

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES November 7, 2022

The Town of North East Zoning Review Committee meeting took place on Monday, November 21, 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, Dave Sherman, Julie Schroeder, and Bill Kish. Also in attendance were Will Agresta, Chris Kennan, Lana Morrison, Sam Busselle, Rich Stalzer, Kathy Chow, Paul Bengston and Christine Bates.

Lighting Standards

Chair Greenwood opened the meeting at 4:30 PM explaining that the draft lighting standards code being discussed would apply to all zones in the town and would take effect for new building projects after the date this section of the code is adopted by the Town Board.

Code definition clarifications

Outdoor Lighting – An example of an interior light that causes a nuisance would be an illuminated sign visible from the outside.

Mounting Height – Need to reconcile with later references.

Outdoor Lighting Standards

Discussion on how we address flashing, blinking, pulsating etc. lights both interior projected outside and outside lights. Agresta suggested being more specific about interior lights projecting outside and said he would clean up the language.

Question raised if we need to define dark-sky compliant. Decided it was well enough defined in the body of the code so no separate definition was needed.

Average Footcandle chart. Most committee members acknowledged not knowing what a footcandle really translates to. Suggest the committee take a walk around the area with a light meter.

Streetlighting Standards. Intended for the subdivision regulations. Agresta explained it was meant for streetlighting, not where utilities lease an energy inefficient light on a telephone pole to illuminate a private property and have the homeowner pay the energy cost. Agresta stated this is what we want to get rid of. He will work on clarifying the language in C of this section.

Agresta clarified that agriculture is subject to zoning.

Greenwood will reach out to Culver and Downey for any additional comments or questions so the committee can finalize the draft lighting standards.

Greenwood announced that she and Schroeder will create a subcommittee to address the sign law as Schroeder was the member of the committee who worked on the draft that was sent to Dutchess County Planning for comment in 2020. Agresta suggested we use tables in the updated sign law.

Greenwood also announced the Supervisor Kennan has been in touch with DOT and expects to have a response his inquiry about the department's right of way between the village and the Connecticut border soon.

Incentive Zoning

Kish suggests we develop two lists – one of what we hope to gain from an applicant and a second list of what we are willing to give to an applicant. All present agreed.

At this time, the ZRC will focus only on the commercial districts.

It was decided the two priority benefits for the commercial districts are:

- Establishment of common access driveway connections.
- Development of affordable housing for persons of low or moderate income.

Specific incentives or bonuses provide flexibility from zoning standards and could include:

- Increased lot coverage
- Reduction of parking requirements
- Pocket parks and additional landscaping in parking areas

Confirmed that our current code requires too much parking. Discussion of the components that need to be considered regarding parking requirements in a mixed used development. Need to do an analysis of use patterns of different uses.

To determine what methodology we should use, Kish suggested we start by determining the maximum coverage we want on a lot. Then back down from that coverage number to develop the criteria so we can give back to achieve our goals. Agresta pointed out that the landscape standards also need to be considered.

Greenwood informed the committee that she and Culver have reached out to Dutchess County planning for materials and visual examples to help us develop the coverage numbers we feel work for us.

Kish asked if a parcel is using lawn as a display area, how do we determine how much is considered open space and how much is being used commercially? Agresta said gravel is considered the same as pavement and should be included in coverage.

Greenwood suggested that senior affordable housing be introduced as a concept. Discussion followed as to the desirability of mixing seniors with family housing. Agresta's experience is that most senior housing is separated out to avoid school children. He stated that the market does not seem to want integrated senior and family housing.

Discussion of how to incentivize a grocery store. Agresta indicated a more effective tool is to use a tax incentive.

Kish led a discussion of giving bonuses for a donation of funds to a housing trust or a recreation fund. He felt this is the least desirable benefit and should be discouraged or not offered.

Sherman asked for clarification on the discussion at the last meeting regarding side yard setbacks and shared driveways. Agresta explained there were two ways of approaching this. The first is a shared driveway which can be all on one lot or over the two property lines. An example of the second approach is three buildings with the center building utilizing the driveways of the two adjacent buildings. The priority is to encourage interconnection in the rear and to reduce the number of drive cuts. Sherman asked what the incentive would be as you cannot require separate landowners to share driveway. Agresta said examples would be an increase in coverage, a reduction in setback or an increase in number of units to encourage interconnectivity.

Public Comment

Sam Busselle: Busselle urged the committee to consider incentives for housing beyond the commercial areas. He spoke about the need for housing for what is calls the “Missing Middle”. He referred the committee to the work of Daniel Parolek, Architect & Designer – Opticos Design based in Berkely California. Busselle outlined a variety of different housing options and noted that only 20% of our current population are single families so diverse, creative housing options need to be considered, especially in walkable areas. The major shift in our demographics needs to be taken into consideration with respect to housing solutions.

Rich Stalzer: Stalzer does not want to rule out using incentives to protect environmentally sensitive resources in the commercial districts. Dave Sherman explained that allowing building in the current LC district resulted from the mapping done in the original zoning code that contained buildable land. Current mapping is much more targeted so will provide a more accurate picture when the ZRC addresses the LC district. Agresta suggested a possible incentive would be to give a bonus for meaningful additional buffers.

Kathy Chow: Chow wanted the ZRC to consider incentives for park like trails along the brook. She supports the concept of shared parking and interconnectivity, especially for the lots in BD West on the north side.

Paul Bengston: Bengston stressed the need for the ZRC to quantify the specifics and limits of what various incentives will produce. He went on to agree that a payment or fees in lieu of incentive should not be used in a town our size. Bengston mentioned that such programs require a municipal staff to manage such programs so are more appropriate in larger communities.

Kish ended the meeting by asking if Agresta could give us a list of all the types of incentives he felt North East could realistically offer.

Chair Greenwood adjourned the meeting at 6:00 PM.

Respectfully Submitted by

Edith Greenwood
ZRC Chair