

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 105/2016

RE: INTRODUCING AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN IN CONNECTION WITH REZONING A PROPERTY TO THE MIXED USE COMMERCIAL (MC) DISTRICT

WHEREAS, the subject property is located at 2397 Route 44 in the Town of Pleasant Valley and is designated as parcel #134400-6564-01-434864 on the Town's tax maps (the "Subject Property"); and

WHEREAS, the subject property is currently in the Rural Agricultural (RA) zoning district and the Town is considering a proposed amendment to the Zoning Map and Comprehensive Plan changing the designation of property from the Rural Agricultural (RA) to the Mixed Use Commercial (MC) zoning district; and

WHEREAS, the Town Board is also considering the following analogous amendments to the Town's Comprehensive Plan: The Town of Pleasant Valley 2009 Comprehensive Plan designated as "graphic #2- district maps", and it proposed to be amended so as to change the designation of the Subject Property from the Rural Agricultural (RA) to Mixed Use Commercial (MC); and

WHEREAS, the language in the Comprehensive Plan defines Rural Agricultural (RA) as follows: "This category of land is primarily designated for activities compatible with farming or farm-related business, and lower density residential and accessory uses. Recreation, low-impact resort uses, camps, golf courses, and fish and game preserves or clubs are also appropriate. A lower density residential designation, by itself, will not protect farm properties or rural qualities but lower densities allow for more creative land siting decisions and conservation techniques. Where development at higher densities will significantly alter large tracts of land, conservation subdivision development from a lower overall density allows growth to be carefully placed off good farms soils or within the wood line. Conservation density development and other greenspace preservation techniques should be strongly encouraged in this district and on other large, undeveloped parcels"; and

WHEREAS, the language in the Comprehensive Plan defines “Mixed Use Commercial” as follows: “this category includes the Route 44 corridor in an area between Mill Lane and Rossway Road and several parcels along the south side of Route 44 just east of the Taconic State Parkway, all of which are currently part of the Neighborhood Commercial District. The purpose of this category is to allow for a variety of mixed uses, but in a contained area that eliminates the possibility of contiguous strip development. Development and redevelopment in these areas will involve improved site design, landscaping, and architecture, in an effort to “retrofit the strip” (as recommended in the Greenway Guides)”; and

WHEREAS, the Subject Property is currently in the Rural Agricultural (RA) zoning district abutting the Taconic State Parkway and directly across route 44 from other Mixed Use Commercial (MC) zoned property. Since the language in the Comprehensive Plan defines Mixed Use Commercial (MC) properties to include “several parcels along the south side of Route 44 just east of the Taconic State Parkway” a specific text amendment should be added to include this parcel which is along the north side of Route 44 just east of the Taconic State Parkway such that the language would state that this category “includes the Route 44 corridor in an area between Mill Lane and Rossway Road, a parcel on the north side of Route 44 just east of the Taconic State Parkway and several parcels along the south side of Route 44 just east of the Taconic State Parkway,.....”; and

WHEREAS, for the purpose of Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as “SEQRA”) and pursuant to Chapter 98 of the Town Code, the proposed action is adoption of the proposed Local Law, the adoption of a resolution amending the Town’s Comprehensive Plan is subject to SEQRA and is an Unlisted Action pursuant to SEQRA; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby introduces for consideration the Comprehensive Plan amendment specified above; and be it further

RESOLVED, that at 7:00 p.m. on the 13th of July, 2016 the Town Board intends to hold a Public Hearing in regards to the proposed amendment to the Town of Pleasant Valley Comprehensive Plan and the Town Clerk is hereby directed to publish the notice of public hearing; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to circulate this

resolution, proposed Local Law No. X of 2015, supporting documentation and the public hearing notice to the Town Clerk of each abutting municipality, the Town of Pleasant Valley Planning Board for review and recommendation pursuant to Section 98-101 of the Zoning Law, the Dutchess County Department of Planning and Development for advisory review in accordance with Section 239 of General Municipal Law and the New York State Department of Transportation.

MOTIONED BY: _____

SECONDED BY: _____

DATED: May 11, 2016

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	_____	_____
Councilwoman Gross	_____	_____
Councilman Nicholson	_____	_____
Supervisor Figliozzi	_____	_____