

Minutes of the Zoning Commission of the Town of Caroline Meeting on Tuesday, January 25, 2022

The meeting was called to order at 7:20 p.m. by Jean McPheeters via Zoom.

Attendees:

Zoning Commission Members: Michele Brown, Ernie Bayles, Barbara Knuth, Bruce Murray, Bill Podulka, Wil Lawrence, Jean McPheeters, Tim Murray (Town Board Liaison)

Others: Town Supervisor Mark Witmer

Excused: Val Warke

Attendees: There were 15 or more people on Zoom, however, I did not take down their names

- 1) Statement from the Zoning Commission chair
 - a. Jean read a statement noting that the letter dated 1-17-22 was not sent by the Zoning Commission or the town board, listing a variety of ways that the Zoning Commission and the Town Board have used to inform residents about the zoning commission and its work, asking residents to send questions and comments, and outlining the steps that we will take before holding a formal public hearing on our final draft document. After that hearing we will further consider the document, and then write a formal report to present to the board.
- 2) Privilege of the Floor: Opportunity to bring forward matters of concern. (3-min each)
15 min.
 - a. Bonnie Crispell Hargreaves spoke about her concerns about lot size, particularly about the proposed 3-acre minimum and how that would affect her property and that of other farmers. [Note that Bill Podulka explained that the section she was referring to is not a minimum lot size and needs to be better explained. Here is the partial explanation: The Zoning Commission recognizes the negative effects associated with a minimum residential lot size in agricultural/rural areas, as you point out. For that reason, the draft law does NOT require a 3-acre minimum lot size to build a house; we will work on making this point clearly in the next revision. Instead, the draft law proposes an average residential lot size approach. Average lot sizes allow a variety of lot sizes to be created from a larger parcel. The only requirement is that the overall housing density for the entire (original) parcel does not exceed a certain threshold. For example, a parcel of 100 acres in the agricultural district could accommodate 33 residential lots (average of 3 acres 8 per lot), but the specific lots could range in size from 1 acre (minimum required by Health Department) to much larger.
- 3) Approval of Minutes of the January 11, 2022 meeting (Brown, Knuth) unanimously approved.
- 4) Town Council Report: Tim Murray reported that neither the Town Board nor the Zoning Commission sent a letter that was received by many Caroline residents (dated 1-17-22)

regarding zoning. None of us know who sent it. Also, that the Town Clerk has received many FOIA requests recently regarding zoning and is doing her best to get answers printed and ready for people, but it is also tax season. Therefore, please be patient.

- 5) Planning Committee Report: Bill Podulka reported that the final language for the Battery Storage law is almost ready to be sent to the Town Board.
- 6) First draft of zoning law: Review
 - a. Committee Reports: Michele Brown reported that Committee A had looked at the boundaries of the hamlets and will suggest that Brooktondale/Besemer be divided into two areas, also there is stretch of land being actively farmed on Route 79 in the Besemer area, and they have questions about whether this should be in a hamlet. There are also questions about grandfathering, non-conforming uses and finding a standard way of dealing with this question---perhaps a longer period than 2 years which is in the first draft. Wil Lawrence brought up the issue of Middaugh Road and that she believes that it is being consistently overlooked and should be zoned as Commercial. There was some discussion and we agreed to look at Middaugh again and to make some inquiries from NYSEG about the substation there. We also had a small discussion about Slaterville Springs and commercial properties.
 - b. Committee B: Barb Knuth and Ernie Bayles noted that the subdivision law, forest core and density, transfer of development rights, need to be discussed. There have been many suggestions for changing the development & design standards in Article IV and V and they are continuing to review comments. Nan told us that the entire subdivision law can be brought into the zoning law, but that is not necessary and may be confusing. Or we can leave it as it is with supplementary regulations and a reference to the subdivision law.
 - c. Committee C: Wil and Jean have not met yet regarding Site Plan Review and Special Use Permits.
- 7) Upcoming Meetings: At our next meeting we will look in detail at the maps, districts, uses and dimension and come to some agreement about recommendations for an updated draft. Jean asked committee members to review Articles II and III and get their comments all done. Also, Jean is setting up a Dropbox so we can easily share comments from the public and begin the process of getting more answers up on the website. Thanks to Bill and Barb for taking the lead on this.
 - a. We had a brief discussion of public meetings. There was a major sentiment that we hoped these could be in person (with a Zoom portion or backup perhaps). We are discussing how best to present the second draft to the residents---either by Articles or by topic.

b. We are considering whether we might meet between our regular meetings to move work forward.

8) The meeting adjourned at 9:14 p.m.

The next scheduled meeting is on Tuesday, February 8.

Respectfully submitted,

Jean McPheeters