

**Minutes of the Zoning Commission of the Town of Caroline
Meeting on Tuesday, January 17, 2023**

The meeting was called to order at 7:03 p.m. by Jean McPheeters, chair.

Attendees:

Zoning Commission Members: Ernie Bayles, Michele Brown, Barb Knuth, Bill Podulka, Bruce Murray, Jean McPheeters

Cfm. Tim Murray, liaison to the Zoning Committee

Others: Town Supervisor Mark Witmer and Nan Stolzenburg

Note: Ernie Bayles, Bruce Murray, Jean McPheeters, Barb Knuth, and Supervisor Mark Witmer were inside the Town Hall. Therefore, four members attended in an announced place, thereby establishing quorum. Michele Brown and Bill Podulka joined us via Zoom.

Nan Stolzenburg attended by Zoom.

1. Privilege of the Floor:

a. Peter Hoyt read the following statement:

“Tonight, you, members of the Zoning Commission, may vote on whether to accept the draft zoning law and pass it on to the town board for its consideration. Zoning, if enacted, will change the character and spirit of our Town forever. You as well as the Town Board share a heavy responsibility.

“Those of us opposed to zoning have repeatedly pointed out that town-wide local laws are sufficient to address concerns about land uses that the town wants to prevent or restrict. We already have in place a storm water law, a site plan review law, and a subdivision review law.

“There is nothing illegal or unethical about voting against this draft law. You have worked long and conscientiously to craft it. That was the honorable course, given the charge you received from the Town Board.

“Having completed that task, it would be neither self-contradictory nor a breach of good faith to decide nonetheless that what is before you is not in the best interests of the Town of Caroline.”

b. Bruce Murray spoke about Governor Hochul’s State of the State Address and that she criticized some zoning restrictions that have made affordable housing difficult in some communities. Bruce noted that we should perhaps pay attention to that. He also noted that the Governor is suggesting that the State may make it possible for communities to bypass local zoning by applying directly to the State for permission for some housing construction.

c. Barb Knuth responded to Bruce Murray’s point by saying that it is important to note the Governor’s comments in context and that that the governor had focused on some communities in eastern New York State but not in Western New York or the Finger Lakes about these zoning restrictions. Barb also said that

she felt that the zoning law that we are working on very much encourages affordable housing senior housing and multifamily housing.

2. The minutes of the January 3 meeting were moved (Bayles/Knuth) and approved unanimously.
3. Approval of the Agenda: Bill Podulka suggested that we discuss whether we need more Reader's Aid boxes and public education before the Public Hearing. Jean McPheeters added these to the agenda.
4. Town Council Report: Councilman Murray noted that the Board is now meeting on the 1st and 3rd Wednesdays of the month.
5. Agenda items:
 - a. The Commission members then began to review the PDF draft of the zoning law on which we have been making corrections and comments. Nan recorded all the changes we approved in the document. Most of the comments were either about numbering of sections, spelling, indentations, etc.
 - b. However, we did discuss and decided to split the use table on p. 39 into two lines regarding multi-family residences of 3 or more (Podulka/Knuth; amendment by Knuth accepted) So that one line would address multi-family buildings of 4 units or fewer would be Permitted as right across the town (approved 5; nay Brown 1). The other line would be remain.
 - i. Bill Podulka than moved that we change this decision so that it be ASPR rather than Permitted, Brown seconded. (2 ayes Podulka and Brown; fails with 4 votes.)
 - c. We replaced LEED certification with NYS Stretch Energy Code. (Consent)
 - d. We added Senior Housing in Table 2.1 (Knuth/McPheeters) unanimous.
 - e. On p. 64, we deleted the last 2 sentences. (Consent)
 - f. We reviewed Section 6.2 Design Standards.
 - g. In Section 6.5.14 and 6.5.15, we changed lots to structures, and made changes to accommodate Senior Housing, which will be allowed to have a maximum of 24 dwelling units per building in hamlet districts with public transportation: Slaterville Springs, Besemer, Brooktondale, and Brooktondale Center. (Knuth/Jean) 5 ayes, 1 nay—Bruce Murray.
 - h. We had a discussion regarding the town's trailer/mobile home law, and that the State also has a lot of regulations regarding Zoning. We agreed that we should add a note in the Report to the Board that the board should review the town law on trailer/mobile homes and decide if it needed to be changed if zoning were approved.
6. We then discussed potential dates and places for Public Hearings. We are planning on two: one in-person only and one in-person and on Zoom, which will be held at the Town Hall. We agreed to meet again on January 31 to review the Preliminary Report to the Board, which includes the Zoning Law.

7. The meeting adjourned at 9:22 p.m.

Respectfully submitted,

V 3.0 approved