

Town of Caroline Public Hearing on Proposed Moratorium of April 28, 2020

The Town of Caroline Public Hearing on Proposed Moratorium held on April 28, 2020 via Zoom Conference at 7:00 p.m.

In Attendance: Mark Witmer, Supervisor
John Fracchia, Councilmember
Irene Weiser, Councilmember
Cal Snow, Councilmember
Tim Murray, Councilmember

Recording Secretary: Jessica L. Townsend, Town Clerk

Present: 68 people of the public attended the Public Hearing via Zoom

Introduction

Supervisor Witmer opened the Public Hearing with the following announcement:

This is the Town of Caroline's April 28, 2020 Public Hearing on the proposed Local Law Providing for a Moratorium on Actions Subject to Site Plan or Subdivision Review for a Period of One-hundred Eighty (180) Days. The Public Hearing is hereby opened.

This meeting is being recorded and will be posted along with meeting minutes on the Town Website.

We have proposed this local law as a measure of due diligence given that the Town's Comprehensive Plan has been under rigorous review and revision after multiple public meetings and a townwide survey over the past few years and is projected to be completed by late summer or fall. This will enable the Town Board to evaluate the existing development guidance tools of the Town in light of the updated Comprehensive Plan to determine whether we wish to consider additional land use regulations. The draft Moratorium is a pause, not a prohibition, on developments subject to Site Plan and Subdivision Review to ensure that we do our best to protect the vision and future of Caroline.

This Public Hearing is for the Town Board to receive comments and information. We will be listening tonight to inform our deliberations; we will not be responding. This is a draft law for which we are still considering information and recommendations from our attorney and the public. If there are modifications, those will be provided to the public with sufficient notice prior to bringing it to a vote. We will not be voting on this proposal at tonight's meeting. I am proposing that we hold a vote on this proposed law at our May 13 Town Board Business Meeting, and that tonight's Public Hearing be held open until that time. I would expect that the Town Board will discuss the moratorium at both our May 5 and May 13 town board meetings.

If you wish to address the board, please raise your blue Zoom hand (click on Participants on your control bar, then you will see the hand raise option at the bottom of your Participants window). Councilman Fracchia will unmute and call on speakers in sequence. We ask that speakers limit their comments to no more than three minutes and maintain respectful discourse. You can also submit comments in writing to the Town Clerk: clerk@townofcaroline.org. Petitions and all comments received to date have been posted at the town website in the Moratorium Folder, under the Current Topics Tab.

We will now open the meeting for public comment.

Renate Ferro – Thanked the town board for their service. She has submitted a letter to the town board. Asks the board to consider sustainability. Spoke in favor of the Moratorium on commercial development.

Barbara Knuth – Thanked the town board for considering a Moratorium on this issue. After considering the years devoted to carefully put together a Comprehensive Plan, believes a 180-day pause is a

reasonable request at this time in order to allow the Planning/Review Boards to finish updating the Plan. Is in favor of the Moratorium.

Kurt Jirka – Resident of 33 years. Thanked the town board for their careful consideration for a proposed Moratorium. Stated that the board's decision whether a Moratorium should take place should depend on the town's residents' desires, and not the short-term business interests of individuals or corporations, particularly not those of whom are not a part of our community. Is in support of a Moratorium.

Alita Guida, Esq.- Attorney for Franklin Land Associates – Thanked the town board for the opportunity to present at the Public Hearing. She has submitted a follow-up letter to the Town Board. Stated that the universal comments that have been made in favor of a Moratorium have been directed to shut down a single project and that is unlawful. A Moratorium should only be used to stop a deluge of applications or when there is an exigent emergency. Opposes this Moratorium.

Katherine and Jia Forrest – Stated that we cannot judge this project in a reactive manor and believes that there is more strategic planning that needs to be in order for our town regarding large scale development. Strongly urges the town to adopt formula business restrictions. With over 600 signatures on the Petition in favor of a Moratorium, hopes that the elected town officials can recognize that our community opposes this project.

Jesse Bates – 7 years old resident from Brooktondale. Spoke in favor of a Moratorium. Stated there are 8 other Dollar Stores in our area and over 20,000 more in the United States. Believes we should save our resources for something more useful and less environmentally harmful.

Rita Rosenberg – Thanked Jesse for his comments and the town board for their consideration for a Moratorium on commercial development. Sent the town board a Petition requesting a Moratorium on April 13 that had 267 signatures from concerned members of our community. This evening she has provided the Petition with over 600 names and addresses of those who are in favor of a Moratorium. Shared concerns of noise, lights, traffic, and pollution from a corporate business who does not care about our community. Is in favor of the Moratorium and asked the town board to vote based on what the concerned community members are asking for.

Alex Spencer – Supports a Moratorium. Has heard the concerns by our community and agrees with all the points made regarding the noise, lights, pollution and traffic this would create. Lives next door to the proposed site and is deeply worried about the safety of her surrounding property.

Rebecca Schillenbeck – Thanked the town board for being so diligent in this process. Supports a Moratorium on action subject to site plan and subdivision review. Concerned citizens are here speaking out because we care about our homes and each other. Asks to pause in order to gather our visions that preserve and protect our town.

Paula Welling – Thanked the board for their consideration. This project does not align with our current Comprehensive Plan. Objects to this specific project and would also object to any other similar project at this location or similar location. This proposed project should serve as a wake-up call. Supports a Moratorium on commercial development.

Megan Barber – Grew up in the Town of Caroline. Spoke in favor of the Moratorium. Wants to preserve rural character and support local businesses. The proposed development is in direct opposition of our shared vision for our town. Asks to enact a Moratorium in order to allow the Planning Board to complete the Comprehensive Plan and urge potential future project developers to be considerate in deciding whether it makes sense to develop in Caroline.

Martin Hatch – Spent many years on the Dryden Planning Board. Stated that the Town of Dryden Planning Board just approved plans for a Dollar General on Route 13 in Dryden. Expressed support for a Moratorium.

Ross Brinkerhoff – There is significant interest from the public on this proposal. Supports a Moratorium.

Kira Fritzy Randolph – Is a NYS Realtor and is part of the Ithaca Board of Realtors. Believes it is important to retain the rural character of our town. Believes a Moratorium is the best course of action at this time. Thanked the Town, Review and Planning Boards.

Elizabeth Miller – Concerned about the possibility of a Dollar General coming to Caroline. Spoke in favor of a Moratorium or any other action the Town Board can take to seriously consider this proposal and hopefully oppose it.

Richard Andersson – Longtime resident of Caroline. Spoke in support of a Moratorium in order to update the Comprehensive Plan. His main concern is the safety of this site.

Powers – Stated that she is in support of a Moratorium to have time to develop a plan that aligns with locally owned businesses. People are showing up to share their concerns. Wants to concentrate our efforts to promote local goods/foods from our community. Proud to be a resident and share equally in the visions for our community.

Gary Hodges – Has been a resident in Caroline for 25 years. His concerns are primarily about safety, the environmental impacts and the further commercial developments that may come hereafter. Supports a Moratorium.

John Reed – The nation is currently under localization due to the COVID-19 pandemic and urges the board to use this time to get things in order.

Rob Megle – Thanked the town board and neighbors for coming together tonight. Moved here six years ago and loves it here. Spoke in opposition of this commercial building and/or any other corporate business and is in favor of a moratorium.

Mary Kobler – Thanked members of the Planning, Review and Town Boards. Fully supports a moratorium and is fully against a development on the proposed site of this commercial building.

Stephen Vukas – Works with Boehler Engineering on behalf of the applicant of the proposed retail store. New York State Highway Route 79 is under New York State Department of Transportation jurisdiction and they have approved stage 1 of this proposal. States that they will be in compliance with the New York State Department of Environmental Conservation to ensure that the stormwater is treated in concordance to their manual.

Dan V. and Audrey Attardo – bought property here about 9 years ago because of the lack of commercial development in the town. Does not believe this project is aligned with the current Comprehensive Plan. States that he believes COVID-19 should be considered an exigent emergency. We are currently in unprecedented shut-down and some people in our community do not have access to broadband or even know about the current proposal. He is in favor of a Moratorium.

Matt V – Compelled by all arguments being made by fellow community members. Read a passage from J.R.R Tolkien which offers the value of the rural and the threat of unfettered capitalism.

**You can find all letters submitted on the Town's website: www.townofcaroline.org under the Moratorium Tab*

Supervisor Witmer thanked everyone for attending and sharing their thoughts on the proposed Moratorium. The Hearing will stay open until the next business meeting, at which time they will vote.

Town Board Discussion

Supervisor Witmer proposes that they discuss this further at the Agenda Meeting on May 5, 2020 and recommends that the town attorney provide us with guidance in light of the public comments. They thanked everyone for coming out tonight.

----Adjourn----

The Public Hearing was adjourned by Town Supervisor Mark Witmer, seconded by Tim Murray and carried unanimously at **8:27** p.m.

Respectfully Submitted,

Jessica L. Townsend, Town Clerk