

Caroline Town Board Meeting Minutes of March 6, 2024

The Town Board Agenda Meeting was held hybrid on March 6, 2024, at the Caroline Town Hall, and was called to order at 7:02 p.m. by Supervisor Witmer

Attendance:

Supervisor Mark Witmer
Councilmember Cal Snow
Councilmember Tim Murray
Councilmember Kate Kelley-Mackenzie
Councilmember Michele Brown

Also Present:

Recording Secretary:

Jessie Townsend, Town Clerk

Public Attendance: 7 in-person, and 3 via zoom

Supr. Witmer opened with the Pledge to the Flag.

Privilege-of-the-Floor

Pete Hoyt – Began reading through the broadband study and has several concerns. He urged the Board to slow down and would like an opportunity to share his thoughts once he has finished his review of same.

Katherine Goldberg – Spoke in strong disagreement that Offices will not be permitted in both the Besemer and W. Slaterville Hamlets. After describing multiple reasons that she finds SPR appropriate in those two hamlets, as it does in all other hamlets, she urged the Board to reconsider this change.

Committee Reports

Mike Brown, Energy Independent Caroline (EIC) Chair – Had process questions regarding choosing applicants for a community campaign for residential and business solar projects. After discussing with the Board, Mike plans to meet with NYPA Rep, Casey Maestro to receive input and recommendations on next steps.

Clm. Murray – Website – Meeting with Yvette regularly to go over details on the new website. She is making steady progress, and the web design is underway.

Clm. Brown – History Room Committee – Questions regarding her role as Chair v. Liaison and the possibility of having a member of the public Chair the group. After sharing input, her role would be better served as the Chair. She will have something to put forward at the next meeting.

Interview for the Town's Review Board

Review Board Applicant, Cindy Kennell briefly shared her experience in building management and interest in serving on the Review Board. She had general questions regarding a members' role, meeting times, and what could be expected with zoning. Having limited information to offer yet, Supr. Witmer described past practices of meeting monthly, or as often as needed depending on the projects being submitted. She also shared her hope to rebuild community relationships that broke down throughout the zoning process.

Subdivision – The division of any lot, tract, or parcel of land into two or more parcels, lots, plots, tracts, or Sites to create new lots, and including any other form of division of land, or the use thereof, for any purpose, including, but not limited to, leasing, condominiums, and lot leasing, whether for immediate or future use and regardless of whether new Buildings or development is planned or may occur. **See Town Subdivision regulations.**

Subdivision, Minor - Any Subdivision resulting in four lots or fewer.

Subdivision, Major - Any subdivision not classified as a Minor Subdivision including, but not limited to, Subdivisions creating five or more lots, or any size Subdivision requiring any new road or extension of municipal facilities. When there have been prior Subdivisions of a parcel of land within any five-year look-back period, any additional Subdivision affecting that parcel, which would result in the creation a total of five or more lots during that period, shall result in the classification of that Subdivision as a Major Subdivision.

Section 3 DISTRICTS

Eliminate Caroline Hamlet and designate those lands in Ag/Rural District.

Section 4 USES AND DIMENSIONS (USE TABLE)

Bakery: change from X to SPR in Ag/Rural District

Cemetery, Pet: add to Use Table: P in all districts.

Formula Business: change from SPR to X in Caroline Center and Speedsville Hamlets

Townhouses:

Eliminate from **Single/Two-family Dwellings** cell.

Add to **Multifamily Dwellings** cells as follows:

Multifamily Dwellings and Townhouses of 4 units or less - P all districts

Multifamily Dwellings and Townhouses of 5 units or more and all Multifamily Developments - SPR all districts

Sawmill, as part of Farm Operation: change to P in all districts

Car Wash: eliminate from Use Table (Article IV) and Supplementary Standards (6.5.11).

Wetland: Revise as follows: “**Jurisdictional Wetlands - Lands and waters that meet the definition provided in 24-0107.1 of the New York State Environmental Conservation Law, “Freshwater Wetlands Act.”**”

Section 5 DEVELOPMENT STANDARDS

Section 5.1.B. Revised: Except for Multifamily Dwellings or developments, no more than one principal Dwelling and one Accessory Apartment shall be permitted on each lot. Pursuant to Section 9.1 of this local law, under-sized lots shall be allowed to be subdivided once to create two Non-conforming Lots provided that all other requirements for such use and lot can be met and all applicable laws and regulations related to potable water and sewage disposal facilities as required by the Town of Caroline, Tompkins County Division of Environmental Health, New York State Department of Health, and/or the New York State Department of Environmental Conservation are satisfied.

Section 5.1.E. Delete “Consistent with the Town of Caroline Natural Resource Inventory”

Section 5.2.A. Revise: Development Standards for **Commercial and Residential Development Projects** in the Agricultural/Rural District

Section 5.2.A.1. Revise: In addition to the other information required in Site Plan, Subdivision or Special Use submissions, the following additional Standards shall apply to all commercial and residential development **projects** in the Agricultural/Rural District **subject to Review Board approval**, but shall not apply to Farm Operations as defined in this local law. **The Development Standards of Section 5.2.A do not apply to Single- and Two-family Dwellings, Townhouses, or Multifamily Dwellings of four units or less.**

Section 5.3.F. Revise: **No building permit for construction within a wetland shall be issued unless all necessary approvals have been obtained as follows:...**

Section 5.3.G.2.a. Add: **Any development proposal subject to NYS General Municipal Law Section 239 -l, -m and -n will be evaluated by the county relative to the county's minimum requirements for riparian buffers of 100 feet for all perennial streams and 50 feet for all intermittent streams.**

Section 6 SUPPLEMENTARY STANDARDS (for non-residential and business building design)

Section 6.1.B. Revise:...In addition to the Development Standards detailed in Article **V**, the Supplementary Standards in Section 6.2 shall apply to all development activities required to have Site Plan approval pursuant to Article **IV** (Uses and Dimensions), Article VII (Site Plan Review), or Article VIII (Special Use Permit), and Commercial Uses eligible for Abbreviated Site Plan Review pursuant to Section 7.2 (C).

Section 6.1.B.1. Revise: ...**Section**" 6.2...

Section 6.2.1.E : Delete "**and windowless**"

Section 6.2.7.B.1. The mounting of such signs shall be no taller than **15** feet above finished grade.

Section 6.2.7.G. A freestanding sign, whether pole mounted, or ground mounted, shall not exceed **15** feet in height, including mounting.

Section 6.2.8.E.shall cover at least 15% of the parking lot area.

Section 6.2.9.A. ...shall be screened from public roads and adjacent residential uses **by a wall, fence, hedge, or landscape strip of trees.**

Section 6.2.13 Edit: The Review Board may require...

Section 6.3.A. Delete and reformat Section 6.3.B as follows: Formula-based Architectural Styles. Formula-based businesses shall be allowed only...

Section 6.5 Additional Standards for Specific Uses: Delete **Section 6.5.11 Car Washes**

Section 7 SITE PLAN REVIEW

Section 7.1 Revise: Encourage small businesses **that have positive impacts on the Town.**

Section 7.2.C.10. Edit "Water Resources and Flooding" changed to "**Stream Corridor**"...Overlay District.

Section 7.4.A.6.f change to: "**The Development shall not result in increased negative impacts on the safety of all users of the road.**"

Section 7.6.A.5. a. Change to : a. **Traffic Impact Analysis. Traffic Impact Analysis** shall include the following for the study area:"

Section 7.6.A.5.a. Revise: **Costs for all reports, assessments, or plans required by the Review Board shall be borne by the Applicant.**

Section 7.8.C. Edit:...Any Person aggrieved by any decision by-any officer, department, board or bureau of the town, may apply....

Sections 7.9.C and 8.2: Change from 10 to 30 days

Section 12 REVIEW BOARD

Section 12. I- Delete

Motion Carried.

Ayes: Witmer, Snow, Murray, Kelley-Mackenzie, Brown

Nays: None

Resolution 74 of 2024. Sustaining a Negative Declaration of Environmental Impacts of Caroline Zoning Law

Motion by: Witmer Second: Murray

WHEREAS, the Caroline Town Board as Lead Agency determined that the proposed Caroline Zoning Law did not present significant adverse environmental impacts and made a Negative Declaration of Environmental Impact by Resolution 59 of 2024 adopted on February 7, 2024; and

WHEREAS, after the Public Hearing held on February 14, 2024, on said law, the Caroline Town Board adopted changes to the proposed Caroline Zoning Law; and

WHEREAS, although many changes were editorial in nature, the following substantive changes merit further consideration of environmental impact: 1) the former Hamlet of Caroline was eliminated and melded into the Ag/Rural District, 2) Bakeries are now allowed with Site Plan Review in the Ag/Rural District, 3) Pet Cemeteries are permitted in all districts, and 4) Formula Businesses not allowed in Speedsville and Caroline Center Hamlets; and

WHEREAS, The Caroline Town Board carefully considered these changes with due consideration of the existing conditions in Caroline and its residential centers and the goals of the Comprehensive Plan to protect the rural nature of the town and promote Smart Growth principles; and

WHEREAS, as detailed in the Section F narrative attached to Part I of the Full EAF, the proposed zoning strengthens environmental protections when new development is proposed by well considered siting and review processes, thereby enhancing environmental protections and supporting the goals of SEQR; therefore be it

RESOLVED, that the Town of Caroline Town Board hereby declares that adoption of the proposed Local Law No. of 2024 as amended as of March 6, 2024, adopting a Local Law that establishes the Town of Caroline Zoning Law will not have any potential significant adverse environmental impacts; and further be it

RESOLVED, that the Town Board hereby sustains the negative declaration of environmental impact adopted on February 7, 2024, by Resolution 59 of 2024 by the Caroline Town Board.

Motion Carried.

Ayes: Witmer, Snow, Murray, Kelley-Mackenzie, Brown

Nays: None

Resolution 75 of 2024. Set Public Hearing on the revised Caroline Zoning Law

Motion by: Witmer Second: Kelley-Mackenzie

WHEREAS, A revised draft of the proposed local law to adopt zoning regulations for the Town of Caroline entitled “[A Local Law Adopting the Town of Caroline Zoning Law](#)” is hereby introduced after considering comments from the Public Hearing held on February 14, 2024; therefore be it

RESOLVED, The Town Board hereby sets a public hearing to be held on March 20, 2024, at 7:00 pm at the Caroline Town Hall and by Zoom, and directs the Town Clerk to duly notice this hearing as required by New York State Town Law (notice below).

NOTICE OF A PUBLIC HEARING UPON PROPOSED LOCAL LAW #___ OF 2024 – A LOCAL LAW ADOPTING THE TOWN OF CAROLINE ZONING LAW

Please take notice that a public hearing will be held on March 20, 2024, at 7:00 pm, at the Caroline Town Hall, 2670 Slaterville Road, P.O. Box 136, Slaterville Springs, New York, 14881, and by Zoom teleconference (Zoom invitation at town home page: www.townofcaroline.org), for the purpose of receiving public comment upon the proposed Local Law #___ of 2024, a local law to adopt a zoning law for the Town of Caroline. The public purpose of this law is to advance the goals of the Town of Caroline’s Comprehensive Plan. The proposed zoning law is available for review at the Town Clerk’s Office and posted at the Town of Caroline home page (www.townofcaroline.org). Comments may also be submitted in advance to the Town Clerk at the address above or by email (clerk@townofcaroline.org).

Dated: _____, 2024 By Order of the Town Board

Jessica Townsend, Town Clerk, Town of Caroline

Motion Carried.

Ayes: Witmer, Snow, Murray, Kelley-Mackenzie, Brown

Nays: None

Resolution 76 of 2024. Support for a joint application with Town of Dryden and Hunt Engineers to the ConnectALL Municipal Infrastructure Program for municipal broadband

Motion by: Witmer Second: Kelley-Mackenzie

WHEREAS, by Resolution 64 of 2023, adopted on February 15, 2023, the Caroline Town Board committed its ARPA fund award of \$338,050 and accepted an additional ARPA Recovery Fund award from Tompkins County of \$132,333, together totaling \$470,383, towards a Feasibility Study and partial buildout of a town-owned municipal broadband utility in Caroline; and

WHEREAS, the rationale for this engineering and planning step was to prepare a solid justification and foundation for application for the use of public funds towards the full buildout of a municipal broadband utility for Caroline; and

WHEREAS, a Feasibility Study for a municipal broadband utility that included a town-wide survey of residents was conducted by Hunt Engineers and presented to the Town Board on December 21, 2023; and

WHEREAS, from the information presented in the Feasibility Study and a project summary presented by Hunt Engineers on October 19, 2023, the Caroline Town Board determined that municipally-owned broadband was the best option to provide for the needs of our residents now and in the future; and

WHEREAS, the Town of Caroline is in a unique position to partner with the Town of Dryden, with technical expertise from Hunt Engineers, for extension of infrastructure from the Dryden Fiber project into Caroline, with cost-sharing opportunities for both municipalities to enhance the economics and operation of municipal broadband in each town; therefore be it

RESOLVED, the Caroline Town Board hereby endorses a joint application with the Town of Dryden to the New York State ConnectALL Municipal Infrastructure Program for funds to bring affordable, high-quality internet service to our residents.

Motion Carried.

Ayes: Witmer, Snow, Murray, Kelley-Mackenzie, Brown

Nays: None

Approval of Minutes

The Caroline Town Board approved the Minutes of the February Public Hearing and Business Meeting as prepared by Town Clerk, Jessie Townsend

Agenda Items for March Business Meeting

Public Hearing to hear comments on the changes to the zoning law
Resolution for Clean Heating and Cooling Campaign
Discussion and possible vote on Zoning Law
Update on generators for Town Buildings

A Motion to adjourn the meeting was made by Supr. Witmer and seconded by Clm. Kelley-Mackenzie at 8:05 pm and carried unanimously.

---Meeting Adjourned---

Respectfully Submitted,

Jessie Townsend