

**TOWN OF NORTH EAST ZONING REVIEW COMMITTEE
MINUTES
June 10, 2024**

The Town of North East Zoning Review Committee meeting took place on Monday, June 10, 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, Ed Downey, and Bill Kish. Also in attendance were Will Agresta, Rich Stalzer, and Sam Busselle.

Review of Comments in Paul Van Cott (PVC) cover memo date June 2, 2024, and informal comments received from Dutchess County Planning sent June 6, 2024.

Chair Greenwood asked each member for their thoughts on this material. She began by saying that she felt the comments were much more extensive than she had expected. Greenwood felt we have reached an inflection point where we are now refining, with the help of our experts, what we have developed. Her takeaway is that both our attorney PVC and DC Planning are urging us to simplify and to allow more flexibility in the code.

Bill Kish did not find the responses overwhelming and for the most part constructive. He felt PVC wanted us to simplify the language, not necessarily the content. Kish pointed out there was **no language in the Agresta draft code talking about the need for sidewalks**. *Agresta will look back and find/create the needed code.*

Ed Downey said the comments from DC Planning have given us more guidance about how we should approach the policy aspects of your code. He felt we have a lot more to work on.

Dave Sherman is concerned that DC Planning wants us to let go of density requirements. He pointed out we need to know how many buildings are planned so we can assess water and sewer needs vs potential capacity. Sherman is also concerned that we could end up with all housing and no commercial space. He wants to put a cap on what percentage of development in the boulevard districts can be used for residential.

Julie Schroeder said she is overwhelmed and disheartened by how much more work needs to be done. She was surprised by the some of the comments from the DC Planning which will need to be rectified. Schroeder pointed out she is now more aware of the parts of our current work that affect the residential districts. She feels the impacted sections need to have greater review before we can present the draft non-residential code to the Town.

Agresta felt Van Cott's comments were useful. He needs clarification on some points. Agresta felt the DC Planning comments include some philosophical questions the ZRC will need to address. He reads the county comments to suggest making our code more generic to provide more flexibility. **The bottom line is to find the balance that is right for North East**. Agresta said the ZRC will need to reconvene to discuss parking requirements and if Affordable Housing should be inclusionary or incentivized.

DC Planning memo

Certain County comments need to be explained as they don't make sense as written.

ZRC turned all the DC Planning comments on Affordable Housing over to the Town Board Housing Committee.

Lighting – Kish offered to reconcile the DC Planning comments on lighting with our draft. *After the meeting Greenwood sent Kish the materials relating to BUG standards.*

Agresta agreed he should work on tabulating the residential use table.

Level 3 EV Chargers - Clarify they cannot be used as an accessory use to preclude them from being installed in the residential districts.

Protection of Kelsey Brook

1. Does the language in our draft protect the brook sufficiently with regards to development in the Boulevard Districts?
2. Should we explore developing a main watercourse overlay protection district for the entire town to provide protection for the named brooks and streams?
3. Create a Wetlands Law which would set outside of the zoning code.

Agresta felt the protections we have put in the commercial draft regulations for the Boulevard Districts are sufficient to protect Kelsey Brook during construction.

Agresta confirmed that a Wetlands law would eliminate the need for an LC District. Greenwood said she would talk to the Town Board recommending they set up a committee to work on such a law.

Recap of next steps

1. Authorize PVC to research legal issues and have Agresta and PVC establish a direct dialogue to work out all the agreed upon comments, code placement issues, and language simplification in the draft.
2. Contact DC Planning and ask for guidance on parking standards.
3. Set up a Zoom call with DC Planning.
4. Encourage the Town Board Housing Committee to deal directly with DC Planning and Hudson River Housing and/or Dutchess County Habit for Humanity on affordable housing.
5. Distribute Kish comments on all the current documents.

Discussed eliminating old code references and creating a new document where track changes will be seen going forward. **Agresta to decide when this is appropriate.**

Downey asked why **educational centers** had been deleted from this draft. It appeared to be a misunderstanding and will be added back in. There are non-degree granting facilities in North East.

Public Comment

Sam Busselle – Advocated for flexibility regarding clustered housing. Wanted to see intent statements at the beginning of each district. *Greenwood sent him our non-residential draft purpose statements.*

Rich Stalzer – Interested in the concept of a Wetlands Law and offered the CAC's services to develop one.

The scheduling of the next Regular ZRC meeting is to be determined.

Respectfully Submitted
Edith Greenwood - ZRC Chair