

## LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Poughkeepsie does hereby set the 4th day of October, 2017 at 7:00 P.M. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as the time date and place of a public hearing to afford all interested parties an opportunity to be heard and seek public comment concerning an amendment to Chapter 210, entitled "Zoning", specifically Section 210-9 entitled "Definitions" as it relates to "Day-Care Center"

AND PLEASE ALSO TAKE FURTHER NOTICE that said amendment is available in full, to preview in the Town Clerk's Office located at One Overocker Road, Poughkeepsie, New York, between the hours of 8:00 A.M. - 4:00 P.M., Monday thru Friday and also on our website at [www.townofpoughkeepsie.com](http://www.townofpoughkeepsie.com).

Felicia Salvatore, Town Clerk  
Town of Poughkeepsie  
September 11, 2017

\*Attachment of full resolution is included in the pages following this notice

**RESOLUTION 9:6 - #6 of 2017**

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending an amendment to Chapter 210, entitled “Zoning”, specifically Section 210-9 entitled “Definitions”, and

WHEREAS, the proposed amendment is attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendment and does direct that said amendment be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, the action to amend the Zoning Law is an Unlisted Action under the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, the amendment requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby states 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 hereby declares 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; and
2. The Town Board hereby sets a public hearing on the proposed amendments for October 4, 2017, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overrocker Road, Poughkeepsie, New York; and
3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and

4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.
5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

Dated: September 6<sup>th</sup> 2017

Moved: Ann Shershin

Seconded: Joseph Conte

Ayes 6 Nays 0

JEN/mem  
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 m-9/6/2017  
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	AYE	NAY
Councilman Renihan	<u>✓</u>	<u>      </u>
Councilman Carlos	<u>✓</u>	<u>      </u>
Councilman Conte	<u>✓</u>	<u>      </u>
Councilman Cifone <i>absent</i>	<u>      </u>	<u>      </u>
Councilman Lepore	<u>✓</u>	<u>      </u>
Councilwoman Shershin	<u>✓</u>	<u>      </u>
Supervisor Baisley	<u>✓</u>	<u>      </u>

BE IT ENACTED by the Town Board of the Town of Poughkeepsie as follows:

1. Article II, Section 210-9 of the Town of Poughkeepsie Zoning Code entitled "Definitions" is hereby amended as follows:

Amend the definition of "Day-care center" as follows:

~~DAY-CARE CENTER -- Shall include each of the following types of day care: A facility for the care of three or more children away from their own homes for more than three hours but fewer than 24 hours a single day, but not including a family day-care home or group family day-care home.~~

- ~~A. Child day care center means a program or facility which is not a residence in which child day care is provided on a regular basis to more than six children for more than three hours per day per child for compensation.~~
- ~~B. Family day care home shall mean a program caring for children for more than three hours per day per child in which child day care is provided in a family home for three to six children~~
- ~~C. Group family day care home shall mean a program caring for children for more than three hours per day per child in which child day care is provided in a family home for seven to twelve children of all ages, except for those programs operating as a family day care home, which care for seven or eight children.~~
- ~~D. School-age child care program means a program or facility which is not a residence in which child day care is provided to an enrolled group of seven or more children under 13 years of age during the school year before and/or after the period such children are ordinarily in school or during school lunch periods.~~
- ~~E. Small day care center means a program or facility which is not a residence in which child day care is provided to three through six children for more than three hours per day per child for compensation or otherwise.~~
- ~~F. Adult day care center means a program or facility which is not a residence in which adults, which shall include all persons over the age of 18 years of age, are provided programs which include personal care, supervision, habilitation, rehabilitation and such other services which the operator is authorized to provide to adults but which are provided for less than 24 hours during any period of the day or night.~~