

Workshop of the Village of Tivoli Board of Trustees

AGENDA

August 14, 2024 6:00PM
The Historic Watts dePeyster Hall
86 Broadway, Tivoli, NY 12583

- Presentation of clerical/clarifying edits of LL A 2024
- Acknowledgment and review of Dutchess County Planning Referral
- PUBLIC HEARING regarding LL A 2024
- Review of SEQR EAF part 2 and 3
- Review of Planning Board LWRP findings
- MOTION to approve LWRP findings
- RESOLUTION to approve SEQR Neg Dec with part 3 findings
- RESOLUTION to adopt LL A 2024
- RESOLUTION to approve maximum annual permits and application form
- RESOLUTION to approve Dutchess County IMA

***AGENDA IS SUBJECT TO CHANGE**

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only (If applicable)

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

1. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. ☒ NO ☐ YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☒ NO ☐ YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☒ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	☒	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☒	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☒	☐

d. Other impacts: _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☒ NO☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☒ NO☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☒ NO☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: _____

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Tivoli Board of Trustees, as Lead Agency, has determined that the proposed action described below will not have a significant adverse impact on the environment and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Adoption of Local Law A-1 (Proposed) of 2024 to Amend the Code of the Village of Tivoli for Short-Term Rentals and Accessory Dwelling Units

SEQR Status: Type I ☒
 Unlisted ☐

Conditioned Negative Declaration: ☐ YES
 ☒ NO

Description of Action: The proposed action is the adoption of a local law to regulate short-term rentals and authorize accessory dwelling units in the Village of Tivoli. The law will regulate short-term rentals to minimize impacts of this use on housing availability and affordability. It will allow hosted short-term rentals as a permitted use in the Village, subject to certain conditions and approvals, and will prohibit unhosted short-term rentals due to their incompatibility with existing uses and neighborhood characteristics. The law adds a new Chapter 180 entitled "Short-Term Rentals" to the Village Code, which will require an annual operating permit for hosted short-term rentals to ensure they comply with applicable codes and implement certain safety measures to discourage unsafe structures from being rented. The law amends the Tivoli Zoning Law to allow accessory dwelling units where such use is compatible with existing uses and neighborhood characteristics in order to encourage the creation of more affordable housing in the Village. Related amendments to the Zoning Law are proposed to remove references to bed-and-breakfasts and to amend the definitions of types of dwelling units. The law also amends the Village Zoning Law to require consideration of a project's consistency with the requirements of the Americans with Disabilities Act during site plan review. The amendments are designed to protect the health, safety, and welfare of Village residents and to bring the Village Zoning Law into conformance with "Greenway Connections: Greenway Compact Program and

Guides for Dutchess County Communities” pursuant to Chapter 28 and § 231-79 of the Village Code. The proposed amendments are consistent with the recommendations of the Village’s *Comprehensive Plan* to encourage appropriate levels of tourism while protecting the community’s residential neighborhoods and ensuring the availability of affordable housing.

Location: Village of Tivoli, Dutchess County, NY

Reasons Supporting This Determination:

1. The Village Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Environmental Assessment Form and the Coastal Assessment Form for the proposed action, the Village Board has concluded that environmental effects of the proposed action will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. **Impact on Historic and Archaeological Resources.** The proposed amendments will apply to lands that are located within the Hudson River National Historic Landmark District, which is on the State and National Register of Historic Places, and to lands that have been identified as sensitive for archaeological resources on the New York State Historic Preservation Office archaeological site inventory. The Village Zoning Law includes an Historic Overlay (H-O) District, which is intended to “protect and maintain the traditional scale and architectural look of this historic area as new residential and commercial structures are built and old ones are expanded.” The H-O District requires site plan review by the Planning Board for “construction of any new building, and for construction of any addition to an existing building where the size of the addition will be 50 percent or greater than the existing building size.” The proposed amendments will permit hosted short-term rentals only in a portion of a one-family dwelling, which will have no impact on historic resources. The law will allow for the creation of accessory dwelling units only “within an existing or new principal building or within an existing or new accessory building.” No additions to existing principal buildings or to existing accessory buildings will be permitted for the creation of an accessory dwelling unit. Any potential impacts on historic resources resulting from the creation of an accessory dwelling unit in a new one-family dwelling or a new accessory building in the H-O District will be addressed by the Planning Board during site plan review. Archaeologically sensitive areas contain one or more variables that make them likely locations for evidence of past human activities. No development is proposed as part of the action and therefore the Village Board concludes that no significant adverse environmental impacts will occur to archaeological resources. Based on the foregoing, the Village Board concludes that the proposed action will not result in a significant adverse environmental impact on historic or archaeological resources.
4. **Impact on Noise, Odors, and Light.** Currently, there are no provisions that expressly govern short-term rentals in the Village Code. Short-term rentals—particularly unhosted ones—can result in an increase in noise and odor. The proposed local law will prohibit unhosted short-term rentals and will permit only hosted short-term rentals, where a primary resident is required to live in the one-family dwelling during the rental period; this will ensure that the rental is monitored, which will minimize impacts of noise. The law will prohibit gatherings,

such as parties, weddings, banquets or similar activities, and the operation of a restaurant in connection with a short-term rental; these provisions will minimize impacts of noise and odors. To further minimize potential impacts of noise, the local law identifies the failure to comply with Village's noise ordinance (Chapter 151 of the Village Code) or nuisances ordinance (Chapter 153) as a violation, which could result in the suspension or revocation of an annual operating permit for a short-term rental. The law will require a short-term rental operator to post information in the rental unit regarding the location of solid waste and recycling facilities, which will minimize impacts of odors. Outdoor lighting will be consistent with residential development and is not anticipated to have a significant impact. Based on the foregoing, the Village Board concludes that the proposed action will not result in a significant adverse environmental impact on noise, odors, or light.

5. **Impact on Community Plans.** New York State Village Law in § 7-722(11)(a) requires that "All village land use regulations must be in accordance with a comprehensive plan." The Village of Tivoli's adopted *Comprehensive Plan* (2005) recommends that the Village promote economic vitality by supporting tourism, while also adopting policies and strategies to encourage affordable housing. The proposed local law is consistent with these goals. It provides balanced regulations that will allow hosted short-term rentals, subject to certain conditions and approvals, in one-family dwellings in all Zoning Districts except the restrictive Land Conservation (LC) District to support a modest amount of tourism without removing dwellings from the Village housing stock, which could result in adverse impacts to housing availability and affordability. These provisions will preserve the quiet character of residential neighborhoods where the effect of short-term rentals on quality of life is raised frequently as a concern. As noted in the Dutchess County Planning Federation eNewsletter "Understanding Short-term Rentals: the Challenges and Possibilities of STRs in Our Communities" (September/October 2019), "Stories of wild bachelor parties, numerous cars parked on lawns, and mounds of trash abound, all of which puts additional stress on already overworked police departments and building inspectors. Since short-term rentals often result in a steady stream of guests who come and go from a property, existing residents also mention safety and security as a concern. . . . Even if STRs are well run, conversion from a primary residence for full-time residents to an STR housing transient visitors will affect the character of the neighborhood, as fewer people will know these temporary 'neighbors.'" The Village Board concludes that the proposed action is consistent with the economic development recommendations of the *Comprehensive Plan* to encourage appropriate levels of tourism while protecting the community's residential neighborhoods.
6. The *Comprehensive Plan* also includes a policy to provide for affordable housing. This concern has become more pressing in the 20 years since the Plan was adopted. According to the 2022 Dutchess County Rental Housing Survey, the vacancy rate for rental housing in Dutchess County for 2022 is 2.1 percent. Housing experts recognize a 5% vacancy rate as an indicator of a healthy rental market; it is low enough not to negatively affect landlords, but high enough to permit tenant mobility. The 2022 County vacancy rate is less than half of what is considered a healthy indicator. Vacancy rates in Dutchess County have remained below that 5% threshold for over 25 years. One factor that has contributed to the low vacancy rate, as noted in the Survey, is the "burgeoning short-term rental market." As discussed in the afore-mentioned Dutchess County Planning Federation eNewsletter:

The effect of STRs on housing affordability and availability is another frequently cited concern. Housing prices are very much a function of supply and demand so it makes sense that when housing units are removed from the regular market, either rental or owner, it is likely that prices will increase. A recent joint study from the National Bureau of Economic Research, California State University, and University of Southern California shows this is, in fact, happening. Their study states, “the results presented in this paper suggest that the increased ability to home-share has led to increases in both rental rates and house prices.” In addition, it states “an increase in Airbnb listings leads to a decrease in the number of units available to long-term renters.” Dutchess County has long struggled with low vacancy rates in the rental housing market, so even a small shift further in that direction could create a crisis.

7. To prevent investors from buying residential properties and converting them for the sole purpose of conducting short-term rentals, thereby removing dwellings from the long-term housing market and impacting housing availability and affordability, the proposed local law requires that the dwelling to which a short-term rental is accessory must be occupied by a primary resident during the rental period. The annual operating permit for a short-term rental will require proof that the property is a primary residence. These measures will prevent housing from being removed from the long-term market.
8. Housing affordability is affected by many factors. Tivoli’s population declined 18 percent between 2000 and 2022 and the average household size in the Village during this time period also declined, from 2.39 persons to 2.16 persons, a 9 percent decrease (source: US Census Bureau). The decline in household size means that the same number of people occupy more housing units today than they would have a few decades ago; in other words, the population decline did not make more housing units available. Adding to the housing pressure is a decline in the number of dwelling units in the Village; during the last 22 years, there has been almost no new residential development in the Village, and the number of total units in the Village actually declined from 531 units in 2000 and 521 units in 2022. At the same time, the Village has become a very desirable place to live, experiencing consistently strong buyer demand, which has contributed to sharply escalating housing costs. In 2022, the median property value in the Village was \$346,900 and the median household income was \$44,583 (source: US Census Bureau). An annual household income of \$90,000 is needed to buy a \$350,000 home. Tivoli has also become more desirable for second homes, which currently comprise approximately 5 percent of housing units in the Village. The high demand for housing coupled with a dearth of new construction and an increase in the number of homes purchased by seasonal users have contributed to a lack of affordable housing in the Village. By allowing for accessory dwelling units, the local law will encourage an increase in the housing supply, particularly the supply of smaller dwellings essential to expanding opportunities for more affordable housing for lower- and moderate-income households while providing housing for smaller households and for people who want to downsize. This will also address the decline in population that has made the Village more expensive for existing residents who must share the fixed costs of infrastructure and taxes. The Village Board concludes that these measures will ensure the availability of a housing for a range of income levels, consistent with the housing recommendations of the *Comprehensive Plan*.

9. The proposed local law will permit infill development in the form of accessory dwelling units in areas of the community that are served by municipal water and sewer services, consistent with the recommendations of the Dutchess County Greenway Guide which, “defines smart growth within a traditional and ecological pattern of *Centers and Greenspaces*,” where new development infills and strengthens existing centers such as Villages. It is also consistent with the infill recommendations of Greenway Guide B1 (Priority Growth Areas) and with the recommendations for compact, walkable communities in Greenway Guide B2 (Walkable Communities).
10. Permitting accessory dwelling units in the Village may result in a slight increase in Village population, although this is not anticipated to result in adverse impacts since, as noted previously, Village population declined 18 percent in the last 22 years. The local law amends the definition of “family” in the Village Zoning Law to “A number of persons living together as a single housekeeping unit.” Although this definition does not include a means to verify whether a large numbers of persons are living in a dwelling unit as a single housekeeping unit, it is not significantly different from the current definition (which also permits an unlimited number of persons), and therefore no significant adverse impact on the permanent population of the Village is anticipated as a result of this amendment.
11. Based on the foregoing, the Village Board concludes that the proposed action will not result in a significant adverse environmental impact on community plans.
12. **Impact on Community Character.** While short-term rentals can have beneficial economic impacts resulting from increased tourism, they can also adversely impact community character due to nuisance activities. Noise, garbage, excessive traffic, speeding, trespassing and similar activities can impact quality of life, undermine neighborhood cohesion, and displace long-term residents who have a greater investment in place (as residents, taxpayers, voters) than transient visitors. These impacts are more likely to occur with unhosted short-term rentals, and their impact is greater in more densely developed areas where neighbors live in close proximity, such as in the Village. The proposed local Law addresses these potential impacts to community character by prohibiting unhosted short-term rentals in the Village, and permitting only hosted short-term rentals where a primary resident is present during the rental period.
13. As discussed previously, the local law will prohibit activities such as events, parties and weddings as part of a short-term rental. The law will require short-term rentals to provide facilities for solid waste, and will require operators to post a copy of the Village’s noise ordinance and the property map in the short-term rental unit to minimize impacts of noise and trespassing. It will also set occupational limits (the number of bedrooms that can be rented and the number of guests per bedroom) to discourage disruptive gatherings of large groups. To address the demand for additional community services, particularly police and fire, that can result from short-term rentals, the proposed local law requires evidence of payment of the Hotel Occupancy Tax required by Dutchess County as a requirement for a renewal of the annual operating permit. Based on the foregoing, the Village Board concludes that the proposed action will not result in a significant adverse environmental impact on community character.
14. The Village Board has reviewed and taken into account consistency with the policies, standards, and conditions of the Local Waterfront Revitalization Program (LWRP), and has

reviewed the LWRP Consistency Determination Form approved by the Village Planning Board.

15. The Village Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: Robin Bruno, Village Clerk
Address: 1 Tivoli Commons
PO Box 397
Telephone: Tivoli, NY 12583
845-757-2021

A Copy of this Notice Filed With:

Village of Tivoli Board of Trustees (Lead Agency)
Joel Griffith, Village Mayor
Any person who has requested a copy
Environmental Notice Bulletin: ENB@dec.ny.gov

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Please see attached Negative Declaration.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Village of Tivoli Board of Trustees _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Adoption of Local Law A-1 (Proposed) of 2024 to Amend the Village Code for Short-Term Rentals and Accessory Dwelling Units

Name of Lead Agency: Village of Tivoli Board of Trustees

Name of Responsible Officer in Lead Agency: Joel Griffith

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Robin Bruno, Village Clerk

Address: 86 Broadway, PO Box 397, Tivoli, NY 12583

Telephone Number: (845) 757-2021

E-mail: clerk@tivolinyny.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

LOCAL WATERFRONT REVITALIZATION PROGRAM
CONSISTENCY DETERMINATION
Village of Tivoli, New York

On April 8, 1991, the Village of Tivoli adopted a Local Waterfront Revitalization Program (LWRP), which was approved by the New York State Secretary of State on April 29, 1991 and by the U.S. Office of Ocean and Coastal Resource Management on July 29, 1991.

The LWRP requires that whenever a proposed action is located within the Waterfront Revitalization Area, each involved agency, or the lead agency under a coordinated SEQR review, shall make a determination that the action is consistent with the LWRP policy standards and conditions prior to approving, funding or undertaking the action. If the involved agency, or lead agency as the case may be, is other than the Planning Board of the Village, then the agency's consistency determination shall be made only after the application or proposal for direct action has been referred to the Planning Board for its recommendation on consistency.

This form is designed to assist the Planning Board in making its recommendation regarding whether a proposed action is consistent with the LWRP. For an explanation of the policies, please review the LWRP, which is on file with the Village Clerk and can be found online at https://dos.ny.gov/system/files/documents/2020/08/tivoli_v-compressed.pdf.

Name of Action: Local Law No. A-1 (Proposed) of 2024 to Amend the Code of the Village of Tivoli for Short-Term Rentals and Accessory Dwelling Units

Description of Action: The proposed action is the adoption of a local law to amend the Tivoli Village Code to regulate short-term rentals in order to minimize impacts of short-term rentals on housing availability and affordability, and to authorize accessory dwelling units in order to encourage the creation of more affordable dwellings in the Village.

Consistency Determination: The Village of Tivoli Planning Board has reviewed the proposed action against the policies of the Village's LWRP and has determined that the proposed action is:

- ☐ Consistent with the policies of the LWRP
- ☐ Not consistent with the policies of the LWRP

Planning Board Chairperson

Date

LOCAL WATERFRONT REVITALIZATION CONSISTENCY FORM				
		Consistent		Comments
Policy		N/A	Yes	No
A. Development Policies				
1.	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.	✓		
2.	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.	✓		
2A.	Adjacent to the Village coastal waters, water enhanced uses should be limited to existing low density residential and agricultural areas on the bluff to the north and south of the river landing.		✓	Any accessory dwelling unit built prior to 1950 in the portion of the LC District that encompasses the bluffs will be exempt from the proposed requirements, and new ADUs in this area will be allowed only in an existing one-family dwelling or accessory building. This will allow for fewer than 10 new ADUs in this area, a minor increase in density.
3.	State coastal policy not applicable to Tivoli.	✓		
4.	State coastal policy not applicable to Tivoli.	✓		
5.	Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.		✓	Accessory dwelling units will be permitted on lots within the R15,000 District that are a minimum of 30,000 square feet in size, and on lots in the R1 District that are a minimum of 1 acre in size; these areas are served by municipal water and sewer services. Parcels in the R2, R3, and RB Districts, some of which are served by municipal water, will also be permitted ADUs, although at a much lower density. Once the proposed improvements to the Village's WWTF have addressed inflow and infiltration issues, capacity will be restored, allowing ample opportunity for construction of accessory dwelling units.
5A.	Commercial, light industrial and high density residential development will be located in and adjacent to the Central Business District in the upland Village area where public services and facilities essential to such development are available.		✓	Subject to the minimum lot sizes specified above, the proposed regulations will allow for a greater concentration of new ADUs adjacent to the Central Business District than elsewhere in the community.
6.	Expedite permit procedures in order to facilitate the siting of development activities in suitable locations.		✓	Short-term rentals will be allowed subject only to issuance of a short-term rental permit from the Zoning Enforcement Officer. The

LOCAL WATERFRONT REVITALIZATION CONSISTENCY FORM				
Policy	N/A	Consistent		Comments
		Yes	No	
				proposed regulations for accessory dwelling units will be incorporated within existing procedures for special use permit and site plan approvals.
B. Fish and Wildlife Policies				
7. Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.	✓			No development is proposed as part of the action.
7A. The locally significant habitats of Stony Creek and the Hudson River along Tivoli's waterfront will be protected preserved and improved. The Hudson River bluffs, Tivoli Bay, and Stony Creek should be protected from overdevelopment.		✓		Accessory dwelling units built prior to 1950 in the LC District will be exempt from the proposed requirements, and new ADUs in this area will be allowed only in an existing one-family dwelling or accessory building. This will allow for fewer than 10 new ADUs on the portion of the LC District that encompasses the Hudson River bluffs, a minor increase in density. There is no existing development in the portion of the LC District adjacent to Tivoli Bay, and therefore the proposed regulations will not allow for any ADUs in this area. There is only one existing building in the portion of the LC District located adjacent to the Stony Creek, and therefore the proposed regulations will allow for only one (1) ADU in this area. These regulations will protect the Hudson River bluffs, Tivoli Bay, and Stony Creek from overdevelopment.
8. Protect fish and wildlife resources in the Coastal Area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.	✓			No hazardous wastes or other pollutants will result from the proposed action.
8A. The disposal of septic waste and the establishment of dumps within the Village limits and within the Stony Creek watershed shall not be allowed.	✓			
9. Expand recreational use of fish and wildlife resources in Coastal Areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	✓			
9A. Improve public access to the Hudson River in areas publicly owned.	✓			

LOCAL WATERFRONT REVITALIZATION CONSISTENCY FORM				
Policy	N/A	Consistent		Comments
		Yes	No	
10. Further develop commercial finfish, shellfish, and crustacean resources in the Coastal Area by: (1) encouraging the construction of new, or improvement of existing, on-shore commercial fishing facilities; (2) increasing marketing of the State's seafood products; and (3) maintaining adequate stocks and expanding aquaculture facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.	✓			
C Flood and Erosion Hazards Policies				
11. Buildings and other structures will be sited in the Coastal Area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.	✓			No development is proposed as part of the action.
12. Activities or development in the Coastal Area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.	✓			See above.
13. The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	✓			See above.
14. Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	✓			See above.
15. Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	✓			See above.
16. Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	✓			See above.
17. Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (1) the set back of buildings and structures; (2) the planting of vegetation and the installation of sand fencing and draining; (3) the reshaping of bluffs; and (4) the flood-proofing of buildings or their elevation above the base flood level.	✓			See above.
17A. Building setbacks from bluffs, streams and wetlands shall be sufficient so that danger from flooding and erosion is minimized.	✓			See above.
D General Policy				

LOCAL WATERFRONT REVITALIZATION CONSISTENCY FORM				
Policy	N/A	Consistent		Comments
		Yes	No	
18. To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the Coastal Area must give full consideration to those interests, and to the safeguards which the State has established to protect valuable coastal resource areas.	✓			A major action is not proposed.
E. Public Access Policies				
19. Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks.	✓			No development is proposed as part of the action, and no impacts to public access will result from the proposal to allow short-term rentals and accessory dwelling units.
20. Access to the publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	✓			No development is proposed as part of the action.
F. Recreation Policies				
21. Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.	✓			
21A. Increase public access to the Tivoli Bays estuarine sanctuary and adjacent buffer lands through provision of a wide variety of water related recreation facilities and educational programs.	✓			
21B. Provide boating access to the Hudson River through construction of a State boat launch near the Village landing and a canoe launch into North Tivoli Bay.	✓			
22. Development, when located adjacent to the shore, will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.	✓			
G. Historic Resources and Scenic Resources Policies				
23. Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the nation.		✓		No development is proposed as part of the action. Any development of new buildings for accessory dwelling units that may occur in the Historic Overlay (H-O) District in the future as a result of the action will require site plan approval from the Planning Board.
24. Prevent impairment of scenic resources of statewide significance.		✓		See above. For areas outside the H-O District,

LOCAL WATERFRONT REVITALIZATION CONSISTENCY FORM				
Policy	N/A	Consistent		Comments
		Yes	No	
				accessory buildings constructed for ADUs in the R2A District would be required to be set back a minimum of 20 feet from the front building line of the principal building; a minimum of 50 feet from the front property line in the R-3A and LC Districts; and a minimum of 60 feet from the front property line in the RB District, which will minimize potential impacts on scenic resources.
24A. Prevent impairment of scenic resources incorporated within the Mid-Hudson Historic Shorelands Scenic District.		✓		
25. Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the Coastal Area.		✓		
H. Agricultural Lands Policy				
26. To conserve and protect agricultural lands in the State's Coastal Area, an action shall not result in a loss, nor impair the productivity of important agricultural lands, as identified on the Coastal Area map, if that loss or impairment would adversely affect the viability of agriculture in an Agricultural District, or if there is no Agricultural District, in the area surrounding such lands.		✓		The proposed action will allow for accessory dwelling units on agricultural lands, a minor impact that will not significantly affect the viability of agriculture.
I. Energy and Ice Management Policies				
27. Decisions on the siting and construction of major energy facilities in the Coastal Area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	✓			
28. Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	✓			
29. State coastal policy not applicable to Tivoli.	✓			
J. Water and Air Resources Policies				
30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and national water quality standards.	✓			
31. State Coastal Area policies and management objectives of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards. However, those waters already overburdened with contaminants will be recognized as being a development constraint.	✓			
32. Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	✓			

LOCAL WATERFRONT REVITALIZATION CONSISTENCY FORM

Policy	N/A	Consistent		Comments
		Yes	No	
33. Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	✓			
34. Discharge of waste material into coastal waters from vessels subject to State jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	✓			
35. Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	✓			
36. Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	✓			
37. Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	✓			
38. The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	✓			
38A. The Stony Creek and its watershed are the primary water supply for the Village of Tivoli. No action will be undertaken which will adversely affect percolation, infiltration and recharge in the area of Stony Creek, Village wells or the Tivoli Creek watershed.				
39. The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within Coastal Areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	✓			

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF
NONSIGNIFICANCE FOR LOCAL LAW A-1 (PROPOSED) OF 2024**

WHEREAS, the Village Board is considering the adoption of Law No. A-1 (Proposed) of 2024 entitled **"A LOCAL LAW TO ESTABLISH A NEW CHAPTER 180 OF THE CODE OF THE VILLAGE OF TIVOLI TO BE KNOWN AS "SHORT-TERM RENTALS," AND TO AMEND CHAPTER 231 OF THE CODE OF THE VILLAGE OF TIVOLI, ENTITLED "ZONING," REGARDING SHORT-TERM RENTALS AND ACCESSORY DWELLING UNITS TO AMEND THE SITE PLAN REGULATIONS REGARDING ACCESSIBILITY, AND MAKE RELATED AMENDMENTS"** in the form on the file with the Village Clerk; and

WHEREAS, the proposed Local Law would establish new regulations regarding permits for short-term rentals and amend the Village of Tivoli Zoning Law in order to adequately regulate short-term rental uses, accessory dwelling units, and disability accessibility in the Village of Tivoli, Dutchess County, New York; and

WHEREAS, pursuant to the State Environmental Quality Review Act ("SEQRA"), a Full Environmental Assessment Form ("FEAF") and Coastal Assessment Form ("CAF") regarding the Proposed Local Law, have been prepared and are on file with the Village Clerk; and

WHEREAS, a copy of Local Law A-1 (Proposed) of 2024 was provided to the Planning Board, together with a copy of the EAF and CAF, for a report and recommendation thereon pursuant to Section 225-7 of the Zoning Law and, for its recommendations regarding consistency with the Local Waterfront Revitalization Plan; and

WHEREAS, the Village Board has reviewed an Environmental Assessment Form (EAF) and Coastal Assessment Form (CAF), in the forms on file with the Village Clerk, has determined to act as lead agency, to which no agency has objected, and has determined that the proposed action is a Type I action.

WHEREAS, the Town Board has prepared a Full Environmental Assessment Form ("FEAF") and Coastal Assessment Form ("CAF") for the proposed action; and

WHEREAS, the Town Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern, including any disclosed in the FEAF and CAF; and

WHEREAS, the Village Board has revised the FEAF Part 1 and CAF regarding Local Law A-1 (Proposed), and has reviewed a draft FEAF Part 2, all in the forms on file with the Village Clerk; and

WHEREAS, the Village Board has reviewed a draft Notice of Determination of Non-Significance (Negative Declaration) in the form on file with the Village Clerk setting forth reasons supporting a determination that the proposed action will not have a significant adverse impact on the environment; and

WHEREAS, at its meeting held on August 12, 2024, the Planning Board recommended a finding that the proposed Local Law is consistent with the Village's Local Waterfront Revitalization Program; and

WHEREAS, the Village Board has reviewed the proposed Local Law and its consistency with the Villages Local Waterfront Revitalization Program, and has reviewed the Planning Board's finding of consistency.

NOW THEREFORE BE IT RESOLVED, by the Village Board of Trustees of the Village of Tivoli hereby:

1. Adopts a negative declaration and determines that the proposed action will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and
2. Authorizes and directs the Village Clerk to distribute a copy of this resolution to all involved and interested agencies, the Mayor, and any person that has requested a copy and to make all other filings required by law.

A special meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on August 14, at 6:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith
Emily Majer
Peter Baldino
D. William Shilling
Emily Mangieri

Mayor
Deputy Mayor
Trustee
Trustee
Trustee

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE
FOR LOCAL LAW A-1 (PROPOSED) OF 2024**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Joel Griffith	Voting ____
Emily Majer	Voting ____
Peter Baldino	Voting ____
D. William Shilling	Voting ____
Emily Mangieri	Voting ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 14th day of August, 2024 and entitled:

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF
NONSIGNIFICANCE FOR LOCAL LAW A-1 (PROPOSED) OF 2024**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of August 2024.

-SEAL-

Robin Bruno
Village Clerk

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW A-1
(PROPOSED) OF 2024, A LOCAL LAW REGARDING SHORT-TERM
RENTALS, ACCESSORY DWELLING UNITS, TO AMEND THE SITE
PLAN REGULATIONS REGARDING ACCESSIBILITY, AND MAKE
RELATED AMENDMENTS**

WHEREAS, a proposed form of Local Law No. A (Proposed) of 2024 entitled “A Local Law To Establish A New Chapter 180 Of The Code Of The Village Of Tivoli To Be Known As ‘Short-Term Rentals,’ And To Amend Chapter 231 Of The Code Of The Village Of Tivoli, Entitled ‘Zoning,’ Regarding Short-Term Rentals And Accessory Dwelling Units” (the “Proposed Local Law”) was presented to the Village Board on May 15, 2024; and

WHEREAS, the Proposed Local Law would establish new regulations regarding permits for short-term rentals, amend the Village of Tivoli Zoning Law in order to adequately regulate short-term rental uses, authorize accessory dwelling units on certain single family lots, and make site plan changes regarding accessibility in the Village of Tivoli, Dutchess County, New York; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”), a Full Environmental Assessment Form (“FEAF”) and Coastal Assessment Form (“CAF”) regarding the Proposed Local Law, have been prepared and are on file with the Village Clerk; and

WHEREAS, on May 15, 2024, the Village Board reviewed the FEAF and CAF and classified the proposed action as a Type 1 action under the State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency, and is the only involved agency; and

WHEREAS, a resolution was adopted by the Village Board on May 15, 2024, setting a public hearing to be held by said Village Board on June 12, 2024 at 6:00 p.m., to hear all interested parties on said Proposed Local Law; and

WHEREAS, notice of said public hearing was duly advertised in the Daily Freeman, the official newspaper of said Village, on May __, 2024, which was not less than ten days prior to the date of said public hearing, and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, a copy of Local Law A (Proposed), together with a copy of the EAF and CAF, was referred to the Dutchess County Department of Planning and Development which responded on June 28, 2024, that it was a matter of local concerns and including comments regarding the proposed law; and

WHEREAS, on June 15, 2024, and July 17, 2024, the Village Board held a public hearing regarding the Proposed Local Law; and

WHEREAS, based on the Village Board's own study of the matter, comments received and information presented at such hearing there has been proposed and presented to this Board an amended form of such local law, to be referred to as Local Law A-1 (Proposed) of 2024 entitled **"A LOCAL LAW TO ESTABLISH A NEW CHAPTER 180 OF THE CODE OF THE VILLAGE OF TIVOLI TO BE KNOWN AS "SHORT-TERM RENTALS," AND TO AMEND CHAPTER 231 OF THE CODE OF THE VILLAGE OF TIVOLI, ENTITLED "ZONING," REGARDING SHORT-TERM RENTALS AND ACCESSORY DWELLING UNITS, TO AMEND THE SITE PLAN REGULATIONS REGARDING ACCESSIBILITY, AND MAKE RELATED AMENDMENTS"** in the form on file with the Village Clerk (the "Revised Proposed Local Law"); and

WHEREAS, a resolution was adopted by the Village Board on July 24, 2024, setting a continued public hearing to be held by said Village Board on August 14, 2024 at 6:00 p.m., to hear all interested parties on said Local Law; and

WHEREAS, notice of said public hearing regarding the Revised Proposed Local Law was duly advertised in the Dailey Freeman, the official newspaper of said Village, on _____ 2024, which was not less than ten days prior to the date of said public hearing, and

WHEREAS, a copy of the Revised Proposed Local Law was provided to the Planning Board, together with a copy of the EAF and CAF, for a report and recommendation thereon pursuant to Section 225-7 of the Zoning Law for its recommendations regarding consistency with the Local Waterfront Revitalization Plan; and

WHEREAS, on August 14, 2024, the Village Board adopted a negative declaration under SEQRA, determining that the proposed adoption of the Revised Proposed Local Law will not have a significant adverse effect on the environment and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, a copy of the Revised Proposed Local Law, together with a copy of the EAF and CAF, was re-referred to the Dutchess County Department of Planning and Development which responded on August ____, 2024 that it was a matter of local concern; and

WHEREAS, on August 12, 2024, the Village Planning Board determined that Revised Proposed Local Law is consistent with the Village's Local Waterfront Revitalization Plan; and

WHEREAS, the Village Board finds that the Revised Proposed Local Law is consistent with the Village's Comprehensive Plan; and

WHEREAS, the Village Board of Trustees, after due deliberation, finds it in the best interests of the Village to adopt said Revised Proposed Local Law, in the form attached hereto.

NOW THEREFORE BE IT RESOLVED, by the Village Board of Trustees of the Village of Tivoli as follows:

1. The Village Board hereby adopts said Local Law A-1 (Proposed) of 2024, now referred to as Local Law No. __ of 2024, entitled **“A LOCAL LAW TO ESTABLISH A NEW CHAPTER 180 OF THE CODE OF THE VILLAGE OF TIVOLI TO BE KNOWN AS “SHORT-TERM RENTALS,” AND TO AMEND CHAPTER 231 OF THE CODE OF THE VILLAGE OF TIVOLI, ENTITLED “ZONING,” REGARDING SHORT-TERM RENTALS AND ACCESSORY DWELLING UNITS, TO AMEND THE SITE PLAN REGULATIONS REGARDING ACCESSIBILITY, AND MAKE RELATED AMENDMENTS”** in the form attached hereto and made a part of this resolution; and
2. The Village Clerk hereby is directed to enter said local law in the minutes of this meeting and in the Village Code of the Village of Tivoli, to give due notice of the adoption of said local law to the Secretary of State of New York, and to take all other actions as may be required by law.

EXTRACT OF MINUTES

A special meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on August 14, at 6:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith
Emily Majer
Peter Baldino
D. William Shilling
Emily Mangieri

Mayor
Deputy Mayor
Trustee
Trustee
Trustee

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW A-1
(PROPOSED) OF 2024, A LOCAL LAW REGARDING SHORT-TERM
RENTALS, ACCESSORY DWELLING UNITS, TO AMEND THE SITE
PLAN REGULATIONS REGARDING ACCESSIBILITY, AND MAKE
RELATED AMENDMENTS**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Joel Griffith
Emily Majer
Peter Baldino
D. William Shilling
Emily Mangieri

Voting ____
Voting ____
Voting ____
Voting ____
Voting ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 14th day of August, 2024 and entitled:

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW A-1
(PROPOSED) OF 2024, A LOCAL LAW REGARDING SHORT-TERM
RENTALS, ACCESSORY DWELLING UNITS, TO AMEND THE SITE
PLAN REGULATIONS REGARDING ACCESSIBILITY, AND MAKE
RELATED AMENDMENTS**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of August 2024.

-SEAL-

Robin Bruno
Village Clerk

Local Law Filing

NYS DEPARTMENT OF STATE
DIVISION OF CORPORATIONS, STATE RECORDS AND
UNIFORM COMMERCIAL CODE
ONE COMMERCE PLAZA, 99 WASHINGTON AVENUE
ALBANY, NY 12231.

(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.

Village of Tivoli

Local Law No. A-1 (Proposed) of 2024

A LOCAL LAW TO ESTABLISH A NEW CHAPTER 180 OF THE CODE OF THE VILLAGE OF TIVOLI TO BE KNOWN AS "SHORT-TERM RENTALS," AND TO AMEND CHAPTER 231 OF THE CODE OF THE VILLAGE OF TIVOLI, ENTITLED "ZONING," REGARDING SHORT-TERM RENTALS AND ACCESSORY DWELLING UNITS TO AMEND THE SITE PLAN REGULATIONS REGARDING ACCESSIBILITY, AND MAKE RELATED AMENDMENTS.

Be it enacted by the Board of Trustees of the Village of Tivoli as follows:

SECTION 1. LEGISLATIVE INTENT.

The purpose of this law is to amend the Tivoli Village Code in order to regulate short term rentals and authorize accessory dwelling units in a manner that will support affordable housing. The law establishes new regulations regarding permits for short-term rentals and amends the Village of Tivoli Zoning Law in order to adequately regulate short-term rental uses. The law also amends the Tivoli Zoning Code to authorize accessory dwelling units under circumstances where such use is compatible with existing uses and neighborhood character.

The use of short-term rentals as an alternative to traditional lodging has increased in the nation and in the region in recent years, and many tourists now seek accommodations in short-term rentals via various website platforms. Short-term rentals can offer an alternative means of income for some property owners, but they also have the potential to adversely impact community character by allowing what are effectively lodging uses without permits or approvals and in buildings and in areas where lodging may not be permitted. The presence of short-term rentals can also lead to the reduction of affordable housing supply by removing existing dwelling units from the market and driving up demand for the limited remaining housing supply. This can result in fewer available units and increased prices or rents for those units.

This law will authorize certain short-term rental uses as a permitted use in the Village subject to specific conditions and approvals. This law will prohibit short-term rental uses in areas of the Village where they are incompatible with the existing uses and neighborhood characteristics. A primary resident must remain on the premises throughout the rental period. By limiting the type

and location of short-term rentals, and by requiring them to undergo review and receive approval by Village authorities, this law addresses negative impacts associated with these uses and will promote public health, safety, and welfare. Requiring a permit for short-term rentals will discourage unsafe structures from being rented to transient visitors by requiring that they comply with applicable codes and implement certain safety measures.

This law will also authorize accessory dwelling units in certain areas in the Village subject to a special use permit. Accessory dwelling units can provide additional affordable housing opportunities. Accessory dwelling units add capacity, encouraging the use of existing housing as revenue stream and long-term rental

Furthermore, The Village of Tivoli is committed to allowing every individual an equal opportunity to enjoy a full and productive life. This commitment extends to providing accommodations for persons with disabilities. All new buildings or major alterations, and to the greatest extent practicable, historic buildings, will be designed to meet Americans with Disabilities Act ("ADA") standards, recognizing that historic storefronts with no setbacks and existing steps are sometimes difficult to retrofit for full ADA compliance. This law mandates ADA consideration in site plan review.

The proposed amendments to the Village Code are designed to protect the health, safety, and welfare of the public. The amendments are consistent with the recommendations of the Village's adopted *Comprehensive Plan* and with "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities" pursuant § 231-79 of the Village Code.

SECTION 2. APPLICATION

This Local Law shall apply within the Village of Tivoli.

SECTION 3. ADOPTION OF NEW CHAPTER 180, ENTITLED, "SHORT-TERM RENTALS."

§ 3.1. A new chapter 180 is hereby inserted into the Code of the Village of Tivoli to read as follows:

Chapter 180. Short-Term Rentals

§ 180-1. Purpose

The Village of Tivoli Board of Trustees has determined it is in the best interest of the Village and its residents to regulate short-term rentals. The Village Board recognizes the benefits of short-term rentals to allow homeowners to supplement their income to defray the cost of housing and to provide lodging for visitors to the Village. The presence of short-term rentals also can result in a reduction in the affordable housing supply by removing dwelling units from the market and driving up demand for the limited remaining housing. This can result in fewer available units and increased prices or rents for those units. The Village Board believes that the restrictions and requirements imposed herein further the Village's goals and objectives to advance housing affordability, preserve the residential quality of neighborhoods, and protect the health, safety and welfare of the Village and its

residents. This chapter describes procedures and requirements for obtaining a permit for a short-term rental and is intended to operate in conjunction with the regulations of Village of Tivoli Code Chapter 231 entitled "Zoning."

§ 180-2. Definitions

Terms used in this section shall have the meanings given in Chapter 231 of the Code.

§ 180-3. Annual Operating Permit, Application

- A. In accordance with Chapter 231 of the Tivoli Code, unhosted short-term rentals are prohibited in all zoning districts in the Village. This chapter permits issuance of permits for hosted short term rentals.
- B. It shall be unlawful for any person to operate, rent, lease, or advertise for rent a hosted short-term rental within the Village of Tivoli without having obtained an annual operating permit for such purpose in accordance with the provisions of this chapter, and without having obtained requisite planning and zoning approvals under Chapter 231, Zoning, if any. Any applicable planning and zoning approvals must be granted prior to the issuance of an annual operating permit.
- C. Subject to the conditions set forth in this chapter, a property owner may obtain an annual operating permit where such use is permitted in the Zoning District by Chapter 231, subject to the conditions of Chapter 231.
- D. All annual operating permits shall expire on December 31 of the year in which they are issued. Except for an annual operating permit originally issued in the year 2024 which shall expire December 31, 2025.
- E. A property owner may apply for renewal for the following calendar year within three months prior to the expiration date. A property owner desiring to operate a hosted short-term rental shall make a written application for an annual operating permit to the zoning enforcement Officer. The application for an annual operating permit shall be made on forms provided by the Village of Tivoli and shall include the information required by this chapter and at least the following:
 - 1) Name, mailing address, phone number, and email address of all property owners and all primary residents of the property.
 - 2) Physical address and tax map ID number of the short-term rental property and proof of ownership (current deed or latest property tax record).
 - 3) The application shall state whether there are any home occupations (and whether Class 1 or Class 2) or accessory dwelling units located on the property.
 - 4) Floor plan showing all bedrooms in the dwelling and identifying those to be used as a short-term rental, indicating the square footage and ceiling height of bedroom(s) to be a height of at least seven feet, and indicating location of two means of egress from each bedroom.
 - 5) A Sketch map sufficient to show the location of all available off-street parking on the lot.

- 6) Certification that the building in which the short-term rental room(s) are located contains functioning smoke and carbon monoxide detectors as well as a functioning fire extinguisher on each floor, and two means of ingress/egress for each rented bedroom as defined in Chapter 98 of the Village Code.
 - 7) A certification in a form acceptable to the Village signed and notarized by the primary resident attesting to the fact that the property is their primary residence and the primary resident will reside on the property during the rental period.
 - 8) The application shall be signed by all the property owners.
 - 9) Payment of the nonrefundable permit fee in accordance with the fee schedule established and periodically reviewed by resolution of the Village Board of Trustees.
- F. In addition to the application and information required pursuant to subdivision C above, an applicant for an annual operating permit shall provide the following documentation along with the application:
- 1) Hotel Occupancy Tax. For any renewal application, evidence of payment of the Hotel Occupancy Tax required by Dutchess County for the prior fiscal year shall be submitted.
 - 2) The Building Inspector shall verify that the property described in the application is consistent with the records of the Village and Certificate of Occupancy.
 - 3) If the structure to be used as the hosted short-term rental is the subject of a pending building permit or does not have a current certificate of occupancy, the building inspector may require an inspection for compliance with applicable requirements of the NYS Uniform Fire Prevention and Building Code. Alternatively, the inspection may be conducted by a New York State licensed engineer or architect hired by the applicant.
 - 4) Proof of payment of the annual fee.
- G. Any owner of a parcel in the Village with a short-term rental permit shall not be permitted to obtain a second short-term rental permit.
- H. The Village Board shall establish by resolution the maximum number of short-term rental permits that may be issued in any year.

§ 180-4. SHORT-TERM RENTAL Operating Standards and Supplemental Regulations.
The following regulations apply to all short-term rentals.

- A. It shall be unlawful to use, establish, maintain, operate, rent or lease any property as a short-term rental unless the primary resident identified as such in the application is staying at all times at the premises and not an accessory dwelling unit during the rental period
- B. Hosted short-term rentals shall only be permitted in a one family dwelling.
- C. Only the owner(s) of the property containing a proposed hosted short-term rental may apply for a short-term rental permit.

- D. Hosted short-term rentals may be rented not more than an aggregate of 60 days per calendar year with the exception of the GB and RB where there shall be no limit.
- E. Annual Permit Holders are only permitted to rent up to a maximum of two (2) bedrooms within the dwelling with the exception of the GB and RB where a maximum of four (4) bedrooms may be rented.
- F. At least one (1) bedroom in the dwelling shall be retained for the exclusive use of the primary resident.
- G. Annual operating permits for a short-term rental are specific to the designated owner and property and cannot be transferred to other owners or properties.
- H. An annual operating permit shall not be issued to any owner or for any property with an outstanding notice of violation under the Village of Tivoli Code, nor to any owner or property with a permit that was suspended or revoked and remains uncured, or that was suspended or revoked two or more times during the two-year period preceding the year applied for.
- I. No recreational vehicle, bus, camping or travel trailer, or temporary housing, including but not limited to a tent or treehouse, shall be used as a short-term rental.
- J. If the structure to be used as the short-term rental is the subject of a pending building permit or does not have a current certificate of occupancy, the building inspector may require an inspection for compliance with applicable requirements of the NYS Uniform Fire Prevention and Building Code. Alternatively, the inspection may be conducted by a New York State licensed engineer or architect hired by the applicant.
- K. A maximum of 2 guests are permitted per bedroom (children under 12 years of age shall not count towards this maximum).
- L. The parking spaces required by the Zoning Law must be available for use by the short-term rental tenants.
- M. All short-term rentals shall comply with all applicable provisions of the Village Code.
- N. A hosted short-term rental may not be permitted in addition to a Class 2 Home Occupation on the same parcel.
- O. The owner of a short-term rental shall provide the permit number of the short-term rental, and the name and contact number of the property owner and, if different, the primary resident (i) in any rental confirmation provided to a prospective occupant; (ii) in a written posting at the premises; (iii) in any advertising or listing, the permit number only. Permit number, date of issue, owner name and, if applicable, primary resident name, are publicly available.
- P. Short-term rental owners shall post a copy of the following in an open and conspicuous place in the rental unit that shall be readily visible to all guests:

- 1) Short-term rental Permit or Registration Number.
 - 2) A copy of the most recent short-term rental information pamphlet issued by the village regarding quiet hours, nuisance gatherings, and other matters determined from time to time by the Village.
 - 3) A safety/egress plan shall be posted in a visible location inside the short-term rental and on the back of each bedroom door offered for rent.
 - 4) A property map (either a survey of the property or a tax map printed from Dutchess County Parcel Access) depicting property boundaries and notice to guests not to trespass on neighbors' property.
 - 5) Information identifying location of easily accessible solid waste and recycling facilities, and pickup date(s).
- Q. Facilities to handle solid waste, including recycling, shall be made available to short-term rental guests and shall be easily accessible, secure and screened from adjacent properties. failure to adequately provide for and dispose of refuse shall be a violation of this chapter.
- R. Each short-term rental owner shall be required to maintain a record of all short-term rental rentals, which shall be available for inspection by the zoning enforcement officer upon request. The record shall be a true and accurate record of the use of the short-term rental and shall include the dates and total number of days rented, and number of guests. Each owner shall retain such records for a minimum of three (3) years.
- S. Occupancy Taxes. The property owner shall be responsible for payment of the Hotel Occupancy Room Tax to Dutchess County either directly or through Airbnb or other platforms if applicable, and for collecting and remitting all applicable occupancy and sales taxes required by state law and/or County local law. Failure to pay all required taxes shall be a violation of this Chapter. The Village may transmit permit information to Dutchess County for enforcement purposes.
- T. If the short-term room rental is advertised, the short-term rental permit number must be included in the listing.

§ 180-65 Enforcement and Administration

- A. Violations. Any of the following shall constitute a violation of this chapter:
- 1) Failure to comply with any provision of this chapter.
 - 2) Advertising or listing a short-term rental without a valid permit, or without including the permit number on the advertising or listing, or advertising or listing a short-term rental for a greater occupancy than permitted.
 - 3) Operation of a short-term rental without a valid permit or for a greater occupancy than permitted.
 - 4) Failure to properly display a valid annual operating permit or the required safety/egress plan, waste management plan, copy of the village's short-term rental information pamphlet, and property map when required by Chapter 180.

- 5) Fraud or misrepresentation with respect to any information provided to the Village in connection with the short-term rental application or its operation.
- 6) Violation of Chapter 151, Noise or Chapter 153, Nuisances.
- 7) Activity at the property that creates a public nuisance, or otherwise constitutes a danger to the public health, safety, welfare or morals in violation of § 153 of the Village Code, Nuisances.

B. Suspension or Revocation of a Permit

- 1) A notice of violation may be issued by the Zoning Enforcement Officer or Building Inspector for any violation of Chapter 180. The notice of violation shall describe the violation and require the permit holder to immediately correct the violation or cause the violation to be corrected.
- 2) The notice of violation shall be provided to the permit holder by personal service, by regular mail to the address submitted with the permit application, or by posting at the short-term rental address.
- 3) Failure to correct the violation or cause the violation to be corrected shall be grounds for immediate suspension or revocation of the permit.
- 4) A permit holder shall be entitled to request a hearing on suspension or revocation before the Village Mayor or other hearing officer designated by the Mayor, upon application made to the Village Clerk demonstrating that the permit holder was not in violation of the permit. Any suspension or revocation remains in effect unless modified by the hearing officer. The hearing officer shall hold a hearing to determine whether to reverse the suspension or revocation within 30 days of written request.
- 5) Notwithstanding the above, in the event the zoning enforcement officer determines that the short-term rental is unsafe and presents an immediate hazard to those on the premises, they may immediately suspend an annual operating permit.

C. Enforcement

- 1) The requirements established by this chapter shall be administered and enforced by any law enforcement agency that has jurisdiction in the Village of Tivoli ("police officers"), the Village of Tivoli Zoning Enforcement Officer, Code Enforcement Official/Building Inspector and Village Attorney or his/her designee and such other employees and/or officials authorized by the Village Board.
- 2) In addition to any administrative remedy, pursuant to the provisions of Municipal Home Rule Law, § 10, Subdivision 4(a), and the Criminal Procedure Law, § 150.10, Police Officers, the Zoning Enforcement Officer and Code Enforcement Official/Building Inspector of the Village of Tivoli are hereby authorized to issue and serve appearance tickets, as defined in the Criminal Procedure Law, returnable in Village Court of the Village of Tivoli, when he or she has reasonable cause to believe a person has violated, in his or her presence, Chapter 180 of the Code of the Village of Tivoli, entitled "Short Term Rentals," and to prosecute the violation in Village Court.

D. Penalties for offenses.

- 1) Violation of any provision or requirement of this chapter or violation of any statement, application, or permit approved under the provisions of this chapter shall be considered an offense punishable by a fine of not more than \$250 and/or imprisonment for not more than six months for a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine of not less than \$250 nor more than \$500 and/or imprisonment for not more than six months; and upon conviction for a third or subsequent time within a period of five years, punishable by a fine of not less than \$500 nor more than \$1,000 and/or imprisonment for a period of not more than six months.
- 2) The owner, agent, or operator of a building, premises or part thereof where such violation has been committed or does exist and any agent, corporation or other person who commits, takes part or assists in such violation shall be individually liable for such an offense. All such penalties shall be collectible by and in the name of the Village. Each and every week that any such violation continues after notification that such violation exists shall constitute a separate chargeable offense. Such initial notice and subsequent notice shall be given in accordance with § 180-6(B) herein.
- 3) Conviction of a violation of this chapter shall constitute and effect an immediate forfeiture of any permit hereunder held by the person so convicted.
- 4) Without limiting any other remedy, the Village Board may also maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with, or to restrain by injunction the violation of, this chapter.

SECTION 4. AMENDMENTS TO ARTICLE II OF THE ZONING LAW, ENTITLED, "TERMINOLOGY"

§ 4.1. Section 231-4 of the Code is hereby amended by the addition deleting the definitions of "Apartment house" and "Bed-and-Breakfast" in their entirety.

§ 4.2. Section 231-4 of the Code is hereby amended by deleting the definition of "Dwelling" in its entirety and substituting in lieu thereof the following new definition of "Dwelling."

DWELLING

A house or other building primarily used for human habitation. A nursing or convalescent home, alternate care facility, hotel, motel, or any other similar facility for transient occupancy shall not be deemed to constitute a dwelling. The following are types of dwellings.:

A. DWELLING UNIT, ACCESSORY (ADU)

A dwelling unit, accessory to a one-family dwelling, which has its own exterior or interior entrance, and which is subordinate to the principal dwelling, shares no kitchen, bath, living or sleeping facilities with the principal dwelling, and is located on the same lot. A maximum of one ADU shall be permitted per lot and may be located either within the principal building or within an accessory structure.

B. DWELLING, ONE-FAMILY

A detached building containing one principal dwelling unit on a single lot, and wherein not more than three roomers and boarders may be sheltered and/or fed for remuneration.

C. DWELLING, TWO-FAMILY

A detached building containing two dwelling units, either side-by-side or stacked, located on a single lot.

D. DWELLING, MULTIFAMILY

A residential building containing three or more dwelling units located on a single lot.

E. DWELLING, ROW OR TOWNHOUSE

One of three or more dwelling units, each having a separate entrance from the outside on the ground floor, the walls of which, on one or two sides, are in common with the walls of adjoining dwellings and are party or lot line walls.

§ 4.3. Section 231-4 of the Code is hereby amended by deleting the definition of "Dwelling unit" in its entirety and substituting in lieu thereof the following new definition of "Dwelling unit"

DWELLING UNIT

A building, or entirely self-contained portion thereof, that provides complete housekeeping facilities, including independent kitchen, sanitary, living, and sleeping facilities, for a single household.

§ 4.4. Section 231-4 of the Code is hereby amended by deleting the definition of "Family" in its entirety and substituting in lieu thereof the following new definition of "Family":

FAMILY

A number of persons living together as a single housekeeping unit.

§4.5. Section 231-4 of the Code is hereby amended by the addition of the following new definitions:

ROOMERS OR BOARDERS

Occupants of a dwelling unit who are sheltered or fed for remuneration for thirty (30) or more consecutive days/nights and, who may share kitchen, bath, living, or sleeping facilities.

PRIMARY RESIDENCE

The domicile that a natural person and persons inhabits for the majority of the year.

PRIMARY RESIDENT

A natural person who inhabits and resides in a primary residence.

SHORT-TERM RENTAL (STR)

The accessory use of a dwelling for an occupancy of fewer than 30 consecutive days. The term “short-term rental” does not include hotel or, motel as defined in the Village of Tivoli Zoning Law. There are two types of short-term rentals, as follows:

A. Hosted Short-Term Rental.

A short-term rental of a portion of a one-family dwelling on a one-family dwelling premises where the primary resident is staying in the one family dwelling during the rental period

B. Unhosted Short-Term Rental.

A short-term rental where no primary resident is staying in the dwelling during the rental period.

§ 4.6 Section 231-4 of the Code is hereby amended by deleting the definition of “Building, Accessory Use Of” in its entirety and substituting in lieu thereof the following new definition of “Building, Accessory Use Of”:

BUILDING, ACCESSORY USE OF

A use customarily incidental to the use of a principal building not occupying more than 25% of the total above ground-floor area of the principal building thereof and in the case of a dwelling includes a home occupation only to the extent it is a permitted accessory use in the applicable district and in compliance with the provisions of Section 231-31. The 25% area description does not apply to ADU’s and Hosted short-term rentals.

§ 4.7. Section 231-4 of the Code is hereby amended by deleting the definition of “Home Occupation” in its entirety and substituting in lieu thereof the following new definition of “Home Occupation”:

HOME OCCUPATION

Any limited personal service, professional service, or business use customarily conducted within a dwelling or customary accessory building and carried on by the residents thereof, which is clearly incidental and secondary to the use of the premises for residential purposes and does not alter the residential character thereof, and which use shall be fully consistent with the use limitations stated in § 231-31 of this chapter. The term “home occupation” shall include the provision of day-care services for six or fewer children, as defined by New York State, who are not residents of the dwelling. The term “home occupation” shall not include short-term rentals as defined herein.

§ 4.8. Section 231-4 of the Code is hereby amended by deleting the definition of “Hotel” in its entirety and replacing it with the following new definition of “Hotel.”

HOTEL

One or more structures where overnight accommodation is provided for transient occupancy for compensation and which may also include dining rooms, kitchens, serving rooms, ballrooms and other facilities and services intended primarily for the accommodations of its patrons, including but not limited to a traditional inn or bed and breakfast.

§ 4.9. Section 231-4 of the Code is hereby amended by deleting the definition of "Motel" in its entirety and replacing it with the following new definition of "Motel."

MOTEL

One or more structures where overnight accommodation is provided for transient occupancy for compensation, containing sleeping rooms with provisions for off-street parking and separate toilet facilities and hot and cold running water for each rental unit.

SECTION 5. AMENDMENTS TO ARTICLE IV OF THE ZONING LAW ENTITLED "USE REGULATIONS"

§ 5.1. Section 231-21 of the Code is hereby amended by replacing the Schedule of Permitted Uses, attached to the existing Code as 231 Attachments 1 - 7, with amended and restated "231 Attachments 1-7, District Schedule of Use Regulations," annexed hereto as Attachment A.

SECTION 6. AMENDMENT TO ARTICLE V OF THE ZONING LAW, ENTITLED, "SUPPLEMENTARY REGULATIONS"

§ 6.1. Article V (Supplementary Regulations) of Chapter 231 of the Code is hereby amended by inserting a new Section 231-23.1 to read as follows:

§ 231-23.1. Accessory Dwelling Units.

The purpose of this section is to allow accessory dwelling units on properties with one-family dwellings to create more affordable housing opportunities, provide rental income that makes aging in place possible for seniors, allow multi-generational family living, and otherwise help to protect and preserve property values.

ADU's are a special permitted use on one-family dwelling lots within an existing or new principal building or within an existing or new accessory building in the GB, LC, R15,000, R1A, R2A, R3A, and RB Districts provided that:

- A. The ADU shall be clearly incidental and subordinate to the principal dwelling and shall not change the one family residential character of the neighborhood.
- B. Any accessory dwelling in the LC built before 1950 is exempt from the provisions of § 231-23.1.
- C. A maximum of one ADU shall be permitted per one family lot. The principal dwelling and ADU shall be on a single lot.

D. The ADU shall have a maximum of two bedrooms.

D. Any additional exterior entrances which may be created for the ADU shall be located at the side or rear of the structure.

E. Adequate off-street parking for both the ADU and the principal dwelling shall be provided in accordance with § 231-39D of this chapter.

F. Stairways leading to any floor or story above the first floor shall be located within the walls of the building wherever practicable. Exterior stairways shall be located on the rear wall in preference to either side wall. In no instance shall a stairway be located on any wall fronting the street.

G. If the water supply and/or sanitary sewage disposal is from a private source, approval shall be granted by the Dutchess County Department of Health for any required on-site sanitary or water supply system, or, as may be applicable, certification through either the Health Department or a licensed professional engineer retained by the applicant that the existing on-site water supply and sewage disposal facilities are sufficient to accommodate the additional demands of the ADU on the residential premises where such conversion or new construction is proposed.

H. The gross floor area of the ADU shall not be less than 250 square feet.

I. An ADU within an existing structure may not exceed 40% of the total gross floor area of the single-family structure or 800 square feet, whichever is more restrictive.

J. The ADU shall not exceed 800 square feet in gross floor area.

K. An ADU in an existing accessory structure such as a garage or barn shall meet the minimum front yard setback for an accessory building and the minimum side and rear yard setbacks otherwise established for the construction of a principal structure within the zoning district as prescribed in the District Schedule of Area and Bulk Regulations.

L. If created through new construction or expansion of the primary structure, the lot area may not be less than the minimum land area specified in the District Schedule of Area and Bulk Regulations for a one family dwelling in the applicable zoning district except that for a lot in the R15,000 District where the minimum is 30,000 square feet. For purposes of the Minimum Land Area Per Dwelling (density) calculation, an ADU shall not be considered an additional dwelling.

M. If created through new construction or expansion of existing structures, the ADU shall meet the minimum front yard setback for an accessory building and the minimum side and rear yard setbacks otherwise established for the construction of a principal structure within the zoning district as prescribed in the District Schedule of Area and Bulk Regulations. A detached accessory dwelling unit created by new construction shall appear related to the principal dwelling and resemble a garage, carriage house, barn, or other traditional accessory rural structure.

§ 6.2. Article V (Supplementary Regulations) of Chapter 231 of the Code is hereby amended by amending Section 231-28 to read as follows:

- § 6.3. Section 231-39(D)(1) of the Code is hereby amended by inserting the following new language:***

Use	Minimum Off-Street Parking Spaces
1-family dwelling with less than 1,350 square feet of floor area in the R-15,000 District	1 space per dwelling unit plus 1 space for ADU
1-family dwelling in all other cases	2 spaces per one family dwelling unit plus 1 space for ADU
2-family dwelling	2 spaces per dwelling unit
Row or townhouse dwelling	1 space per efficiency unit or 1 space per bedroom
Multifamily dwelling	1 space per efficiency unit or 1 space per bedroom

§ 231-41.1. Short-Term Rentals

- A. A hosted short-term rental is allowed only as an accessory use to a one-family dwelling in the zoning district where permitted by § 231-21 of this chapter.
- B. A hosted short-term rental is permitted only for a maximum of two (2) or, in the GB and RB only, four (4) bedrooms, located on a lot with a one family dwelling on a structure or lot which has at least one additional bedroom.

- C. A short-term rental shall only be used for overnight accommodation for transient residential occupancy. Activities other than residential occupancy (such as events, gatherings, luncheons, banquets, parties, weddings, meetings, or similar activities) are not permitted. No restaurant may be operated. Meals served to permitted occupants of the short-term rental as in a typical “bed and breakfast” are permitted.
- D. A short-term rental is not to be permitted in addition to a class 2 home occupation on the same parcel.
- E. No recreational vehicle, bus, camping or travel trailer, or temporary housing, including but not limited to a tent or treehouse, shall be used as a short-term rental. Outdoor storage of recreational vehicles, buses or trailers, including those driven by guests, shall be consistent with all applicable provisions of the Zoning Law, including but not limited to § 231-34 thereof.
- F. The short-term rental shall not exceed the number of bedrooms that are shown in the approved certificate of occupancy or for preexisting occupied structures, the property tax record, or shall otherwise demonstrate compliance with all applicable requirements of the Dutchess County Sanitary Code including issuance of and compliance with any required approval or permit of the Dutchess County Department of Behavioral and Community Health regarding on-site sanitary sewage or water supply facilities.
- G. A short-term rental shall be incidental and secondary to the use of the dwelling unit for residential purposes. It shall be conducted in a manner which does not give the outward appearance of a business, does not infringe on the right of neighboring residents to enjoy the peaceful occupancy of their residential premises, and does not alter the residential character of the property or the neighborhood. No alteration to either the exterior or the interior of any principal dwelling shall be made that changes the residential character and appearance of the premises.
- H. All short-term rentals require an annual operating permit from the zoning enforcement officer pursuant to Chapter 180 of the Village Code prior to the commencement of the accessory use.

§ 6.5. Section 231-42G(2)(a) is hereby amended by deleting it in its entirety and replacing it with the following new § 231-42G(2)(a).

- (a) One sign per lot not to exceed two (2) square feet.

§ 6.6. Section 231-42G(2)(d) is hereby amended by deleting it in its entirety and the remaining subsection shall be renumbered sequentially 6.8 Section 231-52.1, Termination of certain uses and/or structures, is hereby amended by inserting a new subsection E to read as follows:

- E. Any existing nonconforming ADU which is not a permitted use or special permitted use under this chapter shall be discontinued not later than two calendar years from the effective date of the adoption of this subsection.

6.7. Article VI (Supplementary Regulations) of Chapter 231 of the Code is hereby amended by amending Paragraph at A Section 231-52.1 entitled "Termination of certain uses and/or structures", such new subsections to read as follows:

- A. Any nonconforming or noncomplying home occupation shall be modified to conform and obtain any necessary approvals or be removed within one year from the effective date of this section.

SECTION 7. AMENDMENTS TO ARTICLE IX OF THE ZONING LAW ENTITLED "SITE PLAN APPROVAL"

§ 7.1. Article IX (Site Plan Approval) of Chapter 231 of the Code is hereby amended by inserting new subsections C at the end of Section 231-63, entitled "Facts to be considered in site plan approval", such new subsections to read as follows:

- C. In reviewing site plan applications for uses that provide public accommodation, including but not limited to retail businesses, cultural facilities, and multifamily dwellings, the Planning Board shall consider whether the proposed project is consistent with the requirements of the Americans with Disabilities Act ("ADA") as implemented by Chapter 11 of the Uniform Code (as defined in Section 98-2 of the Village of Tivoli Code). For uses proposed in existing buildings, the Planning Board shall consider whether there is an opportunity to achieve or improve ADA compliance. Proposals for changes in use, new buildings or alterations that increase, expand or extend gross floor area or height shall be referred to the Village Engineer and/or Code Enforcement Official for review to ensure that the buildings and their associated sites and facilities meet Uniform Code requirements for accessibility for individuals with disabilities to the maximum extent practicable.

SECTION 8. 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 9. EFFECTIVE DATE

This local law shall take effect 90 days following filing in the office of the Secretary of State of New York as provided by Section 27 of the Municipal Home Rule Law.

ZONING

Village of Tivoli

Schedule of Permitted Uses R-1A District

[Amended 12-21-2016 by L.L. No. 1-2017; 3-18-2020 by L.L. No. 1-2020] DRAFT 7/24/24

Purpose: This district is intended to provide dwelling units in detached, semidetached and attached structures at a medium density reflecting the rural character and physical constraints (i.e., soils, drainage, topography).		
Principal Uses	Special Permitted Uses	Accessory Uses
Agriculture	Accessory Dwelling Unit, subject to the provisions of § 231-23.1	Accessory use of buildings, as defined herein
	Alternate care housing, subject to the provisions of § 231-23	
Dwelling, 1-family	Bus passenger shelter, for which the Planning Board may waive the provisions of § 231-22	Accessory buildings and structures customarily associated with the permitted principal use
Municipal use	Carnival, circus or fair, subject to the provisions of § 231-30	Home occupation, Class 1, subject to the provisions of § 231-31
Parks, public and private	Clinic, dental	Hosted Short Term Rental subject to the provisions § 231-41.1
Playgrounds	Clinic, medical	In the principal dwelling, the keeping of not more than 3 roomers and boarders
	Demolition, subject to the provisions of § 231-26	Outdoor storage of a maximum of 1 small trailer as defined in § 231-4 and subject to the provisions of § 231-34
	Dwellings, multifamily row house or townhouse, subject to the provisions of §§ 231-28 and 231-38	Off-street parking and loading as required by § 231-39
	Home occupation, Class 2, subject to the provisions of § 231-31	Signs, as permitted by § 231-42
	Hospital, animal or veterinary clinic	
	Kennel, on a site not less than 10 acres	Temporary structures, as permitted by § 231-17
	Mobile home park, on a site not less than 10 acres conforming to the provisions of § 231-36	
	Nursing or convalescent home	
	Nursery school	

ZONING

Village of Tivoli

Schedule of Permitted Uses	
Place of worship	
Riding academy	
Schools, elementary or secondary	
Stables, private and public	

ZONING

231 Attachment 2

Village of Tivoli

Schedule of Permitted Uses R-2A District

[Amended 9-19-2012 by L.L. No. 3-2012; 12-21-2016 by L.L. No. 1-2017; 3-18-2020 by L.L. No. 1-2020]

Purpose: This district is intended to provide dwelling units in detached structures at a low density. All development should be sensitive to the physical character and natural constraints of these locations.		
Principal Uses	Special Permitted Uses	Accessory Uses
	Accessory Dwelling Unit, subject to the provisions of § 231-23.1	
Agriculture	Alternate care housing, subject to the provisions of § 231-23	Accessory use of buildings, as defined herein
Dwelling, 1-family	Bus passenger shelter, for which the Planning Board may waive the provisions of § 231-22	Accessory buildings and structures customarily associated with the permitted principal use
Farm	Carnival, circus or fair, subject to the provisions of § 231-30	Home occupation, Class 1, subject to the provisions of § 231-31
Farmhouse	Clinic, dental	Hosted Short Term Rental subject to the provisions § 231-41.1
Municipal use	Clinic, medical	In the principal dwelling or farmhouse, the keeping of not more than 3 roomers and boarders
Parks, public and private	Conference center	Outdoor storage of a maximum of 2 small trailers as defined in § 231-4 and subject to the provisions of § 231-34
Playgrounds	Demolition, subject to the provisions of § 231-26	On a farm, open storage of machinery or vehicles associated with farming operations. This, however, shall not be construed to permit the establishment of a junkyard as defined herein.
	Home occupation, Class 2, subject to the provisions of § 231-31	Off-street parking and loading as required by § 231-39
	Hospital, animal or veterinary clinic	Roadside stand, not more than 1 per farm, subject to the provisions of § 231-40.1
	Kennel, on a site not less than 10 acres	
	Mobile home park, on a site not less than 10 acres conforming to the provisions of § 231-36	
	Nursery school	
	Nursing or convalescent home	
	Place of worship	

ZONING

231 Attachment 2

Village of Tivoli

Schedule of Permitted Uses

R-2A District

[Amended 9-19-2012 by L.L. No. 3-2012; 12-21-2016 by L.L. No. 1-2017; 3-18-2020 by L.L. No. 1-2020]

	Riding academy	

ZONING

Purpose: This district is intended to provide dwelling units in detached structures at a low density. All development should be sensitive to the physical character and natural constraints of these locations.		
Principal Uses	Special Permitted Uses	Accessory Uses
	Accessory Dwelling Unit, subject to the provisions of § 231-23.1	
Agriculture	Alternate care housing, subject to the provisions of § 231-23	Accessory use of buildings, as defined herein
Dwelling, 1-family	Bus passenger shelter, for which the Planning Board may waive the provisions of § 231-22	Accessory buildings and structures customarily associated with the permitted principal use
Farm	Carnival, circus or fair, subject to the provisions of § 231-30	Home occupation, Class 1, subject to the provisions of § 231-31
Farmhouse	Clinic, dental	Hosted Short Term Rental subject to the provisions of § 231-41.1
Municipal use	Clinic, medical	In the principal dwelling or farmhouse, the keeping of not more than 3 roomers and boarders
Parks, public and private	Conference center	Outdoor storage of a maximum of 2 small trailers as defined in § 231-4 and subject to the provisions of § 231-34
Playgrounds	Demolition, subject to the provisions of § 231-26	On a farm, open storage of machinery or vehicles associated with farming operations. This, however, shall not be construed to permit the establishment of a junkyard as defined herein.
	Home occupation, Class 2, subject to the provisions of § 231-31	Off-street parking and loading as required by § 231-39
	Hospital, animal or veterinary clinic	Signs as permitted by § 231-42
	Kennel, on a site not less than 10 acres	Temporary structures as permitted by § 231-17
	Nursing or convalescent home	Roadside stand, not more than 1 per farm, subject to the provisions of § 231-40.1
	Nursery school	
	Place of worship	
	Riding academy	
	School, elementary and secondary	
	Stables, private and public	

ZONING

231 Attachment 4

Village of Tivoli

Schedule of Permitted Uses

R-15,000 District
[Amended 12-21-2016 by L.L. No. 1-2017; 3-18-2020 by L.L. No. 1-2020]

Purpose: This district is intended to provide for dwelling units in detached, semidetached and attached structures at a high density with central water and sewer facilities.		
Principal Uses	Special Permitted Uses	Accessory Uses
	Accessory Dwelling Unit, subject to the provisions of § 231-23.1	
Dwelling, 1-family	Alternate care housing, subject to the provisions of § 231-23	Accessory use of building, as defined herein
Municipal use	Bus passenger shelter, for which the Planning Board may waive the provisions of § 231-22	Accessory buildings and structures customarily associated with the permitted principal use
Parks, public and private	Cultural facility, subject to the provisions of § 231-25.1	Home occupation, Class 1, subject to the provisions of § 231-31
Playground	Demolition, subject to the provisions of § 231-26	Hosted Short Term Rental subject to the provisions § 231-41.1
	Dwelling, multifamily row house or townhouse, subject to the provisions of §§ 231-28 and 231-38	In a 1-family dwelling, the keeping of not more than 3 roomers and boarders
	Dwelling, 2-family	Outdoor storage of a maximum of one small trailer as defined in § 231-4 and subject to the provisions of § 231-34
	Home occupation, Class 2, subject to the provisions of § 231-31	Off-street parking and loading as required by § 231-39
	Nursery school on a site of not less than 3 acres	Signs, as permitted by § 231-42
	Place of worship, on a site of not less than 3 acres	Temporary structures as permitted by § 231-17

ZONING

231 Attachment 5

Village of Tivoli

Schedule of Permitted Uses RB District

[Amended 12-21-2016 by L.L. No. 1-2017; 3-18-2020 by L.L. No. 1-2020]

Principal Uses	Special Permitted Uses	Accessory Uses
Agriculture	Accessory Dwelling Unit, subject to the provisions of § 231-23.1	
Commercial nursery	Artist or craft workshop	Accessory buildings and structures customarily associated with the principal permitted use
Dwellings 1- and 2-family	Clinic, dental and medical	Home occupation, Class 1, subject to the provisions of § 231-31
Dwelling unit secondary to nonresidential use and not occupying any ground floor area	Daycare facility	Hosted Short Term Rental subject to the provisions § 231-41.1
Municipal use	Delicatessen	Off-street parking and loading as required by § 231-39
Roadside stand, subject to the provisions of § 231-40.1	Equipment sales and rental	Outdoor storage of a maximum of two small trailers as defined in § 231-4 and subject to the provisions of § 231-34
	Farmers' market, subject to the provisions of § 231-30.1	Roadside stand, subject to the provisions of § 231-40.1
	Furniture store	Signs, as permitted by § 231-42
	Home occupation, Class 2, subject to the provisions of § 231-31	Temporary structures as permitted by § 231-17
	Motel, subject to the provisions of § 231-37	
	Motor vehicle service facility	
	Place of worship	
	Personal service establishment	
	Restaurant	
	Salesroom of a builder or contractor	
	Vending cart, subject to the provisions of § 231-30.2	

ZONING

231 Attachment 6

Village of Tivoli

Schedule of Permitted Uses
RB District

[Amended 12-21-2016 by L.L. No. 1-2017; 3-18-2020 by L.L. No. 1-2020]

NOTES:

(s) All uses except agriculture and one-family dwellings in the RB District require site plan approval in accordance with Article IX.

ZONING

231 Attachment 6

Village of Tivoli

Schedule of Permitted Uses

GB District(s)

[Amended 11-17-2010 by L.L. No. 1-2010; 9-19-2012 by L.L. No. 3-2012; 12-21-2016 by L.L. No. 1-2017; 3-18-2020 by L.L. No. 1-2020]

Purpose: The designation of this district is intended to maintain the Village character, to encourage adaptive reuse and preservation of existing buildings, and to encourage pedestrian traffic attracted to retail and service uses on a smaller scale than those in the RB District.		
Principal Uses ^(b)	Special Permitted Uses ^(b)	Accessory Uses ^(b)
	Accessory Dwelling Unit, subject to the provisions of § 231-23.1	
Amusement and recreation services	Clubhouse	Accessory buildings and structures customarily associated with the principal permitted use
Artist or craft workshop	Cultural facility, subject to the provisions of § 231-25.1	Home occupation, Class 1, subject to the provisions of § 231-31
Bakery	Demolition, subject to the provisions of § 231-26	Hosted Short Term Rental subject to the provisions § 231-41.1
Bank	Dry-cleaning establishment	Off-street parking and loading as required by § 231-39
Bar or tavern	Internet sales business	Outdoor storage of a maximum of 1 small trailer as defined in § 231-4 and subject to the provisions of § 231-34
Clinic, dental or medical	Light industry	Signs as permitted by § 231-42
Delicatessen	Vending cart, subject to the provisions of § 231-30.2	Temporary structures as permitted by § 231-17
Dwelling units not occupying any ground floor area		
Farmers' market		
Furniture store		
Hotel		
Internet sales business		
Library		
Municipal use		
1-family dwelling in a building in existence as of the effective date of this provision		
Office		
Personal service establishment		
Restaurant		
Retail business		
Salesroom of a builder or contractor		
Theater		

*Requires Special Permit

231 Attachment 6:1

ZONING

231 Attachment 7

Village of Tivoli

Schedule of Permitted Uses

NOTE:

- (a) All uses except one-family dwellings in the GB District require site plan approval in accordance with Article IX.
- (b) Drive-in or drive-through businesses of any kind are prohibited in the GB District.

ZONING

231 Attachment 8

Village of Tivoli

Schedule of Permitted Uses LC District

[Amended 12-21-2016 by L.L. No. 1-2017; 3-18-2020 by L.L. No. 1-2020]

Purpose: The purpose of this district is to protect the character, both historic and environmental, of the Village and the Hudson River and Stony Creek shorelines. This shall include the protection of persons and property, the preservation of water quality and the minimizing of costs associated with relief insurance and flood-control projects. All uses in an LC District are subject to the provisions of § 231-33.		
Principal Uses	Special Permitted Uses	Accessory Uses
Municipal use	Accessory Dwelling Unit, subject to the provisions of § 231-23.1B*	Accessory buildings and structures customarily associated with the special permitted use
	Agriculture	Off-street parking and loading as required by § 231-39
	Game preserve	Signs as permitted by § 231-42
	Outdoor recreation uses	Temporary structures as permitted by § 231-17
	Parks, public and private	
	Playground	
	Wildlife preserve	

*Accessory Dwelling Units require a preexisting single-family home and preexisting accessory building pursuant to § 231-23.1.

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION SETTING MAXIMUM STR PERMIT NUMBER AND
ACCEPTING DRAFT SHORT-TERM RENTAL APPLICATION FORM**

WHEREAS, the Village Board has approved Law No. A-1 (Proposed) of 2024 entitled **“A LOCAL LAW TO ESTABLISH A NEW CHAPTER 180 OF THE CODE OF THE VILLAGE OF TIVOLI TO BE KNOWN AS “SHORT-TERM RENTALS,” AND TO AMEND CHAPTER 231 OF THE CODE OF THE VILLAGE OF TIVOLI, ENTITLED “ZONING,” REGARDING SHORT-TERM RENTALS AND ACCESSORY DWELLING UNITS TO AMEND THE SITE PLAN REGULATIONS REGARDING ACCESSIBILITY, AND MAKE RELATED AMENDMENTS”** in the form on the file with the Village Clerk; and

WHEREAS, the proposed Local Law would establish new regulations regarding permits for short-term rentals and amend the Village of Tivoli Zoning Law in order to adequately regulate short-term rental uses in the Village of Tivoli, Dutchess County, New York; and

WHEREAS, pursuant to § 180-3. Annual Operating Permit, Application, a property owner may obtain an annual operating permit for a short-term hosted rental in the Village of Tivoli; and

WHEREAS, a draft permit application has been prepared and is on file with the Village Clerk; and

WHEREAS, pursuant to § 180-3(H) of Local Law A-1 of 2024 the Village shall set a maximum permit number for Short-Term Rental permits which may be revised at any time by Village Resolution; and

WHEREAS, the Village has designated a maximum annual Short-term rental permit of 15.

NOW THEREFORE BE IT RESOLVED, by the Village Board of Trustees of the Village of Tivoli herby:

1. Adopts the annual operating permit application.
2. Sets the maximum annual permit number for short-term rentals to 15 a year for any calendar year.

A special meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on August 14, at 6:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith
Emily Majer
Peter Baldino
D. William Shilling
Emily Mangieri

Mayor
Deputy Mayor
Trustee
Trustee
Trustee

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION SETTING MAXIMUM STR PERMIT NUMBER AND ACCEPTING
DRAFT SHORT-TERM RENTAL APPLICATION FORM**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Joel Griffith	Voting ____
Emily Majer	Voting ____
Peter Baldino	Voting ____
D. William Shilling	Voting ____
Emily Mangieri	Voting ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 14th day of August, 2024 and entitled:

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION SETTING MAXIMUM STR PERMIT NUMBER AND
ACCEPTING DRAFT SHORT-TERM RENTAL APPLICATION FORM**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this __ day of August 2024.

-SEAL-

Robin Bruno
Village Clerk

Annual Permit fee amount \$ _____ Received on _____ by _____

The Building Inspector certification of review of floor plan, sketch map, and application:

Approved By: _____ Denied/Reason: _____

Comments (if applicable): _____

Starting date January 1, 20__

Ending date: December 31, 20__

Permit Approved: _____
Date

Signature of Zoning Enforcement Officer

Permits Denied: _____
Date

Signature of Zoning Enforcement Officer

Reason(s) for Denial: _____

THE OWNER SHALL PROVIDE the permit or registration number of the STR, and the name and contact number of the property owner (where required) (i) in any rental confirmation provided to a prospective occupant; (ii) in a written posting at premises; (iii) in an advertising or listing, the permit of registration number only; (iv) and to any adjacent landowner upon request.

THE OWNER IS RESPONSIBLE FOR POSTING the following at all times during any period of STR use in an open and conspicuous place in the rental unit that shall be readily visible to all guests:

1. STR Permit Number;
2. A copy of the chapter 152 (Noise) of the Tivoli Village Code;
3. A safety/egress plan shall be posted in a visible location inside the STR and on the back of the rented bedroom door.
4. A property map (either survey of the property or a tax map printed from Dutchess County Parcel Access) depicting the property boundaries and notice to guests not to trespass on the neighbors' property;
5. Information identifying location of easily accessible solid waste and recycling facilities, and pickup date(s).

[copy of excerpts to be attached upon adoption of local law]

Primary Resident

I hereby certify that I am a primary resident of the residence listed in this application and that will be staying on the premises for the duration of the rental period.

Name: _____

Phone: _____

Email: _____

Signature: _____

STATE OF _____)
) ss:
COUNTY OF _____)

On the _____ day of _____ in the year _____, before me, the undersigned, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

BUILDING DEPARTMENT USE ONLY BELOW THIS LINE

ATTACH Floor plan showing all bedrooms in the dwelling and identifying those to be used as an STR, indicating the square footage and ceiling height of bedroom(s) to be used as an STR and indicating location of two means of egress from each bedroom.

ATTACH Sketch map sufficient to show the location of all available off-street parking on the lot.

I hereby certify that the rented bedroom contains a functioning smoke detector and two safe means of ingress/egress for as well as a functioning CO detector and functioning fire extinguisher on each floor.

I hereby certify that a primary resident(s) (if different than applicant) will be on the premises for the duration of the rental period. The primary resident(s) is as follows:

NAME: _____

Phone: _____

Email: _____

ATTACH Evidence of payment of the Hotel Occupancy Tax required by Dutchess County for the prior fiscal year.

Property Owner Signature

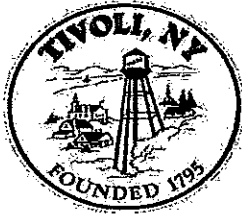
Date

Property Owner Signature

Date

Property Owner Signature

Date



VILLAGE OF TIVOLI

Web: www.tivoliny.org

1 TIVOLI COMMONS ~ PO BOX 397 ~ TIVOLI, NY 12583
Building & Zoning Department

Office: 845.757.2021 ~ Fax: 845.757.5416
bizeo@tivoliny.org

ANNUAL STR PERMIT APPLICATION

An annual operating permit is required to operate any short term rental in the Village of Tivoli. These permits shall expire on December 31st of the year they were issued. Please refer to Chapter 180 section 3 for applicable regulations.

Please note it is unlawful to accommodate a short term rental where the owner or designated agent is not on the premises.

An STR is permitted only for a maximum of one (2) bedroom, or (4) in the GB and RB located on a lot with a one family dwelling. In addition, at least one bedroom shall be retained for the exclusive use of the primary resident. The rental period must be offered for less than 30 days.

Please fill in ALL the blanks.

ALL property owners are required to sign the application for it to be considered complete.

Name of all property owners: _____

Mailing Address: _____

Phone Number and email of all property owners: _____

Property Address: _____, Village of Tivoli

Tax Grid #: _____

ATTACH current deed or latest property tax record evidencing current ownership of the Property.

Identify any uses currently on the property: Home Occupation Class 1: _____ Home Occupation Class 2: _____ Accessory Dwelling Units: _____

An STR is not permitted in addition to a Class 2 Home Occupation on the same parcel.

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN
INTERMUNICIPAL AGREEMENT WITH DUTCHESS COUNTY
REGARDING ASSISTANCE WITH THE COST OF SHORT-TERM
RENTAL PROGRAM MONITORING**

WHEREAS, the County of Dutchess (the "County") has authorized the execution of an Intermunicipal Agreement ("County STR IMA") with municipalities in the County for the purpose of reimbursing a portion of the costs for address identification and compliance modules in connection with short term rentals in such municipality; and

WHEREAS, the Village desires to execute the County STR IMA for such purpose in order to be eligible for reimbursement of up to \$5,000.00 for address identification and compliance monitoring modules purchased from Granicus, LLC; and

WHEREAS, such agreement is hereby determined to be in the best interests of the Village.

NOW THEREFORE BE IT RESOLVED, by the Village Board of Trustees of the Village of Tivoli as follows:

1. Mayor Griffith, or in his absence, the Deputy Mayor, is hereby authorized to execute the County STR IMA with the County for a one-year period, subject to extension for additional periods of one year as may be approved by the County.
2. This resolution shall take effect immediately.

A special meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on August 14, at 6:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith
Emily Majer
Peter Baldino
D. William Shilling
Emily Mangieri

Mayor
Deputy Mayor
Trustee
Trustee
Trustee

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN
INTERMUNICIPAL AGREEMENT WITH DUTCHESS COUNTY
REGARDING ASSISTANCE WITH THE COST OF SHORT-TERM
RENTAL PROGRAM MONITORING**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Joel Griffith	Voting ____
Emily Majer	Voting ____
Peter Baldino	Voting ____
D. William Shilling	Voting ____
Emily Mangieri	Voting ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 14th day of August, 2024 and entitled:

**VILLAGE OF TIVOLI
RESOLUTION NO. ____
DATED AUGUST 14, 2024**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN
INTERMUNICIPAL AGREEMENT WITH DUTCHESS COUNTY
REGARDING ASSISTANCE WITH THE COST OF SHORT-TERM
RENTAL PROGRAM MONITORING**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this __ day of August 2024.

-SEAL-

Robin Bruno
Village Clerk

