

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES September 19, 2022

The Town of North East Zoning Review Committee meeting took place on Monday, September 19, 2022, at the North East Town Hall, located at 19 North Maple Avenue, Millerton, New York at 4:30 PM. Board members present were Chair Edie Greenwood, Dale Culver, Julie Schroeder, Dave Sherman and Bill Kish. Also in attendance were Will Agresta, Chris Kennan, Lana Morrison, Chip Barrett, Andrew Stayman, Izzy Fitch, Rich Stalzer, Tom Parrett, Paul Bengston and Camilo Rojas.

Sidewalks in Boulevard West

Chair Greenwood opened the meeting at 4:30PM by asking the ZRC to confirm where the Committee stood on requiring sidewalks in BD West. Given what is in our Comprehensive Plan and for safety concerns, **the ZRC decided that sidewalks should be required on both sides of Rt. 44 to Kelsey Brook.** A crosswalk should also be considered. The committee recommended the Town Board consider creating an improvement district to include sidewalks and possibly including utilities such as lighting and waste water systems in the same district.

Continue the Setback discussions for Boulevard District West (northside)

These numbers all assume a 33 ft DOT right of way from the centerline of the road. Sherman, using the dry clearer building as his reference point came up with a minimum setback of 63 ft from the centerline of the road. So, 30 ft from the property line Kish and Culver at 53 ft. So, 20 ft from the property line. Greenwood came in with 58 ft. so 25 ft from the property line.

A discussion regarding multiple stories followed. Two stories are currently allowed. The Committee questioned why the building height in the boulevard districts at 30 ft currently, is different than the 35 ft height used in all other districts in the Town. **It was decided that the maximum height (Building or Structure) in the boulevard districts should be changed to 35 ft to be consistent.**

Kish and Culver pointed out that the lots under discussion are shallow and if we want parking and interconnection behind buildings they need to be as far forward as possible.

Agresta recommended we round our numbers off, so we are working with either 50 ft or 60 ft from the centerline of the road for the northside of BD West.

Greenwood asked what the Committee wants the difference to be between the minimum and maximum variations in the setback number. **It was decided that the difference between minimum and maximum setback from the property line should be 10 ft.**

The ZRC is working from an assumption, not good information regarding the true DOT right of way numbers along this section of Route 44. Chris Kennan agreed to contact NYS and try to get more accurate right of way information. This will be important if the state decides to widen the highway at some point in the future.

The Committee agreed to finalize the BD West northside setback number from the property line when we get current information about the NYS DOT current right of way numbers.

Discussion of building heights, if more than two stories will be put on a future agenda.

A 35 ft maximum height allows for two story buildings. Kish suggested for BD West (southside) we set a height standard at RT 44 so buildings built below would benefit from the drop off on the current Plaza property. Agresta noted our current code does not reference the number of stories allowed.

Fire department input regarding taller buildings – gathered on 9/21/2022

Following this meeting Chair Greenwood contacted the Millerton Fire Department and was told that their current vehicles have the ability to shoot water up 60 ft high. Through mutual aid, they currently have access to a 100 ft ladder truck from Sharon and Amenia is in the process of bringing a ladder truck into their equipment fleet. The two representative fire fighters, one a District Commissioner, did not think fighting a 3-story building fire would be a problem.

Bill Kish presentation on lighting standards

Kish gave a power point overview of what Dark Sky compliance standards are, their benefits and which Dark Sky standards should be included in our code. Currently there are no lighting standards in the North East zoning code.

Agresta hopes to have draft lighting standards code available for the ZRC to review at our next meeting.

Public Comment

Camilo Rojas: Expressed his support and the importance of including dark sky language in our code. He underscored the fact that darker does not translate into less safe.

Chip Barrett: Asked if Insurance providers have required lighting level criteria. Kish said he knew of none but was aware that there are NYS standards for ATM terminals.

Paul Bengston: Wanted to confirm that the new minimum setback number would be a build to line. He was told that the minimum and maximum numbers were to allow for façade setback variations. He also asked if the committee was considering a minimum height requirement, often a requirement in form-based zoning to create a two 2 story feel.

Tom Parrett: Wanted to confirm the ZRC supports parking behind the building. He complimented Bill Kish on his presentation and encourages us to develop a strong lighting code.

Rich Stalzer: Also complimented Bill Kish on his presentation and echoed the need to incorporate lighting standards in our code.

Chair Greenwood adjourned the meeting at 6:00PM.

Respectfully Submitted by

Edith Greenwood
ZRC Chair