

TOWN OF GERMANTOWN LAND USE LAW UPDATE

Project Number: 2223713

MEETING #2 SUMMARY NOTES APPROVED

Location: Town Hall

Date: October 17, 2022

Time: 6:30 pm

SUMMARY NOTES

1. Committee Members introduced themselves.
2. Meeting #1 summary notes were approved by the Committee.
3. Comprehensive Plan Recommendations. Matthew began an overview of the 2018 Plan recommendations and additional Committee input on issues to address:
 - a. Sidewalk Connections:
 - i. The Comprehensive Plan recommends requiring new projects in the Hamlet center and along 9G to install sidewalks if linked to the sidewalk system. The Town collected funds from Dollar General in lieu of constructing the sidewalk.
 - ii. The Committee identified the need to clarify how the sidewalk funds can be used: Can they be used to install/repair sidewalks in other areas of the Town?
 - iii. The Plan also recommends the development of a sidewalk plan, although one has yet to be prepared. The Town is responsible for maintaining all current sidewalks.
 - iv. Providing safe access across 9G and to the waterfront was also identified as a key concern.
 - v. Matthew indicated that the Committee may hold a stakeholder meeting with NYSDOT to discuss options for calming traffic coming into the hamlet.
 - b. Affordable Housing:
 - i. Matthew summarized a few strategies communities have taken to provide more affordable housing and clarified that there is no one

- feasible solution or approach that will fully remedy the lack of affordable housing in most communities: Accessory dwelling units, tiny homes, increased density, and requiring a certain percentage of affordable housing be included in subdivisions/apartments.
- ii. The Committee continued to discuss additional potential strategies: Land bank, transfer taxes, cluster development, rent stabilization, allowing smaller homes, including accessory dwelling units, cluster subdivision, identifying appropriate locations, allowing smaller lot sizes, and increased density.
 - iii. The Committee observed the need to generate funds to begin addressing the housing shortage, in addition to applicable land use amendments.
 - iv. The Committee identified a church-owned parcel to the west of Palatine Manor within reach of municipal sewage that could be preserved for future affordable housing in the future.
 - v. The declining population and its negative impact on the school district is also a major concern to the Committee.
- c. Smart Growth Principles: It was observed that these principles can be found throughout the Comprehensive Plan and will be integrated through the code update process.
 - d. Streams and wetland protection: Communities do have the ability to provide additional oversight on wetlands and riparian corridors that are outside of or more restrictive than state/federal jurisdictions. There are concerns about the ability to enforce these additional requirements, but they do provide communities with the opportunity to address concerns during project reviews. The practicality of adding these new requirements will be addressed.
 - e. Drinking water protection:
 - i. The Committee discussed the Town's lack of municipal water, poorly drained soils, and concerns for water quantity/quality impacts to private wells. There are additional concerns related to drought conditions which can exacerbate the lack of water.
 - ii. The potential impacts to water quality from future business/industries and other uses, impervious surfaces, runoff, and the overall permitted residential density should be considered during this update process.
 - f. Protection of historic sites/structures:
 - i. The Comprehensive Plan recommends requiring an assessment of historic and archaeological assets as part of the review process and adopt design standards for historically significant districts – Village Center and other significant properties.

- ii. An overview of the work the History Committee has done to inventory historic sites and structures was provided. It was recommended to establish a process where the Town historian is given access to document sites/structures before demolition. In addition, there should be a process to facilitate preservation of historic structures not on the National Register and codify a 'historic district' to preserve the Town's heritage.
 - iii. One option may be to use a historic overlay district to help preserve key areas/neighborhoods.
4. Zoning Map and Density: Matthew provided a brief overview of the different Zoning Districts and how each have different allowable uses and densities.
5. Adequate project reviews: Recommendation for an independent professional to conduct project reviews.
 - a. Matthew described the general process where the Town collects an escrow from applicants to retain engineers and other professionals to assist in the review of projects.
 - b. It was clarified that the Town has not always used a third-party consultant to assist in reviewing applications and recommends this be required.
 - c. Matthew stated that the law could be revised to clarify the process for requiring third-party reviews and that the Town must have one or more consultants available to assist and be the community's advocate.
6. The Committee noted the potential for being overwhelmed by large development companies and updating the land use laws are key to helping the Town appropriately deal with development issues – will help guide decisions based on fact and the law and avoid arbitrary decisions.
7. Noise: The Town does not have a noise ordinance, but Columbia County has one. It is recommended that at a minimum, the Town adopt the County's noise law. Matthew will review what is currently in the zoning law related to noise and will discuss options for addressing noise issues during project reviews.
8. Recommendation to institute a maximum footprint size for commercial buildings, to limit "big box" stores.
9. There are no campground regulations, and they are recommended.
10. Cluster housing was raised as a potential strategy for increasing housing opportunities. Matthew described the Town's current provision for conservation subdivision, which is not a requirement and up to the discretion of the Planning Board. Matthew identified the opportunity to require the use of conservation subdivisions in certain areas where open space/scenic areas/natural resources/ag. land should be protected.
11. The on-street parking of large commercial vehicles/tractor trailers should be addressed.

12. There is a concern about steep/narrow/gravel driveways which may complicate emergency vehicle access. While there are regulations on the books for driveways, they might be too vague and need to be reviewed.
13. Property maintenance was raised as a concern. Matthew will review the current regulations to identify opportunities to improve the law.
14. Building setbacks were also raised as a concern and Matthew indicated that all bulk standards will be reviewed against prevailing conditions.
15. The Town's limited groundwater was again raised as a concern. Matthew explained that the land use law update process will not include a detailed evaluation of alternative water sources, nor will we be able to definitively state how many new residential homes may be supported by the existing ground water. While the update process will take into consideration the limited water supply and potential for contamination from future uses, Mathew recommends the Town address the need for a public water system on a parallel track.
16. Matthew requested the Committee provide any additional items that should be address in the update process either via email or through the Committee's Google Drive.
17. Matthew will condense the land use and zoning recommendations from the Comprehensive Plan to make it more user friendly.

Meeting Adjourned at 8:45pm

Next meeting: November 21, 2022, at 6:30PM **[Meeting was canceled. The next meeting will be held on December 19 at 6:30.]**

ITEM	ACTION ITEM	OWNER
1	Summarize/condense Land Use/Zoning Recommendations from the Comprehensive Plan	LaBella
2	Clarify how the sidewalk money already collected can be used	Town/LaBella
3	Future stakeholder meeting with NYSDOT	LaBella/Committee
4	Continue addressing alternatives for municipal water	Town
5	Address housing shortages separate from zoning	Town
6	Draft Community Profile and Land Use Analysis	LaBella
7	Future: Community Outreach Plan	LaBella
8	Sidewalk/Trail Plan	Town

The preceding minutes represent the author's understanding of the matters discussed and decisions reached. The Committee will determine completeness and accuracy at their next scheduled meeting.

Respectfully submitted,

LABELLA ASSOCIATES, D.P.C.

Matthew Rogers, Senior Planner, LaBella Associates

Cc: All Attendees