

Town of Olive
Resolution #3 of 2024

Extending the Applicability of Town of Olive Local Law No. 1 of 2023 entitled “*Establishing a Temporary Moratorium on Certain Applications for the Approval of Subdivisions of Land that are Pending or May be Subsequently filed with the Town of Olive.*”

WHEREAS, on February 15, 2023 the Town Board enacted Local Law No. 1 of 2023 entitled “*Establishing a Temporary Moratorium on Certain Applications for the Approval of Subdivisions of Land that are Pending or May be Subsequently filed with the Town of Olive,*” hereafter referred to as the “Moratorium.” A copy of the Moratorium is attached to this resolution as Exhibit A; and,

WHEREAS, the reasons in support for the moratorium are set forth in Section 3 in the attached moratorium; and

WHEREAS, Pursuant to Moratorium Section 7.1, the duration of the Moratorium is six (6) months. Hence, if not extended, the Moratorium will expire on February 15, 2024; and

WHEREAS, pursuant to Moratorium Section 7.2, this Town Board is authorized to extend the Moratorium by additional two (2) periods of up to six (6) months by resolution if the Town Board determines that such extension is necessary. Thus far, the Moratorium has been extended one period; and

WHEREAS, with the expiration of the initial term of the Moratorium approaching, the Town Board has reviewed the ongoing efforts that have been undertaken in furtherance of the stated purpose of the Moratorium and has found the following:

- At its July 2023 meeting, the Town Board, granted the Supervisor authority to hire planning consultant Nan Stolzenburg, FAICP, of Community Environmental & Planning Associates (Consultant), to review recommendations made by the Zoning Committee, in coordination with the Planning Board, Housing Committee, and Olive Conservation Advisory Council, to amend Town of Olive Town Code Chapter 133 entitled “Subdivision of Land” and Chapter 155 entitled “Zoning”. The purpose of these amendments is to address long-range community planning and zoning objectives as they relate to the subdivision of land in the town.
- It was decided, upon review by the Consultant and Town Zoning Committee, that amendments to preserving the rural character of the town were appropriate to both Chapter 133 and Chapter 155 of the Town Code. The Town Board anticipates that the forthcoming amendments to Chapter 133 and Chapter 155 of the Town Code will implement our community’s goal of preserving the Town’s rural character as a highly valued asset as expressed in the Comprehensive Plan Phase 1 survey completed in the fall of 2022.
- It was also decided, upon review by the Consultant and Town Zoning Committee, that amendments to Chapter 155 to address issues of housing were extensive and outside the scope of the Consultants work in subdivision review. In February 2023, the Town of Olive joined the Ulster County Housing Smart Communities Initiative and was subsequently eligible for consultant support services, paid for by Ulster County, to amend the Town Code for purposes of addressing affordable housing opportunities in Chapter 155. This process is ongoing and the Town Board anticipates it will result in future code amendments to address affordable housing in the Town of Olive.
- On January 19, 2024, the Chair of the Zoning Committee submitted to the Town Board proposed amendments to Town Code Chapter 133 entitled “Subdivision of Land” as recommended by the Consultant and Zoning Committee. The Town Board will decide whether to adopt these

recommendations after further review by the Ulster County Planning Board and Legal Counsel for the Town of Olive.

- It is determined the time necessary to complete further reviews, the introduction of the amendments, perform SEQR review, conduct a public hearing, and final adoption by the Town Board will exceed the termination date of February 15, 2024 as stated in the current extended moratorium.

WHEREAS, based on the foregoing, the Town Board has determined that the Town's efforts to pursue the goal of the Moratorium as set forth therein are ongoing, comprehensive, and diligent. Despite those efforts, the Town has not yet reached its goal of introducing improved and revised amendments to Chapter 133 and Chapter 155 of the Town Code and that more time is needed in order to complete the efforts in furtherance of that goal.

NOW THEREFORE, BE IT RESOLVED, as follows:

- Section A. Pursuant to the authority set forth in Section 7 of the Moratorium, and for the reasons set forth in this Resolution, by this Resolution the Town Board extends the duration of the Moratorium for a period of six (6) months from February 15, 2024 to August 15, 2024 to allow the Town to continue to work toward the completion of revisions to Chapter 133 of the Town Code, entitled "*Subdivision of Land*", and Chapter 155, entitled "Zoning".
- Section B. The Town of Olive Town Clerk is instructed to post a notice on the Town web site to advise the public that the Moratorium has been extended in accordance with this Resolution.
- Section C. The Town of Olive Town Clerk is instructed to file a copy of this Resolution in her office and to provide a courtesy copy of this Resolution to the Ulster County Planning Board.

AND MOVES ITS ADOPTION

Motion made by:

Seconded By:

A Vote was Duly Taken:

	Aye	Nay
Jim Sofranko, Supervisor	_____	_____
David Edinger, Board Member	_____	_____
Andrew Boggess, Board Member	_____	_____
Scott Kelder, Board Member	_____	_____
Victoria Read, Board Member	_____	_____

Dated this 13th day of February, 2024

Dawn Giuditta, Town Clerk