

Committee Attendance:

Edie Greenwood	Ed Downey	Mimi Ramos	Absent: Dianne Engleke
John Crodelle	William Kish	Patti VandeBogart	John Midwood
Dale Culver	Debbie Middlebrook		

Guests: George Kaye, Kathy Chow, Izzy Fitch

Chairman Edie opened the meeting with Nan Stolzenburg and Ellen Pemrick of Community Planning and Environmental Associates. Edie moved onto the economic goal.

Nan: Has made changes and edits to first set of strategies for community character. She did a review of town and village’s subdivision and zoning laws. She said town and village procedural updates need to be made. Many of her comments address the community character: there should be design standards for commercial entities, changing the size and height of allowable signs, things that relate to the aesthetic character. She pulled out recommendations relating to zoning from the town. She outlined specific things she pulled from the village’s zoning. Many of her comments relating to the zoning audits related to process or changes to standards that would affect community character. Need to hone in on which strategies and how detailed the committee wants the strategies to be in the plan. Many the 1994 recommendations that relate to land use regulations were spot on. The design standards and land use plan were well done.

Bill Kish: Asked how the committee should incorporate standards from the 1990s plan.

Edie: Stated she’s all for cut and paste.

Nan: Could reference a section. The 1994 plan defines what should be part of the land conservation district. That map was selective; a new map using current GIS data has been made. When we get to the environmental section, we will compare what’s in the zoning map to what the resources are and the committee will decide if any changes need to be made. The rules need to be clear so when a business wants to come in, they know what the rules are. The current zoning codes are missing definitions that will make the planning board or applicant scratch their head.

Nan questioned why existing town buildings can only to be converted to residential uses. If a zoning district allowed certain commercial uses, why aren’t those commercial uses also allowed in a converted building?

Ed: It came out of a past housing study and it was an attempt to try and find ways to enhance housing opportunities in the community. One of the examples that was considered was taking large structures (i.e. farm buildings) and repurposing them.

Nan: Felt it was quite restrictive to just allow housing.

Dale: Need to allow both uses to encourage growth.

Mimi: People won’t look to live here if they can’t find a place to work.

Debbie: Asked if a commercial business in the town leaves, can a business come into the space or can it be turned into residential?

Nan: Right now, the zoning says that it can only be commercial. She feels that any permitted use should be allowed in a converted building or a new building.

Ed: Surprised that you can’t in the current zoning.

Nan: It has a section that says converted buildings can be converted to residential uses.

Bill: Asked for definition of converting a building.

Nan: She would have to look it up.

Mimi: Mentioned that the Millerton Elementary School building that could only be used as a school again or two residences.

Bill: In favor of adapting use for the former school.

Dale: It would be nice to allow adaptive reuse of some of the vacant agricultural buildings in the outskirts of the village. A barn could be converted to reasonable housing.

Nan: In No. 2, she was confused because the town zoning used language that infers it's an overlay, but it doesn't really define the term. Anytime there is confusion is a zoning code, there is a problem.

Ed: The intention was to supersede the code. In the 2001 draft of the revised zoning law, all the HB districts were taken out.

Nan: No. 3 goes back to the first conversation where there are some areas in the A5 District where some compatible commercial uses could be added to the list. The current code is quite restrictive. There are some other uses that could fit into rural, careful development such as art or music studios, and glamping. She recommends reevaluating and expanding the list of permitted uses in the A5 District.

Dale: This also dovetails with our idea of protecting open space and farmland if in the A5 zoning it allows possible new revenue streams for existing farms. We talked about protecting our agricultural heritage and open space yet farmers need to cope with the added tax burdens. We should think about allowable revenue resources that might create a second income without giving up the farm.

Ed: Asked if you are talking about these as primary uses or accessory uses?

Nan: It could be either. It might depend on the use.

Ed: There is a concept that might apply to some of these; the educational center which is non-degree granting.

Nan: The message to No. 3 needs to be compatible with the low-density residential and farm use.

Bill: Wants it to include some sort of workshop or arts facility.

Eddie: Asked if we are getting into what the Zoning Review Committee will be doing.

Nan: The more the plan can offer a direction, the easier it is for the zoning implementation.

John Crodelle: If we are changing the zoning law, that's a function of the town and village board.

Nan: The plan is just making recommendations.

Dale: His understanding of the committee is that the committee's original goal is to work on a comprehensive plan and after the plan was approved, zoning would be reworked to be consistent with the plan.

Eddie: We are creating the comprehensive overview. There will be a subsequent committee established to revise the zoning codes section by section.

Ed: These specific discussions are useful. Asked if Rudd Pond and other state parks are talking about offering anything like glamping.

Nan: Doesn't know.

Nan: There is a need to evaluate the commercial uses that are currently permitted in the commercial districts. She feels communities often restrict their commercial uses because they're afraid of the impact that that use will have on the community. If you have good site plan review and good design standards, it doesn't matter if it's an office building or furniture-making workshop. She's an advocate for a wider variety of business uses allowed, but more standards that control the performance of that use; the traffic, the look, the setback, how many people are going in and out, where the access roads are. Those are the things that you can control.

Dale: From a planning board perspective, they are more concerned about traffic, lighting and the aesthetics. If we are careful on the performance end, it gives you the opportunity for the district to be viable and vibrant for years. We don't know where the economy may turn and what may be in demand in the future.

Nan: No. 5a is how can we make the approval process as efficient it can. You have a business district set up for business, but you require those businesses to go through both the special use permit and a site plan review. Site plan review looks at how things function on the ground and a special use permit looks at the use and how that use functions. Her perspective is from an economic development point of view. If you have a business district and you want businesses there, then why are you making them go through a special use permit and a site plan review? Some may need a special use permit, but you should reserve a special use permit to uses that you know are going to be impactful. Site plan review is so critical. The town and the village codes have a lot of what's required for a special use permit. They need to be more selective.

John Crodelle: Most of the complaints he hears from people looking to start a business are because we don't have sewer. The problems are with getting Health Department approval to operate their business. He suggests that we invite a supervisor from the Dutchess County Dept. of Health to tell us exactly what they would approve and won't approve.

People are buying property here to set up a business and find that they need to jump through hoops to get the approval for a septic system.

Ed: People wanting to have a business here should research the requirements.

Nan: One of the things the plan could recommend is that the town and village advocate to Dutchess County that they develop some sort of checklist or brochure that clearly identifies what their rules are.

Nan: 5b is important; it pertains to the town level. Right now, unless something is changed that isn't reflected in the zoning, the Zoning Board of Appeals issues special use permits and the Planning Board issues site plan reviews. That forces an unwieldy process where an applicant goes through the ZBA and then to the Planning Board. Because site plan review and special use permits need to be knitted together, it's very unwieldy to have two separate boards involved in the approval process. Her strongest recommendation is that the town move special use permits to the Planning Board. The ZBA should continue to issue variances.

Nan: 5c is a housekeeping issue. You can offer flow charts, checklists and other materials to help applicants know what the process is. Put the approval process information online.

Bill: The planning board has tried to create these but has always been stalled on. He recommends these tools be created by a consultant with input in collaboration with the planning board.

Nan: No. 7, the committee is working on sewer systems.

Debbie: The consultants should be back to the Village board in October with a village sewer feasibility study with suggestions in what area it would encompass, where it would be located and the options for what type.

Ed: Are they limited to just the village?

Debbie: Yes.

Ed: There are certain residential areas that could be served in the town. A plan that serves our needs should extend beyond the village.

Nan: We've added that into our recommendations.

Nan: No. 8 could go for both town and village. She's an advocate for home occupations. Not all home occupations are the same. If you treat all home occupations the same, where they all must go through a special use permit, you're going to discourage some of them. Her approach is to split home occupations into major and minor. Minor ones are where they are sitting at their kitchen table. Major ones are where they have customers, they need a sign and a parking lot; these major occupations need a review. From an economic development point of view, we want to encourage home occupations that are low impacting and fit in with the community.

Ed: Have you ever dealt with the issue that it must be a primary residence of the person who is working there? Can a home occupation be allowed if a person is here part time?

Nan: I have not seen the primary residence question come up. The issue she has seen is if a home occupation can only be in the home or can it use an accessory building like a garage or an outbuilding.

Mimi: How would that impact whether it's a primary residence or not?

Ed: From a planning perspective, it doesn't make a difference. It's the way it used that impacts its neighborhood.

Nan: We're looking at elevating the performance of your land uses, not as much emphasis on the use itself.

Dale: We need to keep in mind that the performance be written for all these things. This plan will only work if it performs.

Nan: No. 9 is in the town zoning. You allow for what is called a floating zone. A floating zone is a zoning district that is outlined in the zoning on what you can do and what kinds of uses are allowed. It's not mapped until someone comes to the town and say I can meet these criteria, but I want to put it here.

Ed: The concept came up with the context of Hipotronics. There was a particular reason why they wanted to be in that location. They were a manufacturer that needed a strong electrical source. It was significant that they be across from the electrical substation. Why commit an area to this kind of zoning and have its impact on what people do around it? There are two sides to this argument. Why do that when it's not likely to happen but at the same time why not have flexibility.

Nan: The benefits of a floating zone are exactly for that purpose. The zoning is vague about the standards. You should have the right criteria to make sure you get what you want.

Nan: No. 10 is a list of several hot button items in planning right now. AirBnBs go through with no review; they are causing all sorts of problems. You need to make a statement about how you want to handle them.

Ellen: Lodging capability did come up when the survey was done.

Nan: The AirBnB is a particularly vexing issue to address, especially in a community that is having affordable housing problems. It raises the prices and makes it more difficult for a landowner to want to rent to a full-time person.

Bill: There is a difference between an AirBnB where you rent your entire structure versus where you rent a room in your house. He sees rent out entire homes as problematic; you take a structure and rent it but the other type is where you rent a room in your home while you're still living there. That room would not be available for rent otherwise and the income would go unrealized.

Ed: It's also location too. In the context of a more densely populated area, it could be more disruptive. The neighborhood impact is greater depending on the density.

Nan: There are a lot of examples out there; at the village level if you have a very attractive place, you have people who are buying whole neighborhoods and turning those residential homes into basically hotels.

Mimi: Asked how they are problematic.

Nan: You're basically changing a residential neighborhood into a transient location that's all hotels. You lose the residential neighborhood, it affects the market value, it leads to community character issues.

Ed: It also takes out of the market the available housing stock.

Debbie: That's going to impact the demographics in the community in the long run.

Dale: The other thing to think about with the AirBnB is you get a high density in a small town. Who are your volunteers now, EMS, etc. When you are a small area and lose a good portion of village housing, who fills the void in manpower?

Nan: There have been numerous instances of nuisances that have arisen by AirBnBs that have been very problematic.

Nan. No. 10 is really that there are uses that could have an important place in the economy in the area like wedding venues. There are problematic land uses issues that you need to address.

John Crodelle: In Salisbury, CT, if you advertise an AirBnB, your assessment is raised.

Nan: It's also a big insurance problem.

Nan: No. 11 is for town and villages to give opportunities for pop-up retail stores. The zoning should allow for food trucks.

Nan: No. 12 addresses parking issues to avoid overbuilt parking lots and require they be put in the right location to maintain the landscape and the streetscape. The pedestrian plan will be an addendum to the comprehensive plan.

Dale: Asked of the committee got a copy of the Village Pedestrian Plan?

Nan: She wasn't sure if it was a draft of final version.

Debbie: The Village has a digital copy of the final version.

Nan: Parking lots have a big impact on community character and cost. The zoning is written from an engineering perspective. The town and village should make sure that zoning does not establish parking requirements that result in overbuilt lots. If they need to be big, they need to have aesthetic things like landscaping, decent design and placement to minimize their impact on streetscape. The 1994 plan talks about parking lots being to the side or the rear except in the boulevard district which allows them to be in the front. When you have two parcels that both have parking lots, have a cross easement so you don't have to go out on the main road to get into the next parking lots. Have a shared driveway in between. In a village setting you can allow for shared parking agreements; i.e. a church parking lot that's only used on Sundays, you could have a formal agreement where the business could use the parking lot during the week.

Bill: Can zoning mandate cross easements?

Nan: Yes. You can't make someone to the shared parking, but you can allow for it to happen.

Dale: With declining parishioners, we could develop a plan to encourage businesses to rent space from the church to decrease the cost for the churches and it might allow for the churches to maintain their buildings.

Ellen: As a consumer, it's better to have the shared parking.

Debbie: The only two areas that are municipal are Century Boulevard and eventually South Center Street.

Nan: At the village level, you need to make sure the purpose statements of the zoning clearly reflect the goals and objectives in the comprehensive plan. The HB 2 district is missing from the zoning map in the village, but the text is there. We need to have an official zoning map.

Nan: No. 4 is an interesting one for the village; it is for each of the zoning districts, you have lot coverage requirements which are for a village incredibly low. In your business districts, you want to maximize the use of a parcel. 25% percent of the lot coverage was the highest it got and in one district it was only 7%.

Debbie: Is it because there is no central sewer system?

Nan: Yes. It also comes down to what is building coverage. Is it the footprint of the building or are you including the septic area? Usually in a village setting, she recommends 50-60% lot coverage for businesses.

Debbie: Is it going to be enough space to put in a septic system?

Nan: 5 is also like the town. You have very limited lists of allowed businesses in your commercial districts. There are more opportunities to allow more diverse business. Needs to be some work in the PRB; it was limited to three things. The definition of small retail businesses needs to be included.

Nan: No. 6 is that the 1994 plan has all the design standards that you would want to include; we will cut and paste those in. In the future, you could have an illustrated companion to the zoning or put the pictures right in the zoning.

Edie: We have the Greenway guidelines.

Nan: Both at the town and village level, the guidelines are a blip on the radar screen. They are not utilized in the way that they could be. At the village level, there are some issues with the site plan and special use permit sections. They need to be expanded and updated. The processes should be the same as those of the state level. She recommends adding into the site plan review a sketch plan meeting which is the first meeting. It's the most important meeting a planning board can have. The planning board can ask the applicant questions, express their concerns, decide what it needs to have on the site plan, talk about the expectations and time frames.

Debbie: It may not be in the process that's written, but that's what typically happens.

Nan: No. 8 – Every special use permit also requires site plan review in the village. She doesn't think they all need special use permit. In some places, you may not need to do much of a site plan. If someone is adaptively reusing a building, either waive it if they're not making any changes to parking or building and just putting a new use in there, have a modified site plan.

Nan: No. 9 is a list of parking items we talked about. Zoning has always been overly generous in size and height of signs.

Bill: The town and village should harmonize their sign regulations.

Nan: In the general business district on Main Street, you have different setbacks on each side of the street, a different look, yet the zoning treats them exactly the same. You need to fine-tune that GB district. The village needs to do an analysis of its lots and make sure the zoning emulates those standards. That can be easily done on the GIS system.

Ellen: Economic development came up as an important issue in the public outreach process. The first couple of recommendations are really about organization. (Referring to "Encourage development of a thriving, vibrant, stable and diverse economic base that offers ample employment and entrepreneurship opportunities for all.") The first recommendation is establishing an economic development committee that would provide a forum for discussing issues and concerns for facilitating business attraction, retention, growth, serving as a liaison to the existing economic development agencies and business organizations in the area and providing recommendations to the town and village. She sees it as an opportune way of working together; could be a committee of volunteers, a committee appointed by the town and village and you want to have diverse representation. This committee would work on the issues in the community.

Ed: If you're talking about economic development for community, you need to address housing opportunities.

Ellen: Explore the creation of a business improvement district (BID). The Millerton Business Alliance works on a lot of improvement issues, putting on events, raising awareness in marketing the village. The option of the BID is a way to provide a reliable source of funding for certain kinds of activities. In NYS law, a BID is a defined area within a municipality in which business and property owners pay an additional tax or tax levy to fund projects and activities within the district's boundaries. The money goes into a district management association for the BID and the board is charged with developing a plan for how those monies will be spent. Most of the board members should be the property owners within that district. It can also include some public officials, property owners and residents. The BID can also

apply for different grants. The BID supplements but doesn't replace what the municipality already does. Ellen's recommendation is to explore one to see if it would work. Another recommendation in the 1994 plan was continuing working on special events.

Edie: Asked Ellen who she is suggesting coordinating this.

Ellen: It could be the business alliance, or the economic development committee.

Edie: We have Townscape that coordinates activities such as Christmas lighting, the planters.

Ellen: Organizations that are producing events need to coordinate with each other.

Debbie: There are groups that are collaborating with each other for Fall for Art.

Dale: It would be nice if the adjoining communities had a calendar that would avoid conflicts.

Patti: Recommended having a tri-state calendar online.

Ellen: No. 16 could fall under the infrastructure as well. It came up in one of the community meetings that not every area of the town and village is served. There are other options; you can create WiFi hotspots, develop a community-wide WiFi network.

Ellen: No. 17 – There are a few ways this could take place (encourage the establishment of local businesses to sell goods produced locally). If the economic development committee is set up, members would talk to people who are doing some of these activities. Could allow a larger retail space to multiple vendors.

Bill: Would like to see a cooperative farm market.

Ellen: No. 18 - Recommends a small business loan fund that you could use to attract businesses. There is often funding available. State and federal, local banks are sometimes interested in getting involved.

Ellen: No. 19 – She liked the idea of incorporating stories of the local businesses into marketing. Marketing and promotion should include social media as well as printed materials.

Ellen: No. 20 - She mentioned working with the Berkshire-Taconic Foundation to promote tourism. Collaborate with some of the surrounding communities in terms of events, the trails, the arts.

Edie: We have the benefit of Dutchess County Dept of Tourism. People are meeting with them in October to discuss how to showcase Millerton.

Dale: With the rail trail becoming more connected, it would be nice to coordinate activities up and down the trail with other communities.

Ellen: She looked at Salisbury's last comprehensive plan and they had a recommendation about connecting to the rail trail. It would be a great opportunity to get more people to come into the area.

Edie: Mentioned the need for additional meetings. The next regular meeting is Sept. 17 at The Annex at 4PM. The first additional meeting would be Oct. 1 at the town hall at 7PM. Nan could call in to the additional meetings.

Nan: The economic development and community character are the biggest strategies; the others will easily be absorbed. She has several zoning items related to the community character issue. We've tackled some of the biggest strategies up front.

Bill: Asked if the committee could get a definition of agriculture that is detailed as possible before the next meeting.

Nan: She usually uses the definition that is in the Ag & Markets Law, 25aa.

Dale: Suggested inviting Jennifer Fimbel, the ag navigator, to the next meeting.

Edie: The Dutchess County Agricultural and Farmland Protection Plan has an executive summary that is very good.

Public Comment: Izzy Fitch, who has a blacksmith shop in town and teaches classes, said it would be nice to have a place in town for crafters that don't have a space.

Meeting was adjourned at 6:15PM.

The next meeting will be September 17 at 4PM at The Annex. The Oct. 1 meeting (if needed) will be at the Town Hall at 7PM and Nan will call in.