

**Town of Caroline  
Land Use and Economic Development Task Force**

**Meeting 6**

**October 19, 2020  
7:00 PM**

Agenda

1. Privilege of the floor
2. Discussion of Design Standards
3. Discussion of Definition of Formula Business
4. Discussion of Future Directions

Attendance

Yusmin Allim; Michele Brown; Barbara Knuth; Barbara Lynch; Ellen Harrison; Ken Miller; Tim Murray (Town Board representative); Greg Colucci (Planner); and Mark Whitmer (Town Supervisor)

Absent from the Task Force were Rebecca Schillenback and Kathryn Sealy

Notes

1. Privilege of the floor; no member of the public joined the meeting
2. Tim Murray asked Greg Colucci to give an overview of where the Task Force is currently and how the group may proceed

Greg said that given everything the committee has received so far from the sub-groups, he would like to put together a draft document of design standards for the group's review by the following meeting. Greg acknowledged outstanding questions that should be discussed before drafting the document, such as triggers for an economic impact analysis and for a traffic impact analysis. Greg suggested that these types of analyses may be more appropriate for intensive development proposals, but not all proposals.

Barb Knuth asked that the committee review the proposed design standards at this meeting before Greg drafts the document. She asked for a high level review on the proposed standards for general consensus purposes.

Tim agreed with this approach.

Ellen Harrison reiterated Barb's point and asked for a conceptual buy-in on the standards or a discussion if so needed.

Barb Knuth led the review of the proposed design standards; the sub-group used the existing Design Guidelines and referenced the design guidelines of Danby and Dryden as model examples. She asked if the group concurs with beginning the document with an "intent" statement.

Ellen suggested that additional language could be added, such as a statement about protecting prime agricultural land.

Tim asked how the proposed intent statement would relate to the Site Plan Review law.

Michele Brown answered that the intent statement was modeled from Danby's design guidelines and doesn't yet relate to the current Site Plan Review.

Ken Miller asked if the standards would apply to residential development.

Ellen answered that they only apply to those developments required to be reviewed under Site Plan Review law, and residential housing is not subject. She said that the group should consider other triggers for a Site Plan Review.

Ken said that residential development should go through Site Plan Review.

Barb Knuth reiterated that the sub-group is recommending that the Task Force consider other types of development that would trigger Site Plan Review.

Ken followed-up stating that recent housing developments do not reflect rural character and even if the design standards currently being reviewed are not appropriate to address residential uses, he suggests that the Task Force consider this topic.

Ellen acknowledged that residential development is a topic of concern, but that currently the Task Force is focusing on other topics. She asked if the design standards apply to subdivisions as this could address Ken's concerns.

Greg answered that the Subdivision Design Guidelines are separate from the Site Plan Design Guidelines. He added that the current Site Plan Review law requires 15 types of development to go through review.

Tim asked that the group focus on the proposed design standards and the Site Plan Review requirements could be discussed at a different time.

Ken proposed that clarifying language should be added to the design standards that states that "any development that requires Site Plan Review..."

Barb Knuth acknowledged this consideration. She asked that Greg reword and re-organize the document once the standards are reviewed.

Barb Knuth asked for consensus on the first two proposed standards relating to consistency of land development with existing laws and the Comprehensive Plan; no objections.

Barb Knuth asked for feedback on the next set of proposed standards relating to development impacts on wetlands, floodplains, and steep slopes.

Tim asked if some of the proposed design standards would be more appropriate in the general Site Plan Review law.

Barb Knuth said that the first task was re-wording the existing design guidelines, which are a set of questions, to be requirements instead and then using the Danby and Dryden design guidelines to layer additional language.

Ellen said that most of the proposed design standards are not new concepts; they're just reworded from the existing guidelines.

Tim acknowledged this and asked that Greg look at which topics may be best suited under the Site Plan Review law versus in the design standards.

Ken asked for clarification on exemption language regarding "essential infrastructure" and "passive recreation amenities."

Barb Knuth and Ellen answered that these would be things such as public buildings, utilities, roads, or boardwalks for example.

Yusmin Allim suggested that certain proposed standards could be combined.

Barbara Lynch asked if there was consideration on the size of wetland buffers.

Michele said that the sub-group proposed 50 feet as this is used by Ithaca.

Barb Knuth brought up the standard regarding protection of agricultural soils and asked for the committee's consensus; no objections.

Ken asked if the proposed 50-foot wetland buffer would be on the development property and what would happen if the property wasn't big enough to comply. He suggested that the standard be revised to be 25 feet.

Barb Knuth answered that the proposed standard is consistent with the Town's Erosion and Sediment Control Law and that the Site Plan Review law pertains to sites that are more than one acre; additionally a developer cannot use a neighboring property not owned by them to meet the standard.

Barbara Lynch asked for clarification on the proposed standard requiring the wetland buffer to be of native species and avoid invasive species; she believes this would be hard to enforce.

Ellen said this standard is more for developments that add plant species; it's not intended to require the developer to rip certain species out.

Barb Knuth asked for feedback on the proposed standard relating to preservation of mature woodlands and open spaces of more than 5 acres.

Tim asked if the language about 5 acres was an addition to the proposed standard or if it was in the existing design guidelines.

Ellen answered that the language is in the current law.

Tim said this requirement may preclude development from being setback further from the road if it's in a large wooded lot and has a long driveway.

Barb Knuth said that an exception to this standard could be considered.

Ken asked how this proposed standard relates to another similar standard.

Barb Knuth answered that those similar standards would likely be combined. She moved on to the proposed standard that requires preservation of hilltops and scenic ridges and recognized that requiring developments to be sited in lower lands might conflict with protecting agricultural lands.

Ellen said that there was a county-wide survey on scenic resources and these few areas are reflected in the Comprehensive Plan. She recommends that the Town look into studying its scenic resources further.

Ken said that a building on top of a hill might be less conspicuous than on the side of a hill.

Ellen stated that this proposed standard is problematic because it seems to address the view of a scenic hillside in general, but not necessarily the view from a road to that scenic hillside.

Ken brought up that the Comprehensive Plan only maps a few views that are most important.

Barbara Lynch asked if there is a process to get people involved in agreeing on scenic views of importance rather than just through Site Plan Review.

Greg commented that scenic resources are typically reviewed if and when a development goes through the SEQR process; the DEC has a policy that states official designations of scenic resources are those that are defined in a Comprehensive Plan or through zoning. If the scenic resource is not identified in a Comprehensive Plan, the Town would need a separate study identifying those resources to be protected.

Barb Knuth asked for feedback on the proposed standard regarding impacts on historical, archaeological, or other cultural resources; no discussion.

Ken asked for clarification on the committee's decision regarding the proposed standard on impacts to scenic views.

Barb Knuth answered that the standard would stay in the document, but that it may need to be limited to scenic views identified in the Comprehensive Plan.

Barb Knuth asked for feedback on the proposed standard relating to impacts on natural areas.

Barbara Lynch asked for inclusion of impacts to herptiles.

Barb Knuth said that this can be considered; she asked for feedback on impacts to traffic and impact on roads.

Yusmin asked if certain standards could be re-ordered and combined.

Tim asked if some of the standards related more to economic impact analysis and traffic impact analysis.

Barb said that they do, but that the sub-group would need to look at the triggers that would require such analyses.

Greg stated that these types of analyses are not design-related and would be more appropriate in the general Site Plan Review law.

Ken asked for clarification on the proposed standard that would prohibit developments from fronting on public roads.

Greg said this is indicative of non-urban type development. Urban development design language typically requires development to front on a public road.

Ken asked if this would require parking to be located in front of the building between the road.

Greg said possibly, but this is also proposed to be regulated through another design standard.

Ellen said that this standard came from an existing design guideline.

Greg suggested that design standards in one area of the Town may not be appropriate for other areas of the Town, such as the hamlets. For instance, the Town might want buildings to be brought closer to the street in hamlets than in a more rural area of Town.

Barbara Lynch said that even though the Town doesn't have zone districts in which to regulate different areas of town, there could be triggers to require different standards.

Ellen asked if the design standards could exempt out certain areas of the town.

Greg said that it's possible to delineate hamlets outside of zoning, but it makes the process more complicated when crafting these standards.

Barb Knuth asked if some of these questions could be sent to the Attorney.

Tim recommended waiting to send the Attorney a more finalized document than to send questions.

Greg suggested that the Comprehensive Plan's identification of the Town's hamlets could be referenced in the standards.

Barb Knuth asked for feedback on the proposed standards related to design of buildings, parking, lighting, and signage.

Yusmin suggested that two separate proposed lighting standards be combined.

Tim suggested that some of the proposed language for building materials could be strengthened.

Michele said that the language primarily came from Danby's design guidelines.

Ken asked if the proposed standard regarding building materials would differentiate being visible from a road versus those materials that are not visible.

Greg commented that design standards will often define materials that are acceptable or prohibited on a "the public facing facade."

Ken asked that the proposed standard requiring buildings greater than 1500 square feet be increased.

Barb Knuth said that the committee would take a look at increasing this size.

Ken asked for clarification that the proposed standard would require a 4500 square foot building to be 3 separate buildings.

Ellen clarified that a 4500 square foot building would not need to be 3 smaller buildings, but designed to look like smaller buildings.

Greg shared his screen to show a graphic in Danby's design guidelines that has an example of a large building designed to look like a series of smaller buildings.

Barb Knuth asked for feedback on a proposed standard relating to parking.

Tim asked if it's possible to delineate distance from existing properties.

Greg answered that this is typically regulated through zoning.

Ellen said that even though the Town doesn't have zoning, it may be possible to state distance that parking needs to be from property lines.

Ken said he was required to build his barn 3 feet from his property line.

Greg said this is probably regulated through the building code.

Ellen asked if the committee would consider a required setback for parking from a property line.

Greg said that the location of parking is often regulated in relation to a building.

Ellen said she would like to know if parking's location (e.g. setback) can be regulated without zoning.

Greg suggested that design standards could require screening of parking lots (that are within a certain distance of a property line, for example.)

Barb Knuth asked for feedback on a proposed standard that requires lighting to be consistent with the International Dark Sky Association specifications.

Ellen asked for clarification if lighting can be restricted to certain times of day.

Barb Knuth asked for feedback on proposed sign standards; no discussion.

Barn Knuth asked for feedback on a proposed standard relating to a development's energy use.

Tim suggested that the County's Energy Recommendations for New Construction would be the best source to reference and the Town Board would likely comment.

Ken said that the proposed standard requiring 20% more insulation on new buildings than what is required per the energy code would be exorbitant.

Tim commented that this is in the existing law.

Barb Knuth asked if a proposed standard requiring an escrow account for new development in the event of building abandonment is a design standard.

Greg answered that it is not a design standard but could be in the Site Plan Review law.

Greg asked if the design standard sub-group is going to look more closely at the Site Plan Review law.

Ellen asked for the group to consider amended triggers for Site Plan Review.

Yusmin brought up that economic impact review should be considered.

Tim suggested that economic impact review is a larger discussion and the Town would need more information in order to begin making a decision on it.

Ellen reviewed proposed Site Plan Review recommendations such as lowering the commercial use threshold from 10,000 square feet to 3,000 square feet; a formula business would be required to go through a Site Plan Review; and any industrial use would be required, lowered from 25,000 square feet.

Tim agrees with the lowering of the commercial use, but cautioned against having too many triggers.

Barbara Lynch asked if industrial use includes dry cleaners or body shops, as these uses would impact water quality.

Tim asked if these uses would trigger SEQR; Greg said possibly.

Tim commented that water quality and water supply are defined in the current Site Plan Review law.

Ken asked about the 25,000 square foot threshold in the existing law for industrial uses, and asked if the committee would consider commercial or industrial use above 3,000 square feet to go through Site Plan Review.

Ellen said she is not sure where the 25,000 square foot threshold of industrial uses in the current Site Plan Review law came from, but she would not like to see any industrial uses in Town.

Ellen asked for feedback on the suggested restriction on all buildings to be no larger than 10,000 square feet.

Greg said that this might be difficult to defend. The Town of Ulysses has recently amended their zoning capping agricultural buildings at 20,000 square feet, but this could be challenged under the Ag and Markets Law.

Greg asked if the committee wants to have a formula business definition as a trigger for Site Plan Review, stating that it may be possible to require review of formula businesses in another trigger, such as further lowering the commercial use size threshold. There was no consensus from the committee to remove the formula business definition from the amended Site Plan Review law.

Ellen said there are other things that should be required for review, such as drive-throughs.

Barb Knuth sent Greg the revised design standards to work on in advance of the next meeting and the sub-group will review the Site Plan Review law.

Meeting adjourned at 9:10 PM  
Meeting Notes prepared by Greg Colucci