Town of New Lebanon

Zoning Rewrite Committee

Minutes – September 26, 2022

Present: Deb Gordon, Elizabeth Brutsch, Jim Carroll, Greg Hanna, Tony Murad, Steve Powers, Donald Lamonaca, Mark Baumli, and Ted Salem. The meeting was live streamed.

The meeting was called to order at 7 PM.

1. Member Resignation

Jesse Newton resigned from the committee. Other responsibilities prevent him from contributing at the level he prefers. Ted suggested and the committee agreed that adding a replacement at this time would be disruptive; Ted will ask the Town Board not to advertise to fill the vacancy until the committee submits a package of proposals based on current work.

2. Introductory Local Law #5 - Self Storage Units Moratorium

The public hearing was held on 9/13. The board was unable to vote on the item at its 9/13 meeting because due to oversight by yours truly, notices to the county and town planning boards were not sent timely. The TB will vote on this at its October meeting. Note is made that Mr. Coons represented that all existing storage units in town were filled Also see item #7.

3, Renewable Energy - Steve

Steve presented maps of proposed viewshed protected areas. Members asked that additional “viewpoints” along Route 5 and Canaan Road be added. This overlay would trump the proposed large scale solar overlay and would serve other sections of the zoning code as well.

Britt and Steve will provide proposed updates to 205-18 based on the discussions held on this item.

4. Telecommunications - Donald

Donald advised that the committee received feedback on the latest draft from the Muadins and the town’s consultant just prior to the meeting. Given the extensive nature of the feedback, this item was held over to give time to review and as appropriate, incorporate recommendations. The committee may also review and comment on the draft (1.1) that is posted to the shared drive.

5. Event Venue - Greg and Elizabeth

Held over

6. Shaker Heritage Overlay - Deb and Elizabeth

* There was considerable discussion as to whether the overlay should support smaller than RA-1 lot sizes (e.g., lots for specific individual buildings). Tony offered that Incentive zoning may be the only way to achieve that. Ted suggested a hamlet approach might work. Ted will follow-up with Jon Tingley to determine if the town can create a quarter acre zone within the overlay and if so, can that be a segment of the overlay.
* The committee endorsed the proposed overlay boundaries at its last meeting.
* Deb presented a list of proposed uses for the overlay. The committee was in general agreement. Ted will follow up with Jon Tingley to ascertain:
  + whether uses may be restricted in the overlay (e.g., multi-business complexes only in existing historic buildings; no lighted signs, etc.).
  + are there practical differences between an overlay and historic district;
* Elizabeth presented a fairly detailed proposal for design standards within the overlay which would be administered through site plan review. The committee was generally in support; although some specifics may need to be discussed further. A portion of these standards may be applicable more generally.

7. Self Storage Sheds - Jim

Jim presented a first cut proposal focused mainly on adding design standards. On whether increased setbacks could be required for this use to permit more effective screening, Elizabeth noted that if the buildings met the enhanced design standards, there would be less need for screening. Here again, such standards might be generalized to all uses. The committee agreed to remove the use from the general commercial zone; the heart of the town business district where more customer driven businesses are desired per the Comp Plan. There was also discussion on whether the use should no longer be permitted.

8. Zoning interface with other codes - Ted

Held over.

9. Junkyards - Mark

Per previous attorney recommendation, the current chapter should be retained to protect the Town from non-conforming uses. Ted noted some clean up of the chapter may be appropriate. This item is finished.

9. Multiple Use complex

Although it appears that current practice may permit more than one principal use on a property, Ted believes that expanding the definition of “mixed use” will legitimize and clarify the practice. For instance, it should be clear that the constituent uses are permitted in the zone in which the mixed use property is located. Ted also clarified with Cissy (subsequent to the meeting) that if the property traversed multiple zones, the constituent uses must be permitted in all involved zones.

The meeting was adjourned at 8:45 PM

The next meeting of the ZRC will be Monday, October 24 at 7 PM.

Respectfully submitted, Ted Salem, Chair