

## TOWN OF MARBLETOWN PZC SUBCOMMITTEE MINUTES

Date: May 31, 2018  
 Rondout Municipal Center, 1915-1925 Lucas Avenue  
 Meeting Room M-1  
 Cottekill, New York 12419

Dan Proctor (Chairman)	Present
Will Husta (Vice-Chairman)	Present
Daisy Foote	Present
Daniel Giessinger	Present
David Hodes	Present
Gary Johnson	Present
Harry Hansen	Present
Michael Wilcock	Present
Nancy Gagliardi	Present
Sally Dolan	Present
Staci Sindt	Present
Tracey Dewart	Present
John Cirone	Present

Also present was former Town Planner, Dan Shuster and Marbletown Attorney Tracy Kellogg.

Chairman Dan Proctor thanked all volunteers and efforts of ZBA Secretary Maggie Colan and Planning Secretary Lisa Mance.

The meeting was called to order with the Pledge of Allegiance at 6:02 p.m.

Chairman Proctor provided brief background history and his experience on various Boards in the community. Power Point presentation (annexed hereto) was displayed for guidance and discussion stressing the importance of all members on the Board working as a team. Documents previously provided to members included the Agenda, Charter, draft Local Law for Amending Chapter 200 of the Town Code (specifically on special events venues). He further noted that documentation provided should be reviewed and that a Google Group was going to be created to allow access to documents.

Chairman Proctor called upon each of the 13 subcommittee members to provide a brief background history of themselves and interest which prompted their involvement.

Dan Shuster was called upon to provide his input into the draft Local Law with regard to the background and language used and how it compared to other local laws. Mr. Shuster started by

noting that he had been a professional planner for 50 years and a longstanding member of the community. Mr. Shuster thereafter reviewed the content of the draft local law.

Supervisor Parete noted that he had called upon Mr. Shuster to provide a draft Local Law to serve as a “road map” or a “start” for the Subcommittee to have before it rather than starting with no reference point at all. The content and whether the local law would be enacted was the purpose of review by the subcommittee.

Thereafter, Vice-Chairman Husta was called upon to provide a history to date as to what had transpired with regard to the special events law as it related to the ZBA and an application that had been placed before the ZBA for review. What had arisen from the ZBA meetings was an apparent need to address this special events law in the Town Code.

Upon completion of Vice-Chairman Husta’s overview of the history of Zoning, members of the public were called upon for comments. Janet Krieger inquired as to whether events would be allowed in every district. Mary Louise Wilson was interested in the commercial advantages of special events to the Town. Ferris Cook was interested in knowing how many Special Use Permits had currently been granted, operating and which were grandfathered in. Daisy Foote (on Committee) wanted to know the value to the community and if there would be differing criteria pertinent to each zoning district. Chris Silva questioned the lack of public comment collected to date to which Chairman Proctor indicated a more comprehensive list would be provided in the future; the current purpose was to summarize the major concerns. Tracy Kellogg, Esq. was introduced, noting her experience in land use matters, as well as Secretary Lisa Mance, who was to provide minutes for review. Will Husta was again introduced as the deputy chair and Maggie Colan, the residence expert in land use issues associated with the pending legislation. Member Tracey Dewart wished to echo sentiments expressed by Daisy Foote. In response to inquiry by Member Nancy Gagliardi, Vice Chairman Will Husta responded that events had been going on in the community for many years and had not recently sprung up, specifically noting the 3-day Library Fair that takes place in Town and has been for many years.

Chairman Proctor noted that at some point, investigating tourism and agricultural guidance would be discussed. Bobbie Esmer inquired as to whether the Hamlet Plan was incorporated into the Comprehensive Plan to which the reply was that it was not. The next meeting was announced to be held on June 7, 2018 at 6:00 p.m.

# Marbletown Planning & Zoning Subcommittee

SPECIAL EVENTS VENUE

# Sub Committee Agenda

## 6 PM May 31, 2018

- ▶ Review
  - ▶ Purpose of Sub Committee
  - ▶ Guidance for Meetings
  - ▶ Membership
  - ▶ Meeting Process/Operations
  - ▶ Deliverables
- ▶ Introductions – Who's on the committee
- ▶ Review of proposed DRAFT legislation
- ▶ Public Comment Collected to Date
- ▶ Marletown Comprehensive Guidance re. Draft Legislation
- ▶ Next Meeting Tentative Agenda

# Purpose and Responsibility

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- ▶ Review the 2018 draft of Local Law Amending Chapter 200 of the Town Code, Zoning drafted by Shuster Associates, and in doing so gather and document the following information:
  - ▶ Marbletown Strategic Planning guidance related to draft local law
  - ▶ Regulatory and governmental guidance for proposed legislation
  - ▶ Lessons learned from experience of other NYS communities that have enacted similar legislation
  - ▶ Local concerns voiced by the community regarding the proposed legislation
- ▶ Generate a list of recommendations regarding the draft legislation
- ▶ Submit the recommendations to the Planning and Town Board for consideration.

# Sub Committee Meeting Guidance 4

5/31/2018

- ▶ The Chairperson shall determine the time of the Subcommittee meetings; however, for planning purposes the meetings will be held every other Wednesday from 6 PM for two hours commencing May 31, 2018.
- ▶ The meetings will be held in accordance with State of New York open meeting laws. Meeting procedures will be guided by Roberts Rules of Order.
- ▶ A quorum for meetings shall be 50% of Sub Committee members plus one.
- ▶ Action taken by the Sub Committee shall require a majority vote of those members present.

# Sub Committee Meeting Guidance 5

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- ▶ Meetings while be held in person. Conference meetings will not be allowed.
- ▶ The chair (or designee) shall ensure that written notice is published in the Daily Freeman of the time and place of all meetings not later than 7 days prior to each meeting. An agenda for each meeting shall be provided to each member of the committee via e-mail notice at least 3 days before each meeting.
- ▶ All meetings will be open to the public and public attendance is encouraged.

# Membership

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- ▶ The Subcommittee will contain 13 members of the Marbletown community and Marbletown government selected and appointed by the Supervisor. These individuals include:
  - ▶ Dan Proctor (Planning Board and PZC Sub Committee Chair)
  - ▶ Will Husta (PZC & ZBA Chair)
  - ▶ Staci Sindt (PZC member)
  - ▶ Harry Hansen (PZC Member and Historical Committee Chair)
  - ▶ Daisy Foote
  - ▶ Dan Glessinger
  - ▶ John Cirone
  - ▶ Nancy Gagliardi
  - ▶ Gary Johnson
  - ▶ David Hodes
  - ▶ Sally Dolan
  - ▶ Michael Wilcox
  - ▶ Tracey Dewart

# Sub Committee Process

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- ▶ Guided by NYS Open Meeting Law—
  - ▶ *"It is essential to the maintenance of a democratic society that the public business be performed in an open and public manner..."*
- ▶ Meeting will focus on the published agenda
- ▶ Meeting will be recorded, and minutes taken. All documents, minutes and tapes from the Sub Committee are FOILable
- ▶ Only motions brought by the members can be put to a vote
- ▶ Chair announces the results of the vote
- ▶ Public comment will be solicited and recorded; however, each citizen commenting must:
  - ▶ Be recognized by the Chairman
  - ▶ State name and address
  - ▶ Limit comments to three minutes and to proposed legislation

# Reporting

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- ▶ At the conclusion of the scheduled meetings the Sub Committee will, within 5 days, generate a report to the Marbletown Supervisor, Town and Planning Board that lists their recommendations regarding the local law.

# Draft Local Law “Special Event Venues” Review

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TOWN OF MARBLETOWN

LOCAL LAW NO. \_\_\_ of 2018

A LOCAL LAW AMENDING CHAPTER 200 OF THE TOWN CODE, ZONING

SECOND DRAFT: Shuster Assoc. (Revised 4/24/18)

The text of Local Law No. \_\_\_ of 2018 is as follows:

## SECTION I: SHORT TITLE

This Local Law shall be entitled “**Special Event Venues**”, which amends the Schedule of Use Regulations, Definitions and the Special Use Permit sections of the **CODE** of the Town of Marbletown, **CHAPTER 200, ZONING**.

## SECTION II: LEGISLATIVE AUTHORITY, PURPOSE AND FINDINGS

This law is adopted pursuant to New York State Town Law, which authorizes the Town Board to adopt zoning laws that protect the health, safety and welfare of residents and the general public; and are in accordance with the Town’s Comprehensive Plan. The Town of Marbletown wishes to encourage economic development and tourism and preservation of open space and natural resources in accordance with the goals of its Comprehensive Plan and finds that the occasional use of properties in various zoning districts for special event venues is consistent with such goals. This law provides standards and procedures for the location and operation of special event venues, where permitted, to ensure that the health, safety, and welfare of the Town and its residents is adequately protected.

**See Handout – to be reviewed by Dan Shulster**

# Public Comment on Draft Legislation Collected to Date

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- ▶ Public Concerns:
  - ▶ Negative Impact on Quality of Life
    - ▶ Noise
    - ▶ View Shed
    - ▶ Traffic
  - ▶ Road Congestion
  - ▶ Impact on Local Real Estate Values
  - ▶ Not appropriate for Residential Zoned Properties

# Marbletown Strategic Guidance (Relevant of Draft Local Law)

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- ▶ Hamlet Strategic Plan (Prepared as part of a Sustainable Economic Development Plan) June 2011
  - ▶ Visioning: "... Conserve open space; preserve our farmland and promote sound and responsible development..."
  - ▶ Encourage small business, services and four season tourism
  - ▶ Preserve rural character
  - ▶ Promote activity centers
  - ▶ Prevent commercial sprawl and promote hamlet-centered [commerce]
  - ▶ Targeted business niches for Marbletown:
    - ▶ Increase enthusiasm for local food
    - ▶ Promote culture and education
    - ▶ Attract:
      - ▶ Small-scale retail
      - ▶ Health, Wellness & the Healing Arts
      - ▶ Professional, Technical Services
      - ▶ Recreational tourism
      - ▶ Home-Based Occupations and Businesses, Especially Services

## Strategic Documents Reviewed:

- Marbletown: Future of Our Community Survey Report
- Marbletown Draft Town Plan 2004
- Town of Marbletown Hamlet Strategic Plan

# Marbletown Strategic Guidance (Relevant of Draft Local Law)

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1997 Survey of community perspective on economic development for  
Marbletown

No Development:	17%
Moderate Development:	69.9%