

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE WORKSHOP MINUTES October 9, 2023

The Town of North East Zoning Review Committee meeting took place on Monday, October 9, 2023, at the North East Town Hall, located at 19 North Maple Avenue, Millerton, New York at 7:30 PM. Board members present were Chair Edie Greenwood, Ed Downey, Julie Schroeder, Dave Sherman, Dale Culver, and Bill Kish. Also in attendance was Kathy Chow.

Home Definitions

The meeting began with a discussion of the definitions of Mobile Home, Manufactured Home, and Modular Home. The committee agreed we need clear definitions for all three types defined in our code. Greenwood will talk to the building department about what definitions they currently use. Downey wants to use generally accepted definitions to reduce ambiguity as to what is or is not allowed.

Schroeder suggested we use the definition for Manufactured Home and list examples or subsections of what they might be.

Food Trucks

The committee received an email from Kathy Chow requesting that food trucks be allowed to operate up to 45 days annually. Our current draft limits them to 30 days per year. As our draft regulations require both the property owner and the truck owner to sign the permit application, we need to determine if the annual day limit relates to the property location or the food vendor. It was decided that the number of days limit should apply to the truck, not the land owner. The committee is concerned about giving a longer-term food truck operation an economic advantage over brick-and-mortar food businesses. **The consensus was that food trucks, now defined as an accessory use, be allowed for special events or temporary use.** It was suggested that we limit the number of special events per location in any given year.

ZRC Working DRAFT AMENDMENTS dated Sept 27, 2023

Page 6 – 180-25 Special Use Permit

Section B - Kish suggested language be added in the second line after Zoning Enforcement Office “who will review the application for completeness before it is” referred

Page 8 - D Required referral to Dutchess County Department of Planning

(1) Greenwood questioned the timing of an application being referred to DC Planning. The code states the submission should be made prior to the public hearing which has not been our practice. The committee needs clarification of what the steps should be.

Page 9 - 180-28 Reimbursable costs

The committee was unaware there is a maximum escrow amount for an application set by the Town Board. Schroeder thought it was a percentage of the estimated project cost. The committee wants clarification on how this maximum is calculated.

Page 10 - 180-41 Drive-Through (accessory)

M. Shall not reduce the number of required off-street parking spaces. Kish asked why this would be applicable in a situation where there was no seating. **Question for Agresta.**

O. Committee changed the “and no later than 10:00 am.” to 12:00 pm.

Page 12 – 180-64 Rod and Gun Club

Section K - The committee agreed that outdoor gun clubs be removed from the permitted uses and remove this section.

Page 13 - 180-66 Wildlife or nature preserve.

Kish made the case that this language relates to a shooting preserve and does not reflect the activities of a wildlife or nature preserve. He feels that the references to dogs and guns should be removed.

The committee made the distinction that a property owner can allow hunters on their property.

Section A - The committee decided the minimum acreage should be reduced to 100 acres in the situation that it be open to the public. It was agreed this section needs to be shortened.

The Committee will work on the distinctions between Farm Stand, Roadside Farm Stand and Farmers' Market.

Page 15 – 180-70 Communication Facilities/Wireless Services/Towers

Section C (10) - Kish asked that Agresta update the description of cellular regulations. This request is in conjunction with language to regulate 5G towers.

The next regular meeting will be held on Monday October 23, 2023, at 4:30 pm.

Respectfully Submitted by
Edith Greenwood - ZRC Chair