

Town of Pine Plains Zoning Commission Minutes
February 28, 2007

Members Present: Peter Caldwell, Gary Keeler, Helene McQuade, Scott Chase, Margo Jackson, Vikki Sorraço,

Absent: Jon DePreter (attended via telephone) Nan Stolzenburg (attended via telephone)

Guests: (4) members of the public. Millerton News.

Meeting called to order at 5:20 PM with Stolzenburg on speakerphone.

Caldwell motioned to adopt the February 10, 2007 minutes. Motion seconded by Jackson. All in favor.

The Commission continued their review of the new sections of the proposed zoning law submitted by Nan Stolzenburg.

Stolzenburg asked the Commission members if there are any areas that they had questions on before moving forward and making any further decisions. Caldwell asked a question about density on page one of the Cluster/Conservation Subdivisions section. The Commission had a discussion regarding what governs the distribution of density bonus units. Stolzenburg stated that she can add a provision that specifies that the density bonus units have to conform to the same planned distribution as the original units, in a cluster format.

Caldwell stated that on Page 18 of the draft zoning law, DePreter added the idea of new hamlet development as a separate planning that could deserve a density bonus. Caldwell asked whether that would be redundant and whether the Cluster/Conservation Subdivisions as prepared would cover cluster units. Stolzenburg explained that you could have a very cookie cutter, suburban style cluster that is developed and not done with hamlet style traditional neighborhood design. Discussion followed.

The Commission discussed whether or not to mandate that all large subdivisions in rural Pine Plains must be clustered and 50% of open space should be preserved. Stolzenburg stated that the Commission already agreed at the previous meeting that in the Ag Overlay there would be mandatory clustering. Caldwell asked about the rest of rural Pine Plains that is not in the Ag Overlay. Stolzenburg stated that she thinks that is a question that the Commission needs to answer. Lengthy discussion followed. The Commission members agreed to wait until Stolzenburg does a little research to see if she can come up with an appropriate number of units that would make sense to have for a mandate.

The Commission had a discussion about secondary conservation areas on Page 3 of the Cluster/Conservation Subdivisions Section. Caldwell stated that the Secondary

Conservation Areas are not defined on Page 3 when they are first mentioned but are defined on Page 5 under Open Space Standards. Stolzenburg stated that she will move the definition from the paragraph on Open Space Standards to Page 3 under Secondary Conservation Areas and she will also include them in the definitions section.

The Commission had a discussion regarding whether or not active recreation areas should be open to the public in order to qualify for open space designation. Soracco stated that she would like to know Replansky's opinion on this subject. Stolzenburg stated that she will speak with Replansky to see if he has any issue with making a distinction between public and private open space that is created.

The Commission discussed maximum impervious surfaces. The Cluster/Conservation Subdivisions section states that no more than 30% of any given acre shall be covered with impervious surface in the form of access drives, parking areas or structures. Chase stated that he would rather have this based on a lot or a parcel rather than a given acre. Stolzenburg agreed and stated that she will change that to "lot" or "parcel".

The Commission discussed the paragraph in the Cluster/Conservation Subdivisions section pertaining to the minimum lot size for developments requiring individual wells and septic systems. Stolzenburg asked if the Commission wants to set a minimum lot size so we don't go too small. The Commission agreed that this should be consistent with the dimensions already set up for the hamlet district.

The Commission discussed item 3 (l) on Page 3 of the Cluster/Conservation Subdivisions section which reads, *"existing trails, bikeways and pedestrian routes of Town, State or County significance, if any."* Chase stated that he would like to see the town have a recreation plan that would designate where there is a plan or a goal to have trails, bikeways and pedestrian routes and state that existing trails, bikeways and pedestrian routes of Town, State or County significance or those indicated in Town, County or State plans for future development so that as new developments are being designed we take into consideration that there is an official public plan that says we need to accommodate these future trails, bikeways or pedestrian routes. Stolzenburg stated that sounds good.

The Commission discussed Paragraph 2 (e) under Open Space Standards which reads, *"no portion of any house lot may be used for meeting the minimum required open space land unless encumbered with a permanent restriction that prevents destruction or development of that portion of the lot."* Chase suggested that there should be some language that states that the permanent restriction is enforceable by the town. Stolzenburg will add the language. Further discussion ensued. The Commission agreed to revise paragraph 2 (e) to read, *"any house lot of five acres or more may be used to meet minimum required open space provided that there is a permanent restriction enforceable by the town that prevents destruction or development of the open space portion of the lot. Any parcel less than five acres does not qualify."*

The Commission discussed Stolzenburg's comment on Page 3 of the Cluster/Conservation Subdivisions section regarding whether or not the Commission

wants to put the design process for Cluster/Conservation subdivisions in the zoning and/or subdivision law. The Commission members agreed to include the design process for Cluster/Conservation Subdivisions in both the zoning law and the subdivision law. The Commission discussed whether or not to repeat the building design standards of Section VI (A) (1) or to just refer to them. The Commission members agreed to repeat them.

Stolzenburg left the meeting at 6:05 PM.

The Commission discussed the list of possible additional standards that may be included for hamlet development. The Commission discussed the average sizes of the buildings in the district. Caldwell stated that he sent that information to Stolzenburg. The Commission discussed whether or not to limit the size of new commercial structures.

The Commission discussed item (g) on Page 3 of the Hamlet Development section and agreed to amend it to read, *“all site plan proposals within the Hamlet Main Street District shall require a public hearing in which the landowners within 500 feet of the proposed use are contacted and provided a public hearing notice prior to approval.”*

DePreter joined the Commission via speakerphone at 6:15 PM.

DePreter stated that he had a comment on Page 6 of the Cluster/Conservation Subdivisions Section, under item (h). McQuade explained to DePreter that the Commission discussed that item and the possibility of differentiating between public and private recreation so that only public recreation could be considered as open space and private recreation would not. McQuade explained that Stolzenburg is going to check with Replansky on that concept. DePreter agreed that is a good idea.

DePreter questioned item 2 (e) under Open Space Standards of the Cluster/Conservation Subdivisions section. The Commission explained to DePreter the a decision was made earlier in the meeting to revise paragraph 2 (e) to read, *“any house lot of five acres or more may be used to meet minimum required open space provided that there is a permanent restriction enforceable by the town that prevents destruction or development of the open space portion of the lot. Any parcel less than five acres does not qualify.”* DePreter stated that sounds reasonable.

The Commission had a lengthy discussion regarding signs in the Hamlet Main Street District. The Commission discussed whether or not to limit the size of signs in this district. Caldwell presented various sizes of signs already existing in the district. The Commission further discussed what the maximum square footage should be in terms of large signs and whether or not there will be different standards for hamlet signage and rural signage.

The Commission agreed that the maximum size of the signs in the Main Street and Business Districts will be 24 square feet for any building greater than 5,000 square feet or multiple business directory signs, otherwise the maximum size of the sign shall be a maximum of 16 square feet.

The Commission discussed various building footprints already in existence in the Town of Pine Plains which in several cases exceeds the maximum square footage of 5,000 square feet, noted in paragraph (g) of the Hamlet Development section. The Commission further discussed whether or not to limit the building footprint to 5,000 square feet in the Hamlet Center Business District. The Commission agreed to increase the maximum building footprint to 6,000 square feet in the Center Business District.

The Commission discussed whether or not to limit the size of new commercial structures in the Hamlet Main Street District. The Commission members agreed that non-residential buildings shall not exceed 6,000 square feet or a total floor area of 12,000 square feet.

The Commission discussed and agreed that ground signs and signs above the first floor shall be permitted and the sentence in item (i) on the third page of the Hamlet Development section that originally prohibited them will be removed.

The Commission discussed bicycle circulation and agreed that some language should be added to the hamlet development section that states that any Town, County or State plans for future bicycle pathways shall be included in consideration for preservation of access in order to accommodate existing bicycle paths as well as those on official Town, County or State plans. Chase stated that he will work on the language and will pass it on to Stolzenburg.

The Commission discussed the maximum footprint size allowable in the Hamlets of Bethel and Pulvers Corners for commercial and non-residential buildings. The Commission members agreed that commercial and non-residential buildings in the Hamlets of Bethel and Pulvers Corners shall not exceed a 3,000 square foot footprint.

The Commission discussed the size of planting strips for new sidewalks. The Commission members agreed that new sidewalks shall be separated from street curbs by a planting strip of four to six feet wide where possible and planted with shade trees. The Commission will ask Stolzenburg for her thoughts on the subject.

The Commission discussed the characteristics that Stolzenburg wants used for low impact development techniques. Caldwell suggested that item (f) be changed from "*Minimizing Imperviousness*" to read, "*Minimizing Imperviousness to water*". Caldwell stated that item (d) under the low impact development standards reads, "*Disconnectivity (Rain Barrel)*." The Commission agreed to ask Stolzenburg for clarification of the term "*Disconnectivity (Rain Barrel)*."

Caldwell explained to DePreter the conversation the Commission had earlier, before DePreter joined the meeting, regarding density in the Cluster/Conservation Subdivisions section. Caldwell explained that he had raised the issue that language should be included that governs the distribution of density bonus units to avoid a situation where a developer gets a density bonus for clustering and then takes that density bonus and spreads it out in a non-clustered format. Caldwell stated that it must be specified that the density bonus units must hold to the clustered pattern from which they derived. Discussion followed.

McQuade explained to DePreter the issue brought up earlier regarding whether or not to post the next draft zoning law on the Town website and declare that it is available to the public for their consideration in order to start the clock on the one month period that the public wants to review the document. Caldwell explained that Stolzenburg thought it might be complete enough so that could be done. DePreter stated that he would like to hear what Replansky says about that before deciding.

Public Comment – Community member, Susan Crossley thanked the Commission for their hard work.

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

Respectfully submitted by:

Karen Pineda
Zoning Commission Secretary