

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES August 21, 2023

The Town of North East Zoning Review Committee meeting took place on Monday, August 21, 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, Ed Downey, Dale Culver, Julie Schroeder and Bill Kish. Also in attendance were Will Agresta, Chris Kennan, Lana Morrison, Rich Stalzer, Rob Cooper and Kathy Chow.

Discussion of Non-Residential Standards

Boulevard District West

Sherman expressed his concern about the effect on lot coverage of allowing a third floor as an incentive for additional affordable housing. Agresta reiterated that the community benefit derived from incentives is hard to do as a calculation. The proposed code has an analysis built in with the incentive requirements but judgement as to the degree of community benefit will need to be applied.

Boulevard District East

Sherman proposed that the minimum lot area be increased to 2 acres, stating that BD East is more open. Greenwood stated that an increased lot size reduces flexibility. **A vote was taken, and it was agreed by the majority that the lot size in BD East would remain at 1 acre.**

Kish felt the standards of for the BD West southside were appropriate for BD East. Agresta's suggested standards for BD East were drawn from what was decided in BD West but refined to allow for different, bigger uses and greater coverage. Kish suggested the committee use the standards developed for BD West southside in BD East. Agresta noted that by doing this we would constrain what could be built.

The committee agreed to use the standards for BD West southside for BD East. It was agreed that BD East building width would be the same as BD West at 75 ft. The committee decided the building width for the grocery store exception (up to 35,000 sq. ft.) should be increased to 100 ft.

It was confirmed that wetlands will be dealt with later.

Maximum Building Stories - The committee decided to allow a third story when the affordable housing incentive was used and in such a situation, the building height could be increased to 40 ft.

Sherman objects to three story buildings at the front of the property. He advocated for requiring taller buildings be set back farther on the southside of RT 44. Schroeder pointed out that if we require this, we will end up with parking in front of the building, something we do not want. Agresta pointed out that writing in such regulations will make our code much more complicated.

Downey asked if the standards we are applying to BD East hamper the building of multifamily housing. Agresta did not think what was proposed would discourage multifamily housing. Coverage might be a limiting factor.

The committee voted unanimously to add a bullet in the incentives section, that if affordable housing is provided, the building height can go to 40 ft.

BD East Maximum Building Footprint – The committee decided to use 10,000 sq. ft.

Maximum Building Floor Area Ratio (FAR) – Agresta told the committee that we do not need to use this metric and that with incentives, it is harder to calculate. It was decided not to include FAR calculations in our code at this time.

Workshop Agenda

The committee will finalize the bulk standards for the Irondale Business, Light Industrial (M-A) and Land Conservation Districts.

Watercourse setback. Agresta note there is a difference between having it as a setback versus a regulated area. A setback must be abided by; a regulated area is what we would like to see but exceptions could be possible with a special permit,

Question for the attorney – Can we make building in a watercourse setback prohibited?

Agresta deliverables

Agresta will send us a definition of the mean water height of a watercourse.

Agresta to give us a more information on how to establish a percentage for shade requirement.

Agresta will send us the pieces of our draft regulations he has ready for legal review. That will give the committee to review and see where the holes are.

Public Comment - None

There will be a workshop meeting on August 28, 2023, at 7:30 pm.

There will be a regular meeting on September 11, 2023, with Agresta at 4:30 pm.

Respectfully Submitted by
Edith Greenwood - ZRC Chair