

**GHENT COMPREHENSIVE PLAN COMMITTEE
MINUTES**

11 NOVEMBER 2008

Chair Jim Galvin called the meeting to order at 7:09 pm. In attendance were Committee members John Fishman, Pete Nelson, Janice Fingar, Jonathan Walters, Larry VanBrunt, Frank Mendelson, Gil Raab, Al Wassenhove and Nick Tipple. Also in attendance was Town Attorney Ted Guterman of Guterman, Shallo & Alford PLLC. Absent were Committee members Kyle Wilber, Phil Trowbridge, Jim Beal and Aaron Groom. Also absent was consultant Nan Stolzenburg of Community Planning & Environmental Associates.

PUBLIC INPUT

Mr. VanBrunt informed Committee members that a Public meeting, regarding cable television service for Ghent and Village of Chatham, will be held at the Chatham Firehouse on Monday, 24 November 2008, beginning at 7 o'clock.

MINUTES

A motion, to approve the 05 October 2008 minutes as presented, was made by Mr. Mendelson and seconded by Mr. Walters. All members, with the exception of Messrs. Fishman and VanBrunt who abstained, approved the motion.

CONTINUED REVIEW OF GOALS 1, 2/3 AND 15, AND THEIR RESPECTIVE STRATEGIES

Committee members completed the review of Goals and Strategies. Please see attached Addendum for details.

PLANNING FOR PUBLIC REVIEW

It was agreed Mr. Mendelson will contact Ms Stolzenburg as to compiling a plan of action that will ultimately lead to Public Hearings.

NEXT MEETING

Chair Galvin will be out of town next month. Mr. Mendelson will chair the Tuesday, 02 December 2008 meeting in Mr. Galvin's absence.

Ms Stolzenburg will be requested to provide a complete set of the Committee-reviewed Goals and Strategies to members in advance of next month's meeting.

There being no further business, the meeting was adjourned at 8:54 pm.

ADDENDUM

GCP Goals 1, 2, 3 and 15 – November 2008

Goal 1 Maintain and enhance the natural beauty and rural character of Ghent.

Draft Strategies

- a. Maintain the current RA-1 and RA-2 zoning districts, reflecting the renaming of the districts.
ok with changes
- b. Maintain use of the existing conservation subdivision regulations.
ok
- c. Enhance purpose statements of and review criteria used for both the special use permit and site plan review sections of zoning to more strongly reflect the rural character and environmental protection goals of Ghent. Since these are major goals of Ghent residents, the purpose statements should reflect that.
ok with changes
- d. Include rural layout and design guidelines in subdivision regulations for minor subdivisions or those not being designed as a conservation subdivision. Although the current conservation subdivision process will work to maintain rural character for those subdivisions for which it applies, design of other smaller subdivisions to maintain rural character should remain a concern to the Planning Board as well. Basic rural design concepts include, but are not limited to keeping stone walls as they may exist, not placing new structures in the middle of former farm fields, carefully placing structures away from critical environmental features, reuse of old farm roads, and placement of structures so as not to interfere with adjacent agricultural or woodland operations. These standards can be used to reflect and promote traditional built forms and patterns of the Town. Where applicable, the Town should consider using the design guidelines outlined in the Building Form Guidelines, Hamlet Design, Rural Design Guidelines, and Rural Development Guidelines published by the New York Planning Federation.
ok with changes
- e. Consider changing the name of the Suburban Residential district in the hamlet of Ghent (SR) to Hamlet Residential (HR) to reflect the nature of and desire for the hamlet area to remain a traditional neighborhood.
ok

- f. Consider expanding the western SR district boundary, where environmentally feasible, to give Ghent room to grow its hamlet.

ok with changes

- g. Consider the following amendments to the Planned Residential District:

- 1. Allow PRD's to have mixed uses to accommodate some non-residential developments such as live/work complexes.

ok

- 2. Add language that encourages the developer, or authorizes the Planning Board to design the PRD as a traditional neighborhood (similar to a hamlet in scale, lot sizes, and uses).

ok

- 3. Increase open space requirements in PRD's from 25% to 50%.

remove

- 4. Add in language to the PRD process to ensure that new PRD's are consistent with rural character.

ok

- 5. Consider altering the approval process for PRD's. ~~Current regulations require the Planning Board to review and approve the PRD application prior to it going to the Town Board for final approval. That process requires comprehensive review on the part of the Planning Board as well as significant investment on the part of the developer to provide site layouts for this review before there is approval to create a PRD by the Town Board.~~ A more common approach is to have a general concept sketch and proposal that is reviewed and approved first by the Town Board with an advisory opinion from the Planning Board. After approval of the development concept (with or without conditions) by the Town Board, the project then goes for detailed site plan and subdivision review by the Planning Board. Since a PRD constitutes a zoning change, it is appropriate for the Town Board to approve or disapprove it first before significant investments are made.

ok with changes

- h. For the Village Business district, add hamlet style design standards for commercial structures into zoning requirements that will result in hamlet-style buildings and scale. Ghent currently does not have any specific standards or guidelines to ensure consistency with hamlet scale and design. To ensure scale is consistent with the hamlet, consider, among other concepts illustrated in the Hamlet Design Standards, setting a maximum square footage requirement for commercial structures in VB or

consider requiring façade breaks for buildings that have a façade over 80 feet. Prohibit windowless walls along facades or visible sides.

no decision – NS to provide examples

- i. Enhance parking lot requirements **so that** more attention is given to parking lot location and design for commercial uses. Large parking lots should require landscaping and screening, and all should have lighting and landscaping standards. Further, lots should be placed to the side or rear of buildings to avoid large expanses of pavement in the front, especially in the VB district and along road frontages on Route 9H. Offer more flexibility in deciding how many parking spots are required for a new use to avoid overbuilding parking lots. Work with each applicant to determine the necessary number of parking spaces they will need for that use.
ok with changes

- j. Consider amending zoning to reduce the size of allowable signs in all business districts (currently at 32 square feet). Sign sizes of 24 square feet are more appropriate to rural areas, and even smaller in the VB district. Consider reducing the dimension for façade-attached signs, especially in the VB district (currently allowed at 60 square feet). Reduce the allowable height of ground signs from 12 to 8 feet in the VB district. Add height standards for pole mounted signs and define ground, pole, façade, and other signs to distinguish them.
remove

- k. Maintain existing commercial districts located along Route 9H to keep the “nodal” pattern of commercial districts. Minimize creation of any new ones. Existing districts have ample opportunities for commercial development. Avoid allowing Route 9H to develop into strip commercial areas.
ok

- l. Consider reducing allowable height of lighting poles, **in commercial development**, from 25 feet to 20 feet. Establish standards in zoning law to reduce or eliminate light pollution by requiring use of fully shielded light fixtures and limitation of lighting at property boundaries.
ok with changes

- m. Update subdivision regulations so that natural boundaries (streams, stone walls, forested edges, hedgerows, etc.) are used wherever possible to configure new lots.
ok

- n. Amend zoning to establish density calculations in the RA 1 and RA 2 zoning districts based on a net acreage basis. Significant agricultural, open spaces and environmental resources exist within these districts. Use of a net acreage approach would allow density in these districts to be modified on a parcel by parcel basis to take into consideration environmental features that limit development potential. Currently density is calculated on a gross basis. For example, if you have a 100 acre lot in the RA 1 (5 acre) zone, then the lot is eligible for 20 lots. An example of a net density approach would be the same 100 acre parcel that has 20 acres of regulated

wetlands on it. The density calculation would be 100 acres minus 20 acres of environmentally constrained lands results in 80 acres of buildable land. In the RA1 district, that parcel would be eligible for 16 lots.)

remove

- o. Allow for controlled use of flag lots when they would be advantageous for maintaining open spaces, rural character, or environmental features that should be preserved. For each use added, ensure that adequate definitions are included in the zoning law.

ok

- p. Establish anti-monotony standards for major subdivisions. Modern subdivisions can bring many changes to rural areas. Monotony in appearance and what is called the "monopoly-set house" are both situations that can erode rural character. Monotony is defined as a structure producing a lack of interest in detail or other design elements. Major subdivisions can be monotonous because the same limited numbers of house models are repeated over and over with inadequate differentiation. Monotony comes from not only repetition in design, but use of similar roof trims, roof lines, front facing garages, lack of 360 degree architecture, shallow roof overhangs, and uniform building setback and yard sizes. Zoning and subdivision performance standards can be established for major subdivisions to address monotony and uniformity. Consider the following for major subdivisions:

- Variation of lot width and front setbacks

- Variation in building height

- Variation in roof styles

- Variation in building orientation

- Use of porches

- Use of side-loaded garages or recessed front-loaded garages instead of garages that face the street

- Street trees and landscaping

ok

no 'q' included in strategies

- r. Study the feasibility of use of wind power in Ghent. ~~Add personal wind turbines as a new category in the use table and require site plan review and special use permits for approval.~~ Initiate a study to determine potential locations suitable for commercial wind farms **power** and establish a zoning overlay district to restrict such wind farms to those areas. Establish a local wind turbine local law that would cover but development standards, required safety measures, construction traffic, setbacks, noise easements, abatement, and wind measurement towers.

ok with changes

- s. Encourage higher density housing to locate in or near Hamlet areas, with the density of development decreasing outside of hamlets centers.

ok

- t. ~~Consider Amend adding provisions to zoning law and add in specific criteria to guide the design and development of multifamily uses.~~
ok with changes

- u. Consider removing professional offices and medical arts building as specially permitted uses in the RA1 and RA2 districts, or limit them with square footage. These uses in these rural residential districts may not be consistent with rural character and environmental protection if allowed anywhere within these districts.
remove

combined goal 2 & 3

Protect the natural environmental features of Ghent, and preserve open spaces for wildlife, environmental health, and outdoor recreation.

1. Amend zoning to ensure that the FAO (Flood Area Overlay) map matches the actual floodplain boundaries.
ok

2. Consider amending the subdivision law to require each lot created to have a buildable area on natural high ground so that floodplains are not disturbed.
remove

3. Minimize on and off-site impacts of stormwater runoff by considering:
 - a. stipulating the maximum amount of impervious surface allowed with development. Minimize the amount of impervious surface (pavement, roofing, etc) in a development. The maximum allowable impervious surface area in the RA-1 and RA-2 should range from 20% to no more than 50% or 70% in hamlet or other built-up areas.
 - b. retaining as much vegetation and natural ground cover during development as possible.
 - c. requiring a certain percentage of a new parking lot be devoted to landscaping or use of porous materials.
 - d. using detention and retention basins to hold and gradually release runoff wherever possible.
 - e. identifying natural water storage areas (topographic depressions) and ensure that these natural storage areas are not eradicated through grading and site preparation.**remove**

4. Protect forested streams by requiring undeveloped buffers to stabilize banks, limit erosion, preserve wildlife habitats, and create open space and recreation

areas. Establish a building setback along streams to further protect waterways from erosion and water-quality degradation. These areas can also be preserved through land purchases or obtaining easements.

ok

5. All site plans and major subdivisions should incorporate soil erosion and sediment control programs. The goal should be to ensure that storm water runoff rate after development does not exceed the rate that existed prior to the site being developed. This can be accomplished by implementing Low Impact Development (LID) standards in subdivision and zoning (or a stand-alone law) to reduce the volume of runoff and improve water quality by preserving the natural hydrology of a site. Techniques that could be incorporated into local regulations include use of building retention and detention ponds, swales, and infiltration devices, buffering berms, filter strips and vegetated buffers between new development and wetlands. Ensure that all NY SPDES required storm water protection standards are met during development. This will require storm water protection plans to be developed and reviewed as required by New York State. Utilize the NY SPDES General Permit #GP-02-01 for Construction Activities.

ok

6. Ensure that reviewing boards are familiar with and utilize the most recent version of the New York Standards and Specifications for Erosion and Sediment Control.

ok

7. The Town Highway Department should develop a plan, subject to available funding, to remediate ditches in poor condition as these can contribute high levels of sedimentation to the towns' waterways. The Town should consider purchasing a hydroseeder for this purpose. Utilize Best Management Practices for road and ditch maintenance.

remove

8. Identify areas of high ecological and wildlife value. These would include stream corridors, wetlands, natural areas that are not currently fragmented by roads or development, "stepping stones" of habitats that link together fragmented habitats, and other features such as steep slopes, patches of unique vegetation, etc (see Water Features, Slope, Bedrock Geology, Agriculture, Farmland, and Topography maps). These features should be preserved and linked together over time to maintain wildlife habitats. The Town should consider:

ok

- a. Establish a conservation overlay zone to incorporate ecological, wildlife and wildlife habitat protection goals. Include review standards that incorporate habitat needs and the protection objectives listed above into the process.

remove

- b. Limit removal of vegetation on steep slopes (See Slope map) and prohibit development on slopes in excess of 25%.

ok

- c. Ensure that whenever SEQR is done on a local project, impacts of development on wildlife and wildlife habitats is thoroughly evaluated. To accomplish this, the Planning Board could incorporate the following questions into its review:
 - o Are there any known rare and endangered plant or wildlife species or habitats on or adjacent to the proposed development site?
 - o Is part of the development site in a wildlife corridor?
 - o Could the impact on plant and wildlife habitat be reduced through a different design or siting?
 - o Are there wetlands on or adjacent to the site proposed for development?
 - o Are minimum distances of proposed buildings, on-site septic systems and wells from wetlands met?
 - o Is filling, dredging, or drainage of part or all of a wetland proposed?
 - o Is there a wetlands mitigation plan?
 - o Will storm water runoff from the project affect nearby wetlands? How will this be mitigated?
 - o Has all necessary state or federal permits been obtained?
 - o What is the area of tree cover on the site?
 - o What harvesting rates and practices are planned for the forestry operation?
 - o Will new roads be built or existing roads widened? What measures will be taken to reduce erosion potential?
 - o What are the land uses on adjacent properties?
 - o What will the impact on water quality and supply be?
 - o What will be impacts to wildlife and recreation and how will this be mitigated?
 - o Are there planned buffer strips along streams, roads, or property lines? Is there planned woodland retention and replacement?
 - o What is water drainage of the site and how has stormwater runoff been addressed?
 - o How will vegetative cover, wildlife habitat, and productive farm and forestland be affected?

remove

- 9. Create a system of incentives to achieve desired land-use patterns.—~~To achieve this, adopt an incentive zoning law.~~ This ~~would~~ **could** provide incentives to those who provide public benefits such as open space, contiguous tracks of prime farmland, park land, affordable housing, infrastructure improvements, energy efficiency, or other facilities that benefit Town residents. Incentives can be effective to retain

large undeveloped parcels and to keep lands in agricultural use. ~~Incentives come in a variety of forms and could include density bonuses, sponsoring purchase or transfer of development rights programs, and tax benefits.~~

ok with changes

10. Form a Town Conservation Advisory Council (CAC). This group could assist the Town Board in giving advice related to potential environmental impacts of development proposed in the town, or create a biodiversity map of the Town.

remove

11. Fully use the Town's GIS data produced for this plan. Obtain ArcExplorer software (available for free) and load GIS data into a Town computer for use by the Town Board, Planning Board and Zoning Board of Appeals. All boards should use this information as needed to make decisions. It should be the policy of the Town to ensure that the Planning Board conducts project reviews using the GIS data and maps.

ok

12. ~~Amend~~ Consider enacting local ~~regulations~~ **laws** to ~~prevent~~ **regulate** ridge-top development. ~~For example, local standards could require new structures to be placed on a ridgeline so that the rooftop does not extend above the actual ridge when viewed from public roads.~~

ok with changes

13. Ensure that the Planning Board adequately evaluates scenic views and a projects impact on scenic views during site plan, special use, and subdivision reviews.

remove

14. As a Greenway Community, Ghent should work to implement the "Greenway Criteria". The Hudson River Valley Greenway is a state sponsored program created to facilitate the development of a voluntary regional strategy for preserving scenic, natural, historic, cultural and recreational resources while encouraging compatible economic development and maintaining the tradition of home rule for land use decision-making. The Town of Ghent voluntarily participates in the Greenway community planning program.

ok

GREENWAY CRITERIA

The Hudson River Valley Greenway Act describes the "Greenway criteria" as "the basis for attaining the goal of a Hudson River Valley Greenway". The criteria - natural and cultural resource protection, regional planning, economic development, public access and heritage and environmental education - provide the overall vision for voluntary local Greenway

programs and projects. The general nature of the Greenway criteria allows communities to develop locally-based projects which address community concerns while contributing to the overall framework of the Hudson River Valley Greenway.

Natural and Cultural Resource Protection

Protect, preserve and enhance natural resources including natural communities, open spaces and scenic areas as well as cultural resources including historic places and scenic roads.

Regional Planning

Communities can work together to develop mutually beneficial regional strategies for natural and cultural resource protection, economic development (including necessary public facilities and infrastructure), public access and heritage and environmental education.

Economic Development

Encourage economic development that is compatible with the preservation and enhancement of natural and cultural resources including agriculture, tourism and the revitalization of established community centers and waterfronts.

Public Access

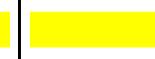
Promote increased public access to the Hudson River through the creation of riverside parks and the development of the Hudson River Valley Greenway Trail System.

Heritage and Environmental Education

Promote awareness among residents and visitors about the Valley's natural, cultural, scenic and historic resources.

The following chart shows how this plan helps the Town of Ghent reach these Greenway Criteria.

Goals that Support Greenway Principals*		Greenway Criteria				
Goal **	Topic of Goal	Protect Natural and Cultural Resources	Regional Planning	Enhance Economic Development	Enhance Public Access to Hudson River	Heritage and Environmental Education
1	Protect natural beauty and rural character					

Goals that Support Greenway Principals*		Greenway Criteria				
Goal **	Topic of Goal	Protect Natural and Cultural Resources	Regional Planning	Enhance Economic Development	Enhance Public Access to Hudson River	Heritage and Environmental Education
2	Protect natural environmental features, wildlife, outdoor recreation					
6	Provide for new modes of transportation including pedestrian opportunities					
7	Provide for small business development that is consistent with rural character and environment					
9	Preserve historic heritage, structures, views and landscapes					
10	Promote agriculture					
12	Promote recreational and cultural opportunities					
15	Promote education and non-traditional educational opportunities					

* Not all goals included in the Town of Ghent Comprehensive Plan address Greenway Criteria. This chart includes only those that directly address topics related to the Greenway Criteria.

place Greenway Criteria in appendices

Draft Strategies for Goal 3

3. Preserve open spaces for wildlife, environmental health, and outdoor recreation. (combined Goal 2 and 3 above).

remove

draft provided by Frank Mendelson at Nov 08 mtg

Goal 15 Support the relationship between protection of the rural character of the town, eco-tourism and education with zoning code changes that provide support and incentive to non-traditional educational venues and activities.

Draft Strategies

- a. Provide access to the Town of Ghent website to communicate public, not-for-profit, and private educational initiatives.
ok
- b. Provide access at a reasonable charge to Town facilities for not-for-profit educational forums, workshops, seminars, speakers, and related events.
ok
- c. Zoning code changes should include provisions to support business, including home-occupied business, whose work, directly or indirectly includes an educational component.
ok
- d. The Town ~~will~~ **could** explore the enhancement of broadband, and wireless communications whose development has the effect of supporting **businesses**, educational efforts and facilities.
ok with changes
- e. Property tax incentives ~~will~~ **should** be considered for Ghent-based not-for-profit organizations whose primary mission and ~~active~~ **activities** are educational, and add to the quality of the Town through economic development, unique

educational opportunities and/or work-force development. Acknowledge that granting tax benefits in support of non-traditional educational venues and activities may accrue greater value for the town through the intangible advantages of reputation and unique differentiating characteristics than can be measured in traditional terms.

ok with changes

- f. The Town's zoning should allow for alternative and private schools as a permitted use subject to a special use permit.

ok

- g. Support or organize educational workshops, on grants, loans and similar business development opportunities for traditional or emerging businesses to locate and expand in the Town of Ghent.

ok

- h. Special Use permits. Review and revise as necessary the existing conditions, provisions and standards in 190-16 Article V. to assure that they are in harmony with the goals, strategies and intent of the revised comprehensive plan, and specifically that they support the goals and strategies of Goal 15 with respect the the support of non-traditional educational venues and activities.

ok