

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

Q/A #67-149

NOTE: The numbers of questions & answers indicate the overall order in which they were received and answered (numbers simply help us keep track of questions received, to make sure we answer them). The questions/answers were then placed in one of the main categories below, to aid finding related information. The numbers within a category, therefore, may not be sequential.

Zoning Purposes & Definitions

Q69: Vibrant. As far as I'm concerned the town of Caroline is already "vibrant" and "Desirable" and people already like to live here! Harmony? In the zoning draft I keep seeing the word harmony! How this zoning is going to be so harmonious with the town. Also, how this zoning is going to protect the health and wellbeing of residents? How so? When it seems to be causing everyone a lot of stress already before its even passed! "All the research suggests that long-term chronic stress can kill you" – Google article. Research! In doing some research of my own I have not found any articles relating to harmony after zoning has passed. But instead I've found numerous articles on how it has instead caused HARM! Harm! In one town a disgruntled resident took a bulldozer (killdozer) through a town called Granby and destroyed the town buildings and even went after a library full of kids! Then killed himself. Another example was a man who was so angry at the town. Dave Cannon who sprayed liquid s*** all over a town building because he was repeatedly turned down on business building he was trying to create – his only regret "he didn't use more manure." I'm sure there are more articles like this out there! My Question. How are you going to protect Caroline residents from incidents similar to ones such as there? Your HARMONY zoning is going to ruin this town because zoning makes residents go crazy! And I would like to know HOW you are going to protect us????

A69: The Zoning Commission is striving to keep lines of communication open with Caroline residents to establish respectful and thoughtful considerations about what should be included in a zoning law. These efforts include this Q&A to answer questions and comments received, the availability of information boxes at various locations (Town Hall, Dandy Mini-Mart, Brookton's Market, Town Library), publicizing email addresses and mailing addresses of the commission chair and the town clerk to send comments to, a website with meeting minutes and videos and other information, announcements in the Town's quarterly newsletter, bimonthly meetings open to the public (by Zoom and in person depending on pandemic precautions that have varied over the past months), Privilege of the Floor opportunities for residents to speak to the Commission during the first 15 minutes of every regular meeting, public informational meetings, etc. We have aimed to keep these communications respectful by and to all involved.

Q129: We didn't see any answers to the question of how you will protect this town from mayhem. Zoning tends to anger small business owners and resident alike. How will you keep the regular Caroline residents safe from something like this? This is a real concern (especially for those of us with small children) and shouldn't be taken lightly because other towns have been completely destroyed by such individuals in the past. Caroline has a lot of small business owners and they are already

angry! This anger could build up and potentially end in a disaster for this town. Worried for our safety!

A129: See A69 above. As noted in that answer, the Zoning Commission is striving to keep lines of communication open and to provide accurate information about the content of the draft zoning plan that is still very much under discussion and revision. We believe being transparent and honest, trying to address misperceptions portrayed on social media, and seeking public input and answering questions are some of the most effective ways to defuse the anger being expressed by some town residents. The Zoning Commission has been and will continue to be responsive to resident concerns regarding specific aspects of zoning proposals under consideration. We perceive in your question that you would like work on zoning to stop. Any such decision lies with the Town Board, not the Zoning Commission; the Commission will complete its charge to deliver a final report to the Town Board for their consideration. Please be patient regarding answers to questions; it generally takes about 7 to 10 days after the Zoning Commission receives a question or comment to be able to post a Q/A response on the Commission's website.

Q77: ... I don't think zoning is altogether wrong but I think often times it works in the detriment of the community at least that I have experienced. I think it's easier to have an action plan and then work backwards versus implementing a cookie cutter plan like Cayuga Heights might have. For example, if we don't want Box stores we just limit zoning to say that we don't want Box stores of a certain size and then leave it at that. Why can't the town take that approach?

A77: The Zoning Commission is working hard not to have a "cookie cutter plan" like any other community but instead have a zoning plan that is tailored to the Caroline community and reflects the values and vision expressed in the Town's Comprehensive Plan. The bimonthly Zoning Commission discussions are geared toward this goal, and we encourage you to observe the meetings if possible for you, or read the meeting minutes posted on the [Zoning Commission website](#) to get a sense of the discussions we are having. Many process-related sections are required in a legal zoning law in New York State, so it would not be possible to have a very short law that is still legal, but the Town is able to write its own specific provisions for zoning components such as allowed uses, allowed building dimensions, development and design standards, etc.. A quick-guide [chart](#) with brief explanations of each section is posted on the Commission website and indicates the several sections that are required by New York State law.

Q79: I think many folks are concerned that zoning could be a deterrent and hindrance to disenfranchised minorities and socio-economically challenged families as it has been in most other areas of the country. It's hard to get behind policy that can limit affordable housing, and one that often creates a pay to play system, or segregates minorities or the poor to certain areas. It might be someone's dream to buy an acre and build a small family house on it with a tiny homestead but that may not come true if they are told to meet the new zoning ordinance they will need an extra \$100,000 in modifications to their home idea with roof pitches and siding and porch regulations and landscape regulations and parking lot restrictions. My hope is that we can just keep it simple. How will the zoning plans address this?

A79: To your specific point about particular design restrictions (such as roof pitch, siding, porches, landscapes), the [12/28/21 draft zoning law](#) contains no such restrictions for single- and two-

family residential dwellings. The section on design standards (see Article V) applies to commercial and non-residential building design, not to single- and two-family residential dwellings. This appears to be a common misperception in some of the comments and questions the Commission is receiving and in comments posted on social media, and we will strive to clarify this language in the next draft. In addition, see the Use Table in Section 3.1 of the 12/28/21 draft, which indicates that most residential and residential accessory uses would have no new approval requirements under zoning (other than the existing requirements for a building permit from the Code Enforcement Officer, etc.). The draft zoning law allows for all sorts of houses, including manufactured homes, single-family, two-family, and multi-family homes, and accessory apartments (such as ‘granny flats’ or elder cottages) so it is not restricting any type of residence. Your concerns about affordability are addressed in the draft zoning law as it does not require any larger lot size for a residence than is currently required in the Town due to Health Department regulations. Regarding your broader concerns about fairness, there has been an unfortunate history where zoning has contributed to such segregation in urban areas. This has happened when large areas of land are zoned for single family uses separated from multi-family uses – resulting historically in segregated neighborhoods. Fortunately, the consultant working with the Zoning Commission says this same problem has not arisen in any of the rural communities she has worked with, and Caroline’s draft zoning law allows a wide variety of housing types in all locations and they are not segregated. To the best of our ability the Zoning Commission will create a zoning plan that will not foster segregation.

Q90: Definitions should be at the beginning of the law. Related, a campground is defined as “two or more campsites.” I believe Tompkins County Health Department defines a campground as more than 4 campsites. For consistency’s sake, more than 4 seems to make more sense. And, Review Board has two different definitions. Will these issues be addressed?

A90: The Zoning Commission is discussing moving the Terminology (definitions) section earlier in a future draft of the zoning law. Thank you for raising the issue about campgrounds and the number of campsites. We will take that into consideration when the definitions are reviewed and revised.

Q101: Whose idea was it to introduce Zoning into the Town of Caroline?

A101: Establishing a Zoning Commission to develop a draft law resulted from many years of work by and input from Town residents to develop mechanisms to ensure that land development in the Town of Caroline occurs in harmony with surrounding uses and is consistent with the Town’s Comprehensive Plan. The Town’s Comprehensive Plan expressed the values and vision for the Town, growing from years of work by town residents on the Planning Board and extensive public input. To build on the Comprehensive Plan, the Town Board appointed a Town Task Force on Land Use and Economic Development to research potential regulatory tools that could be used to promote the goals and values expressed in the Comprehensive Plan. The Task Force, composed of individuals living and farming in the Town, reviewed various options on land use, held multiple meetings open to the public, and obtained advice from various relevant agencies. The Task Force, based on the Town’s Comprehensive Plan and its own research and public input received, recommended the Town Board appoint a zoning commission to begin the process of proposing zoning districts and appropriate regulations to be enforced therein, and to adopt a new site plan review process and standards as part of a zoning law. The Town Board voted to accept the Task Force report and subsequently voted to appoint a zoning commission.

Q102: What benefit does Zoning have for the Town? As I personally do not want a zoning board or Town board telling me what I can and cannot do on my property.

A102: The overarching goal is to preserve what Town residents like about Caroline by ensuring that future growth and development occurs in harmony with the vision described in the Town's Comprehensive Plan. The guiding principles of how to achieve that goal are laid out in Article I, especially Section 1.3 Purposes in the 12/28/21 draft zoning law posted on the [Town's website](#). A zoning law will help the Town of Caroline implement its goals as expressed in the Town's Comprehensive Plan, will protect existing neighborhoods and environment features, will facilitate growth that is consistent with the desires of the community as reflected in the Comprehensive Plan and public discussions, and will offer stability that gives people confidence to invest in the area. The Zoning Commission is committed to creating a zoning plan for Caroline that minimizes intrusion on your personal property but that adequately safeguards the health and welfare of the community and prevents land uses on neighboring properties from negatively impacting your land and land value.

Q104: The bottom line is I don't feel bringing Zoning into a town that has existed perfectly without it for so long is necessary and I feel this is a total waste of taxpayer's money having all these meetings and drafting up this Zoning rules booklet. Why is zoning needed?

A104: See A101 and A 102.

Q111: My husband and I are non-resident land owners in the Town of Caroline. We want to go on record as opposing the proposed zoning law. Our property has been in my husband's family since the 1950's. We have paid taxes for all the years we have owned it. The proposed zoning law will severely limit what can be done with the property. Having the few dictate over the rest of the landowners is not just or equitable. Why is zoning needed?

A111: It would be helpful to the Zoning Commission to understand more about your perception that the proposed zoning law will severely limit what can be done with your property. The Commission's deliberations (e.g., see meeting videos and minutes posted on the [Zoning Commission website](#)) include trying to avoid undue restrictions that do not contribute to meeting the Town's overall goals (see A 101, A102 above). We encourage you to review Article III in the 12/28/21 draft zoning law posted on the website, especially the Use Table in Section 3.1, and let us know what types of uses you plan for your property that you believe will be severely limited so we can try to address those concerns appropriately. The Zoning Commission is actively discussing the Use Table and we anticipate revising it. Your specific insights would be useful.

Q112: Thanks to those working on this. It is not an easy or uncontroversial task! I did attend the public meeting and appreciated the opportunity to talk with folks and examine the maps. ... I believe that the town needs zoning given the development pressures and the desire to enable Caroline to live up to our comprehensive plan now and in the future. While some people think that individuals and businesses who own a piece of land should be allowed to do what they want, I would urge the commission to consider instead the idea that current owners must be stewards of the land. How the

land is managed and developed will determine its ability to support people for generations to come. How will zoning help support the interests of future generations?

A112: The Town's Comprehensive Plan lays out a vision for the town that extends into the future. Zoning provides a mechanism to help achieve that vision. Please see the Purpose section of the draft zoning law (Section 1.3 in the 12/28/21 draft available on the [Zoning Commission website](#)) for how the goals appearing in the Comprehensive Plan have been translated into the purposes of Caroline's zoning. The standards and regulations in the zoning plan are based on these purposes.

Q118: The entire law needs to be thrown out and the town council needs to focus its energy on other matters like preserving or increasing our freedoms rather than reducing them. What a huge waste of time and money this proposed law has been and will be! This proposed law is so incredibly anti-freedom, anti-property rights. If this passes, we will have to organize to have enough board members voted out that we can repeal both this and any other incredibly onerous legislation you've passed in recent years. It is unbelievable that you would take advantage of the pandemic to do this all essentially in secret, KNOWING that a similar zoning law was soundly defeated about 10 years ago!

A118: The Town has never considered, nor defeated, a zoning law in the past. You may be referring to something that occurred about 30 years ago, in 1990, when there was discussion of potentially adopting a Town Master Plan (at the time, a concept similar to having a comprehensive plan today). A public hearing occurred in September 1990, and a petition was submitted, titled "Petition against Zoning in the Town of Caroline" (but note that it was not a zoning law that was under consideration, so it is not clear why the petition was titled in that way). The Town at that time decided not to proceed with the proposed master plan, but since that time (during the following 30 years), the Town did indeed adopt a Comprehensive Plan in 2006 and updated it last year.

Q121: With 19 pages of definitions, I assumed everything would be covered in detail. I started to note where definitions were missing, but stopped after I exceeded 10 in only Article III, Uses and Dimensions. A lot of work needs to be done in this area. When will you improve the definitions?

A121: The Terminology/definitions section of the draft law will be improved in a future version. Currently, the Commission is focusing its efforts on discussing possible revisions to Sections II Districts and III Uses and Dimensions. The Commission has discussed the importance of making sure all "uses" in the Use Table have a corresponding definition in the list of definitions.

Q130: How will zoning offer "stability" when numerous articles show otherwise with towns in outrage after zoning? How do you know what the "towns vision" is if you won't listen to the tried and true residents?

A130: The town's vision is found in the town's Comprehensive Plan; the current plan was passed in January 2021. The creation of that plan (a revision of the town's original Comprehensive Plan of 2006) took place with extensive public input over a period of approximately seven years. See also A101 and A102 explaining the general purposes of zoning and describing the processes that took place over a number of years that led to creating the Zoning Commission. These processes had a great deal of public input.

Q140: Why do you want to take our freedoms from us? We pay taxes, we work, we contribute to this community, we support one another and we are all living happy. By the looks on your faces on the zoom meeting you are the ones that seem to be miserable – no smiles from any of you. All we want is a little compromise. Start over with this and make it right.

A140: We appreciate your concern for the Commission members and will aim to smile more during meetings. Drafting a zoning law is not an aim to remove freedoms. In the United States owning property grants certain rights and freedoms associated with that land. Along with the right to hold property comes the duty to not cause harm to the community. The same rights and freedoms you have are also possessed by your neighbor. Sometimes limits must be placed on our rights so that we don't infringe on the rights of others. Zoning offers stability and predictability and in doing so helps maintain property values and helps protect local property owners from incompatible uses opening close to them that would decrease the value of their property (e.g., a heavy industrial facility locating next to someone's single-family home). Keep in mind that the [12/28/21 zoning law draft](#) will be revised over the coming months. We encourage you to read the next version when available and to offer specific suggestions about content to revise in the coming weeks.

Q142: The only reason this zoning thing is even being discussed is because a dollar general tried to become established on route 79 which would have been great for this town! The board members were in a tizzy about it because it was going to be put in near where they live. If they had a problem with it then they could have simply purchased the property in question themselves. ... I'm pretty sure we could get more people in this town to sign a petition in favor of a dollar general. The petition that they brought forward against the dollar general had signatures from people that don't even live in this town. Also, it was all done electronically so who knows if the signatures were even legit or if it's just made up emails and fake names which they approved without even checking. Dollar general would have done really well in this town but because a few board members like to only eat organic and grass fed food they threw a hissy fit and took it too far with a zoning draft.

A142: Work toward appropriate land use and building regulations for the Town of Caroline has been underway for many years. The Zoning Commission's work to develop a draft zoning law for consideration by the Town Board is not in reaction to any particular single development proposal. See A101 and A102 above.

Q144: Zoning ruins small towns. 1) it is racist, 2) against low income families, 3) against geriatric living – "sorry grandma you can't live here!" it segregates people by not allowing them to afford to move here. If you want to be racist that's on you!

A144: See A79 above.

Q145: Common sense! Should be telling you zoning is not appropriate for this town. Zoning would be more appropriate in a place such as Ithaca where it is a bigger city and would make more sense in that type of location. We are a small town just minding our own business and not hurting anyone. I don't foresee any huge businesses trying to move in here like Amazon or Target for example. We are a rural

area and zoning just simply does not make sense here. People in this town don't want to be regulated. 132 pages of regulations ... yeah okay. We as a town don't want to be told what we can and can't do. For example: If I want to have a yard sale in my front yard I don't want a fine or to be told I can't! We don't want to be told how tall our grass should be, we don't want to be told that we can't have free range chickens, we don't want to be told we can't sell chicken eggs from a cooler in our front yard, we don't want to apply for a permit if we want to build a shed or a small structure. We want to be able to make noise if we have to for example: Cutting down a nuisance tree branch. We like our pets and most of us have dogs that we would like to keep. We enjoy our freedom and don't want nosy board members checking up on us like we are babies. We are adults and if we want to do something we should be free to do so. Besides I'm sure the only people they will regulate are the ones they don't like. They're friends seem to do whatever they want in this town.

A145: The [12/28/22 draft zoning law](#) does not contain any provisions that would regulate how you, as a resident, choose to maintain the height of your grass, have free range chickens, sell chicken eggs from a cooler in your front yard, have a yard sale, have dogs, or cut down a nuisance tree branch. Although such rumors have been circulating on social media, there is nothing in the draft zoning law that would restrict any of these activities. Currently (without zoning), building many types of accessory structures near a home (such as a small shed) requires a building permit from the Code Enforcement Officer. A building permit for such actions is required for health and safety reasons and that requirement would not change (either to become harder or easier) with zoning.

Q148: Because this draft was actually taken from another town that does not even resemble Caroline it should simply be thrown out. You should be ashamed of yourself and not be paid to steal a zoning law from another town that was already created and try to use it here. First of all ... copy and pasting it from elsewhere is not really doing the work and should not be paid. I can't help but also mention that if this draft is passed I'm sure things will be added to it every time something the board doesn't like comes up. It should not be a panel of 5ish people determining what benefits them and then pushing it (like a dark cloud) on our poor town of over 3000 people. Last I checked we don't have kings and queens that rule in the united states. Will they be adding beheading to this next? Or stoning? For the ones that don't comply.

A148: The 12/28/21 draft is not a copy taken from another town. See A77 above.

Decision-making Processes

Q89: Will the adoption or rejection of zoning in the Town of Caroline ultimately be decided by a public vote, allowing a collection of all residents to decide?

A89: There is no legal process in New York State for a community to adopt a zoning law (or any land use law) by means of a community vote or "permissive referendum." Permissive referendums are allowed for certain things like creating a sewer district or a water district or the like. Land use laws, however, are adopted as a local law and the only way to do that in New York State is by a vote of the town board. However, the adoption of a local law requires a public hearing, County Planning Board review, and an environmental analysis – all of which the Town Board must complete prior to adoption.

Q67: Why not keep residents informed about intentions before plans are set? Voters need to vote on any zoning issues/plans/laws!

A67: Please be reassured that the plans are not set; the Zoning Commission is actively discussing and revising the draft zoning plan based on public input and its own deliberations. A final draft plan will not be submitted to the Town Board tomorrow, next week, or next month. The process will take months and will involve multiple drafts; there has been and will continue to be opportunities for public input (both electronically and in person) during the drafting process. See also A89 above regarding the legal process for adopting zoning. See A101 above regarding the processes leading up to the creation of the Zoning Commission. See the [Zoning Commission website](#) for videos and minutes of all Zoning Commission meetings and announcements about upcoming meetings.

Q73: The residents that live here should have been consulted about this before a zoning commission was even put together. We as tax payers want a refund! Give us back our money so we can use it for something that is truly needed here!

A73: See A101 above regarding the processes, including public input, leading up to the creation of the Zoning Commission.

Q70: I am very confused by these zoning ideas. I am now seeing attempts by the progressive ideals that people are trying to instill on this rural town. When was it ok to tell people what to do with their own land and how to take care of it. Many people are multi generational landowners in the town (myself included). I would be willing to bet that most landowners in the town have been stewards of their land for a lot longer than the zoning writers and supporters have even lived in the town. Again I will say multigenerational landowners. This is not an HOA. This town is not all about Brooktondale and the progressive utopia that the board seeks. Why do people think they have to push their religion on to us? I ask the board to re visit some of the most stupid ideas I've ever heard. I believe the board and elected officials have used Covid as an excuse to sneak these ideas in under the radar. I am dumbfounded by the idea that somebody can tell people how they should live and take care of their property. People have been doing it for a long time and all before zoning was discussed. Stop trying to make people conform to progressive borderline Marxist ideals.

A70: See A101 and A102 above.

Q71: I disagree with the zoning draft and the zoom meetings. ... The zoning draft is way too long and very intrusive on basic freedoms. Caroline has been a great place to live so far and zoning is not needed here. I believe what sparked this zoning draft was the initiation of the Dollar General. I wouldn't have minded a dollar general coming to Caroline. It would have made basic necessities easier to access and would have eliminated a lot of carbon emissions by creating less travel all the way to Ithaca. Less carbon emissions seems like it would be right up your alley especially because the "zoning draft" states its trying to make Caroline more healthy! So instead of letting a Dollar General come to town and make life easier for the residents we get to breath in all that extra carbon from the increased travel by all these gas powered vehicles. Which could have been eliminated to being with by

simply allowing Dollar General to come to town. This just seems ass backwards to what your trying to achieve with the zoning draft.

A71: See A101. The Town engaged in years of prior work before appointing a zoning commission, not simply in response to a single development proposal.

Q72: Why are all of these meetings being held as zoom conference? No one in this town has access to that technology. We work hard for a living and don't do the interweb! The town board is already aware of this and I am appalled by the way (board member) treated (public member) at the January 19th 2022 meeting ... You are using covid as a crutch to get zoning passed via zoom so we can't comment and or get our questions answered. Why is it that (public member) was not allowed to ask another question? And this is not the first time he has been cut off by you people. He was one of the only people to raise his hand and you didn't even have time to listen to his concerns. ... Why is it that zoom is still being utilized when at this time other large groups are having in person meetings all over the place. Maybe it's because you don't want to include us? I mean you guys wouldn't do that right? To your own town!

A72: All Zoning Commission meetings are posted on the [website](#), with agendas, minutes, and videos available. Town governance processes in towns across the state continue during the pandemic. As local COVID conditions change, the types of local government meeting formats have adapted as well. The statement that "No one in this town has access to that technology" is not based in fact; many town residents have successfully attended Zoom meetings. We acknowledge that not all residents have the technology necessary. The Zoning Commission is committed to providing as many different ways to participate as possible within the constraints of Covid safety. Some Zoning Commission meetings have been Zoom-only, some have been hybrid meetings with attendance both in-person at the Town Hall and on Zoom, and the December public information meetings were offered in two formats, one on Zoom and one in-person at the Brooktondale Fire Hall. Future Commission meetings and public information meetings will be either on Zoom or in person or both, depending on COVID conditions locally. Decisions about meeting format will be made for each meeting as conditions change. Comments to the Zoning Committee can be made by physical mail to the Town Clerk (Town Clerk Jessica Townsend, P.O. Box 136, Slaterville Springs, NY 14881) or by voice to the Town Supervisor either in-person at the Town Hall or by phone at 607-538-6400. Regarding public comments at regular Zoning Commission meetings and at Town Board meetings, every agenda includes time (in Zoning Commission meetings, usually up to 15 minutes) available for Privilege of the Floor, an opportunity for citizens to share their perspectives with the Commission or with the Town Board for up to three minutes each. Privilege of the Floor has been the practice at Town meeting for many years, to enable residents to address Town officials. Hearing from residents during Privilege of the Floor without responding immediately ensures that Zoning Commission members have time to hear and reflect on the resident's concerns rather than to provide a knee-jerk, off-the-cuff response that may be incomplete. For Privilege of the Floor at Town Board meetings, each speaker gets one opportunity to speak; this allows time for all who wish to speak to do so and also to allow the Board to conduct the business of the Town. The Town Board does not generally allow a back-and-forth exchange during the meeting, but may follow up later for a conversation. The Town Board may respond following a speaker's comment, or wait to allow for further research and thought. Anyone may communicate at other times with the Board directly by email, phone, or letter. Please send a copy of email communications to the Town Clerk so that they may be placed in the Town's Correspondence File for public record and Town Board review.

If you perceived any angst from Commission members or Town Board members about an individual continuing to speak after their three minutes was up that may have reflected concern that time limits be respected to enable others who wished to speak to have time available to do so. We apologize if any actions or language suggested disrespect to public members who were speaking or attending. We will aim to do better in the future to help everyone who is participating or attending to feel respected.

Q74: This whole thing seems really rushed. How on earth did you come up with 132 pages already? There is so much to read that my head is spinning.

A74: As noted in A101 and A102 above, many deliberative and inclusive processes preceded the creation of the Zoning Commission. The [12/28/21 draft zoning law](#) is a starting point and will be revised in the coming weeks based on public input and deliberations of the Zoning Commission. When available, a revised version will be posted. Some zoning law sections, noted in the [Quick Guide](#), are required by state law, so some of the content that “bulks up” the 12/28/21 draft took little time to create because it was drawn from templates available to guide zoning in New York State. The Zoning Commission emphasizes that those sections are narrowly proscribed by state law and it was best (and much more cost-effective!) to insert standard language. That said, for the rest of the zoning plan the Commission is working hard to tailor specific language and regulations to reflect the culture and Comprehensive Plan of the Town of Caroline.

Q75: If you all pass this BS there will be more added to it every time something else becomes an issue – it will end up thicker than an encyclopedia although it’s already getting close to that size already! Caroline is a beautiful place and people like living here. We don’t want to change it with zoning restrictions. Every single person I have spoken to that live in areas where zoning already exists have said “zoning is terrible” and therefore Caroline does not want to become terrible and intolerable we as residents want it to stay the way it is! This draft should be put on pause until NYS allows for public vote on the matter. Why is it that you are going against angry town residents? ... One word for you people “Karma”! Hope it gets you!

A75: See A101 and A102 about the processes leading up to establishing a Zoning Commission and the purposes of zoning. You, like many other town residents, love Caroline and like it the way it is; for some, that motivates opposition to zoning but for many others that is exactly why they support zoning. Rural communities actually have to work very hard at staying rural; well-crafted zoning is one of the best tools for doing that. Please help us create a zoning plan that will help preserve what you hold dear. As noted in A89, New York State does not allow for referendum voting regarding adopting zoning laws; the authority for adopting a zoning law rests with the Town Board. If you are interested in pushing for a change in State law regarding this process, contact your State legislators.

Q88: There are so many more things to consider and I’m sure many in our town will bring them up and some of this we might have different opinions on and that’s totally fine. I’m just glad we have an opportunity with each other to share how this zoning is going to look should it be implemented. I think it’s important that everyone take a look at their own property and current situation and ask themselves would this pass our current zoning proposal and if the answer is not then it’s worth asking ourselves whether or not it is fair. ... To keep things moving forward slowly and thoughtfully is very important. And I would recommend that along with the moratorium in place “until things are sorted

out” there should be an application to apply for a variance, allowing for EXISTING businesses to continue to operate and grow. ... Local businesses should be able to apply to move forward with construction projects that might be able to help them during this tough economic time. Rather than a blanket no statement, maybe with a variance application to the Zoning board for review? This would be for existing local businesses who pay local taxes and employ people locally so that they may be able to continue operations or grow. ... The ability to have some way to move forward with projects for existing local businesses I think is fair and important while we wait and get things sorted out. Thanks again for the work and the commitment that you’re putting in to this and for having the concern and taking the time to address these issues.

A88: The current temporary moratorium on land use development reviews and approvals and upon commercial, retail, business, and industrial land development actions ([Local Law 3 of 2020](#)) has a provision for exactly what you ask; in the local law see Section 7 on waivers. Information about eligibility for waiver consideration and the process for applying for a waiver are explained in that section, and apply to applicants or owners of property affected by the moratorium who may suffer an extraordinary hardship as a result of the temporary requirements or limitations set forth in the local law. As explained in Section 7, the waiver application would be to the Town Board. One company has applied for and been granted a waiver.

Q99: Any local law that is 90+ pages long is way too intrusive and tramples on our rights and freedoms as property owners. The whole idea of zoning in the town of Caroline is a non-starter and should be summarily scrapped. Can this process be discontinued?

A99: We appreciate your concerns about length, but keep in mind that length of a document is not the same thing as the degree of regulation. Zoning language that is very specific and clear helps avoid confusion and conflicts down the line but adds to the document’s length. Length provides detail and clarity, and clarity leads to fairness and more efficient planning and development processes in the future. As noted in A74, some elements of the draft zoning law are “boiler-plate” that are required by New York State Law and hence add length to any zoning law. The Zoning Commission is committed to completing its charge as requested by the Town Board, to a) examine existing conditions; b) through a process which encourages and accommodates public input recommend the boundaries of the zoning districts and appropriate regulations to be enforced therein; c) make a preliminary report of this information; d) hold a public hearing on the preliminary report; and e) submit a final report to the Town Board. Authority to discontinue the process of drafting a zoning law rests with the Town Board, not the Zoning Commission.

Q100: I have recently started reading the 132 page document and have many questions and concerns that I believe the residents of the Town of Caroline need to have time to read and have open dialogue with the Town. I feel like this whole process needs to be more open to the community and it’s residents. Many do not even have internet service where they live. Due to fears of covid and the escalation of covid recently many fear to attend meetings right now. We need in person meetings when covid is not so heightened. ... I have concerns that I would like to have explained and concerns about the document. My concerns are in regard to the design of our homes, driveways, and limits that are being put in this document. Other concerns are the limits you are putting on citizens for free enterprise with small businesses. I feel like the town owes its citizens more time to read this document and let citizens ask questions in person. How will you address these concerns?

A100: See A72 regarding meetings, meeting information, and non-electronic ways to provide input to the Zoning Commission and A67 on the lengthy time it will take before the Zoning Commission presents a final zoning proposal to the Town Board. The 12/28/21 [draft zoning law](#) does not restrict design of homes. You'll see in the Use Table in Article III, Section 3.1 that Residential Uses and Customary Residential Accessory Uses are largely permitted in all proposed zoning districts with just the currently-required building permit from the Code Enforcement Office or other current approvals (e.g., health department for well or septic system). Such residential uses would not be required to apply for review and approval by the Review Board. The exceptions to this (still under discussion by the Zoning Commission) as indicated in the 12/28/21 draft would be additional approvals required for uses such as multi-family dwellings or accessory apartments in structures separate from the main dwelling. Note also that home-based occupations are permitted in all zones as well in the current draft. Keep in mind these, and all, sections of the 12/28/21 draft law are under active discussion and may be revised. Also note that the design standards in the draft law (Article V) pertain to commercial and non-residential buildings. It appears there are many misperceptions, especially on social media, that those design standards apply to single- and two-family residential dwellings; they do not. There would not be restrictions on the design of homes, for example.

Q105: I have been a life long resident of the Town of Caroline. ... I believe there are special interests taking over the thought process. I believe that people are hoping for a hiking trail laden, vehicle free, commercial property free, solar panel, wind powered, public land use utopia that local landowners will incur via tax dollars and public encroachment. ... I feel like no matter how hard people try, this zoning is going to be rammed down our throats and I would just like the commission to take it into consideration that it's not all about Brooktondale and what special interest progressives want. How will the voices of other residents be included?

A105: The Zoning Commission invites the public to participate in Commission meetings by Zoom or in person (as possible, recognizing that local COVID conditions have been variable over time and have affected the ability to have in-person meetings), to view meeting minutes and videos on the Commission [website](#), to read the 12/28/21 draft zoning law on the website or on paper available in the Town Library, to make comments in the comment boxes available at the Dandy Mini-Mart, Brookton's Market, Town Hall, or Town Library, to submit email or paper mailed comments, to read updates in the Town's quarterly newsletter, and to attend the next public information meeting(s) that will be scheduled in the coming weeks. Members of the Zoning Commission have diverse views on the subject of zoning as can be seen during Zoning Commission meetings. A101 and A102 above provide additional context regarding the processes leading up to the establishment of a zoning commission. The 12/28/21 draft of the zoning law includes provisions for commercial and business properties in various zones (it is not "commercial property free"). Keep in mind that other [local laws](#) already regulate solar energy development and other types of land use in the Town (for example, Site Plan Review Law, Subdivision Law, county requirements regarding septic and water sources).

Q109: How will you make greater efforts to solicit input and representation from the rural poor who make up a substantial demographic in Caroline and certainly don't have the resources to interpret 132 pages of legal regulation that impact them directly; their property and their future pursuits for generations to come. Consider giving this group real representation on the committees, etc. (which seem to be stacked without diverse viewpoints as other residents have pointed out in town

meetings). How will you ensure this group understands this extremely complex document? Most people would need to spend thousands to hire counsel just to interpret all its nuances; these are the people making up much of Caroline's population who need to shop at the dollar store as a result of rural poverty.

A109: The Zoning Commission was established as a result of a public call for applications from residents of Caroline. Draft zoning materials (e.g., draft law, draft maps) are available for review at the Town Library (as well as on the Zoning Commission website). Comments and questions can be submitted by email or US mail or in comment boxes at the Town Hall, Town Library, Dandy Mini-Mart, and Brookton's Market. Zoning Commission information is being featured in quarterly newsletters mailed to all town residents. December information meetings were available both online and in person. Future information meetings will be announced. Please let us know if you have other suggestions about how to reach particular groups of residents and we will consider them.

Q119: It would be helpful if early in each Zoning Commission meeting you could spend a few minutes to provide answers to a few topics that you think would best clarify and educate the public, i.e., lot sizes/density (how many units can be built), grandfathering, home occupations, etc. Will you do this?

A119: The Commission chair will consider providing brief updates or explanations toward the beginning of meetings. The Commission meeting discussions in the coming weeks will be focusing on certain sections of the draft law, which will address some of these specific topics in detail. We hope this series of questions & answers will also help provide context and details about topics of most interest to the public.

Q126: I think most everyone agrees that we all need to be able to understand what the Zoning Law says about the restrictions on our properties after it is enacted. The current draft is a long way from doing this clearly. After understanding the Law, we can disagree on items and how much we want the town government to restrict our rights. That's democracy. Both to understand and to express disagreement, Landowners need to be able to express their thoughts in person, where back and forth discussions are permitted to take place. For something as important as Zoning in Caroline for the first time ever, Zoom meetings do not permit democracy to work. Thank you for providing more education, clarification, and in-person discussions.

A126: The Zoning Commission will hold additional information meeting(s) when revised versions of the draft zoning law and maps are available. The format of information meetings will be influenced in part by local COVID conditions. The Commission will do everything possible to provide both online and in-person opportunities in future information meetings. Before finalizing a report to the Town Board, the Commission will hold a formal public hearing. Before the Town Board votes on a zoning law, it will hold a formal public hearing as well.

Q127: I have worded this in the nicest most possible way and you know that was a hard one for me if you've read my previous emails. These questions are legit and I would like a response similar to the one that you just posted today and please answer all of these questions not just a few here and there. Will there be another Q&A posted by the zoning commission?

A127: The Zoning Commission typically posts questions and comments with answers and responses within about 10 days of receiving them. We are doing our best to answer all questions, which is why it is taking as long as 10 days. Questions and comments addressed are related to the work of the Commission and have been submitted to the Commission chair and/or town clerk or submitted in comment boxes, or asked at public information meetings. We will post additional Q&A documents.

Q128: Q35 (from a prior list of questions/answers) is related to the zoom meetings and the answer states “As possible given pandemic concerns, the Zoning Commission intends to hold future public information sessions in dual-format versions.” If I’m reading this correctly it’s saying all future meetings we can attend in person? Is this correct? Also, where and when are these information meetings being held (address? Time?) and what are the building capacity limits? What if all 365 FB Residents Against Zoning show up will there be enough seating and how many people are allowed in one room during the covid pandemic? The number in this group continues to grow daily so there may be more than 365 people that show up – is there a maximum capacity? If so my suggestion maybe a bigger building is needed to hold these information meetings or even a stadium? Just a suggestion. Also, do we get more time to speak and how many of us are allowed to speak?

A128: The next public information meetings have not been scheduled, but when they are the date, time, and place will be announced and posted. The format of the meeting(s), whether in person, online, or both, will need to consider the local COVID conditions at that time. The Zoning Commission is committed to providing in-person options if at all possible. The location for the meeting(s) will need to consider the likely numbers in attendance. The guidelines for speaking at the meeting will be determined and communicated in advance.

Q131: Who created the comprehensive plan? Who’s vision was it? And how do you know for a fact that this concludes the “desires of the community”? Especially since the community didn’t seem to be consulted even though there are claims they have been.

A131: The current Comprehensive Plan is a revision of the town’s original Comprehensive Plan of 2006. The town’s Planning Board oversaw the revision in a process that took approximately seven years; during those seven years a number of different community members served on the Planning Board. Many different types of public input were solicited over the course of those seven years, from community cafes that discussed town goals and ambitions, to a survey that was mailed to every household in town (the response rate was 27%, which is quite high for a survey), to community workshops in which residents developed and discussed specific strategies and actions that could be taken to achieve community goals. The revision process is described more fully in Appendix B of the Comprehensive Plan; copies of the Comprehensive Plan are available at the Town Hall or on the [Planning Board webpage](#). Once a draft was completed, the Planning Board held a public hearing on the draft; many comments were submitted by town residents, both in writing and orally. Based on those comments, the Planning Board revised its draft and submitted the revised version to the Town Board. The Town Board held another public hearing and made some additional revisions before the final plan was adopted in January 2021.

Q132: I’m aware of A6 (in a prior list of questions & answers) where it states “work by town residents” and extensive public input. I’m interested in names! What town residents? “extensive public input” – BY WHOM IN THE PUBLIC? This should be on record because we are really curious to

know who these residents are because with a group of 365 people don't you think one of us might know one of these so-called residents that helped with this? We have a suspicion its most likely past and present town board members but did anyone else from our town contribute? If so, who are they? And how did they contribute? What knowledge/education did these individuals have to get selected for such a process?

A132: See A131 above regarding work on the Comprehensive Plan. Note that the survey mentioned in that answer was returned by 27% of the households in Caroline which, as a rough estimate, represents approximately 875 residents (27% of roughly 1,300 households and an average of 2.5 people per household; household and people per household numbers come from American Community Survey data). The approximate number of attendees at the community cafes and community workshops that were part of the work on the Comprehensive Plan is given in Appendix B of the Comprehensive Plan; the number far exceeds the number of past and present Town Board members. See A133 below regarding work on the Land Use and Economic Development Task Force.

Q133: In A27 (in a prior list of questions & answers) Again "The Task Force, composed of individuals living and farming in the Town" WHO ARE THESE WONDERFUL INDIVIDUALS? "held multiple meetings open to the public" I was not informed of these multiple meetings and had no idea these were even going on. How did you inform people? Because I'm telling you I did not know of any of these meetings? These days everyone is on FB did you send anything out on FB to make people aware of what was happening? I definitely would have known what was going on if you were using the correct way to notify people. If it was sent in the US postal mail it probably got put in the junk pile because that's what happens to mail that does not look like a bill. So how did you notify us?

A133: The members of the Land Use and Economic Development Task Force are listed in the [Executive Report](#), dated December 9, 2020. Task Force meeting notes are included in the appendices; you'll see that Privilege of the Floor was offered at every meeting, as one example of soliciting public input. Meetings were announced in various Town and local area communications, including through mailed documents.

Q134: In A37 (in a prior list of questions & answers) you use word like "likely" and "tend to be" so this implies that you really don't know the answer and its more of a guess on your part. We want strait answers and not guesses or probabilities. Please re-answer question 37 with we don't know for sure but we think this might happen. You don't want to get hopes up or create false dreams that are not reality.

A134: The Zoning Commission cannot predict the future with absolute certainty. When we indicate we "intend" to have future public information meetings be available in person as well as online, that is truly our intent, but we recognize that might not be possible if (for example) a severe variant of COVID occurs in the community necessitating protective public health measures. When we address questions about how real estate markets respond to zoning, for example, we rely on data and historical fact in responding that real estate markets tend to respond positively to the stability and certainty provided by zoning.

Q135: Again in A30 (in a prior list of questions & answers) "IN GENERAL" and "TEND TO" are not promising words which make me think it could "tend" to go the other way! And not in the favor of your draft. You should really give both examples if you are unsure of the potential outcome of the

situation. It is not a fair response to give only the outcome you think people want to hear. You can clean it up however you want but I don't think its fooling anybody.

A135: See A134 above.

Q136: I'm pretty sure you forgot to address the questions from residents that have written letter in complete opposition of this zoning draft. Do you value the opinions of the town's residents? We are highly questioning this!

A136: Yes, we highly value the opinions of the Town's residents. And no, we have not forgotten to address questions from residents who express opposition to the current draft zoning law. We are striving to answer questions and respond to comments, and post them to the Zoning Commission website within about 10 days of receiving them (or sooner as possible). However, please be aware that it is the duty of the Zoning Commission to create a zoning plan; the authority to stop work on that plan resides with the Town Board. Letters expressing complete opposition to zoning should be addressed to the Town Board.

Q137: In watching many zoom recordings I've witnessed the board get mad when questions are asked that oppose this draft. Why are the board members getting angry about opposing views? We were led to believe our views were wanted and questions and opinions were asked for? Or did they only want to hear from people that are for this draft? Furthermore, when it comes to board meetings and zoning meetings why are residents not allowed to ask more than one question in a setting when they still have time remaining on the floor? Again, board members were snapping at us. Why are they doing that?

A137: We are sorry if you perceive anger among Board or Zoning Commission members. That is not the intent and we apologize if any member has come across that way. Privilege of the Floor is typically provided toward the beginning of Zoning Commission working meetings for up to 15 minutes, with up to 3 minutes per person speaking. If all individuals use the full three minutes, that provides time for 5 individuals to speak. The Chair does her best to manage speaker time and avoid people going over the allotted time so as not to reduce the opportunity for others to address the Commission. The Zoning Commission limits the length of the Privilege of the Floor period because we frequently have a very full agenda; it is important that we have time to deliberate about revisions to the draft zoning law and make progress on addressing public input when revising the draft. As volunteers, there is only so much time commission members can invest in working meetings. The Town Board allots much more (usually unlimited) time for Privilege of the Floor. Questions about Town Board Privilege of the Floor policy should be addressed to the Town Board.

Q138: Are you in support of following through with this even though you don't have the consent of the governed? Both democrats and republicans have come together and are highly opposed to this draft. They are not in a fb group called Caroline Residents Against Zoning because they want this to pass! Therefore, why are we continuing to edit and create this draft when the town is against it?

A138: See A101 and A102 above. Residents will have the ability to express their viewpoints about future versions of the draft zoning law and maps at future public information meetings, a public

hearing held by the Commission prior to finalizing and submitting a report to the Town Board, and in any additional public information meetings or public hearings held by the Town Board after receiving the Commission's report. The purpose of the Zoning Commission process is to create a draft zoning plan. The public hearings are the appropriate place to present objections to having any zoning at all.

Q139: Can the town board really go against this many town residents? I mean is this really a thing? 5 board members in the town want it and the rest of the town is against it. Can they still go through with this legally? Very mind boggling!

A139: See A89 and A101 above.

Q140: Compromise, we have noticed that you don't seem to want to compromise with this zoning draft. We don't want a 132 page packet – apparently you do, 1 or 2 pages would be sufficient basically saying no big box stores and that's it. You have gone a little overboard with this think and we might be willing to back off but you have not stated that there is any kind of compromise to this booklet. Its only been to add to it or make small changes.

A140: We hear you that you would like the zoning law to be shorter. Please be aware that there are legally-required elements of any zoning plan that mean it will be longer than one or two pages. Also keep in mind that length of a document is not the same thing as the degree of regulation. Zoning language that is very specific and clear helps avoid confusion and conflicts down the line but often adds to the document's length. Length provides detail and clarity, and clarity leads to fairness and more efficient planning and development processes in the future. The 12/28/21 draft zoning law and maps will be revised. Meetings of the Zoning Commission are focusing on identifying revisions, some major and some minor, based on public input and deliberations of the Commission. The Zoning Commission acknowledges community concern over the length of the document and has been discussing ways to shorten it without losing specificity and clarity. See also A74 and A77 above.

Q143: The board is trying to be very sneaky about this by doing it all over zoom meetings because of covid? When clearly the law is now allowing gatherings with mask wearing. People of this town don't have high speed internet and can't physically attend these meetings. A lot of people in this town are geriatric residents that don't even own computers or cell phones. Therefore, how on earth do you expect any of them to join a zoning meeting and relay that this is a bad plan?

A143: The Zoning Commission is striving to keep lines of communication open with Caroline residents to establish respectful and thoughtful considerations about what should be included in a zoning law. These efforts include this Q&A to answer questions and comments received, the availability of information boxes at various locations (e.g., Town Hall, Dandy Mini-Mart, Brookton's Market, Town Library), publicizing email addresses and mailing addresses of the commission chair and the town clerk to send comments to, a website with meeting minutes and videos and other information, announcements in the Town's quarterly newsletter, bimonthly meetings open to the public (by Zoom and in person depending on pandemic precautions that have varied over the past months), Privilege of the Floor opportunities for residents to speak to the Commission during the first 15 minutes of every regular meeting, public informational meetings (the December 2021 information meetings included an in-person option), etc. Paper copies of the draft zoning law and maps are available for review at the

Town Library, as will be future revised versions. Please let us know if you have other suggestions about how to keep residents informed and we will consider them.

Q149: This is a good one so listen up! “In political philosophy, the phrase consent of the governed refers to the idea that a government’s legitimacy and moral right to use state power is justified and lawful only when consented to by the people or society over which that political power is exercised.” Therefore, since you don’t have the consent of the town you SHOULD NOT PROCEED! Public vote!!!!!!!!!!!! This draft should be pushed aside until NYS allows for public vote on this matter.

A149: See A89 and A101 above.

Residential Density

Q93: Section 4.1.B wording is very confusing. It says there shall be no more than one principal dwelling per lot. And then goes on to say the lot must meet the requirements of the Zoning Law and the Subdivision Law. Section 201 of the Subdivision Law allows for Rural Land Divisions where each lot has no more than 4 residential units. And later in Section 201 of the Subdivision Law you can have a single lot, without dividing it with “three separate, independent residential units.” I am not exactly clear in the relationship between this new Zoning law and the Subdivision law. It seemed like that was a topic of conversation at the commission meeting as well, so I don’t think I am the only one. I think these exemptions in the Subdivision law are important. They represent a traditional rural value of being able to provide a place for your kids to be able to build a house. It also supports the multi-generational farm situation, which is unfortunately seen less and less these days. I don’t believe that this is the only place that a single principal dwelling is mentioned in the Zoning draft. Can these inconsistencies and areas that lack clarity be addressed?

A93: The Zoning Commission will be discussing Article IV in detail at an upcoming meeting. We appreciate your specific comments. They are very helpful to inform the discussion. We expect that Section 4.1 will be revised, especially for clarity of understanding and to clarify the relationship between the zoning law and the existing subdivision law.

Q110: With the exception of one medium density housing development, there really hasn’t in 40 years been any commercial development in Caroline to speak of; the rate of change is extremely slow; and according to the letter I received, population growth is extremely low. Low density residential development of single family homes is what is actually eating up farmland in Caroline, at least on my road, and zoning simply isn’t a solution to that. How do you think zoning will address this?

A110: Section 1 (“Snapshot of Changes”) of the Comprehensive Plan discusses growth and change in Caroline over the last 20 or so years. (Copies of the Comprehensive Plan are available at the Town Hall or on the [Planning Board webpage](#).) Based on US Census data, from 2010 to 2019, the number of housing units in the Town increased by 330, from 1335 to 1665. At the same time, population increased by 101 people, from 3233 to 3334, signaling a mismatch between population growth (101) and housing growth (330). When housing growth outpaces population growth, sprawl is occurring. From 2000 to 2010, the Caroline population increased by 13%, making it the fastest growing town in Tompkins

County during that period. Population growth was slower from 2010 to 2020 but the exact rate is hard to determine due to pandemic-related issues with the 2020 census (the 2020 census population count likely does not include a significant fraction of the student population that was counted in previous censuses, rendering direct comparisons of the census count in 2020 to previous decades invalid). Using 2017 American Community Survey data, Caroline’s population grew about 4% from 2010 to 2017, which is an effective 10-year rate of 5.7%. “Extremely low” is in the eye of the beholder but most folks probably would not characterize 5.7% growth as “extremely low”. The growth rate from 2010 to 2017 places Caroline as the second-fastest growing town in Tompkins County over that period. In terms of housing, outside of the Boiceville Cottages development (presumably the “medium density housing development” you refer to) on average six to eight residential units have been added each year in Caroline in each of the last 10 to 15 years. From 1990-1999, 131 new parcels were built upon; from 2000-2009, 83 new parcels; and from 2010-2020, 59 new parcels. Commercial growth in Caroline has indeed been smaller than either population or housing growth but the last few decades have seen the establishment of self-storage warehouses, the Celebrations event facility, and Carson’s Groundworks; relocation and expansion of Red Barn Cabinets; reinvigoration of Brookton’s Market; conversion of the old Livery Restaurant to Livery Plaza, and the opening of a number of small shops in town, to mention a few things. Zoning is, indeed, often thought of “in response to” growth but ideally zoning is in place before significant growth happens so that the growth happens in ways and in locations that the community wants and that protects the property values of all residents. Specifically regarding residential development and farmland, the 12/28/21 draft zoning law posted on the [Zoning Commission website](#) includes a proposal for a “conservation subdivision” design whereby any large housing development would be required to cluster housing in part of the development and keep a significant proportion of the land open. If and how to protect good farmland from smaller (non-major) housing development is under active discussion by the Zoning Commission.

Q146: If I want to give my daughter a 1 acre portion of my 99 acre property to build a house on when she is older then I should not be regulated by zoning to give up 3 acres. It’s MY LAND to do what I want with.

A146: Not knowing what potential zoning district your 99 acre property is in, it is difficult to respond specifically to your question. However, see the dimensions table in Section 3.2 of the draft zoning law on the [Commission’s website](#). The table describes the proposed lot size requirements (these may be revised in future versions of the draft law). Minimum residential lot sizes in the hamlets range from ½ acre and larger. There is no minimum residential lot size in the Agricultural/Rural district. Rather, the ag/rural district specifies an average lot size. Across the entire parcel (99 acres in your example), the average lot size must be at least 3 acres. This means that on a 99 acre parcel you could place 33 residential lots (each at 3 acres or there could be some smaller and some larger lots, as long as you did not exceed a total of 33 residential lots), or you could do two lots, one of 1 acre for your daughter and another of 98 acres for you, or any other combination in between. The only requirement is that there are at most 33 lots so that the average density on your original parcel does not exceed the one dwelling per 3 acre threshold considering the entire original parcel size.

Design Standards

Q95: I am opposed to any architectural design guidelines being incorporated into the Zoning law. These features of a building are often completely subjective and arbitrary, and can be dated within a

short period of time. Some fine examples of how ridiculous it is to have design guidelines are represented in section 5.2 Vinyl siding is encouraged? Vinyl, and plastics in general, is one of the most environmentally destructive materials to produce. Besides that, as a design professional, I feel that vinyl siding is an aesthetically poor material choice, and often doesn't blend well with other, better quality materials. Then it says "Metal is allowed as a minor component of the public-facing façade." Metal is a traditional agricultural material. Metal is often made from recycled resources and can be recycled again. And the Carson Groundworks building, which is pictured just above this section, is sided in metal, on the public facing façade. Then we have "Cement, cinder, or concrete masonry blocks or units are prohibited on the public facing façade." Just one example of an existing CMU block building is Hunt's Auto Shop on Route 79. I think it looks totally fine. I also think that CMU block is a very practical material for a building of this nature. They house a number of flammable fluids by the nature of their business, so if they were ever to have a fire, I think the CMU would save surrounding buildings from damage. Section 5.2.6 Fenestration of at least 15% of the front façade does not sound very energy conscious to me, especially if the façade is north facing. These examples from Section 5.2 illustrate the issues I have with trying to set design guidelines. Obviously someone wrote this section, and thinks they are suitable guidelines, but I disagree with a number of them. I am not saying I am right or wrong, but that is the point. Items like these are too subjective. How will these concerns be addressed?

A95: Thank you for providing specific comments about your concerns regarding Article V. That article will be a focus of Zoning Commission discussion and deliberations in the coming weeks. We expect there will be revisions to those sections. Your specific observations are helpful to inform Commission deliberations.

Q96: In Section 5.5.2 Accessory dwelling apartments, this section is very confusing when compared with the existing Subdivision Law which allows 3 residences on a single lot. Unless I am missing something here, there seems like a contradiction in the laws. Unless the Zoning law is meant to overrule the Subdivision Law, but that is not the impression I have been getting. How will this be addressed?

A96: The Zoning Commission will be discussing Article V in detail in the coming weeks, and will discuss how the zoning law corresponds with the existing subdivision law. Your specific comments are helpful to inform that Commission's deliberations.

Q97: Section 5.5.11.D.6 requiring two parking spaces per unit seems excessive. Can this be reconsidered?

A97: The Zoning Commission will be discussing Article V in detail in the coming weeks. Your specific comments will be useful in those discussions.

Allowed Uses

Q91: A general question about the table and charts for the various hamlets and uses: There are items in the chart that seem awkward, like a commercial kitchen not allowed in the Brooktondale Hamlet.

The Brooktondale Community Center currently has a commercial kitchen and rents it out to community members. Of course the BCC would be grandfathered in, but is a commercial kitchen in hamlets really not desirable? Is a cold storage facility really not desirable in a hamlet? I'm thinking of a community freezer type situation so that community members don't have to purchase their own large freezer. Or freezer opportunities for livestock farmers in the area that don't have enough cold storage themselves. What's wrong with a veterinarian any place they want to set up shop? Whether large or small animal vet, I think many people would welcome them in town, wherever they want to site themselves. Why put up more roadblocks?

A91: The Use Table in Section 3.1 will be discussed in detail by the Zoning Commission in the coming weeks. Your specific questions are helpful to inform those discussions.

Q92: The maps really only show commercial zones where there are existing commercial businesses. There are going to be new commercial businesses that come into Caroline. We know that, so why not plan for it? For example, a bakery is only allowed as a "Home Occupation" or in one of the designated commercial zones. Those zones aren't necessarily good places to have a bakery. First of all, there are existing businesses located there, so short of something else going out of business, there isn't room. But it isn't even allowed in Slaterville? Just one example of the restrictiveness that seems unnecessary in these zones as written.

A92: The draft maps and the Use Table in Section 3.1 will be discussed in detail by the Zoning Commission in the coming weeks. They are likely to be revised. Your specific comments are helpful.

Q106: I own a well drilling business. After seeing the proposed map for how things are going to be in the town of Caroline I see that my business owns and has paid taxes on since the mid 1980's is designated for housing. I bought this land to have business on and have room to grow. I also have the oldest family business that is not farming. I don't understand why no one contacted me about this to get my thoughts about this plan. My business has grown and now includes a maple syrup business. Both my water well business and the syrup business have grown at a slow but steady rate. We have plans to put up a new building in the near future. I have had no problems with neighbors that I am aware of. I keep a buffer zone between my business and them so as to limit any impact on my neighbors. I am limited to how much I can grow by the size of my property. I also only have 50 ft of road frontage and don't see how this could be developed for housing without a great deal of cost for roads and utilities. And I also like my privacy and bought this size of property to protect myself from things my neighbors might do with their property. I don't think zoning is necessary for our town and believe that we have not grown at a rate of other towns that already have zoning around us. My belief is the fear of not knowing what your neighbors might build next to you. I also am a big proponent of freedom that is promised to us and that freedom includes our property. There are a lot of towns in our county that have zoning for people that like to live with restrictions can go to. There are no other towns that allow the freedom to live like we do here. Where are we to go to keep our freedom? Here is the only place people can have what we have anywhere around. Please take my thoughts in consideration before you go forward.

A106: If your well drilling and maple syrup businesses are associated with your residential property, they meet the definitions of Home Occupations (see the Terminology section at the end of the draft law document). Home Occupations are allowed in all proposed zoning districts. Details are

explained in the draft law. The Use Table in Section 3.1 of the [draft zoning law](#) lists the various uses that will be permitted in the various proposed districts, or permitted with a Special Use Permit or Site Plan Review. Keep in mind the Use Table is under discussion by the Commission and will be revised; comments like yours about specific uses occurring or planned to occur on your property are very helpful for those discussions. Draft maps are available at the very end of the draft zoning law document; we hope to have revised maps posted in the future separately from the draft law document, to make it easier to find that maps on the website.

Q107: I am extremely concerned this initiative purports to support small family-owned business in Caroline as one of its core tenants, yet so many of the stipulations in the draft actually seem to take direct aim at it. While I have not had a chance to review the entire 132 pages, which would take a very substantial investment of time and legal counsel, please consider the following changes/suggestions to the draft:

- **Wedding/Event facilities prohibited in Ag districts.** I ask that this idea, which clearly hampers Caroline residents/small businesses, be removed. This is a perfectly appropriate and common use of rural property anywhere; in fact maintaining much of the rural nature of the property is often what makes it attractive for this.
- **Regulating Short Term Rentals:** this is an issue entirely separate from zoning that has no business being in a zoning law – takes clear aim at Caroline residents without benefit and is a rather buried clause with wide-reaching implications.
- **Commercial Kitchen as a Farm Operation Only –** Please ax “Farm Operation Only” (unclear). Again, takes aim at Caroline small business/residents who may be caterers, etc. There is almost no place to eat or buy food in our town. F&B operations, restaurants, and commercial kitchens (and associated parking) owned by Caroline residents and land owners in ANY areas should be absolutely permitted. If the proposal in fact is supportive of small business – and they are already highly regulated for safety, fire, public health, etc. by many other agencies – there is no role for the town being an additional one.
- **Requiring approvals for Farm Markets.** (If the goal is regulating formula businesses, why are we regulating Farm Markets, something clearly highly appropriate and in alignment with the character of Caroline?)
- **Camping/tiny homes, etc. –** make this permitted in all areas, being completely in line with rural property use.
- **Remove the idea of limiting businesses to certain areas or hamlets.** Mixed use properties are historically important to rural town (e.g., doing business at your farm or place of residence), and limiting them to specific areas at ALL, e.g., hamlets or other certain places actually seems to work against the rural character of the town. Across the country it is clear that Farms must often diversity to survive! Why make it harder for them?
- **Refocus the plan more narrowly to target and regulate Formula Businesses etc ONLY** regulating over 3,000? 5,000? Sq ft, design regulations ONLY for formula businesses.

A107: Your list of suggestions is very useful to inform the deliberations of the Commission. Most of these relate to the Use Table in Section 3.1 and the Dimensions Table in Section 3.2. Both of these sections will be discussed in detail at Zoning Commission meetings in the coming weeks. Please note that home-based businesses (Home Occupations) are allowed in all zones; mixed use of properties will definitely still occur in agricultural/rural zone as well as the hamlets.

Q122: The chart in Dimension Requirements by District, Section 3.2, does not work at all for the Ag/Rural District. Please try to write paragraphs explaining what is trying to be communicated here. Provide more examples, not just the ones that work easily. What about a lot that is 2 or 5 acres in the Ag/Rural Non-Forest Core overlay? What about a 4 or 9 acre parcel in the Forest Core overlay Ag/Rural? Density may work if you are developing large parcels, but what if you don't own a large parcel or you want to just sell smaller parcels? If I currently own a lot below the minimum dimensions (a non-conforming lot) am I grandfathered and therefore can build a house on them? Is there a "lot of record" savings clause for substandard lots? Please compare what a landowner can do under the town's current Subdivision Law for parcels sizes 1-15 acres. The new Zoning Law significantly decreases the number of units allowed!! Forget about helping your children with houses next door.

A122: The Zoning Commission will be discussing Section 3.2 in the coming weeks in detail, and will consider the relationship between the draft zoning law and the existing subdivision law. Your specific comments are helpful in that regard. The Commission has been discussing the value of illustrative examples and may consider how to include such examples (perhaps in readers aid boxes, or through some other approach). To make sure one thing is clear, non-conforming lots are only relevant to the hamlet zones or commercial zones because there is no minimum lot size in the agricultural/rural zone. Non-conforming lots are indeed "grandfathered" (see Article VIII in the 12/28/21 draft zoning law available on the [Commission website](#)) so a vacant non-conforming lot can still be built on; however, if the use is a residence be aware that Tompkins County Health Department must approve water and septic plans and that typically requires a minimum lot size of 1 acre.

Q125: Please ask the consultant to provide answers to the following questions (a grid chart that ties numbers together, so they sum out so you know you are not missing any parcels, can easily communicate her findings):

- **With regard to Lot Size**
 - In Ag/Rural: Total number of parcels? How many have houses? How many parcels are less than 3 acres and have no house?
 - In Ag/Rural affected by Forest Core Overlay, same questions as above, but how many parcels are less than 5 acres and have no house?
 - Information broken down for the five Individual Hamlets; same questions as above, but how many parcels are less than 1 acre and have no house?
- **With regard to Water Resource Overlay:**
 - The consultant has indicated how many parcels are completely in this overlay. How many parcels in the Ag/Rural, Ag/Rural/Forest Core Overlay, and Hamlet are partially in the Water Resource Overlay?
- **With regard to Conservation Land:**
 - Not sure if this land is all state land in permanent conservation or some private land that can be taken out of conservation at a later date to become Ag/Rural with a forest overlay. This land should be counted in Ag/Rural. What is the total number of parcels in Conservation Land? Please do not include permanent conservation land in any of the parcel counts above.
- **With regard to Commercial Properties:**
 - Total number of Commercial properties in Town? In Ag/Rural? In Hamlet, by hamlet?

- **With regard to Non-conforming Properties:**
 - **How many properties are non-conforming in Ag/Rural, Ag/Rural/Forest Core Overlay, and Hamlets by hamlet?**
 - **What are the reasons these properties are non-conforming?**
 - **How many Commercial properties are non-conforming?**
 - **What are the reasons the Commercial properties are non-conforming?**

With this data in hand the members of the zoning Commission will be able to see the impact of the current proposed Zoning Law on the Town and its residents. What changes should be made to lessen the impact and complexity?

A125: The cost for doing this type of analysis is not included in the currently-contracted consultant services. However, the Town Board may consider contracting for this type of analysis in the future, after the zoning maps outlining various proposed districts have been revised based on public input and Zoning Commission deliberations. At the February 2 Zoning Commission meeting, for example, the Commission decided to remove the Forest Core Overlay from the next revision of the draft zoning law (so your data examples above related to Forest Core would no longer be relevant). Also, it is not clear what purpose some of the categorizations you suggest would serve. For example, you ask about Ag/Rural parcels less than 3 acres in size. We assume you are asking that because of concern that a 3-acre parcel would not be large enough to qualify for having a single- or two-family house built on that property, but, in fact, Article VIII, Section 8.1 in the 12/28/21 draft zoning law (on the [Zoning Commission website](#)) indicates that a structure may be built on a parcel than is smaller than the minimum lot density specified (for example, at a density of 1 residence per 3 acres, a structure may be built on a parcel that is less than 3 acres in size).

Q147: Rental properties should not be the choice of the board. Who are they? Basically, they are going this so they can approve they're friend's rentals and deny the people they don't like? This is one messed up draft and I'm sure there's more in it that we clearly don't have time to read. We work full time 5 days a week. We don't have time to read this. It is so long and worded in a way that every sentence has to be googled. We are not lawyers and this zoning draft mumojumbo is crazy talk. Who in their right minds is actually going to read this?

A147: The Use Table in Section 3.1 describes various uses that are permitted or require certain types of review or approval. Long-term rentals are permitted uses. Short-term rentals are currently listed as permitted with Special Use Permit. Please be aware that Special Use Permits cannot be used to deny a use because by definition a "Special Use Permit" is for an activity that is a permitted use; Special Use Permits are a way to place some conditions on a use to ensure that it does not negatively impact neighboring landowners. Section 3.1 will be discussed in detail by the Zoning Commission in the coming weeks. You may find it helpful to focus your review of the next version of the draft zoning law by concentrating on the Use Table and the Terminology (definitions) section, to determine how the revised law (to be posted in the coming weeks) treats those uses of most concern to you.

Zoning District Maps

Q104: My property is (address). You have my property in the hamlet of Brooktondale. I strongly disagree with this. My property should be part of the agricultural zone. I do not have the same resources offered to me as the hamlet you have outlined, meaning no natural gas, cable, or internet. I

do not want my property part of the hamlet! I am strongly against zoning period! The government does not have any right to tell me what I can and can't do on my property. I pay my mortgage and my taxes, which is going to be going up because the towns going to have to hire a CEO if not 2 plus 3 zoning board people. These people aren't working for free! Thanks for putting more burden on the tax payers. How can I get my property removed from the hamlet map and put into the ag/rural zone?

A104: Thank you for your input; comments like yours about specific properties is helpful to Zoning Commission deliberations. The Zoning Commission is actively discussing the draft maps and draft list of uses (see Section 3.1 in the draft zoning law); revised maps and a revised zoning law document will be posted in the coming weeks. We expect review and comment on the maps will be an important component of the next public information meeting(s); information about where and when those will be held will be announced when available. Residents will also be able to comment on the draft maps and uses at later public information session(s) and at either of two public hearings: one held by the Zoning Commission prior to finalizing its report to the Town Board and the other held by the Town Board before the Board votes on any proposed zoning law.

Q120: The new drafts of the Zoning maps need to be available for landowners as soon as possible, so we know where our property is located and can try to read the new Law to see what applies to us. Will there be available vacant land/parcels in all the Hamlets and commercial areas for growth in the future?

A120: Draft zoning maps are available at the very end of the draft zoning law document on the [Commission website](#). Both the maps and the draft law will be revised and reposted in the coming weeks. We intend for the maps to be posted separately in the future, to make them easier to locate on the website. We expect review and comment on the maps will be an important component of the next public information meeting(s); information about where and when will be announced when available. Also see A104 above.

Commercial and Business Uses and Zones

Q80: If there is going to be commercial zones then there should be more than just one small commercial zone currently proposed from the Baptist church to the school, and each small Hamlet should have a commercial zone that does not affect the Ag. For example, Brooktondale from Wiley's storage units and up Middaugh Rd to the Arsenault farm, on Coddington that would include about 9 existing commercial businesses in that area and would not affect farming (rich bros, docks and rocks, wrenrow farms and construction, the apple farm, becker industries, Willie's storage, midlakes spray foaming, the power transformer station, a large Morton building I don't know what's operated out of and probably others. Businesses in each Hamlet should be able to have a space where they can build a building larger than 1500 sq ft to operate their business out of, and also the proposed limitation of 5000 sq ft is incredibly limiting for small business as well, even in the commercial zone. I think about areas like celebrations and the church and Carson's they are all over that size and though grandfathered in might not have the opportunity to expand or experience difficulty with selling. With the existing zoning measures a space like the livery plaza would never exist. That is a commercial building outside the commercial zone and it is 6000 sq ft and there are 7 independent individual businesses, members of our community whose sole income is derived from working out of that

building and it is not in a commercial zone. I think it's important that as a community we are able to dream and come up with innovative solutions for existing spaces that benefit our community. And I think it's important to be aware that with the proposed zoning many of the businesses we love and hold dear in our town would not have been able to ever have gotten their start. If there is a progressive way to implement zoning, and I believe there could be, I don't think though it's one that impedes progress or innovation or creates stumbling blocks for those in the community we wish to lift up, which in my mind is everyone. The minorities, the poor, the landowner, the businessmen and women and innovators, the farmers, and visitors. ... We can all agree common sense measures can be implemented to ensure our town retains its rural ag identity and its charm while also embracing innovation and growth. How will the zoning law address these issues?

A80: The Zoning Commission will be discussing proposed district boundaries (maps) and allowed uses and dimensions (Section 3.1 and 3.2 in the 12/28/21 [draft zoning law](#)) in the coming weeks. Your input is helpful for informing those discussions. Maps and the draft zoning law language will be revised in the coming weeks as a result of these discussions. Please note that the commercial building size limits in the draft law are for the building footprint; multi-story structures (like the Livery Plaza building and the main Carson's Groundworks building) provide much more retail space than just the size of the building footprint. Agricultural uses (such as the apple farm you mention) are not commercial uses; agricultural uses are not restricted by zoning.

Q114: I don't think that large commercial is consistent with the Comprehensive Plan, regardless of its location. It should not be allowed. Commercial should be restricted to the hamlets except that agriculturally related businesses based on inputs grown in the town might be appropriate anywhere. Small commercial, particularly local business, is appropriate in the hamlets. Any formula business should be required to have a footprint and building design consistent with our rural town. Development of the Rt. 79 corridor defines how Caroline looks. Right now the bill boards, the gas station, the storage, Carson's make us look like any other town with strip development. No More! How will zoning address this?

A114: See A80 above. Your input is helpful for informing Commission discussions.

Hamlet Zone(s)

Q85: Farming within reason should be able to be done in all districts. I think it would be sad if our friends and neighbors not in ag districts could no longer have chickens, a backyard pig, sheep to mow the lawn, or any other livestock simply because they lived on a small parcel of land. A lot of farming can be done on a little bit of land and I think we should remain a community that embraces that sort of mindset and not one that panders to folks who complain about chickens making noise. A great example of this would be ... a house right in town with a lovely little yard and a couple acres, should someday someone wish to buy that and farm there they should have the right to do so. I think we should always remain a "right to farm community." How will zoning address this?

A85: Please see the Use Table in Section 3.1 of the [draft zoning law](#). The Table indicates that agricultural or farm operations are permitted uses in all zoning districts, including hamlets. None of the uses you note in your question would be prohibited by zoning in the Town.

Q103: As far as your question regarding if you think all the Hamlets should have the same Zoning, my answer is “No.” If you want Zoning in Caroline Center I do not think the same zoning should apply to my Hamlet of Speedsville. How will hamlet communities be treated the way they want to be?

A103: The Zoning Commission is discussing hamlet boundaries and allowed uses in each. The 12/28/21 [draft zoning law](#) proposes some initial ideas for consideration. Deliberations of the Zoning Commission, including comments we are receiving from public input, suggest the initially proposed uses (see Use Table in Section 3.1) will be revised. Your input is helpful to those discussions. When a revised draft law (with revised Use Table) and revised maps are available, that will be announced. We expect review and comment on the Use Table will be an important component of the next public information meeting(s); information about where and when those will be held will be announced when available.

Q115: In the hamlets, pedestrian and bike friendly design is critical to creating the kind of hamlet community that we want. How will zoning address this?

A115: Articles IV (Development Standards) and V (Supplementary Standards) include language regarding pedestrian walkways and bikeways. The Zoning Commission will be reviewing/revising those sections in the coming weeks. Your input is helpful to those discussions.

Farmland Protection/Rural-Agriculture Zone

Q78: I know there is an effort to focus on the Ag portion and that is amazing and the town is so grateful for those efforts. However, many members of our community, farmers included, operate small businesses from their home. Whether it’s landscaping or carpentry, or cabinet making out of their garage, and small business remains the driving economic force in our town. There is a lot in this zoning which would greatly limit the ability of small start ups from growing and small businesses to thrive; 1500 sq ft is not enough to operate most of these types of business. And there are hundreds of those. How will these issues be addressed?

A78: Home Occupations are listed in Section 3.1 Use Table in the [draft zoning law](#) as being permitted in all zoning districts (for minor home occupations) and permitted in all districts with Abbreviated Site Plan Review (see Article VI, Section 6.10) for major home occupations. Home Occupations are defined in the Terminology section toward the end of the document. Please also note that the size limit you are referring to does not apply to Home Occupations. Also be aware that the size limits in the Dimensions Table (Section 3.2) apply to a commercial (non-home-occupation) building’s footprint; a two-story building with a 1,500 sq. ft. footprint could have 3,000 sq. ft. of retail space. The Zoning Commission is discussing in the coming weeks whether to make changes to these items in a future version of the draft zoning law. Your input is helpful to those discussions.

Q81: In regards to the agricultural specific portions, we should keep things even more extraordinarily simple. ... I admit I have not looked at every small detail of the proposed zoning but I have seen many of this stuff make its way into zoning in time. As communities move along the zoning gets more

complicated, so maybe putting provisions to keep some of this from coming up in the future might make sense. But a couple things that come to my mind to ensure we remain a right to farm community: (1) Farmers right to apply fertilizers and manure how best they see fit on land regardless of neighbor complaints of smell, whether it's in a designated agricultural district or not. 2) Continue ability to use floodlights around farmyards and equipment during evening hours without complaints of it's light pollution on farmland.

A81: The Town of Caroline is a Right to Farm community. Zoning laws do not have the authority to regulate farming and the draft zoning does not do so. Farming activities themselves are governed by the New York State Town Law 25-aa if you are in a New York state agricultural district (most of Caroline's active farmland is in an ag district). Due to State Town Law 25-aa, a community cannot regulate the operation of a farm in a NYS Agricultural District. This includes not only farm activities like the production of crops or raising animals (including use of fertilizers/manure, noise, light, etc.), but covers direct sales that a farmer might have on-site for their farm products and other secondary farm-related businesses that might be on the farm.

Q82: 3 acres of land for each house plot could be detrimental for farmers. The ability for a farmer to sell 1 acre off of land that is of poor Ag production or in a less desirable area for a house lot without having to sacrifice other acres of field is good. Also if a landowner decides to give one of their children an acre of land to build a house on they should have the right to be able to give one acre of land for a house plot and not 5 in woods or 3 in a field. Also mandating acreage seems a little elitist and in some communities has been used as a way to deter less fortunate individuals from moving in.

A82: Zoning laws do not deny anyone's ability to split their land and sell pieces or sell it as a whole. Caroline's draft zoning proposal (see the 12/28/21 draft zoning law that is available on the [Town's website](#)) certainly does not do that. Subdividing property is covered by the already-existing Caroline Subdivision Review Law so for some types of subdivisions nothing would change regarding selling non-prime ag land if zoning is put in place. The Dimensions Table in Section 3.2 of the draft law does not specify a minimum lot size for exactly the points you raise. Instead the section specifies an average lot size of 3 acres over all the subdivisions of an entire parcel in the Ag/Rural District. This means that a landowner can give one acre of land for a house plot as long as the average lot size over the entire parcel is at least 3 acres. For example, with a 10-acre parcel, up to 3 residential lots (10 acres divided by the 3 acres per lot density) could be created. Each lot could be 3.3 acres, or two could be 1 acre and the third 8 acres, or one could be 5 acres and the other two 3 acres and 2 acres. In other words, lot size variation is quite possible, as long as the average lot size when considering all lots on the original parcel meets the average lot size of 3 acres. One change from current practice proposed in the 12/28/21 draft is that for large subdivisions (subdividing a parcel into more than five pieces less than 5 acres in less than a three-year period, or subdividing a parcel that would require the extension or creation of a public road) the zoning draft proposes a "Conservation Subdivision" approach designed to foster the preservation of open space associated with developing that type of major subdivision and encourages flexible sizing of lots through an average lot size approach (see Section 5.5.12 in the 12/28/21 draft zoning law).

Q84: Farmers and neighbors in Ag districts should be able to request to set reasonable speed limits around their farm and community for safety purposes. Will that be possible in the zoning law?

A84: Speed limits are not regulated through zoning laws because speed limits are not simply a land use issue (land use is what zoning deals with). Speed limits are set by the New York State Department of Transportation (DOT). In setting speed limits, DOT looks at how the road is designed; for example, for a highway going through a village DOT would look at the width of the lanes, the kind of shoulder, the nature of the street—the overall design, as well as considering the local traffic patterns and volume of traffic. Zoning can help influence DOT’s decision, but what DOT does largely depends on the kind of road that it is and the traffic on it. To seek action on setting appropriate speed limits in your community, contact your Town Board members or state legislators to let them know your concerns.

Q86: Vehicles without plates. Many farmers have vehicles they use around the farm that do not have plates. Many zoning laws prohibit this. How will the Caroline zoning law handle this?

A86: License plates on farm vehicles are not mentioned in the 12/28/21 [draft zoning law](#). The zoning law would not affect how farm vehicles are licensed (or not).

Q87: Equipment storage and parking areas. Parking areas should not be dictated by anyone other than the landowner. Most farm operators know the best place to put their equipment which is the most convenient and practical and safest for hooking up and access. That doesn’t always make it the prettiest place (and with someone who has a passion for tractors a yard full of tractors might look beautiful). How will zoning address this?

A87: See A81 above. That information pertains to parking areas on farms as well. Zoning laws do not have the authority to regulate farming (including the operation or location of farming equipment on farms).

Q113: There is limited land that is conducive to agriculture. With climate change, our area is likely to be increasingly valuable for growing food. Unfortunately, the same lands that are best for ag are also best for development and are along transportation routes. I urge the commission to make sure that the small area of prime farmland in Caroline forever remains open and available for farming, whether or not it is currently farmed. I also urge that most of the farmland of statewide significance remain undeveloped, perhaps along clustering of development on a portion, but preserving the remainder in perpetuity. Can zoning be designed toward this goal?

A113: The Zoning Commission will be discussing in the coming weeks portions of the [draft zoning law](#) that relate to agricultural lands and to subdivisions. Your comments are helpful to inform those discussions. The 12/28/21 draft of the zoning law includes Section 5.5.12 on Conservation Subdivisions which relates to concerns you mention.

Q116: A friend started planting saplings (evergreens) before the moratorium thing was ever created. They have invested thousands of dollars in the purchasing of the land, the trees and the labor to plant them. They were planning on starting a Christmas tree (u-cut) business where the trees are planted and they also planned to transport some pre-cut trees to the town of Slaterville Springs to sell them along with wreaths too! These friends have already invested so much time money in this business. They have already named the business. Is this considered agricultural tree farming? Would they be

grandfathered in since this was started a few years ago? How would the zoning draft affect them? Will they end up having to cut down all the trees they have already planted? They wanted to do a u cut in the Speedsville area and they planned on transporting these trees and selling some of them in the heart of Slaterville Springs. This zoning thing is negatively affecting residents that are dead smack in the middle of major projects.

A116: Yes, a U-cut Christmas tree business is a form of agricultural tree farming. The business as you describe it would not be affected because agricultural operations are allowed in every zone (see the Use Table in Section 3.1 the draft 12/28/21 zoning law, available on the [Town website](#)). In addition, the Use Table shows that sales of various sorts, including farm stands, are permitted in Slaterville Springs so that plan should be unaffected as well. The Zoning Commission will address the topic of temporary businesses or pop-up shops to make sure this type of use is clearly specified.

Siting of Specific Projects

Q83: Many farmers across our state are subsidizing income by installing community solar on portions of their property. This should be a choice that the farmer makes not one dictated by the neighbors. Putting acreage into solar does not have to bring it out of ag use. Solar makes great pasture land that is very productive grazing, often on land or farms that are underutilized or struggling to make ends meet. Maybe if this becomes an issue there could be some sort of contingency where if solar is installed on ag land it must remain in some sort of food production like grazed with sheep or used as a community garden space. How will zoning address this?

A83: The Use Table (Section 3.1 in the 12/28/21 draft of the zoning law posted on the [Town's website](#)) lists what uses are allowed in which zones. The Use Table is still under discussion by the Zoning Commission and may change but here is a summary of how solar energy facilities are handled in the 12/28/21 draft. Small solar energy facilities (such as those associated with a single-family home) would be permitted in all zoning districts and would not require any Review Board permit, approval, or review. (Just as is true now, someone wishing to build a small solar energy facility would need to fill out a Unified Solar Permit Application and submit it to the Code Enforcement Officer in order to obtain a building permit.) Medium and Large (more than 20 kW) solar facilities are allowed only in the agricultural-rural zone, would need to comply with the Town's solar facility law, and would need to obtain a Special Use Permit from the Review Board. (Uses requiring Special Use Permits are allowed but may be subject to restrictions or conditions put on the use to minimize potential negative impacts on neighboring properties.) The current Town solar law encourages the use of grazing animals for plant control, and encourages the use of non-invasive plants, among other measures.

Q94: Section 4.2.a.4 says "The Review Board has the authority to site the building envelope and to adjust the siting of the structure to better preserve natural resources, vistas, aesthetic features, wildlife resources, and other environmental features that may be on the parcel." I don't believe that the Review Board should have the authority to site anything. It is the Review Board's responsibility to have conversations with the applicant about different considerations when siting a building, some maybe very specific to an applicant's parcel. The applicant has the responsibility to consider those and site their building appropriately. If they don't, and the siting is in a location that could be harmful

to the environment in some way, then their application may be denied. But the Review Board does not do any siting of structures. How will this be addressed?

A94: The Zoning Commission has not yet taken up discussion and revision of Article IV in the [draft zoning law](#) in any detail, but has identified some sections that will need clarification when the Commission turns its attention to revising that Article. Your comments will be helpful in those discussions. In fact, the Review Board's role is to approve, with or without modification, or disapprove, Site Plan(s) submitted by an applicant. Although you are correct that the Review Board does not technically site a structure initially (because the applicant develops the site plan information), in essence the Review Board, through its approval with or without modification, or disapproval, has the authority to determine siting.

Q98: For Section 6, I could be wrong, but I think I counted up to 3 public hearings for any Site Plan Review. If I am correct, that is excessive. We should only need 1, or maybe 2 if there were significant changes to the design. If the Review Board is meeting once a month, that means any project would be a minimum of 3 months. Although I guess the Review Board could waive the public hearings if not deemed necessary. Can the process be shortened?

A98: The Zoning Commission will take up a focused discussion of Article VI in the [draft zoning law](#) in the coming weeks. Your comments will be helpful to inform that discussion. Please note that the Site Plan Review process in the 12/28/21 draft zoning law is the same as the process specified in Caroline's existing Site Plan Review law; up to two public hearings (preliminary and final) may be required (separate from the SEQR site plan process). The draft zoning law includes a process of Abbreviated Site Plan Review for some projects, which does not require a hearing. Abbreviated Site Plan Review is intended to be a "one-and-done" process in which a decision is reached in a single meeting.

Protecting Environmental Resources

Q68: ... I am fully in favor of thoughtful zoning. There are just so many examples in our great country where lack of any regulations and shortsightedness have led to environmental disaster and regret. ... One other topic in the town's comprehensive plan is the importance of developing further trails in our town. As seen especially during these COVID times, we all need safe and healthy ways to get outside for recreation and for environmentally sound, carbon reducing, methods of transportation. ... Does zoning relate to these issues?

A68: Zoning provisions can help encourage open spaces, pedestrian walkways, and bikeways. See, for example, Section 5.5.12 Conservation Subdivisions in the draft zoning law as a mechanism to provide open space along with residential development.

Q76: I live ... in what is designated as the hamlet of Caroline. The question I have is in regard to #4 on page 34, the length of driveways. Does the specification that driveways shall essentially be of minimal length, so as not to disrupt the forest ecosystem, mean that if I want my house well off the road, I will be restricted in the length of the driveway I can install? In most instances (near where I live) the grade determines the length the driveway has to be. The land closest to the road is very steep in

many areas, requiring that the driveway be long enough to reach a relatively flat, buildable site. Yet, on other sections of the road, the site is flat from the road edge all the way to the point where it drops off steeply to another road. On a lot like that, I would like to be able to site the building close to the point where the grade drops, requiring a relatively long driveway. Great job on developing a zoning plan that will ensure the town develops thoughtfully!

A76: At its 2/8/22 meeting, the Zoning Commission discussed sections of the 12/28/21 [draft zoning law](#) that pertain to the Forest Core Overlay, and reached agreement to remove Forest Core Overlay language from the next version of the draft law. The passage you are referring to pertained to lands that would fall within the proposed forest core overlay, and said “driveways shall be minimized so as to prevent excessive fragmentation of the forest habitat.” The language did not require a specific length or placement; those choices would depend on the specific context. The Forest Core Overlay (described in 2.1.C.5.a) only included those parts of a forest that are at least 100 meters (about the size of a football field) from the forest edge, so the Core Overlay would only apply to areas that are fairly far from forest edge and established roads. But again, the Commission agreed to remove the Forest Core Overlay from the draft zoning law language given concerns that the potential additional environmental benefits from such an overlay were relatively limited (considering the prevalence of forest and protected conservation lands already present in the Town), especially in comparison to the additional zoning law implementation complexities such an overlay would require.

Non-Conforming Uses (“Grandfathering”)

Q108: I couldn’t find it in the draft, but the letter I received referenced “grandfathering” and also that grandfathering being removed if use is discontinued for over 2 years – remove the 2 year rule. How will this be addressed?

A108: Article VIII in the [draft zoning law](#) addresses Non-conforming Uses and Structures. This is often referred to as “grandfathering.” Depending on how district boundaries are drawn and what uses are permitted in each district (in a final zoning law), some existing lots, buildings, or uses will not meet the new requirements established in the zoning law. Lots, uses, and buildings that do not conform to the new law at the time of its enactment are considered “non-conforming.” Article VIII explains how these lots, buildings, or uses can be continued (i.e., grandfathered). The 12/28/21 draft contains language (Section 8.2) that “When any nonconforming use is discontinued for a period of more than two years, the nonconforming status of that use shall be terminated. When a nonconforming use is terminated, it shall then be replaced only by a conforming, permitted use.” That language, and the entire section, will be reviewed and discussed and possibly revised in the coming weeks as the Zoning Committee conducts its deliberations and considers public input. Your comments are helpful to inform those discussions.

Q117: At my house in the Slaterville Springs we have a gift shop behind our house – this shop started running years prior to the moratorium. This gift shop has been on vacation for some time now. Would there be restrictions on a preexisting gift shop if it starts back up in full operation mode? Also I am a landlord of two apartments above my own home (also Slaterville Springs!). we always do a yearly lease – is something like this grandfathered in or will we still need board approval to continue to rent? What happens when a lease is renewed? Do I need to do an application to the board

immediately if zoning passes or am I grandfathered in with this? Or is an application required every time a tenant renews a lease no matter how long we've been renting? The whole rental things is really confusing to me all together. Is it just AirBnB short term rentals that you are putting restrictions on or long term rentals too? Also we depend on these rentals to help pay our mortgage! So this could financially bankrupt us if it has any effect on long term previously existing rentals????

A 117: Home Occupations are permitted in all proposed districts in the 12/28/21 [draft zoning law](#) (see the Use Table in Section 3.1). Home Occupations are defined in the Terminology section toward the end of the draft law document. If the primary use of your property is for your residence, the gift shop may qualify as a Home Occupation. In addition, Retail Sales are permitted in Slaterville Springs as shown in that table (possibly requiring Site Plan Review if there will be building expansion or a new building). Long-term rental leases are not reviewed by a Town Board or a Zoning Board. Construction of new accessory apartment structures would be reviewed and permitted as part of Site Plan Review and/or Special Use Permit review, depending on what changes were being proposed. The 12/28/21 draft lists new construction of bed and breakfasts and short-term rentals as permitted in every proposed district, with a Special Use Permit. The Board would not be involved with or oversee the short-term rental leases. The descriptions in Section 3.1 may change as the Zoning Commission discusses the various sections of the draft zoning law and makes revisions. Your comments and concerns are helpful to inform the Commission's discussions.

Q123: Please educate all of us on what grandfathering means for farms, residential, and commercial properties. What are the risks if our property is non-conforming? What can we do to our property and what can we not do? How does it affect a commercial property when the owner wants to retire and sell the property?

A123: Article VIII in the 12/28/21 [draft zoning law](#) addresses Non-conforming Uses and Structures. This is often referred to as "grandfathering." Depending on how district boundaries are drawn and what uses are permitted in each district (in a final zoning law), some existing lots, buildings, or uses will not meet the new requirements established in the new zoning law. Lots, uses, and buildings that do not conform to the new law at the time of its enactment are considered "non-conforming." Article VIII explains how these lots, buildings, or uses can be continued (i.e., grandfathered). You can read Article VIII for details. A non-conforming commercial property may be sold to a new owner and the non-conforming use is able to continue to occur on the property. Ownership, or transfer of ownership, does not change the "grandfathering" process. If the new owner wished to change the property to a different use, the zoning law Use Table (see Section 3.1) would apply to the proposed new use.

Q124: Facts will help both members of the Zoning Commission and the residents to better understand the impact of the proposed Zoning Law on the Town. Facts should be what decisions are made on, and not that it's nice to have views, big lots and plenty of open fields. The Town's zoning consultant is providing data on the properties in Town. One example is under Article III – Uses and Dimensions, where she indicated in her notes that the Town has 1907 parcels and that in the Ag/Rural there are 66 parcels and in the Hamlets, there are 99 parcels completely in the Water Resource Overlay. Please have your consultant provide us with facts on the number of parcels in Town that will be affected by this new Zoning Law with the many overlays and restrictions. Another way to ask this question is, "how many properties will not have to seek approval to do anything in the future with their property?" How many parcels will be grandfathered, both residential and commercial, making it

very difficult for those landowners to make any changes in the future? These facts should help all of us realize how extensive the new Zoning law will be on our property rights.

A124: See A125 above. Also, keep in mind that “seeking approval” is necessary for many actions taken on people’s property currently (without zoning), such as building permits for constructing most types and sizes of structures, site plan review and subdivision review for some types of projects. For example, constructing a commercial building above a certain size, disturbing a large enough area of land, or subdividing land in certain ways already requires review and approval by the Town’s Review Board and that process will not change if zoning is adopted. So, many properties currently “have to seek approval to do anything with their property” (as you say), and that would not change with zoning. Many uses are “permitted by right” meaning that no review would be necessary beyond a normal building permit (see the Use Table, Section 3.1 in the 12/28/21 draft zoning law).

Q147: Don’t tell me your grandfathered in. That’s bull! Sure we are grandfathered in with what we have now but if we try to add something later we have to fill out a bunch of forms, pay fees, and to what be turned down? No thank you!

A147: See A108 and A123 above.

Related Ordinances/Regulations

Q141: The local laws that already exist in this town are not being regulated to begin with. For example: 1999-2 Adult Use Law was created when the Crooked board (a bar/town staple) went out of business. This law was set in place to prevent any new bards from opening in the town of Caroline. If you access the minutes you will see that the conversation was predominately to eliminate sales and consumption of alcohol from this town. Funny thing is that certain people aka Brooktons’ Market happened to start serving alcohol after the creation of this law. This segment has been taken from the law itself to clarify that ADULT USES are not allowed in Caroline! “It is the intent of this local law to regulate the establishment, creation, opening, commencement, and operation of Adult Uses, as herein defined, in order to achieve the following primary purposes.” I’m pretty sure last I checked consumption of Alcohol or sales of alcohol is an ADULT USE?? So ... correct me if I’m wrong but isn’t Brookton’s Market in violation of this law? But the town board just happened to let this one slide by because when it comes to they’re friends they like to look the other way. If Local Laws that are already in place are not being regulated then do you think a zoning law will be regulated? ...

A141: See the text of Caroline’s [law 1999-2](#) regulating Adult Use in the Town of Caroline. You’ll see that in Section IV Definitions, Adult use is clearly defined as “the use of land, structures or location for an ‘adult entertainment business’ or an ‘adult physical contact establishment’ as herein defined” and then goes on to state that adult entertainment businesses include establishments with topless or nude dancers, materials written or videos that portray specific sexual activities or specific anatomical areas (also defined in the law), etc. The “Adult Use Law” does not pertain to establishments serving alcohol, unless they also engage in the types of sexual activities described in the law. We encourage you to read the law in detail for more information.