

A message from the Board

As the implementation of zoning for Pine Plains nears, we feel it important to address lingering concerns some residents have, and to clarify the Town Board's decision making relative to certain issues.

As the Board contemplated changes in preparation of the Fourth Draft, consideration was given to concerns about possible rampant conversion of residences to commercial uses in the H-MS district as it then existed. From another viewpoint, concerns were raised that the former Pilch property was divided between H-MS, Rural, and Wellhead Protection districts. This was a departure from the 2004 Comprehensive Plan map which places most of the parcel lying below the slope of Mill Hill in the Hamlet District while the 1987 Master Plan placed a Planned Development District in the same area. As a compromise solution to both concerns decisions were made to add the fraction of the former Pilch property not mapped in the Wellhead Protection District to the H-MS district. An area of considerably greater acreage along North Main Street was changed from H-MS to H-R, H-CR, and R as appropriate. The net acreage of the H-MS zone is accordingly decreased, H-MS zone frontage along hamlet streets is less, and the entire H-MS zone remains substantially within the footprint of the Pine Plains Hamlet as defined by the 2004 Comprehensive Plan. By providing opportunities for residential and commercial development in the H-MS district, the zoning law clearly supports the 2004 Comprehensive Plan goal #3. This is equally true when discussing the southern edge of the Pine Plains Hamlet, or open land zoned H-MS near the intersection of West Church Street and Lake Road.

Another major topic of discussion and comment has been the New Neighborhood Development floating zone. The Town Board is reminded that an NND approval results in additional numbers of dwelling units than is possible by conservation subdivision approval in the Rural District. When considering the most likely source of an NND application, we must also review the benefits to the community that accompany the burden of additional density an NND approval would bring. The most obvious NND situation would result in approximately 150 units over and above that of a maximized conservation subdivision. An NND application MUST cluster 50% of the entire project's dwelling units within a half-mile radius at a location acceptable to the Town. The open space requirements for an NND are 20% greater than the requirement for Conservation subdivisions. Greater amounts of protected open space and the concentration of development away from important viewsheds and well-travelled roads are important factors in the preservation of rural character, a goal we all share. The NND requirement for environmentally sound and energy efficient design and construction methods go far beyond what could be demanded in bulk regulations for the underlying district. The

applicant's contribution to the Town's affordable housing inventory is greater than would be required from a conventional development. There is specific language in the NND section providing for an applicant to fund off-site improvements to emergency services and municipal service providers. The developer of a 400 unit subdivision on the same parcel approved under the provisions of the Rural District zoning *could not* be required to fund any off-site improvements or provide the other enhanced benefits listed. When considering the NND question, we urge residents to view the benefits as well as the well-publicized additional density.

We close with a quote from Roger Akeley, Dutchess County Dept of Planning & Development Commissioner in an official comment letter dated Sept 9, 2009.

“Dutchess County has been pleased to have an opportunity to work with the Town of Pine Plains on its Master Plan and Zoning Law over the recent years and months. The Town has engaged in a conscientious and thorough process. The Dutchess County Department of Planning and Development applauds the Town on preparing a workable and detailed product, one which will sustain the intent of the Town's new Master Plan.”

A Gregg Pulver

Supervisor

Bob Couse, Dorean Gardner, George Keeler, Rick Butler

Council Members