

Review Board (RB) Meeting 1/19/2023 Minutes

Members present at Town Hall: Craig Modisher, Bruce Murray; Present via Zoom: Don Barber, Ellen Harrison, Sue Pearce-Kelling

Mark Witmer at Town Hall to facilitate Zoom/public meeting process

Meeting ran from 7:00 to 8:25

Purposes of meeting:

- To discuss drafted zoning law (draft_zoning_11_8_22_v2.0_nc.pdf) and how it affects the RB's processes.
- Begin work/discussion on a comprehensive checklist for applicants if ZL is adopted to assist them & the RB in understanding what information will be required in any application.

Process discussions:

1. Will any additional training by the RB be needed in the event of the ZL's passage?
2. What if an ASPR application is deemed insufficient by the RB and, in the RB's review, the project is deemed in need of a full SPR? Does the RB have the authority to require that or does a denial by the RB go to the ZBA?
3. Given the potential/likely increased number of applications that will be presented to the RB, it may require more frequent meetings than the current 1/month schedule.
4. How well were the previous comments that the RB provided to the Zoning Commission (ZC) (in ~May/June 2022) of the drafted law at the time incorporated into the current ZL draft? Craig will send the RB the comments that were provided to the ZC for comparison of the current draft. Bruce (a member of the ZC) commented that he believes the latest version of the ZL (still under construction/not yet approved by the ZC) does incorporate more of the SRB suggestions than what may be reflected in the Nov. 8 draft.
5. Don proposed exploring whether an interactive map where any address input would reveal what zone it is in and the water resource overlay map. This could be very helpful to both the applicant and the RB. If the program could also provide a list of permits required, all the better. He suggested that possibly the county planning board has access to or could easily develop this type of interactive resource.
6. Discussion of what is required in order to deem an application "complete/final" and whether any timeline is automatically activated (other than those pertaining to public hearings) once a "completed" application is received by the RB.
7. Discussion/note that the old (current) Site Plan Review local law will be replaced in its entirety by the ZL if it is enacted.
8. There are areas where the current Subdivision Review Law may not align with the Nov 8 drafted ZL. It appears the current Subdivision Review Law will remain in effect if/after the ZL is enacted. If so, any discordances between the two laws need to be rectified. Bruce thought the ZL draft under revision addresses this issue. RB advises the ZC determines that there is no conflict/confusion between the two laws.

9. Section 7.5 C (2) paragraph 2 reads, “The Applicant may submit a waiver to the Review Board outlining the request in writing, signed and dated, via hardcopy delivered to the Town Clerk or digitally sent to the Town Clerk and copied to the Code Enforcement Officer. “ RB proposes changing the wording so that the applicant is *required* to request a waiver, along with justifications for its approval, in writing. For example, this sentence could be edited to “The Applicant may submit a waiver request to the Review Board. Any waiver request must be submitted in writing, signed and dated, via hardcopy delivered to the Town Clerk or digitally sent to the Town Clerk and copied to the Code Enforcement Officer. “

Comprehensive Checklist:

- Craig drafted a list of potential items (but not limited to) to submit for application (see below)
- This would work in conjunction with/similar to interactive map as noted in point #5 above.

List of potential items (but not limited to) to submit for application:

- Site Plan- including all items in section 4.034 of the SPR Law, or-7.6 Zoning Law draft Nov. 2022
- Boundary survey of existing parcel, with topographic information at 2’ intervals
- Vicinity map of the parcel
- Civil drawings- including utility plan, grading plan, site lighting, retaining walls and walks, SWPPP features and equipment, erosion control, etc.
- Fire truck access and approval from the Fire Dept
- County Health Dept approval of any water supplies and sewer/septic systems
- Ag Data statement sheet
- FEAF or SEAF- depending on the size and impact of the project- reference the DEC autofill assistance online
- Response to the County Energy Supplement criteria
- Location, size and design of signage
- Approval from utility provider of proposed systems

- Approval from DOT authority with jurisdiction of access roads and entrances
- Traffic Study
- Reference site location with respect to current Flood Maps
- Show communication has been established with the School District
- Proof of fee payment
- Drawings of any buildings including floor plans, elevations, and sections
- Economic Information Sheet (from Town Clerk)- wording from draft zoning
- Schedule of construction
- Predicted noise at the property line