

TOWN OF NORTH EAST ZONING REVIEW COMMITTEE MINUTES September 30, 2024

The Town of North East Zoning Review Committee meeting took place on Monday, September 30, 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, Chris Kennan, Lana Morrison, Ralph Fedele, and Rich Stalzer.

Review of Comments in Paul Van Cott (PVC) email date September 22, 2024.

Cannabis Law – ZRC agreed reduce the separation from schools, parks etc. from 500 ft to 200 ft as per NYS law. The committee also agreed to remove the age limit in the definition of CANNABIS DISPENSARY. After discussion, the ZRC decided to allow other allowable uses on the same parcel.

Shooting Preserves and Rod & Gun Clubs – ZRC decided to remove Shooting Preserves from the code and rework and rename the definition of Rod & Gun Clubs. **Agresta to work on a revising the definition for a Shooting Range** to not limit it to a Club and leave the newly defined definition on the Prohibited list.

Processing (of earth materials) – A definition for EARTH MATERIALS will be added to the code.

Sidewalks – ZRC discussed requiring sidewalks in the boulevard districts. It was decided to leave it as is in the current draft where sidewalks are required in the BD districts at the discretion of the Planning Board at the time of site plan approval.

Motor Vehicle Repair Shop Specific Standards – The draft currently prohibits standalone automotive services. ZRC decided to take this prohibition out of the draft code.

Average Footcandles / Uniformity Ratio Table – Agresta has provided an alternative definition to this table based on a comment from DC Planning. ZRC decided to use the alternative definition expanded to include more light related criteria.

Affordable housing unit requirements in Multifamily buildings – Greenwood stated that the current draft code has been changed to require 10% as the threshold of the number of units to trigger an affordable unit requirement. The previous draft had required an affordable unit with five units.

Downey reiterated his strong concerns about the current approach being taken by the town board to address the very important need for affordable housing.

Downey feels the town board needs to establish an active, engaged and larger Housing Committee supported by a planning consultant to determine what is appropriate for all North East, not just the Boulevard Districts. He sees zoning as only one element of an effective plan. How the program is administered and how it will be funded must also be determined. In addition to addressing affordable rental housing, the plan should also consider affordable owner-occupied housing.

Downey wants the Housing Committee report to be the basis for the zoning not just in the Boulevard Districts, but for any district in the town where housing is permitted.

Downey stated that in practical terms the deferral of presenting the affordable housing sections should not hold up the other sections of the Boulevard District code revision. A sewer system will be needed to

enable the creation of affordable rentals in the boulevard that will take several more years to come to fruition. During that time, the Housing Committee can develop appropriate zoning for multifamily housing.

A proposal was made that we exclude the Multifamily, Affordable Housing and the Incentives sections from the draft that will be submitted to the town this year.

Kish felt that to remove these sections is not the right way for the ZRC to proceed in its effort to finish our current mandate. The ZRC has made a good faith effort to present a basic framework for housing affordability, which can be modified and added to in the future.

Kish, Greenwood and Schroeder felt we should leave the Multifamily and Affordable Housing sections in our draft code.

Agresta was directed to work with our attorney Paul Van Cott on the Incentives sections. Van Cott has questioned our draft language which he feels needs to strengthen the connection of our stated incentives to public benefits.

Greenwood authorized Agresta to work with Van Cott to rework the incentives section of the code. Agresta said the next version of the draft regulations will be clean except for the few areas left to discuss.

Agresta pointed out the definition **BUILDING, ACCERSORY Use Of** is confusing. It can be address now or left until the ZRC reviews the residential districts. He recommended taking out the language for home occupation and making it a separate standard. The ZRC agreed to this change.

Sherman reiterated his concern about the lack of density standards for the Boulevard Districts. He feels that without such standards the Districts could be overbuilt.

Public Comment

Chris Kennan - The town board is looking forward to receiving the draft code. He stated that the board members do have comments on certain issues but want to let the ZRC finish their work. He reiterated that the Housing Committee of the town board was not meant to replace a Housing Committee to be appointed by the town board.

The next regular ZRC Workshop is scheduled for October 21, 2024, at 4:30 pm.

Respectfully Submitted

Edith Greenwood - ZRC Chair