

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 126/2015

RE: ADOPTING LOCAL LAW X OF 2015, ENTITLED “A LOCAL LAW AMENDING THE TOWN’S ZONING MAP FOR THE PURPOSE OF REZONING A PROPERTY TO THE MIXED USE COMMERCIAL (MC) DISTRICT”

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Pleasant Valley introducing proposed Local Law X of 2015, entitled “A Local Law Amending the Town’s Zoning Map for the Purpose of Rezoning a Property to the Mixed Use Commercial (MC) District”; and

WHEREAS, the Public Hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of the Town; and

WHEREAS, the Public Hearing was held on June 10, 2015, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, said local law was circulated for purposes of SEQRA and for advisory opinions to the Dutchess County Department of Planning and Development and the Town of Pleasant Valley Planning Board; and

WHEREAS, the memorandum dated May 11, 2015 from the Dutchess County Department of Planning and Development stated they had no comments and noted it was a matter of local concern; and

WHEREAS, the Town of Pleasant Valley Planning Board in a memo dated _____, 2015 _____;
and

WHEREAS, the environmental significance of the law has been reviewed and the Town Board has adopted a negative declaration in respect thereto; and

WHEREAS, the Town Board of the Town of Pleasant Valley after due deliberation finds that it is in the best interest of the Town to adopt said Local Law; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby adopts Local Law X of 2015 entitled “A Local Law Amending the Town’s Zoning Map for the Purpose of Rezoning a Property to the Mixed Use Commercial (MC) District”, a copy of which is attached hereto and made a part hereof.

MOTIONED BY: _____

SECONDED BY: _____

DATED: June 10, 2015

ROLL CALL:

	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	_____	_____
Councilman Figliozzi	_____	_____
Councilman Latino	_____	_____
Councilwoman Milicaj	_____	_____
Supervisor Campbell	_____	_____

TOWN OF PLEASANT VALLEY

LOCAL LAW NO. X OF THE YEAR 2015

Re: **A LOCAL LAW OF THE TOWN OF PLEASANT VALLEY, NEW YORK AMENDING THE TOWN’S ZONING MAP FOR THE PURPOSE OF REZONING A PROPERTY TO THE MIXED USE COMMERCIAL (MC) DISTRICT**

BE IT ENACTED by the Town Board of the Town of Pleasant Valley as follows:

Section I: Title.

This Local Law shall be known and cited as Town of Pleasant Valley as “A Local Law Amending the Town’s Zoning Map for the Purpose of Rezoning a Property to the Mixed Use Commercial (MC) District”.

Section II: Legislative Intent.

This Local Law is determined to be an exercise of the police powers of the Town to protect the public health, safety and welfare of its residents. The Town Board believes that it is reasonable and appropriate to amend the Zoning Map associated with Chapter 98 of the Town Code. This local law is intended to implement the Town’s Comprehensive Plan as amended.

Section III: Changing of Zoning District Designation of Parcel.

Tax Parcel Number	Subject Property Address	Owner’s Name and Address	Existing Zoning District	New Zoning District
134400-6564-02-605917	Route 44 Pleasant Valley, NY	Reardon Briggs Company, Inc. P.O. Box A Millbrook, NY 12545	HR	MC

Section IV: Amendment to the Zoning Map of Chapter 98, Zoning of the Town of Pleasant Valley

The Zoning Map of the Town of Pleasant Valley is hereby amended to graphically show the changed zoning of the parcel listed in Section III above.

Section V: Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, the Zoning Law of the Town of Pleasant Valley as adopted by Local Law No. 8 of 2009 and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section VI: Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section VII: Effective Date.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.