

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE WORKSHOP MINUTES April 22, 2024

The Town of North East Zoning Review Committee meeting took place on Monday, April 22, 2024, 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, Bill Kish, and Dale Culver. Chris Kennan also attended.

Paul Van Cott email rec'd April 15, 2024

Adult-oriented establishments

Downey asked why we have this listed as a prohibited use. His understanding is that zoning laws express what is permitted and if it is not addressed in the code, it is not permitted. He questions why we list any prohibitions and asks if there are other issues that do fall into the prohibited category we should be thinking about.

Schroeder questioned if we were asking for trouble by listing additional prohibited uses. **A question for Agresta initially and later Van Cott when he receives the draft package.**

The ZRC questioned if we need to identify this use or if we are better taken adult-oriented establishments out. Culver suggested we ask our attorney to give us a risk assessment of our need to include it in our code. Greenwood pointed out that Van Cott has not had the advantage of seeing our draft package yet so, she would make a note to question this when the entire draft is submitted for his review.

The committee decided that we leave it in with the definition provided by Van Cott with the understanding that it could be removed in the final draft. As the Van Cott email indicated this use needs to be allowed somewhere in the town, the ZRC decided to allow adult-oriented establishments only in BD East.

Quarry, Sand Pit, Gravel Pit, Topsoil Stripping uses.

Given Van Cott's response, ask Agresta to revise the code language to allow such activities below the levels needed to require a DEC permit.

Nonconforming Signs – Working DRAFT Signs dated April 21, 2024

(3) sign registration.

ZRC recognizes that they can recommend a sign inventory policy to the Town, but it will be up to the Town Board to decide if this new procedure will be implemented.

(a) Sign inventory.

- Change the 6 months to 12 months.

- Add that the Code Enforcement Officer or the Building Department be responsible for keeping the inventory current. **Section (c) Registration.** Only refers to new signs.

I. Nonconforming signs.

(2) – Add “and/or its support structure” after nonconforming sign at the beginning of the sentence.

(3) Nonconforming sign maintenance. – Add language to allow repair when damage is a result of acts of vandalism or weather-related damage.

(4) – In the second line remove the words “altered” and “content” and add the word “shape”

- Remove the last sentence

The committee would like language added that an exception be made to allow an existing nonconforming sign that remains the same shape and when there is no change in use (an example being a restaurant), to be repainted to allow for a change of name.

(5) Remove in its entirety.

Downey ended the meeting by pointing out we are developing a code that will be in use for probably 10, 20 or more years so we need to be aware of the changes that might take place in a longer timeframe than most planning exercises. The case he made is that the community needs to recognize the zoning code should be seen as a dynamic, organic document that needs to be kept up to date as change occurs.

Next steps

Review changes Agresta makes on the above reviewed sections based on these minutes. It was decided this could be done via an email exchange so Agresta could pull together the entire DRAFT package of nonresidential regulations as soon as possible.

Once received Greenwood will send the entire package to the ZRC, Paul Van Cott for comment and at the same time send Dutchess County Planning the draft asking for an informal review.

When comments are received from both our attorney and Dutchess County Planning, the ZRC will reconvene with Agresta to discuss what changes to make.

Once finalized, the DRAFT package of nonresidential regulations will be presented to the Town Board.

Respectfully Submitted by
Edith Greenwood - ZRC Chair