

Town of Pine Plains Zoning Commission Minutes  
January 11, 2006

Members Present: Peter Caldwell, Helene McQuade, Gary Keeler, Vikki Soracco, Scott Chase, Margo Jackson, Nan Stolzenburg (Consultant) and Rick Butler (Liaison)

Absent: Jon DePreter

Guests: (17) members of the public, (1) reporter from the Register Herald, (1) reporter from the Millerton News and John Clarke, Developer and Design Coordinator of Dutchess County Planning and Development.

Meeting called to order at 5:30 PM by McQuade who sat in as Chairman in DePreter's absence.

Caldwell moved that the minutes from the December 14, 2005 meeting be approved as written. Seconded by Keeler. All in favor.

Privilege of the Floor – Community member, Kathleen Augustine stated that after the last meeting when the commission discussed going forward with the 5 acre base density outside of the hamlet, she read an article a week later in the Millerton News and it appears from the article that the only restrictions on that base density are steep slopes and wetlands which would leave all of the agricultural lands open to 5 acre base density building. Augustine stated that she is wondering if the commission has looked into that further and has tried to come up with some protection for those lands. McQuade explained that the commission has studied a whole array of factors that go into calculating what the numbers would be and what it would look like given application of those factors. Augustine stated that her question is not what it would look like but whether or not there are any protections in place for agricultural lands. McQuade stated that it's under discussion. Augustine stated that the prime agricultural land is dissolving and not wetlands and steep slopes and that in her mind that is the legacy of the Hudson Valley and feels if the commission goes further and discusses areas outside of the hamlets without protecting those areas it would seem to be gross negligence. McQuade stated that the commission really is taking all of those factors into consideration and prime soils and soils of statewide importance are very important factors.

Chase introduced John Clarke stating that he has seen the work that Clarke has done in many other municipalities and that at the present time he also serves at his own local level on the Planning Board in Rhinebeck but also has a wealth of knowledge and experience in hamlet and town center design having worked with many communities around the county.

Clarke stated that he is the Development and Design Coordinator at Dutchess County Planning and Development and worked there for 20 years, as well as working with every community in Dutchess County at multiple levels over the years. Clarke stated that he understands that the commission is working on zoning and he is working with several

other communities on similar issues and thought it might be useful for the commission to see some of the work that they have done in other communities. Clarke further stated that he also was the prime author for the Greenway Connections Document and explained that the Greenway Compact program for Dutchess County is a state program implemented from the bottom up on a county by county basis and Pine Plains is a member. Clarke stated that 27 out of the 30 communities have joined the Greenway Compact and agreed to cross-reference its guidelines and policies. Clarke further stated that in theory, the Planning Board, the Zoning Board and the Town Board should be using the Greenway Book as part of their decision making process. Clarke stated that the program is voluntary and based on incentives and guidelines rather than any kind of requirements or mandates so it's there if the commission wants to use it. Clarke stated that he feels it would be useful to start off with Greenway because there are certain principles that are part of the Greenway program that he thinks are useful in every community.

Clarke explained that Greenways are paths where natural and human landscapes coincide and stated that you can have a waterfront or a ridgeline trail but a scenic road such as the Taconic State Parkway or a tree lined main street is also a greenway because it brings nature into the city and actually connects the sidewalks to the trail systems so that there is one integrated system of greenway paths and networks throughout Dutchess County.

Clarke presented an illustrated example of how you can take a major arterial like Route 9 and turn it into a greenway by bringing buildings up close to the road, having planted medians, sidewalks and all the sorts of things that make a highway more like a natural system. Clarke stated that our streets and roads are our most important public open space system and that most people think of mountain tops and farmland as open space and never think of open space systems actually penetrating through the center of communities.

Clarke presented the three key principles for centers that have come out of the greenway which are to focus development within walking distance of the central core to encourage a mixture of uses with prominent locations for civic structure in close proximity so people can get from a store to their house on foot or a bicycle or a short drive. Clarke added that there would be a post office, a town hall and other sorts of civic uses like churches and schools, all within that perimeter Clarke stated that the third principle is to identify where you think it's most appropriate to develop. Clarke stated that the commission should set aside priority growth areas, where growth will be targeted. Clarke stated that by doing that it is actually being provisionary as opposed to being reactive to development proposals.

Clarke explained that a sense of walk ability is a key to what makes a center work and that there should be that alternative for people. Clarke stated that there needs to be a better balance between pedestrians and automobiles. Clarke showed a slide of a case study done in Tivoli where they had a standard intersection in the heart of the community that had no crosswalks, limited sidewalks, no street trees and people parked right up to the corner which created poor visibility for people crossing the streets. A new intersection was designed that put the emphasis on pedestrians by having crosswalks, street trees, flared out corners so that it shortened the crosswalk distances and kept the cars from parking too close to the intersection.

Clarke showed a slide of an example of Route 44 in the Village of Millbrook illustrating what a center is all about and how it works. Clarke explained that a good sidewalk and crosswalk system is needed and to slow down traffic you need to put in narrow streets and on-street parking so that people feel a little side friction and drive a little slower. Clarke stated that this makes people feel more comfortable in crosswalks and on the sidewalks. Clarke explained that street trees provide shelter for the sidewalks and keep people separated from the cars and traffic. Clarke further stated that the sense of trees is almost mandatory for a good main street.

Clarke stated that the last thing he will point out is that you need continuous storefronts. People don't like big gaps and usually don't walk past a parking lot to see what the store is on the other side of the parking lot. Clarke explained that the architecture of the buildings is not as important as the street and sidewalk systems or the frontages and storefronts are and that it's the whole urban feel that's more important than whether there is a Stewart's in a particular location versus a hometown drug store.

Clarke presented a slide of Route 44 in Pleasant Valley stating that it is the same Route 44 as shown in Millbrook but all of those things in the Village of Millbrook have gone away with no street trees, with sidewalks pinned up against the curb leaving the area with the feel of a 5 lane highway. Clarke stated that nobody parks on the street, nor do they walk on the street because it is perceived as a highway and the storefronts have been set back resulting in something that has no pedestrian feel. Clarke stated that people actually drive to cross the street because it's not comfortable otherwise. Clarke went on to explain possible methods of creating a town center along Route 44 in Pleasant Valley.

Clarke displayed a generalized land use map for Dutchess County and explained that it is a map being worked on that puts sort of a perspective on how greenway can be implemented county wide. Clarke stated that the idea is to build a system of centers and green spaces Clarke explained that the centers are walk able neighborhoods of a half mile radius.

Clarke went on to present a couple of case studies that show how the centers and green spaces can be implemented on a town wide basis.

Clarke showed a slide of Arlington High School in Freedom Plains and explained how the buildings in the area are set in a landscape that is completely pedestrian unfriendly. Clarke stated that Freedom Plains and the Town of LaGrange wanted to make a town center. Clarke explained the principles that they came up with to start the process which are first to design so that someone coming into town by car can park the car once and walk around, then come back to the car and drive away rather than drive from place to place. Clarke stated that the idea is that by consolidated commercial, and to a certain degree some residential development in the designated center, you can lower the density or expect lower densities in the surrounding rural countryside. Clarke explained an illustrated plan for the area around Arlington High School that has become part of the rezoning and was adopted as a supplement to their master plan. Clarke stated that they rezoned that whole town center with an updated set of regulations that actually make it almost impossible to build anything else aside from the sort of visual that they had for that place and that the zoning was designed to replicate the illustration.

Clarke asked if there are any questions. Jackson asked who bears the cost and whether it would be the developer or the Department of Transportation. Clarke stated that mostly it's the developer because they have a major incentive. Clarke explained that the Town of LaGrange also applied for a Federal grant to do roundabouts and some of the excess work that really didn't apply directly to their property. Clarke stated that LaGrange didn't get the grant but it's still on the Department of Transportation's list of potential funding options.

A member of the community stated that his experience with roundabouts is that they are worse than suicide lanes because people do not know how to drive in them and stated that he feels that using roundabouts in areas like Pleasant Valley, Pine Plains and LaGrange would be creating a real back up of traffic. Clarke stated that they haven't done site specific traffic studies and that his examples are all illustrative guidelines at this point. Clarke explained that roundabouts are different than traffic circles in that they keep traffic moving but they do so at a very slow speed and have been very successful in terms of how they handle significantly more traffic than a standard two lane highway and are significantly safer in terms of the number of accidents and the severity of accidents.

Clarke stated that LaGrange is a really good example of a town coming up with a concerted effort to do a town center where there wasn't one. Clarke further stated that we should be creating hamlets and villages and not sprawl out into the countryside.

Clarke showed a slide of Rhinebeck and stated that Rhinebeck has a very balanced approach to development. Clarke explained that 6 blocks is a half mile and a 10 minute walk and that historically is what you can expect people to walk. Clarke stated that a ¼ mile is easier walking but a ½ mile is about as far as you expect. Clarke explained that the ¼ mile circle would have mixed use commercial development where you can park once and walk around within that ¼ mile radius and that the ½ mile radius is where you have residential neighborhoods essentially surrounding the downtown area and you walk from the edge in and back.

Clarke explained that in Rhinebeck they first defined where the open space is and that there are three levels. Clarke stated that there are ones that already have some protection and are either town owned or have conservation easements on them. Clarke explained that then the larger parcels that are not in public view or on open highways went through a priority rating system of all the major open spaces in Rhinebeck with agricultural land being the number one criteria but then they had things like gateway locations to the village, settings for historic structures and unprotected natural features likely targeted for development. Clarke stated that the harder part is identifying where we would actually like to see growth and if it's not going to go on those places mentioned, then it has to go somewhere because we are not going to say no growth into the future. Clarke stated that existing zoning won't allow that and that a lot of property owners do not have that in mind either. Clarke explained that what they came up with was a very limited approach to development and that they identified three places where development should happen in the town which are around the village, in and around the hamlet of Rhinecliff and just north of the village where there is a strip development that was turned into a northern extension of the village to make it more village like and less strip like based on a half mile walking radius. Clarke further explained that particular area was created using only

a half circle because the land across the street was prime farmland and will be permanently preserved. Clarke went on to explain how to take a commercial strip and turn it into a something that feels like a hamlet or village rather than a strip by making a series of site plan and zoning decisions.

Clarke stated that Pine Plains has a beautiful hamlet but that there is room for actual development within the hamlet center. Clarke presented an example of Red Hook where the village isn't as walkable as it could be because of its close proximity to Rhinebeck which gets a lot of attention commercially. Clarke stated that they are looking to upgrade the village center and make it more walkable. Clarke went on to explain the illustrative sketch plan that he proposed for Red Hook where it provides shared parking lots in all four quadrants of the village that are all hidden behind buildings so you look at the storefronts rather than parking lots. Clarke further explained how he came up with an option for 8 new buildings in the very heart of the hamlet with enough parking to support them by using existing land.

A community member stated that at the last zoning commission meeting, the commission spoke of whether to address the areas outside of the hamlet first or whether to address the hamlet first and she is curious as to what Clarke's expert opinion would be of that. She went on to state that her opinion, from what Clarke is describing, it would seem to make more sense for a commission like this starting from scratch to address the hamlet areas first but the commission seemed to make a decision to go in a different direction. Clarke stated that he never tries to start in one place because whatever you do in one place affects everywhere else. Clarke stated that he thinks the centers and green space is a way of addressing them both at the same time because they are both meaningful and both have equal value. Clarke further stated that unless you do some kind of hamlet scale or village scale community center, you can not save your farmland. Clarke stated that in Rhinebeck they started on the rural end and decided what should be saved first and then decided where the development should happen and he feels that is the smart way to go but wouldn't put the second one off for very long because it's a complementary relationship. Clarke stated that it would be most pure and most consistent with the historic pattern if all development in the hamlet center were within a half mile circle. Clarke stated that Pine Plains has already broken through that half mile circle in many places and that there is a very viable walkable traditional feel to the hamlet of Pine Plains. Clarke further stated that the hamlet of Pine Plains is probably one of the most pure examples of a hamlet preserved in Dutchess County. Clarke stated that the half mile radius is not an arbitrary or hard fast rule but is a guideline like everything else. Clarke explained that it is going to be harder to fill in all of the gaps in the hamlet unless there is a sewer system in Pine Plains because anything built on a septic system is going to be pretty close to sprawl. Clarke stated that the two things he would suggest the commission start with is identifying where the priority open space and farmland parcels are and then look at the hamlet center and start to seriously consider where a sewer plant can be put in order to contain sprawl. Clarke stated that sewers are a tough issue because there is no Federal or State money to help out anymore.

A member of the community asked how you figure out what density is going to be appropriate for the road system, stating that Rhinecliff and Rhinebeck already have a pretty big traffic problem and that when you look at the proposed developments, how would we support 900 units when the people will be going to Rhinebeck and Pine Plains

to do their shopping. She stated that she understands the need for development but when do we say it's enough. Clarke explained that Rhinebeck has decided to have upper limits. They are lowering density in all of the automobile dependent areas and increasing density in very limited numbers so a full build out analysis is still half of what it was projected under existing zoning. Clarke stated that they are lowering the potential traffic and environmental problems in significant amounts. Clarke stated that everyone complains about traffic and parking in the village but everyone seems to manage and the most successful places are the places with the most congestion. Clarke stated that you have to live with a certain amount of congestion to have a successful village. Clarke went on to say that 900 units in an automobile dependent area is a concern and that he feels it needs to be balanced and how much the rural environment can withstand while still maintaining its rural qualities needs to be looked at and then you have to make some firm choices about where you think development should take place and what it should look like. Clarke explained that then you have to be up front about saying to the developers that if they want to come to Pine Plains, they will need to build the way Pine Plains looks or the zoning isn't going to support it.

A community member asked if there is affordable housing in any of the various proposals Clarke presented. Clarke stated that was a big issue in Rhinebeck. Clarke explained how Pawling is working very hard to not only have incentives for affordable housing but mandates as well. Clarke further explained how in Rhinebeck they proposed a mandatory 10% be set aside for affordable housing. Clarke went on to explain various ways to create affordable housing within the community.

Rick Butler stated that one of Clarke's comments about the Rhinebeck plan peaked his curiosity. Butler stated that Clarke referred twice to the vacant land on the west side of Route 9 as prime farmland and he is curious as to how it got that designation and what the criteria was for that land to receive the prime farmland designation. Butler asked if Clarke can speculate on why that land hasn't been farmed in at least three years.

Clarke stated that it was the state's designation because of the soil type. Clarke explained that there aren't that many prime and important agricultural soils in Rhinebeck so land that is left and hasn't been built on was put as the highest priority in terms of saving it. Clarke further explained that the land north of the fairgrounds on the west side of the road is the biggest track of undeveloped prime agricultural soils. Clarke stated that his speculation as to why it hasn't been farmed lately is that it has been owned by a developer family for years and never developed and then inherited by heirs and kicked around the family for a while. Clarke stated that he thinks they saw it as developable and a lot of times if you have control of a farm piece, you don't want it to be farmed for a while before you propose a development.

McQuade thanked Clarke for coming and sharing all of this information. Clarke stated that he will put all of the information on a CD for the commission.

McQuade stated that with the few minutes left the next item on the agenda is the discussion of hamlet density. McQuade further stated that the commission received Version 3 of the build out from Stolzenburg and asked Stolzenburg if she could direct the commission. Stolzenburg stated that the only thing that is different about this build out is the addition of the 10 acre base density.

Jackson stated that she now has a whole new perspective from the presentation tonight. Jackson further stated that the commission has been talking about starting places for general density in the hamlets and outside of the hamlets and yet that doesn't make sense in relation to what Clarke was saying. Jackson stated that what may make more sense is identifying those areas that Caldwell has been advocating the most strongly for as being untouchable and preserved as the rich farmland soils and identify those places that we really want to conserve that are really critical to what it says in the Comprehensive Plan that defines the rural nature of our community and at the same time look at the hamlets. Jackson stated that now it makes her think very differently about some of the development that's been proposed. Jackson further stated that she doesn't know enough about the developments that have been proposed but some of those start to look like they could be much more attractive and more densely developed in exchange for us being able to protect some of the rural farmland. Jackson stated that the commission has just been throwing out the big numbers to try to get a sense of density and now we can look more complexly at what it is that we want to develop. Jackson stated we now have ways of how we can look at the hamlets not just in terms of a general density numbers but in terms of what we want to see in relation to those centers.

McQuade stated that the way she understood how this process was going to work was that we are doing it in steps and so our baby steps were to make some decisions about base density and then at some point down the line we would be talking about siting, design standards, clustering and incentives. McQuade stated that she isn't sure that we weren't going to do that. Stolzenburg stated that the commission has identified the locations it wants to preserve. Stolzenburg further stated that we spent months going over the maps and identifying the features that the commission wants included in the environmental control formula to help set the density and that we have gone over and over those features to preserve. Stolzenburg stated that we may not have specified which parcels will have mandatory clustering but she feels we have certainly spent a lot of time on detailing and trying to understand what makes up the important features in Pine Plains. Discussion followed.

McQuade stated that we talked about and made a decision about differentiating between density and the hamlets of Pine Plains, Bethel and Pulvers Corners and asked if the commission wants to think about which of those scenarios we want to concentrate on for next time and how we go about distinguishing the densities within the three different hamlet designations. McQuade stated that the commission started to talk about what everyone thought was appropriate but that this presentation kind of sheds a little more light on how we might approach it. Stolzenburg stated that the commission also talked about having density set with and without a sewer. Keeler asked at what point in time does the municipality take over a sewer plant when a developer comes in and decides to put a sewer plant in. Chase stated that the developers are in the business of building and selling houses and not in the business to own and operate sewers so consequently if they don't do a good job of maintaining it, at some point it will become the community's responsibility anyway so it would be best to have a developer build it to the standards set by the community and once that's done, turn it over to the community immediately.

Jackson asked if the next step in order to protect the rural and open spaces and to be able to have a bulls-eye kind of development and not sprawl, would it be to have a sewer

system. Stolzenburg stated that you can't zone a sewer but we can set up mechanisms for it to happen such as various incentives or increasing the density in areas where there could potentially be a sewer. Jackson asked if the next step then is to look at siting. Stolzenburg stated that she thinks the next step is that we have to make some fundamental decisions on the level of development and the kind of development that you want in the hamlet which goes back to the design standards and street scaping and all of the things we've been talking about. Stolzenburg stated that the commission hasn't made a decision yet on how dense we want the hamlets to get.

McQuade stated that she thinks that the discussion about hamlet density should be put on the top of the agenda for the next meeting.

A member of the public asked Stolzenburg that in thinking about the density of the hamlet shouldn't the town kind of figure what they would like to see and keep the sewer part of it out so they can really think about what they would like it to look like. Chase stated that there are very few substandard lots but most of them run between ½ and 1 ½ acre. Stolzenburg stated that one of the things we haven't yet considered is changing the hamlet to be denser than it is now because we've been trying to emulate the existing conditions. Brief discussion followed.

Keeler motioned to adjourn. Second by Soracco. All in favor.

Respectfully submitted by:

Karen Pineda  
Zoning Commission Secretary