

Town of New Lebanon  
Zoning Rewrite Committee  
Minutes –November 25, 2024

Present: Liz Kroboth, Steve Powers, Elizabeth Brutsch, Jim Carroll, Greg Hanna, Tony Murad, Donald Lamonica, and Ted Salem. Quality of Life committee members: Tistrya Houghtling, Sharon Powers, Melba Kurman. Community member: Deb Gordon. The meeting was live streamed.

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

1. Housing - conversation with the Quality of Life committee

Recommendations from Chris Brown County Housing Coordinator (review of NL zoning code through a housing lens):

1. Strengthen item D in Purposes, with something like, "to promote a *range of housing opportunities* for all *income levels*." The ZRC agreed
2. Treat three-family homes the same as one- and two-family homes: The ZRC expressed concern about giving up special use permit and site plan review for a use that may have a substantial neighborhood impact. ZRC will discuss further.
3. Three-family home siting - see above
4. Reduce setbacks in the Commercial-Residential District: The Central Commercial committee recommended reduced setbacks in that district; extending into other commercial districts may make sense. The ZRC will discuss further. Tistrya recommended that the ZRC also consider reducing setbacks on some of the streets adjoining the commercial districts. The ZRC expressed reluctance. Although not discussed in the meeting, this really is not an option as area and bulk changes can not be effected for a portion of a zone; that would violate the uniformity principle. Some of the streets discussed are in commercial zones and therefore the change under consideration would apply to them.
5. Add a definition and requirements for Condos: The ZRC plans to propose changing the definition of multi-family housing that would incorporate owner-occupation, including condos/co-ops, etc. This change could more explicitly incorporate these terms. It does not seem necessary to have specific regulations for condo/co-ops if we agree that "multi-family" incorporates these terms. This use is subject to general and specific special permit requirements.
6. Add a definition for 'Abandonment': The ZRC agrees
7. Add a section pertaining to Short-Term rentals: 207-8 G, added in 2020, contains specific regulations for short-term rentals. The ZRC is inclined toward a minimalist regulatory approach to this use, although it is subject to special permit requirements if sited in a residential zone (also see below).
8. Clarify content on calculating density: This wasn't discussed, but ZRC will explore this

more fully.

Short Term Rentals: There was a lengthy discussion on whether tighter regulations, including limits on the number of this use, was needed. QoL members expressed concerns about the effect of this use on the availability of long-term rentals and neighborhood character. The ZRC considered these concerns in 2020 when it crafted the current regulation and opted to allow the market to determine volume. The ZRC will reconsider its position, however, it is unlikely the committee will change its basic position on this item.

The committee also noted a need to change the level of approval for a manufactured home to a Permitted use by right in RA-1

## 2. Mt. Lebanon Historic District

The working group has met with the five “owners” of properties most affected by the proposed changes. Feedback has been generally positive, although the working group continues to refine its proposal. It plans to provide a general overview to the Town Board in February. If the board agrees, the working group will then proceed to community forums.

Steve raised questions about certain uses in the Blue and Green sub-zones. Elizabeth and Liz will take that back to the working group.

## 3. Ridgeline overlay and regulations

Ted will follow-up with Jon Tingley whether an appeal by an owner of a Planning Board decision on whether a given property falls within a ridgeline should be to the ZBA or supreme court (Article 78).

Jim will refine tree removal

Jim will determine how other towns address how far below the apex a ridge should be protected. The committee was in general agreement with other aspects of the proposal.

## 4. Cemetery definition

This item was not discussed. Ted and Liz will work offline to settle on a definition.

## 5. 2025 meeting schedule

Starting in January, the ZRC will meet bi-monthly on the 3rd Monday of the month. Meetings will continue at 7 PM at Town Hall. So our first meeting in 2025 will be 1/20/2025 at 7 PM.

## 6. Comprehensive Plan

It is unlikely that the committee will start addressing this in the first half of the year. Ted plans to start some preliminary work.

## 7. 2025 ZRC submissions to the Town Board

The ZRC will work toward a set of proposed zoning changes in early 2025, anchored by the Central Commercial zone proposal and likely to include several of the below listed items of a

smaller nature. It is unlikely that Mt. Lebanon and Telcomm will be ready within this timeframe and the committee will work toward getting these ready later in the year.

## 2025 Book of Work

- Self Storage/Planning Board items - Elizabeth, Jim
- Telecommunications - Donald, Ted
- Chapter 101 Special Events - requested changes - Elizabeth, Greg
- Ridgeline, Hilltop - Jim,
- Breeding Kennel, Dog Boarding - Donald
- Review Use Table, generally. Tony, Elizabeth
- Renewable Energy- Wind Turbines, Storage Batteries - Steve
- Subdivisions - see Code Publisher - Ted
- Multiple Housing - definition -- Ted
- Garbage Cans - per Peter's request
- Cemeteries, change definition; address family burials? - Liz
- SPR required after 365 day of non operation
- Delete Social Club use as it is included in Social, Recreational, Fraternal
- Add Private Stable to the same zones where Commercial Stable is permitted
- Add Private School to other commercial zones
- Look at the definition for Theater/Music Venue to be sure it includes concert venue
- Update the definition of Short Term Rental to clarify Residential use
- Strengthen provision for parking in back of commercial use
- Delete provision interpretations may be requested by other than applicant
- SIGNS????
- Manufactured Home – change to P in RA-1
- Chris Brown recommendations

The next meeting of the ZRC will be **January 20** at 7PM in the Town Hall.

The meeting was adjourned at 8:30 PM.

Respectfully submitted,  
Ted Salem, Chair