

Town of Pine Plains Zoning Commission
Public Hearing Minutes
June 16, 2007

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

Also Present: The Register Herald, Millerton News and approximately 110 members of the public.

DePreter explained to the public that the Commission is going to hold a brief meeting to approve minutes and discuss a letter to the Town Board. DePreter explained that while the Commission is having its discussion, the community may view the maps of the districts that are posted on the wall. DePreter further explained that there will also be an opportunity later in the meeting to view the maps as well.

Meeting called to order at 9:00 AM.

Caldwell motioned to approve the minutes from April 11, 2007 which have been corrected and the minutes of the May 23, 2007 meeting. Motion seconded by Jackson. All in favor.

McQuade motioned to forward a letter from the Zoning Commission to the Town Board recommending another six (6) month extension of the moratorium. Motion seconded by Jackson. All in favor.

McQuade motioned to adjourn the meeting of the Zoning Commission at 9:03 AM. Motioned seconded by Jackson. All in favor.

DePreter opened the public hearing at 9:05 AM. DePreter explained briefly to the public the format of the public hearing. DePreter stated that this is the first of two public hearings that the Zoning Commission is holding with regard to the proposed draft zoning law. DePreter stated that the next public hearing will be on June 27, 2007 at 7:00 PM and written comments may be sent to the Zoning Commission until 4:00 PM on July 2, 2007. DePreter stated that the Zoning Commission's next regular meeting is on July 11, 2007 at 5:15 pm. DePreter explained that all of the maps and the document are on the town's website.

DePreter stated that one of the reasons we are here tonight is to familiarize everyone with the zoning ordinance and the second part is to hear from the public. DePreter stated that the presentation will be about 35 minutes long. DePreter further stated that the presentation will be given by consultant, Nan Stolzenburg but explained that the Commission wants to make it very clear that the ownership of this document is that of the

Zoning Commission. DePreter stated that the second part of the meeting is for the public to familiarize themselves with the maps that are posted on the wall and the fact sheets. DePreter explained that after the presentation, there will be about 15 minutes for the public to view the maps. DePreter stated that the third part of the meeting will be the public comment period which will be about 75 minutes long. DePreter stated that he knows it looks like the Commission created a lot of pages but explained that 70 pages of this document are existing laws and 26 pages are definitions.

DePreter turned the floor over to Stolzenburg.

Stolzenburg presented the proposed draft zoning law to the public. A COPY OF THE PRESENTATION IS ATTACHED.

DePreter explained the format of the public comment period. DePreter asked everyone who wants to speak to come up to the microphone and state their name and address. DePreter explained that there will be a four or five minute time limit in order to allow everyone an opportunity to speak. DePreter requested that if someone makes a specific point and takes some time to articulate that point and you are in agreement with that point, we would appreciate it if you would just come up and state that you are in agreement with that point. DePreter explained that the Zoning Commission is going to listen to what the public has to say and if there are specific factual questions that the Commission can try to answer then we will take a little time at the end to compile those answers and give them at the end. DePreter stated that if there are opinions or questions about the plan that the Commission can't respond to then we won't be able to respond. DePreter explained that the official response to the public comments will be at the Commission's next regular meeting on July 11, 2007 at 5:15 PM. DePreter explained that written comments may be submitted until July 2, 2007 at 4:00 PM.

DePreter stated that before we start the public comment period, he would like to clear up a couple of misconceptions that have come to his attention about the plan. DePreter stated that it somehow got around town that we are restricting air conditioning units from windows. DePreter stated that this is not true. DePreter stated that it has also been said that the Commission is prohibiting metal roofs and that's not true. DePreter stated that it was said that the Commission is not allowing commercial logging. DePreter explained that this might be a format problem on the use table and that the section was split from page 12 to page 13. DePreter stated that commercial logging is not prohibited and is allowed in some districts.

DePreter opened the public comment period.

Sandra David, Schultz Hill Road, Pine Plains, NY – David thanked the Zoning Commission for their work. David stated that she noticed on the land use maps that some land that is under the Mining Overlay is the same as some land that is in the Agricultural Overlay. David stated that she would like to see the Agricultural Overlay take precedence where there are agricultural soils.

Bob Hottensen, Hunns Lake Road, Stanfordville, NY – Hottensen stated that he owns a house on Route 83 in Pine Plains, in the Hamlet of Bethel. Hottensen stated that he moved from Millbrook because he liked the rural aspect of the Hamlet of Pine Plains, the fact that there are no franchises and the agricultural aspect of the area. Hottensen stated that Pine Plains is a very important area to him and when he bought a house in the hamlet of Bethel, the idea was that he and his wife liked that aspect of the community. Hottensen stated that he wants to say that he supports the aspect of zoning with respect to the hamlets. Hottensen stated that one final thing he wanted to say was that one of the great appeals of Pine Plains was the idea of the low taxes. Hottensen stated that he doesn't have the facts and figures but feels that with very aggressive growth, the tax rate goes up and he feels that there is a fairly good compromise that is being proposed here with respect to keeping the incentives for a master plan but at the same time allowing reasonable growth. Hottensen stated that he would finally like to add that with regard to the Carvel development he is curious about if this zoning passes, how many lots would be available to be developed.

Barry Chase, Pine Plains, NY – Chase stated that he lives on a 350 acre dairy farm and has been a member of the community for 65 years. Chase thanked the Zoning Commission for their work. Chase stated that as a large landowner he has been very concerned with this process and followed it very closely and a couple of ways of what the Commission has done has been exceptional and, for him, very important. Chase stated that he thinks the Town Board was very wise in their selection of the seven people chosen for the Zoning Commission that represented a very wide range of views and they also provided the money to hire the planners necessary for them to have the legal expertise to get things straight. Chase stated that about two weeks ago he received a letter in the mail from Ed Casazza and Rick Osofsky and although he agreed with things in that letter, he found it misleading. Chase stated that his main reason for saying so is that they had the premise that development has been upon us for over 30 years. Chase offered some historical fact regarding the Carvel property and stated that at one time there were about 150 units proposed by Tom Carvel but Carvel ran a very successful franchise business and made a lot of money. Chase stated that Tom Carvel found Pine Plains and he loved it and he also loved golf and he had no place to go golfing so he put together All American Sports City and he had lakes, hills, a golf course, some houses but Tom Carvel never had any real desire to have an awful lot of people around him. Chase stated that is what happened for a very long time and it wasn't until the Durst Corporation found Pine Plains that we had serious development considerations. Chase stated that there were letters in the local papers about what good neighbors Durst was going to be and how environmentally friendly they were but Chase stated that the truth is with 2, 200 acres and 975 units which is one unit for every 2 acres that there's nothing green about that.

Chase stated that his next problem involves the letter from Rick Osofsky and Ed Casazza that stated that they did not like the details of the zoning document and he understands this completely because he doesn't like it either and doesn't think it's necessary. Chase stated that he comes from a town that he grew up in where you can leave your keys in the car and your doors unlocked. Chase stated that he has no problem with Rick or Ed or any person in Pine Plains that he grew up with when a handshake or whatever someone said

was legitimate. Chase stated that is not true anymore in this age and when you see big development and well paid, very efficient lawyers looking at documents and finding ways to do what they want. Chase stated that he thinks that the Zoning Commission had similar viewpoints but their professional brains are telling them that if we do not dot the "I's" and cross the "T's", we're going to have trouble and we don't want to go to court like our neighbors in Milan and not have their wishes met and going to court and losing and having to face court again with all of these new regulations that are there. Chase stated that this document protects us so to him it's very, very important. Chase stated that he knows he'll have to give up some things but if at the end of the day he gets more with this document than what he will have to give up then it's a good document. Chase stated that he thinks the Commission was very honest about keeping the rural character of the town, providing for controlled growth and addressing affordable housing and he feels that the Commission has done those things very well. Chase stated that he hopes that the Town Board has the political resolve to pass this document as is.

Rick Osofsky – Osofsky stated that he agrees that the Zoning Commission has worked very hard but there are no farmers or business owners on the Zoning Commission and he feels that the community was underrepresented. Osofsky stated that 20 years he sat at a public hearing discussing a zoning ordinance and we were told at that time if we didn't adopt zoning that within the next 20 years the town would represent all of the things that we didn't want. Osofsky stated that it's been 20 years and the town is just as beautiful as it was 20 years ago and we did it without zoning. Osofsky stated that he is not suggesting not having zoning, he is just suggesting that we be very careful in terms of what we do. Osofsky stated that when we sat here 20 years ago and had this discussion most everyone in the room was local, worked here, farmed here or had a business here but if you look at the room today, it's very different. Osofsky stated that he isn't saying that there is anything wrong with that but the needs of the people are different. Osofsky stated that we have certain inalienable rights, the right to life, liberty and property and the burden of explanation rests with those who choose to take our rights away. Osofsky stated that this document does diminish our rights significantly and he doesn't think it does it in an innocent way.

Osofsky stated that he has been to the Zoning Commission meetings on a number of occasions and has asked simple questions and has never received an answer. Osofsky asked about mobile homes and stated that he would like to know why they are not allowed. Osofsky stated that there are a number of the members of this community who have grown from mobile homes and they are good, contributing members of this town. He said that behind the school there were a significant number of mobile homes and they were converted into cheap modulars and then eventually into nice homes. Osofsky explained that it is the way that we lived, we didn't have McMansions on a hill. Osofsky stated that now mobile homes are not allowed and he asked the Commission why?

Osofsky stated that he also finds it significant that if you look at the maps, the Commission created a residential zone that shows where we can build density housing, which is where there's a football field, cemetery, the front yard of Seymour Smith, the

wetlands down at Shekomeko. Osofsky stated that he asked why when we know that we're not going to be able to build there.

Osofsky stated that a good portion of the hamlet is now a non-conforming use and if this zoning ordinance existed at the time those buildings were built, they wouldn't be here. Osofsky stated that before zoning we could do what we wanted and we didn't do such a bad job with the spontaneity of the individual and what he did and what he built was pretty good, now we have a book detailing in the most extreme intrusive way, all of the things we can do. Osofsky stated that he would like to know what the fear is and what is happening in this town to justify an ordinance of going from nothing to the most intrusive ordinance he has ever read. Osofsky stated that without zoning in Pine Plains, we also didn't have litigation and compliance costs. Osofsky stated that we are at a point where we should begin this discussion, not end it and that this is the most important decision this town will ever make. Osofsky stated that we will never be the same, this is going to change the town forever and he is suggesting that if you're going to do it, then do it right and have the dialogue now but the Commission wants to get it done in a hurry.

Osofsky stated that on the use table it shows where warehouse are permitted and what the definition of warehouses is and he read an article about warehouse storage in Northeast that was discussed at the Northeast Town Board meeting. The article stated that the town attorney suggested that the town refer their request to the Town Planning Board, Zoning Board of Appeals, the Zoning Review Committee and the Zoning Enforcement Officer. Osofsky stated that those are the kinds of things that he thinks our zoning ordinance should avoid. Osofsky stated that the ordinance is based upon some fear that somebody is coming to this town and suggested that if there is a legitimate concern about the three proposals before the board then the board should have dealt with them but it didn't deal with Carvel and didn't deal with any of them other than to say that they don't exist because if you read the ordinance, none of them could exist. Osofsky stated that if you want to deal with them then deal with them but at the same time don't deal with all these petty rules and regulations that make no sense. Osofsky further stated that every right that you take away and every rule that you make should be justified in some way.

Osofsky stated that he asked a question three or four different times and never got an answer regarding the environment control formula. He asked the Commission hypothetically, if he had 100 acres with 50 acres of hills and 50 acres of flatland and his neighbor had 100 acres of flatland and the neighbor gets 20 lots on his flatland gives with 5 acre density and he can build those 20 houses on 10 acres because the neighbor can build them on half acre lots, but he (Osofsky) would get only 10 lots because he has a hill way down on the other side that consumes 30 acres and a beautiful lake so you lose density and can only build 10 lots. Osofsky asked how does that environmental control formula in any way protect the environment if he is not building on the slopes but has 10 acres down in the corner and could get 20 houses but he can't because he has a pond and hill a half mile away. Osofsky stated that he begged the Commission for an explanation and never received an answer. Osofsky asked if that has anything to do with the environmental control formula or does it have to do with controlling the numbers.

Osofsky stated that he doesn't have a problem with it if it does have something to do with controlling the numbers but the Commission should just tell the community.

Susan Crossley, Pine Plains, NY – Crossley stated that the Zoning Commission should be commended for the cutting edge zoning plan they have come up with. Crossley stated that traditional zoning laws have created sprawl but this Zoning Commission has come up with a plan that will preserve the rural character of Pine Plains. Crossley stated that she does have one thing to bring up and stated that the zoning law allows heliports and helipads in the Ag/Rural District and she would like the Commission to think long and hard about allowing them because they are really noisy and they are not necessary.

Lou Galm, County Route 7, Gallatin, NY – Galm asked if the Zoning Commission has done a tax analysis on the effect on the assessments if this law passes. Galm stated that by changing regulations, land might depreciate in value so that a person is going to go to the assessors and say last year I could sell my land for housing at \$18,000 to \$20,000 per acre and now it's only worth \$8,000 per acre. Galm stated that taxes are going to affect the tax rolls, the income for the school, the fire department, etc.

Wayne Tyson, Pine Plains – Tyson stated that the area owned by the Antler Club along the lake was put into the Agricultural District. Tyson stated that the buildings there have been there since 1912 and now they will be considered a non-conforming use. Tyson explained that there are 15 members and 15 lots for them to put houses and there are 12 up there now. Tyson stated that the area has been a residential area since 1912.

Jane Waters, Schultz Hill Road, Pine Plains, NY – Waters stated that there is a lot of discussion in town about this plan being something that will result in only wealthy people being able to live in Pine Plains and talk about the change in the character in Pine Plains and that if we don't have zoning it will somehow preserve what we have had. Waters stated that is a fallacy because we are two hours from New York City and people make salaries in New York City and buy land up here with a one hundred times the salaries of people who live and work here. Waters stated that it is the economic divide that is driving up the cost of the land here and the fact that it is a beautiful area that people can get to in two hours who can pay top dollar for the land. Waters explained that will happen whether it's this zoning or no zoning or whether it's a different zoning. Waters stated that at least this plan allows for small lots, encourages the ability to do that and it requires that large developers provide a number of the units at a price of less than the top dollar. Waters urged the Zoning Commission not to succumb to the pressure to take that out of the plan or to result in just the developer having to give a certain amount of money so that "workforce housing can be built somewhere else". Waters stated that will result in a poor part of town and a wealthy part of town. Waters further stated that she thinks it's very important in terms of having the community not be so divided that people don't even know each other. Waters stated that she has an article about exactly those issues in the area outside of Denver. Waters stated that without the kind of land use controls that we are trying to put into place today, all of the land will pretty soon be priced out of the ability of local people to pay for it. Waters stated that those issues face us regardless of what decision comes out of this plan.

Fulton Rockwell, Schultz Hill Road, Pine Plains, NY – Rockwell stated that when he drove up Schultz Hill Road in 1969, it was the mix of the farms, the weekend homes and the trailer homes that were all mixed together that to him was the dream of democracy. Rockwell stated that he came to Pine Plains because of those mobile homes and now he sees what's happening here and stated that maybe it's a different bunch of people moving in or maybe it's the committee but he stated that he doesn't agree with banning mobile homes. Rockwell stated that the best guy he knows in this town lives in a mobile home and he wouldn't be in this town under today's rules. Rockwell stated that as he read the document about site analysis, it sounded to him like this was all voluntary. Rockwell further stated that we went through this with the Comprehensive Plan and he thought that at the end of that, it was all ruled illegal for any Town Board to be able to site any house on somebody's property but the first speaker tonight made that sound like that was part of the law. Rockwell asked if it is compulsory that this board or another board can tell you where to site on your land or is it something to be discussed to try to work it out to everybody's satisfaction. Rockwell further stated that he supports so much of what Rick Osofsky says. Rockwell stated that he is not against zoning but this particular plan is such an invasion of people's rights. Rockwell stated, "I'll see you all in court."

Dick Dunham, Bean River Road, Pine Plains, NY – Dunham stated that he thinks the Zoning Commission has done a wonderful job. Dunham stated that first we had the Comprehensive Plan that reflected listening to the people of Pine Plains through questionnaires and now we have the Zoning Commission applying the message of the things that were important to people here that was in the Comprehensive Plan. Dunham stated that with the input from the meeting a year ago, the Zoning Commission included provisions to encourage business to make Pine Plains a good place to have businesses and create jobs here and to channel that into the center of town and at the same time provisions to encourage affordable housing which is very important to maintain a mix. Dunham stated that is one of the things that is so great about Pine Plains and preserving the rural character that all of us love, as well as the open space and agricultural land. Dunham stated that although there are restrictions, there is flexibility and he thinks the Zoning Commission struck a good balance of the restrictions that bring us great benefits so he wants to thank the Zoning Commission.

Carl Popp, Pine Plains, NY – Popp stated that his passion is preserving open space. Popp stated that he was a member of the 1980 Zoning Commission and as a result he has kept up on the issues over the last year or so and attended at least ten conferences on planning, preserving farms and open space. Popp stated that at these conferences they talk about things that work and things that don't work. Popp stated that one thing he learned at these conferences is that there are a ton of things in this zoning ordinance that do not work and there's very little in it that does work, and in some ways it may do more harm than good and in fact may accelerate the loss of open space. Popp stated that the most surprising thing to him at these conferences is how everyone here today is so concerned about zoning and the protection of the town but he has never seen anyone from Pine Plains at any of these conferences. Popp stated that today he is offering a second chance in the form of a website. Popp stated that the website address is

www.msnusers.com/savepineplains and explained that on this website there are ideas, samples and a lot of alternatives. Popp stated that the website is designed as a compromise, it's designed to try and bring both sides together and he challenges everyone to go to this site and check out the alternatives. Popp stated that there are a lot of good ideas out there that aren't being used. Popp further stated that for people who have already visited the site, there is always new information being added so he stated that those people should visit the website again.

Foster Reed, Pine Plains, NY – Reed stated that he moved back here from San Francisco and went over to Columbia County for a place to settle. Reed stated that he was really discouraged to see what had happened to Columbia County as he remembered it 30 years ago, until he came to Pine Plains and stated that there's a quality of countryside here. Reed stated that it doesn't take very long to get slammed into a suburban environment. Reed stated that he noticed that in this process there is kind of a dissenting group and many of them are people who lived here for a long time and then there is another group who seem to have moved here after the 70's when the big farms started to fail. Reed stated that if you really look around here and you look at who is working these farms, you'll see that people from Central and South America are invisible but they are here and however this town grows they're going to be the ones going to school here. Reed stated that he will be sending his kids to school here too but more and more of the workforce is going to come from Central and South America and our kids who grew up here will probably be heading to San Francisco. Reed referred to the VA building and the senior housing development and asked if that is an example of what people here want their future to look like. Reed stated that he thinks this town does need zoning but feels that the Zoning Commission should sit with Teesink for a period of six months and just go through it line by line and make what looks like a very well intended, well researched, educated document become a viable document on the local level.

DePreter asked the public if there is anyone else who would like to speak. No other members of the public came up to speak.

DePreter explained that the Commission is going to sit down and put their heads together and try to answer some of the questions with some kind of clarity.

After a short discussion, DePreter addressed the public again. DePreter stated that the first question was how this zoning will affect the Carvel project. DePreter explained that this is just a rough thing but that under the standards that we have now, the Carvel project would receive 391 homes under this plan if adopted, and that would include roughly 200 existing lots and the remaining lots would be in addition to that. DePreter explained that we also have incentives in this plan for a 30% maximum increase in density for any subdivision. DePreter stated that if Carvel chooses to use some of the incentives, they could get another 100 homes which would give them approximately 491 homes. DePreter stated that to be fair, he thinks that the figures that everyone is talking about are a combination of the homes in Pine Plains and Milan so that would give them roughly 520 homes. DePreter stated that those incentives were extended to everybody. DePreter explained that the majority of the Commission thought that the best way to proceed with

this is not to really have a parcel based philosophy behind what we are doing. DePreter stated that the other thing that the Commission said about the Carvel project was that because they are in the Ag/Rural District the homes would be clustered and 75% of those homes would have to be developed as a hamlet. DePreter explained that they would have a more centralized and concentrated development and the Commission wanted to give them some chance to be flexible and get some equity out of the property otherwise the 25% of the remaining houses would be allowed to be sited outside of the hamlet.

DePreter stated that regarding the question about an economic analysis, the Zoning Commission will not be conducting an economic analysis. DePreter explained that it was determined by the consultants and the Commission that the person or agency to do that if they choose to, would be the Town Board during their review of the document.

DePreter stated that regarding the question on warehouses, that warehouses are allowed in the Main Street District, the Ag/Rural District, the Ag Overlay and the Wellhead Protection District.

DePreter stated that he would like to clear up a couple of things regarding mobile homes. DePreter stated that all existing trailer homes will be grandfathered into the law. DePreter further stated that trailer homes are now referred to as manufactured homes so the Commission has decided not to prohibit manufactured homes, but are requiring that they be double wides.

DePreter stated that regarding the question about the siting of individual homes, single family homes that are not going through the subdivision process will not be sited. DePreter explained that we have some general guidelines that we would like people to follow but there is no mandatory siting of single family homes outside of the subdivision process.

DePreter referred to the question about the mining district in its relation to the Ag Overlay and stated that what we found when we did a buildout on the soils map was if you took the Ag Overlay out of the Mining District, you have very little left for mining. DePreter explained that the idea would be that someone mines then later on the soils could still be used for agriculture.

DePreter thanked everyone for coming to the public hearing and reminded the public that there will be another public hearing on June 27, 2007, 7:00 to 9:00 PM.

Respectfully submitted by:

Karen Pineda
Zoning Commission Secretary

ATTACHMENT (PRESENTATION)

**Town of Pine Plains
Zoning Commission
Presentation and Public Hearing**

June 2007

Draft Zoning Philosophy

- To be consistent with adopted Comprehensive Plan
- To address these community goals:
 - Preserve Pine Plains' natural beauty and rural character.
 - Ensure that new commercial and residential growth is consistent with cultural and environmental conditions.
 - Maintain Hamlet of Pine Plains as town center for commercial, cultural and residential uses.
 - Preserve farmland and encourage farm businesses.
 - Provide for a range of housing types to meet a broad range of needs.
 - Protect historic elements and small town character.

Draft Zoning Philosophy

- To allow for flexibility on the part of landowners and the Planning Board.
- To create incentives to provide important community amenities.
- To treat everyone fairly through use of a standard process and clear set of expectations.
- To maintain the ability to creatively use one's property.
- To balance growth and development with preservation efforts.
- To provide for affordable lots and units.

The Zoning ...

- **Concentrates densest growth in hamlets:** Allows for multi-family development in hamlets, allows and has standards for creation of new rural hamlets (similar to Bethel or Pulvers Corners) and traditional neighborhoods (similar to hamlet of Pine Plains), concentrates higher density in hamlet of Pine Plains in bulls-eye approach.
- **Preserves important environmental features and rural character:** clustering, conservation subdivisions, design standards, layout standards, protection of agriculture, protection of public water supplies, sets density to have low density residential development.

The Zoning ...

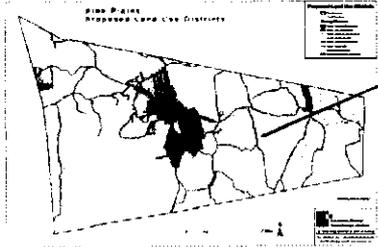
- **Promotes senior and affordable housing:** allows accessory apartments, ECHO housing, no minimum lot size concept, by-right split of smaller lots, mandatory provision of moderately priced units for large subdivisions.
- **Promotes business growth:** mixed uses in hamlets, Main Street District, 1/3 acre parcel size for business, establishes central business district, use table that draws businesses with customers to hamlets, maintains existing uses (as non-conforming and allows 25% increase in size).

Proposed Zoning Districts

■ Agricultural/Rural District

- Purposes
 - To protect and maintain rural character, open space, scenic resources, agricultural lands, sensitive environmental areas, and to maintain low density residential land uses.
- Base Density
 - 1 dwelling per 5 acres based on net buildable acreage; no minimum lot size.
- Development Standards Include
 - Cluster/conservation subdivisions (50% open space; mandatory on large subdivisions as traditional neighborhoods, discretionary for smaller subdivisions), ag buffers, rural-style siting of structures (avoid steep slopes, placement along sides or woodland boundaries, not at top of ridge line, etc.)

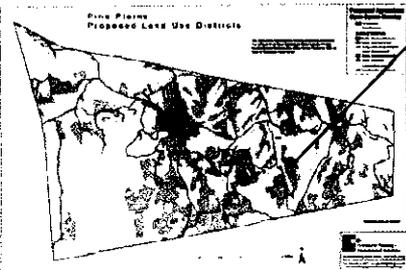
Agricultural/Rural District



Proposed Zoning Districts

- Agriculture/Open Space Overlay District
 - Purposes
 - To maintain a critical mass of farmland, to promote agriculture
 - Base Density
 - 1 dwelling per 10 acres based on net buildable acreage; no minimum lot size
 - Development Standards Oriented to Siting
 - Structures moved off prime/statewide important soils and away from active agricultural lands, cluster/conservation design mandatory for all major subdivisions with 75% open space as rural hamlet or traditional neighborhood, siting and uses to protect and promote agriculture.

Agriculture/Open Space Overlay

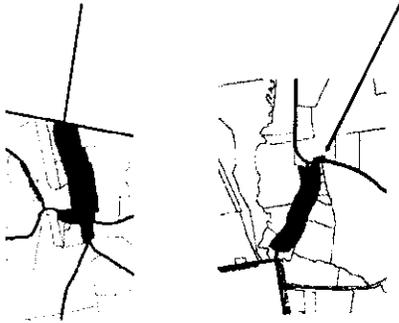


Proposed Zoning Districts

■ Hamlet Districts: Pulvers Corners and Bethel

- Purposes
 - To foster higher density development consistent with hamlets and to promote the traditional locations of settlement
- Base Density (minimum lot size)
 - Pulvers Corners: 1 dwelling per 1 acre
 - Bethel: 1 dwelling per 3/4 acre
- Development Standards Oriented to Siting and Design
 - Hamlet style development standards so that new is consistent with existing (building placement, scale, style, sidewalks/street trees, lot size diversity, commercial design standards, etc.) and oriented towards rural hamlets

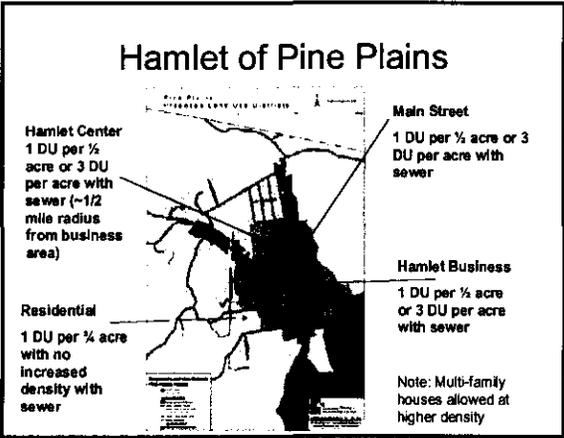
Pulvers Corners and Bethel



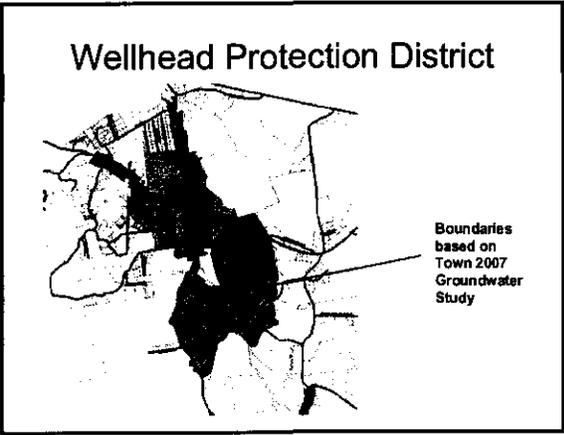
Proposed Zoning Districts

■ Pine Plains Hamlet

- Hamlet Business, Main Street, Center Residential, Residential (non-center)
- Purposes
 - Promote hamlet style density and development with mix of uses and retail development. Emulate current patterns.
- Density
 - 1 du per 1/2 acre - Business, Main St and Center; 1 du per 1/3 acre in Residential; 1/3 acre min. lot size for non-residential in Business, and Main Street districts.
- Development Standards Oriented to Siting and Design
 - Hamlet design standards oriented to promote traditional neighborhood patterns



- ### Proposed Zoning Districts
- Wellhead Protection Overlay District
 - Purposes
 - Protect area containing the well and recharge areas for the public water system serving Pine Plains
 - Base Density
 - 1 du per 5 acres based on net buildable acreage
 - Development Standards (Based on recommendations from NY Rural Water Assoc.)
 - Certain uses prohibited, limits to site coverage, stormwater control methods required.

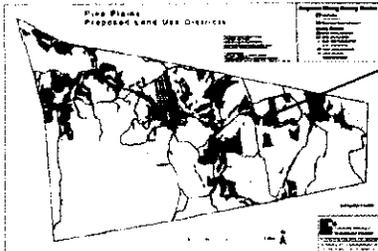


Proposed Zoning Districts

■ Mining Overlay District

- Purposes
 - To permit and regulate mines that remove over 1000 tons or 750 cubic yards of materials in areas suitable for such activities (mines that require DEC mining permits)
- Base Density: Same as underlying zone
- Uses: Same as underlying zone but large mines will only be allowed in this overlay. Small mines allowed elsewhere.
- Development Standards: Non-mine uses same as underlying zone, mining to follow NYS requirements for mining

Mining Overlay District



Boundaries based on Town Engineers study of soils and geology but not in Hamlets, Wellhead Area or on properties already protected with easements

Other Major Highlights of Draft Law

- Incentives (open space/Ag, senior housing, public access or cultural/historical features)
- Moderately-Priced Housing (required for large subdivisions)
- Use of Cluster/Conservation Subdivision
- Rural Development and Hamlet Development Guidelines
- Enforcement/Administration

Next Steps

- Review comments from public and adjust draft if needed
- Submit report and draft law to Town Board
- Town Board's adoption process
 - Public hearing
 - County Planning Department review
 - Environmental Review (SEQRA)

Public Comment

- Maps and draft zoning are on Town website: (www.pineplains-ny.gov)

- THANK YOU FOR ATTENDING TODAY.
YOUR INPUT IS VERY IMPORTANT.
