

Town of Pine Plains Zoning Commission Minutes
June 8, 2005

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

Guests: (2) members of the public and representatives from The Millerton News and The Daily Freeman.

DePreter called meeting to order at 5:34 pm.

Caldwell moved to approve minutes, second by Keeler, all in favor.

DePreter stated that in order to have some type of system in place regarding the minutes, perhaps the Commission would agree that once the minutes are emailed to the members, there can be a two day waiting period for corrections, after which the minutes will be posted on the website as a draft. All in favor.

DePreter stated that perhaps a survey can be posted on the website as the Commission moves forward and that the survey can also be in the form of a handout to be distributed at workshops in the future. The Commission Secretary stated she can post a survey on the website that can be downloaded and mailed to the Zoning Commission.

DePreter stated he asked Butler to come by tonight at 6:30 to go over how the hamlet border was drawn up.

Stolzenburg handed out maps of the hamlet to the Commission. DePreter distributed an expanded map of protected lands, which Caldwell stated is from 2004 from The Dutchess Land Conservancy. Caldwell stated that he can call Becky Thornton and ask for 2005 if they have it. Caldwell further stated that this lists Federal and State Government and other conservation organizations, like the Farmland Trust and the Dutchess Land Conservancy. Stolzenburg stated data can be sent to Don and it can be incorporated into all of the other maps. Stolzenburg further stated that she can have Don contact Becky Thornton.

Privilege of the floor granted to the public. One member of the community asked if there is any reason that no opportunity is given for public comments at the end of the meetings. DePreter stated that the Commission only has an hour and a half to meet but that maybe he can leave a couple of minutes at the end when possible. DePreter further stated that the Commission had originally agreed to allow for public comment at the beginning of the meetings. Chase stated that perhaps it can be done at the beginning and if there is an opportunity at the end as well, but not necessarily at each meeting. DePreter stated it can be considered meeting by meeting. Community member also asked if meeting minutes are long. Commission confirmed that they run about 5 or 6 pages long.

Commission moved on to new business. Stolzenburg stated she would like to focus on districts and not density for now in order to understand what the areas are. Stolzenburg distributed maps of the hamlet area showing boundaries. Stolzenburg suggested starting

the discussion on the hamlet boundaries because the Commission needs to pin down hamlet and rural and then go back and do overlays. Stolzenburg pointed out that while looking at an aerial photo, and thinking about the hamlet, hamlet development and density, it occurred to her that not all places in the scheme are equal and that there are different characteristics of different places. Stolzenburg further stated that there is the real core traditional part of the hamlet and there are periphery areas on the outside that still may be desirable to have in the hamlet but have a different character.

The Commission discussed whether all hamlets in Pine Plains should be created equally or if the zoning should treat them differently in order to capture the uniqueness of each area appropriately.

Further discussion followed regarding commercial areas, their uses and possible design standards.

Keeler stated that the Commission needs to come up with a use restriction in the village center, as certain businesses may be desirable to have there but he wouldn't want something like a manufacturing plant sitting in the middle of town. Keeler further stated that one piece of property that concerns him is the St. Anthony church lot and what might happen with it. Discussion followed as to who owns the lot and what can be done with it in the future. Caldwell stated that as soon as the State passes a transfer tax that allows the town to build up a kitty of 2% tax on all real estate transactions, and when there is enough money, the Archdiocese can be approached with a purchase offer. Further discussion ensued regarding whether the lot is owned by the Archdiocese or the parishioners.

A member of the public, Jon Adams stated that he does a lot of work with the Real Estate Division of the Archdiocese and will be happy to make an inquiry and provide the Commission with any information that might shed some light on the question.

Stolzenburg stated that the Commission needs to discuss one thing at a time and should discuss the hamlets and make a decision about how to treat all of the hamlets. Caldwell stated that there are 21 residences in Pulvers Corners and about 12 in Bethel. DePreter stated that he had originally pictured those as residential hamlets. Caldwell stated that they are in fact designated as such in the Comprehensive Plan.

DePreter stated that it is formally being proposed that the Commission establish three hamlet designations, one for the Hamlet of Pine Plains, one for the Hamlet of Bethel and one for the Hamlet of Pulvers Corners. The hamlets of Bethel and Pulvers Corners will be treated the same, while the Hamlet of Pine Plains will be treated differently. Commission members agreed unanimously.

Caldwell stated that regarding what Keeler had talked about with respect to the importance of the lakefront properties and recognizing the density development south of the lake, it seems that the Commission would want to consider whether the residential portions west of the lake should be included in the Pine Plains hamlet designation. Discussion followed regarding the area surrounding the lake. Chase stated he does not understand how expanding the area around the lake would offer more protection to the lake and feels it would only open it up to more development. Keeler stated it would depend on what the Commission comes up with. Caldwell stated that there can be a lake

overlay with restrictions which preserves the current level of density around the lakes. However, Caldwell further stated that he feels it would be easier to incorporate that within the hamlet if the Commission is going to partition how it views different areas of the hamlet. Stolzenburg asked if the Commission (as residents) feel that the people who live on the other side of the lakes feel they are in the hamlet. Keeler stated he feels they do not feel they live in the hamlet. Stolzenburg stated that even if the hamlet district does not include those areas, there can still be a lake overlay anyway. The Commission agreed that there really is no advantage to including the other side of the lake into the hamlet. Discussion followed regarding boundaries and performance standards in the districts.

DePreter suggested that the Commission first discuss the residential areas and that it might make it simpler to start with that rather than the broader issues. Discussion followed regarding hamlet boundaries and lot lines.

Butler presented an explanation of how the boundaries came about and how the Village was defined in the Comprehensive Plan. He explained that the thought was to identify the existing hamlet but not to constrain further development. Butler explained that from Route 199 to where Route 199 and Factory Lane intersect, it is a fairly well defined environmental constraint on development due to the stream, low lands and flood plains, but there is room for further definition of that area. Butler went on to explain that heading west along the Northern border of the hamlet, a straight line was defined which did not follow property lines. Butler stated that he did not know if there was a rationale for putting that line there or not.

The Commission discussed whether property lines should determine the boundary. Stolzenburg stated that it is a decision the Commission will have to make. Chase stated he feels that boundaries should be a combination of property lines where they work and environmental constraints where property lines don't work. Chase stated that perhaps the Commission should try to look at where the flood plain line is and maybe conceptually agree that the Northerly boundary of the hamlet district become whatever the flood plain line is. All agreed.

Butler continued that down the West side, he is not sure if there was a tremendous amount of discussion and thought put into the creation of the line. Butler further stated that it will more or less follow an area within that is going to be relatively flat on the outside but will quickly become steep. Discussion followed regarding steep slopes and flood plains.

The Commission discussed the Southern portion of the hamlet as to what areas should be in the hamlet and what the defining boundary should be.

Stolzenburg asked the Commission members if there is a general agreement to leave the Eastern, Northern and Western boundaries as they are now drawn. Stolzenburg stated the Commission needs to make a decision about how much room to grow to the South. Butler stated that all that will be gained by including any land in the Southern portion of the hamlet, either by easement or environmental constraints, is legitimacy to what is already there. Stolzenburg stated that it's good to leave a certain percentage of room for growth. Chase suggested that the portion of the land that is showing as non-constrained be put in the hamlet. Keeler stated that it needs to be decided as to where to end it. Caldwell stated it can be ended on the line where the wetland areas are.

Stolzenburg stated that the Commission was not able to get to the boundaries of the overlays and the "Section II, Establishment of Districts" that she distributed. There was a brief discussion regarding recommendations and suggested revisions from Chase and Caldwell.

Stolzenburg stated that she will bring the map of the Southern boundary to the next meeting and will pick up with finalizing the hamlet discussion and then go on to discuss the boundaries of the overlays.

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.**