

Town of Pine Plains Zoning Commission Minutes
March 10, 2007

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

Guests: (2) members of the public.

Meeting called to order at 9:10 AM with Stolzenburg on speakerphone.

Caldwell motioned to adopt the February 28, 2007 minutes. Motion seconded by McQuade. All in favor.

The Commission discussed the minutes from the February 10, 2007 meeting in which it stated that the Commission agreed to include in the Ag Overlay the twenty-two (22) parcels originally excluded. DePreter stated that was a projection by Caldwell and that those parcels may very well end up in the Ag Overlay but he wanted to make sure the minutes reflect that the primary decision was based on the soils. Stolzenburg asked for confirmation if the Ag Overlay is going to be drawn from the open fields that coincide with prime and statewide soils. DePreter stated that is correct and that we won't even mention anything about other parcels that will or will not be included. The Commission members agreed.

The Commission discussed the fact that they approved a 24 square foot limit for signs in the Main Street and Business Districts for any building greater than 5,000 square feet or multiple business directory signs but in the design standards, as they were written, it states 25 square feet. DePreter stated that the design standards will be changed to 24 square feet. DePreter further stated that Caldwell has made a recommendation that the 24 square feet also apply for the rural area. All members agreed.

The Commission discussed the size of the letters on signs. DePreter handed out a page of sign samples that reflected the size of various signs and the letter sizes. DePreter stated that 6 inch main lettering on a 16 square foot sign would be more than appropriate. The Commission discussed the lettering sizes of various signs around town. After further discussion the Commission agreed to a 16 square foot maximum size sign for buildings under 5,000 square feet with a maximum main letter size of six inches and a maximum main letter size for a 24 square foot sign will be seven inches.

The Commission discussed whether or not the power to mandate clustering in conservation subdivisions will go to the Planning Board on a discretionary level. Caldwell proposed that subdivisions of greater than 30 units in rural Pine Plains be mandated to be clustered and to preserve 50% of undisturbed landscape to protect the rural character. Lengthy discussion ensued regarding the current list of conditions that may warrant the requirement of a clustered or conservation subdivision layout and

whether or not clustered or conservation subdivisions should be mandatory or remain discretionary by the Planning Board.

The Commission members discussed making clustered and conservation subdivisions in the Rural District discretionary up to thirty (30) units. The Commission further discussed adding open water to the consideration of conditions and *“the total amount of land included in the subdivision is ten acres or more”*, *“the total number of lots is 3 or more”*, *“the lot or parcel is included within an Agricultural District”* and *“the lot or parcel is under a Forestry Management Plan”* from the list of conditions. Further discussion followed.

The Commission also discussed making clustered and conservation subdivisions in the Rural District discretionary for the Planning Board up to a certain number of the conditions listed in the guidelines are met and then it becomes mandatory. The Commission agreed to wait until after Stolzenburg rewrites this section and the updates the list of conditions before deciding on a number.

The Commission discussed Hamlet Traditional Neighborhood Requirements. The Commission discussed the idea that whenever a clustered or conservation subdivision of thirty (30) houses or more is to be implemented, a minimum of 75% of those houses must be clustered and designed using traditional neighborhood/hamlet design guidelines and the remaining 25% of houses can be strategically placed to preserve open space pursuant to the conservation subdivision requirements. Lengthy discussion ensued. The Commission members agreed to the idea of pursuing some type of hamlet traditional neighborhood.

The Commission discussed the possibility of having two tiers regarding hamlet traditional neighborhoods depending on size. The Commission members agreed that clustered or conservation subdivisions of fifteen (15) to twenty-nine (29) houses would be the creation of a rural hamlet and anything above thirty (30) houses would be the creation of a hamlet traditional neighborhood requiring that a minimum of 75% of the houses be clustered and designed using traditional neighborhood/hamlet design guidelines and the remaining 25% of houses can be strategically placed to preserve open space pursuant to the conservation subdivision requirements. The Commission further agreed that for rural hamlets, there will be no curbs allowed but will allow walkways, bikeways and paths. Stolzenburg stated that she will draw up the design standards for rural hamlets.

The Commission discussed whether a density bonus would be needed if a clustered or conservation subdivision is designed using traditional neighborhood/hamlet design guidelines. The Commission members agreed that there is no need for a density bonus for subdivisions using the traditional neighborhood/hamlet design.

The Commission discussed whether or not to offer a density even in instances where the Planning Board or law mandates the use of a clustering or conservation subdivision layout. The Commission members agreed that there will be no additional density bonuses allowed in the Wellhead Area. The Commission further agreed that senior housing should be removed from the use table in the Wellhead area.

The Commission discussed whether or not there should be a density bonus in the Ag Overlay for preservation of open space. The Commission members agreed that there will be no density bonus for non-public access open space in the Ag Overlay but there will be a density bonus offered for public access and permanent protection of cultural, historic or other unique features in the Ag Overlay.

The Commission discussed whether or not to offer a density bonus in the Rural District for affordable housing, senior housing, public access, protection of cultural, historic or unique features and open space protection that permanently preserves at least 10% more than the required 50% open space. The Commission members agreed that there will be a density bonus in the Rural District for senior housing, public access and protection of cultural, historic or other unique features.

The Commission further discussed the matter of an extra bonus if someone permanently preserves at least 10% more than the required 50% of open space. The Commission discussed whether that additional bonus should be 5% or 10%. The Commission members agreed to 5% by a 4 to 3 vote. The Commission briefly discussed that there should be a maximum bonus amount which has not been determined as yet.

The Commission discussed density bonuses in the hamlet. The Commission members agreed to give a density bonus for senior housing, public access, protection of cultural, historic or other unique features and open space in the hamlets of Pine Plains, Pulvers Corners and Bethel.

The Commission had a lengthy discussion regarding the level of incentives offered for permanent conservation of natural areas, senior citizen housing, cultural or historic facilities deeded to the municipality or qualified non-profit agencies and public recreational lands, facilities including trails, and trail linkages.

The Commission discussed and agreed to have incentives for permanent conservation of natural areas of a fifteen percent (15%) increase to the maximum unit density may be approved.

The Commission members agreed to offer an incentive for senior citizen in proportion to the percentage of designated senior units with a maximum of 30%.

The Commission agreed that cultural, historic or other unique natural features will receive a 15% maximum bonus and public recreational lands, facilities, trails and trail linkages will get a maximum bonus of 30%.

The Commission discussed what the allowable cumulative percentage will be. The Commission members agreed that the cumulative amount will be a maximum of 30%.

The Commission discussed whether or not any commercial businesses should be subject to a commercial PUD. The Commission members agreed not to allow commercial PUDs. DePreter stated that during the public review some people in the business community may offer up some limitations to the current use table and if the Commission

thinks they are reasonable then maybe we can just look at those specific businesses as stand alone businesses that we put in our use table.

The Commission discussed the upcoming meeting schedule since the Commission has completed their review of all of the additional sections to be implemented into the zoning law. Stolzenburg stated that she will not be able to draw up a new draft zoning law, incorporating all of the change by the Commission's next meeting on March 14, 2007. DePreter asked Stolzenburg if she thinks she can have it ready for the Zoning Commission's meeting on March 28, 2007. Stolzenburg stated that she thinks she can. The Commission members agreed to cancel their March 14, 2007 meeting. The Commission's next meeting will be on March 28, 2007 at which time they will decide whether or not they will need to meet again on Saturday, April 14, 2007.

The Commission discussed whether or not the draft zoning law should be posted on the website when the Commission receives the next draft. DePreter asked Stolzenburg if she spoke with Warren Replansky about that yet. Stolzenburg stated that she has not. DePreter stated that he feels a little uncomfortable posting it on the website and giving it to the public until the Commission has had a chance to read it. Caldwell stated that it is perfectly possible that we will decide after we read it that it should go on the website so that we will be in keeping with Stolzenburg's timetable. DePreter stated that we will look at it on when the Commission meets on March 28, 2007 and then decide what we are going to do as far as posting it.

Stolzenburg asked the Commission if they want the next draft of the proposed zoning law to be a clean copy or would they want to see it with the changes. Discussion followed. Stolzenburg will give the Commission a clean copy and will have one copy that shows the changes for cross referencing. DePreter stated to Stolzenburg that if she is unable to get the entire document done for the next meeting then even if she gets the first 60 pages done, then the Commission can just work on that. Chase asked Stolzenburg if one of the first things she does would be the Schedule of Uses and put that out as a separate document. Stolzenburg stated that she will do the use table first and then get the draft started. Stolzenburg further stated that she will send what she gets done to the Commission via email as much in advance as she can.

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

Respectfully submitted by:

Karen Pineda
Zoning Commission Secretary