

**ZONING BOOK WORKSHOP
NOVEMBER 30, 2021
@ 5:30 P.M. AT TOWN HALL**

PRESENT: Justin Steinbach, CPL Zoning Consultant, Juan Pagan, Councilman, Richard Purol, Town Supervisor, Scott Pagano, Zoning Board Chairman, Priscilla Penfold, Zoning Board Member, Mike Miller, Zoning Board Member, Shari Miller, Planning Board Chairwoman, Thomas Tarnowski, Zoning Board Member, Ken Tarnowski, Zoning Board Member, and Jay Warren, Planning Board Member.

ABSENT: Carl Brandt, Planning Board Member.

PUBLIC AUDIENCE: Phil Leone, Barbara Warren, Sue Hazelton, Gary Hazelton, and Irene Strychalski.

CPL Consultant, Justin Steinbach began the workshop and explained to the committee the contents he had to present to them for the evening. He gave the committee a “cleaned up” version of the revisions on the Zoning code up to the point of that meeting. He explained that there will still be additional work to be done but all the main work had been completed.

Justin discussed the summary sheet the committee received. In that document he stated that nit discussed the work that was completed and the future work that will need to be completed moving forward. He noted that in this document there are future phases that will need to be added. He explained that part of the document is for reference for both the committee and Town Board. Another contract would be needed to complete any of these phases, if the Town were to go that route.

After explaining this to the committee, Justin moved forward and discussed clustering and sign provisions. There were documents handed to the committee regarding these topics. Justin told the committee the different aspects he added to this section and parts he removed.

Justin asked the committee what districts they felt clustering would be appropriate. He explained that within the current zoning code it is not allowed in the Agricultural and Industrial Districts. He explained that in his professional opinion, it would be good to have this in every zoning district. At least the residential and agricultural districts.

Member Jay Warren went to over the current zoning districts that it was allowed in and how that goes with the new code and districts the committee was working on.

Member Ken Tarnowski asked if clustering was similar to a culdesac?

Justin stated that would be one example or type of clustering.

Member Shari Miller stated that it was a mix of town houses and stand-alone houses, similar to castile heights in Fredonia.

Justin explained that this was a good alternate to sub-division technique but it goes through the same sub division process.

Member Mike Miller asked if this was proposed, would the applicant be required to do this all at once or could they do one lot at a time?

Justin then presented to the committee a picture example of what he was talking about.

Member Juan Pagan stated that he liked the concept and thought it would work well within the Town.

Justin stated that this is more popular in areas where there is a lot of open land such as agricultural areas because then farmers aren't forced to divide up their land into larger chunks through the subdivision process. They can instead divide land into clusters and do environmental easements that protect the land. It can be thought of as an alternate zoning incentive.

Member Jay Warren explained that this is something that has been very popular of the last 20 years. He could see it in every district except for the industrial district. He stated that his son lives in an area like this. There are nature trails and different parks available, it's a nice option. However, he explained if someone wanted to do that, why not?

Member Mike Miller had a question about the arrangement of a cluster development. If someone starts this process, do the lots and roads have to be pre-arranged? Can they change this?

Justin stated that while they could change what they want to do, they have to go within the subdivision process. It can be some what complicated to do that.

Member Shari Miller stated that in the current code it's within the residential and commercial districts, she asked Justin if he was proposing this be in all districts.

Justin stated that he was.

Member Tom Tarnowski stated that he thought it was a good idea and they will still have to follow the correct channels and go through planning.

Justin explained that he will add some criteria for the board to look at in order to evaluate these kinds of developments.

Member Ken Tarnowski asked if they would need at least a 10-acre lot.

Justin stated that no, he did not feel that there needed to be a minimum number of acres for clustering developments.

Member Shari Miller stated that when the committee discussed solar, a big part of the discussion was not wanting to interrupt agricultural land but with the clustering developments that's okay with everyone? She explained that this concerned her.

Justin explained that if you looked further at the documents he provided, in order for this to occur it would have to be a permitted use. Within the Agricultural district this would be a permitted use.

Member Miller stated that he felt they would need to be careful within the Agricultural district because an individual has the right to clean air and water. Agricultural areas can have noise and different aspects that residential developments or cluster developments may not like. Someone very easily could be upset because they can smell bug spray or livestock, a farmer could be put out of business very quick.

Justin explained that this would be no different than someone subdividing land and building a home next to a farm.

Member Miller explained that there is more strength in numbers, which obviously cluster units would have over 1 homeowner.

Justin stated that there is right to farm laws that should protect farmers from this instance.

Member Juan Pagan stated that he felt that this is great for the community and the future of the Town. He felt he understood what member Shari Miller stated about preserving the land and not wanting solar development on agricultural land. He further explained that he would rather seem residential housing though than a solar farm.

Member Ken Tarnowski asked what the minimum and maximum would be for cluster development.

Justin explained that it is based on the specific districts themselves.

Member Shari Miller just asked the committee to be careful when it comes to agricultural districts.

Justin explained that his guidelines will help protect agricultural areas, historical areas, scenic vistas etc.

Justin also explained that it does not have to be in the agricultural district if everyone is opposed to that. This is something that can be changed, a decision did not need to be made at the meeting tonight he told the committee.

The Committee then moved forward and discussed sign regulations.

Justin explained he changed the name from "sing restrictions" to "sign regulations." He also added additional design regulations He added types of signs as well. He further suggested the committee consider adding advertisement signs as temporary signs.

Members had concerns on a few items in this section. Such as the size of allowed signs and the period of time for temporary signs.

The committee decided that they would come back to signage at another meeting.

DATED 11/30/2021

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The committee scheduled their next meeting for January 5th at 5:30p.m. They would review the R-1 district more in depth at that time.

Respectfully submitted,

Kyle Coughlin,
Secretary to Zoning & Planning
Deputy Town Clerk
Town of Dunkirk