

Town of New Lebanon  
Zoning Rewrite Committee  
Minutes – February 28, 2022

Present: Deb Gordon, Britt Buckenroth, Elizabeth Brutsch, Jim Carroll, Greg Hanna, Tony Murad, Donald Lamonaca, Steve Powers and Ted Salem  
Attending via live stream: Michael Muadin

The meeting was called to order at 7:00 PM.

1. Distribution of updated zoning code

Ted distributed to members present who are not on land use boards or Town Board

2. RVs as temporary housing – Jesse

Held over, although Elizabeth noted that there may be some inconsistencies between the definition and the provisions under Special Permits. The question is whether to incorporate RVs under temporary housing provisions

3. Tiny homes – Jesse

Held over, although Elizabeth noted that the state legislature is reviewing proposals that would provide zoning guidance for local governments. The Senate and Assembly bills differ although there seems to be general support for Tiny Homes as an accessory structure on an existing residential property.

4. Renewable Energy - Britt and Steve

Prior to the meeting, Britt distributed to the committee a synopsis of work on this item so far. A summary of major points discussed follows:

- many communities used Pace Law School's model law. Ted noted that New Lebanon's law was based heavily on the model;
- should there be limits on the size of residential systems? The on-site consumption requirement is intended to be a de facto delimiter on size, however, it may be wise to place an upper limit on the % that may be applied to off-site use;
- the Darrow School situation should be addressed especially if it seeks primarily on-site use;
- there may be a need to incorporate a road usage agreement into the large scale regulation;
- should NL allow small scale commercial solar projects where scenic view sheds are not impeded;
- Pace Law School has developed a model code for wind power; there are other examples;
- wind power and scenic vistas, ridgeline protection go hand-in-hand; we may need to re-prioritize the development of scenic overlay regulations (currently "low")
- battery storage may not be an immediate issue; perhaps we should start with something broad.

#### 5. Resiliency Project - Steve

The Climate Smart Communities Task Force has contracted with the Cornell Extension program to assess local plans, policies and codes in order to help the Town understand opportunities to enhance community resilience. An advisory committee of the Town Supervisor, CEO, ZEO and chair of the ZRC is also involved. Subsequent to the meeting, Steve distributed material on the project. The ZRC may need to recommend zoning changes as a result of this assessment.

#### 6. Other Priority Items

Next month's agenda will include report-outs by Donald and Greg on Telecommunications and Event Venues respectively. Ted will also look at the interplay between the Zoning Code and such standalone chapters as Telecommunications, Junkyards, Campgrounds, etc. The Town has been advised that the lack of a reference in a chapter to the zoning code invalidates the applicability of zoning standards, procedures and the designation of zoning districts to those "uses."

The meeting was adjourned at 8:10 PM

The next meeting of the ZRC will be Monday, March 28 at 7 PM.

Respectfully submitted, Ted Salem, Chair

