

Town of Pine Plains Zoning Commission Minutes
February 10, 2007

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

Absent: Vikki Sorraço

Guests: (1) member of the public. Millerton News.

Meeting called to order.

Caldwell motioned to adopt the January 24, 2007 minutes. Motion seconded by Keeler. All in favor.

The Commission discussed Steve Winkley's changes to the proposed Wellhead Protection Plan. The Commission agreed to approve the boundary map in the proposed Wellhead Protection Plan.

The Commission had a lengthy discussion regarding who shall determine the boundary if the location of the Wellhead Protection Overlay District boundary in relation to a particular parcel is uncertain. Stolzenburg suggested adding something that states *"should the Zoning Board of Appeals determine that the boundary needs to be changed, it will be forwarded to the Town Board."* All members agreed.

Caldwell suggested a correction on Page 7 of the draft zoning law under Designation of District Boundaries. Caldwell explained that the last sentence in item #2 references the southern intersection as Route 199/83 and it should read, "Routes 82/83."

DePreter reminded Stolzenburg that there needs to be language added into the draft zoning law stating that mandatory clustering will be required for major subdivisions.

The Commission continued their discussion from the last meeting on the section regarding Manufactured Home Planned Unit Development (PUD) and the density lot standards. The Commission discussed the number of units/gross acre. A lengthy discussion ensued regarding whether to have a manufactured home PUD or a floating district as well as whether or not to allow manufactured home parks at all. Caldwell stated that he feels manufactured home parks are a good alternative for affordable housing. DePreter suggested putting the manufactured home parks conversation aside for now and move on to the affordable housing discussion because it all comes back to affordable housing options. All agreed.

The Commission reviewed and discussed the Town of Warwick Inclusionary Affordable Housing model. Caldwell stated that he feels the Town of Warwick Inclusionary Affordable Housing model is a good model to use because it's general, mandatory and in a scale that we need. Jackson, McQuade, Keeler and Chase agreed with Caldwell.

Stolzenburg stated that a section can be added that says, *“Should the County develop a program, the County should be responsible for the long term administration of the program.”* Discussion followed.

DePreter stated that it sounds like the Commission would like to have the affordable housing option as mandatory. DePreter further stated that he would prefer to have it as a structure for an incentive. The Commission’s final vote was 5 to 1 in favor of mandatory inclusionary affordable housing. Stolzenburg stated that she will implement the Town of Warwick Inclusionary Affordable Housing model into the draft zoning law.

Stolzenburg stated that she will contact the Town of Warwick to ask if anything has come up that they needed to address with regard to the inclusionary affordable housing.

The Commission had a discussion regarding the density bonus percentage for providing affordable housing. DePreter stated that if we are mandating it then the 30% incentive for affordable housing can be removed from the draft zoning law. Stolzenburg suggested keeping the incentive in for senior citizens. The Commission agreed to leave the incentive in the draft zoning law for senior citizen housing. Discussion followed.

The Commission went back to their discussion regarding manufactured home parks. DePreter stated that we have created a pretty good vehicle for affordable housing and asked if we still need the manufactured home parks. DePreter asked if with the multi-family housing for rentals, a requirement that people build 10% of all homes for any major subdivision, an incentive for senior housing, plus no minimum lot size, do we need the manufactured home parks to provide affordable rentals. Discussion ensued. DePreter asked around the table if the Commission members agree that there are enough options for affordable housing. Keeler, McQuade, Jackson, Chase and DePreter agreed. Caldwell disagreed.

The Commission discussed whether or not to allow individual single-wide manufactured homes in the hamlet. Stolzenburg suggested adding language that defines a double-wide as a single family home and that it should be treated as a single family house and then have a separate definition for a single-wide manufactured home. The Commission members agreed that individual single-wide manufactured homes will not be permitted in the hamlet.

The Commission members agreed to allow individual double-wide manufactured homes in the hamlet with design standards for the length, width and a minimum roof pitch.

The Commission discussed whether or not to allow individual single-wide manufactured homes in the rural area. The Commission members agreed that the standards should be the same for the rural area as they are for the hamlet with regard to individual single-wide manufactured homes. The Commission members agreed not to allow single-wide manufactured homes in the rural area. DePreter stated that the only exception would be if a farmer wants to put up a single-wide manufactured home for farm labor because there is nothing we can do about that since that is permitted through Ag and Markets.

Stolzenburg asked what if somebody currently has a single-wide manufactured home and they want to replace it, are they going to be required to replace it with a double-wide or will they be permitted to replace it with a single-wide. Discussion followed. The

Commission members voted 4 to 2 in favor of requiring that single-wide manufactured homes must be replaced with a double-wide if at any time the owner wishes to replace their home. Stolzenburg stated that she will amend the use table with regard to manufactured homes.

The Commission discussed the Agriculture/Open Space Overlay District. DePreter stated that it seems like the decisions to be made are the language and the options that Stolzenburg has given to the Commission to think about. The Commission had a lengthy discussion on the options provided by Stolzenburg. Stolzenburg explained that right now the environmental control formula still has the prime soils in it. Stolzenburg stated that she thinks the point was that there were a lot of places outside of the Ag Overlay, underneath the woodlands, that has prime soils where you shouldn't reduce the density of someone's land because they have prime soils if it's not a farmland. Lengthy discussion continued.

The Commission agreed to include, in the Ag Overlay, the twenty-two agricultural properties that were originally omitted. The Commission further agreed that the Ag Overlay will be defined as any open fields that have prime and statewide soils with a base density of 10 and mandatory clustering.

Stolzenburg stated that so far she has not seen any distinct difference between the Agricultural and Rural Zones. Stolzenburg suggested either joining them into one or make a real distinction for some purpose. Brief discussion followed. The Commission agreed to make one district and call it the Agricultural and Rural District. Discussion followed.

Stolzenburg asked the Commission what percentage of open space they want preserved with regard to the mandatory clustering in the Ag Overlay. The Commission members agreed that 75% of open space should be preserved if someone wants to build on the fields.

Stolzenburg asked the Commission if the siting of non-agricultural structures and the review criteria and conditions listed on Pages 2, 3 and 4 of the Ag/Open Space handout are sufficient. Discussion followed. The Commission members agreed that they are sufficient and no changes are necessary.

Stolzenburg stated that she hasn't added any of the edits of the new sections to the body of the draft zoning law yet. Stolzenburg further stated that all of Warren Replansky's and Ray Jurkowski's comments are up to date so she will pull in all of the Commission's edits. Stolzenburg stated that she needs a couple of good solid days to get that together for a new first draft. Chase stated that Stolzenburg shouldn't necessarily worry about getting it perfect the first time because there will probably be more edits after it is reviewed again. Discussion followed.

The Commission discussed potential language to be added to the site plan review for historical structures, landscapes, etc. Chase stated that different people have gone over and looked at the Millbrook Façade program and he said that essentially all they do is make money available for a planner to sit with the applicant and draw them a few sketches of a layout and color scheme that would work. Chase stated that maybe something similar can be set up in Pine Plains. The Commission members continued to

discuss the potential language to be added to the site plan review for historical structures, landscapes, etc., and the options submitted by Stolzenburg. The Commission members agreed to add in language that states, *“In reviewing the plans, the Planning Board shall give consideration to the historic or architectural value and significance of the structure and its relationship to the historic value of the surrounding area.”* The Commission further agreed to add in the guidelines from the Greenway Guide to the design guidelines.

The Commission discussed underground storage tanks. Keeler made a proposal to let the Building Code take care of issues regarding underground storage tanks. Keeler explained that this is already in the Residential Code and the Building Code. Discussion followed. The Commission members agreed to add language to the draft zoning law that states, *“The installation, construction, or placement of new underground storage tanks or containers of 1,100 gallons or less for petroleum products, including their pipelines, or underground storage tanks, pipelines, or containers for any other toxic chemical is prohibited in connection with all uses including home fuel storage tanks for residential purposes. This subsection is intended to be consistent with the requirements of the New York State Petroleum Bulk Storage Code found in 6 NYCRR 612, 613, and 614 which regulates storage tanks holding 1,100 gallons or more.”*

Public Comment - There were no comments from the public.

The Commission discussed the section on Elder Cottage Housing Opportunity (ECHO Housing). The Commission agreed to amend the section on use limitations to state that the elder cottage shall be occupied by “any” relation rather than limiting it to a parent or grandparent. After some discussion regarding the possibility of increasing the maximum square footage of the elder cottage, the Commission members agreed to leave the dimensional limitation at 750 square feet. Discussion followed. No further changes were made to the Elder Cottage section.

DePreter stated that all that is left to discuss at the next meeting is Cluster/Conservation Subdivisions and Hamlet Development.

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

Respectfully submitted by:

Karen Pineda
Zoning Commission Secretary