

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES March 6, 2023

The Town of North East Zoning Review Committee meeting took place on Monday, March 6, 2023, 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, Dale Culver, Julie Schroeder and Bill Kish. Also in attendance were Will Agresta, Chris Kennan, Ralph Fedeale, Laurie Kerr, Rich Stalzer, Kathy Chow and Meg Winkler.

Elevators

Chair Greenwood reported on her discussions with Ken McLaughlin. He stated that any three-story building with 5 or more units would require an elevator. Two story buildings with large footprints will usually require an elevator. Where it becomes complicated is in smaller 2 story footprint buildings. In this situation he felt a creative architect can typically come up with a work a round. ADA requirements come into play when there are more than four units.

Affordable Housing

Kish had a productive followed up with members of the Tri Town coalition on the subject of affordable and workforce housing in our area. Kish and Greenwood decided there was enough material to warrant a separate ZRC meeting on the subject. Materials provided by Paul Bengston and Sam Busselle will be forwarded to the committee with plenty of time to review. Agresta pointed out that **Affordable housing requires deed restrictions and oversight by either a municipal Housing Board, the code enforcement officer or a nonprofit agency such as Hudson River Housing or Habitat for Humanity.** He went on to say there are a wide range of Affordable housing requirements in municipal codes. For example, Connecticut requires 30% while other towns go with 10% to 20% requirement.

Discussion about allowing office space on the second floor. Kish said our need was for housing, but he suggested offices be allowed in half the space, if the other half was all Affordable housing. Kish also suggested that an increased building height could be allowed as an incentive if all the apartments were made Affordable.

The ZRC did not agree on what can be allowed for smaller footprint buildings, a topic that needs to be revisited. **Culver stressed the importance of allowing flexibility to attract possible proposals.** If we are too restrictive, we will shut down interest in development.

Parking

Agresta is close to finishing a draft of a parking table and the corresponding regulations in the commercial districts. He now needs to add the ratios we allow for residential parking requirements in the BD districts. Kish asked if the table could include an additional column to show the effect of incentives. Agresta said incentives would be in a separate section of the code. The parking section will include interconnectivity and land banking (setting aside an area of the parcel that, if warranted, could be used to provide additional parking) that would be kept as green space. He needs to think about how best to interject the effects of incentives in the parking section.

Kish questioned how to affect a review of a commercial site use when no new construction requiring a permit happens. **Culver pointed out the importance of the Planning Board decision page and the parcel files. The code should require the Code Enforcement Officer to review the past documentation in the file. It was agreed that the general language around process in the code will be important.**

Building Heights

Discussion of setting the height requirement at the grade of the highway. if the parcel slopes down as it does in the current supermarket property, this would allow a developer to take advantage of the site topography to build higher thereby preserving the view shed.

The overall size of the building and the width of the building as it faces the road become relevant factors. Agresta had provided building height diagrams for discussion which will be taken up at a future meeting.

Minimum Building Separation

No discussion at this point. No one had gone to Kent CT as Agresta has suggested at our last meeting.

Outdoor Storage

Greenwood asked Agresta if there was a different definition for outdoor retail versus out door storage. Agresta gives the example of car dealership where some is for display and some vehicles are being stored. We need to make sure we have good definitions.

Current Highway Business District 4

Greenwood asked the committee how they would like to handle the 5.9-acre parcel on the south side of Kelsey Brook currently zoned as BD 4. The decision was made to leave it as it is now, with accessory uses to a retail use and deal with it in the future. **Agresta suggested we keep it in BD west and create an overlay district with the current uses. The committee agreed with this approach.**

Design Standards

Kish, Greenwood and Culver will begin work on design standards code language and illustration.

Public Comment

Ralph Fedele: Supports the idea of the approach to BD 4 until sewer is available.

Meg Winkler: Brought up the concept of home occupations in second floor apartments.

Laurie Kerr: Supports the idea of only allowing housing on upper floors. She advocates for increased height requirement to avoid compressed buildings to create three story structures. The way to limit the impact of taller buildings on the view shed is to limit the maximum width allowances facing the road.

Rich Stalzer: The CAC will send comments on the model landscaping language for the next meeting. He also shared his concern for elderly residents with mobility issues.

Chair Greenwood adjourned the meeting at 6:00 PM. The next meeting will be held on March 20, 2023.

Respectfully Submitted by

Edith Greenwood - ZRC Chair