



**Town of Esopus Zoning Update
Zoning Task Force Meeting #1
September 25, 2019
Summary Meeting Notes – APPROVED**

Attendance:

Jared Geuss, Chairman/Town Board; Shannon Harris, Supervisor; George Post, Water and Sewer Board; Darin DeKoskie, Planning Board; Susan Barbarisi, Environmental Board; Don Carragher, Environmental Board; Jim Banks, ZBA; Kathie Quick, Town Board; Mercedes Ross, WAB Chairwomen; John Cutrone, EDC; Alex Dean, Community Outreach Coordinator; Laura Petit, Ulster County Legislator; Alan Sorensen, Town Planner; Matthew Rogers, Laberge Group.

Call to Order: The meeting was called to order by Matthew Rogers at 4:35 PM.

Meeting Discussion:

1) Project Scope, Schedule, Comprehensive Plan and Committee Documents:

- a) Matthew provided an overview of the Project and referred to the Project timeline and scope of work.
- b) For Committee members not familiar with zoning and land use regulations, Matthew provided a brief summary and highlighted informational materials provided in the Zoning Task Force DropBox folder.
- c) All project documents, including, but not limited to meeting notes, agenda, scope, timeline, existing zoning and related land use regulations, future draft materials, and informational documents can be found in the Zoning Task Force DropBox folder. No attachments will be sent to the Task Force. All documentation will reside in the DropBox folder and links will be provided via email.
- d) Paper copies of all documents prepared through this project can be made available to Task Force members that request them. Matthew will coordinate with Alex to have documents available to pick up prior to future meetings.
- e) Matthew reviewed the Comprehensive Plan summary document that includes the Vision Statement, Key Objectives, Goals and Recommendations.

2) Technical Memorandum Draft #1:

- a) Matthew reviewed Technical Memorandum Draft #1 with the Task Force which included all land use and regulatory recommendations provided in the Comprehensive Plan along with additional issues/recommendations identified subsequent to Plan adoption. The Task Force discussed numerous items within the Draft.

b) Schedule of Uses:

- i) There may be an alternative format the Town could Use. Supervisor Harris stated that Planning Board Chair, Roxane Pecora previously provided an alternative format – Shannon will follow up with Roxane.
- ii) The Schedule references SIC – Standard Industrial Classification Codes for most uses identified in the Schedule. The SIC code has been replaced by the North American Industry Classification System (NAICS code), released in 1997. SIC is still widely used, but is no longer being updated.
 - (1) Because the SIC is used in the Schedule, readers must refer to definitions in both *Chapter 123 – Zoning* and as defined by the SIC which can lead to some confusion and increases the complexity of the regulations.
 - (2) No decision was made regarding keeping or eliminating the use of SIC in the Schedule.
- iii) Matthew clarified that the Waterfront Advisory Board (WAB) will be involved in reviewing land use regulations related to the Local Waterfront Revitalization Program Update, planned to begin in early 2020.
- iv) Laura Petit asked if the process will involve analyses of specific sites for pre-permitting of future projects. Matthew stated that the process will not involve site specific analyses for potential future projects to identify impacts and permitting needs. However, the zoning update process may allow the Town to identify one or more sites that could be evaluated in the future through a Generic Environmental Impact Statement (GEIS) process to facilitate future development and create shovel-ready sites.
- v) During the discussion on the Rt. 9 Overlay District, a question was raised related to the process of taking land by the State for highway improvement projects and how it may impact any zoning changes. There are no major highway improvement projects currently being planned along Rt. 9W. It was clarified that most highway projects would not negatively impact future land use and development in accordance with zoning regulations. At the most, it would impact setbacks from the road and if there were projects that involved eminent domain, the Town would be involved in the process and would evaluate any adverse impacts to future land use and compliance with the zoning law.
- vi) Chairman Jared Geuss discussed the plan to include Hamlet Representatives in the ZTF. The current plan is for the Hamlet Reps. to provide input on behalf of and to serve as a liaison with the remainder of the Hamlet. They would not have voting privileges on the ZTF. Matthew indicated that all of the details for the Hamlet Reps. have not been flushed out but will hopefully be addressed in advance of the next meeting.
- vii) There was a question regarding cluster subdivisions. It was confirmed by Alan Sorensen that *Chapter 123 – Zoning* and the current subdivisions regulations, *Chapter 107 – Subdivision of Land*, have clustering provisions giving the Planning Board authority to require clustering. Matthew indicated that the current regulations would be reviewed to determine if improvements to the clustering provisions are needed.
- viii) Design Guidelines/Standards
 - (1) This process will seek to identify important and historically significant architecture and buildings that could be used to help create design guidelines and standards.
 - (2) Matthew recommended that a subcommittee be established to begin photographing important and historically significant architecture/buildings. No further discussion on forming a subcommittee occurred.
 - (3) Examples from other communities will also be identified and provided to the ZTF for consideration.

- (4) The goal will be to establish an agreed upon set of design recommendations that would then be used to prepare site and architectural design guidelines/standards during a future project, including the LWRP update.
- ix) Film Law: With the recent filming projects in Esopus, there was a request to evaluate options for requiring a permit and oversight for filming projects for health, safety and welfare reasons. Woodstock has a requirement to obtain a filming permit along with Kingston. These examples will be reviewed.
- x) Noise Regulation: While there has been requests to establish noise regulations, there are concerns, especially among existing businesses that noise regulations would hurt business. The majority of recent complaints are related to construction. Enforcement is also a concern. Matthew explained that the noise regulations can focus on basic standards without getting into detailed limits that may be complicated by the need to measure sound levels.
- xi) Prohibiting sump pump drainage into public roads: This is an ongoing concern and the ZTF discussed the problems seen in Esopus. Building owners are not allowed to connect sump pumps into the Town's sewer system and there is no separate storm sewer system. The ZTF recognizes the challenge to allow building owners to keep their basements dry while also not adversely impacting neighboring property or discharging into roads which can result in safety issues. This concern will be researched to identify potential solutions.

3) Zoning Training Materials:

- a) Supervisor Harris recommended ZTF members keep an eye out for zoning training courses.
- b) Mercedes Ross highlighted the need for stormwater training.
- c) Matthew stated that he will provide additional training materials.

4) Next Steps:

- a) The next meeting is scheduled for Oct. 23 from 4:30 to 6:30.
- b) Laberge Group will update the Technical Memorandum based on ZTF input.
- c) The ZTF is encouraged to email Matthew any additional items that should be addressed in the zoning update.

Meeting Adjourned at 6:15pm

Meeting Notes Submitted by Laberge Group October 16, 2019