

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES October 26, 2020

The Town of North East Zoning Review Committee meeting took place on Wednesday, October 26, 2020 in The Annex located at 28 Century Boulevard, Millerton, New York at 7:00 PM. Board members Chairman Edie Greenwood, Dale Culver, Ed Downey, George Kaye, Bill Kish, Julie Schroeder and Dave Sherman. Also in attendance were Will Agresta, Chris Kennan, Kathy Chow and Deb Phillips, secretary to the ZRC.

Chair Greenwood opened the meeting at 7:05PM.

Greenwood: Erin Moore of Tighe & Bond will make a wastewater treatment feasibility study presentation to the Village trustee on November 16, 2020 at 6:00 pm on Facebook. The ZRC committee is encouraged to attend.

Agresta: Asked the board how they want to proceed with zoning regulations and subdivision regulations.

Kish: There are three items: zoning regulations, subdivision regulations, zoning map. Zoning regulations are critical.

Culver: Zoning is the driver to the other pieces.

Sherman: One of the key issues in the zoning code is what new land uses we want to add.

Schroeder: Definitions need to be updated.

Agresta: Would like to cull uses in the current ordinance and create a table. There are three major tables: uses by district; parking standards by use; bulk (?) standards. The next step is to develop a parking table that matches the uses and has a definition for each use. The part of the use table we will be looking at is how it's permitted in the site plan, special permit or permitted by right. Will asked the board what they want to accomplish with the zoning map.

Culver: Make sure that the land be suitable for the use.

Sherman: Our problem is that the zoning code was written in a certain time. Now the flood map and wetlands have been mapped into greater specificity and mismatches. We need to use current data.

Kish: We need to look at areas of higher density, particularly housing and tie in with a sewer system.

Greenwood: Put higher density areas immediate adjacent to the Village.

Agresta: Zoning upgrades to the zoning recommendations are textual changes.

Culver: Affordable housing is a big need.

Sherman: The zoning code was not updated to comply with the Comprehensive Plan from the 1990s.

Agresta: Saw a series of recommendations in the Comprehensive Plan that could be pulled from the master plan and put into one document.

Greenwood: We developed an RFP, then tried to prioritize it; the Sept. 8, 2020 minutes were presented to the town board.

Agresta: Would like to take the Sept. 8 minutes and turn it into a work list. At the next meeting, he plans to talk about the uses: parking standards, definitions and identify the missing pieces. Suggested looking at Table 3 of the Comprehensive Plan to get an understanding of what the board's intention is.

Discussion of Table 3: Summary List of Recommended Zoning and Subdivision Changes Recommended in this Plan to be Drafted by the Zoning Update Committee(s)

Topic: Updated the permitted uses, dimensions and development standards for lots and structures in the Boulevard District to ensure this business location becomes more of an extension of Main Street

Comments:

Agresta: The boulevard is a big piece of the zoning code.

Culver: We need to figure out how to reinvigorate the boulevard district; what part of the code is helping and what part is not. We need to make fewer zones and not cross lines. The piece of property and the zoning use for it should be the best way of using it as opposed to making it fit within the zone.

Schroeder: The boulevard district is in desperate need of landscaping.

Kaye: The Town needs to coordinate with the Village.

Downey: There are two components: structurally – move buildings closer to the street and put parking in the back; and visually – make an extension of the Village.

Agresta: Asked if there would be opposition to losing identity between the Village and the Town.

Kish: The Comprehensive Plan is specific that it should be a visual and conceptual extension of Main Street.

Sherman: When the planning work was done for the Boulevard, the interest was to make sure the uses were complimentary to the Village and not in competition. The lack of grocery store is a problem. There needs to be architectural standards. Walkability and natural constraints are critical. We need more of an economic vision.

Culver: The best new development has happened on north Route 22. We need to think about how to dovetail the Village and Town together.

Sherman: A point for consideration by the Town Board is a Community Development project. Streetscape to look like the Village that includes uniform streetlights and consider creating a lighting district.

Greenwood: Addressing the wetland/swamp area behind the supermarket needs to be a priority.

Downey: The extension of the Village concept is to encourage two-story buildings with commercial on lower level and residential on the second story.

Sherman: The key draw is a supermarket.

Agresta: Freshtown was interested but did not like competition. The multitude of BD zones was confusing.

Kish: We need to be flexible in what types of businesses to promote without being disruptive.

Agresta: Restaurants do well, personal services and more retail. Walkability is an issue.

Greenwood: Housing is important.

Agresta: Housing gives a marketing tool for retail. Typical retail/offices do not work; apartments help offset retail costs.

Culver: Creating more tax base is key to helping develop infrastructure. Monies needed to develop water/sewer district need to come from somewhere; developing the tax base helps pay for it.

Agresta: The septic/sewer capacity is key. Not having sewer keeps the rural character; it is a double-edged sword.

Topic: Add design illustrations in the zoning to help convey development goals

Comments:

Kish: It was intended to give an immediate visual impact.

Agresta: That can be with photos and graphics.

Topic: Add in Conservation Subdivision technique to promote open space preservation

Comments:

Agresta: There are two types: (1) mapping out conservation areas and resources that you to protect. The problem is that this generates more roads; (2) cluster – this tends to reduce roads but put houses closer together. Makes conservation easier.

Culver: We talked about clustering in the Comprehensive Plan to preserve agricultural land.

Agresta: The standards for either type are straight forward. His experience with other communities is that they don't like the small lot idea with conservation subdivisions; they use the hybrid method with larger lots and preserving the conservation lands. If you want conservation and cluster subdivision, make that the permitted use and a special permit for a more conventional subdivision.

Kish: Asked how we can keep land set aside for farming available for farming.

Agresta: Negotiations for land trust.

Downey: We should have special provisions in the zoning law. The Rail Trail is a critical resource economically, aesthetically, and environmentally. How we develop our community in the vicinity of the Rail Trail is going to be important.

Agresta: That can be done by building buffers, have different setbacks and different land requirements.

Topic: Add in siting criteria and design standards to guide commercial development.

Comments:

Agresta: This is landscaping, lighting, and buffering. You need to look at building setbacks and pavement setbacks. Illustrations will help show that. There are two ways of looking at design standards: standards that are required and guidelines.

Kish: Guidelines won't accomplish our goal of the Village feel.

Culver: We should design what we can't live without as a standard and have flexibility for the design pieces.

Topic: Add language that establishes that stone walls, tree-line roads and other rural features are maintained during development

Comments:

Agresta: This is more of a subdivision issue.

Greenwood: This comes from the 1990's Comprehensive Plan.

Agresta: There are two schools of thought on street trees.

Kish: We need to have landscaping standards for major subdivisions.

Agresta: In subdivisions where there are a lot of stone walls, if some need to go retain the stones on site to either making new walls or shoring up existing walls. The point is to maintain stone walls and stones on the property.

Topic: Address LED lighting and use of LED in signs

Comments:

Agresta: The community should set good standards on lighting levels at property lines and overall Dark Sky compliance standards. The recommendation from the Dark Sky industry is keeping the Kelvin temperature at 3,000 or less.

Sherman: Should have nighttime lighting standards.

Agresta: You can have standards with the use of motion detectors and times.

Kennan: The Town received a county report on a proposed sign law; he will send to Zoning Review Committee members.

Topic: Address short term rental uses

Comments:

Agresta: Asked the board if they want to legitimize them and allow them outright.

Schroder: Has no problems with them.

Sherman: Sounds like it should be a business law.

Kish: There is a potential for short-term rentals to cause problems: nuisance problems and reduces the availability of long-term rentals.

Downey: Let's look at what other towns are doing.

Agresta: The economic point of view is that they are taking away from housing and there is no tax benefit if the Town doesn't know about them. Will offered to get examples of other codes to look at.

Chow: The Tri-Town Coalition concludes that it is not a problem here, there are only three or four in the Village.

Agresta: The Village perspective is a make-sense type of use; it is no different than an inn or hotel.

Topic: Address lot sizes, density and dimensions

Comments:

Agresta: Asked if there are problems in these areas. Much of the Town is zoned A5A. He asked if the lot sizes are too big, too small or is it defining how best to use the lots.

Sherman: Asked what appropriate zoning is; are we happy with five-acre zoning or should it be increased or decreased. Asked if the current zoning helps or hinders the agricultural issues.

Culver: We can't justify affordable; we need flexibility.

Schroeder: In the 1970s the intent of five-acre zoning was to slow down the growth of the school-age population. It has served us well and saved agricultural land. We need to think about preserving the farmland.

Public Comments

Greenwood: Information provided by Sam Busselle on the Tri-Town Coalition (North East, Pine Plains and Amenia) shows that affordable housing is a significant issue in the Town and Village. It is broken into five tasks:

- (1) An inventory was done and found houses that Hudson River Housing (HRH) could be interested in, but they have been sold.
- (2) The second area is finance. The HRH has established a housing fund of \$15,000 for the TTC.
- (3) The North East Community Center has a part-time program development director. A portion of his time has been allocated to support the Tri-Town Coalition's steering committee's efforts.
- (4) To make sure the ZRC is focused on affordable housing as laid out in the Comprehensive Plan.
- (5) Coordinate working with the Village in terms of their code.

Chow: Concerned with senior housing and using infill opportunities as opposed to building new. What can be done immediately in terms of renovating existing structures. What can be down the road once there is a sewer. We need to preserve farmers and farm labor. Need available housing for farmhands.

Agresta: Wants updated definitions, county signage report and 1985 corridor study.

Greenwood: Adjourned the meeting at 9:15 PM.

The next meeting will be via Zoom on November 23, 2020 at 6PM.

Respectfully Submitted,

Deb Phillips

Zoning Review Committee Secretary