

Port Henry Zoning Commission

MINUTES - Workshop Meeting Wed. 3/13/13, 5:00 PM, Literacy Volunteers' offices

Committee members present:

Evelyn Celotti, Jeffrey Kelly, Kelly Ann King, Sandra Lovell, John Viestenz

Others present:

None

Action items from the prior meeting:

Jeff: Obtain maps and meeting space (done)

John: Ask Board for official creation of ZC and appointments;
Ask Board for clarification regarding “consultation with the municipal attorney for legal advice relating to adoption of zoning regulations”.

These are completed; see discussions below.

All: List “Pros” and “Cons” of zoning (in general), as reminders of possible public sentiment..

The original list was attached to our Agenda; Evelyn Celottii provided further items and comments, which are now included on the attached list. We discussed the fact that although we are not meeting to discuss the pros and cons of zoning in general, we need to be aware of public perceptions, and try to maximize the positive aspects of zoning while minimizing the potential negative aspects.

Review any instructions / feedback from the Village Board (Board Meeting, Monday, 3/11)

Guidance from the Village Board (Monday, 3/11) was to concentrate on defining the “downtown commercial zone” (boundaries, restrictions, allowances, etc). We (this Commission) are not tasked with deciding, or even debating, the merits of zoning in general. The Village Board will address that after our report. We are tasked with recommending the initial zones, which may be as few as two: “downtown commercial” and “all other”.

If we have recommendations for other areas of the Village, we are free to include those in our report, but there is no requirement for us to fully define all areas outside of the “downtown commercial zone”

Further discussion among the Commission members indicated that there were other areas that we could identify and will probably include in our report, with some suggested zoning restrictions appropriate to those specific areas.

As to the “consultation with the municipal attorney...” question, the Village stated that there was no known need, at this time, for the Village Attorney to give us instructions or guidance, but the Village would contact NYCOM for recommendations. And I reported to the Village that the Zoning Commission had no questions or requests (at this time) for

the Attorney, and we were not specifically asking for a meeting. It was agreed that as soon as either the Village or the Commission had any questions that either felt should be addressed, then the Attorney would be asked to participate. It remains the Village's responsibility to check for any NY laws that the Commission needs to be aware of and have not yet received information on.

Review the “communication chain” requested by the Village:

ZC requests for services, supplies, or information from the Village, as well as any questions regarding our work, should go directly to Staley Rich. Staley will forward or discuss with the appropriate Village official or staff. The ZC members should not contact the Village Office or Village Board directly.

E-mails between members of the ZC will not be copied to the Village (unless specifically requested by Staley or the Village). Official correspondence between the ZC and the Village will be via Staley, other than copies of Agendas and Minutes, which I will send directly to the Village Clerk.

Distribute and review maps (obtained at no cost to the Village)

Using the available maps (two of which will be left posted on the wall at the Literacy Volunteers' office), we discussed reasons for 1) extending the commercial zone all the way down Convent Hill to Dock Lane, or 2) ending the commercial zone just beyond Frank's Knotty Pine. The consensus was that all of the property to Dock Lane should be zoned for commercial use, recognizing that existing Residential properties remain grandfathered and such use would be allowed to continue forever. Further discussion was held trying to define differences between “retail commercial” and “commercial – industrial” (such as Griffith Oil's property further down Dock lane) or “Commercial - Marina”. Further work will be needed on these differences, but the Commission agreed that “residential” was not appropriate for Dock Lane properties.

Other topics discussed included the appropriateness (or not) of “pockets and patches” of zones: do zones need to be continuous, or is it appropriate to have “pockets” of one zone within another zone? For example, isn't there an area of commercial properties south of the “downtown”, beyond a series of residential properties? It was agreed that such pockets may be reasonable and necessary, but no specifics were defined.

Meeting Schedules:

We agreed to schedule future meetings every-other Wednesday, 5PM, at the Literacy Volunteers' Office. (I have the key, as Jeff will not be able to attend the next meeting, 3/27). I will send the official meeting notice to Staley, for Village's publication, and I will provide an initial agenda prior to the meeting.

Public Comments?

Please note that tonight's meeting is intended primarily as a workshop for the members, and not as a forum for public commentary. However, brief comments can be entered into the Minutes, and written comments (submitted either in advance, at the meeting, or at a later date), will be added to the Minutes and become part of the official record of public input.

None

Action Items

All: Send (e-mail) suggested “rules”, exceptions, what should be encouraged, what should be discouraged, within the “downtown commercial zone”, so that, even as we continue to define the boundaries, we can be collecting recommendations for zoning rules within those boundaries.

John: Check with Matt and Staley to see if the Elizabethtown Zoning book can be located.

Next Meeting:

The Village of Port Henry Zoning Commission will hold a meeting on Wednesday, March 27, 2013 at 5:00 pm at the Literacy Volunteers Office located at 3259 Broad Street, Port Henry, NY 12974. All meetings are open to the public.

This is a workshop for the Commission members and is not intended for public testimony. Topics being reviewed include possible boundaries for the downtown commercial zone and possible regulations within the zone. Specific agenda items will be published prior to the meeting,

ZONING

Benefits / Characteristics

Regulates the way land is used, to carry out the Village's long range development objectives.

Uniform use of properties within a zone. (No storefront apartments, for example).

Protects the health and safety, and property values, by separating potentially incompatible uses. (Keep residential areas residential, and protect residential properties from inappropriate commercial or industrial neighbors).

Preserve (or enhance) the character of a neighborhood; provide a uniform look. Limit or prohibit certain structures from specific areas (temporary housing such as trailers not on permanent foundations, for example).

Property values are protected because neighboring properties can only be developed for compatible uses.

Dangers / Risks

Places restrictions on owners' ability to use the land as they wish.

If not well-tailored to the needs of the community, zoning can needlessly result in monotonous patterns of development, and needlessly separate compatible mixed uses.

Restrictions on property use may diminish ability to sell the property for the highest price.