

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE WORKSHOP MINUTES July 1, 2024

The Town of North East Zoning Review Committee meeting took place at 3:00 pm on July 1, 2024, at the North East Town Hall, located at 19 North Maple Avenue, Millerton, New York. Board members present were Chair Edie Greenwood, Dave Sherman, Ed Downey, Julie Schroeder, Bill Kish, and Dale Culver. Dutchess County Planning staff present via Zoom were Jennifer Coccozza, Emily Dozier, Dylan Tuttle and Ian Wickstead. Also in attendance were Chris Kennan, Meg Winkler, Ralph Fedele and Rob Cooper.

After introductions Chris Kennan made the following comments. He acknowledged the need for more housing in North East and clarified that the comments on housing were made by the Town of North East's Board Housing Committee. **Kennan stated he is going to recommend that a formal Housing Committee for North East be set up to address the broader issues of housing.**

Coccozza explained that this preliminary review was based on the May 5, 2024, document prepared by Will Agresta of Matthew D. Rudikoff Associates, Inc.

Greenwood explained that in addressing the non-residential zoning where we want to include some housing, we needed to develop sections on housing that we know will need more review when we do address the residential sections of our code. She thanked the planners for many good suggestions that we can work with Agresta to incorporate into the draft code.

Boulevard District

Sherman stressed that we are a rural community, and we are trying to keep that character. He felt the proposed setbacks allow for some green space in front of buildings.

Greenwood noted how little commercial acreage exists in North East. We acknowledge the need for housing, but also want to encourage retail/commercial development where it is allowed.

Kish – Looking at the 2019 Comprehensive Plan, we viewed BD West as an extension of the Village which is retail and some housing above. He asked the DC planners if they could be more specific metrics.

Tuttle responded that they want to give communities leeway to decide what is right for them. He **was struck by the totality of limitations on development in these districts** in the draft. When they put on their developer hats in this review, **the planners felt the draft would present challenges for developers to proceed.**

Dozier cautioned requiring retail when there is currently little demand whereas there is a dramatic need for housing. Dozier asked that we be careful about dictating requirements to too great an extent. **She questioned the need to require mixed use and suggested allowing missing middle housing with retail interspersed.** Dozier suggested we look at the market as it is today.

Culver pointed out that we need a food store, and we were hoping that by allowing residential above commercial we could bring the density up to a level to support one.

Kish is concerned that market rate housing will not meet the needs of the current residents. It will increase the tax base but **will change the character of the community we have by attracting second home renters.** He wants our code to address the needs of the community first and not just enable developers.

Downey talked about the nature of the landscape and wetlands in the boulevard districts. He felt buildings needed to be close to the road with parking behind. Without sewers, we will need a second plan.

Tuttle said from their experience of seeing plans for targeted growth areas that can attract good ideas, but **too many requirements make projects complicated so the projects don't pencil out, and nothing moves forward. His takeaway from reviewing our draft code suggests we are willing to wait a long time until the market matches what we want. He reads that we feel this is preferable to having more activity come to the districts sooner. He stated that it is up to us to decide where in that tradeoff your community falls.**

Tuttle said the planners were making suggestions that will make it more likely to have development occur.

Culver felt leaving the code language a little vague and therefore, more flexibility, could lead to good proposals we had not thought of.

Tuttle suggested we add a definition for **car washes**, even if they are prohibited. He is seeing communities caught by surprise as, with private equity involvement, more car washes are being proposed.

Merging the Irondale Business and the M-A Districts

Tuttle said the idea of combining the two comes from the best practice of avoiding creating a one parcel district.

Parking Standards

Dozier's reaction to her review of the parking schedule was that it was overwhelming. There were so many uses, **it was complex and had high requirements relative to other codes.** Dozier has given us code examples of communities that have removed parking minimums, and it has worked well. It leaves the applicant to propose what they feel is reasonable. **She recommends we consider removing parking minimums thereby providing flexibility.**

An alternative approach is to establish parking maximums. This is used when the planning board seeks guidance as to the parameters and should also have the option to override the code where appropriate.

The third approach is to lower what we have drafted and make them suggested versus required.

Dozier felt land banking could work in either option. It can be used in negotiating with developers on parking needs.

DC Planning does not see its job as drafting code for municipalities, but they are willing to send examples as they have, and to offer additional guidance and comments after we have decided what direction we want to go in.

Tuttle responded to Agresta's question regarding subsequent changes of use leading to increased parking needs. He **said we need to decide on the balance** but pointed out the cost of worst-case scenario parking which has been the traditional approach. **He pointed out the actual cost of building the car park, the opportunity cost of using the land as car storage and the cost of losing the fabric of the community to vast expanses of parking.** He felt it was **better to focus on parking management solutions** such as shared parking agreements and small public parking lots. **Cocozza added that when there is a change of use, the applicant should provide statistics of what their actual parking needs are.**

Tuttle commented on land banking which they recommend regularly. He pointed out that it **reduces usable space and eliminates other uses**. Culver suggested reducing curb cuts would help. Tuttle agreed and pointed out the added benefits of walkability and traffic safety.

Cocozza said there are studies that show pedestrians are more likely to walk further if the side yard setbacks are not too wide and the buildings are closer together.

Culver spoke about the importance of traffic patterns and flow. Tuttle agreed that **a well-designed lot is important for both vehicular and pedestrian flow and safety**. Cocozza added that traffic patterns are an important part of their review process.

Housing Sections

Winkler thanked the planners for many constructive suggestions and then spoke about the work the Town Board Housing Committee had done. She acknowledged the need to provide more flexibility after talking with both developers and Hudson River Housing. As a community, she **wants to preserve the 10% Affordable Housing requirement in the BD districts**. The concern is that the market rate housing will all become luxury rentals. She reiterated that there is much more work to be done when the review focuses on the residential districts.

Tuttle commented that requiring a percentage of Affordable Housing in a difficult conversation that many communities are currently having. He went on to **point out that any building is expensive to build and with too many requirements the projects don't pencil out. The result is they do not get built. This is the reason incentives are important. Dozier felt using incentives such as an extra story could be an effective way to encourage Affordable Housing** to be included in a project.

Lighting

Kish asked about **BUG lighting standards**. Tuttle said DC Planning has used BUG standards for a while as they believe BUG ratings are the best way to go and they simplify the code language as the applicant needs to provide the ratings. Tuttle offered to send an example of BUG rating language and suggested we look at the **Village of Wappinger Falls as they recently updated their code**.

The next regular meeting of the ZRC will be held on July 8, 2024, at 4:30 pm.

Respectfully Submitted by

Edith Greenwood - ZRC Chair