

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES March 20, 2023

The Town of North East Zoning Review Committee meeting took place on Monday, March 20, 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, Bill Kish, and Ed Downey (via Zoom). Also in attendance were Will Agresta, Chris Kennan, Lana Morrison, Ralph Fedele, Meg Winkler, Sam Busselle, Paul Bengston, Laurie Kerr, Rich Stalzer, and Kathy Chow.

Affordable Housing

Chair Greenwood started the meeting by stating that the ZRC needs to focus on the zoning for BD West and not on developing an affordable housing policy for the entire town. She reiterated the decision made by the committee over a year ago that housing in the boulevard was to be rental.

The ZRC discussed what percent of area medium income (AMI) we should be using as the criteria for eligible rental affordable housing units. Agresta had suggested we use 80%, adjusted for family size. It was pointed out that Amenia's new affordable housing law used 60% for rental units. One third of the AMI figure would set the maximum rent including utilities that the tenant would pay. Sherman made the point that the Dutchess County AMI figures may be too high for our community.

The Amenia law and our current subdivision law mandates 10% of units over 10 units be affordable. Kish pointed out that our incentives could be applied to smaller projects.

The committee agreed that we are not the body to decide on an affordable housing policy for North East and we would let either the Town Board or an Affordable Housing committee determine the details.

Minimum Building Footprint Size

The committee discussed a maximum footprint of 10,000 sq ft (with exceptions) and utilizing an incentive going up to 12,000 sq ft for the second or third floors. Kish suggested that for the additional 2,000 sq ft, the developer would be required to build 2 units, not the one that would be required.

The wording of the housing incentive is important to make sure it results in the community benefits we are trying to achieve. For example, we don't want to end up with 2 units no larger than big closets because our code is not specific. **Agresta will provide us with examples of incentives.**

Building Heights

What the ZRC is concerned about is the visual impact. We are currently at 35 ft which Agresta said allows for 2 ½ stories. The additional 5 ft to 40 ft would allow for a three-story building. The committee wanted to see examples.

Minimum Building Separation

Culver suggested the longer the building, the wider the separation needs to be and thereby preserve the viewshed.

Landscaping

The ZRC received comments from both the CAC and the Planning Board regarding the model landscape code language Agresta had provided. The Planning Board has suggested language be added to allow for bonding landscaping completion. Agresta told us it was a legal question, but he did not think a performance bond for private work is legal in New York. The committee asked how best to incorporate lists of appropriate plants and invasive plants into the code. It was recommended that a reference manual be adopted by the Town and referred to in the code (using the Cornell Cooperative recommendations) was a way to keep the lists updated.

Agresta agreed to take the input and send the ZRC an updated version of the model code.

Public Comment

Meg Winkler: Meg told us that to incentive more affordable housing, there are new laws in New York that offer lower mortgage rates to builders of five units or more. These housing units do not need to be in the same building.

Laurie Kerr: Stressed the importance of shade trees in parking lots. She also supported street trees to develop a shaded boulevard once the tree matured. Again, Kerr advocated for allowing a 40 ft building height. She stated we need affordable housing and 40 ft would allow three stories. Limiting the building height to 35 ft drives up the cost of constructing a third floor as it would require complex roof forms to create a third floor.

Rich Stalzer: He felt the landscaping regulations needs to provide clarity when screening is required.

Chair Greenwood adjourned the meeting at 5:56 PM. The next meeting will be held on April 3, 2023.

Respectfully Submitted by

Edith Greenwood - ZRC Chair