

Town of New Lebanon
Zoning Rewrite Committee
Minutes – March, 27, 2023

Present: Deb Gordon, Elizabeth Brutsch, Greg Hanna, Tony Murad, Steve Powers, and Ted Salem. The meeting was live streamed.

The meeting was called to order at 7 PM.

1. Feedback from March Town Board meeting

The Town Board approved all of the items proposed by the ZRC with the exception of Telecommunications. That item has been removed from the ZRC. Councilperson Marianna Anthonisen has lead. She will research attorneys who are able to either work on amending the current code or write a new code from scratch. Please note that in s previous conversation, Jon Tingley advised that he had very little knowledge of this area of law and that given the amount of research he would have to do, it could be cost beneficial and more effective to retain a separate attorney with the appropriate background. Ted has referred the package of approved proposals to Jon and is awaiting the opportunity to discuss any issues. If Jon raises any concerns that result in a need to substantively change the current draft, Ted will pull the ZRC together to discuss.

The Town Board also asked that the ZRC refrain from submitting any new proposals until January 2025, unless something critical comes up or the Town Board requests work on something specific. If the Board gives the Shaker Preservation Committee the OK to proceed with some or all of its ideas, and if any of them involves zoning, it is possible that the ZRC will need to submit proposals in tandem with the SPC.

2. Member resignation

Britt Buckenrot resigned from the Town Board as well as the ZRC. No other councilperson will replace Britt until the full board meets in January,

3. 2023 Meetings and Work Plan

Members are expected to work on the 2023 work plan items to which they are assigned. Since there is little chance that there will be enough progress on these items to justify monthly meetings, the ZRC will meet quarterly, on the THIRD Monday of the month, which for 2023 are: June 19, September 18 and December 18. As a reminder, here is what we are working on for the coming year:

Wind Turbines –Steve

Battery Storage facilities - Steve

Historic overlay(s) – awaiting Town Board direction – Deb and Elizabeth

Other Comp Plan overlays:

Flood zone - May be moot as current regs are sufficient

Hamlet - Deb
Ridge line and Hilltop – TBD
Agriculture - May be moot
Subdivisions, see Code Publisher – Ted will review CP to determine need
Interface with other chapters – Ted
Breeding Kennel – Ted
Review use table – Elizabeth
Commercial district, expand uses – Elizabeth
Residential density (Hamlets???) - Deb, per above

4. Site plan review after period of vacancy -

This was a 2023 work plan item that Greg and Elizabeth jumped on. Their proposal, distributed before the meetings, would amend 205-14 D. as follows:

Proposed Language: Site plan review and approval shall be required prior to beginning any new land use activity, **reinstating any land use activity after a period of vacancy or non-operation of 365 days or longer**, or changing any land use activity except with respect to the following: . . .

Elizabeth gave the example of the new stores going into the Tilden Plaza in spaces that have been vacant for a substantial period. This will give the Planning Board the opportunity to revisit site plan issues at a particular site or visit them for the first time for sites that were grandfathered when 205-14 was adopted

The committee approved the proposal. Ted will submit to Jon as an addition to the current set of proposals. Tistrya agreed to this approach and we will update the Town Board at the April meeting.

The meeting was adjourned at 8:00 PM

The next meeting of the ZRC will be Monday, June 19 at 7 PM in Town Hall.

Respectfully submitted, Ted Salem, Chair