

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES October 23, 2023

The Town of North East Zoning Review Committee meeting took place on Monday, October 23, 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, Julie Schroeder, and Bill Kish. Also in attendance were Will Agresta, Chris Kennan, Lana Morrison, and Rich Stalzer.

Draft Zoning Amendments Section 180-11 – General Regulations – Required Yards

Page 1 – B (3) – Agresta agreed this section and section C on page 2 were similar and will eliminate one of the two references.

Page 1 B (6) – Kish was concerned this section would reduce design flexibility in cluster or planned developments. Agresta said we are dealing with the measurement of setbacks from the center of the road. If we were doing a cluster, we would have the ability to reduce the distance. It was agreed to leave this section as it is.

Decided to go with the mean high-water line reference and to make sure it is in our definitions.

Page 2 E – Decided to leave this section as is but name the main streams in North East. By identifying the main streams in North East, we will be clarifying what is in our current code. Greenwood to follow up.

Page 2 F (1) Height exception. Kish felt this section was vague and wanted to require planning board approval for the commercial districts, giving the planning board discretion to approve these exceptions. Agresta pointed out that the planning board needs to be careful not to make subjective decisions but that they approach these decisions objectively, using appropriate criteria. The committee decided 12 ft above the as of right height of 35 ft was appropriate.

Page 2 G (1) (c) – Committee decided to reduce the well housing height from 48 inches to 36 inches.

Page 3 – G (1) (f) (2) – The reference to a stonewall will be removed so all types of walls are included.

Page 3 – G (1) (f) (5) - Decided to add language such as **“sufficient setback to allow maintenance without the necessity of entering adjacent lots”**.

Page 4 – G (3) (a) – Limit the 3 ft restriction to commercial districts.

Page 4 – G (3) (b) – Kish wants to limit mechanical equipment to less than the 25% referenced in G (3) (c) 3. Agresta said we could add an additional constraint. **Kish wanted to come back to decide what percentage to add to this section.**

Kish noted and Greenwood agreed we had decided to allow a side and rear yard encroachment of 3 ft for EV charging stations. Agresta will add it to this section. See below. Needs to include rear yard.

Excerpt from the ZRC Workshop meeting – July 6, 2023

The committee discussed whether the EV charging station structure should be allowed in the side yard setback. Kish suggested that an EV charging station structure be allowed within 3 feet of the side yard setback. The committee agreed that such a structure should be permitted.

ZRC Working DRAFT AMENDMENTS dated Sept 27, 2023

Farmers' Market – Section 180-69 Amendments

Page 15 – C – The committee decided to reduce the minimum parcel size from 2 acres to 1 acre. Given that 1 acre is required in the commercial district, Agresta will decide if it should be changed or removed.

The committee accepted Agresta's other suggested changes in this section.

Draft Sign regulations dated October 7, 2023

The committee discussed the comments received from Heather LaVarnway from Dutchess County Planning. **Agresta suggested we ask LaVarnway to send us a model sign ordinance.**

It was agreed that the draft sign regulations be sent to the ZRC attorney Dave Everett for comment. Agresta wants to review the draft that will be sent to Everett and asked to be allowed to deal with him directly. Chair Greenwood agreed that would be the best way to proceed.

Agresta will work on sending us additional standards by the end of the week.

Public Comment - none

There will be a workshop meeting held on October 30, 2023, at 7:30 pm.

Respectfully Submitted by
Edith Greenwood - ZRC Chair