

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Town Board of the Town of Poughkeepsie does hereby set the 6th day of December, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as and for the time, date and place of a public hearing to consider an amendment to the Town Code, Chapter 177 section 24, "Parks and Playgrounds". The proposed local law will be available to review in full at the Town Clerk's Office, Monday – Friday between the hours of 8-4 and also on our website in the legal notices section where it will be attached to a copy this notice.

AND PLEASE TAKE FURTHER NOTICE, that said local law, if adopted, shall become effective immediately upon filing with the Secretary of State.

Felicia Salvatore, Town Clerk
Town of Poughkeepsie
November 2, 2017

RESOLUTION 11:1 - # 7 of 2017
Town of Poughkeepsie Town Board

Amendment to Chapter 177, Subdivision Law

WHEREAS, the Town Board has received a communication from the Director of Municipal Development regarding the amendment by local law of Article IV, Section 177-24, of the Town Code; and

WHEREAS, a copy of the proposed amendment, with the language to be added underscored and the language to be deleted ~~stricken~~, 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 it, in fact, had been read verbatim; and

WHEREAS, the amendment would modify the existing language in regard to parks and playgrounds; and

WHEREAS, the action to amend the Subdivision Law is an Unlisted Action under the New York State Environmental Quality Review Act; 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 amendment for December 6, 2017, 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 directs the Town Clerk to notify the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

Dated: Nov. 1st 2017
Moved: Jay Baisley
Seconded Joseph Conte
Ayes 7 Nays 0

JEN/mem
t-10/27/2017
m-11/1/2017

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	AYE	NAY
Councilman Renihan	<u>✓</u>	_____
Councilman Carlos	<u>✓</u>	_____
Councilman Conte	<u>✓</u>	_____
Councilman Cifone	<u>✓</u>	_____
Councilman Lepore	<u>✓</u>	_____
Councilwoman Shershin	<u>✓</u>	_____
Supervisor Baisley	<u>✓</u>	_____

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

Section 177. "Subdivision of Land", of the Town Code is hereby amended as follows:

§ 177-24. Parks and playgrounds.

- A. For a major subdivision ~~the~~ Planning Board may require adequate, convenient and suitable areas for parks and playgrounds or other recreational purposes to be reserved on the plat but in no case more than 10% of the gross area of any subdivision. The area shall be shown and marked on the plat "Dedicated for Park or Playground Purposes." The reservation of land for recreational purposes shall not apply to a minor subdivision.
- B. If the Planning Board determines a suitable park or parks of adequate size cannot be properly located in any such plat or is otherwise not practical, the Board may require, as a condition to approval of any such plat, a payment to the Town of Poughkeepsie in lieu of land in such amounts as established by the Town Board ~~the sum of \$5,000 per lot (e.g., a ten-lot subdivision: \$50,000)~~, and such money shall be used by the Town for park and recreation purposes, including the acquisition of property. A payment in lieu of land shall not apply to a minor subdivision. ~~The current provision which provides that said provision shall not be applicable to subdivisions of two lots or less means that said lots do not pay a recreation fee.~~
- C. In requiring the set-aside of land for recreation or the payment of a fee in-lieu of recreation land the Planning Board shall adhere to the requirements of §277, Subdivision 4, of the Town Law, which provides for the reservation of parkland on subdivision plats containing residential units.