

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of Union Vale

FILED  
STATE RECORDS  
JUN 02 2022

DEPARTMENT OF STATE

Local Law No. 3 of the year 2022

A local law AMENDING ZONING CODE ARTICLE XI, §210-81, §210-83 (A), (B) AND (C),

(Insert Title)

§210-84 (B) AND (C) AND §210-85, REGARDING ZONING LAW CHANGES,

PLANNING BOARD REPORTS AND THE ENVIRONMENTAL REVIEW OF MORATORIA

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of The Town of Union Vale as follows:

See Attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2022 of the (County)(City)(~~Town~~)(Village) of Union Vale was duly passed by the Town Board on May 18th 2022, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20    , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

*Andrea Casey*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: May 24, 2022

(Seal)

**Exhibit A**

**TOWN OF UNION VALE**

**PROPOSED LOCAL LAW #3 – 2022**

**ARTICLE XI**

**Amendments**

**§210-81. Statutory procedure.**

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

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**§210-83. Town Board procedure.**

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**B. Required referral.**

- (1) The Town Board shall transmit a full statement of any proposed amendment, whether a zoning text amendment or a Zoning District Map amendment, that meets the referral requirements of § 239-m of the General Municipal Law or the Dutchess County Department of Planning and Development (“Department”) to the Department for its review and recommendation. The Town Board shall not take action on such proposed amendment until a recommendation has been received from the Department or 30 calendar days have elapsed since the Department received such full statement.
- (2) If the Town Board requests, the Planning Board shall make inquiry and provide recommendation regarding proposed amendments, supplements, changes or modifications concerning the matters specified below:
  - (a) Whether such change is consistent with the purposes embodied in this chapter as applied to the particular zoning districts concerned.
  - (b) Which areas and establishments in the Town will be directly affected by such change and in what way will they be affected.
  - (c) Whether adequate public services and facilities and other supporting infrastructure exist or can be created to serve the needs of any additional development that may occur as a result of such change.

- (d) The indirect implications of such change in its effect on other regulations.
- (e) Whether such proposed amendment is consistent with the underlying objectives of this chapter, including but not limited to whether such proposed amendment is consistent with the Town of Union Vale Master Plan and Dutchess County land use policies as set forth in Directions and/or Greenway Connections.

C. Compliance with SEQRA.

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

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§210-84. Reimbursable Costs

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Local Law # 3 of 2022

**RESOLUTION OF ADOPTION**

**A LOCAL LAW AMENDING ZONING CODE ARTICLE XI, §210-81, §210-83 (A), (B) AND (C), §210-84 (B) AND (C) AND §210-85, REGARDING ZONING LAW CHANGES, PLANNING BOARD REPORTS AND THE ENVIRONMENTAL REVIEW OF MORATORIA**

The following Resolution was offered by Councilman Durland and seconded by Councilman Welsh, who moved its adoption:

*WHEREAS*, a Local Law was introduced by the Town Board of the Town of Union Vale as Local Law #3 – 2022, entitled “A LOCAL LAW OF THE TOWN OF UNION VALE, DUTCHESS COUNTY, NEW YORK AMENDING ZONING CODE ARTICLE XI, §210-81, §210-83 (A), (B) AND (C), §210-84 (B) AND (C) AND §210-85, REGARDING ZONING LAW CHANGES, PLANNING BOARD REPORTS AND THE ENVIRONMENTAL REVIEW OF MORATORIA”; and

*WHEREAS*, a copy of the proposed Local Law No. 3 is attached hereto as Exhibit A and incorporated herein, and the Town Board does hereby waive a verbatim reading of said Local Law and directs that said Local Law be spread across the record as if it, in fact, had been read verbatim; and

*WHEREAS*, a public hearing in relation to said Local Law was held on May 18<sup>th</sup>, 2022 at 7:00 p.m., Prevailing Time; and

*WHEREAS*, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; 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*, it has previously been determined that the adoption of this Moratorium Local Law is a Type II Action requiring no Environmental Review, now, therefore,

*BE IT RESOLVED* that the annexed Local Law be and the same is hereby enacted: TOWN OF UNION VALE LOCAL LAW #3 OF 2022 entitled A LOCAL LAW OF THE TOWN OF UNION VALE, DUTCHESS COUNTY, NEW YORK AMENDING ZONING CODE ARTICLE XI, §210-81, §210-83 (A), (B) AND (C), §210-84 (B) AND (C) AND §210-85, REGARDING ZONING LAW CHANGES, PLANNING BOARD REPORTS AND THE ENVIRONMENTAL REVIEW OF MORATORIA "; and

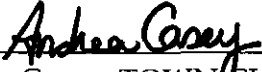
*BE IT FURTHER RESOLVED* that this Local Law shall be referred to as §210-81, 83, 84 and 85 of the Town of Union Vale Town Code; and

*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	Aye
Councilman Gusikoff	Aye
Councilman McGivney	Nay
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York  
May 18<sup>th</sup>, 2022

  
\_\_\_\_\_  
Andrea Casey, TOWN CLERK

Ayes 4

Noes 1

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 Durland, seconded by Councilman Welsh and adopted at the meeting of the Town Board, held on May 18, 2022.

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

