

## LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board, Town of Poughkeepsie does hereby set **June 21, 2023, at 7:00pm** 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, entitled "Zoning", to include provisions for Animal Services

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  
May 26, 2023

**RESOLUTION 5:24 - # 10 of 2023**

WHEREAS, the Town Board has received a recommendation from the Code Update Committee that a local law amending Chapter 210, entitled "Zoning," to include provisions for Animal Services, should be considered for adoption; and

WHEREAS, the proposed local law is annexed hereto as Exhibit A and incorporated herein as if recited verbatim, and the Town Board does direct that said local law be spread across the record as if it, in fact, had been read verbatim; and

WHEREAS, this action to amend the Town Code 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 code amendments 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 amendments require 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 local law for June 21, 2023, 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: May 24, 2023  
 Moved: Michael Cifone  
 Seconded: Anne Burger

Motion passes/ fails: Ayes 7 Nays 0

JEN/mem  
 t-5/17/2023  
 m-5/24/2023

	AYE	NAY	ABSTAIN
<u>PRESENT/ABSENT</u> Councilman Renihan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT/ABSENT</u> Councilman Carlos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT/ABSENT</u> Councilwoman Burger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT/ABSENT</u> Councilman Cifone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT/ABSENT</u> Councilman Krakower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT/ABSENT</u> Councilwoman Shershin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT/ABSENT</u> Supervisor Baisley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Local Law Filing</i>	NEW YORK STATE DEPARTMENT OF STATE 162 WASHINGTON AVENUE ALBANY, NY 12231
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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**TOWN OF POUGHKEEPSIE**

**LOCAL LAW NO. \_\_ (PROPOSED) OF THE YEAR 2023**

**A LOCAL LAW TO AMEND CHAPTER 210 OF THE CODE OF THE TOWN OF POUGHKEEPSIE ENTITLED "ZONING" TO INCLUDE PROVISIONS FOR ANIMAL SERVICES**

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

**SECTION 1. LEGISLATIVE INTENT**

This local law amends the Town of Poughkeepsie Zoning Law to provide regulations for Animal Services in the Town. Specifically, it provides regulations for **Animal Grooming** in the Arlington Town Center (ATC), Crown Heights Center Overlay (CHCO), Fairview Center (FC), Highway Business (B-H), Light Industrial (I-L), Macdonnell Heights Center (MHC), Neighborhood Business (B-N), Neighborhood Highway Business (B-NH), Red Oaks Mill Neighborhood Services Center (ROMNSC), Rochdale Road Hamlet (RRH), Salt Point Center (SPC), Shopping Center Business (B-SC), and South Hills Center (SHC) Districts; **Animal Hospital**, which will continue to be allowed in the B-H, B-N, and B-NH Districts, will also be allowed in the B-SC, I-L, and SCH Districts, and will no longer be allowed in the ROMNSC District; **Animal Rescue** in the Residence, Single-Family 4 Acre (R-4A), Residence, Single-Family 2 Acre (R-2A), Residence Single-Family 1.5 Acre (R1.5), Residence, and Single-Family 20,000 Square Foot (R-20,000) Districts; **Animal Training (indoor)** in the ATC, CHCO, B-H, B-N, B-NH, FC, I-L, MHC, ROMNSC, RRH, SPC, B-SC, R-4A, R-2A, R1.5, R-20,000, and SHC Districts; **Animal Training (outdoor)** in the B-H, R-4A, R-2A, R-1.5, R-20,000, and SPC Districts; **Kennel**, which will continue to be allowed in the B-H, R-4A, R-2A, R-1.5, and R-20,000 Districts; and **Veterinary Office**, which will continue to be allowed in the B-H, B-N, B-NH, B-SC and CHCO Districts, and will also be allowed in the ATC, FC, I-L, MHC, ROMNSC, RRH, SHC, and SPC Districts. A new definition of **Pet Store** will be added to differentiate this use from other types of animal services; and the Home Occupations section will be amended to allow animal boarding (by day and overnight), animal grooming, and animal training as types of home occupations.

The regulations are designed to protect the health, safety, and welfare of Town residents and to bring the Town's Zoning Law into conformance with "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities" pursuant to Chapter 18 of the Town Code. The proposed regulations are consistent with the recommendations of the Town's 2021 *Comprehensive Plan*.

## **SECTION 2. APPLICATION**

This local law shall apply within the Arlington Town Center (ATC) District; Crown Heights Center Overlay (CHCO) District; Fairview Center (FC) District; Highway Business (B-H) District; Light Industrial (I-L) District; Macdonnell Heights Center (MHC) District; Neighborhood Business (B-N) District; Neighborhood Highway Business (B-NH) District; Red Oaks Mill Neighborhood Services Center (ROMNSC) District; Residence, Single-Family 4 Acre (R-4A) District; Residence, Single-Family 2 Acre (R-2A) District; Residence, Single-Family 1.5 Acre (R1.5) District; Residence, Single-Family 20,000 Square Foot (R-20,000) District; Rochdale Road Hamlet (RRH) District; Salt Point Center (SPC) District; Shopping Center Business (B-SC) District; and South Hills Center (SHC) District in the Town of Poughkeepsie.

## **SECTION 3. SEVERABILITY**

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such part or parts.

## **SECTION 4. AMENDMENTS TO ARTICLE II OF THE ZONING LAW ENTITLED "DEFINITIONS AND WORD USAGE"**

*§ 4.1. Section 210-9 of the Code is hereby amended by the addition of the following new definitions:*

### **ANIMAL SERVICES**

#### **A. ANIMAL GROOMING**

An establishment where animals are bathed, clipped, trimmed, brushed, or combed for the purpose of enhancing their aesthetic value or health, and for which a fee is charged or paid, which shall be conducted entirely indoors, and which shall not include overnight boarding.

#### **B. ANIMAL HOSPITAL**

A facility where licensed veterinarian(s) provide medical and/or surgical care for sick or injured animals, and where such animals may be boarded during their convalescence.

#### **C. ANIMAL RESCUE**

A not-for-profit organization dedicated to pet adoption which takes in unwanted, abandoned, abused or stray animals with the intent to find them a suitable new permanent home. An animal rescue may also provide the accessory uses of kennel, wildlife rehabilitation services, animal sanctuary, veterinary office, and/or animal hospital services.

#### **D. ANIMAL TRAINING**

A facility that provides services such as obedience classes, training, or behavioral counseling for household pets.

#### **E. KENNEL**

- (1) Any place or facility at which are kept five or more dogs more than four months of age for any purpose, provided, however, that this definition shall not apply to any other animal services defined herein; or

- (2) Any place or facility at which five or more dogs are kept overnight or during the day where the primary purpose of the facility is the boarding or breeding of dogs for which a fee is charged or paid, and which may include animal grooming and animal training as an accessory use.

#### **F. PET STORE**

A retail business that sells pet food and supplies, and wherein animals, including but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship, and which may include animal grooming, indoor animal training, and veterinary office as accessory uses.

#### **G. VETERINARY OFFICE**

An establishment wherein animals are provided medical diagnosis and treatment by licensed veterinarian(s), where only outpatient services are provided and overnight care or boarding of animals is prohibited.

*§ 4.2. Section 210-9 of the Code is hereby amended by deleting the definition of “Animal Hospital” in its entirety and replacing it with the following new definition of “Animal Hospital.”*

#### **ANIMAL HOSPITAL**

See “animal services.”

*§ 4.3. Section 210-9 of the Code is hereby amended by deleting the definition of “Kennel” in its entirety and replacing it with the following new definition of “Kennel.”*

#### **KENNEL**

See “animal services.”

*§ 4.4. Section 210-9 of the Code is hereby amended by deleting the definition of “Personal Service Business” in its entirety and replacing it with the following new definition of “Personal Service Business.”*

#### **PERSONAL SERVICE BUSINESS**

An establishment primarily engaged in providing services involving the care of a person or a person’s apparel, including, but not limited to, laundries, barber and beauty shops, and dry-cleaning shops, but not including animal services, an adult business use, a motor vehicle accessory sales and service use, a motor vehicle body shop use, a motor vehicle sales and service use, a motor vehicle service facility use, motor vehicle repair facility, clinic, hospital, or a tattoo parlor.

*§ 4.5. Section 210-9 of the Code is hereby amended by deleting the definition of “Service Business, Use, Store or Shop” in its entirety and replacing it with the following new definition of “Service Business, Use, Store or Shop.”*

#### **SERVICE BUSINESS, USE, STORE OR SHOP**

A business or nonprofit organization that provides services to the public, either on or off the premises, including but not limited to arts instruction or studio; theater and performing arts; building, electrical, plumbing and landscape contracting business; habilitation and rehabilitation services; educational services; catering; health club; housecleaning services;

locksmith; printing and photocopying; repair and restoration services; tailoring; typing and word processing; but not including animal services, a bank or financial service business, an adult business use, a motor vehicle accessory sales use, a motor vehicle rental facility, a motor vehicle sales and service use, a motor vehicle service facility use, a motor vehicle repair facility, hospital, or a tattoo parlor.

**§ 4.6. Section 210-9 of the Code is hereby amended by deleting the definition of “Veterinary Office” in its entirety and replacing it with the following new definition of “Veterinary Office.”**

**VETERINARY OFFICE**

See “animal services.”

**SECTION 5. AMENDMENTS TO ARTICLE IV OF THE ZONING LAW ENTITLED “RESIDENTIAL DISTRICT REGULATIONS”**

**§ 5.1. Section 210-14B of the Code is hereby amended by adding the following new permitted use to the existing list alphabetically as subsection (1), and the remaining existing subsections shall be renumbered sequentially:**

(1) \*Animal training, indoor, subject to § 210-52.

**§ 5.2. Section 210-14C of the Code is hereby amended by adding the following new special permitted uses to the existing list alphabetically as subsections (5) and (6), and the remaining existing subsections shall be renumbered sequentially:**

(5) \*Animal rescue, subject to § 210-52.

(6) \*Animal training, outdoor, subject to § 210-52.

**§ 5.3. Section 210-14C(9) of the Code is hereby deleted it in its entirety and replaced with the following new subsection, which shall be renumbered § 210-14C(11):**

(11) \*Kennels, subject to § 210-52.

**§ 5.4. Section 210-15B of the Code is hereby amended by adding the following new permitted use to the existing list alphabetically as subsection (1), and the remaining existing subsections shall be renumbered sequentially:**

(1) \*Animal training, indoor, subject to § 210-52.

**§ 5.5. Section 210-15C of the Code is hereby amended by adding the following new special permitted use to the existing list alphabetically as subsections (5) and (6), and the remaining existing subsections shall be renumbered sequentially:**

(5) \*Animal rescue, subject to § 210-52.

(6) \*Animal training, outdoor, subject to § 210-52.

**§ 5.6. Section 210-15C(9) of the Code is hereby deleted it in its entirety and replaced with the following new subsection, which shall be renumbered § 210-15C(11):**

(11) \*Kennels, subject to § 210-52.

**§ 5.7. Section 210-15.1B of the Code is hereby amended by adding the following new permitted use to the existing list alphabetically as subsection (1), and the remaining existing subsections shall be renumbered sequentially:**

- (1) \*Animal training, indoor, subject to § 210-52.

**§ 5.8. Section 210-15.1C of the Code is hereby amended by adding the following new special permitted uses to the existing list alphabetically as subsection (4) and (5), and the remaining existing subsections shall be renumbered sequentially:**

- (4) \*Animal rescue, subject to § 210-52.  
(5) \*Animal training, outdoor, subject to § 210-52.

**§ 5.9. Section 210-15C(8) of the Code is hereby deleted it in its entirety and replaced with the following new subsection, which shall be renumbered § 210-15C(10):**

- (10) \*Kennels, subject to § 210-52.

**§ 5.10. Section 210-16B of the Code is hereby amended by adding the following new permitted use to the existing list alphabetically as subsection (1), and the existing subsections shall be renumbered sequentially:**

- (1) \*Animal training, indoor, subject to § 210-52.

**§ 5.11. Section 210-16C of the Code is hereby amended by adding the following new special permitted uses to the existing list alphabetically as subsections (4) and (5), and the remaining existing subsections shall be renumbered sequentially:**

- (4) \*Animal rescue, subject to § 210-52.  
(5) \*Animal training, outdoor, subject to § 210-52.

**§ 5.12. Section 210-16C(8) of the Code is hereby deleted it in its entirety and replaced with the following new subsection, which shall be renumbered § 210-16C(10):**

- (10) \*Kennels, subject to § 210-52.

## **SECTION 6. AMENDMENTS TO ARTICLE V OF THE ZONING LAW ENTITLED "TOWN CENTER DISTRICT REGULATIONS"**

**§ 6.1. Section 210-22B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (2), (3), and (24), and the remaining existing subsections shall be renumbered sequentially:**

- (2) \*Animal grooming, subject to § 210-52.  
(3) \*Animal training, indoor, subject to § 210-52.  
(24)\*Veterinary office, subject to § 210-52.

**§ 6.2. Section 210-23B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (1), (2), and (18), and the remaining existing subsections shall be renumbered sequentially:**

- (1) \*Animal grooming, subject to § 210-52.  
(2) \*Animal training, indoor, subject to § 210-52.  
(18)\*Veterinary office, subject to § 210-52.

**§ 6.3. Section 210-23C of the Code is hereby amended by adding the following new special permitted use to the existing list alphabetically as subsection (1), and the remaining existing subsections shall be renumbered sequentially:**

- (1) \* Animal hospital, subject to § 210-52.

**§ 6.4. Section 210-24C of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (3), and (4), and the remaining existing subsections shall be renumbered sequentially:**

- (3) \*Animal grooming, subject to § 210-52.
- (4) \*Animal training, indoor, subject to § 210-52.

**§ 6.5. Section 210-24C(46) of the Code is hereby deleted in its entirety and replaced with the following new subsection, which shall be renumbered § 210-15C(48):**

- (48)\*Veterinary office, subject to § 210-52.

**§ 6.6. Section 210-25B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (1), (2), and (17), and the remaining existing subsections shall be renumbered sequentially:**

- (1) \*Animal grooming, subject to § 210-52.
- (2) \*Animal training, indoor, subject to § 210-52.
- (17)\*Veterinary office, subject to § 210-52.

**§ 6.7. Section 210-26B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (2) and (3), and the remaining existing subsections shall be renumbered sequentially:**

- (2) \*Animal grooming, subject to § 210-52.
- (3) \*Animal training, indoor, subject to § 210-52.

**§ 6.8. Section 210-26B(19) of the Code is hereby deleted in its entirety and replaced with the following new subsection, which shall be renumbered § 210-26B(21):**

- (21)\*Veterinary office, subject to § 210-52.

**§ 6.9. Section 210-26C of the Code is hereby amended by adding the following new special permitted use to the existing list alphabetically as subsection (1), and the remaining existing subsections shall be renumbered sequentially:**

- (1) \*Animal training, outdoor, subject to § 210-52.

**§ 6.10. Section 210-27B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (2) and (3), and the remaining existing subsections shall be renumbered sequentially:**

- (2) \*Animal grooming, subject to § 210-52.
- (3) \*Animal training, indoor, subject to § 210-52.

**§ 6.11. Section 210-27B(23) of the Code is hereby deleted in its entirety and replaced with the following new subsection, which shall be renumbered § 210-26B(25):**

(25)\*Veterinary office, subject to § 210-52.

**§ 6.12. Section 210-28B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (2), (3), and (16), and the remaining existing subsections shall be renumbered sequentially:**

(2) \*Animal grooming, subject to § 210-52.

(3) \*Animal training, indoor, subject to § 210-52.

(16)\*Veterinary office, subject to § 210-52.

**§ 6.13. Section 210-29B of the Code is hereby amended by deleting the existing subsection (1) (“animal hospitals”) in its entirety.**

**§ 6.14. Section 210-29B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (1), (2), and (20), and the remaining existing subsections shall be renumbered sequentially:**

(1) \*Animal grooming, subject to § 210-52.

(2) \*Animal training, indoor, subject to § 210-52.

(20)\*Veterinary office, subject to § 210-52.

## **SECTION 7. AMENDMENTS TO ARTICLE VI OF THE ZONING LAW ENTITLED “BUSINESS AND COMMERCIAL DISTRICT REGULATIONS”**

**§ 7.1. Section 210-33B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (1) and (2), and the remaining existing subsections shall be renumbered sequentially:**

(1) \*Animal grooming, subject to § 210-52.

(2) \*Animal training, indoor, subject to § 210-52.

**§ 7.2. Section 210-33B(13) of the Code is hereby deleted in its entirety and replaced with the following new subsection, which shall be renumbered § 210-33B(15):**

(15)\*Veterinary office, subject to § 210-52.

**§ 7.3. Section 210-34B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (1) and (2), and the remaining existing subsections shall be renumbered sequentially:**

(1) \*Animal grooming, subject to § 210-52.

(2) \*Animal training, indoor, subject to § 210-52.

**§ 7.4. Section 210-34B(15) of the Code is hereby deleted in its entirety and replaced with the following new subsection, which shall be renumbered § 210-33B(17):**

(17)\*Veterinary office, subject to § 210-52.

***§ 7.5. Section 210-35B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (1) and (2), and the remaining existing subsections shall be renumbered sequentially:***

- (1) \*Animal grooming, subject to § 210-52.
- (2) \*Animal training, indoor, subject to § 210-52.

***§ 7.6. Section 210-35B(32) of the Code is hereby deleted it in its entirety and replaced with the following new subsection, which shall be renumbered § 210-33B(34):***

- (34)\*Veterinary office, subject to § 210-52.

***§ 7.7. Section 210-35C of the Code is hereby amended by adding the following new special permitted use to the existing list alphabetically as subsection (2), and the remaining existing subsections shall be renumbered sequentially:***

- (2) \*Animal training, outdoor, subject to § 210-52.

***§ 7.8. Section 210-35C(4) of the Code is hereby deleted it in its entirety and replaced with the following new subsection, which shall be renumbered § 210-35C(5):***

- (5) \*Kennels, subject to § 210-52.

***§ 7.9. Section 210-36B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (2) and (3), and the remaining existing subsections shall be renumbered sequentially:***

- (2) \*Animal grooming, subject to § 210-52.
- (3) \*Animal training, indoor, subject to § 210-52.

***§ 7.10. Section 210-36B(21) of the Code is hereby deleted it in its entirety and replaced with the following new subsection, which shall be renumbered § 210-36B(23):***

- (23)\*Veterinary office, subject to § 210-52.

***§ 7.11. Section 210-36C of the Code is hereby amended by adding the following new special permitted use to the existing list alphabetically as subsection (1), and the remaining existing subsections shall be renumbered sequentially:***

- (1) \*Animal hospital, subject to § 210-52.

***§ 7.12. Section 210-39B of the Code is hereby amended by adding the following new permitted uses to the existing list alphabetically as subsections (1), (2), and (13), and the remaining existing subsections shall be renumbered sequentially:***

- (1) \*Animal grooming, subject to § 210-52.
- (2) \*Animal training, indoor, subject to § 210-52.
- (13)\*Veterinary office, subject to § 210-52.

***§ 7.13 Section 210-39C of the Code is hereby amended by adding the following new special permitted use to the existing list alphabetically as subsection (1), and the remaining existing subsections shall be renumbered sequentially:***

- (1) \*Animal hospital, subject to § 210-52.

**SECTION 8. AMENDMENTS TO ARTICLE VIII OF THE ZONING LAW ENTITLED  
“SUPPLEMENTARY REGULATIONS”**

***§ 8.1. The existing § 210-52 entitled “Animal hospitals” is hereby deleted in its entirety and replaced with the following new § 210-52 entitled “Animal services.”***

**§ 210-52 Animal services.**

- A. In any district where permitted, animal hospitals, animal rescues, kennels, and animal training shall comply with the following provisions:
- (1) Exterior exercise/training areas, dog runs, and any building housing animals shall be located at least 200 feet from any property line. If soundproof construction is used for buildings, the normal district setbacks shall apply.
  - (2) All overnight boarding facilities, where permitted, shall be located indoors.
  - (3) All animals shall be kept indoors from sunset to sunrise.
  - (4) Exterior exercise/training areas and dog runs shall not be located between the front lot line and the nearest wall of a principal building on the lot.
  - (5) A fence a minimum of six feet and a maximum of eight feet in height is required to enclose all exterior exercise/training areas and dog runs. Electric, barb wire, razor wire, and other similar fencing shall be prohibited.
  - (6) No offensive odors shall be discernible at any property line.
  - (7) Noise shall comply with the applicable standards of Chapter 139, Noise, of the Code of the Town of Poughkeepsie, New York.
  - (8) The use shall be screened from adjacent streets and properties in accordance with § 210-80, Landscaping.
  - (9) Unless otherwise determined by the Planning Board, off-street parking shall be as required by § 210-92 of this chapter.
  - (10) All such quarters shall at all times be maintained in a sanitary condition.
- B. In any district where permitted, the following additional provisions shall apply to animal rescues:
- (1) The minimum lot area for an animal rescue shall be seven (7) acres.
  - (2) The property shall have a minimum of fifty (50) feet of frontage along a state or county highway.
  - (3) All untethered animals shall be kept in an area completely surrounded by fencing and/or caging to ensure that they cannot roam off the premises.
  - (4) An animal rescue may include an associated caretaker’s apartment as an accessory use.
- C. In any district where permitted, the following additional provisions shall apply to animal training:

- (1) In the R-4A, R-2A, R-1.5A, and R-20,000 Districts, animal training shall be permitted only as an accessory use to a kennel.
  - (2) If a principal use, indoor animal training shall be permitted only in a stand-alone, single-use building.
  - (3) No overnight boarding shall be permitted unless animal training is accessory to a kennel.
- D. In any district where permitted, the following additional provisions shall apply to kennels:
- (1) The minimum lot area for a kennel shall be five acres.

***§ 8.2. The existing § 210-74 entitled "Home occupations" is hereby amended by deleting subsection A(3) in its entirety and replacing it with the following new § 210-74A(3).***

- A(3) All home occupation activities shall be conducted within the enclosed space of the principal building, with the exception of animal boarding where animals may be walked or exercised outdoors. No outdoor storage or displays shall be permitted.

***§ 8.3. The existing § 210-74 entitled "Home occupations" is hereby amended by deleting subsection B in its entirety and replacing it with the following new § 210-74B.***

- 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; animal rescue; veterinary office; 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.

***§ 8.4. The existing § 210-74 entitled "Home occupations" is hereby amended by deleting subsection C(1)(f) in its entirety and replacing it with the following new § 210-74C(1)(f).***

- C(1)(f) Services and instruction offered are limited to no more than two clients or customers at a time. For animal grooming, training, and boarding (whether day or overnight), this subsection shall permit no more than two nonresident dogs at a time, provided that no more than four dogs more than four months of age will be on the property at any one time.

***§ 8.5. The existing § 210-78 entitled "Kennels" is hereby amended by deleting it in its entirety and replacing it with the following new § 210-78.***

§ 210-78 (Reserved)

**SECTION 9. EFFECTIVE DATE**

This local law shall take effect immediately after it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: A Local Law to amend Chapter 210 of the Town Code entitled "Zoning" to include provisions for Animal Services		
Project Location (describe, and attach a general location map): Town of Poughkeepsie, New York		
Brief Description of Proposed Action (include purpose or need): This local law amends the Town of Poughkeepsie Zoning Law to provide regulations for Animal Services in the Town. Specifically, it defines and provides regulations for the following uses: Animal Grooming, Animal Hospital, Animal Rescue, Animal Training (indoor), Animal Training (outdoor), Kennel, Veterinary Office, and Pet Store. Over the last several years, as the animal care industry has expanded across the country, the Town has found our existing zoning provisions (which only address kennels, animal hospitals, and veterinary offices) to be outdated and inadequate to meet the variety of animal care businesses that exist, or that have been proposed, in various areas of the Town. The proposed local law is intended to provide clearer guidance for both staff and potential applicants; and to allow these businesses to grow in the Town while minimizing possible adverse impacts on neighboring residents or businesses.		
Name of Applicant/Sponsor: Town of Poughkeepsie Town Board		Telephone: (845) 485-3600
		E-Mail: jbaisley@townofpoughkeepsie-ny.gov
Address: 1 Overocker Road		
City/PO: Poughkeepsie	State: New York	Zip Code: 12603
Project Contact (if not same as sponsor; give name and title/role): Michael Welti, AICP - Director of Municipal Development - Town of Poughkeepsie		Telephone: (845) 485-3657
		E-Mail: mwelti@townofpoughkeepsie-ny.gov
Address: 1 Overocker Road		
City/PO: Poughkeepsie	State: NY	Zip Code: 12603
Property Owner (if not same as sponsor): N/A		Telephone: N/A
		E-Mail: N/A
Address: N/A		
City/PO: N/A	State: N/A	Zip Code: N/A

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board - Zoning Text Amendment	Proposed May 2023
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board - Zoning Text Amendment Recommendation	Projected recommendation by the Planning Board at June 2023 meeting.
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dutchess County Planning (DCP) - GML 239	Projected response from the County Planning Department in June 2023.
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No  
 If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No  
 If Yes, identify the plan(s):  
 The Town of Poughkeepsie is a Hudson River Valley Greenway Compact Community and is within the Hudson River Valley National Heritage Area.

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No  
 If Yes, identify the plan(s):  
 The Town Board adopted the Natural Resource Inventory (NRI) and Open Space Plan on April 12, 2023.

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
The proposed zoning text amendment would apply to almost all of the Town's zoning districts

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,  
i. What is the proposed new zoning for the site? Zoning Text Amendment related to animal services

**C.4. Existing community services.**

a. In what school district is the project site located? Arlington CSD, Wappingers CSD, Spackenkill CSD, and Hyde Park CSD

b. What police or other public protection forces serve the project site?  
Town of Poughkeepsie Police Department

c. Which fire protection and emergency medical services serve the project site?  
Arlington Fire District, Fairview Fire District, and New Hamburg Fire District

d. What parks serve the project site?  
Town and County Parks

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_  
 \_\_\_\_\_  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

Yes  No  
 Yes  No  
 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:
 

- i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)
- ii. Describe types of new point sources: \_\_\_\_\_
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_
  - If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_
- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:
 

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:
 

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No
- ii. In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

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iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

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ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

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iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)
- Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acre +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 N/A \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 \_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_  
 \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town of Poughkeepsie Date May 17, 2023

Signature Michael A. Welti, AICP Title Dir./Municipal Development - Town of Poughkeepsie