

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 104/2016

RE: INTRODUCING LOCAL LAW NO. X OF 2016 AMENDING THE TOWN'S ZONING MAP FOR THE PURPOSE OF REZONING A PROPERTY TO THE MIXED USE COMMERCIAL (MC) DISTRICT

WHEREAS, the Town Board of the Town of Pleasant Valley pursuant to a petition submitted by Carmella Quattrociocchi, Marie Potenza and Salvatore Quattrociocchi dated January 27, 2016 is considering the adoption of Local Law No. X of 2015 to amend the Town zoning map for the purpose of rezoning a property to the Mixed Use Commercial (MC) zoning district; 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 of its adoption proposed Local Law No. X of 2016 and hereby schedules a public hearing regarding proposed Local Law at 7:00 p.m. on the 13th day of July, 2016 and the Town Clerk is hereby directed to post and publish as required by law; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to circulate this resolution, proposed Local Law No. X of 2016, 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:

AYE

NAY

Councilman Albrecht

Councilwoman Gross

Councilman Nicholson

Supervisor Figliozzi

TOWN OF PLEASANT VALLEY

LOCAL LAW NO. X OF THE YEAR 2016

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 "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
134400-6564-01-434864	2397 Route 44 Pleasant Valley, NY	Carmella Quattrociocchi Marie Potenza Salvatore Quattrociocchi 107 Tinkertown Toad Pleasant Valley, NY 12569	RA	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.