

## TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES January 8, 2024

The Town of North East Zoning Review Committee meeting took place on Monday, January 8, 2024, 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, Julie Schroeder, and Bill Kish. Also in attendance were Will Agresta, Chris Kennan, Lana Morrison, Meg Winkler, Sam Busselle, and Charlie Bendit.

### **Review of the Multifamily Dwelling section with Housing Committee comments**

Chris Kennan and Meg Winkler presented the Housing Committee suggested changes to this draft section. The discussion started with their interest in allowing multifamily development in both BD East and West. Currently the draft Uses only allowed the multifamily use in BD East. It was explained that housing in BD West was to be permitted over retail. A draft section at the end of the materials entitled Rental Apartments above Commercial has already been reviewed by the ZRC. This approach was taken to preserve the town's limited commercially zoned land.

Kennan made the case that multifamily development in either district should not be ruled out. He asked if the code could be drafted to allow a multifamily project on a parcel that also had commercial operations in a separate building on that parcel. The goal being to allow flexibility in developing a site.

Winkler stated the need for additional housing in all forms. Kish acknowledged the importance of housing but reiterated the small size of our commercially zoned land and stated the we need to preserve the boulevard district for our business needs and economic development. The multifamily section relates to the entire town and when we get to the residential sections of the code other areas can and should be considered for multifamily development.

Kennan acknowledged the merits of the approach the ZRC has taken and agreed to leave the draft language as is. **To provide flexibility, Greenwood asked how providing both commercial and multifamily on the same lot could be done. Agresta said the ZRC would need to decide what percentages of housing and commercial would be required.** Kish felt this would take additional meetings to work through the revisions. At this point, **the ZRC decided to move forward with what we have, while acknowledging there was much more work to be done regarding housing.**

Agresta asked what types of housing the Housing Committee wants to provide. Winkler stated that all types of housing would be welcomed. She said the "missing middle" type of more affordable housing was what the community needs.

Agresta commented on some of the suggested changes. Going to three bedrooms takes the development in a different direction. He noted that three-bedroom units have very different impacts. He also noted that taking the limit off the maximum size could lead to large units. Agresta said most of the housing that is currently being built is market rate housing. Kish asked who we are tilting our code to provide for. Kennan said he wants to encourage flexibility. Kish asked if there was a way our code could require a mix of housing types. Winkler responded that the word "inclusionary" be added to our language and noted the word is used in our comprehensive plan.

Agresta noted that the **Housing Committee suggested dropping the percentage of required Affordable units to 10% for the current 20% used in the draft. Winkler stated the reason to lower the threshold was to create an incentive to get more apartments built and make the economics more attractive to developers.** She believes our community has people, for example school teachers, who would be able to pay market rates. Kennan reiterated the fact that we currently are only dealing with

housing in the boulevard district, and he does not want to discourage potential builders from looking to provide additional housing. Winkler commented that the housing committee needs to work with consultants to fine tune their approach.

Greenwood wanted to make sure the draft code would require a multifamily project to hook up to a sewer connection when it becomes available.

**Kennan agreed to give the ZRC a recommended number for the maximum apartment size.**

### **Page 2. – E. Unit Design**

(2) & (4) To be combined and refer to the aesthetic of the Village.

(3) To be eliminated

(6) Leave as is. The draft code requires pitched roofs so a moot point.

### **F. Accessory Uses and Structures**

(2) Clarify that building accessory benefits are solely for the use of tenants and their guests.

### **Page 3 - F. Accessory Uses and Structures (continued)**

(7) Add unregistered vehicles to the list of prohibited vehicles.

### **G. Affordable Units**

Winkler explained that the revisions were in line with the criteria commonly used in Dutchess County currently and that eligibility is based on the combined income of the people in the household.

Schroeder asked that household be added to income references for affordable housing throughout the draft code.

Winkler noted that the county currently discounts their numbers for North East by 7%. These numbers are updated annually.

### **Public Comment**

**Charlie Bendit** – Bendit's observations were as follow:

- Don't get too prescriptive as the result turn developers away. He urged us to be selective in the requirements you mandate.
- When you require apartments over retail, be aware of building orientation as retail businesses would want to be seen from Rt. 44.
- Three-bedroom units are not economical to build. He thinks what would be developed here would be one- and two-bedroom units. He does not expect much demand for studios. He said the market will determine what is built on the boulevard.

**Sam Busselle** – Expressed his delight at having Bendit, a well-respected New York developer, take interest in North East.

**Kish asked Agresta to develop language for 5G telecommunication towers, also known as small cell. Schroder asked if they were covered under Section 180-70 Communication facilities .... of our current code.** Kish suggested Agresta look at the code developed by Catskill or Southampton.

The next regular meeting is scheduled for January 15, 2024, at 4:30 pm.

Respectfully Submitted by  
Edith Greenwood - ZRC Chair