

Town of Amenia  
Comprehensive Plan Implementation Committee  
April 11, 2005

Present: Harry Clark, Chairman, Mark Doyle, Bill Flood, Dolores Holland, Darlene Riemer,  
Nancy Brusie, Zoning Administrator. George Fenn, Chairman, Planning Board.

The subject of the discussion for the evening is the Internal Working Draft of the Revised Zoning Law, submitted by Joel Russell.

M. Doyle asked for the best way to compile all information/ opinions so as not to have too many duplications. H. Clark responded that D. Holland would be in charge of oversight. Copies of H. Clark's questions and J. Russell's responses were passed out. H Clark stressed that he does not wish to be the only one offering opinions and that everyone, whether in writing or not, should contribute and that there are always different takes on the same subjects.

D. Holland suggested going through the material section by section.

Section 121-2 "rural" versus "unique" character: H. Clark said that the community should be a blend of rural character and vibrant business. B. Flood suggested "diverse character" , which H. Clark believed to be the solution.

Section 121-2 A4 It was decided to leave it in and see what happens.

Section 121-2 A6 H. Clark reiterated his preference of "requirements" over "rules".

Section 121-2 B2 Insert: which "if any" of the overlay districts apply to your land.

Section 121-3 D. Riemer said that, if the word "purposes" has legal significance, there is no option but to leave it in.

Section 121-3 A Change "conflict" to "adversely impact". Strike "predominantly". This is not a final decision - it was decided to get back to this section later.

B. Flood remarked that CAC has to be part of this and wanted to know when it would be added.

M. Doyle has the information (Natural Resource Inventory) on a disk and will forward it to J. Russell.

Section 121-3 A through P. H. Clark said that some of these points are redundant and could be combined and simplified. M. Doyle felt that the same kind of support (value added) that is expressed in paragraph G should be inserted in paragraph F. D. Holland asked, if F and G could be combined. B. Flood thought there might be a reason why those paragraphs are separate and D. Holland suggested asking J. Russell before changing anything.

Section 121-3 Paragraph E. Are there any historically significant buildings which need to be protected? M. Doyle said that there are places which are significant to the history of the town and B. Flood asked what was to be done, if someone wanted to tear one of those places down.

So far, there is nothing in the zoning laws to prevent that. B. Flood wanted to know, if something is termed important to the town, does that mean it can not be changed. N. Brusie responded that a building needs to be in the Historical Register to be protected in that way. H. Clark said that anyone who wants to change a building that is of historical importance and/or significance to the town has to appear before the Planning Board before he can proceed.

Section 121-3 Paragraph P. M. Doyle felt that a crucial issue, namely the protection of private property 'values' and property 'rights' (whichever is the stronger legal term) was missing from that paragraph. H. Clark agreed that it need to be added - if not in that section then somewhere else. B. Flood and H. Clark agreed that references to Greenway Connections need to be made here. M. Doyle said that a right-hand column, referring readers to the relevant sections should be included. D. Riemer said that the information is in the Master Plan and should not be included in this document. H. Clark said that a two page, abridged version of the Greenway Plan would be included in the appendix. He agreed with B. Flood that key points should be easily accessible. It should also be pointed out that the Town Hall has the complete Greenway Connections and anyone can access the material.

Section 121-7. H. Clark: Why do we have these districts? Is it to promote something, permit something, maintain something or to allow something? M. Doyle: the reason for having an overlay district rather than a land use district would be that an overlay district is a set of parameters which might be true for a variety of different land use districts designed to create new environmental parameters or economic development where there is none now.

There should be a statement in the first lines explaining what district overlays are and why we want them. H. Clark added that he prefers the word 'district' to the word 'zone' as it implies more flexibility. N. Brusie said that she has never seen the word 'district' in this context

and that, in her opinion 'zone' has a positive meaning to most people, denoting an area in which something can be done.

H. Clark said that there is a look to the hamlets of Amenia and Wassaic which we want to preserve - it has to be made very clear that we do not want modern, all-glass buildings on Broadway.

Section 121-7. (HM) Period after 'viable'. Delete the sentence from 'and allow for the creation' and add it to MCO. (B. Flood objected to this solution, saying that it makes the entire document too restrictive.)

Section 121-7 (SR) H. Clark and G. Fenn prefer the term 'hamlet residential' as 'Suburban Residential' means sprawl. Ask J. Russell why 'suburban residential' is necessary.

H. Clark wondered, if it would be possible to have only three districts (Rural, Residential and Commercial).

Section 121-7 (SCO) Strike 'the scenic character' . Change to 'protect the water resource values and biodiversity of...'

Section 121-7 (SMO) Question: how do you define 'reasonable return' in a legal sense?

Section 121-8 B. Strike "updated at least".

USE TABLE: H. Clark wants 'Restaurant' (fast food v. 'tablecloth', high v. low turnover) and 'Municipal' (could be anything from a Town Hall to a salt shed) clearly defined.

To H. Clark's question, how an accessory apartment could be anything but residential, N. Brusie responded that, if it is in an accessory building, it should be a 'unit', or an 'accessory dwelling unit'. No decision was made on that point.

Question: why should a single-family dwelling in and HC or CO require a special permit? If someone wants to live in those districts, it should be possible to do so.

Multi-Family dwelling: it was felt that 'three or more' is not precise enough and that there needs to be a cap. A matrix should be made for Section 121-12 B. , covering points 3 and 4.

N. Brusie suggested combining the 'P\*' and 'S' paragraphs. The question was: is having a sight plan without a special permit a viable system? Is there a special reason for the two paragraphs?

Regarding the expansion of Mobile Home parks: it is permitted only, if it takes place on the same lot as the original one. H. Clark pointed out that permitting well-designed mobile home parks is a viable way of

providing affordable housing and cited Sinpatch Road as an example. It is a subject that requires further thought and discussion.

Residential Care Facilities: H. Clark felt that they should be allowed (with special permit) in the HR and SR districts.

Agriculture: should be 'S' or 'P\*' in HM, HR and SR districts.

Bed & Breakfast: should be 'S' across the board and remain prohibited in M.

Commercial Logging: the criteria for this issue need to be clearly defined and may need a section on ridge line development.

Craft Workshop: the number of employees allowed should be specified.  
Home Occupation: N. Brusie believes that all 'home occupation' should be allowed only by special permit - no matter the number of employees. There is a need to clarify use versus impact (traffic/noise).

The next meeting is scheduled for Monday, April 18, at 7:00 PM.

Submitted by Monique Montaigne, 4/14/05