



Columbia County, New York Planning Board

Meeting Minutes – 17 July 2012

Members Present

Alice Platt
Larry Saulpaugh
Deborah Shakotko
Timothy Stalker, *Chair*
George Super

Staff Present

Patrice O. Perry, *Senior Planner*

Members absent-Notified

Cheryl Gilbert
John V. Florio, Jr.
Arthur Koweek, *Vice - Chair*
Steve J. Savarese

Guests

Donald Ross, Esquire

CALL TO ORDER and APPROVAL OF MINUTES

Chairman Timothy Stalker called the meeting to order at 6:30 PM. Chairman Stalker opened the floor to the CCPB for any changes to the 16 June 2012 meeting minutes. George Super motioned to approve. Deborah Shakotko seconded. Vote: All in favor.

NYS GENERAL MUNICIPAL LAW §239-l, §239-m REFERRALS

1. #12-033 – Town of Claverack Town Board

Proposed Local Law No. 4 of the year 2012

Local law amending and re-codifying the Zoning Law of the Town of Claverack; the Subdivision Regulations of the Town of Claverack and the Zoning Map for the Town of Claverack, NY.

Recommendation: no apparent significant county wide or inter-community impact

Comments:

The CCPB recognizes the tremendous amount of time and effort required to update the Claverack land use regulations which are necessitated by the adoption of the Town of Claverack Comprehensive Plan, April 14, 2008. The CCPB acknowledges and commends the efforts of all those involved in the planning and composition of these provisions. The proposed zoning incorporates recommendations of the comprehensive plan into land use laws which will be put into practice in order to achieve those goals.

1. Authority: The authority to grant Special Exception Uses will be changed from the Zoning Board of Appeals to the Planning Board. Also, provisions have been included to allow for concurrent review of Site Plans and Special Exception Use Permits by the Planning Board. These changes and the incorporation of a Minor Site Plan review process could result in a more streamlined review process which could have positive results.
2. Zoning Districts: The proposed amendments include modifications to the zoning districts' names and boundaries; the reduction in the number of zoning districts from eleven (11) to nine (9); and the creation of two (2) overlay districts, Adult Use and 100-Year Flood Hazard. The boundary adjustment to the Highway Commercial and the Commercial Industrial Park Districts will result in an increase in the land area in the Town for economic development opportunities.

The proposed amendments also include the creation of "Hamlet Business" and "Hamlet Business-1" zoning districts. The purposes of these districts are closely aligned, with little difference in their intent, and the permitted uses are nearly identical. Most of these businesses fall within the small

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business category and would fit in the description of a “hamlet business”. Consider if two separate Hamlet Business Districts are necessary.

The Rural Conservation district boundaries are proposed to be greatly expanded and the minimum lot size is being increased from 80,000 square feet to 5 acres. The expanded area includes parcels currently zoned Rural Recreation Residence and Rural Recreation Residence-A with minimum lot area of 40,000 SF, under existing zoning provisions. Under the proposed zoning the minimum lot area will be increased to a minimum of 5 acres in the proposed Rural Agriculture and a minimum of 2 acres in the Rural Residence. As a result, a number of parcels will be become nonconforming lots.

3. Zoning Map: The Zoning Map is a necessary tool in the land use review and development process, and having the option to view on a website is very beneficial as is the use of color to delineate the districts. Reconsider the color choices for the “Hamlet Residential” and “Mobile Home Park” districts, as the difference between the two shades of green is difficult to distinguish.

While the color version will be the official zoning map, consider that individuals may be printing the map in black and white. The symbols for the “Adult Use Overlay” and the “100 Year Flood Hazard” appear nearly identical in black and white. The crosshatching is in the same direction and it is difficult to discern the subtle line weight difference when the color is not present. Consider revising as each district needs to have a clearly identifiable unique symbol.

4. Schedule of Use Regulations Table: Some inconsistencies exist in the terms used between the table and definitions section. Coordinate the terms used in both of these sections. Terms used in the definitions, tables and text should be consistent throughout for clarity.
5. Mobil Home Park (MHP): The provisions for establishing a Mobil Home Park appear to be unchanged. Some of the standards may be outdated and difficult to enforce. Updated MHP standards are recommended in the comprehensive plan.

6. Agricultural Uses: The proposed legislation incorporates various agricultural uses, including the use categories:
 - Agriculture – excluding animal husbandry and agricultural tourism operations
 - Agriculture – animal husbandry and agricultural tourism operations
 - New Farms
 - Farm Stand < 500 square feet
 - Farm Stand > 500 square feet

Agritourism is commonly defined as a business that supports visitors to an agricultural operation which may include an active farm operation or agricultural processing/production facility or other agriculturally based activity, which is conducted for the enjoyment or education of visitors. Agritourism also generates supplemental income for the owner. Agritourism can include farm stands or markets, pick-your-own, farm stays, tours, on-farm classes, fairs, pumpkin patches, Christmas tree farms, winery weddings, orchard dinners, etc. Therefore, “agricultural tourism operations” could be included with all categories of “agriculture”.

Consider also that “New Farms” would be categorized as either of the other two “Agriculture” uses. Some conflicting provisions exist in the Table of Use Regulations with respect to an “Agriculture” use being permitted by right where “New Farms” require site plan review or special exception

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permit. In addition “Agriculture” is permitted by special exception permit when “New Farms” are prohibited in the same districts. Similar discrepancies were identified regarding “Agritourism Operations” and “Farm Stands”.

7. Subdivision Regulations: The proposed zoning includes development standards for subdivisions in the Hamlet Residential District (Section 8 - Hamlet Residential District Regulations 8.1 Development Standards for all Minor and Major Subdivisions in the HR District). These requirements should be referenced in the subdivision regulations.

Motion: Deborah Shakotko **Second:** Alice Platt

Vote: #12-033

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert				X
2	Timothy Stalker	X			
3	Deborah Shakotko	X			
4	John V. Florio, Jr.				X
5	Arthur Koweek				X
6	Larry Saulpaugh	X			
7	Alice Platt	X			
8	Steve J. Savarese				X
At Large	George Super	X			
	TOTAL	5	0	0	4

2. #12-034 – Town of Ancram Town Board

Proposed Local Laws Amending the Zoning Law

The proposed action is the adoption of the proposed local law(s) amending the following sections of the Town of Ancram Zoning:

- Section II - Establishment of Districts
- Section III - Use Regulations
- Section IV. B - Area and Bulk Regulations Density Control Schedule Density and Dimensions Tables
- Section IV. I - Density Bonuses
- Section V. J - Special Use Permits
- Section VI - Non-Conforming Buildings, Uses, and Lots

Recommendation: no apparent significant county wide or inter-community impact

Comments:

It is noteworthy that the volunteer members of the community continue to dedicate their time and expertise to fulfill the requirement of updating the zoning in order to incorporate the goals and recommendations of the adopted Comprehensive Plan of the Town of Ancram. The CCPB recognizes the dedication and hard work by these residents.

1. Zoning Districts: The Ancram, Ancramdale and Boston Corners Hamlet Business Districts all have the same “Purpose”, “Lot Dimension Requirements” and review and approval requirements for the same uses. Similarly, the Ancram, Ancramdale and Boston Corners Hamlet Residential Districts all have the same “Purpose”, “Lot Dimension Requirements” and review and approval requirements for the same uses. Consider if (3) separate Hamlet Business zoning districts and three (3) separate Hamlet Residential zoning districts are necessary. In an effort to simplify the code, consider if one Hamlet Business District and one Hamlet Residential District would suffice

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2. Floating Business District: The CCPB is supportive of the creation of the “Floating Business District” as it will likely prove to be a valuable tool and method for encouraging business and economic development within the Town.
3. Authority: The authority to grant Special Use Permits was, in a recent amendment to the zoning, granted to the Planning Board. Now, by incorporating provisions for a concurrent review of Special Use Permits and Site Plan Review by the Planning Board, the review will be conducted in a more streamlined fashion which could have positive results on the review and approval process.

Motion: Timothy Stalker Second: Larry Saulpaugh

Vote: #12-034

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert				X
2	Timothy Stalker	X			
3	Deborah Shakotko	X			
4	John V. Florio, Jr.				X
5	Arthur Koweek				X
6	Larry Saulpaugh	X			
7	Alice Platt	X			
8	Steve J. Savarese				X
At Large	George Super	X			
	TOTAL	5	0	0	4

3. **#12-035D – Village of Chatham Village Board of Trustees**

REMOVED FROM AGENDA 7/16/2012: Query error already referred April 2012

Proposed Local Law No. 1 of the year 2012. A Local Law amending the table of Use Regulations under Chapter 110 of the Code of the Village of Chatham.

4. **#12-036 – Town of Taghkanic Zoning Board of Appeals**

Global Tower LLC – Special Use Permit Renewal

Special Use Permit renewal for an existing telecommunications facility. The tower was established in 2001 and is located off Sopak Road in the Town of Taghkanic, NY

Recommendation: Approval

Comments:

The CCPB finds that this proposed action will likely have significant county-wide or intercommunity impacts associated with it specifically in terms of “public convenience....and maintaining a satisfactory community environment” (General Municipal Law §239-1). Columbia County development policies support the continuation and expansion of telecommunications service in the county. The renewal of the Special Use Permit will allow for the existing cellular communication service to be maintained, and implementation of new technologies. The existing tower is located in close proximity to the municipal boundary between the Towns of Taghkanic and Gallatin, and hosts shared facilities, and multiple service providers co-located on a common telecommunications facility. This use is allowed by the Town of Taghkanic Local Law and supported the Town of Gallatin zoning. Therefore, the CCPB recommends that the Town of Taghkanic Zoning Board of Appeals approve this Special Use Permit renewal. The Taghkanic Zoning Board of Appeals may take final action with a simple majority vote.

Motion: Larry Saulpaugh Second: Deborah Shakotko

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Vote: #12-036

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert				X
2	Timothy Stalker	X			
3	Deborah Shakotko	X			
4	John V. Florio, Jr.				X
5	Arthur Koweek				X
6	Larry Saulpaugh	X			
7	Alice Platt	X			
8	Steve J. Savarese				X
At Large	George Super	X			
	TOTAL	5	0	0	4

5. #12-037 – Town of Ghent Town Board

Proposed Local Laws No. 5, 7, 8 & 9 of 2012 amending the Town of Ghent Zoning Code:

- No. 5 §190-19, subdivision Z regarding two residences on the same lot
- No. 7 §190-33B, relating to ponds
- No. 8 §190-33C, relating to adequate confinement of farm animals
- No. 9 §190-22 subdivision K regarding conditional approval for ingress and egress for site plan review

Recommendation: no apparent significant county wide or inter-community impact

Comments: None

Motion: Alice Platt Second: George Super

Vote: #12-036

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert				X
2	Timothy Stalker	X			
3	Deborah Shakotko	X			
4	John V. Florio, Jr.				X
5	Arthur Koweek				X
6	Larry Saulpaugh	X			
7	Alice Platt	X			
8	Steve J. Savarese				X
At Large	George Super	X			
	TOTAL	5	0	0	4

EXEMPT ACTIONS - proposed actions exempt from mandatory referral NYSGML §239-m.3. (c)
None

OLD BUSINESS None

NEW BUSINESS

NYSDOS TRAINING:

NYSDOS is able to schedule a second training session with Columbia and Greene counties in late fall early winter 2012. Patrice Perry will work with Greene County and Columbia Green

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Community College to schedule. Topics are to be determined. One area under consideration would be geared towards new municipal planning and zoning boards of appeal.

NEW YORK PLANNING FEDERATION (NYPF):

Chairman Timothy Stalker informed members that the annual conference is scheduled for April 21-23, 2013 at the Gideon Putnam in Saratoga Springs, NY.

MEMBERSHIP:

Member terms expiring 12/31/12 are: Cheryl Gilbert, Timothy Stalker and George Super. Memos to Supervisors seeking nominations will be sent out August/September. Chairman Stalker stated he was interested in being reappointed and asked that George Super and Cheryl Gilbert notify him and /or Patrice Perry if they are interested in seeking reappointment.

ADJOURNMENT

Chairman Stalker adjourned the meeting at 7:40PM. The next scheduled meeting is

Tuesday 21 August 2012, 6:30 PM

1st Floor Committee Room, Columbia County Offices

401 State Street, Hudson, NY