

Town of New Lebanon
Zoning Re-Write Committee
Minutes – April 29, 2021

Present: Jesse Newton, Deb Gordon, Elizabeth Brutsch, Jim Carroll, Tony Murad and Ted Salem

The meeting was called to order at 7:15 PM.

1. Meeting Time/Day Going Forward

The ZRC will meet on the 4th Thursday of the month at 6:30 PM at Shatford Park pavilion. The committee's next meeting is May 27.

2. Historic District/Overlay in the Darrow Road area

Committee members were familiar with the background and the Town Board's referral of the matter to the ZRC. Members agreed to the general concept of making the rich historical resources that exist in that area more available to the public, including via commercial enterprises. Establishing such a district/overlay will also enable the non-conforming properties in the area, such as the Shaker Museum, Darrow School and The Abode of the Message, to become conforming and therefore avoid having to seek variances if, in the future, they wished to expand or otherwise make property changes. Although not specifically discussed, the creation of such a district in furtherance of promoting New Lebanon's rich historic heritage is consistent with the current Comprehensive Plan as well as the draft Plan Update in process.

Members agreed that current residential, agricultural and other uses (e.g., Museum, Library) that are currently permitted in the RA2 zone must continue to be permitted. The district/overlay should permit commercial enterprises that relate to and facilitate access and appreciation of the historical resources in the area, notably those in the Shaker tradition, Re-purposing currently un- or under-utilized resources is also an interest. There was discussion on whether and how to limit larger-scale outdoor educational, cultural and social events to minimize any adverse traffic/parking or other impacts. In this regard, the committee may need to weave in Chapter 101 – Entertainment that had previously been under discussion within the committee.

The committee also endorsed the idea of conducting a public forum, with invitations to the most affected enterprises, as was done in the development of the short term rental regulations.

Follow-ups:

- Ted will consult the attorney on the comparative advantages/disadvantages of an overlay vs. a district
- Members will identify uses in the use table that should be permitted or conditionally permitted in the zone
- Members will think up a name for the district ("Historic Business" district is currently on the table)

3. Site Plan Review

Tony explained the proposal to require all new construction and additions to existing properties that exceed a TBD percentage (and/or that exceed a specified square footage) to be subject to site plan review. "SPR" would be removed from the use table. Therefore, several situations that currently require a site plan review (e.g., a change of use to an existing property with no change in footprint) would no longer require it and situations that don't (e.g., new construction of a multi-family structure) would. One and two family residences would be exempted. The committee has been working to streamline the site plan review requirements for several years in the interest of facilitating the entrance of new businesses to the Town while also reducing burden on the Planning Board and Building Department. Moreover, provisions under special use permitting accomplish the same land use oversight goals as does site plan review for smaller, less potentially impactful projects.

Members noted that multi-business complexes present a special situation but that the overall policy should not be built upon that situation. The committee may need to develop separate review provisions specific to these facilities.

Follow-up

- Ted will review and suggest revisions to the existing code in order to implement this change

4. Prioritize other Items

Several items were under consideration when the ZRC suspended meetings in January and a few surfaced during the course of this meeting:

- Subdivisions - code publisher suggestions: lower priority
- RVs as Temp Housing: middle priority
- Outdoor Sales: middle priority
- Food Trucks: higher priority
- Marijuana dispensaries – higher priority; need more information on how NYS will regulate
- Other Overlays per Comp Plan – lower priority
- Tiny Homes: higher priority – may relate to subdivisions and mobile homes
- Ch. 101 – Entertainment: depends if needed for historic zone
- Mixed Use, expand definition?: middle priority

Follow-up

- Jesse will have a proposal on food trucks for next meeting
- Jim will research Amsterdam code re: dispensaries; check into parameters of state law

The meeting was adjourned at 8:55 PM

The next ZRC meeting is Thursday, May 27 at 6:30 PM in the Shatford Park pavilion.

Respectfully submitted, Ted Salem, Chair