

Zoning Newsletter April 1st 2017

Zoning was first adopted in the town of Stuyvesant in 1976. I understand there were elections won and lost over the idea of implementing zoning in our town. Making changes to the regulated use of one's personal property always brings out passion in folks, and it should!

The town's first attempt at zoning was in my opinion, brave and needed but much of the original adopted language was no doubt "borrowed" from a larger municipality that already adopted zoning, as the concept was new to many of the time. As we lived with these new regulations, we learned over time that some of the adopted regulations did not fit our small communities needs.

After 20 years of living with and developing an understanding of zoning laws, the town embarked on developing a "Comprehensive Plan". That project came with the award of \$50,000.00 grant from NYS Greenway. At that time, Stuyvesant had just been named the very first agriculture community to become a Greenway Model community. In 1993, a very diverse group of residents were assembled and tasked to work with consultants from Saratoga Associates, County Planning and local government to develop a comprehensive plan that would become a blue print for the future of zoning in the town of Stuyvesant.

That plan was adopted by the town board in 1996. Shortly thereafter, in April of 1997, a Zoning Advisory Committee was formed and they began the task of writing an entirely new Zoning Ordinance that would be based on the goals of the towns newly adopted comprehensive plan. This committee was once again made up of a diverse selection of town residents who, following three years of tedious work, came to an agreement on a document that was adopted by the board in 2001.

Quoted examples of changes in this document are;

- 1. Revision of the 1,2,3,5&10-acre minimum lot sizes*
- 2. Less time-consuming review process*
- 3. Incentive bonuses for land owners who choose to use Custer Developing*
- 4. Techniques to voluntarily refrain from developing prime soils*
- 5. Providing opportunities for the reuse of existing structures in lieu of new construction*
- 6. Expanded opportunities for the creation of home occupations and for the creation of retail facilities, professional offices and other services currently not allowed.*

It was written that “ In a nutshell this ordinance streamlines our current zoning, allows more flexibility for home occupations while protecting neighbors through site plan reviews and impact determination and encourages the appropriate industries to locate in areas defined for them. We feel this plan balances our needs for business and residential growth while protecting the character of our community”

It was shortly after that when I was appointed to the town’s planning board, and I worked with other members who had become very familiar with administering the original code, and were now learning to work with the newly adopted Zoning Ordinance. This new zoning seemed to be a much better fit to our small agriculture community as it greatly reduced resident request for variances.

In 2007 I became Chairman of a new “Greenway Committee”. Formed to review the comprehensive plan that was now 10 years old. This group was also a diverse group of interested residents who naturally had different perspectives on town issues outlined in the comprehensive plan.

We worked this time without professional consultants but did receive help and guidance from Scenic Hudson and Columbia Land Conservancy who over time have become interested stake holders in our community.

These organizations have developed and acquired many PDR’s (purchase of development rights) that now exist in the town. Talk of this concept as a land use tool was new in the 1990’s when the original comprehensive plan was created. Conservation Easements or PDR’s were seen as tools to help preserve the agriculture community the town has always enjoyed. Today over 35% of Stuyvesant’s land mass is protected by some form of easement governing it. This in self has had a great effect on zoning regulations.

This new Greenway Committee spent years reviewing the original goals of the comprehensive plan and developing a list of responses. The committee worked well together to develop, distribute and tabulate the results of a town wide survey that attempted to collect and document as much public input as possible, as that was a very important goal of the committee. After all a comprehensive plan is a plan that determines community goals and aspirations and that dictates public policy. You cannot determine public policy without public input.

These findings are well documented but we still need to get them included in a revised comprehensive plan and adopted by the board. This is one of my goals for 2017. I have recently assembled all of the original documents included in our towns plan and sent them off to be digitized and I plan to work with a planner to get this done.

In late 2013, after being elected Supervisor, I appointed a zoning revision committee who were tasked with reviewing our adopted ordinance and making changes to the ordinance based on findings from the Greenway committee. Also, coming under review by the Zoning Revision committee were the concerns recognized and voiced by the Building inspector and members of the Planning and Zoning boards.

The 2013 Zoning Revision committee met for several years reviewing every section and word definition. In February of 2016 that committee met with the towns planning, zoning and town board as well as the public to present their completed draft of proposed zoning changes, and explained their reasons for the modifications. Solar had been one of the subjects that had been approached in the revised code, as no one knew of such projects in the late 1990's when the original code was developed. This was a new subject to regulate and there was lots of information being developed and distributed. Many other towns in the county were working on revisions as well. The county planning board that reviews local code changes, reported to us that, this was a primary task for them in 2016. We took our time, and collected input, both verbal and written throughout the year regarding many of these issues and made modifications to the draft law, which already had a lot of great work in it.

I would be remiss not to mention that two members of this revision committee who had a great deal of input in the process passed away during the process. First was Pat Casey who had held positions as the Zoning board member, planning board member, and chaired the ZBA. Pat was very organized and had a great understanding of our community.

Later was Tom Shanahan. Tom was a member of our town's planning board and had a great talent for writing. He worded many of the revisions we are working with today, and I can personally tell you that writing wording to a proposed amendment is not as easy as one might think. On behalf of the town I would thank Tom, Pat and all past volunteers for their work on our zoning laws.

Following a year of discussions and revisions to our proposed zoning law we opened a public hearing at the February 2017 Town board meeting and have left it open to receive comment from as many residents as have wished to comment. We have heard some productive comments and the board has made minor clarification changes to help satisfy residents' concerns.

I hope soon to be able to say we have a new updated version of our town's zoning law for the town of Stuyvesant, which I sincerely believe has many improvements and is a document that we can all be comfortable with, but zoning revisions are never done. As the communities needs change and as residents bring new applications to the boards this living document developed by the residents of Stuyvesant will continue to evolve and be well cared for by the dedicated board members of Stuyvesant.

Ron Knott

Supervisor