



VILLAGE OF DELANSON

EQUAL OPPORTUNITY EMPLOYER

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Village of Delanson Planning Board Minutes April 3, 2017

Scheduled meeting of April 3, 2017 was called to order at 7:03 P.M. followed by the Pledge of Allegiance.

In attendance:

Dan Lindh, Chairman
Al Zubal
Bruce Barton
James Hyde
Jim Donnelly (absent due to illness)

No minutes were provided from previous meeting of March 6th, 2017. Minutes of March 6th meeting will be reviewed at next meeting.

Old Business:

Nothing has been heard regarding the special use permit for the bus garage on Railroad Ave. Later in the meeting, Mayor Gifford and Trustee O'Connor attended and reported that Mayor Gifford contacted Building Inspector Dale Warner and asked him to pay a visit to the bus garage and let them know they were in violation of our zoning laws.

We have not received any new applications nor heard from the ZBA regarding the appeal for the lot size for the proposed Laundromat. Jeff Iveson has been sent the results of the Sketch plan review with the deficiencies in his plan. A copy was also sent to the Clerk and a copy has been filed with the Planning Board.

Discussion of the amendment to incorporate Planned Unit Development legislation into our Zoning Law which was proposed by the Village Board followed. A review of what steps were necessary to incorporate the PUD legislation into our zoning law along with the purpose of the PUD legislation followed. It was noted that PUD legislation was designed to bypass current zoning laws in PUD districts in an effort to mitigate zoning appeals and accelerate construction of proposed projects. It

was noted that PUD districts typically incorporate a mix of business and housing in the same district. It was noted that PUD districts potentially could be established in any part of the Village depending on how the legislation was written. The reason for this proposed PUD legislation is to allow the proposed 42 unit apartment complex to be built in the GR-1 zoned district. Current zoning would not allow such a complex to be built on such small acreage.

Concerns were then raised about over development and the additional demands placed on our water and sewer systems as a result of PUD legislation. (As mentioned by Duaneburg Supervisor Tidball at the first sketch plan review meeting with Mr. Miller, "the sewer system could not support a 72 unit complex at this time." so the project was reduced to 42 units) Concerns were raised by Mr. Hyde about the Village's ability to supply adequate water in the future if large water consumers such as apartment complexes are allowed to be developed since we don't really know how many units the water system can ultimately support.

Concerns were also raised about the likelihood of PUDs changing the appearance of the Village by incorporating businesses within residential districts.

Chairman Lindh then addressed a statement that was made at a previous Planning Board meeting concerning our duty to allow large land owners to develop their land. Mr. Lindh accurately stated that it is the obligation of the Planning Board to keep the properties the way everyone wanted it. They bought or built their homes based on the zoning laws that were in place at the time. We don't owe developers anything. It was also felt that developers are well aware of our zoning long before they begin the process of developing land.

Mr. Barton then reviewed the PUD process with the other board members and explained how a PUD application would dramatically increase the Planning Board's workload. He explained that it is an excellent tool or method of getting things done in large cities or areas with urban blight that have very restrictive zoning laws. PUD districts can save years of appeals and millions of dollars in redesign and are ideal for large cities with professional planning boards but felt it was not necessary in Delanson.

A review of an email sent by Building Inspector Dale Warner followed regarding PUD legislation in our zoning was read. Dale said that "the PUD is not a bad idea, they can be very useful, but the Village has very little construction or plans for construction within the village that would warrant such a change. The boards are not overwhelmed with special use permits, subdivisions or applicants that they cannot review each applicant before them. I think that each application is different and not always going to be the same as Josh put it. There are many different slope elevations and I think they should be looked at individually."

The board interpreted his comments to mean that the current zoning law is adequate.

It was also mentioned by Mr. Barton that we are not professional planners and that developers could easily take advantage of future Planning Boards and Village Board members if a comprehensive plan is not in place and that SPOT zoning can easily develop in PUD districts as a result.

Mr. Lindh reiterated Mr. Barton's concerns by reading a passage from the Governor's Smart Growth Cabinet. He read, "Small Municipalities may not have the resources and expertise to create a PUD, which may compromise a positive outcome for the community. For example, because the process of creating a PUD leaves so much discretion to the local governing board and planning board at the time the project is proposed, uncooperative developers can sometimes take advantage of board members' inexperience, with resulting projects providing a much greater benefit to the developer than to the community." Mr. Lindh went on to say that the goal of PUDs is to create a benefit to the community through improvements, parks, remove blight etc. but that he could not see any benefit to our community other than additional tax revenues which would be offset by additional demands on the school system, water system, sewer system and increased traffic.

Concerns were voiced regarding the additional demands placed on the filtration and transmission systems as well as the reservoir during drought conditions if large developments are allowed to be built here.

The Planning Board had also received and then reviewed an email from absent member Jim Donnelly. They reviewed his email and comments regarding the PUD zoning changes. Jim stated in his email that he felt no compulsion to change the zoning laws to allow PUD districts in the zoning law. His email also contained comments regarding the dissolution of the Village. The Board decided to table that idea for a later date for discussion with Jim when he was present.

A motion was made by Bruce Barton to reject the addition of PUD legislation or language to our zoning laws.

Vote count: 5 yes, 0 no

Al Zubal	Yes
James Hyde	Yes
Bruce Barton	Yes
Dan Lyndh	Yes
Jim Donnelly	Absent (yes in absentia)

After further discussions, the board listed many reasons for not agreeing with PUD legislation in our zoning laws. It was then agreed that a formal letter would be sent to the Village Board outlining those reasons and further, recommend that the Village Board reject any legislation that would allow PUD districts in our zoning.

Second on the agenda for the evening was updating current zoning laws regardless of incorporating PUD legislation in our zoning.

It was decided to established priorities concerning updates. Members will submit considered amendments to the Planning Board for review and considerations will then be prioritized and worked on individually.

Some priorities that were mention were:

- Solar panels
- the mention of septic systems in our zoning
- farm animals in the village
- the format of the printed zoning law needs to be changed to make it easier to follow.
- lot sizes

Mr. Barton brought up the topic of a comprehensive plan. He mentioned that changes to a zoning law should be made around the framework of a comprehensive plan otherwise changes could be disallowed by Schenectady County or challenged in a court of law. Discussion followed as to what a comprehensive plan was and whether we could afford one. The question was raised as to how much development is left in the Village and whether we really needed one.

Finally it was stated by Mr. Barton that the Village didn't need a large comprehensive plan like Duanesburg and spend seven years doing it, but he felt it was important to have some sort of small comprehensive plan to follow that would legalize our zoning changes. No decision was reached concerning the comprehensive plan.

Motion to adjourn was made by Al Zubal, seconded by Bruce Barton. Meeting adjourned at 8:45 PM