

Town of Pine Plains Zoning Commission Minutes
December 13, 2006

Members Present: Jon DePreter, Peter Caldwell, Gary Keeler, Helene McQuade, Scott Chase, Vikki Soracco, Margo Jackson, Nan Stolzenburg (Consultant)

Guests: (5) members of the public

Meeting called to order at 5:25 PM.

DePreter stated that he wanted to get into the record that a letter from the Commission is being sent to Roger Akeley as suggested by Replansky asking for an affordable housing study. DePreter further stated that we are going to forward a copy of our draft zoning ordinance to Mr. Akeley as well for comments but DePreter stated that he feels that should wait until the Commission gets through with what is currently being discussed. DePreter stated that the letter also asks about Anne Saylor's progress. Caldwell stated that Replansky also suggested that the Commission contact Ag and Markets for comments. DePreter stated that we can do that but he feels that the Commission should get through some of the review of the draft zoning law first.

Chase stated that one of Replansky's big concerns was the administrative issue of not having a minimum lot size and not being able to track it. Chase explained that he sat with the Commissioner of Real Property Tax and she said that now that maps get filed digitally, you can sit at a screen and pull up the parcel and subdivision map so if there are any limitations a note would be made on the map. Chase stated that anybody can do that from their house. DePreter stated that he knows there's the link from the county that pulls up a property card and he thinks it could just be right on the property card. Discussion continued regarding the various ways to handle the administrative issues.

McQuade asked if she could bring up some old business from the last meeting. McQuade stated that she understands that after she left there was a vote taken on some incentives and she thought that maybe since there were only four members present at that time it might be a good idea to poll the full Commission on that issue. DePreter stated that there was a 4-2 vote on that issue. McQuade stated that the way she understands it there was a 3-1 vote because there were only four members present on the 30% incentive. DePreter stated that he thinks there was a 4-2 vote on the 50% aggregate incentives and then what we had was a 3-1 vote on the 30% incentive. DePreter asked McQuade if she wanted to readdress that. McQuade stated that she thinks she was present for the 50% aggregate which she stated she did not vote for but that was a majority vote. DePreter stated that Chase and Caldwell were the ones who voted against it so maybe McQuade wasn't present. McQuade stated that her feeling is that the 30% and the 50% are high and she would prefer lower numbers like 20% and 30%. DePreter asked if the Commission wants to vote on it again. McQuade stated that maybe anybody else who wasn't present for that vote might want to add their view to the discussion. McQuade stated that we

don't have to spend a lot of time on it but she wanted to have the opportunity to add her view. Caldwell stated that the Commission has not heard from Jackson on this matter. Jackson stated that she voted in favor of the 50% and she listened to the tapes of the discussion for the 30% but doesn't remember exactly what the difference was between the 50% and the 30%. DePreter explained we have some ideas for incentives and one of them is a permanent conservation of natural areas or agriculture which we gave a 30% to. Caldwell stated that he thinks the numbers are much too high and it would add to the buildout which already triples the potential for residences in Pine Plains. Caldwell further stated that he had suggested that a 10% mandatory requirement for affordable housing might be included and that a bonus for that would be a one to one increase in density for each affordable unit. Caldwell stated that is not 30% and that doesn't approach anything like 50% but it is a 10% increase for a very badly needed community resource. Caldwell stated that he thinks 30% and 50% totals are much too generous to the developer and he feels it will threaten the buildout and will help distort the planning for what we are supposed to be doing which is to preserve a rural atmosphere in our community.

After some discussion DePreter asked the Commission if they want to vote on the incentive issue again. McQuade stated that just for the record and just to add her thought on it that when you are talking about a developer who may be getting 400 homes, 50% is another 200 homes. McQuade further stated that 30% or even 25% would be another 100 houses and that is a lot. McQuade explained that even on a smaller scale if someone would have had 20 houses and then they can get 30 because they can get up to 50%, that's a lot. Soracco stated that it doesn't mean that they are going to get 50%. DePreter stated that people aren't automatically going to get 50% and he thinks the hurdle needs to be set high. Discussion ensued.

DePreter suggested that unless the Commission wants to vote on the incentives again maybe we should go ahead and write the criteria and see what it is that we are actually asking of people. DePreter stated that he feels that hurdle should be set high. Brief discussion followed.

Keeler arrived and DePreter brought him up to date on what the Commission had discussed so far.

Stolzenburg stated that she has gone through all of the comments from Replansky, Drew Weaver and Ray Jurkowski. Stolzenburg stated that there were a few minor things that Jurkowski mentioned that she had addressed. Stolzenburg explained that Jurkowski added in the whole section of mining that she will print out for the Commission to look over. Stolzenburg stated that Jurkowski also added lighting. Stolzenburg stated that Jurkowski's comments weren't really policy related but were just things that could be fixed or added.

Stolzenburg stated that the first thing is revisit the discussion on whatever level of incentives the Commission wants to do and whether the Commission wants the process to go through the Town Board or the Planning Board. Stolzenburg stated that it needs to be

consistent with the state law. Stolzenburg stated that there wasn't anything that she could see so far that was inconsistent. Stolzenburg stated that if the community benefit is not immediately feasible or otherwise not practical, the state law does authorize that the Town Board can require a payment in lieu of that which can be dedicated to either purchase land or easements somewhere else. Stolzenburg stated that is authorized by the state law but she hasn't added it in originally because she wasn't sure if that was something the Commission wants to do. Stolzenburg stated that there is nothing in the law that says the Town Board can't administer and make the decisions. Stolzenburg stated that she thinks it's really a policy of how the Commission wants it to be handled.

The Commission discussed whether they would rather have the Town Board execute the incentives or the Planning Board. Jackson asked Stolzenburg what some of the other towns do. Stolzenburg stated that from her experience some of them are Planning Boards and some are Town Boards. McQuade stated that her take on it is that the Planning Board is the body that is immersed in these issues more than the Town Board and that it may be a better fit. Stolzenburg stated that the way it is written now that before the Town Board can act they have to have a recommendation from the Planning Board. DePreter stated that he likes that because the Planning Board is immersed in it but if in fact we do include the thing with cash he thinks the town has a better knowledge of the infrastructure and where the money would go and what the best way to use it would be. Chase stated that he is inclined to go with it going to the Town Board with a recommendation from the Planning Board. Chase stated that it can also be written that it would be the Planning Board's prerogative but that before they act they officially receive a recommendation from the Town Board. Keeler agreed that the Town Board should be involved and stated that maybe we just ought to leave it to the large subdivisions and not with the smaller subdivisions. Keeler explained that we can define the large subdivisions as more than four or five lots spun off of a parcel and just the Planning Board can do that but the large subdivisions, the Planning Board could have the right to go to the Town Board to get their recommendation. DePreter agreed with Keeler. Stolzenburg asked Keeler if he is saying that the Planning Board would make the decision for minor subdivisions and the Town Board would make the decision for major subdivisions. Keeler stated yes. Soracco stated that she likes Chase's idea where the Planning Board would ask the Town Board for a recommendation and it would come back to the Planning Board. Keeler stated that he agrees with that. Soracco stated that it should all be the same for minor or major subdivisions. Discussion ensued. **DePreter asked around the table if the Commission thinks that when executing incentives, the Planning Board sends it to the Town Board for recommendations and then it comes back to the Planning Board for final determination. All members agreed.**

Keeler asked Stolzenburg if there should be a time frame stated for the recommendation to happen. Stolzenburg stated that it's going to have to fit into the regular time frames of the Planning Board process anyway. Stolzenburg stated that she thinks it will have to be written in that once an application is complete then the Planning Board has a clock that it has to pay attention to and they are going to have to work within that clock. Brief discussion followed.

Stolzenburg asked what about the idea of only allowing major subdivisions to be eligible for an incentive. Stolzenburg asked the Commission if that is something they want to address. DePreter stated he doesn't know how many things people are going to be able to do with four houses because even if it's 25% it would be one home. Stolzenburg stated that the only one that would have a possibility in the system that the Commission has set up is maybe someone who has stream access or some land for trails that might be easily done on a small parcel. Chase stated that he would leave it open for the smaller subdivisions. Chase further stated that you can't buy a lot for less than \$60,000 and probably a lot of them are going to go for \$100,000 and that is a big incentive for someone to take that extra step out of their way. Chase stated that he thinks you'll see big and small taking advantage of incentives. DePreter stated that he isn't worried about the buildout numbers so as far as he's concerned that would be fine. DePreter asked McQuade if she would comfortable having incentives for the minor subdivisions. McQuade stated that she is comfortable with that. Stolzenburg stated that the other thing is when we write the Environmental Impact Statement for the zoning, we need to evaluate the impacts of offering the density bonus and we have to be able to show that there is the capacity for that incentive. Stolzenburg stated that she will work on the criteria and the last thing that she can see to make it fully consistent with Section 261-b of the town law is the idea of whether the Commission wants to offer a payment in lieu of open space. DePreter stated that he is fine with that. Stolzenburg stated that means you might not get the open space but you might get a chunk of change. DePreter stated that money can then be applied to a fund to buy an important piece of land. Jackson stated that there needs to be restrictions and accountability on that money. Stolzenburg stated that the State Law says that the money has to be deposited into a trust fund to be used by the town exclusively for a specific community benefit. Jackson stated that still sounds pretty broad. Stolzenburg stated that we would be defining the community benefits that it needs to be used for.

DePreter asked the Commission members what they think about an offer of payment in lieu of open space. DePreter stated that he would be in favor of offering a payment option. Chase stated that as long as it's an option and it's at the town's discretion. McQuade stated that she feels a little bit cynical about the idea because if the idea is that you are giving a huge incentive and basically increasing potentially 50% and then on that property which is where you are trying to preserve and it could be a significant property which is where you are trying to preserve that public access for public benefit, you won't have any of that in exchange for money and you don't know if there will be an opportunity for that same type of access anywhere else in the town. DePreter stated that then you wouldn't take the money if you couldn't put the money to the use that was assigned to it. Jackson stated that she shares the same concern as McQuade and that you also don't know when the money will be used. Jackson further stated that the money can grow and might never in our lifetime be turned into public use. Jackson stated that she is much more comfortable with a higher incentive rate so that it turns into public use. DePreter stated that it's clear that McQuade and Jackson are not in favor of offering a payment option in lieu of open space for an incentive bonus. Soracco asked if a timeframe can be put on it. Caldwell stated that he would see it as an option and that the Town Board doesn't have to agree to take the cash. Stolzenburg stated that the state law

says "if the Town Board determines that a suitable community benefit is not immediately feasible or otherwise not practical the board may require in lieu thereof a payment to the town of a sum to be determined by the board and if cash is accepted in lieu of other community benefits, provisions shall be made for such sum to be deposited in a trust fund to be used by the Town Board exclusively for a specific community benefit authorized by the Town Board." Caldwell stated that doesn't say that the developer can come forward and say they want to offer cash and state that they want a bonus for their cash.

Stolzenburg stated that it's possible that someone might have a parcel that for some reason there's no way to do stream access or a trail but they would like to contribute to the development of trails in the town and they can say they will give some money if they can get the bonus so it would have to be tied to the practicality of the parcel to be able to provide the benefit. Caldwell asked if that door can be closed and say that if there is to be a cash payment it will be determined solely by the town and initiated by the town and not by the developer. Stolzenburg stated that could be written in. DePreter stated that is a good thought. Jackson stated that in the town there might be someone who is very conservative and thinks it's a community benefit to keep that money in trust for perpetuity. Jackson stated that when you are dealing with money and not seeing the turnaround for the public good she thinks there are just too many risks. Discussion followed.

DePreter went around the table for a vote. DePreter stated that he would be in favor of accepting cash as an option in cases where the person might not have any other potential that they can give the town. DePreter, Keeler and Soracco were in favor of the cash option. McQuade, Jackson, Caldwell and Chase voted against the cash option. Final vote was 4-3 against accepting cash as an option.

Stolzenburg explained that Jurkowski had a couple of comments and that she will make sure that the language for the cul-de-sacs mirrors the language that is in the Highway Law. Stolzenburg stated that she had questioned Jurkowski about the lot frontage dimensions on Page 21 and he was fine with the minimum lot frontage of 40 feet and the 200 feet at the building line. DePreter asked why flag lots are a minimum of five acres. Stolzenburg stated that a lot of people have concerns about flag lots and you don't want a long little 20 foot access with lots of little half acre lots way in the back. Stolzenburg stated that she has mixed feelings about it because that may get you lots of good open space up front along the road but she was thinking that a larger lot would ensure that you have a narrow road frontage but you still have a lot of open space not having them simply moved off the road to the back and using all of the interior land. Discussion regarding flag lots followed. DePreter asked Stolzenburg if she would check with Jurkowski regarding why flag lots should be five acres to see what he says.

Caldwell stated that he found out that after the last meeting Replansky did not understand the point that Caldwell was trying to make about supporting no minimum lot size and no minimum acreage requirement for an individual. Caldwell explained that Replansky did not understand that we are only advocating this possibility for the individual who wants to build a home and that we are not advocating no minimum lot size or no minimum acreage requirement for a developer who wants to build more than four homes. DePreter

stated that we don't have a minimum lot size whether it's a developer or not. Caldwell explained that he had reminded Replansky that the Commission had talked about having no minimum lot size requirement beyond the public health, sewer and driveway access required for an individual in rural Pine Plains who wants to build one home. DePreter explained that people will get so many houses and they can make those lots whatever size they want. Caldwell agreed and stated that individual owns more land than the footprint that the house is on. DePreter agreed. Caldwell stated that DePreter is talking about a developer clustering and saying that he can take a large parcel and subdivide it into smaller portions and put houses on the smaller portions but he still retains ownership of the larger land. Caldwell further stated that if you're talking about clustering you're not going to concern yourself with some minimum acreage requirement for each unit or house. Caldwell stated that the point is that Replansky didn't understand that we were trying to make the exception for the individual who wants to build one house. Caldwell stated that the idea was that there is no density requirement for the individual. Stolzenburg asked if Caldwell is talking about an individual being someone who is not subdividing. Caldwell stated yes, a person who wants to build a house and wants to buy a piece of property for only one house and the Commission had said that person should be able to buy whatever piece of property that the public health would allow him to build a house on. Brief discussion continued.

The Commission moved on to discuss Page 22, Section 5, General Regulations of the draft zoning law. Stolzenburg stated that Replansky had a comment regarding how the regulations will be monitored and controlled. Stolzenburg stated that the bottom line is that it is monitored and controlled through enforcement of the law. Stolzenburg stated that to try and address that she added in something to the extent of *"no use shall be maintained, established, altered, moved or expanded unless it complies with the general performance standards set below."* Stolzenburg further stated that she added, *"continued conformance with such standards shall be a requirement for the continuation of any certificate of occupancy."*

Stolzenburg asked if the Local Law for establishing a code enforcement officer has been passed yet. Pineda stated that it has not. Stolzenburg stated that the way the law is written, it establishes a Code Enforcement Officer (CEO) for the New York State Building Code but that it did not authorize a CEO for enforcing the zoning. Stolzenburg stated that she emailed Replansky and asked if the law should also authorize a CEO to enforce the zoning and he wrote back and said yes it should. Stolzenburg stated that she thinks someone should follow through and make sure that gets added in so as long as this law is going to get passed it should authorize the CEO to also enforce the zoning. Discussion followed.

Stolzenburg stated that her recommendation is that the CEO should be authorized to be the enforcement officer of the zoning or to be the zoning officer. DePreter stated that works for him.

The Commission moved on to discuss outdoor furnaces. Keeler stated that most municipalities are banning them and he suggested that maybe there should be something in the zoning law stating that they are banned until somebody can prove that the emissions of outdoor furnaces are safe. Stolzenburg stated that the Commission can outright prohibit them or have them regulated in some way. Discussion continued regarding whether to prohibit outdoor furnaces or if something should be written as an option. Keeler stated he has heard that there is a catalytic converter that somebody makes that can go on the outdoor furnaces and supposedly purify the air coming out of them. **Keeler stated that he would not have a problem with outdoor furnaces if there is something that puts clean air out but he would say that they would have to be prohibited unless there is some sort of smoke emission control device that makes the air that comes out safe. DePreter stated that sounds good. DePreter asked if it sounds good to everyone to have some sort of language that mitigates the pollution. All members agreed.**

Stolzenburg stated that Drew Weaver had a couple of comments on Page 23 and he suggested that the word “street” to change to “road” on item “c”. Stolzenburg stated that Weaver asked who would give the approval for a new road so she added in a sentence that mirrors the Highway Law for approval of new roads. Stolzenburg went on to explain that Weaver suggested that we limit the uses that had height exceptions or exemptions. Stolzenburg explained that Weaver felt that cupolas, water tanks, flag poles and public monuments should be regulated and not be exempt. **Stolzenburg asked the Commission if they want to take Weaver’s suggestion of cupolas, water tanks, flag poles and public monuments and move them out of being exempted. All members agreed with Weaver’s suggestion.**

Stolzenburg stated that Replansky had a point about principle building on a lot and that he was correct in pointing out that the Commission has not discussed that there should be one principle use on the lot because there is a difference between a structure and a use. **Stolzenburg stated that she has added in “except in the case of a mixed use or multiple retail uses permitted by the town in a planned development district, the hamlet business district or the hamlet main street district only one principle use is permitted per lot”. Stolzenburg explained that any other things would automatically be an accessory use. All members agreed with that addition.**

Caldwell stated that Replansky also stated that we had to put in regulations regarding cellular communications towers. Stolzenburg stated that Replansky wants to use his cellular communications law and she sent him an email to remind him to send it her. Stolzenburg stated that when Replansky sends it to her she will include it.

Stolzenburg stated that Jurkowski also suggested that wind towers be added in so she has some models that she got from a conference at Albany Law School so for the time being she will use that as a model and the Commission can discuss it.

Stolzenburg stated that under Temporary Construction Management and Sales Office, Jurkowski pointed out that commercial developments that may be going through site plan

review, may have a construction trailer so we added the list for site plan review and included it with planned development and subdivision. Stolzenburg stated that Jurkowski also added something else about fences. DePreter stated he thinks that the good side of the fence has to be toward the adjoining property and the owner of the fence has to maintain the other side unless there isn't room for it. Stolzenburg stated that she will get the exact language.

Stolzenburg stated that another one of Replansky's comments was that the town has passed its own escrow law and that it should be included. Stolzenburg stated that she will get the local law number and put that in.

Chase stated that there are certain things like the PUDs where the Town Board is the entity that is doing the work and they should also have the ability to retain their own experts and charge it. Chase stated that he imagines that should be in the town's escrow law. Stolzenburg stated that she thinks she has that but will pull it out and make a note to make it consistent.

Stolzenburg stated that almost all of the supplementary regulations on Page 26 came from the Planning Board's work on the site plan review. Stolzenburg stated that the Commission can change it if they feel it needs to be changed but she wanted the Commission to know that was where it came from and that Replansky, Jurkowski and the Planning Board had already looked at these so it's up to the Commission. Stolzenburg asked if all of the design standards from Page 26 to 28 are really for the hamlet of Pine Plains and asked whether the Commission wants to apply these same standards to Bethel and Pulvers Corners. Discussion followed.

Stolzenburg asked if commercial development, multi-family development or other items that go through site plan review such as signs and any kind of commercial building should apply to Bethel and Pulvers Corners. DePreter stated that he thinks it should apply to Bethel and Pulvers Corners as well. All members agreed.

Stolzenburg asked the Commission if they want to maintain application to these things for just those projects that go through site plan review or extend them to residences. Stolzenburg stated that lets just say that these are standards for projects that require site plan review then if you don't have to go through site plan review then you don't have to meet those standards. DePreter asked if Replansky was asking why these standards don't apply to single family homes. Stolzenburg stated that she doesn't really know what Replansky was asking. DePreter stated that if that's the case then someone building a single family home in the village is going to have to go through site plan review. Stolzenburg stated that she thinks Replansky was asking for a clarification that these standards apply to projects that are going through site plan review. DePreter agreed and stated that he doesn't think that Replansky was advocating for the site plan review for the single family home. DePreter stated that this should just be supplementary regulations for site plan review at the top of the Page and that should clear it up. Keeler agreed.

Keeler stated that in Stolzenburg's first paragraph under General Regulations it should state somewhere that they must meet the Building Codes of New York State. Discussion followed.

Stolzenburg stated that another thing that is very important is the "build to" line for residences in the hamlet. DePreter suggested that some of those things that the Commission feels are important go in under the building inspector in terms of setback. Chase stated that he thinks there should be some standards even for single family homes in the hamlets. Stolzenburg stated that a lot of it is building placement and not so much the façade or the roof type or things like that. DePreter stated that he thinks we should just make it clear that it's not site plan review for single family homes. Keeler stated that the zoning officer really determines whether something needs site plan review and might just say that something like the placement of a particular building be looked at by the Planning Board. DePreter stated that is a perfect way to do it.

DePreter asked Stolzenburg if there is another whole set of guidelines that she is going to add to the subdivision law. Stolzenburg stated that there are some things that can go into the subdivision law but not necessarily into the zoning. DePreter asked Stolzenburg if she can make those additions so the Commission can address them. Stolzenburg stated that she will give the Commission a set to look through and the Commission can make a recommendation to the Town Board that the guidelines in the subdivision law compliment what the Zoning Commission is trying to do.

Stolzenburg stated that on Page 27, items "c" and "d", Drew Weaver had comments on a couple of things. Stolzenburg stated that Weaver suggested using the words "*shall be compatible*" and he wanted to know who would determine the compatibility. Stolzenburg stated she can add in that those are items that will be reviewed by the Planning Board during site plan review and determined by the planning to be compatible. Keeler stated that "*and or the Zoning Enforcement Officer*" should be added in case something doesn't go to site plan review. Chase stated that when work is being done on historic buildings in the hamlet, he feels there needs to be language that encourages people to maintain the original materials, the window openings and layout. DePreter stated that he thinks the town is forming a committee for a façade fund for people. Stolzenburg stated that doesn't necessarily address the historic issue. Stolzenburg further stated that the Commission can add in some things that the Planning Board could review for consistency with historic character. Chase asked Stolzenburg to just make a note and as things move along maybe she can tune something in to address that issue. Brief discussion continued. DePreter stated that on Page 26 under Building Design Standards and Guidelines for the Hamlet of Pine Plains it says, "*the standards established in this section are for the purpose of promoting quality development that is attractive, convenient and compatible with surrounding uses and historic buildings in the Town.*" DePreter stated that he thinks that says it right there. Stolzenburg suggested the possibility of having illustrations to go along with the design guidelines.

Stolzenburg stated that the Commission talked about roof pitch and things like that and she stated that Jurkowski asked about mansard roofs which have a flat portion of a roof. DePreter stated that he wouldn't call it a flat roof, he would just call it a mansard roof. Stolzenburg suggested that the law should state that mansard roofs are acceptable if that's what the Commission wants. DePreter agreed.

Stolzenburg stated that Drew Weaver asked if the Commission would want to list prohibited roofing under "roof types and materials" on Page 27. Stolzenburg stated that Weaver said that the Commission listed things that are acceptable but maybe instead of saying what is acceptable there should be a list of things that are not acceptable so people know what they can't do. Stolzenburg stated that Jurkowski had suggested that composite new materials that look like a traditional material should be OK to use so she added that in. Keeler stated that he thinks if we add "materials that are approved by the Building Codes of New York State" that would cover everything. Stolzenburg asked if she should add the wording "any New York State Building Code approved roofing material is acceptable." Keeler stated that something like that would be good. Brief discussion followed regarding roof types and roofing material.

Keeler had a comment on Page 27 under Accessory Equipment. Keeler stated that he would like to see dumpsters added to the list of items that will be confined within the principle structure or enclosed by a fence, berm, hedge or something. DePreter stated that he thinks that is addressed somewhere else in the draft zoning law but that it can be added into this section as well. Brief discussion followed.

McQuade stated that she had a note regarding sidewalks and trees and watching out for power lines. McQuade stated that very often there is a problem with planting trees that grow to a height that ends up growing into the power lines. Stolzenburg stated that it's true that is a problem but if you say it can't grow high then all you will get are shrubs. Chase stated that if the Planning Board is requiring the planting of street trees then if someone is halfway sharp they are going to plant a species that is a relatively small tree. Chase further stated that the planner or engineer can help people if they can't figure it out for themselves. DePreter agreed. Soracco stated that she believes there is a committee for planting street trees and she's pretty sure that they are taking everything into consideration. Chase stated we can just say that it should be a species compatible with the location of the power lines.

Stolzenburg asked if there are other things that the Commission felt was necessary for the Hamlet Business District. Stolzenburg stated that on Page 28 both Jurkowski and Weaver commented that "First finished floor level must be level with the sidewalk grade" should not be in there. Stolzenburg stated that she thinks that the intent was so that the Main Street businesses have a first floor that is not five steps up. Stolzenburg stated that Jurkowski recommended that we specify a maximum elevation above or below the sidewalk instead of "at the sidewalk". Caldwell asked if it has to be wheelchair accessible for public access. Keeler stated that if it is a new building it does. DePreter suggested that it could read "*no more than four feet off grade*". Stolzenburg stated that is

too high. Keeler stated that he would say two feet would be more than enough. Stolzenburg agreed. DePreter stated that would be good.

Stolzenburg asked the Commission if there was anything else they felt needed to be done for the specific standards that they would like to see in the districts and also anything unique or different that we haven't captured yet for Bethel and Pulvers Corners.

Chase stated that we need some guidelines that encouraged buildings that are in scale, close to the streets and historic materials. Caldwell stated that we already have that. DePreter stated that is under the General Guidelines. Stolzenburg stated that she will make sure that those items are included.

Stolzenburg stated that she is not that familiar with Bethel and Pulvers Corners and asked if there are any unique features or anything that we need to be aware of. DePreter stated that he can't think of anything.

DePreter stated that regarding Protection of Agriculture, Caldwell had wanted to talk about the buffers. DePreter asked if that is covered where it says "shall be no less than 50 feet in width". DePreter asked if that is the buffer language. Stolzenburg stated that is a different buffer which is for non-farms that are adjacent to farms. Stolzenburg stated that she thinks Caldwell was talking about a buffer not on a parcel by parcel basis but a buffer of the whole district which is a different item. Stolzenburg stated we can bring Protection of Agriculture up at the next meeting. Stolzenburg stated that she has re-written the first section to make it clear what the buffer is and that it's the responsibility of the new non-farm and not the farmer so she clarified that. Caldwell reminded Stolzenburg that she had given the Commission a map of a one thousand foot Ag buffer in January. DePreter stated that on Page 32 is the siting on major and minor subdivisions. Stolzenburg stated that will be a big discussion. DePreter suggested that the Commission pre-think those things.

DePreter asked the public if there are any comments. There were no comments from the community.

Keeler motioned to adjourn. Seconded by Caldwell. All in favor.

Respectfully submitted by:

Karen Pineda
Zoning Commission Secretary

*** Bold font denotes a decision made by, and agreed to, by the Zoning Commission for purposes of composing the Generic Environmental Impact Statement.**