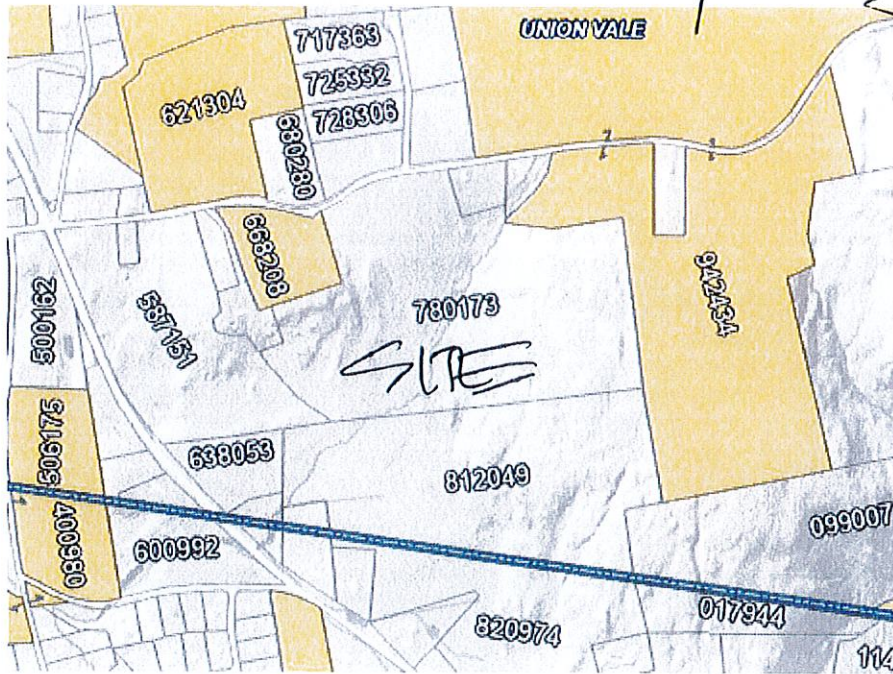
Address & Telephone #: \_\_\_\_\_

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.



IN  
AG  
DISTRICT  
(TYP.)



N.T.S.



500



H.T.S.







**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 6662-00-17724

**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.

### 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

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 Q



## 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.

### NOTICE OF ZONING DETERMINATION

Date: 4/23/2024 rev. 4/23/2024  
Code Official: George A. Kolb Jr.  
C.E.O. T/O/ Union Vale

Subject issue: Conference/ Wedding Venue

Owner: Freihofer Leo  
12 Freihofer Ln  
Lagrangeville, NY, 12540

Applicant: Gillespie & Associates P.E.

Address of Site; Bruzgul Rd  
Grid #: 6660-00-780173  
Zoning District: RD10

**Determination ruling:** Application has been made for the construction of a Barn facility with associated cottages as outlined on the proposal from Gillespie P.E. Based on a review of the bulk regulation chart it appears that this proposed use would fall more clearly under the "Conference Center" use. The applicant is requesting a conceptual Sketch Plat conference to discuss with the Planning Board. Sect. 210-56 E (4) requires a 100-acre lot minimum lot area for a Conference Center use. The existing lot is 80.52 acres therefore a area variance will be required to be obtained.

Approval required:  
Planning Board S.U.P & Site Plan  
ZBA area variance of 19.48 acres

\*Please fill out in full all applicable applications you may find on the Town of Union Vale website under "Planning Board ". Please read all process and procedures for this approval you may find on this page of the website.

Direct all information requested to: **Planning Board / Zoning Board of Appeals Dept.**

\*Please also note that application for variance must be submitted to the ZBA **within 60** calendar days of this determination letter / see Sect. 210-79B(1) of T/O/Union Vale Code

George A. Kolb Jr.  
Title: C.E.O. T/O/ Union Vale

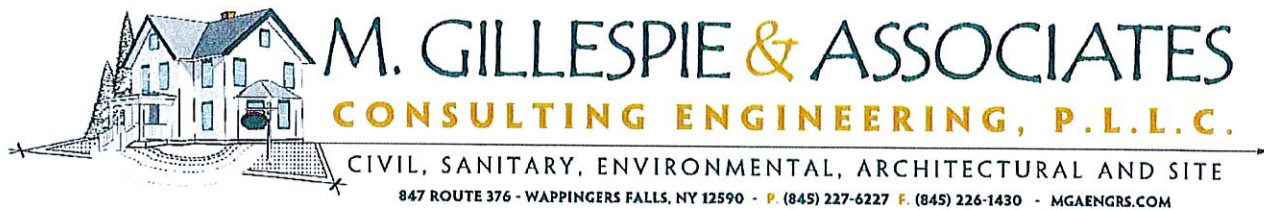
Signature: G.K. George A. Kolb Jr.

Date: rev. 5/17/2022

Forwarded to: \* For File

# EXHIBIT R





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,

A handwritten signature in black ink, appearing to read 'MEG', with a long horizontal flourish extending to the right.

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**

**Vale 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)

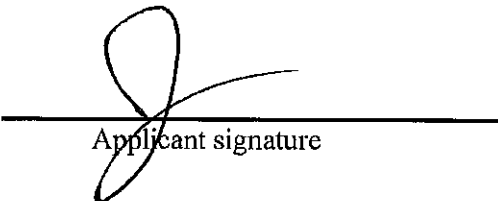
6. Has any application for any other permit(s) affecting the property been submitted to and/or issued by any other government agency? ☐ No ☒ Yes. If yes, please list in detail *(attach separate pages if necessary)*:
- 

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

---

---

  
Applicant signature

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*):

A handwritten signature, possibly reading 'J', is written over a horizontal line.

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

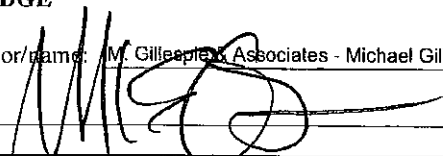
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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:		Telephone: (845) 518-2355	
Joe Fuscaldo		E-Mail: j.fuscaldo@yahoo.com	
Address:			
81 Timberlake Lane			
City/PO:		State:	Zip Code:
Pleasant Valley		New York	12569
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
			<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval: DCDPW, DCDBCH, NYSDEC (SPDES), PLANNING B, ZBA			YES
			<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		80.52 acres	
b. Total acreage to be physically disturbed?		6.5 +/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		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			

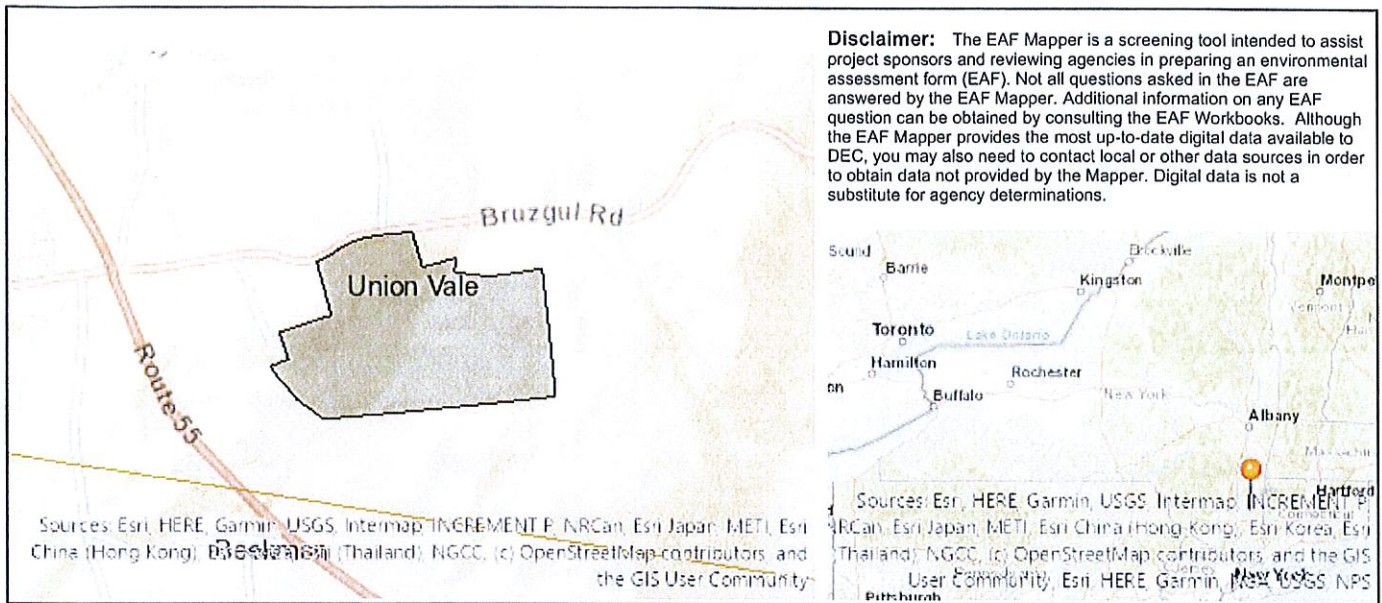


5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	
	<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?	NO	YES	
	<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	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
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	NO	YES
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>M. Gillespie &amp; Associates - Michael Gillespie</u> Date: <u>2/22/2024</u>		
Signature: <u></u> Title: <u>Owner</u>		

# 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 Parlman 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 assessable 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  
Parlman 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.

#### **PROJECT NAME**

##### **Fuscaldo Area Variance**

Owner: Hermann Freihofer & Elizabeth Gilleski

Applicant: Joe Fuscaldo

Engineer: M. Gillespie & Associates

Address: Bruzgul Road

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.

#### **PROJECT DETAILS**

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.

Meeting # 1

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

### **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**

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.



## **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

#### 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

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**

### **PROJECT NAME**

#### **Cimmino Area Variance**

Owner: James Cimmino

Applicant/Builder: Gerald Thorpe

Address: 200 Mennella Road

Parcel #: 6859-01-27195

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.

### **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

July 18, 2024

FILE COPY

**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

R-5122

**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>

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## **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:
  - (a) The site shall have a minimum land area of 10 acres.
  - (b) 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.
  - (c) 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.
  - (d) 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.
  - (e) 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:
  - (a) 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.
  - (b) The following design objectives are met:
    - [1] 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.
    - [2] Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.
    - [3] 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.
    - [4] Unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.
    - [5] The maximum floor area of all conference center facilities shall not exceed 5% of the land included in the project proposal.
    - [6] Access to the facility shall be from a state or county highway or a through Town roadway other than a residential subdivision street.
    - [7] 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.
    - [8] 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.
    - [9] 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.
    - [10] 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:
  - (a) The maximum gross floor area shall be 2,000 square feet.
  - (b) The maximum number of fuel dispensing nozzles shall be 12.
  - (c) The convenience store and its associated site shall be designed and operated to ensure that each of the following criteria is met:
    - [1] 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.
    - [2] Fuel pumps and associated canopy structures shall meet the dimensional limitations, design standards and restrictions as to number set forth below:
      - [a] 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.
      - [b] 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.
      - [c] All canopy structures shall comply with the following design parameters:
        - [i] 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.
        - [ii] 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 15 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, § 210-86A, 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.



## 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 gross floor area.
- (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 192, 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.

# EXHIBIT S



## **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**

*m-10/5/2025*

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 T





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



**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.**





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



KARC PLANNING CONSULTANTS, INC.

**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.

	<b>Conference Center</b>	<b>Inn</b>	<b>Catering Facility</b>
<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.

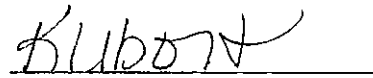
However, based on this analysis, the Town Board may want to consider increasing the minimum lot size to 75 acres to further limit the number of new parcels impacted by the proposed changes, ensuring a more measured and controlled expansion of Catering Facilities within the district. The Town Board may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

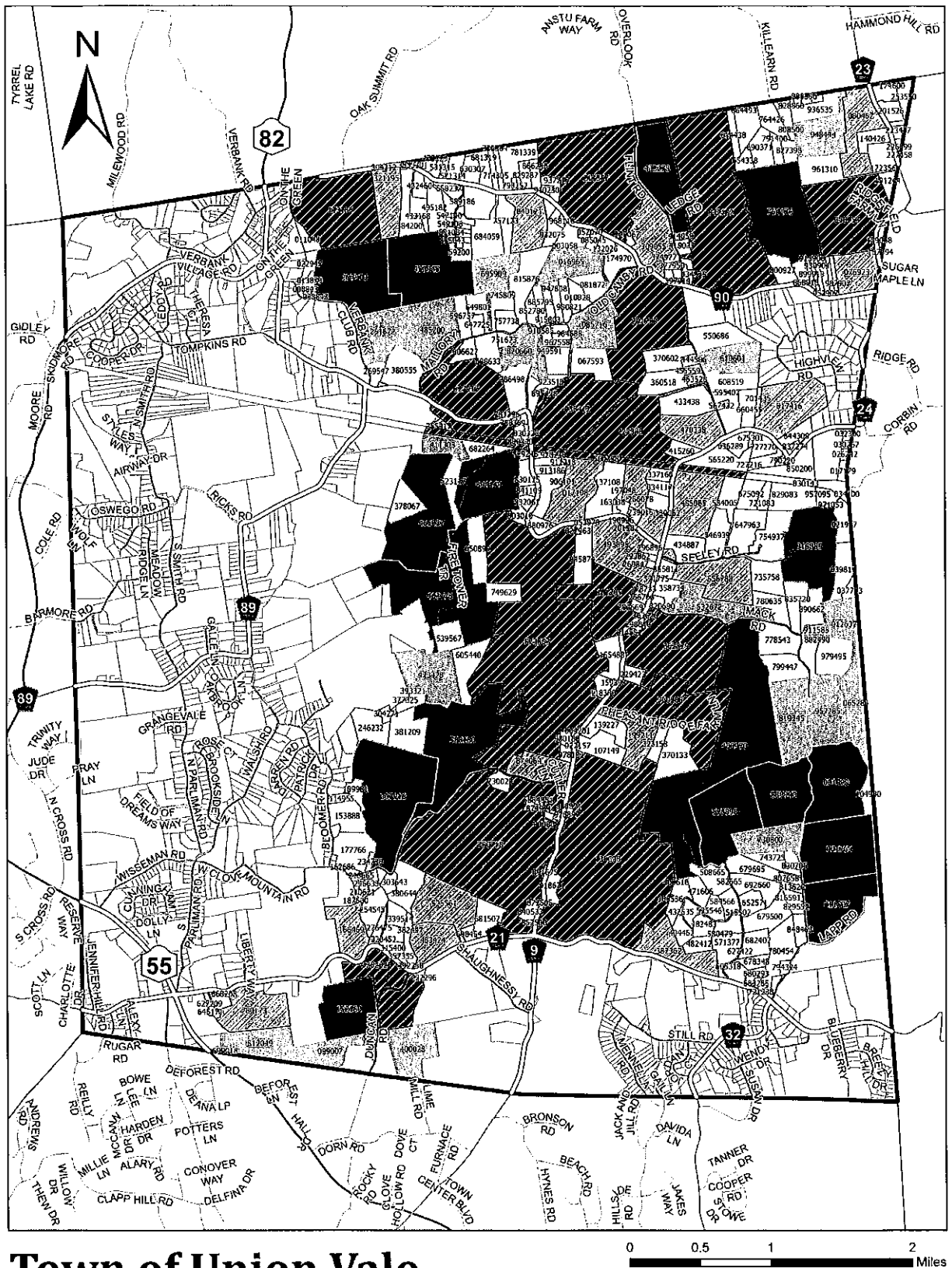


Catering Facility special use permits to monitor implementation and operations over time.

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



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



PLANNING CONSULTANTS, INC.

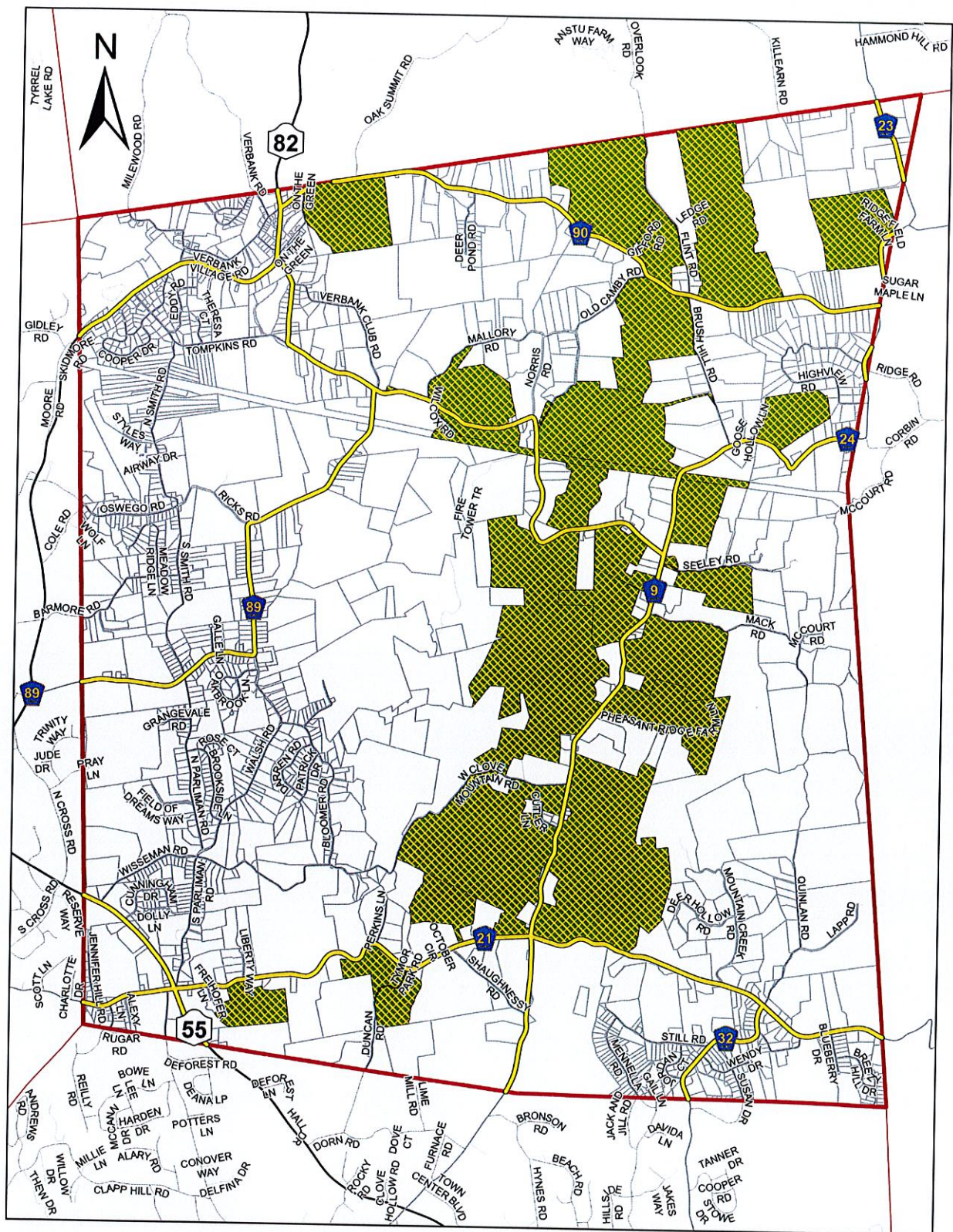
potential adoption.

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

Sincerely,

Kelly Libolt





# 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 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**

<b>OBJECTID</b>	<b>SBL</b>	<b>Number</b>	<b>Street</b>	<b>Jurisdiction</b>	<b>Zip</b>	<b>Acreage</b>
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		Bruzgul	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)





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,

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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"

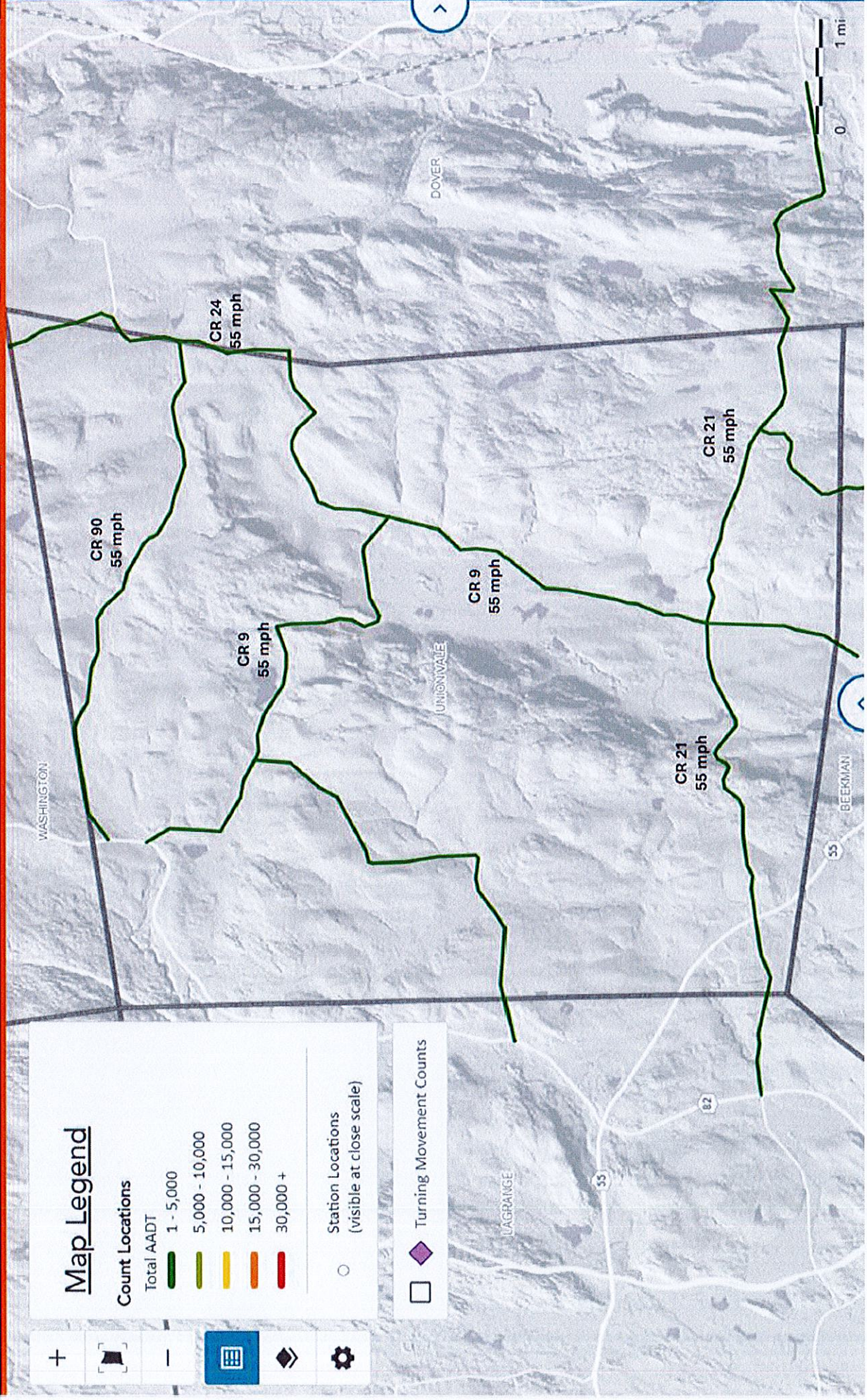


(Dutchess County Traffic Data)

Traffic Data | Dutchess County NY

Pedestrian &amp; Bicycle Data

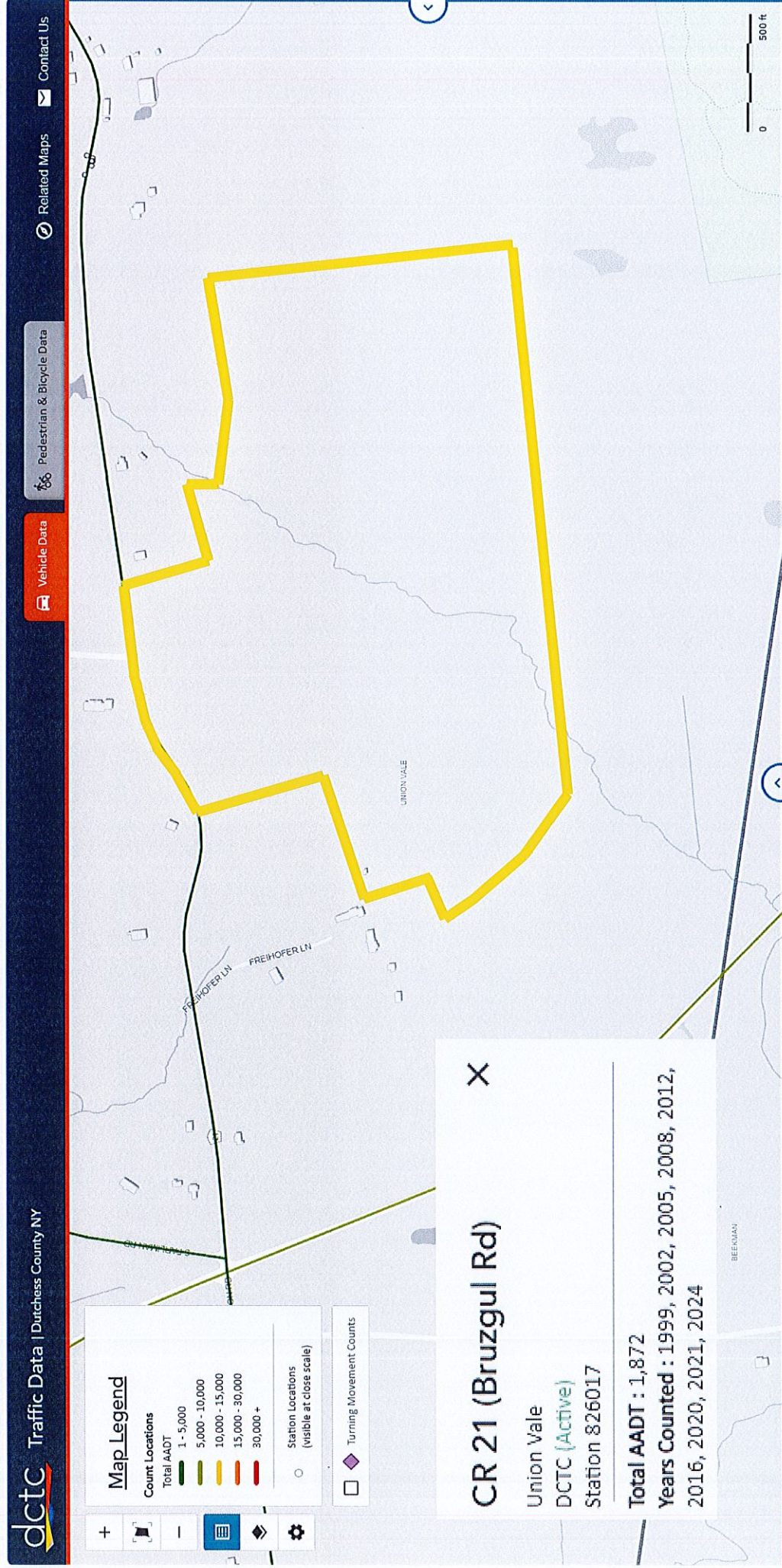
## Vehicle Data





# Traffic Data

(Dutchess County Traffic Data)



# EXHIBIT U

# **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.

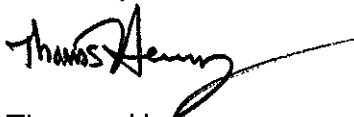
In regard to the traffic concerns the following code sections will help to avoid traffic impacts, we note again that the draft law seems to have considered these impacts in its approach. Specifically:

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



# **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, Fuscaldow-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 permissible 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





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

AREA = 80.52 AC.



AREA MAP

TAX GRID PARCEL # 135400-6660-00-780173

BULK REQUIREMENTS		MIN. REQUIRED	MIN. PROVIDED
DISTRICT		RD10	
MIN. AREA (AC)		10	80.52
MIN. FRONT YARD		50'	50'
MIN. SIDE YARD**		50'	50'
MINIMUM TO BACKS FOR PRINCIPAL BUILDING		50'	50'
MIN. FRONT YARD		100'	100'
MIN. SIDE YARD		75'	75'
MIN. REAR YARD		100'	100'
MINIMUM SETBACKS FOR PARKING AREAS & ACCESS DRIVES		75'	75'
MIN. FRONT YARD**		50'	50'
MIN. SIDE YARD**		50'	50'
MIN. REAR YARD**		50'	50'
MAX. BUILDING COVERAGE (%)		35	35
MIN. OPEN SPACE (%)		65	65

TOWN OF UNION VALE PLANNING BOARD  
APPROVED BY REGULATION OF THE PLANNING BOARD OF THE TOWN OF UNION VALE, NEW YORK, ON MAY 30, 2022, EXCEPT IN THOSE PORTIONS WHERE THE PLANNING BOARD HAS SPECIFICALLY APPROVED OR DISAPPROVED THE PROPOSED DEVELOPMENT OR WHERE THE PLANNING BOARD HAS SPECIFICALLY APPROVED OR DISAPPROVED THE PROPOSED DEVELOPMENT OR WHERE THE PLANNING BOARD HAS SPECIFICALLY APPROVED OR DISAPPROVED THE PROPOSED DEVELOPMENT.

OWNER  
FUSCALDO ENTERPRISES, LLC  
817 TIMBERLAKE LANE  
PULASKI VALLEY, NY 12569

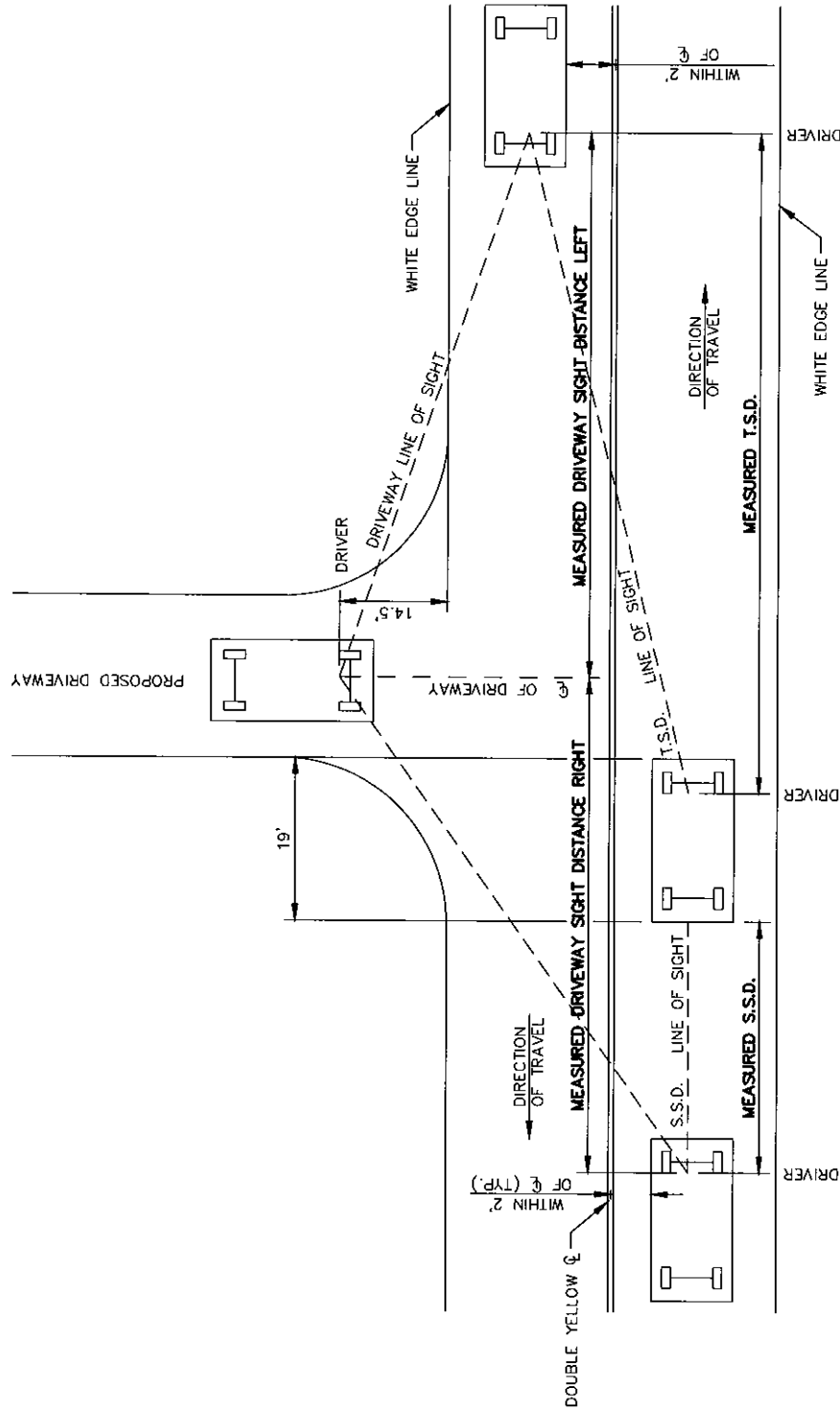
OWNERS' CONSENT  
THE UNDERSIGNED OWNER OF THE PROPERTY HEREIN, FUSCALDO ENTERPRISES, LLC, HAS REVIEWED THE PLANS AND SPECIFICATIONS FOR THE PROPOSED DEVELOPMENT AND HAS GIVEN ITS CONSENT TO THE PROPOSED DEVELOPMENT AND TO THE PLANS OF THIS MAP.

SECTION 210-56(3) INN, AN INN SHALL BE ALLOWED BY SPECIAL PERMIT IN THE RD10, RAS, AND RAS3 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 ACCESSORY USE. THE TOTAL NUMBER OF SEATS IN ITS DINING FACILITIES SHALL NOT EXCEED 50 SEATS;  
(C) THE INN MAY NOT OPERATE AS A NIGHTCLUB, AS SUCH USE IS DEFINED IN ARTICLE XL § 210-10A OF THIS CHAPTER;  
(D) THE INN SHALL BE LOCATED WITHIN 100 FEET OF ANY PROPERTY LINE IN THE RD10 DISTRICT OR WITHIN 75 FEET OF ANY PROPERTY LINE IN THE RAS DISTRICT;  
(E) THE MINIMUM LOT AREA SHALL BE 20 ACRES IN EITHER THE RD10 OR RAS DISTRICT AND 10 ACRES IN THE RAS3 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) 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 RAS DISTRICT;  
(I) THE FACILITY SHALL BE PROVIDED WITH ADEQUATE LANDSCAPING AND/OR VEGETATION TO REDUCE VISUAL AND OTHER IMPACT ON THE SURROUNDING RESIDENTIAL ENVIRONMENT.



### 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:**  
OCT 08, 2024

**FIG:** 7

**FIGURE 2 - SIGHT DISTANCE REQUIREMENTS**

POSTED SPEED LIMIT (MPH)	SIGHT DISTANCE (LEFT & RIGHT)	SSD (< 3%)	SSD GRADE ADJUSTMENT				TSD
			DOWNGRADE	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	FROM: NY 55	TO: CR 9 CLOVE VALLEY RD	COUNTY:	Dutchess
DIRECTION:	Eastbound	FACTOR GROUP:	30	REC. SERIAL #: JQ65	FUNC. CLASS: 07	TOWN:	
STATE DIR CODE:	6	WK OF YR:	24	PLACEMENT: 2100ft E/O Liberty Wy	NHS: no	LION#:	
DATE OF COUNT:	06/16/2024			@ REF MARKER:	JURIS: Village	BIN:	3343940
NOTES LANE 1:				ADDL DATA: Class Speed	CC Sin:	RR CROSSING:	
				COUNT TYPE: VEHICLES	BATCH ID: DCTC List 1	HPMS SAMPLE:	

COUNT TAKEN BY: ORG CODE: NDS INITIALS: JSO  
PROCESSED BY: ORG CODE: NDS INITIALS: WST

[illegible][illegible]

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



Dutchess County  
Traffic Count Hourly Report

ROAD #: CR CR21 ROAD NAME: BRUZGAL RD FROM: NY 55 TO: CR 9 CLOVE VALLEY RD  
DIRECTION: Westbound FACTOR GROUP: 30 REC. SERIAL #: JQ65  
STATE DIR CODE: 7 WK OF YR: 24 PLACEMENT: 2100ft E/O Liberty Wy  
DATE OF COUNT: 06/16/2024 @ REF MARKER:  
NOTES LANE 1: ADDL DATA: Class Speed  
COUNT TYPE: VEHICLES  
COUNT TAKEN BY: ORG CODE: NDS INITIALS: JSO PROCESSED BY: ORG CODE: NDS INITIALS: WST  
COUNTING: RR CROSSING: HPMS SAMPLE:

DATE	DAY	AM												PM												DAILY HIGH	DAILY COUNT	DAILY HIGH	DAILY COUNT	DAILY HIGH	DAILY COUNT
		12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	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																														
18	T																														
19	W																														
20	T																														
21	F																														
22	S																														
23	S																														
24	M																														
25	T																														
26	W																														
27	T																														
28	F																														
29	S																														
30	S																														

DAYS Counted	HOURS Counted	AVERAGE WEEKDAY HOURS (Axle Factored, Mon 6AM to Fri Noon)												ADT												ESTIMATED		
		6	1	2	3	5	30	75	88	105	73	66	65	64	61	87	81	95	77	55	42	31	20	14	6	1152	AADT	1039
		WEEKDAYS WEEKDAY												Seasonal/Weekday														
		Hours												Adjustment Factor														
		Counted												Factor														
		High Hour												Axle Adj.														
		% of day												1.000														
6	119	4	96	105	9%	1.000	1.109																					

# Dutchess County Classification Count Average Weekday Data Report

ROAD # CR CR21  
COUNTY NAME: Dutchess  
REGION CODE: 8  
FROM: NY 55  
TO: CR 9 CLOVE VALLEY RD  
REF-MARKER: 1179  
END MILEPOINT: NO. OF LANES: 2  
FUNC-CLASS: 07  
STATION NO: 8017  
COUNT TAKEN BY: ORG CODE: NDS INITIALS: JSO  
PROCESSED BY: ORG CODE: NDS INITIALS: WST

ROAD NAME: BRUZGAL RD

YEAR: 2024  
MONTH: June

STATION: 826017

DIRECTION	East	West	TOTAL
NUMBER OF VEHICLES	1098	1143	2241
NUMBER OF AXLES	2210	2299	4509
% HEAVY VEHICLES (F4-F13)	4.92%	4.99%	4.95%
% 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	1	0	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
DIRECTION	10:00	0	38	14	0	4	0	0	0	0	0	0	0	56
East	11:00	0	38	11	0	3	0	0	0	0	0	0	0	52
	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	1	0	0	0	69
	16:00	1	61	17	0	3	0	1	0	0	0	0	0	83
	17:00	2	82	20	0	5	0	1	0	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	2
	4:00	0	2	1	0	0	0	0	0	0	0	0	0	3
	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
DIRECTION	10:00	0	56	12	0	3	0	1	0	0	0	0	0	72
West	11:00	1	47	16	0	3	0	0	0	0	0	0	0	67
	12:00	1	50	16	1	3	1	0	1	0	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	1	0	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	1664	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

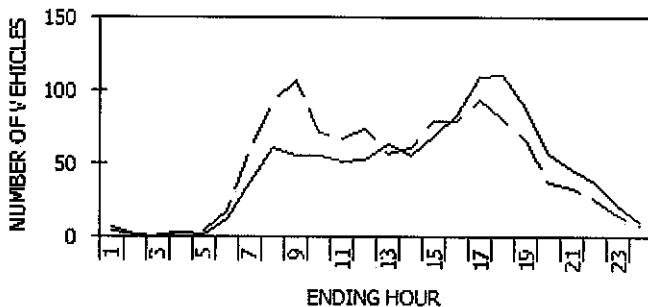
\* INCLUDING THOSE HAULING TRAILERS

## 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

## TRAFFIC FLOW BY DIRECTION



-- East

- - West

## PEAK HOUR DATA

DIRECTION	HOUR	COUNT	2-WAY	HOUR	COUNT
East	18	111	A.M.	9	163
West	9	107	P.M.	17	204

SOURCE: NYSDOT DATA SERVICES BUREAU

Dutchess County  
Speed Count Average Weekday Report

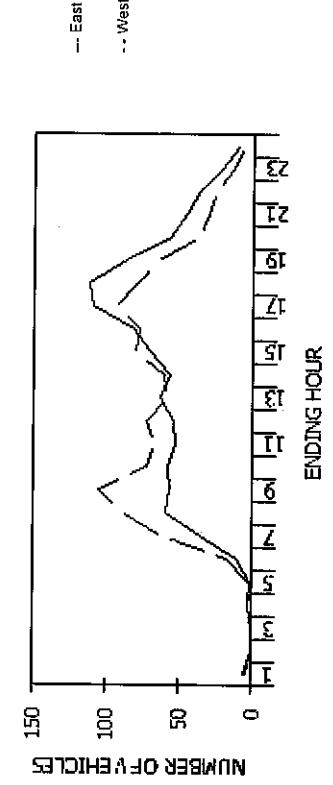
Station: 826017  
Road #: CR CR21  
From: Road name: BRUZGAL RD  
To: NY 55  
Direction: CR 9 CLOVE VALLEY RD  
East

Start date: Sun 06/16/2024 07:00  
End date: Fri 06/21/2024 06:45  
County: Dutchess  
Town: Dutchess  
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

Hour		Speeds, mph													Total							
		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%
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	1	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	49.9	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	0.0	0.0	0.0	0.0	0.0	44.7	45.8	49.8	53
12:00	2	0	8	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	82
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	46.1	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%	100.0%	100.0%	100.0%	100.0%	100.0%				
Cum. Percent	0.3%	1.4%	11.6%	44.6%	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									

TRAFFIC FLOW BY DIRECTION



Avg. Speed		50th% Speed		85th% Speed	
East	45.0	45.8	50.7		
West	45.3	45.8	50.4		
Peak Hour Data					
Hour		2-way A.M.		P.M.	
Direction	Count	Hour	Count	Hour	Count
East	112	18	163	9	163
West	106	9	204	17	204

Dutchess County  
Speed Count Average Weekday Report

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

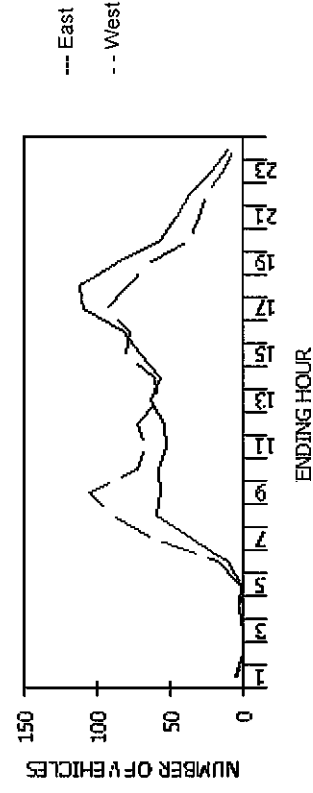
Start date: Sun 06/16/2024 07:00  
End date: Fri 06/21/2024 06:45  
County: Dutchess  
Town: Dutchess  
Speed limit: 55  
LION#: 55

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

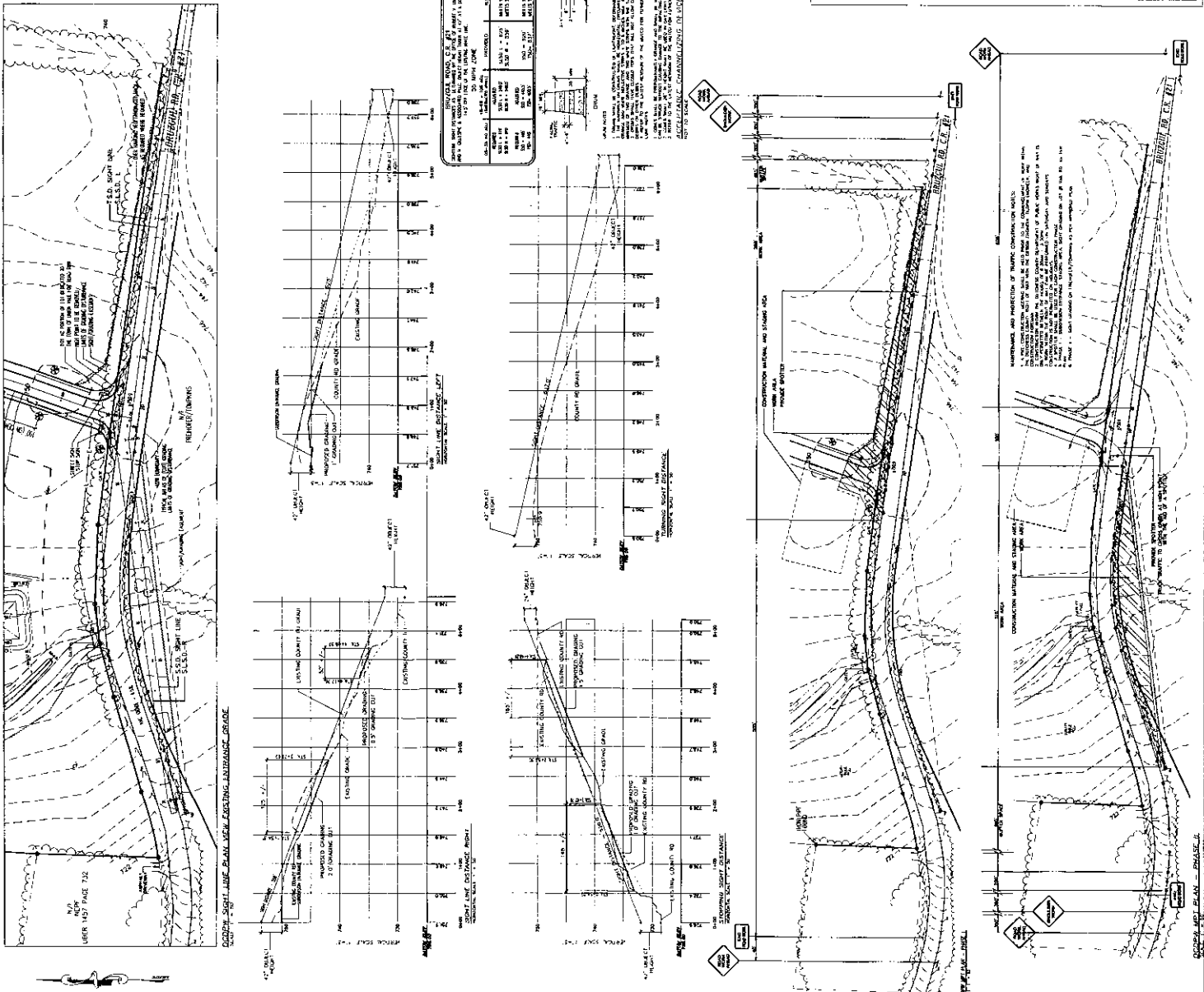
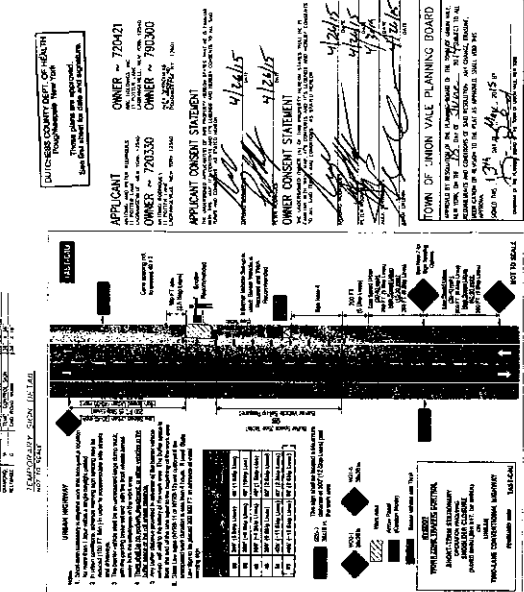
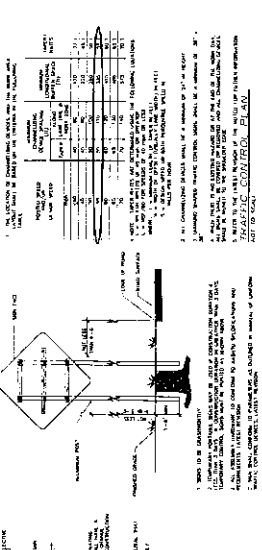
Speeds, mph

Hour	Speeds, mph																								Avg	50th%	85th%	Total
	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										
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	3.00	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	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						
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	46.3	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	1.5	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	48.2	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	28	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	49.3	31						
22:00	0	0	5	12	6	2	0	1	0	0	0	0	0	3.8	3.8	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%															
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%															
Average hour	0	0	4	17	19	6	1	0	0	0	0	0	0									47						

TRAFFIC FLOW BY DIRECTION



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



# EXHIBIT V



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component in the RD10 District		
Project Location (describe, and attach a general location map): Town of Union Vale, New York (Refer to Zoning Map for identification of RD10 sites)		
Brief Description of Proposed Action (include purpose or need): The Town Board of the Town of Union Vale proposes to establish a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the elimination of Conference Centers as a Permitted Use in the RD10 District. The purpose of the project is to allow for and properly regulate catering facilities in this large-lot residential zone throughout the town in the best interests of immediate neighbors to any such development as well as the general health, safety, and welfare of the town, all in keeping with the character of the district. The proposed legislation will also require design features which ensure that such facilities will not appear to be traditional large-form commercial scale catering halls and/or associated with traditional hotels forms in these pastoral settings.		
Name of Applicant/Sponsor: Town of Union Vale Town Board		Telephone: 845-724-5600
		E-Mail: townclerk@unionvaleny.us
Address: 249 Duncan Road		
City/PO: LaGrangeville	State: NY	Zip Code: 12540
Project Contact (if not same as sponsor; give name and title/role): Supervisor Steve Frazier		Telephone: 845-724-5600
		E-Mail: supervisor@unionvaleny.us
Address: 249 Duncan Road		
City/PO: LaGrangeville	State: NY	Zip Code: 12540
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

## B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Adoption of Local Law - Zoning Text Amendment	
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County 239-M (referral only)	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

## C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	

### C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

RD10 \_\_\_\_\_

- b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

- c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No

If Yes,

- i. What is the proposed new zoning for the site? Text amendment to existing RD-10 district

### C.4. Existing community services.

- a. In what school district is the project site located? Arlington CSD, Millbrook CSD, Dover Union Free SD

- b. What police or other public protection forces serve the project site?

Dutchess County Sheriff Department, NY State Police

- c. Which fire protection and emergency medical services serve the project site?

Union Vale Fire Department

- d. What parks serve the project site?

All Town parks to the extent this is applicable, since the action would affect the RD10 zone throughout the Town.

### D. Project Details

#### D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

- b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

- i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

- i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

- iii. Number of lots proposed? \_\_\_\_\_

- iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

- e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

- i. If No, anticipated period of construction: \_\_\_\_\_ months

- ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <span style="float: right;"> <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____       </span>	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No  
If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

\_\_\_\_\_

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No  
If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No  
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No  
If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No  
If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No  
If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?                  _____ Square feet or _____ acres (impervious surface)                  _____ Square feet or _____ acres (parcel size)</li> <li>ii. Describe types of new point sources. _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</li> </ul>	
<ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	



h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

---

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

---

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

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ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

---

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

#### E. Site and Setting of Proposed Action

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

<p>c. Is the project site presently used by members of the community for public recreation?  <i>i. If Yes: explain:</i> _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  If Yes,  <i>i. Identify Facilities:</i>  _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Does the project site contain an existing dam?  If Yes:  <i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p><i>ii. Dam's existing hazard classification:</i> _____  <i>iii. Provide date and summarize results of last inspection:</i>  _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  If Yes:  <i>i. Has the facility been formally closed?</i>  • If yes, cite sources/documentation: _____</p> <p><i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i>  _____</p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No   <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  If Yes:  <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i>  _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  If Yes:  <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database </div> <div style="width: 45%;"> Provide DEC ID number(s): _____  Provide DEC ID number(s): _____ </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i>  If yes, provide DEC ID number(s): _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i>  _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No       <input type="checkbox"/> Yes <input type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul>	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Name of aquifer: _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	



e. 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site    <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

**F. Additional Information**


Attach any additional information which may be needed to clarify your project.

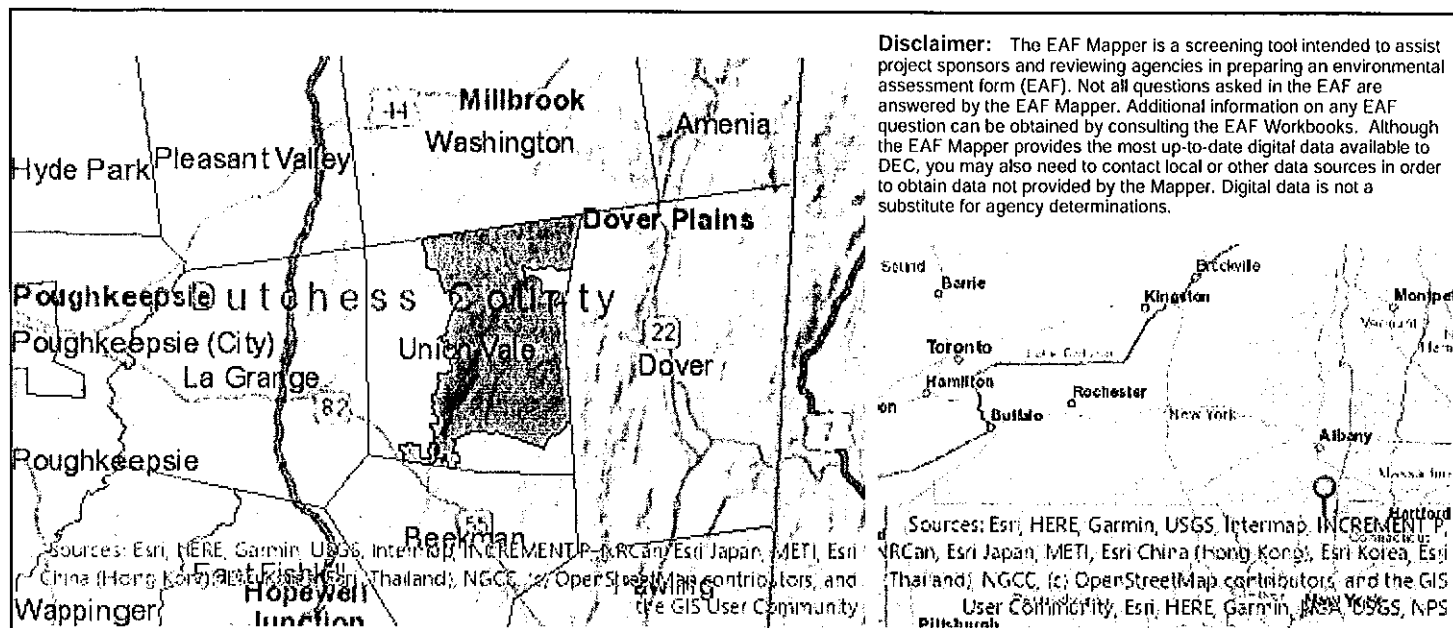
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town Board, Town of Union Vale Date 1/21/2026

Signature  Title Supervisor



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	825-36, 825-39, 825-39.1, 825-42, 825-44, 825-44.1, 862-354.2, 862-240, 862-347, 862-348, 862-349, 862-350, 862-350.1, 862-352, 862-353, 862-354.1, 862-280, 862-286, 862-289, 862-334, 862-299, 862-299.1, 862-299.2, 862-300, 862-344, 862-345, 862-345.1, 862-346.1
E.2.h.iv [Surface Water Features - Stream Classification]	C(T), D, C(TS), A
E.2.h.iv [Surface Water Features - Lake/Pond Name]	862-299, 862-349, 862-351, 862-353
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C

E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):111.1, NYS Wetland (in acres):26.7, NYS Wetland (in acres):19.4, NYS Wetland (in acres):21.3, NYS Wetland (in acres):192.1, NYS Wetland (in acres):158.4, NYS Wetland (in acres):22.9, NYS Wetland (in acres):28.4, NYS Wetland (in acres):17.3, NYS Wetland (in acres):38.8, NYS Wetland (in acres):20.9, NYS Wetland (in acres):24.4, NYS Wetland (in acres):31.5, NYS Wetland (in acres):42.7, NYS Wetland (in acres):24.1, NYS Wetland (in acres):43.3, NYS Wetland (in acres):31.1, NYS Wetland (in acres):253.9, NYS Wetland (in acres):28.5
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	VB-9, VB-12, VB-11, VB-18, VB-16, VB-3, VB-19, VB-17, VB-22, VB-28, VB-29, VB-31, VB-6, VB-27, VB-8, VB-7, VB-26, VB-42
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat, Bog Turtle, Northern Long-eared Bat, Timber Rattlesnake
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	New England Cottontail
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	DUTCc21
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:CLOVE MOUNTAIN FIRE OBSERVERS CABIN, Eligible property:CLOVE MOUNTAIN FIRE TOWER, Eligible property:CHAPEL OF THE CHILD, Eligible property:Hoxie Corners Stagecoach Shop, Eligible property:Former Union Vale School No. 3, Eligible property:127 Chestnut Ridge Road, Eligible property:403 Camby Road, Eligible property:576 West Clove Mountain Road, Eligible property:79 Camby Road
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

# EXHIBIT W

**UNION VALE TOWN BOARD MEETING JANUARY 21, 2026**

**249 DUNCAN ROAD, UNION VALE, NEW YORK**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Harrington (Absent), Kevin Durland, Kevin McGivney, Josh Redinger**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading**

**Town Attorney: Ian Lindars, Jim Nelson, Hannah Atkinson**

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Supervisor Frazier called the meeting to Order to Order and Salute to the Flag at 7:30PM

**Motion Approve Minutes:** Councilman McGivney made a motion to approve the December 17, 2025 meeting minutes which was seconded by Councilman Durland and all were unanimously in favor.

**Supervisors Report**

- Agenda amendments move bike race topic to A. in new business and add a resolution for tax assessor that is more accurate and executive session after bill pay to interview a candidate for the Planning Board, motioned by Councilman McGivney seconded by Councilman Redinger and all were in favor.
- Finance Report December 2025: General Checking: \$205,821.00 MSC Receipts: \$1,622.00, General MM: \$63,964.00 General NYCLASS: \$2,760,272.00, General NYCLASS-Reserve: \$5,199.00 General NYCLASS- Total \$3,036,878.00
- Highway Checking: \$106,955.00, Highway MM: \$17,139.00, Highway NYCLASS: \$32,882.00, Highway New Acct for W. Clove Mtn Bridge: \$613,306.00, NYCLASS-Reserve \$182,168.00, total \$951,650.00  
**Grand Total: \$3,988,538.00**
- Noted they had several storms and wanted to thank highway and parks department for keeping roads, parking areas and the houses safe.

**Board Member Reports**

*Councilman Redinger-* Looked into a program called Highlands Conservation Act that Union Vale may qualify for. A federally approved program through 2029. Union Vale could qualify if they were to apply but he will research further and update the Board.

*Councilman Durland-* reviewing agenda items.

*Councilman McGivney-* Thanked Parks and Highway for their work during the storms. Tax bills should have been delivered if you have not received them please call the Town Hall and one will be provided. They are due by the end of February.

**Town Clerk**

Clerk Casey reported the Towns 200<sup>th</sup> birthday will be next year in 2027. She is asking for residents to give their input and join a committee, everyone is welcome. Recycling Center permits are still for sale.

Supervisor Frazier added snow delays may affect the Recycling Center, check the website or sign up for the text alerts to be informed.

**Highway Report**

Superintendent Kading noted the many storms, cut salt with chip-stone to conserve money and the result was not favorable. The towns usage is on target with state recommendations 800lbs per linear mile for mild storm and 1200lbs for a heavier storm, they on target but also interested in the safety of the residents.

He advised storms this weekend please limit travel, note, equipment breaks be patient all roads will get done.

Trucks, trailer and msc. snow blades would like to surplus and auction for board approval. New small dump for highway dept, the two smaller dump trucks are not worth the money of reinvesting.

**Animal Control, submitted by ACO Mary Jean Calvi**  
Animal Control Report December 2025

During the month of December, there were no lost or found dogs. There were 11 complaint calls regarding a resident's dogs.

**DC Legislator Report, Joe Tresca, District 22**

Mr. Tresca explained the Dept Probation of Community and Corrections new direction, Allison Gafney, has 30 years of experience in probation and social work, great addition to the County. Spoke to a resident about a Union Vale issue, and talked to Councilman Redinger who was able to keep the resident informed.

**Tax Collector Report, Kaye Saglibene**

Ms. Saglibene congratulated all the candidates, and a happy retirement to George Kolb and John Welsh, tax bills were sent on January 5<sup>th</sup>, been hearing Verbank has not gotten them. The office is open Mon-Thursday 9-4 Saturdays 9-12 through the end of March, drop box gets checked 1x per day. If you mail it please get it hand stamped so that it can be honored before due date Feb 28<sup>th</sup>. Online 2.45% of the bill or e-check for 1.75

**Public Comment Agenda Items**

Amy Harsidy, Liberty Way, commenting on the new resolution defined as a typographical update. She is disappointed to hear there is no substantive change, therefore she feels the residents that spoke about this at all the prior hearings were unheard. She noted there were few residents who came to speak in favor of this project. After reviewing the 229 document data on RD10 posted on the website, speaking to the broker of the property, and text messages that were contained in her FOIL request, she feels the code change is not about RD10 but rather, about 1830 Bruzgul Road. She strongly urged the Board to vote against this change and reject the public hearing.

Hans Hardisty, Liberty Way, congratulated those that won in the election. He spoke about tax bills stating the bills in that area including Liberty Way are pretty high, and noted that 8 homes could be built on this parcel which would generate tax revenue. He noted the potential 50K spent on consultants and feels it would be better spent on other items for the Town or a projected embraced by more residents.

**Bike Race at Tymor Park**

Jason Cario, Lead Director for National Interscholastic Cycling, 30 states participating county wide, this league 2013 with 40 now over 300 and spreading out to all of NY. He has raced her in Tymor park here in 2012 and spoke further about his background in youth development. He noted the connections kids can make and that it can encompass the whole family. He wanted to approach the Board to fill in any information and would like to host an event in April, this will include his own team and EMS and volunteers, parking attendants. He gave an overview of the prep-work and the different races within the event. They always leave the trails in the same or better condition of where they found it. The entire Board agreed it is a very suitable event and encourages kids to be outside enjoying the world. The attorney will draw up a resolution and asked for corresponding information including maps, indemnifications and insurance.

**Extended Warranty**

Supervisor Frazier explained they got the extended warranty on the highway truck would like to peruse on Constable/ Code Enforcement. This can be critical due to the price of parts and the computer modules. There are 3 levels to consider and set up for a 10-year lifespan and 125,000 miles \$4,405 lowest highest \$6,505, the lowest does not include adequate coverage for the computer module. The Board advocated for the premium package and the attorney will draw up a resolution for the next meeting.

**Balloon Festival**

Supervisor Frazier advised the application came in during budget season and they would like to return on Labor Day weekend for Sept 4, 5, and 6<sup>th</sup>. This would be a similar schedule as they have done in the past. The Board agreed they are very pleased with the Chambers event and The Supervisor will sign and approve the contract.



### **Equestrian Center Funds Transfer**

Supervisor Frazier noted the prize money was not dispersed due to weather, this went back into fund balance and asked if this could be re-allocated for 2026 events. The entire Board agreed this is a wonderful feature of the town and would very much be in favor of giving this back for their use.

### **RESOLUTION NO. 21 OF 2026 APPOINTING TOWN ASSESSOR (see attached)**

This needed to be approved to contain more information per Dutchess County Real Property.

### **Phone/ Copy Machine Contract**

Supervisor Frazier will have next meeting as the copy company has not gotten back to him yet.

### **Natalie Quinn, KARC Planning**

Natalie Quinn spoke about materials posted on Town website to summarize the issues with the town code language and swapping the term 'conference center' with catering facility. She further framed how this evolved and asked the attorney Jim Nelson and Hannah Atkinson of VanDewater. It was noted, they narrowed down the resolution in front of them tonight which would be an amendment to the EAF to part 1 and the changes were not of consequence or substance. The other action would be to set a 4<sup>th</sup> public hearing, the resolution is lengthy as it does recite the history of this local law of its inception in fall of 2024, he further summarized it went to County, no suggestions, the Planning Board had one suggestion and no further after that change. The refinements are in this resolution set forth tonight. The 3<sup>rd</sup> hearing was set in May and carried through July allowing many opportunities for public comment. In August the Board members stated their opinions although not unanimous they wanted to see it carried forward. Ms. Quinn further spoke about the 'RD10 Record' which is indexed and labeled and available on the website for continuity and transparency. The changes to the EAF part 1, section on part 2, agencies, Dutchess County was added, page 3, C3C, was changed to 'Yes' as this is not rezoning or spot zoning and changing all parcels, this is a text change, not a map change. Table for the local law, the districts were corrected to current, the word 'plant' was changed to the word building. Attorney Atkinson stated exhibit 1 is where these changes can be viewed. Attorney Nelson noted, not a necessity for a resolution but a motion to accept changes of EAF part 1, and allow supervisor to execute it.

### **Motion to Accept EAF Part 1**

Supervisor Frazier made a motion to accept EAF part 1 with all changes made, seconded by Councilman Redinger.

### **Roll Call Vote**

Councilman Harrington-	Absent
Councilman Redinger –	Aye
Supervisor Frazier-	Aye
Councilman McGivney -	Aye
Councilman Durland –	Nay

### **Part 2 EAF**

Ms. Quinn, explained part 1 is the action which is the local law, part 2 & 3 are done by the Town board, and explained the draft, tonight they are not determining impact. There are 18 different sections, and this also includes the NRI maps that were done by Dutchess County. Again, she explained this is a text update therefore legislative which is the reason for 'no' being an answer for many of the questions regarding environmental impact.

Part 3 is available for the narrative if there are any impacts and consolidates all the analysis from DOT, DC and consultants. Refamiliarizing the documents of record and reviewing part 2.

Attorney Jim Nelson explained the only vote is to set the public hearing. Ms. Quinn further explained the contents of the local law noting the intent is to preserve these larger parcels, and further historical and natural resources, access from a county route, these must be set back 200 feet from property line or 500 feet from a habitable space to keep away from residential neighbors, design criteria for structures, provisions for outdoor use and activities, noise and sound as outline in existing sections of the code and helped bring the Board up to speed on the whole

**RESOLUTION 22 of 2026 TO SET A PUBLIC HEARING IN THE MATTER OF:**

The Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District (see attached)

**Discussion:**

Councilman Durland was surprised to see this back on the agenda, and noted they spent so much money on consultants for this one change and they need to make a comprehensive look at the entire RD10 district. He would like to go district by district and rework each in their entirety rather than focus on one item at time he feels as a whole this would be better spent

Councilman Redinger feels this should see full follow through as it is a logical change and further reinforces criticism as it is not about one application, it is about a change to the entire district and backs the master plan.

Councilman Durland still does not see the advantage.

**Public Comment on Town Issues**

None

**Executive Session** Supervisor Frazier made a motion at 9:03pm to enter executive session to interview for planning board, which was seconded by Councilman McGivney and all were unanimously in favor. Supervisor Frazier noted there may be a vote after the conclusion.

**Executive Session** Councilman McGivney made a motion at 9:09pm to exit executive session to resume the regular meeting which was seconded by Councilman Redinger and all were unanimously in favor. Supervisor Frazier advised that no decisions were made and no money allocated.

Supervisor Frazier mentioned no final no decisions made. Based on the interview, Darren Sampson whom they have all known and appreciate, he advises the attorney to appoint Darren Sampson the Planning Board vacancy.

**Motion to Appoint Member to Planning Board Vacancy**

Supervisor Frazier made a motion to appoint Darren Sampson to the Planning Board vacancy and to advise the attorney to draw up resolution, seconded Councilman Durland and all were unanimously in favor.

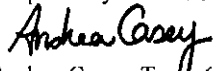
**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Councilman McGivney made a motion to pay the bills and which was seconded by Councilman Durland and all were unanimously in favor.

**Motion to Adjourn** At 9:10 PM Councilman McGivney made a motion to adjourn the meeting which was seconded by Councilman Durland and all were unanimously in favor.

Next Meeting is February 4, 2026 at 7:00PM

Respectfully Submitted,



Andrea Casey, Town Clerk

**RESOLUTION 22 of 2026**  
**OF THE UNION VALE TOWN BOARD**  
**TO SET A PUBLIC HEARING IN THE MATTER OF:**

**The Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District**

The following Resolution was offered by Supervisor Frazier and seconded by Councilman Redinger, who moved its adoption:

*WHEREAS*, on October 2, 2024, Supervisor Frazier introduced a Local Law for the Town of Union Vale to be known as Local Law #2 of 2024, entitled “A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District” “(Original Proposed Local Law”), which would amend §210-3, 210-56(E) and §210-86 as set forth on the proposed Local Law attached hereto and incorporated herein as if recited herein; and

*WHEREAS*, pursuant to the State Environmental Quality Review Act (“SEQRA”), the Town Board on October 2, 2024 reviewed a Full Environmental Assessment Form (“FEAF”) and determined that adopting the Original Proposed Local Law was a Type 1 Action for SEQRA purposes, and also determined that it would be the SEQRA Lead Agency; and

*WHEREAS*, the Original Proposed Local Law was referred to the Dutchess County Department of Planning and Development on October 17, 2024 pursuant to General Municipal Law §239-m, and to the Town of Union Vale Planning Board pursuant to Town Code §210-83(A); and

*WHEREAS*, a duly-noticed public hearing on the Original Proposed Local Law was held

on October 16, 2024, at which hearing there were no comments made by the public, the Town Board discussed the Original Proposed Local Law, voted to remove paragraph 13(B) relating to parking requirements, and then resolved to continue the public hearing at a later date; and

*WHEREAS*, the Dutchess County Department of Planning and Development responded to the Town's GML §239-m referral on November 6, 2024 and advised that the Action was a Matter of Local Concern with Comments; and

*WHEREAS*, the Board received comment from the Town of Union Vale Planning Board on November 14, 2024, which proposed one revision to Section 17(b) of the Original Proposed Local Law and, with said revision, made a favorable recommendation of the Local Law; and

*WHEREAS*, the Original Proposed Local Law was modified after considering the comments of the Dutchess County Planning Department and the discussion of the Town Board at the October 16, 2024 meeting to provide Land Banked Parking in lieu of immediate construction, to require lodging facilities not be used by transient guests not associated with an event on site, to limit the maximum footprint of a facility to 5,000 square feet, to prohibit outdoor activity prior to 10 a.m., to prohibit indoor activity prior to 10 a.m. and after midnight, to require that no noise be heard on adjacent properties prior to 10 a.m. or after 10 p.m., and to allow the Planning Board to require a noise analysis and lighting plan prior to issuance of the special use permit; and

*WHEREAS*, these modifications were incorporated into and reflected in a redrafted Local Law (the "First Revised Proposed Local Law") which was reintroduced on November 20, 2024 for consideration at a public hearing to be held on December 4, 2024; and

*WHEREAS*, the First Revised Proposed Local Law was again referred to the Dutchess County Department of Planning and Development on November 22, 2024 pursuant to General Municipal Law §239-m, and to the Town of Union Vale Planning Board pursuant to Town Code §210-83(A); and

**WHEREAS**, a duly-noticed public hearing on the First Revised Proposed Local Law was held on December 4, 2024, at which hearing all wishing to be heard were heard, including community members who voiced concerns regarding the proposed Local Law, at the conclusion of which the Board tabled the vote to await the Dutchess County Department of Planning and Development's response, and to potentially extend the public hearing; and

**WHEREAS**, the Dutchess County Department of Planning and Development responded on December 18, 2024, this time deeming the Action a Matter of Local Concern with no additional comments, and the Town of Union Vale Planning Board submitted no further comment to the Town Board on the First Revised Proposed Local Law; and

**WHEREAS**, another duly-noticed public hearing on the First Revised Proposed Local Law was held on February 5, 2025, at which hearing community members voiced their comments and concerns and two additional written correspondences were received; and

**WHEREAS**, a Second Revised Proposed Local Law was prepared which incorporated changes in response to public comments received during the February 5, 2025 public hearing and planning recommendations of consultants to increase the minimum lot size from 50 acres to 75 acres, and strengthen performance standards for noise, lighting, and outdoor use to ensure that operations would remain in line with community character and minimize disturbance to neighboring properties; and

**WHEREAS**, the Town Board, when it reintroduced the Second Revised Proposed Local law directed that a public hearing be held on May 21, 2025, again directed referral to the Dutchess County Department of Planning and Development and the Union Vale Planning Board, and further directed that notices be sent to the Clerks of adjoining Towns; and

**WHEREAS**, in the April 16, 2025 Re-Introduction Resolution, this Board, having considered the new FEAF which was attached to it, again determined that this was a Type 1 Action

and declared itself Lead Agency; and

**WHEREAS**, the Second Revised Proposed Local Law was referred to the Dutchess County Department of Planning and Development and the Union Vale Planning Board on April 22, 2025, and notice of the hearing was given to contiguous Towns; and

**WHEREAS**, the Town Board received a response from the Dutchess County Department of Planning and Development on May 7, 2025, stating that adopting the Proposed Law was a Matter of Local Concern with no comment. No additional comments were received from the Union Vale Planning Board; and

**WHEREAS**, the duly-noticed public hearing on the Second Revised Proposed Local Law was opened on May 21, 2025, at which all of those who desired to be heard on the Second Revised Proposed Local Law were heard, and the hearing was held open to be continued at the June 4, 2025 Town Board meeting at 7:00 p.m. at Town Hall; and

**WHEREAS**, the public hearing was continued on June 4, 2025, at which time all interested parties were heard, and the Board again voted to continue the hearing at the July 16, 2025 Town Board meeting at 7:00 p.m. at Town Hall; and

**WHEREAS**, the public hearing was continued on July 16, 2025, at which time all interested parties, for and against the Second Revised Proposed Local Law, were heard, and the Board voted unanimously to close the public hearing; and

**WHEREAS**, the Board further discussed the Second Revised Proposed Local Law at the August 27, 2025 meeting and voted to authorize the Town consultants to proceed with preparation of the necessary documentation; and

**WHEREAS**, the text of the Second Revised Proposed Local Law was inconsequentially corrected to amend two clerical errors: the Schedule of Use Regulations at 210 Attachment 3 was revised to correctly refer to the "RA5," "RA3," and "R1" zoning districts; and the term "plant" at



Section 210-56(E)(17)(c)(14)(a) was corrected to “catering facility building.” The corrected text is attached hereto; and and

*WHEREAS*, the correction of these typographical errors is not a substantive change to the Proposed Local Law, now to be known as Local Law #1 of 2026, and therefore does not require re-referral to the Dutchess County Department of Planning and Development; and

*WHEREAS*, in its further review of the Second Proposed Local Law and potential impacts on the environment, this Town Board has received and considered additional reports and documentation which it now seeks to add to the record of these proceedings; and

*WHEREAS*, this Town Board seeks to provide an additional opportunity for the public to respond to and comment on the information contained in these documents.

*NOW THEREFORE BE IT RESOLVED*, that a Public Hearing be held on February 4, 2026 at the Union Vale Town Hall in relation to the adoption of the Second Revised Proposed Local Law.

*BE IT FURTHER RESOLVED*, that the Town Board authorizes the Town Clerk to circulate a notice of the Public Hearing to adjacent municipalities in accordance with General Municipal Law (“GML”) 239-nn.

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

#### **NOTICE OF PUBLIC HEARING**

*TAKE NOTICE* that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 (in the Town of Union Vale) on February 4, 2026 at 7:00 o’clock p.m. prevailing time, on proposed Local Law #1 of 2026, of the

Town of Union Vale, Dutchess County, New York, being “A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District as Revised”.

1. Copies of the corrected Second Proposed Local Law and all supplemental documentation, received as of February 3, 2026, to be considered by the Town Board thereat will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, Lagrangeville, New York 12540 at least 24 hours prior to the date of the Public Hearing, and on the Town's website at [www.unionvaleny.gov](http://www.unionvaleny.gov), and all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid and in addition to in person viewing, the Public Hearing will be held on Zoom and carried on the Town of Union Vale's YouTube channel for live viewing (access at [www.unionvaleny.gov](http://www.unionvaleny.gov)). The Zoom invite for this public hearing is: <https://us22w.zoom.us/j/94294478> or <https://www.us22w.zoom.us/j/94294478> Meeting ID: 867 9429 4478 with Passcode: 867942. The Zoom invite will also be posted on the Town of Union Vale website [www.unionvale.ny.us](http://www.unionvale.ny.us) the morning of the public hearing. If you wish to be called upon to comment during the public hearing while participating on Zoom, you can place your name on the list by contacting the Town Clerk at [townclerk@unionvaleny.gov](mailto:townclerk@unionvaleny.gov) or (845) 724-5600. In-person attendees will be able to sign up when entering the hearing room. For any other questions contact the Town Clerk at [townclerk@unionvaleny.gov](mailto:townclerk@unionvaleny.gov) or (845) 724-5600 x100.

Dated: January 21, 2026  
Union Vale, New York

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

Supervisor Frazier	Aye
Councilman Durland	Nay
Councilman Harrington	Absent
Councilman McGivney	Aye
Councilman Redinger	Aye

I, Andrea Casey, Town Clerk of the Town of Union Vale do hereby certify that the foregoing is a true copy of a resolution offered by Supervisor Frazier, seconded by Councilman Redinger, and adopted at the regular meeting of the Town Board, held on January 21, 2026.

  
\_\_\_\_\_  
Andrea Casey, Town Clerk

draft

**LOCAL LAW NO. 1 OF 2026 FOR THE TOWN OF UNION VALE, NEW YORK**

**A Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District, As Revised**

**Section 1.** Section 210-86 “Definitions” is amended as follows [deletions are stricken and additions are underscored]:

**CATERING FACILITY**

A facility providing a gathering place for the conduct of scheduled events such as parties, weddings, banquets, business meetings and similar events and food and beverages for invited guests, not to include a bar, tavern or restaurant open to the public though sometimes operated in tandem therewith. Where allowed only by special permit pursuant to §210-56(E) (17), a catering facility shall include short-term accommodations of not more than four consecutive nights. May also be referred to as "banquet hall."

**LAND BANKED PARKING**

Land designated to be reserved for a portion of parking required by this Code, which the Planning Board approves to be held and preserved as open space, rather than immediately constructed as parking.

**Section 2.** Section 210-3 District Schedule of Use Regulations/Residential Districts is amended as follows:

**210 Attachment 3**

**Town Code of the Town of Union Vale**

**Chapter 210**

**ZONING District Schedule of Use Regulations / Residential Districts [Amended 3-11-2010 by L.L. No. 12-2010; 8-15-2013 by L.L. No. 2-2013; 10-6-2016 by L.L. No. 3-2016;       -2025 by L.L. No. 1-2025]**

Key: P Permitted Use P\*

Permitted Use subject to Site Plan Approval P\*\*

Permitted Use subject to Subdivision Plat Approval SP Use subject to Special Use Permit. Please refer to Article VI, § 90, reference for specific standards and requirements for certain SP uses.

SP\* Use subject to Special Use Permit and Site Plan Approval

SP\*\* Use subject to Special Use Permit and Subdivision Plat Approval X Prohibited Use

Structure / Land Use	Zoning Districts						Special Permit Reference
	RD10	RA5	RA3	RD1.5	R1	H	
Catering Facility	SP*	X	X	X		X	<b>210-56(E)(17)</b>
Conference Center	SP* X	SP*	SP*	X		C	<b>210-53(E)(4)</b>

**Section 3.** Section 210-56(E) “Standards and Requirements for Certain Special Permit Uses” is amended as follows [additions are underscored]:

210-56(E)(17) Catering Facility. A catering facility shall be allowed by special permit in the R10 district, provided that:

(a) The establishment of the catering facilities shall only be allowed on a parcel of not less than 75 acres;

(b) The development of the catering facility shall preserve existing buildings through adaptive reuse and/or scenic and natural areas important to the community, unless on the basis of substantial evidence the buildings in question are deemed unsafe or incapable of reasonable rehabilitation and/or the preservation of such scenic and natural areas cannot be achieved without resulting in other harm to scenic or natural areas or the disturbance of same is in connection with the enhancement of those or other on-site scenic or natural areas.

(c) The following design objectives are met:

[1] 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.

[2] Formal and informal landscaping, stonewalls, entrance gates and similar features shall be preserved whenever feasible.

[3] New construction shall be sited so as to have minimum impact on fields, meadows and woodlands. Major grading or changing of topography shall not be permitted.

[4] Unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc., shall be preserved.

[5] The maximum floor area of all dining and bar facilities including kitchens and storage areas shall not exceed 6,000 square feet.

[6] Access to the facility shall be from a state or county highway.

[7] 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 Habitat Space. These setback requirements shall apply to all structures associated with the facility including accessory buildings, improvements and parking.

[8] Lodging facilities design features:

[a] Overnight lodging facilities shall be available for periods of not more than four consecutive calendar days per guest and must be provided as part of the catering facilities for the use and benefit of participants in events at the catering facility. The overnight lodgings shall not be used or hired for transient guests not associated with an event on site.

[b] No more than one of the guest rooms may be attached to the catering facilities; the others must be accessory outbuildings in order to avoid the appearance of a hotel or motel structure.

[c] The maximum number of guest rooms in the aggregate shall not exceed 10.

[d] The maximum aggregate square foot footprint of the lodging facilities shall be 5,000 square feet.

[e] The outbuilding guest rooms may be provided in individual or attached structures.

[9] Approval shall be obtained by the Dutchess County Health Department for sanitary sewage and water supply facilities, including, as may be determined applicable by the Planning Board, certification through either the Health Department or a licensed professional engineer retained by the applicant that the existing on-site water supply and sanitary sewage facilities are sufficient to accommodate the additional demands of the catering facilities on the residential parcel such use is proposed.

[10] Other permitting or licensing requirements of State, local or federal laws rules or regulations shall be

satisfied.

[11] Accessory uses to the catering facility development shall be limited to the following:

[a] Meeting rooms.

[b] Restaurant and dining facilities serving exclusively guests during events.

[12] 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.

[13] Notwithstanding any other provision of this chapter, parking requirements shall be at least one space per guest room plus either [a] one space for each 150 square feet of service area accessible to customers or [b] one space per 200 square feet of gross floor area, whichever is greater, provided however that the Planning Board shall have discretion to require such lesser or additional parking as may reasonably be deemed necessary where based upon a traffic study certified by a qualified professional and reviewed by the Town Engineer or Planner, and the Planning Board may approve land banked parking. Land banked parking of up to 25% of the parking which would otherwise be required where:

(1) Sufficient evidence has been provided by the applicant that supports the reduced parking needs.

(2) The area proposed for land banking of parking spaces is an area suitable for parking at a future time.

(3) The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.

(4) As part of the site plan review process, the applicant shall show the area to be banked on the site plan and marked as "Land Banked Future Parking."

(5) The Zoning Administrator or Building Inspector shall have the right to inspect the usage of the property from time to time during its operation to determine in their reasonable discretion whether all or any portion of the land banked parking area should be constructed as parking spaces.

[14] Outdoor Use and Occupancy:

[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 catering facility building 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 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.

[c] Operating Permits to commercial ventures. Any outdoor use shall require an operating permit pursuant to the New York State Building Code.

[d] The Design Standards set forth in the provisions of § 210-24 and §210-64 of this Chapter shall apply to the patio or terrace areas just as they shall to the buildings and interior spaces.

[e] Operations authorized and approved pursuant to these 256(E)17) shall not conflict with any provisions of the Agriculture & Markets Law pertaining to on-farm wineries, cideries, distilleries, or breweries.

[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 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.

[b] 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.

[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.

[17] Signage.

[a] Only one freestanding sign up to 24 square feet is permitted per facility, which shall be located at the primary ingress to the property. Internal directional signs are permitted which shall not exceed 8 square feet.

[b] No sign shall be internally illuminated or electronic but may be indirectly illuminated, unless required by state law or code.

[c] Temporary directional signage is allowed during event activities for parking and traffic flow as well as any required by the Planning Board for safety measures along access roads.

**Section 4.** If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

**Section 5.** Pursuant to Section 22 of the Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

**Section 6.** This local law shall be effective upon filing with the Secretary of State.

# EXHIBIT X

**UNION VALE TOWN BOARD PUBLIC HEARING RD10 ZONE CHANGE LL1 OF  
2026: FEBRUARY 4, 2026**

**249 DUNCAN ROAD, UNION VALE, NEW YORK, TOWN HALL 7:00 PM**

**PRESENT: Supervisor Steve Frazier**

**Town Council: Kevin Durland, Kevin McGivney, Josh Redinger**

**Kevin Harrington (absent)**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading (Absent)**

**Town Attorney: Jim Nelson, Hannah L. Atkinson & Ian Lindars**

Supervisor Frazier began by saying he suspected some residents are here due to a green flyer being distributed. The allegations made within it are at best incomplete and inaccurate. The flyer implies that commercial development is not currently permitted in the RD10 zoning areas, this is false. RD10 currently allows a golf course or country club, nursing home, animal hospital, Conference center, which could be a multi-story hotel and soil mining to be considered by special use permit. These could move forward with the code as written. Our proposed change has suggested that Conference Center be changed to Catering Venue, which we feel is a less intrusive business to maintain our rural character. We've put further restrictions in place such as access from State or County roads, not town neighborhood roads and increased setback requirements to further ensure the privacy of neighboring parcels. We have also added language to prohibit noise pollution. Any proposed commercial development must go before our Planning Board and be review for suitability and conformity. The Planning Board is capable of putting additional restrictions on proposals to ensure minimal impact on neighboring parcels. We are not opening the floodgates to commercial development as the flyer suggests, but rather further refining what commercial development is suitable for these areas.

Councilman McGivney motioned to open the public hearing at 7:10pm (later than anticipated due to a traffic accident) seconded by Councilman Redinger and all were in favor. Supervisor Frazier reminded everyone of the public hearing procedure, each person may speak for 3 minutes and time may not be shared between people.

Amy Hardisty, Liberty Way, is not in favor of this zoning change. She feels it violates the Town's Master Plan and is not sound law. She feels the conference center has many of the same allowances as a catering facility while reducing the acreage. She feels this law violates several town codes and that this will waste taxpayer dollars on future lawsuits. She cited Code 210.56 regarding hotels and motels, and 210.9 regarding principal buildings on residential lots and feels the language in the proposal violates this framework. She also noted the 'RD10 Record' on the website focuses largely on one parcel and noted town code 210.55 requires the board to prioritize comfort in the immediate neighborhood. She cited many neighbors have voiced their opposition. She further spoke about the violation to the noise ordinance. She also noted that minutes were missing from the website and was unable to locate the zoom link on the Town site and feels this denies due process. She noted approximately \$50,000 has been spent on this project since August and fears this number has doubled. She implored the Board to stop using taxpayer money to adopt a law that she feels violates the Master Plan, code and the wishes of the residents. She also feels her voice is not being heard as a professional who has first hand experience in this field.

Attorney Jim Nelson inquired if the data from the website regarding the RD10 record would be included in tonight's record to which the Town Clerk stated yes.

Jeff Rivenburg, Bruzgul Road, recently moved here and is not totally familiar with this proposal but is here to learn. He enjoys the rural atmosphere and scenery therefore does not want commercial real estate and feels he would not have purchased if he knew any commercial real estate would be nearby.

Mary Jane Zukowski, Highview Road, does not understand why the town is opening up to change the tone of Union Vale, she enjoys Union Vale the way it is, and worries the smaller acreage requirement does not a line with her view of the Town. She spoke about the contrast with other areas of the US she lived and chose Union Vale due to the peaceful setting and is concerned about traffic throughout the Town. She is not in favor of this zone change.

Ross Hardisty- Pray Lane, wanted to echo other speakers, the proposal takes away from the beauty of the area and will create more traffic and noise pollution. He strongly opposes this and is not in favor of this proposal.

Joshua Mackey- Attorney of Mackey, Butts and Whalen, representing Hans & Amy Hardisty, His clients strongly oppose the proposal for the following reasons that have been presented but he would like to expand. He feels that any zone change should be respectful of the Master Plan or Comprehensive Plan and feels it is clear this change runs afoul of these documents. He explained that without polling the residents and updating these policies the Board diverted this process in what he feels is an unlawful process due to bypassing this procedure. He noted the vision statement of the Master Plan is to maintain the rural character through preservation of open space however this. Although certain commercial activities are allowed by special permit in the RD10, the decrease of 100 acres to 75 acres opens for much commercial development in residential neighborhoods. He noted the Supervisor has made his case on spot zoning for him saying it was referred to as 'Freihofers law' and 'Fuscaldo's project'. He also read text messages from a FOIL request citing a conversation between the selling agent and the Supervisor. He also noted the resolution and negative declaration were posted prior to reviewing the letter he submitted today.

Hans Hardisty - Liberty Way, he noted Joe Fuscaldo was not asked for his address and was not kept on time. He is shocked at the taxpayer time and money that has been wasted on this and cited a vote of 'yes' will lead to more. He is still not in favor of this proposal. He values the quiet enjoyment of the residential areas and feels this contradicts the County and Town master plans. He is speaking as a resident but has a background in commercial broker and developer, a CCIM, an owner and an MBA with about a billion dollars in transaction experience. He feels strongly this will lower residential property values citing the loud, high traffic and event spaces have obvious negative impacts. He also feels this will lower tax revenue in the RD10, as single family homes generate more consistent revenue than 1 event venue that may not succeed and asks for a third party tax consultant to analyze the tax revenue before a vote. He also has an issue with the setbacks being only 200 and 500 ft due to noise, traffic and light pollution. He is also concerned this will overburden the fire department and become a public safety concern. He also asks for an independent study on the roads in all of RD10 as the roads were never designed due to the fact they are in a rural setting. He feels reducing the acreage for this is an example of spot zoning. He also feels residents have not been informed due to lack of posting of minutes nor where they are posted in the newspaper. He feels since the last discussion, the town has changed this and reclassified the zoning and modified SEQRA substantially and the Town has town is bypassed the county referral GML section 239-m. He expects the county to be notified oversight of substantial changes. The the Town has omitted vital information and the county is unaware.

William Nolan, Clove Road, a resident for 37 years, he has been on the town board and planning and the original master plan committee. This action he feels is ill conceived and rushed and feels the town has not been informed. He is concerned the town is opening itself to an article 78 action and is very risky and only harms the Town. He noted the Master Plan has helped protect the plan from other projects that would have violated the sanctity of Union Vale. He also noted Bruzgul Road being a dangerous road and worries about the increased traffic. He is not in favor of this zone change and hopes the town board does not entertain this proposal.

Chris Camaj, Waterbury Hill Road, after his family moved from queens and worries this change will only encourage more commercial real estate. He feels Union Vale does not need commercialization and needs to be preserved the way it is. He believes a large portion of the residents would agree with him if they were properly informed.

Colin Martin, Liberty Way, he formally objects to the code change.

Miriam Tannen, Camby Road, has lived here for 50 years. She is not close to this development but feels the acreage change will negatively affect the whole town, and she is totally against it. She feels the wedding venue will violate the noise ordinance. She is not in favor of changing the rules for one parcel and she does not like seeing this happen.

Vickey Pitman, Bruzgul Road, she did review the information on the town website and cannot understand how the Board could think this was a good idea. She is in favor of getting rid of the

convention center but not in favor of replacing it with a wedding venue. She has felt safe in this community noting there are no bars, no restaurants, no night clubs but feels this change will allow all of these things. She is extremely concerned about the traffic and danger that is already an issue on Bruzgul Road. She was unsure of what had already been adopted through the information on the website and was not notified. She noted most of the Town is RD10 and that this affects the majority of the Town. She cited the January 28, 2025 memo from KARC that recommended planning and zoning board to make sure whatever is approved, follows all the rules. She would like to know if the recommendations are being taken under advisement.

Supervisor Frazier noted the public hearing will continue into the meeting as it is now 7:30pm. He also asked for 2 agenda amendments: Consider resolution of full SEQRA report and to move the phone copy or discussion to after our executive session. This was motioned by Councilman McGivney and seconded by Councilman Redinger, all unanimously in favor.

Paul Canevari, Bruzgul Road, wanted to go on record that he opposes this due to driving hazards citing 5 more accidents since the last time he spoke at a meeting. He feels this will only increase these issues and noted his driveway is a blind driveway on that corner. He hopes the town board considers their health and safety and urges the Board not to vote in favor of this.

Natalie Quinn, KARC,

She began by noting the review of this local law started in October of 2024 and recapping the history. The local law has not been adopted although, there's been multiple versions that have been introduced, revised, and then reintroduced. Each time there were significant changes to the local law, there needed to be a reintroduction. In early 2024, there was a sketch site plan for a the Fuscald/Freihof property, that began at the planning board and the zoning board of appeals. After discovering that this project was closest to a conference center, it raised issues with the boards that there was not sufficient language surrounding conference centers in terms of how those uses should be regulated and how the size or impacts of it should be regulated. Thereby it noted those bodies could use additional help through language being added to the code. She further explained how this project, that has since been abandoned at a planning board level, rose from one parcel to consideration of the permitted uses in the zoning district which in her professional opinion is the opposite of spot zoning. She cited the memo from KARC explaining why the considered amendments are in line with the comprehensive plan. She also noted the comprehensive plan does discuss preventing subdivision of large parcels and preservation of natural resources as well as environmentally sensitive areas. It also discusses preserving agriculture uses. This allows looking at wedding venues or alternative revenue sources for farmland is supported by Dutchess County by giving farmers other ways they can preserve their land and produce revenue. She noted one speaker advocated for creating many individual single-family homes after being subdivided and that is the opposite of what this zoning district and comprehensive plan encourage. She further explained this would permit uses that are compatible with this with this area and agricultural uses while still regulating them.

She then advised the Board on what uses are permitted today versus is proposed. Currently, conference center allows no maximum for rooms for lodging whereas catering facility is limited to 10 rooms. Max length of stay for conference center 7 days max, whereas catering facility is 4 days max. Floor area for conference center is 5% of land for max floor area, for a 100 acre parcel it would equal 5 acres with no limit in lodging facility whereas catering facility, the main facility is limited to 6,000sqft and lodging facility limited to 5,000sqft. The minimum lot area does change from 100 acres to 75 acres for catering facility. This does marginally increase number of properties that can be included and this expands this use which is supported by the comprehensive plan and the master plan by preserving agricultural land. She feels focusing on the additional eligible properties without considering the protective limitations is an unfair review of the proposal. Access for both conference center and catering does include state and highway but catering facility does remove town roadways thereby limiting building locations. Setbacks, conference center: 150 ft from the property line or 250 ft from a neighboring residence whereas, catering facility has been increased to 200 feet from the property line and 500 feet from the existing exterior wall of a neighboring residence.

Parking requirements, conference center: no limitation on that and no allowance for land banking, whereas catering facility, of parking that's required, ability to land bank to preserve where possible, paving of land for parking and maintain the natural resources.

Ms. Quin noted, professionally, she disagrees that this action is in any way conflict in conflict with the town comprehensive plan and believes that this furthers the preservation of open space gives the planning board in the town more ability to review site plan applications for commercial uses in this district and make sure that they are contextual with the open space nature of this district. She further noted this zoning adds predictability to how these uses are going to turn out than the code as it currently stands.

Tonight, she noted the Board is reviewing part 3 EAF narrative which gives a narrative explaining why part two was answered the way it was as a Board. She further noted this process has not been hasty and has transpired over a year. She illustrated that part 3 narrative takes a lot of that language, the multiple memos from KARC, advisement from the engineering consultants, from Dutchess County Transportation Council, the Natural Resource Inventory, and puts all that information into kind of concise narrative explaining this process and the outcome.

1) Impact on Land: This is a legislative action thereby does not involve physical disturbance of land disturbance. It is noted that some of the parcels within the district may be affected by this legislative action contain lands that meet the criteria of 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. This proposal allows land banking of parking. This provision was included to minimize full and immediate buildout of potential parking areas. The landbank 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 a natural and landscape condition unless further demand requires expansion. This approach avoids unnecessary impervious surface and preserves more open space on the site. Minimum lot area for such a use is not less than 45 acres and requires that access to the facility shall be from state and county roads. This further protects land within the district because it only 25 parcels satisfy these criteria. The special permit criteria for catering facility requires that projects and this is language to preserve existing buildings through adaptive reuse and or scenic and natural areas of important to the community. It further requires that formal and informal landscaping, stone walls, entrance gates, and similar features must be preserved whenever feasible. New construction shall be sited so as to have a minimum impact on fields, meadows, and woodlands. Specifies that major grading and or changing of topography shall not be permitted. Further, unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands, etc. shall be preserved. She did note that some of the language from the initial application and sketch plan is within as it prompted the initial consideration.

2) Impact on geological features: protection of limiting grading, protection of natural areas thereby no negative impact on these features was determined.

3) Surface Waters: require that projects preserve existing scenic and natural areas important to the community. Requires that unique natural areas and open spaces such as streams, ponds, marshes, steeply sloped areas, woodlands shall be preserved and the special permit criteria that are included.

4) Impact on Groundwater: again, this is a legislative change; this action does not authorize the specific use of groundwater. Any future individual development applications, will have to note based on the proposal, the square footage, number of units, number of space. Future applicants will have to say exactly how much water they're proposing and where they plan to get it from and justify in SEQRA.

5) Impact on Flooding: The proposed legislative action does not entail physical disturbance. Any future development project would be evaluated for flood zone compliance where necessary. Attached are maps from Dutchess County natural resource inventory illustrating where the 100-year flood plain and the 500-year flood plain flow through Union Vale.



6) Impact on Air: This action does not include a state regulated air emission source. Therefore, no impact.

7) Impact on Plant and Animals: no immediate disturbance to vegetation and wildlife habitat from the proposed action since it's legislative and individual developments proposals may affect habitats and such impacts would be addressed and reviewed by the planning board through their own SEQRA review.

Ms. Quin noted Dutchess County has developed these natural resource inventory maps that helps to identify where there's essential habitats in the county which allows the planning board uses that to have individual applicants dive deeper and do their own habitat reviews uh when those projects come up before them.

8) Impact on Agricultural Resources: the RD10 zoning district contains properties that are in agricultural district number 21. An exhibit has been attached. No direct physical disturbance on agricultural land is associated. This proposal was intended to remove the use of conference centers, which is a permitted use, and instead include especially permitted use for catering facilities. And this is to provide an opportunity for agricultural land owners to diversify income streams and support continued viability of farming. The addition of catering facilities as a permitted use is intended to support agricultural adjacent and farm-based enterprises such as working farms, hosting weddings, farm-to-table venues, and small-scale retreats.

9) Impact on Aesthetic Resources: Minimum impact on fields, meadows, and woodlands thereby preserving the existing aesthetic and having no negative impact. Major grading and topography is not permitted. Setbacks are increased so that these uses have to be further from the property lines and from adjacent properties. Adding limitations on how large buildings can be which is not under the current code. Setbacks of buildings and parking lots require that adequate screening to preserve the rural character of the district to reduce visual impacts of any future developments.

10) Impact on Historical and Agricultural Resources: This action does not disturb historical and agricultural resources. The special permit criteria require that projects preserve existing buildings through adaptive reuse or scenic and also requires that they preserve scenic or natural areas that are important to the community.

11) Impact on Open Space and Recreation: proposed action is not located within an area listed in an adopted municipal open space plan and note the language of the comprehensive plan does cover this.

12) Impact on Critical Environmental Areas: There are no critical environmental areas or CEA's. None are designated within the town of Union Vale.

13) Impact on Transportation: A comparative planning analysis was included in the record. She referenced a KARC memo dated March 14, 2025. This demonstrates that catering facilities are anticipated to generate significantly fewer 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, which could occur now. The local law further restricts catering facilities to parcels with direct access to county and city routes, parcels with frontage on county route 9, 21, 24, and 90 are included. These county roads carry posted speed limits of 55mph and based on Dutchess County traffic viewer accommodate 1,000 to 5,000 vehicle average daily trips. The Dutchess County data demonstrates that county roads that serve the RD10 district currently carry only a fraction of their available capacity, she noted these roads are graded in terms of the capacity they can carry. With current average daily trip volumes ranging in the hundreds to low 2000's compared to practical capacities of 10,000 to 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 data analyzed and detailed in the memo from September 17, 2025. This has been included as an attachment to this document. This proposed law provides the authority to the planning board to require a traffic study certified by a qualified professional and reviewed by the town engineer or planner and such studies will be used to set appropriate limits on individual facility capacity determine appropriate parking land banked parking and ensure that access points maintain safe line of sight. The County and State

DOT review of line of sight criteria is mandatory and both entities follow these regulations. Included is a memo from Renna Engineer confirming the local law has been thoughtfully structured to avoid adverse traffic impacts.

14) Impact on Energy: The proposed local law the legislative action has a direct impact on energy. Each individual project will get evaluated in their SEQRA

15) Impact on Noise, Odor and Light: The legislation does cite the town's noise ordinance. It specifically says that proposed catering facilities must demonstrate compliance with noise performance standards as outlined in 210.24A. Everything cited within this, is additional to the town's noise ordinance. The ordinance states at a property line from certain periods of time, you can't have more than 60 decibels (dB), although, this is still noise, but one cannot have more than 60 dB from point A to point B. After 8:00 PM the level is reduced to 50dB. There are additional regulations that are put on noise coming from outdoor use and occupancy. Outdoor use regulations are a bit stricter, indoor activity 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. Thereby being stricter than the current code which allows 50 dB at that time. She cited an example that is not allowed such as no noise from indoor activity going out a window of a building. There is an enforcement component however this is how the current noise ordinance is being implemented.

There were additional lighting regulations, attached to the to the proposed special permit use that are in the code. The planning board will be authorized to require a lighting plan for all outdoor lighting. There are specific regulations such as lights turned off after closing, located fully shielded and directed so no direct light falls outside property lines. Regulations that are standard in rural areas across Dutchess County the Hudson Valley were used in determining this as it was not currently mentioned in the code.

16) Impact on Human Health: The proposed action does not introduce any new uses known to generate hazardous materials of public health risks.

17) Consistency with Community Plans: This does align with the Town's Comprehensive Plan.

18) Consistency with Community Character: The proposed action is consistent with community character in the RD10 zoning district. It is not replacing or eliminating existing facilities, structures or areas of historical importance and will not directly create demand for community services, which she explained, are the DEC's considerations in these criteria. The catering facility use is replacing a more intensive use of conference center the demand for community services may be equal or lesser than what is currently permitted.

She concluded that this is summary of all the analysis that has been done over the past year and there is no new material being presented.

Councilman Durland inquired about changing the topic of topography and asked about getting a mining permit. Ms. Quinn stated although she had not reviewing the mining regulation, specifically however, major changes to topography are not permitted in this use. She further noted shall is the strongest language that can be used in "shall not change topography" rather than should as this is the way zoning works in the most efficient and clear way to illustrate that.

Supervisor Frazier offered those that have not commented yet may come up and make comments. Those who have commented, are permitted to ask questions, but no further comments.

Ms. Quinn answered specific questions from the audience to provide clarity and information.

Councilman Durland reported that this proposal affects just under 5,000 acres.

Lynn Nolan, clove road, has lived here 37 years. She spoke about potential noise level, she is concerned with the volume and noise traveling, she cited noise such a motorcycle that she can hear 3 miles down the road and the train in Pawling. She is also concerned about traffic, she is worried about increased traffic that this may bring with patrons and delivery. She is not in favor of this local law.

Heidi Tucci- Bloomer Road, she was not aware of this issue and could not find information on the Town Website. She is not hearing a lot of positivity from her fellow residents, she noted for

each person that has spoken negatively, she can add 20 more potential impacts, she feels this issue is not serving any residents.

Attorney Jim Nelson stated to purposefully keep public hearing open and offers the town board to consider the following documents, the environmental part 2, part 3, the negative declaration and the narrative which is the next resolution on the desk. He noted the immediate issue is whether anything, that has been presented, or that the board has seen in the record that's been compiled presents a potential issue to the town that the board thinks has not been adequately presented and developed to ensure the Board 'take a hard look'. The next step tonight is to vote on environmental resolution. The board may vote on that this evening as they have been presented in draft. One suggestion from the public was to defer, do you need more info? or do you want to vote this evening on the environmental issues.

Supervisor Frazier stated after reviewing this for nearly two years now, he feels very prepared and that the Board has done a thorough job reviewing it and is comfortable voting tonight. Councilman Redinger feels the same way. Councilman Durland feels it should be tabled, there is much opposition and questions, although many good points were presented. He advocated for pausing as there is no pressing projects.

**RESOLUTION #23-2026 OF THE UNION VALE TOWN BOARD TO ADOPT SEQRA FULL ENVIRONMENTAL ASSESSMENT FORM ("FEAF") PART 2, PART 3, AND NEGATIVE DECLARATION NOTICE OF DETERMINATION OF NON-SIGNIFICANCE IN THE MATTER OF: The Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District (see attached)**

Councilman McGivney made a motion to close the public hearing at 8:49pm which was seconded by Councilman Redinger and all were unanimously in favor.

Supervisor Frazier noted this may be brought back as an agenda item on February 18<sup>th</sup> 2026.

**UNION VALE TOWN BOARD TOWN BOARD MEETING FEBRUARY 4, 2026**  
**249 DUNCAN ROAD, UNION VALE, NEW YORK, TOWN HALL 7:00 PM**  
**PRESENT: Supervisor Steve Frazier**  
**Town Council: Kevin Durland, Kevin McGivney, Josh Redinger**  
**Kevin Harrington (absent)**  
**Town Clerk: Andrea Casey**  
**Highway Superintendent: Ed Kading (Absent)**  
**Town Attorney: Ian Lindars**

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Supervisor Frazier called the meeting to Order to Order and Salute to the Flag at 9:00PM

**Motion Approve Minutes:** Councilman McGivney made a motion to approve the January 7, 2026 meeting minutes which was seconded by Councilman Redinger and all were unanimously in favor.

#### **Supervisors Report**

- There was a major snow storm since the last meeting and Highway and Parks did a good job of keeping the roads and town facilities and fire dept clear and he thanks them

#### **Board Member Reports**

*Councilman Redinger-* forwarded information to the Board on the Highland Compact that he advised during the last meeting.

*Councilman Durland-* dealing with the RD10 paperwork and reviewing documents over the past few weeks.

*Councilman McGivney-* Thanked Parks and Highway for their work during the major storms.

#### **Town Clerk Report**

Clerk Casey advised all town legal notices for each of the Planning, Zoning and Town Board are located at the bottom of the home page with any other document associated with those hearings. She also spoke about the Valentines for Veterans even held on Valentines Day from 10-12 partnering with Town of Beekman.

#### **Recreation Report submitted by Maggie Collins-Field**

Registration is still open exclusively for residents for our Summer Camp programs. Registration for non-residents opens at midnight on Monday, February 9th. We recommend that parents/guardians make sure they can login prior to registration opening, or make an account if you do not already have one. Information on the different programs, session dates, and pricing can be found on the Parks and Recreation social media pages and website, and any questions can be directed to the Parks and Recreation Office.

#### **Parks Report, submitted by Vincent Germano, Park Manager**

- The electric service for the #11 Rental House was upgraded from 150 to 200 amp to accommodate the electric water heater that replaced the oil water heater that had failed.
- We had a few snow storms and one very large one. We tried to stay on top of them to keep the two fire stations in town able to get their emergency vehicles in and out.
- On January 28th the furnace for the #2 Rental House shut down early in the night due to a clog that developed in the fuel line. It was noticed in the morning and we cleared it and restarted the furnace but by then a few of the baseboard pipes had frozen and ruptured. The pipes have been repaired.
- The plow on our Dump Truck had a problem develop during the snow storm that happened on MLK weekend. We were able to get it repaired through its warranty before the large storm, thankfully.
- Before the snow we started clearing more of the brush near the stream pavilion, which is on hiatus until the snow melts a bit so we can get back in there.
- We have just finished stripping and waxing the floor in the large hall.

Supervisor Frazier added since the boiler breakdown, there will be alarms installed on any other equipment and perhaps add antifreeze to the lines.

#### **Dutchess County Legislator Joe Tresca, District 22**

Mr. Tresca updated everyone on the Hudson Valley Housing, Union Vale is enrolled, grant up to \$125,000 eligibility requirements to add an ADU or bring up to town code with some additional

requirements to be eligible. A great opportunity to help residents in need and help with housing issues DC is facing.

**Public Comment on Agenda Items- None**

New Business

**Motion to Approve LaGrange Youth Baseball Funding**

Supervisor Frazier made a motion to sponsor 3 teams in LaGrange Youth Baseball for \$800 and all were unanimously in favor.

LaGrange Youth Baseball has increased to \$800 any interest in continuing? Councilman Redinger asked how the money is applied, Supervisor Frazier advised 3 teams wearing Union Vale shirts, and Union Vale children will benefit. Councilman McGivney, Redinger and Durland agreed is a good idea for children in the community.

**RESOLUTION NO. 24 OF 2026 AMENDING THE 2026 ADOPTED TOWN BUDGET (see resolutions)**

Supervisor Frazier explained this transfer funds back to equestrian center that was from collected donations to use a prize money and would like to put it towards this year's events.

**RESOLUTION NO. 25 OF 2026 DECLARING HIGHWAY DEPARTMENT EQUIPMENT SURPLUS AND AUTHORIZING ITS SALE AT PUBLIC AUCTION (see attached)**

Supervisor Frazier noted Superintendent Kading had advised on this resolution and noted no money owed on any of equipment, and he would like to hang on to the Dodge truck until the Town is able to find a suitable replacement.

**Public Comment Town Issues- None**

**Executive Session** Councilman McGivney made a motion at 9:15pm to enter executive session to discuss threatened litigation over library copier and real property negotiation, which was seconded by Councilman Durland and all were unanimously in favor. Supervisor Frazier noted there may be a vote after the conclusion on a phone contract.

**Executive Session** Councilman McGivney made a motion at 9:36pm to exit executive session to resume the regular meeting which was seconded by Councilman Durland and all were unanimously in favor. Supervisor Frazier advised that no decisions were made and no money allocated.

**Approve Budget Adjustments, Transfers, Warrants, Pay Bills**

Supervisor Frazier made a motion to pay the bills and which was seconded by Councilman McGivney and all were unanimously in favor.

**Motion to Adjourn** At 9:40 PM Councilman McGivney made a motion to adjourn the meeting which was seconded by Supervisor Frazier and all were unanimously in favor.

Next Meeting is February 18, 2026 at 7:30PM

Respectfully Submitted,



Andrea Casey, Town Clerk

**RESOLUTION #23-2026**

**OF THE UNION VALE TOWN BOARD**  
**TO ADOPT SEQRA FULL ENVIRONMENTAL ASSESSMENT FORM (“FEAF”) PART**  
**2, PART 3, AND NEGATIVE DECLARATION NOTICE OF DETERMINATION OF**  
**NON-SIGNIFICANCE IN THE MATTER OF:**

**The Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District**

The following Resolution was offered by Supervisor Frazier and seconded by Councilman Redinger, who moved its adoption:

*WHEREAS*, the Union Vale Town Board, with the assistance of its consultants, has drafted a Proposed Local Law to amend the Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 to establish a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component, and to eliminate Conference Centers as an allowed use in the RD10 District; and

*WHEREAS*, pursuant to the New York State Environmental Quality Review Act (“SEQRA”), the Town Board on October 2, 2024 reviewed a Full Environmental Assessment Form (“FEAF”) and determined that adopting the Proposed Local Law was a Type 1 Action for SEQRA purposes, and determined that it would be the SEQRA Lead Agency for purposes of conducting and coordinating the environmental review of the Action on behalf of all involved agencies; and

*WHEREAS*, no involved or interested agencies objected to the Town Board serving as the SEQRA lead agency for the Action, the Town Board initiated a coordinated review by distributing relevant SEQRA documentation to all potentially involved and interested agencies; and



**WHEREAS**, the name and address of the lead agency is: Town of Union Vale Town Board, 249 Duncan Rd, Lagrangeville, NY 12540 and the Responsible Officer is Steve Frazier, Town of Union Vale Supervisor, with a telephone number at (845) 724-5600; and

**WHEREAS**, SEQRA and its implementing regulations in 6 NYCRR Part 617 require a lead agency to undertake a thorough review of a proposed action's potentially significant adverse environmental impacts prior to any discretionary approvals being granted by the Town Board or any other involved agency; and

**WHEREAS**, the SEQRA regulations provide that for a Type 1 Action the lead agency making a determination of significance must: (1) consider the action as defined in sections 617.2(b) and 617.3(g) of SEQRA; (2) review the EAF, the criteria for determining significance contained in SEQRA and any other supporting information to identify the relevant areas of environmental concern; (3) thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and (4) set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to any supporting documentation; and

**WHEREAS**, the SEQRA regulations also provide that “[t]o determine whether a proposed Type 1 Action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria in Section 617.7 (c)(l) of the SEQRA regulations”; and

**WHEREAS**, the Town Board has reviewed Part 1 of the SEQRA FEAF for the Action as most recently updated, revised, and authorized for execution by the Supervisor on January 21, 2026; and

**WHEREAS**, on January 21, 2026, the Town Board reviewed and considered the Part 2 SEQRA FEAF provided by the Town's consultants; and

**WHEREAS**, the Town Board's planning consultant has prepared a FEAF Part 3 form and narrative attachment for the Board's review and consideration; and

**WHEREAS**, the Town Board's planning consultant has further prepared a Negative Declaration Notice of Determination of Non-Significance for the Board's review and consideration; and

**WHEREAS**, the Town Board has reviewed all recommendations, analyses, and supporting documentation, including the full record of the minutes, hearings, and submissions on earlier iterations of this Local Law; memoranda prepared by KARC Planning Consultants dated January 28, 2025, March 14, 2025, April 21, 2025, and September 17, 2025; compiled maps from the Dutchess County Natural Resource Inventory Environmental Mapper Tool and Traffic Data; memoranda prepared by Rennia Engineering Design dated January 9, 2025 and October 24, 2025; all documents involved in the two re-introductions of the Local Law (November 20, 2024 and April 16, 2025), the comments made by the Dutchess County Department of Planning and Development and the Town of Union Vale Planning Board; all written submissions and oral comments made regarding the Proposed Action and the now-abandoned Freihofer Parcel project during the duly-noticed 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 all reports and records as were compiled and indexed at the regular Town Board meeting on January 21, 2026; and

**WHEREAS**, another duly-noticed public hearing will be held on February 4, 2026 after this Town Board's SEQRA determination; and

**WHEREAS**, the Town Board also considered and evaluated, to the extent possible, the potential environmental impacts of a now-abandoned project described in the Sketch Site Plan for the Freihofer Parcel as submitted on March 12, 2024 to the Union Vale Planning Board, which review and consideration is described at length in the FEAF Part 3 narrative; and

**WHEREAS**, the Town of Union Vale Town Board, as lead agency for the environmental review of the Action, has identified the relevant areas of environmental concern, reflected in the draft FEAF Part 3 and Negative Declaration, as described in all relevant supporting information and documentation, and fully discussed and evaluated same at its regularly-scheduled meeting on February 4, 2026.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board adopts the FEAF Part 2 and authorizes the Supervisor to execute same on behalf of the Town Board.

**BE IT FURTHER RESOLVED**, that the Town Board adopts the FEAF Part 3 and narrative attachment, and authorizes the Supervisor to sign Part 3 of the FEAF on behalf of the Town Board.

**BE IT FURTHER RESOLVED**, that, after reviewing FEAF Part 1, 2, and 3, and all supporting documentation as described herein, and after reviewing the criteria for determining significance set forth under Section 617.7(c)(1) of the SEQRA regulations and analyzing the relevant areas of environmental concern, the Town Board determines that the proposed project will not result in any significant adverse impact on the environment, and the Town Board therefore adopts and issues a Negative Declaration for the Action, concluding that the Action will not create any significant adverse environmental impacts and that a draft environmental impact statement ("EIS") will not be prepared.

**BE IT FURTHER RESOLVED**, that the Town Board adopts and incorporates herein by reference the attached written Negative Declaration for the Action.

***BE IT FURTHER RESOLVED***, that the Town Board directs its Secretary to file, distribute and publish the attached Negative Declaration as required by 6 NYCRR § 617.12 of the SEQRA regulations.

***BE IT FURTHER RESOLVED***, that this resolution shall take effect immediately.

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

Councilman Durland	Nay
Councilman Harrington	Absent
Councilman McGivney	Aye
Councilman Redinger	Aye
Supervisor Frazier	Aye

Dated: February 4, 2026  
Union Vale, New York

draft

I, Andrea Casey, Town Clerk of the Town of Union Vale do hereby certify that the foregoing is a true copy of a resolution offered by Supervisor Frazier seconded by Councilman Redinger, and adopted at the regular meeting of the Town Board, held on February 4, 2026.

  
\_\_\_\_\_  
Andrea Casey, Town Clerk

**A copy of the Negative Declaration shall be filed with:**

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

Notice of this Negative Declaration must be published in the Environmental Notice Bulletin (ENB) Notices must be submitted by the lead agency to the Environmental Notice Bulletin by e-mail to

<https://dec.ny.gov/enb/segra-form> and to the following address:

Environmental Notice Bulletin  
625 Broadway  
Albany, NY 12233-1750

draft

**TOWN OF UNION VALE TOWN BOARD  
RESOLUTION NO. 24 OF 2026**

**RESOLUTION AMENDING THE 2026 ADOPTED TOWN BUDGET**

**WHEREAS**, the Town of Union Vale operates an Equestrian Center as part of its recreation program at Tymor Park; and

**WHEREAS**, the Equestrian Center had a surplus of funds in the amount of \$3,515.00 at the end of calendar year 2025 which was deposited in the Town's General Fund; and

**WHEREAS**, the Director of the Equestrian Center has requested that the surplus funds in the amount of \$3,515.00 be returned to the Equestrian Center to defray the costs of the upcoming Equestrian Center events; and

**WHEREAS**, the Town Board desires to amend the budget to allocate the amount of \$3,515.00 from the Town's General Fund to the Equestrian Center.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board of the Town of Union Vale hereby amends the 2026 Adopted Budget as follows:

**Appropriations:**

**Increase**

<b>Account</b>	<b>Department</b>	<b>Amount</b>
A.7182.4	Equestrian Center Contractual Exp	\$3,515.00
<b>Total</b>		<b>\$3,515.00</b>

**Decrease**

<b>Account</b>	<b>Department</b>	<b>Amount</b>
General Fund	General Fund	\$3,515.00
<b>Total</b>		<b>\$3,515.00</b>

INTRODUCED Councilman McGivney

SECONDED Supervisor Frazier

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

Supervisor Frazier	Aye
Councilmember Harrington	Absent
Councilmember McGivney	Aye
Councilmember Durland	Aye
Councilmember Redinger	Aye

Dated: Union Vale, New York  
February 4, 2026

*Andrea Casey*  
\_\_\_\_\_  
ANDREA CASEY, TOWN CLERK

draft



**TOWN OF UNION VALE TOWN BOARD  
RESOLUTION NO. 25 OF 2026**

**RESOLUTION DECLARING HIGHWAY DEPARTMENT EQUIPMENT SURPLUS  
AND AUTHORIZING ITS SALE AT PUBLIC AUCTION**

**WHEREAS**, the Town of Union Vale Highway Department currently owns old, worn out and obsolete equipment that cannot be repaired, or is too costly to repair, but may have some salvage value; and

**WHEREAS**, the Town Supervisor has declared the following equipment to no longer be useful for Town purposes and recommends that the surplus equipment be sold at public auction:

- 2010 Dodge 4500 - VIN# 3D6WU6EL2BG503770
- 2016 Dodge 5500 - VIN# 3C7WRNAL3GG27354
- 2009 International 7500 MaxForce FWD - VIN# 1HTMAZR XAJ236451
- 2013 International 7500 WorkStar - VIN# 1HTWLAZR2EH776912
- 2012 Cam Trailer - VIN# 5JPBU2322CPO29409
- Old funnel plow
- Miscellaneous pipes of various sizes
- Lincoln Arc Welder Model 250-250, Serial No. AC663588, single phase 60

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations set forth above are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board of the Town of Union Vale hereby declares the aforementioned equipment to be surplus equipment and authorizes it to be sold at public auction through Absolute Auctions & Realty, Inc., 45 South Avenue, Pleasant Valley, New York 12569.
3. The surplus equipment shall be sold in **AS IS CONDITION** without warranty as to condition.
4. The Town Supervisor is authorized, but not required, to set minimum bids for each surplus equipment.
5. The Town Supervisor is hereby authorized to execute any and all documentation, including Department of Motor Vehicles forms and Bill of Sale necessary to transfer the above-mentioned vehicles, to the successful bidders.
6. Proceeds from the sale of the surplus equipment shall be first used to pay for any debt service that is outstanding for the items and any balance that remains shall be paid into Highway Equipment Budget Line No. D5130.2.

INTRODUCED Supervisor Frazier

SECONDED Councilman McGivney

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

Supervisor Frazier	Aye
Councilmember Durland	Aye
Councilmember Harrington	Absent
Councilmember McGivney	Aye
Councilmember Redinger	Aye

Dated: Union Vale, New York  
February 4, 2026

   
ANDREA CASEY, TOWN CLERK

# EXHIBIT Y

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only (If applicable)	
Project :	Local Law 1 of 2025
Date :	February 4, 2026

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - i. If "No", move on to Section 2.</i>		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES See attached Soils Map from DCNRI		
Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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.		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>	
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>	
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>	
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>	
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>	
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>	
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>	

<b>2. Impact on Geological Features</b> The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part I. E.2.g) If "Yes", answer questions a - c. If "No", move on to Section 3.				
		<input checked="checked" type="checkbox"/> NO <input type="checkbox"/> YES See attached Geologic Resources Map from DCNRI		
Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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		<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Identify the specific land form(s) attached: _____		E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____		E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____			<input type="checkbox"/>	<input type="checkbox"/>

<b>3. Impacts on Surface Water</b> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part I. D.2, E.2.h) If "Yes", answer questions a - i. If "No", move on to Section 4.				
		<input checked="checked" type="checkbox"/> NO <input type="checkbox"/> YES See attached Wetland and Waterbody Map from DCNRI		
Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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		<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.		D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.		D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.		D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.		E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.		D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.		D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).		D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.		D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.		E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.		D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.		D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
		See Attached Aquifer Map from DCNRI	
Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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.	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - e. If "No", move on to Section 6.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
		See attached Floodplain Map from DCNRI	
Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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.	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
The proposed action does not provide for facilities that would involve State regulated emission review.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

See attached Rare Plants and Animals Map from  
NYSDEC Environmental Mapper

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - i. If "No", move on to Section 8.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>



e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1, E.3.a. and b.) <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>		See attached Ag District Map from DCNR <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	
Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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.	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**9. Impact on Aesthetic Resources**

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part I. E.1.a. E.1.b, E.3.h.)

☒ NO☐ YES

*If "Yes", answer questions a - g. If "No", go to Section 10.*

Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2g, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**10. Impact on Historic and Archeological Resources**

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part I. E.3.e, f, and g.)

☒ NO☐ YES

*If "Yes" answer questions a - g. If "No" go to Section 11*

Although no physical land disturbance is proposed, it is noted that the parcels which may be affected by this legislative action do contain land which meet the criteria below. 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	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
The Town of Union Vale does not have an adopted municipal open space plan, therefore, no impact is associated.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
See attached CEA Map from DCNRI			
The Town of Union Vale does not contain any Critical Environment Areas, therefore, no impact is associated.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

☒ NO

☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

Proposed Action is a Text Amendment to the RD10 District, which is a legislative action. Individual applications will be subject to the Town review on a case-by-case basis. 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.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

☒ NO

☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

Proposed Action is a Text Amendment to the RD10 District, which is a legislative action. Individual applications will be subject to the Town review on a case-by-case basis.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

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

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☒ NO

☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

Proposed Action is a Text Amendment to the RD10 District, which is a legislative action, and establishes controls to noise and light. Individual applications will be subject to the Town review on a case-by-case basis.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>16. Impact on Human Health</b> The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) See attached Contaminated Soils Map from DCNRI. If "Yes", answer questions a - m. If "No", go to Section 17. <div style="text-align: right;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES         </div>			
The proposed action does not provide for facilities that would involve potential impacts to human health or contamination.	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
(See Part I. C.1, C.2, and C.3.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

Proposed Action is consistent with the Town of Union Vale Comprehensive Plan as noted in KARC Planning Consultants memo to the Town Board dated January 27, 2025.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
(See Part I. C.2, C.3, D.2, E.3)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

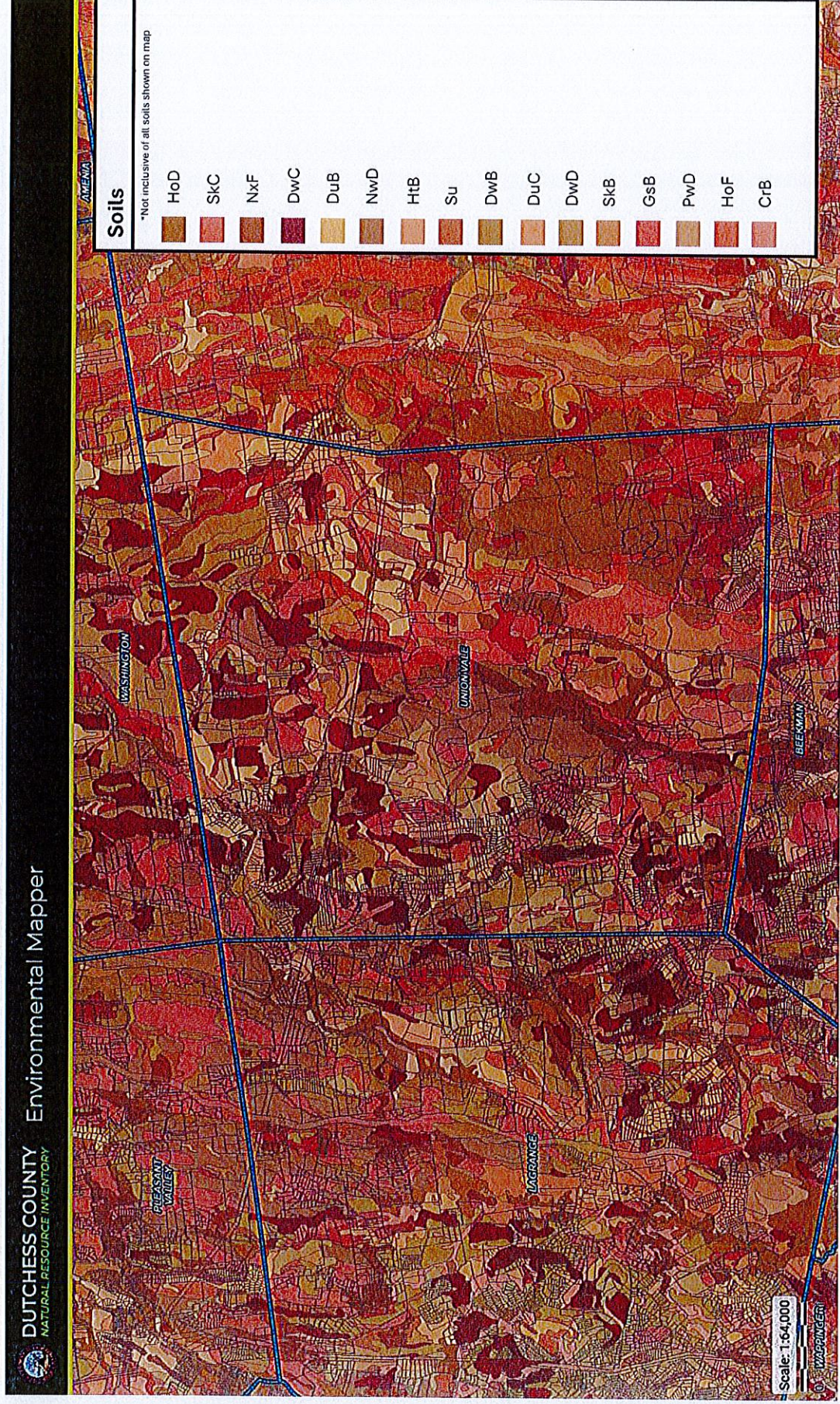
The proposed action represents the Town Board's efforts to provide for future growth in the Town of Union Vale and conforms to goals established in community plans and enhancing community character.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**



# Soils

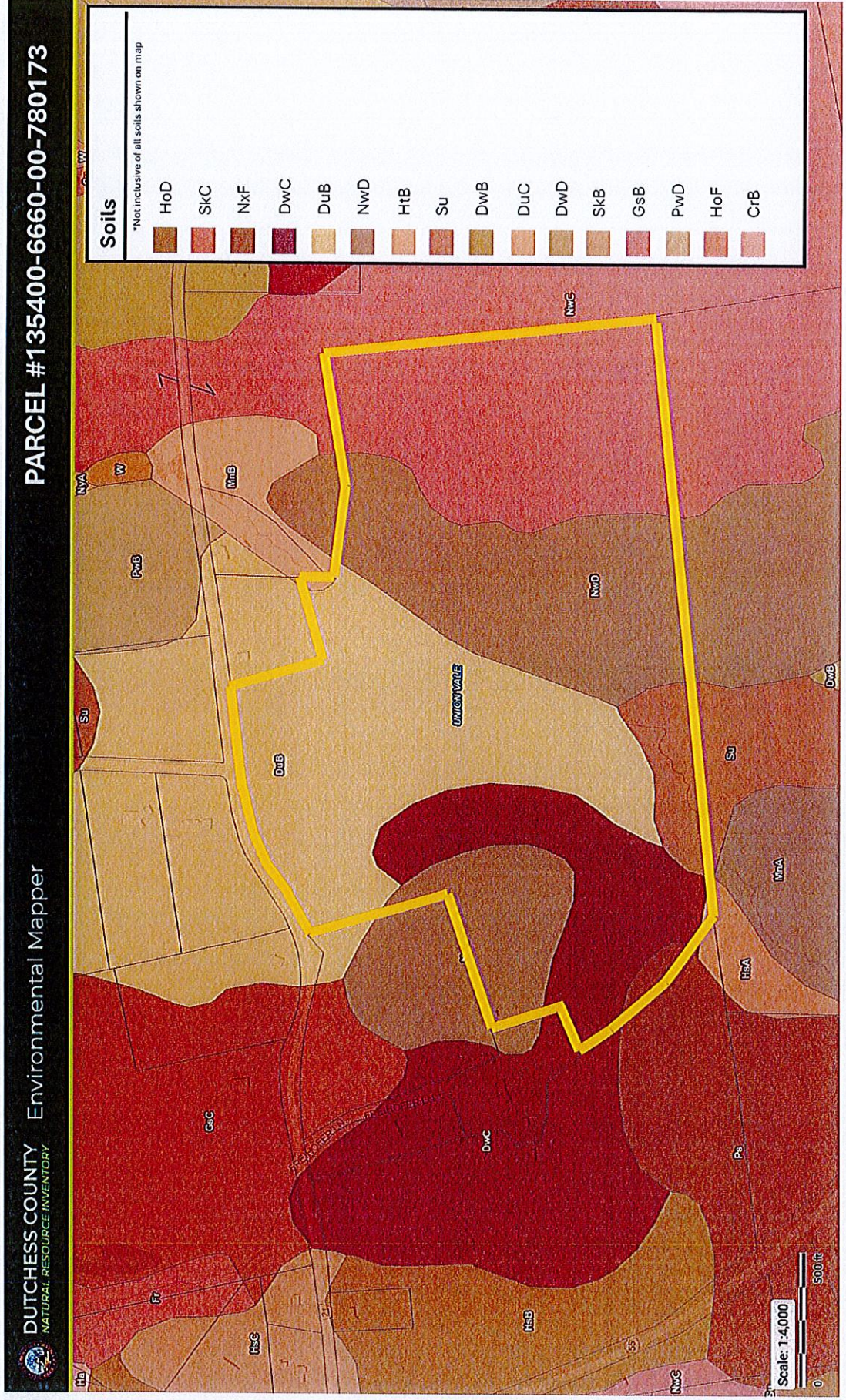
(Dutchess County Natural Resource Inventory)





# Soils

(Dutchess County Natural Resource Inventory)





# Soils

(1999 US Department of Agriculture General Soil Map)

## SOIL LEGEND\*

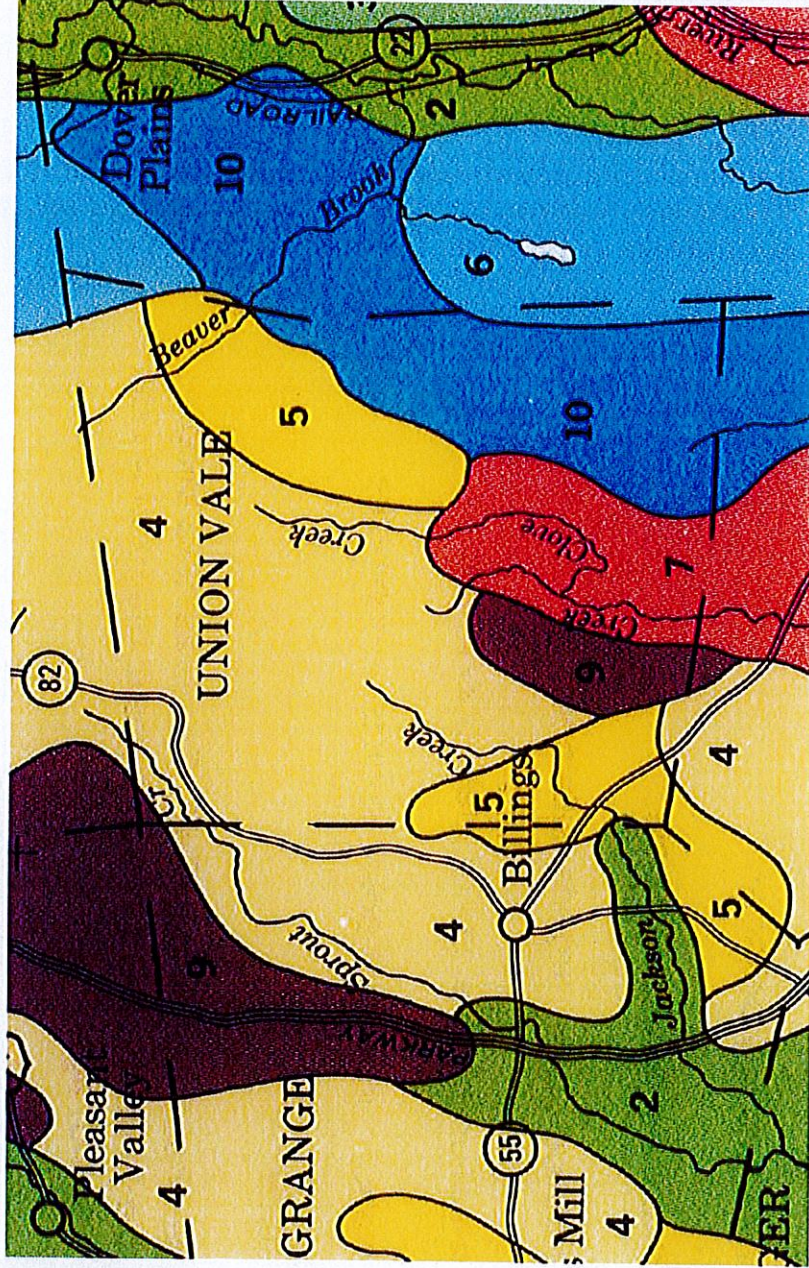
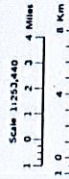
1	Hudson-Vergennes-Raynham
2	Hoosic-Wayland-Copake
3	Farmington-Galway-Stockbridge
4	Cardigan-Dutchess-Nassau
5	Bernardston-Pittstown
6	Charlton-Chittfield-Hollis
7	Stockbridge-Georgia
8	Taconic-Rock Outcrop-Macomber
9	Nassau-Rock Outcrop-Cardigan
10	Hollis-Chatfield-Rock Outcrop

\*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  
NATURAL RESOURCES CONSERVATION SERVICE  
CORNELL UNIVERSITY AGRICULTURAL EXPERIMENT STATION  
**GENERAL SOIL MAP**  
DUTCHESS COUNTY, NEW YORK





# Steep Slopes

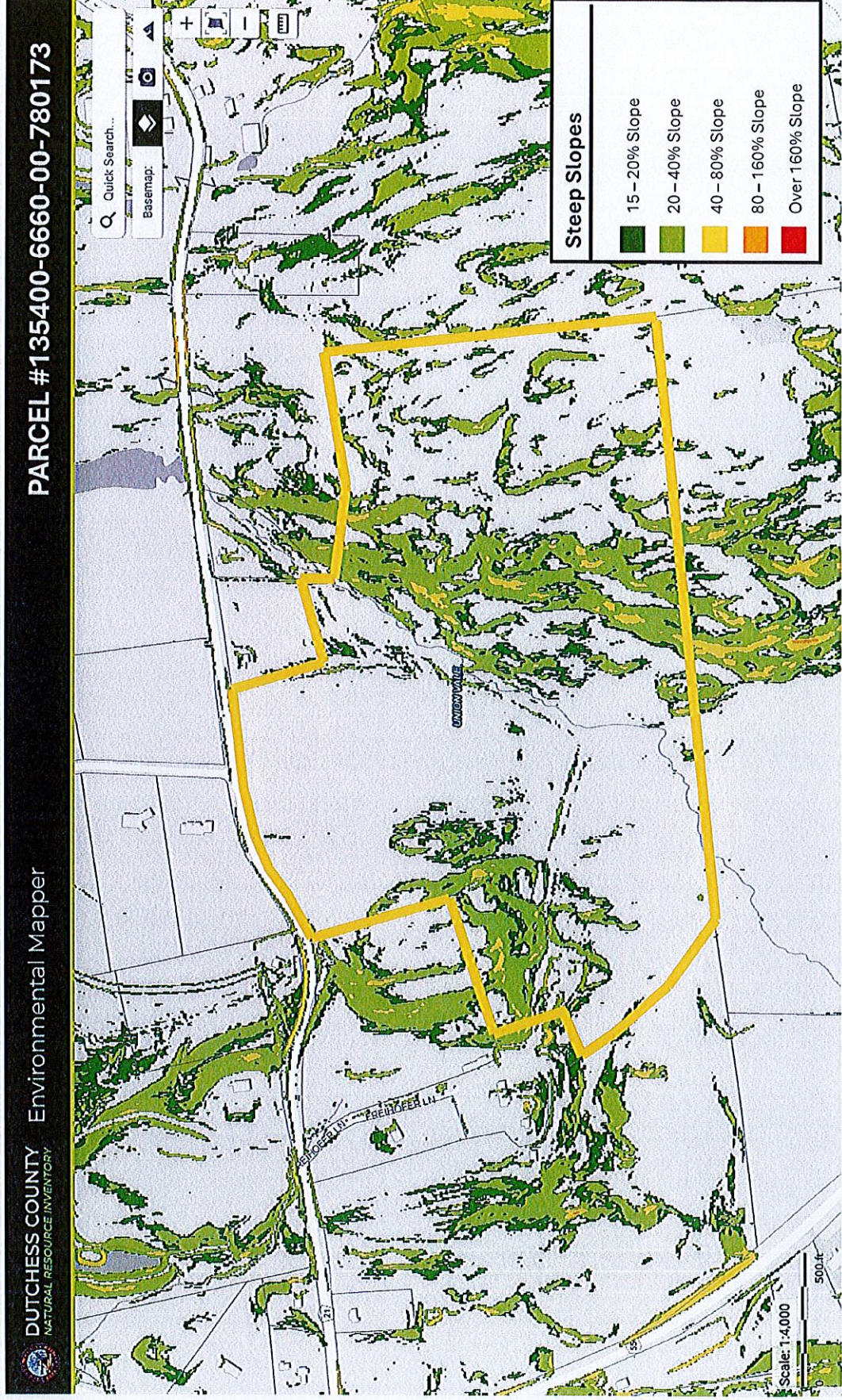
(Dutchess County Natural Resource Inventory)





# Steep Slopes

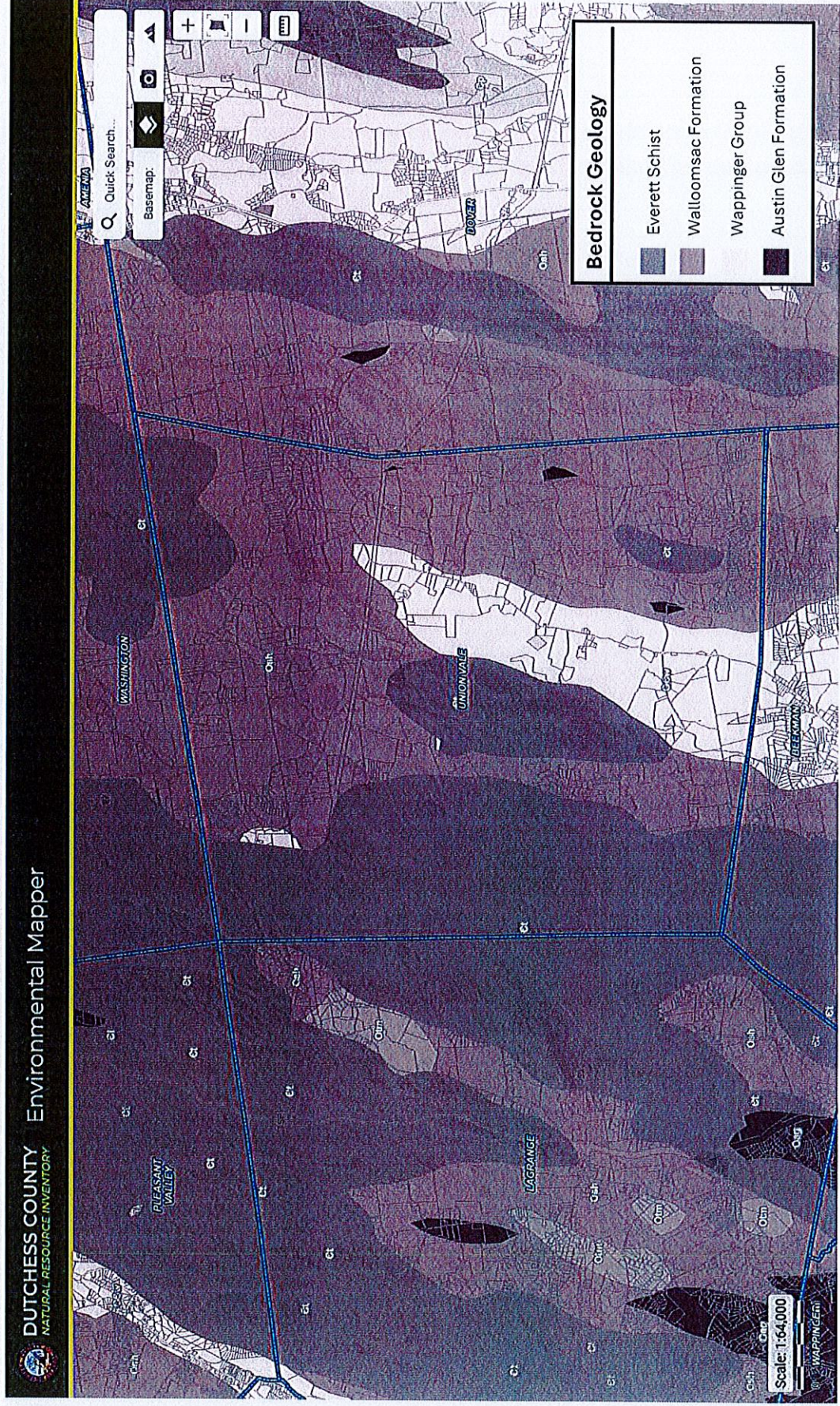
(Dutchess County Natural Resource Inventory)





# Bedrock / Geology

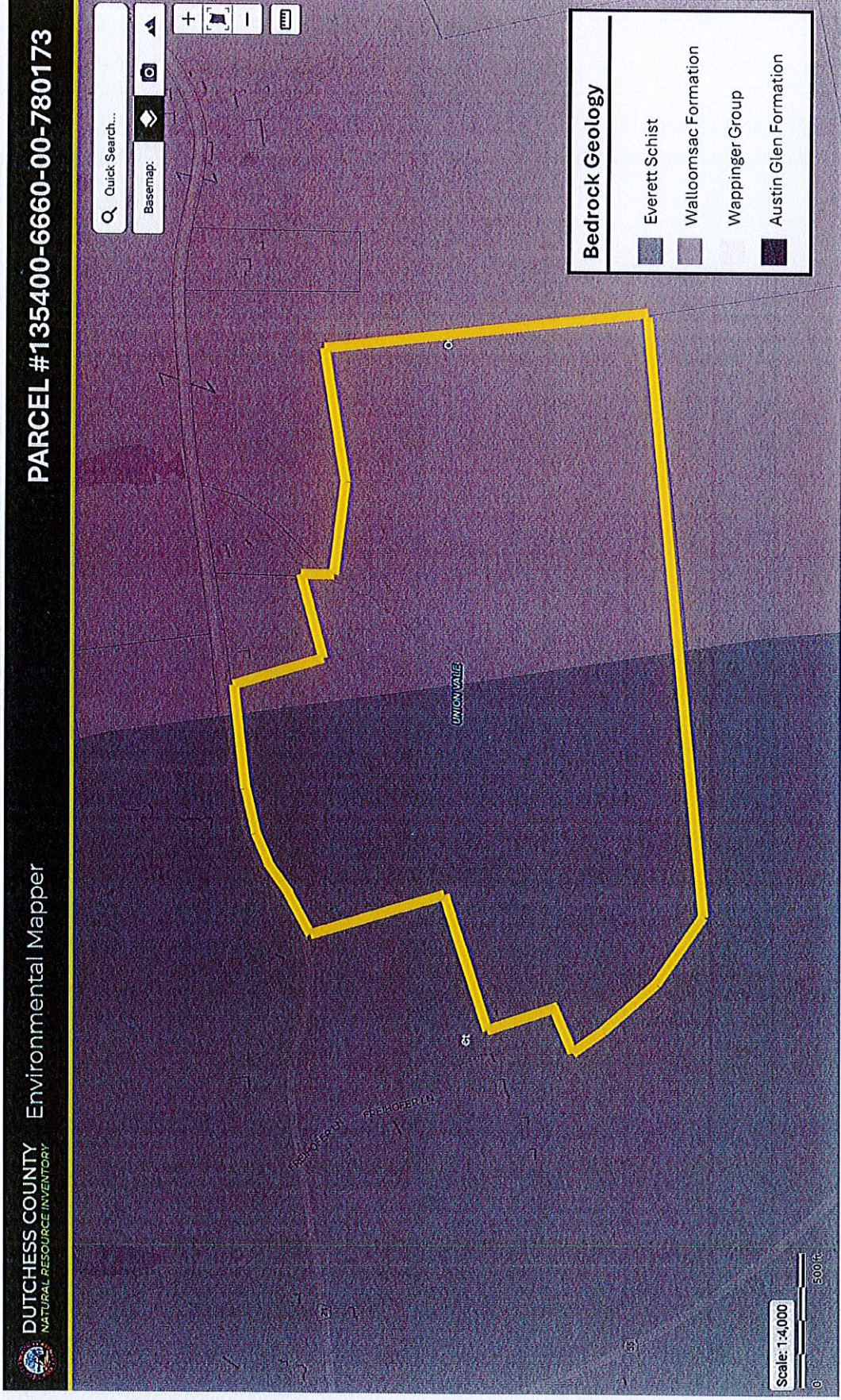
(Dutchess County Natural Resource Inventory)





# Bedrock / Geology

(Dutchess County Natural Resource Inventory)

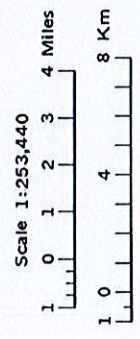




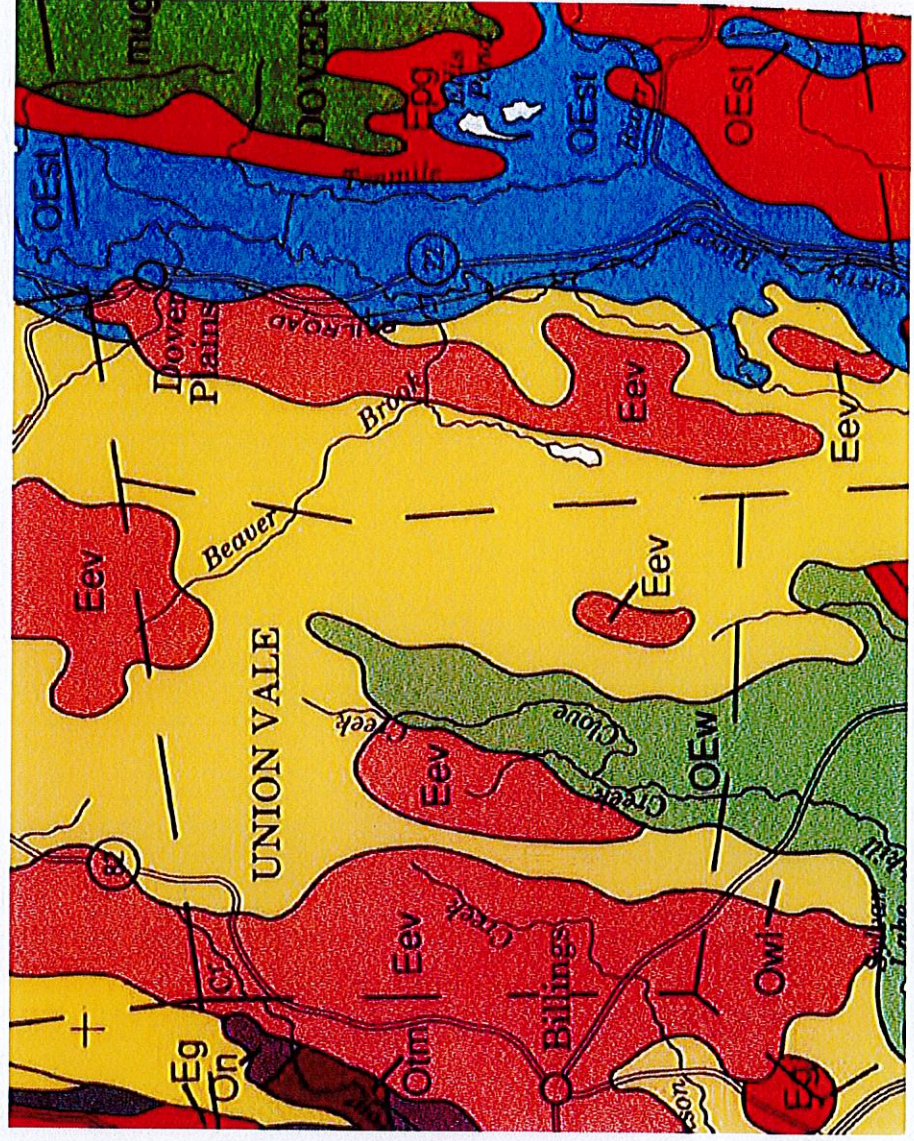
# Bedrock / Geology (1992 Dutchess County General Geology Map)

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

## GENERAL GEOLOGY MAP DUTCHESS COUNTY, NEW YORK



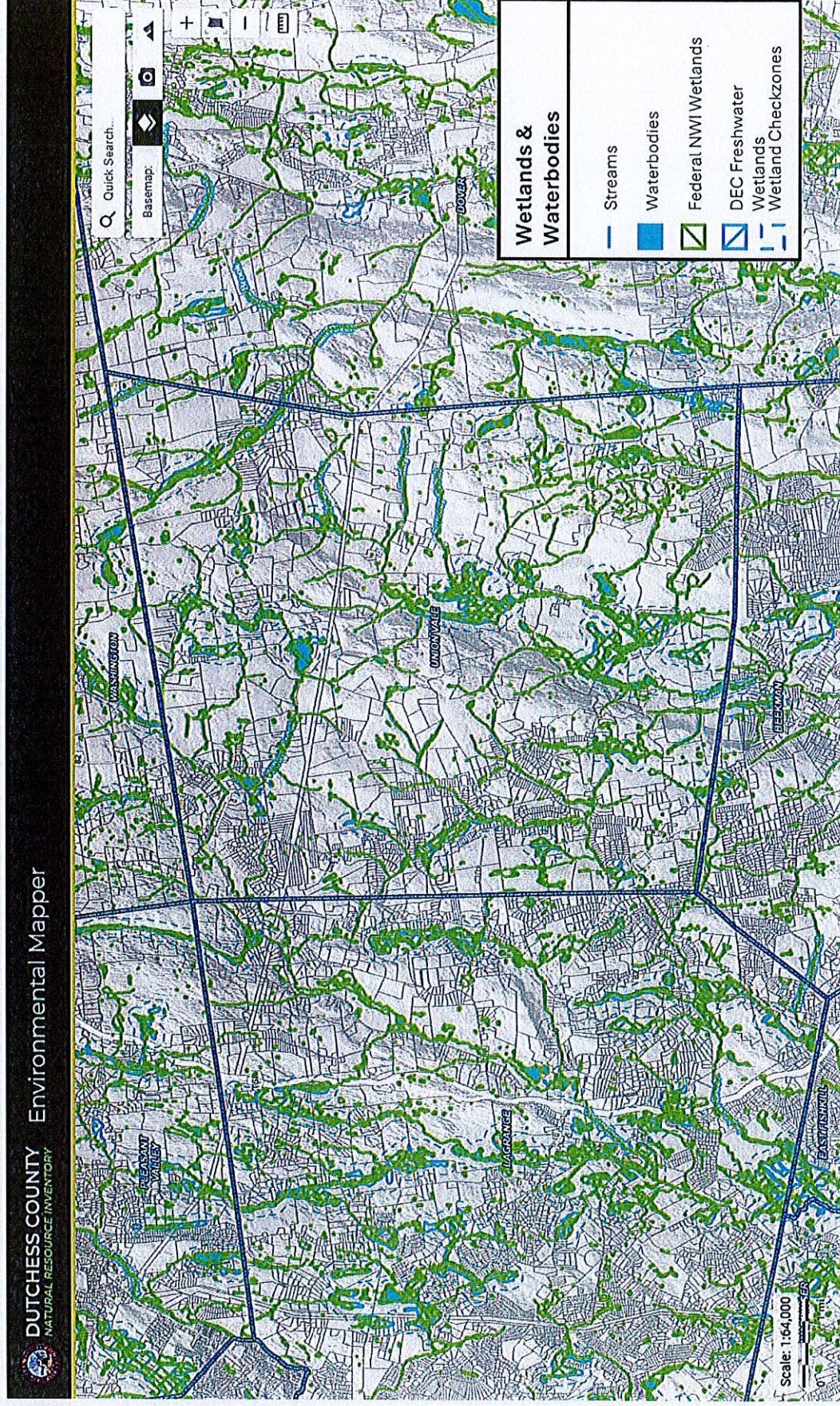
Compiled 1992





# Wetlands & Watercourses

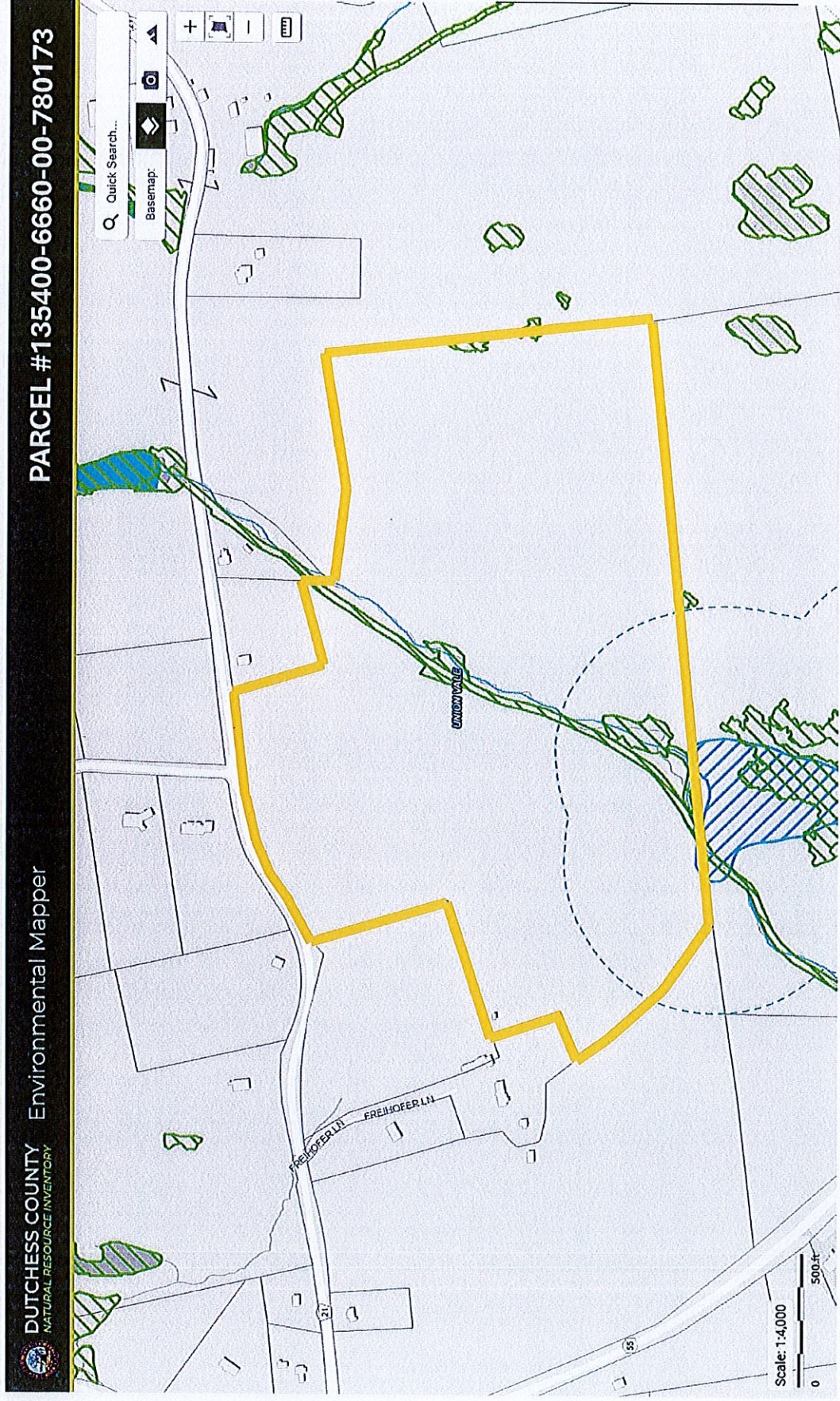
(Dutchess County Natural Resource Inventory)





# Wetlands & Watercourses

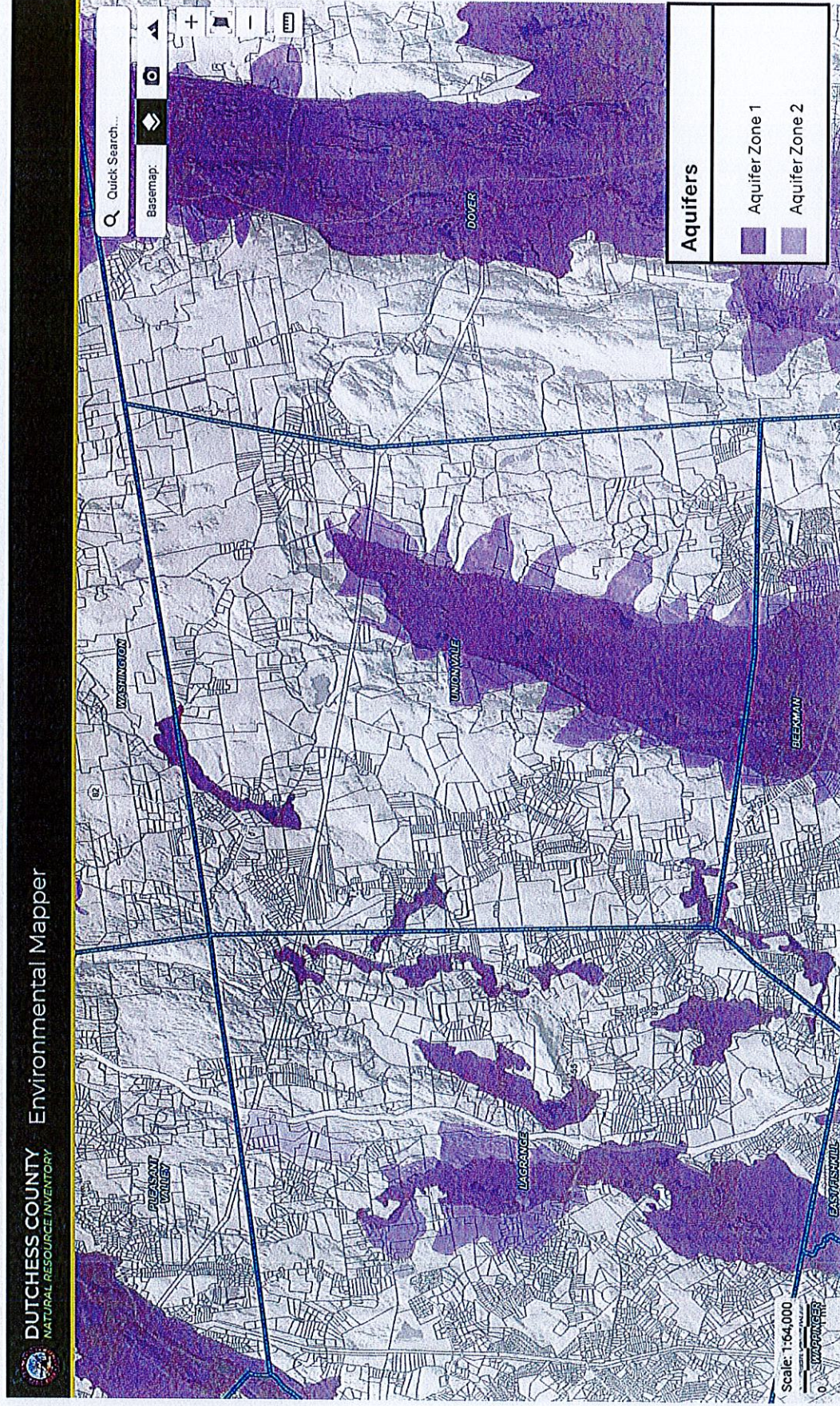
(Dutchess County Natural Resource Inventory)





# Aquifers

(Dutchess County Natural Resource Inventory)





# Aquifers

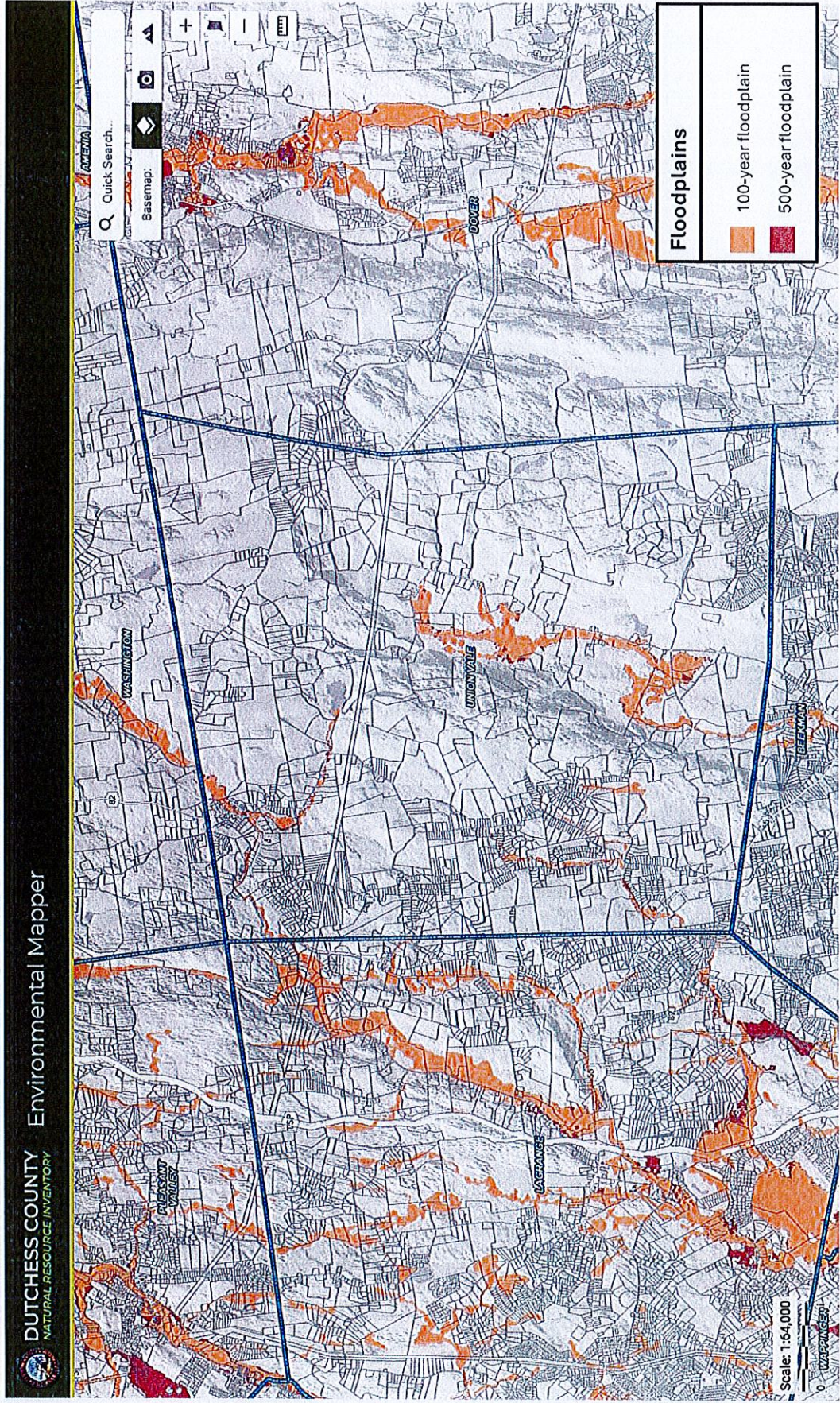
(Dutchess County Natural Resource Inventory)





# Floodplains

(Dutchess County Natural Resource Inventory)





# Floodplains

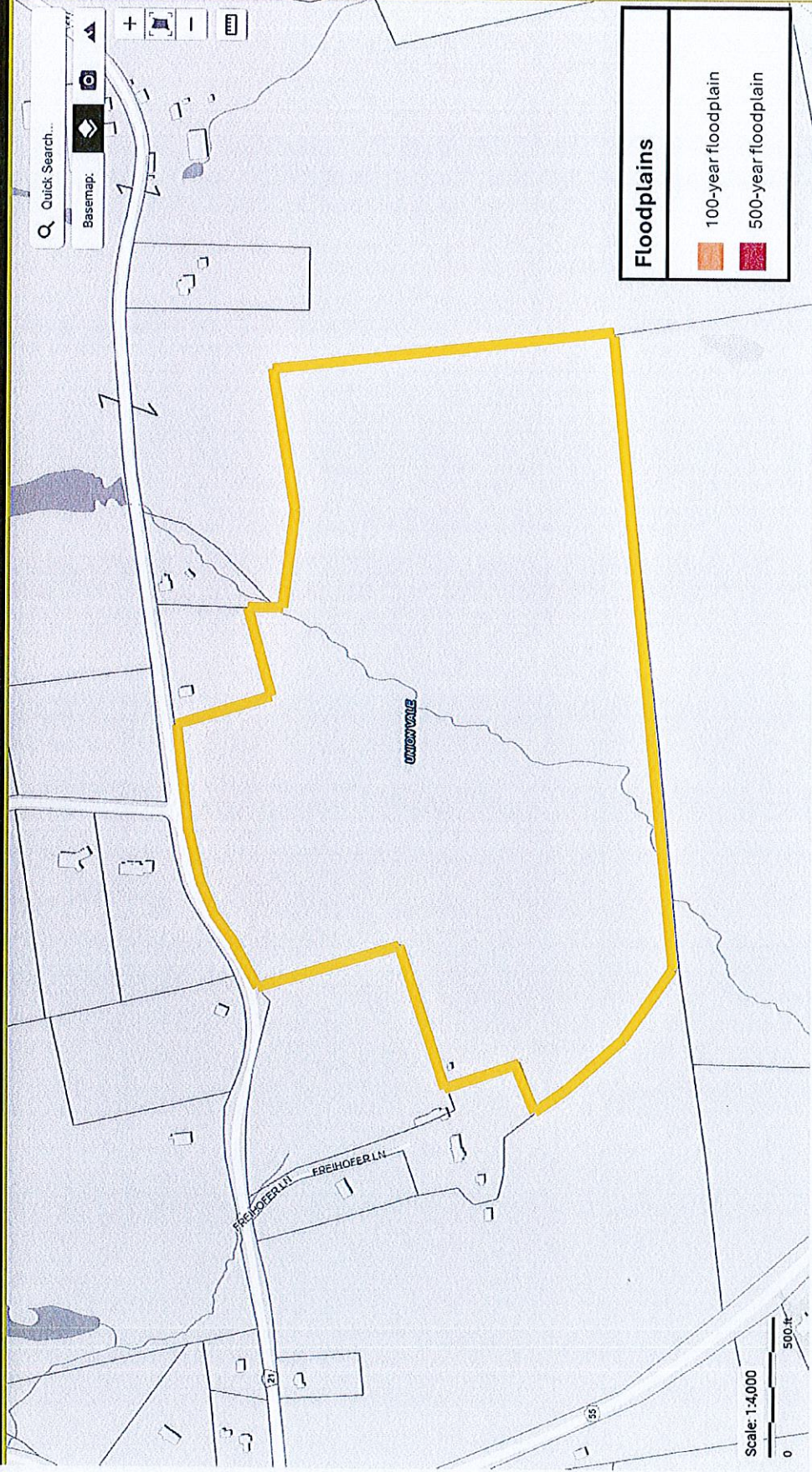
(Dutchess County Natural Resource Inventory)



DUTCHESS COUNTY  
NATURAL RESOURCE INVENTORY

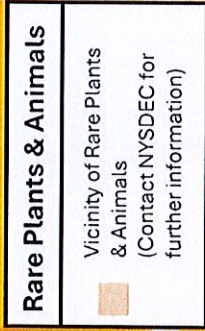
Environmental Mapper

PARCEL #135400-6660-00-780173





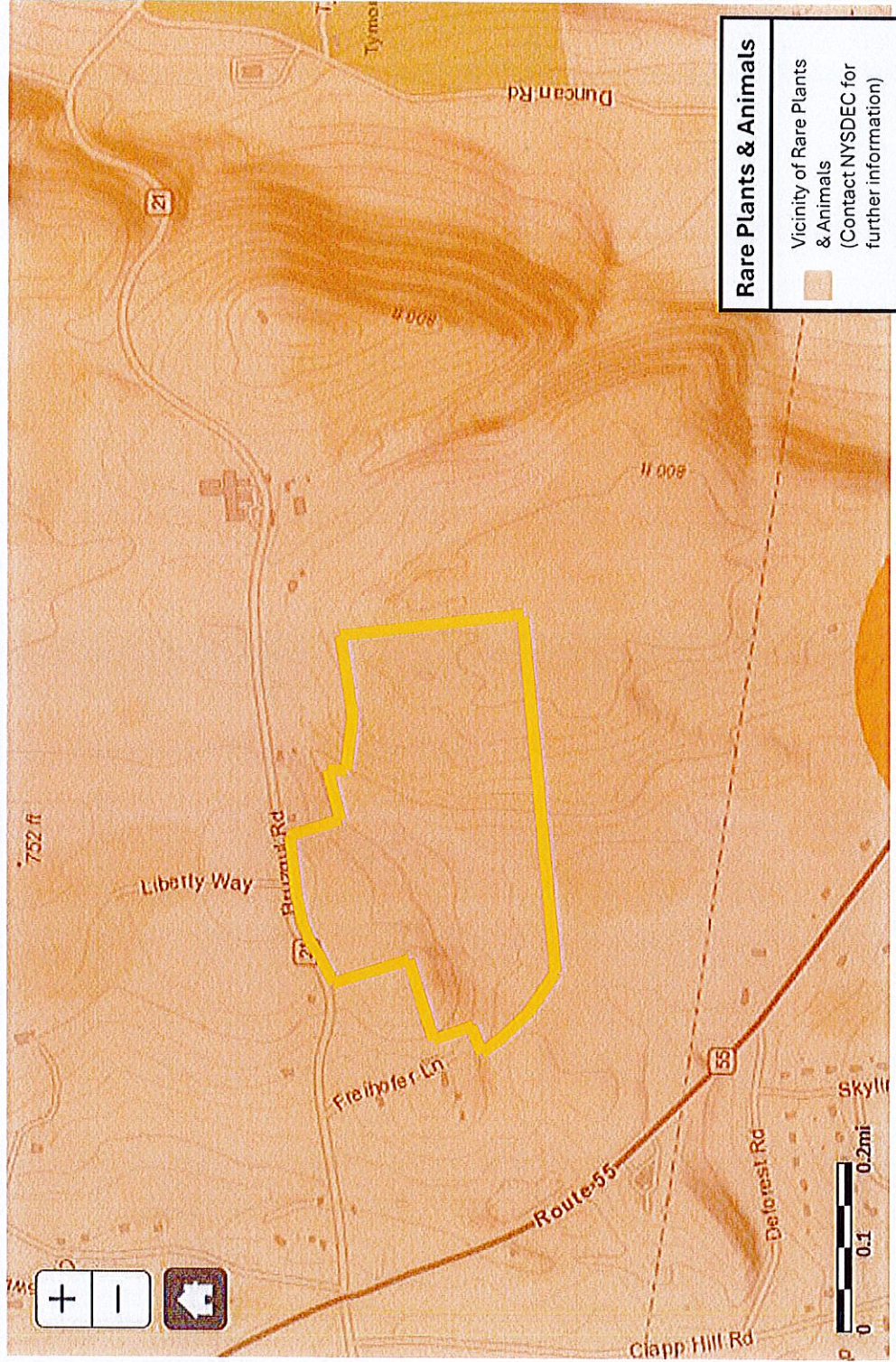
(NYSDEC Environmental Resource Mapper)





# Rare Plants and Animals

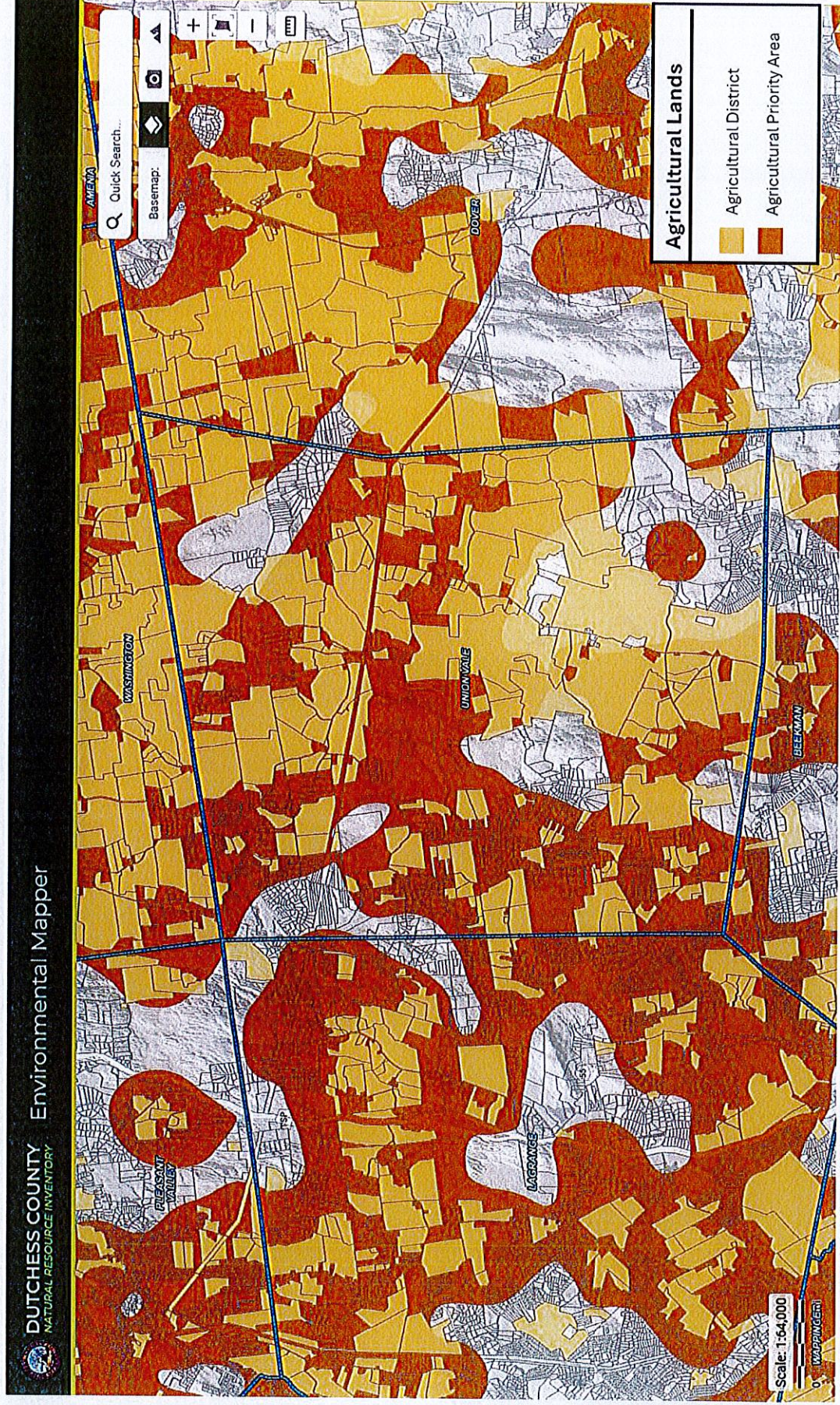
(NYSDEC Environmental Resource Mapper)





# Agricultural Lands

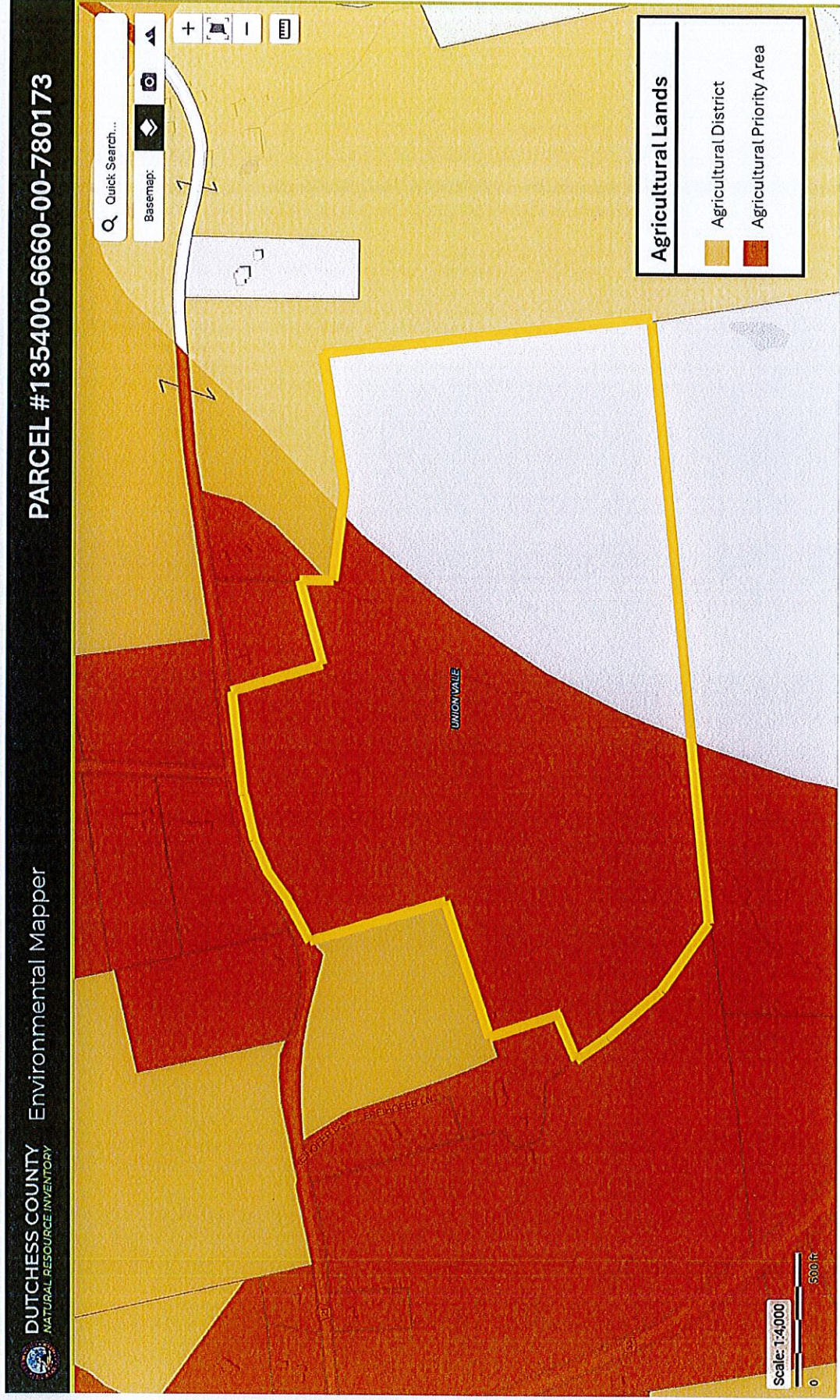
(Dutchess County Natural Resource Inventory)





# Agricultural Lands

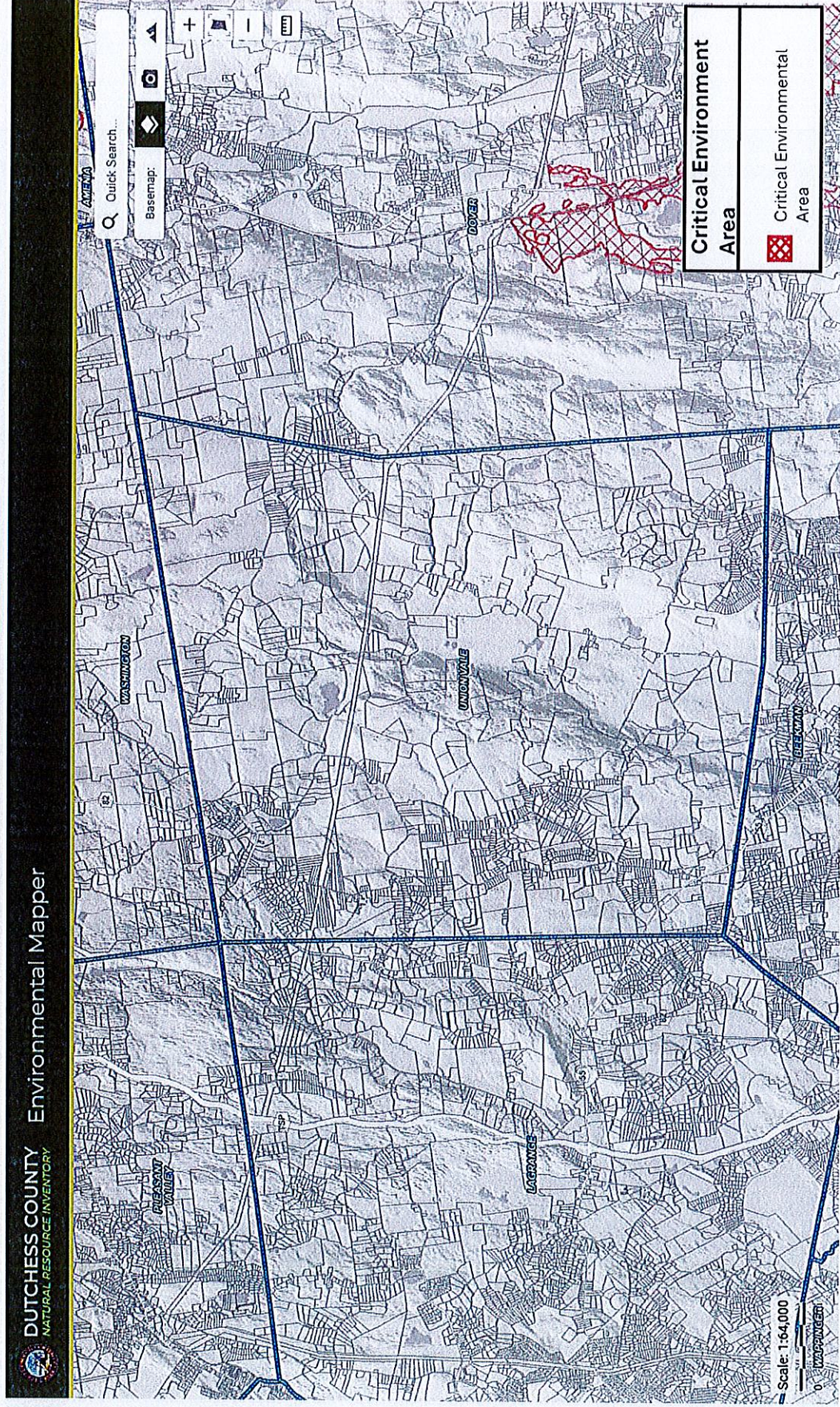
(Dutchess County Natural Resource Inventory)





# Critical Environmental Areas (CEAS)

(Dutchess County Natural Resource Inventory)





# Critical Environmental Areas (CEAS)

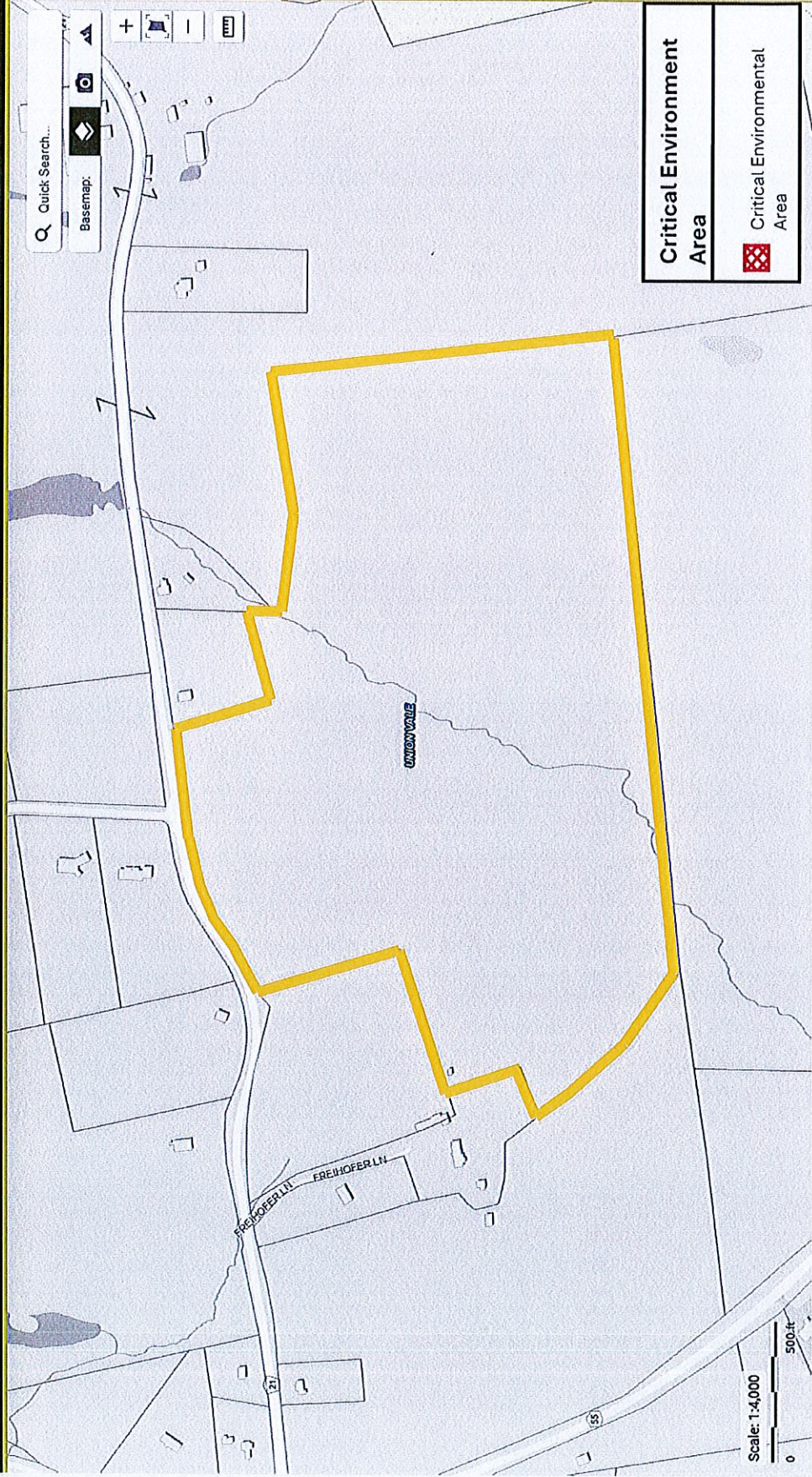
(Dutchess County Natural Resource Inventory)



DUTCHESS COUNTY  
NATURAL RESOURCE INVENTORY

Environmental Mapper

PARCEL #135400-6660-00-780173





# Contaminated Soils

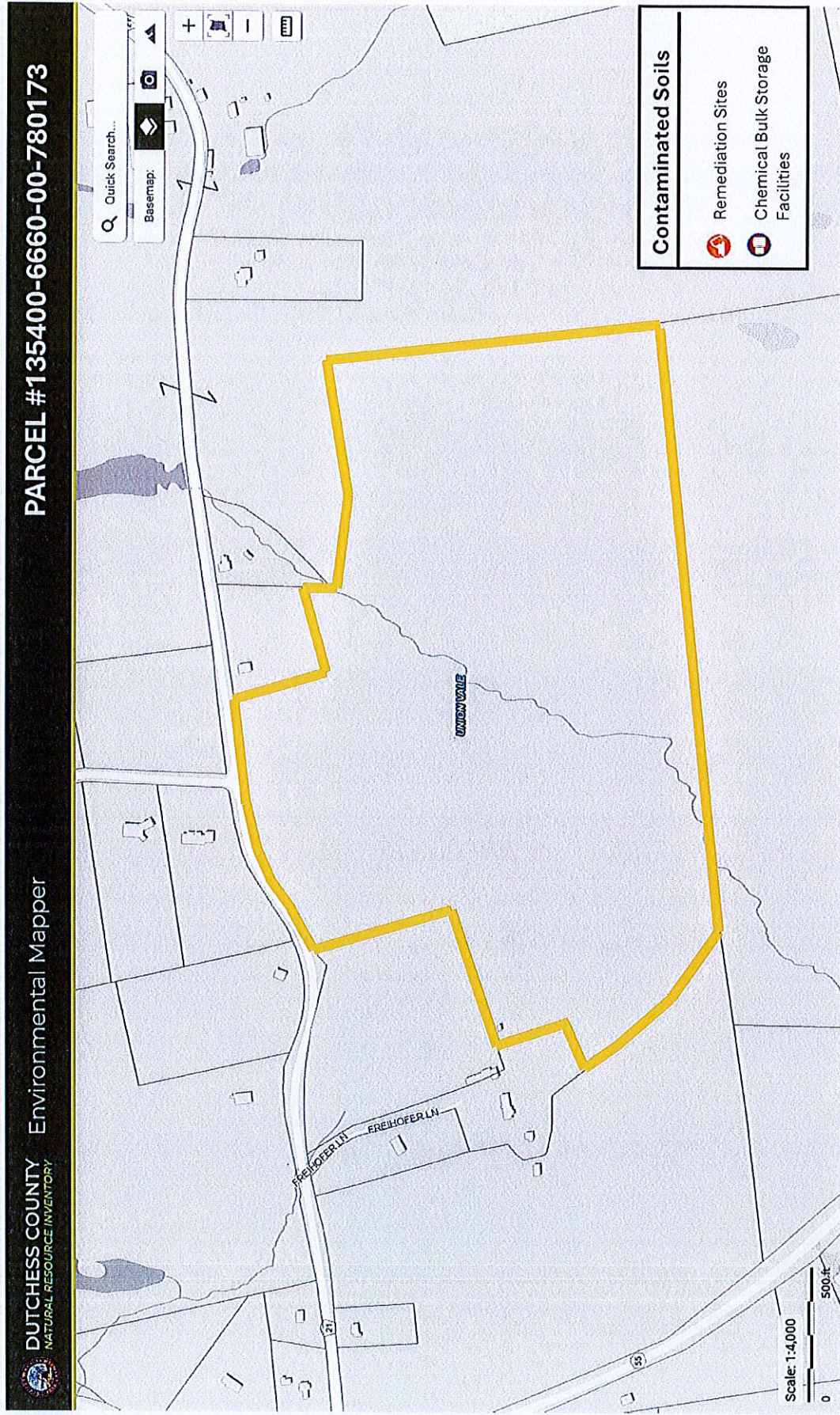
(Dutchess County Natural Resource Inventory)





# Contaminated Soils

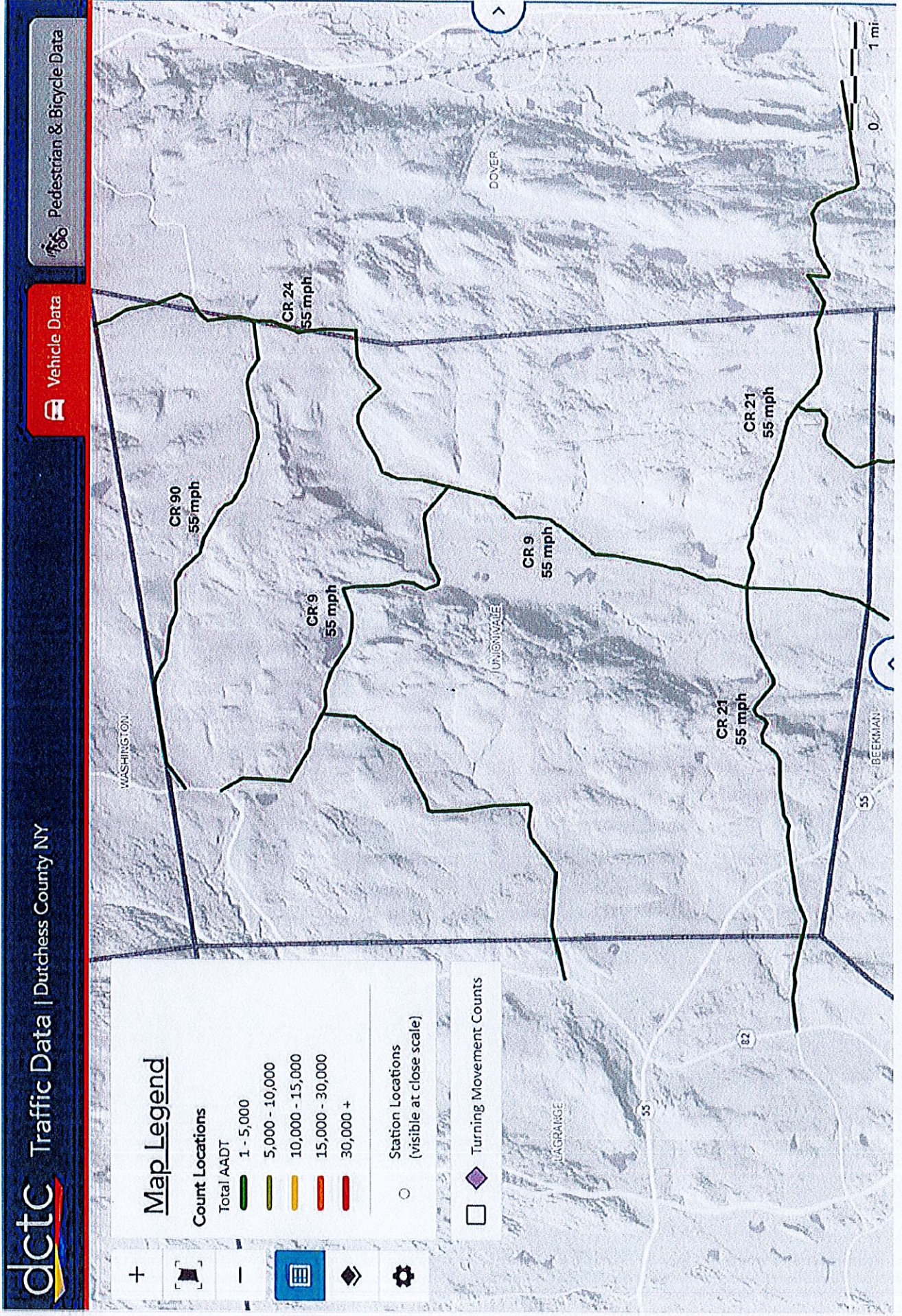
(Dutchess County Natural Resource Inventory)





# Traffic Data

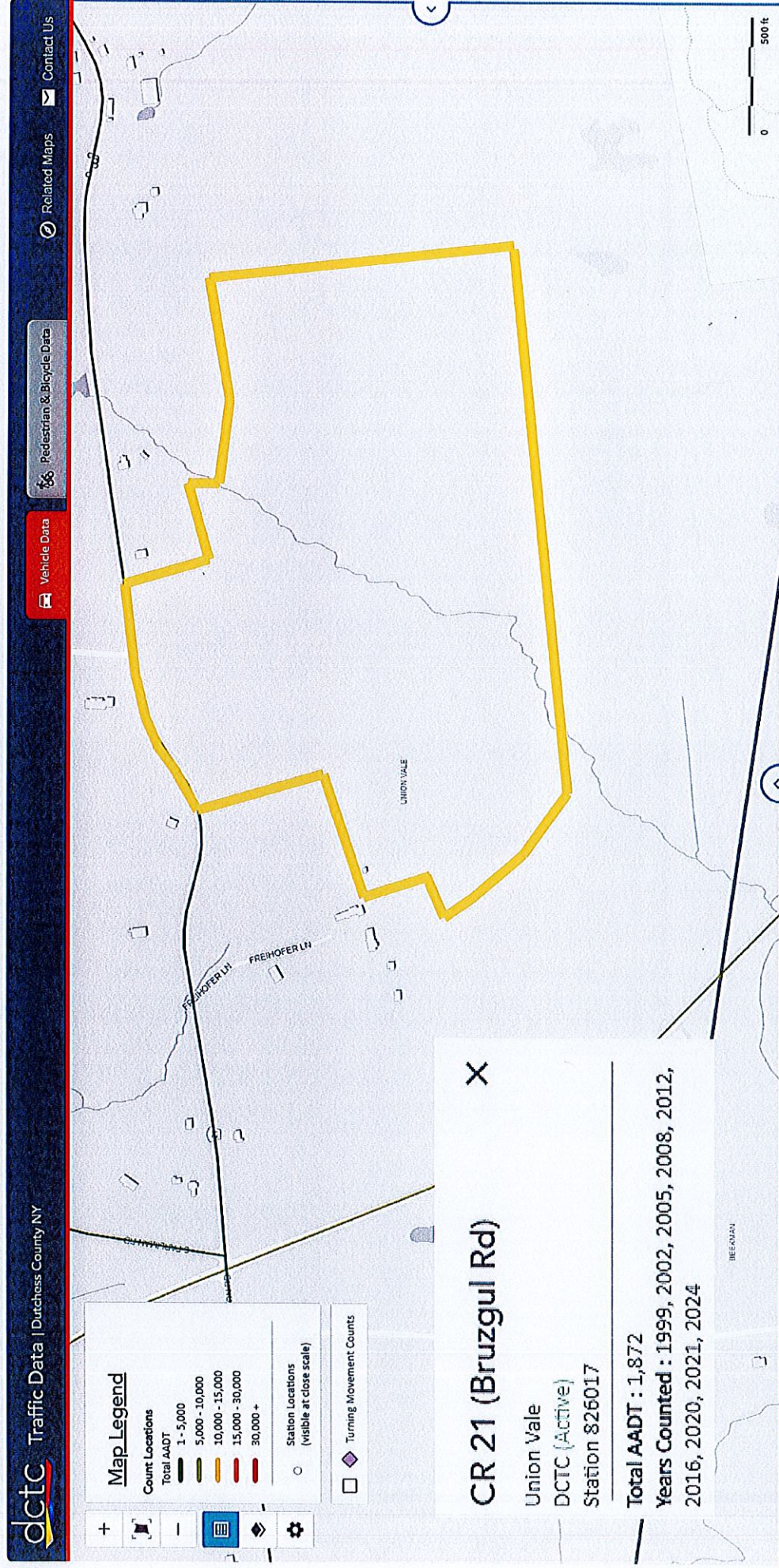
(Dutchess County Traffic Data)





# Traffic Data

(Dutchess County Traffic Data)





# EXHIBIT Z

***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.

See attached FEAF Part 3 narrative dated February 4, 2026.

**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  
FEAF Part 1, FEAF Part 2, KARC consultant memoranda dated January 28, 2025, March 14, 2025, April 21, 2025, and September 17, 2025, the Renna  
Engineering Design memoranda dated January 9, 2025 and October 24, 2025, compiled maps from the Dutchess County Natural Resource Inventory  
Environmental Mapper and Traffic Data, and all submissions and public comment received from the public, as further described in the attached narrative,

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

☒ 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:

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)).

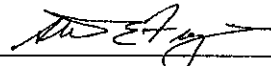
☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration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

Name of Action: Local Law 1 of 2026

Name of Lead Agency: Union Vale Town Board

Name of Responsible Officer in Lead Agency: Steve Frazier

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:  Date: 2/4/2026

Signature of Preparer (if different from Responsible Officer) \_\_\_\_\_ Date: \_\_\_\_\_

**For Further Information:**

Contact Person: Supervisor Steve Frazier

Address: 249 Duncan Road, LaGrangeville, NY 12540

Telephone Number: 845.724.5600

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 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 buildout 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 Natural 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 AA

**Local Law No. 1 of 2026**

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

February 4, 2026

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

**Lead Agency:** Town of Union Vale Town Board

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

**Name of Project:** Local Law # 1 of 2026

**Applicant:** Town of Union Vale Town Board

**Location:** RD10 Zoning District

**SEQR Status:** Type 1

**Description of Action:**

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

**Reasons Supporting This Determination:**

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

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



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

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

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

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

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

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

**a. Impact on Lands**

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

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

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

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

**b. Impact of Geological Features**

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

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

**c. Impacts on Surface Water:**

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

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

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

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

**d. Impact on Groundwater**

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

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

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

**e. Impacts on Flooding**

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

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

**f. Impacts on Air**

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

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

**g. Impact on Plants and Animals**

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

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

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

**h. Impact on Agricultural Resources**

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



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

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

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

**i. Impact on Aesthetic Resources**

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

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

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

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

**j. Impact on Historical and Archeological Resources**

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

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

**k. Impact on Open Space and Recreation**

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

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

**l. Impact on Critical Environmental Areas**

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

**m. Impact on Transportation**

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

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

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

**n. Impact on Energy**

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

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

**o. Impact on Noise, Odor, and Light**

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

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

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

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

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

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

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

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

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

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

**p. Impact on Human Health**

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

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

**q. Consistency with Community Plans**

The Proposed Action is consistent with the Town of Union Vale Comprehensive Plan<sup>1</sup> as noted in KARC Planning Consultants memo dated January 28, 2025 (Attached Exhibit B). The Comprehensive Plan outlines an intent to preserve large parcels of land which contribute to the rural character of the community and recommendations to update the zoning ordinance to adopt standards that preserve the natural appearance, viewsheds, limit grading, and reduce the number of parking spaces for commercial uses. The Proposed Legislative Action limits the maximum floor area of new Catering Facilities to 6,000 square feet and requires that parking areas be set back at least 200 feet from the property lines. The Proposed Action is compatible with the stated intent of the RD10 zoning district and other permitted uses within the RD10 district.

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

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

**r. Consistency with Community Character**

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

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



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

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

**For further information:**

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

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

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

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

Environmental Notice Bulletin  
625 Broadway  
Albany, NY 12233-1750

**EXHIBIT BB**

**RESOLUTION #23-2026**

**OF THE UNION VALE TOWN BOARD**  
**TO ADOPT SEQRA FULL ENVIRONMENTAL ASSESSMENT FORM ("FEAF") PART**  
**2, PART 3, AND NEGATIVE DECLARATION NOTICE OF DETERMINATION OF**  
**NON-SIGNIFICANCE IN THE MATTER OF:**

**The Local Law Amending Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 relating to the Establishment of a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component and the Elimination of Conference Centers as a Permitted Use in the RD10 District**

The following Resolution was offered by Supervisor Frazier and seconded by Councilman Redinger, who moved its adoption:

***WHEREAS***, the Union Vale Town Board, with the assistance of its consultants, has drafted a Proposed Local Law to amend the Zoning Code Article XI, §210-86, §210-56(E), and Attachment 210-3 to establish a Special Permit in the RD10 District for Catering Facilities with a Temporary Lodging Component, and to eliminate Conference Centers as an allowed use in the RD10 District; and

***WHEREAS***, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), the Town Board on October 2, 2024 reviewed a Full Environmental Assessment Form ("FEAF") and determined that adopting the Proposed Local Law was a Type 1 Action for SEQRA purposes, and determined that it would be the SEQRA Lead Agency for purposes of conducting and coordinating the environmental review of the Action on behalf of all involved agencies; and

***WHEREAS***, no involved or interested agencies objected to the Town Board serving as the SEQRA lead agency for the Action, the Town Board initiated a coordinated review by distributing relevant SEQRA documentation to all potentially involved and interested agencies; and

**WHEREAS**, the name and address of the lead agency is: Town of Union Vale Town Board, 249 Duncan Rd, Lagrangeville, NY 12540 and the Responsible Officer is Steve Frazier, Town of Union Vale Supervisor, with a telephone number at (845) 724-5600; and

**WHEREAS**, SEQRA and its implementing regulations in 6 NYCRR Part 617 require a lead agency to undertake a thorough review of a proposed action's potentially significant adverse environmental impacts prior to any discretionary approvals being granted by the Town Board or any other involved agency; and

**WHEREAS**, the SEQRA regulations provide that for a Type 1 Action the lead agency making a determination of significance must: (1) consider the action as defined in sections 617.2(b) and 617.3(g) of SEQRA; (2) review the EAF, the criteria for determining significance contained in SEQRA and any other supporting information to identify the relevant areas of environmental concern; (3) thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and (4) set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to any supporting documentation; and

**WHEREAS**, the SEQRA regulations also provide that “[t]o determine whether a proposed Type 1 Action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria in Section 617.7 (c)(l) of the SEQRA regulations”; and

**WHEREAS**, the Town Board has reviewed Part 1 of the SEQRA FEAF for the Action as most recently updated, revised, and authorized for execution by the Supervisor on January 21, 2026; and



***WHEREAS***, on January 21, 2026, the Town Board reviewed and considered the Part 2 SEQRA FEAF provided by the Town’s consultants; and

***WHEREAS***, the Town Board’s planning consultant has prepared a FEAF Part 3 form and narrative attachment for the Board’s review and consideration; and

***WHEREAS***, the Town Board’s planning consultant has further prepared a Negative Declaration Notice of Determination of Non-Significance for the Board’s review and consideration; and

***WHEREAS***, the Town Board has reviewed all recommendations, analyses, and supporting documentation, including the full record of the minutes, hearings, and submissions on earlier iterations of this Local Law; memoranda prepared by KARC Planning Consultants dated January 28, 2025, March 14, 2025, April 21, 2025, and September 17, 2025; compiled maps from the Dutchess County Natural Resource Inventory Environmental Mapper Tool and Traffic Data; memoranda prepared by Rennia Engineering Design dated January 9, 2025 and October 24, 2025; all documents involved in the two re-introductions of the Local Law (November 20, 2024 and April 16, 2025), the comments made by the Dutchess County Department of Planning and Development and the Town of Union Vale Planning Board; all written submissions and oral comments made regarding the Proposed Action and the now-abandoned Freihofer Parcel project during the duly-noticed 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 all reports and records as were compiled and indexed at the regular Town Board meeting on January 21, 2026; and

***WHEREAS***, another duly-noticed public hearing will be held on February 4, 2026 after this Town Board’s SEQRA determination; and

**WHEREAS**, the Town Board also considered and evaluated, to the extent possible, the potential environmental impacts of a now-abandoned project described in the Sketch Site Plan for the Freihofer Parcel as submitted on March 12, 2024 to the Union Vale Planning Board, which review and consideration is described at length in the FEAF Part 3 narrative; and

**WHEREAS**, the Town of Union Vale Town Board, as lead agency for the environmental review of the Action, has identified the relevant areas of environmental concern, reflected in the draft FEAF Part 3 and Negative Declaration, as described in all relevant supporting information and documentation, and fully discussed and evaluated same at its regularly-scheduled meeting on February 4, 2026.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board adopts the FEAF Part 2 and authorizes the Supervisor to execute same on behalf of the Town Board.

**BE IT FURTHER RESOLVED**, that the Town Board adopts the FEAF Part 3 and narrative attachment, and authorizes the Supervisor to sign Part 3 of the FEAF on behalf of the Town Board.

**BE IT FURTHER RESOLVED**, that, after reviewing FEAF Part 1, 2, and 3, and all supporting documentation as described herein, and after reviewing the criteria for determining significance set forth under Section 617.7(c)(l) of the SEQRA regulations and analyzing the relevant areas of environmental concern, the Town Board determines that the proposed project will not result in any significant adverse impact on the environment, and the Town Board therefore adopts and issues a Negative Declaration for the Action, concluding that the Action will not create any significant adverse environmental impacts and that a draft environmental impact statement (“EIS”) will not be prepared.

**BE IT FURTHER RESOLVED**, that the Town Board adopts and incorporates herein by reference the attached written Negative Declaration for the Action.

***BE IT FURTHER RESOLVED***, that the Town Board directs its Secretary to file, distribute and publish the attached Negative Declaration as required by 6 NYCRR § 617.12 of the SEQRA regulations.

***BE IT FURTHER RESOLVED***, that this resolution shall take effect immediately.

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

Councilman Durland	Nay
Councilman Harrington	Absent
Councilman McGivney	Aye
Councilman Redinger	Aye
Supervisor Frazier	Aye

Dated: February 4, 2026  
Union Vale, New York

I, Andrea Casey, Town Clerk of the Town of Union Vale do hereby certify that the foregoing is a true copy of a resolution offered by Supervisor Frazier seconded by Councilman Redinger, and adopted at the regular meeting of the Town Board, held on February 4, 2026.

  
\_\_\_\_\_  
Andrea Casey, Town Clerk

**A copy of the Negative Declaration shall be filed with:**

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

Notice of this Negative Declaration must be published in the Environmental Notice Bulletin (ENB) Notices must be submitted by the lead agency to the Environmental Notice Bulletin by e-mail to

<https://dec.ny.gov/enb/segra-form> and to the following address:

Environmental Notice Bulletin  
625 Broadway  
Albany, NY 12233-1750