

Questions for Zoning Commission from Comment Boxes, Emails/Letters to Chair of Zoning Commission, and Public Meetings

Q/A #213 - 215

Zoning Purposes & Definitions

Q213: Can you prove that we've been negligent and abusive in taking care of the town? Prove to us what is negligent?

A213: The Zoning Commission was not formed nor is zoning being contemplated because of a belief that town residents have been negligent or abusive in taking care of their property. Creating a zoning plan should be (and the Town of Caroline Zoning Commission is being, to the best of our ability) forward-looking, planning for the future. Development pressures on communities in the region will increase in the coming years. The value of zoning is to establish standards to guide future growth and development so that it occurs in a manner that protects property values by separating incompatible uses from each other, protects important resources such as water, and is consistent with the community's vision of what Caroline should look like in the future, as reflected in the Town's Comprehensive Plan and ongoing public dialogue that informs actions of Town officials.

Decision-making Processes

Q214: I have a few great questions to add to the Q&A! (1) If zoning is passed into law what will be the process to rescind it? We will need to be prepared for when our team gets elected and has the power to take back Caroline and preserve this town how it should be preserved. (2) Once passed can zoning be reversed? If yes, how? 😊 (3) Can zoning be overturned or basically thrown out when we get the upper hand next election? P.S. I already know the answers so seems like we wasted an awful lot of money and time on something we are going to be getting rid of in 2023. (Don't you think?) Have a wonderful day! But don't forget to answer these in the Q&A!

A214: Should a zoning law be adopted for the Town of Caroline and should there be interest at some point in the future after adoption to then modify or rescind the law, the Town Board should at that time engage legal counsel to make sure all of the required steps are followed, including opportunity for public input. Some general guidance and advice about procedures relating to Town Laws can be found in [Guide to Planning and Zoning Laws of New York State](#) (see the section beginning on p. 43 regarding Town Law related to zoning), and [Adopting Local Laws in New York State](#).

Protecting Environmental Resources

Q215: Why did the Zoning Commission delete the Forest Core Overlay (mentioned in the 12/28/21 draft) from further consideration?

A215: When evaluating districts and regulations for the draft zoning law, the Zoning Commission is constantly weighing the public benefit to the town and town residents compared to how burdensome or intrusive the districts or regulations might be. In the case of the Forest Core Overlay, the Zoning Commission consulted various scientific experts to better understand the benefits of preserving large areas of intact forest (reducing climate change, protecting important wildlife habitat, and providing open “green” space are some of the benefits). Caroline is fortunate to have many areas that are extensively forested; much of this land is State Forest land but much is privately owned. The significant extent of these forested areas means, on the one hand, that any development restrictions related to the Forest Core Overlay could impact many residential properties and, on the other hand, that having such extensive forested areas reduces the urgency of protecting relatively small areas through an overlay because forested lands in general are so widespread already in the Town. In addition, much forested land in the Town is already protected at the state level. The experts the Zoning Commission consulted suggested that preserving or expanding grassland and shrubland habitat in the Town would actually be a higher priority than preserving forested areas, given the value of having a diversity of habitats. Some members of the public expressed concern about the potentially burdensome effects of a forest overlay district. Weighing all these factors, the Zoning Commission decided that including a Forest Core Overlay did not merit inclusion in the next draft of the zoning plan.