

## LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board, Town of Poughkeepsie does hereby set **May 4, 2022 at 7:00 p.m.** as the time date and place of a public hearing to afford all interested parties an opportunity to be heard and seek public comment, in regard to the following:

Local Law amendments to Chapter 210, "Zoning" of the Town Code, specifically §210-22, entitled "Arlington Town Center (ATC) District", §210-35 entitled "Highway Business (B-H) District" and §210-74, entitled "Home Occupations"

Given the global COVID-19 pandemic, Town Hall is open to the public, but with very limited space and precautions for public attendance, so take note that The Town Board meeting, inclusive of this public hearing, will also be accessible to the public through the media platform called Zoom in order to proceed with Town business and safely maintain social distancing requirements. Members of the community can access the Town Board meeting through Zoom by entering the

Meeting ID: 821 3287 4976

Passcode: 420775 or using the below link

<https://us06web.zoom.us/j/82132874976?pwd=SFhMRXdhQlNlNk9jMVVtc1V5TDUrUT09>

Through Zoom members of the community will be able to participate in the Town Board meeting via computer or phone audio. Members of the community can also simply call into the meeting using the following phone number: 1-929-205-6099 and the meeting ID and meeting password above. The meeting is also broadcast live on Cablevision Channel 22 and Verizon Fios Channel 38.

AND PLEASE ALSO TAKE FURTHER NOTICE that said proposed amendment is available in full with Exhibit to preview on our website @ [www.townofpoughkeepsie.com](http://www.townofpoughkeepsie.com), - Look for the public hearing page or in person @ the Town Clerk's Office, Mon-Friday 8-4PM

Felicia Salvatore, Town Clerk  
Town of Poughkeepsie  
April 12, 2022

**RESOLUTION 4:6 - # 6 of 2022**

WHEREAS, the Town Board has received a recommendation from the Director of Development that local law amendments be made to Chapter 210, entitled “Zoning”, specifically §210-22, entitled “Arlington Town Center (ATC) District”, §210-35, entitled “Highway Business (B-H) District” and §210-74, entitled “Home occupations”, and

WHEREAS, the proposed amendments are annexed hereto as Exhibit A and incorporated herein as if recited verbatim, with the words underlined to be added, and those words ~~stricken~~ to be deleted, and the Town Board does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, this action to amend the Zoning Law is a Type 1 Action under the New York State Environmental Quality Review Act, and an Environmental Assessment Form (EAF) is annexed hereto; 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 May 4, 2022, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker 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; and
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: April 6, 2022

Moved: Ann Shershin

Seconded: Michael Cifone

Motion passes/ fails: Ayes 7 Nays 0

JEN/mem  
t-4/1/2022  
m-4/6/2022

	AYE	NAY	ABSTAIN
<u>PRESENT</u> /ABSENT Councilman Renihan	<u>✓</u>	___	___
<u>PRESENT</u> /ABSENT Councilman Carlos	<u>✓</u>	___	___
<u>PRESENT</u> /ABSENT Councilwoman Burger	<u>✓</u>	___	___
<u>PRESENT</u> /ABSENT Councilman Cifone	<u>✓</u>	___	___
<u>PRESENT</u> /ABSENT Councilman Krakower	<u>✓</u>	___	___
<u>PRESENT</u> /ABSENT Councilwoman Shershin	<u>✓</u>	___	___
<u>PRESENT</u> /ABSENT Supervisor Baisley	<u>✓</u>	___	___

#6

**EXHIBIT A**

**BE IT ENACTED by the Town Board of the Town of Poughkeepsie that Chapter 210, Zoning, is hereby amended as follows:**

NOTE: New text is shown as underline; deleted text is shown as ~~strikethrough~~.

§ 210-22 Arlington Town Center (ATC) District.

B. Permitted uses. Permitted uses shall be as follows (Note: "\*" designates a use which is subject to site plan approval by the Planning Board):

- (1) \*Anchor projects, subject to § 210-51.1.
- (2) \*Art galleries.
- (3) \*Bank and financial services.
- (4) \*Bakeries.
- (5) \*Bed-and-breakfasts.
- (6) \*Boutiques with or without goods processed or assembled on site, subject to § 210-57.
- (7) \*Delicatessens.
- (8) \*Dwellings, two-family.
- (9) Dwellings, single-family.
- (10) \*Family day-care homes, subject to § 210-65.
- (11) \*Laundries, laundromats.
- (12) \*Libraries.
- (13) \*Museums.
- (14) \*Offices.
- (15) \*Personal service businesses, no drive-in or drive-through
- (16) \*Places of religious worship, subject to § 210-95.
- (17) \*Retail businesses, no drive-in or drive-through.
- (18) \*Service businesses, no drive-in or drive-through.
- (19) \*Restaurants, no drive-in or drive-through.
- (20) \*Supermarkets.
- (21) ~~\*Theaters.~~ \*Tattoo Parlor.
- (22) \*Theaters.

§ 210-35 Highway Business (B-H) District.

C. Special uses shall be as follows (Note: "\*" designates a use which is subject to both special use permit and site plan approval by the Planning Board; "+" designates a use that is subject to special use permit approval by the Zoning Board of Appeals.):

- (1) \*Animal hospitals, subject to § 210-52.
- (2) \*Bars, taverns subject to § 210-54.
- (3) \*Day-care centers, subject to § 210-65.
- (4) \*Kennels, subject to § 210-78.
- (5) \*Motor vehicle rental facilities, subject to § 210-88.
- (6) \*Motor vehicle repair facilities, subject to § 210-87.
- (7) \*Motor vehicle sales and service facilities, subject to § 210-89.
- (8) \*Motor vehicle service facilities, subject to § 210-90.
- (9) \*Nursery schools, subject to § 210-65.
- (10) \*Recreation clubs, subject to § 210-64.
- (11) \*School-age child-care facilities, subject to § 210-65.
- (12) ~~\*Warehousing, storage buildings, subject to § 210-115.~~ \*Tattoo Parlor.
- (13) \*Warehousing, storage buildings, subject to § 210-115.

§ 210-74 Home occupations.

B. The following uses are specifically prohibited as home occupations: retail sales or rental business; bed-and-breakfast; inn; ambulance, taxi, limousine, or towing service; motor vehicle repair, sales, service, and rental business including repair, parts, sales, upholstery, body work, painting, washing, and detailing; appliance or engine repair, rental, or service; restaurant; delicatessen; bar or tavern; servicing of construction equipment; public stable; kennel; animal hospital; group instrument instruction; boardinghouse; funeral home or mortuary establishments; convalescent homes and other extended-care medical facilities; tractor-trailer operations, including storage, warehousing and repair; and tattoo parlors.