



Town of Halfmoon
2014 Zoning Review Committee
Halfmoon Town Hall
7:00 P.M.
April 17, 2014

Summary Meeting Notes

Attendance: Committee Members (voting): Brenda LaMere, Fred Bahr, Eli Taub, Wayne Allen, Walt Polak (Chair); Committee Members (non-voting): Jim Bold, Staff: Rich Harris, Paul Marlow, Mike Bianchino, Matt Chauvin.

W. Polak opened the meeting and asked for approval of the February 20, 2014 summary meeting notes- passed unanimous.

R. Harris briefly reviewed the Housing Inventory table and Zoning District Acreage table previously emailed. W. Allen stated it would be helpful to know how much developable land is left in Town; M. Bianchino responded it is difficult because 1 house on 100 acres is considered “developed”. B. LaMere requested “lot sizes” be added to the May agenda for discussion.

W.Allen discussed open space and interest in the Town purchasing farmland/open space, suggesting 600-1,000 acres. J.Bold agreed with the idea, but raised the point that it is a very expensive purchase, and that the Town did not have that sort of money to spend. After general discussion on the number of acres the Town should consider purchasing, how to fund such an effort, potential interest of farmers, what qualifies as “open space” vs. “farm land”, the Committee agreed to recommended the Town Board investigate the idea of preserving open space and consider acquiring it through bonds or other means.

R. Harris briefly updated the Committee on the status of the Town’s new Business and Economic Development Committee and a meeting he and W.Polak attended. They discuss a business survey that committee is conducting to gauge the needs and concerns of business in Town. R.Harris also discussed recent meeting with owner of the Clifton Park Hotel property on Old Rt. 146 and Rt.9, and her renewed interest in developing it. After some discussions, the Committee determined that in order to be most effective, the ZRC would have to get a better feel for the goals of the Business and Economic Development Committee and the direction they want to go.

W.Polak discussed some of the comment card comments the Town received for the Committee to consider. B.LaMere stated that the concerns in the cards were intended for residential PDDs, not commercial PDDs. W.Polak stated that the Halfmoon Village and Yacht Club (Krause) project, a PDD he voted against several years ago due to density concerns, was on the Town Board agenda the prior night for consideration of changing the language to allow apartments instead of condominiums.

The Committee had an extensive discussion with regards to PDDs, minimum qualifications for a project to be considered and the PDD approval process. B.LaMere stated residential PDD’s have been abused in the past by developers, most opposition is to the density of residential PDDs and

that 10 units/acre is too dense. General discussion on density and how it is calculated, and an area like Cemetery Road shows the cumulative impacts of PDDs in one area. Discussion continued by W.Allen restricting PDDs in a certain area and setting a maximum number of PDDs for an area of Town. M.Chauvin raised constitutional concerns, relative to the need to treat every applicant fair and equal. He reminded the Committee that the PDD can be denied by the Town Board for no reason and that there is no inherit zoning rights. J.Bold stated that when the Comprehensive Plan was originally drawn up, it was intended that the Crescent area and southeastern portion of town (Newtown) were not to be built at higher densities. He felt that we should continue that notion and not allow high-density development in those specific areas. He made reference to pages 5-6 of the 2003 Comprehensive Plan for suggestions for zoning regulations for specific portions of town. The Comprehensive Plan called for locating higher density PDDs on Rts 9, 146 and 236 (e.g. Pointe West.) The Committee agreed to look further into those particular areas.

The Committee felt it was important to look at both residential and commercial PDD laws and agreed that current infrastructure throughout Town is inadequate to handle all potential PDD development. Committee agreed to focus on minimum acreage and maximum density requirements of PDDs. After discussions, the Committee came to a general consensus regarding recommended amendments to the PDD statute:

1. Residential PDDs
 - a. Minimum 20 acres
 - b. 7 units/buildable acre on multi-family projects
 - c. 2 units/buildable acre on single-family and duplex projects or tie the project to the underlying zoning (density would be dependent upon available utilities/water/sewer per current Town Code)
2. Minimum 10 acres zoning on all non-residential PDDs. However, a new section of Town Code is needed for mixed PDDs in LI-C, M-1, C-1 zoned areas, requiring at least 50% of the building square footage meet underlying zoning.

The Committee felt that by implementing this minimum development of non-residential square footage (#3 above), it would allow the Town to retain more of the underlying non-residential/commercial zoning and direct developers to build more mixed use and less residential PDDs on non-residential zoned lands. This amendment would provide an incentive for developers to include commercial development in their PDDs. W.Allen expressed concern that allowing any residential uses in an M-I district could result in noise complaints.

Committee discussed residential PDD setbacks. B.LaMere suggested developers building residential PDDs should be required to construct a fence for adjacent, existing neighbors if the neighbors want one. Committee discussed minimum “no cut” buffer for PDDs. Current Code for business and commercial PDDs requires a 100’ setback, with 50’ for landscaping or as a no-cut buffer when abutting residential districts or uses. General consensus to require a similar buffer between all PDDs (residential and non-residential) when abutting a residential district or use.

Committee also discussed difficulty in knowing where property boundaries are located for PDDs, leaving it to homeowners to hire a surveyor in the future. Committee agreed that permanent property markers or monuments should be required to delineated the outer boundaries of a PDD.

Meeting adjourned at 9:00 PM. The next meeting will be May 15, 2014 at 7:00 PM.