



TOWN OF LEWISBORO
Westchester County, New York

Comprehensive Plan Steering Committee
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COMPREHENSIVE PLAN STEERING COMMITTEE: ZONING SUB-COMMITTEE

Minutes of the meeting held by the Comprehensive Plan Committee's Zoning "Sub-Committee" Group on Thursday, October 16, 2023 via Zoom videoconferencing (Meeting ID: 896 6361 3882) and livestreamed to LewisboroTV YouTube channel: <https://www.youtube.com/watch?v=bgm3XhsTCHc>

Present: Katie McGinn, Steering Committee Chair
Charlene Indelicato, Steering Committee/Planning Board joint member
John Wolff, CAC Chair
Janet Andersen, Planning Board Chair
Rose Bonanno, ACARC Chair
Robin Price, ZBA Chair
Dan Welsh, Town Board Member
Ciorsdan Conran, Administrator
Valerie Monstra, Nelson Pope Voorhis (NPV)
Jud Siebert, Esq., Keane & Beane P.C., Planning Board Counsel
Jan Johannessen, AICP, Town Planner

Absent: Andrea Rendo, Town Board Member

Approximately two viewers on YouTube.

I. WELCOME REMARKS FROM STEERING COMMITTEE CHAIR

Ms. McGinn called the meeting to order at 7:30 p.m., noted that this is the second meeting of the Zoning Sub-Committee and reminded viewers about all the background information (public comments and draft Vision Statement and Goals & Objectives) on the website (<https://www.lewisborogov.com/cmpsc>).

A. Reminder of Zoning Sub-Committee Process & Goals

Ms. McGinn explained that the goal for the Subcommittee is to help limit the total rounds of revisions that are required for the draft zoning code updates. She noted these edits are before the zoning code draft updates are ready for public and Town Board review. Ms. McGinn stated this preliminary review is meant to help streamline the process and help keep the project on time and on budget as well as ensure that the Zoning Code is in keeping with the draft Comprehensive Plan, Vision Statement and Goals & Objectives. She noted that the Sub-Committee

members plus the Planning Board's consultants will use their real-life experiences with the Town Code to recommend zoning amendments that have practical implementation and efficiency.

B. Work to-date

Ms. McGinn stated the proposed changes to the Town Code drafted by NPV are the result of public input and feedback collected during Rounds 1 and 2 of the public workshops and their associated surveys.

Ms. McGinn listed some of the Goals & Objectives from the Draft Plan that are relevant to the discussion this evening:

- inconsistencies in the Zoning Chapter;
- review permitted Special Use Permit and accessory uses;
- review, clarify and strengthen where necessary wetlands and water courses; and
- consider reviewing and strengthening where necessary enforcement mechanisms for the local environmental codes.

II. REVIEW OF ZONING UPDATES FROM NPV

The Group discussed these definitions and word usages:

- replacing "Town Development Plan" with "Comprehensive Plan;"
- accessory apartment and accessory residence dwelling;
- should accessory winery include "processing of fruit;"
- clarifying housekeeping facilities;
- parking space...."*on a transient basis*;"
- updating language on -
 - ranching;
 - street;
 - family; and
 - telecommunications.

Ms. Monastra stated the Town Code has accessory apartments with one unit being owner occupied, but there is also an affordable housing component associated with that section. Mr. Johannessen stated there used to be a special use permit requirement, and then, a few years ago, the Town Board revised it; one gets the accessory department permit through the building department now. Mr. Siebert agreed this section of the Town Code needs to be clarified.

Mr. Johannessen stated an accessory residence dwelling is a second house on a parcel 20 acres or greater. Ms. Monastra asked if that size could be reduced as long as the bulk requirements are met. Ms. Indelicato asked for clarification on subordination to the primary residence. Mr. Price stated the ZBA gets very few applications for accessory dwellings, and it is probably because of the size restrictions (1,500 square feet; 2 bedrooms; and 20 acres).

The Group discussed best practices for including language for EV charging stations and should they:

- be added to the definition of gasoline service station (or should the word gasoline be removed?);
- be added as an accessory use in all zoning districts; and
- be made a required percentage of all new parking areas on approved site plans?

Ms. Monastra stated that in the non-residential districts (CC, GB and RB) residences are allowed with a minimum parcel of five acres but in the residential multi-family (RMF) zone that minimum increases to 15 acres. She noted that this limits mixed use development of the commercial hamlet centers.

The group deferred finalizing the definitions until after all other draft changes were reviewed in December.

Wetlands & Steep Slopes

Ms. McGinn stated that in 2016-17 there were a set of proposed changes to the wetlands law that did not go through. Mr. Johannessen had recommended that we review the proposed administrative changes from that time and incorporate them into this draft where applicable.

Ms. Monastra reviewed ways to tighten up this section to bring it up to best practices that one would see in other communities. She listed possible changes:

- 3 different categories of steep slopes (moderately, very steep, and extremely steep slopes);
- hilltops, ridge lines and moderately and very steep slopes shall be preserved along with existing vegetation wherever possible;
- new construction / additions in areas with moderately and very steep slopes shall be avoided as practically as possible;
- new construction / additions in areas with extremely steep slopes shall be prohibited unless otherwise permitted by the approving board following certain standards.

Mr. Johannessen stated currently there are not steep slope permits issued and the Planning Board reviews steep slopes as part of commercial sites and some projects with wetlands. Mr. Siebert noted that implementing steep slope permits is a Town Board policy decision. Mr. Johannessen added that there are no town regulations on excavation and the placement of fill either.

Wetlands & Watercourses

Ms. Monastra stated there are three definitions of 'tree,' in the Town Code -- Tree, Wetland and Zoning chapters—and she asked if there should be a standard definition and diameter breast height. Mr. Wolff stated that the Tree Ordinance is about to be updated.

The Group discussed revisions to these definitions:

- clear cutting;
- dredge;
- freshwater map;
- wetland permit;
- pollution – should light, heat and noise be added to this chapter?;
- approving authority;
- allowable activities;
- regulated activities – wetland permits overseen by the Planning Board or Wetland Inspector;
- selected cutting;
- secretary updated to administrator; and
- making “*provided all fees and fines have been paid,*” an additional criterion for when the Wetland Inspector can issue a Wetland Certificate of Completion.

Ms. Monastra stated she will draft possible regulations for steep slopes and excavation / fill and incorporate Mr. Johannessen's comments into the next draft of these two sections (Steep Slopes & Wetlands). The Zoning Sub-Committee will review the revised drafts for the next meeting, which will be November 20th 2023.

III. NEXT MEETING DATES /IMPORTANT DATES:

- 11/20/23 via Zoom, 7:30PM – ZONING SUB COMMITTEE – review the next batch of proposed Zoning Code changes

- Draft Comp Plan & Zoning updates - delivery goal to Committees - end of November (assuming all else is on time)
- Committees to pass final drafts to Town Board in December
- 12/14/23 via Zoom, 7:30PM - ZONING SUB COMMITTEE - the last zoning sub-committee meeting because the proposed zoning amendments will be referred to the Town Board at that time
- 12/18/23 via Zoom, 7:30PM - FULL STEERING COMMITTEE - meeting to receive comments on draft Comp Plan and discuss public workshop format and finalize dates (This assumes delivery of draft Comp Plan December 1st)
- 1/8/24 - NPV to attend the Town Board meeting to take any comments from the Town Board on the proposed zoning and the draft Comp Plan
- End of January 2024 - Public workshop goal
- February 2024 - Public hearing(s) goal

IV. Summary of open action items as of November 2023

Follow up by		Timeline
All	Zoning “Sub-Committee” Group Formation <ul style="list-style-type: none"> ● Steering Committee Chair ● Planning Board Chair ● ZBA Chair ● ACARC Chair ● CAC Chair ● Town Board liaisons ● Steering Committee/Planning Board joint member 	Complete
K McGinn C Conran	Coordinate with Town Board, Town Planner, Town Attorney, and Planning Board Attorney to gather feedback on proposed Zoning Code updates	October - December
Outreach Teams	October “Did You Know” outreach/advertising campaign to keep engagement momentum going	Complete
NPV	Alert Steering Committee of Grant opportunities	Ongoing
K McGinn	Coordinate Community Outreach Teams	Ongoing

K McGinn	Coordinate outreach/advertising methods and materials	Ongoing
K McGinn	Develop/update content for the Committee's page on the Town website	Ongoing
C Conran	Coordinate continued updating of email addresses for stakeholder list/Constant Contact mailing list	Ongoing

VII. ADJOURN MEETING – With no further business, the meeting was adjourned by Ms. McGinn and seconded by Mr. Wolff at 9:18 p.m. In favor: Janet Andersen, Rose Bonanno, Charlene Indelicato, Katie McGinn, Robin Price, Dan Welsh, and John Wolff. Absent: Andrea Rendo.

Minutes respectfully submitted by:



Ciorsdan Conran
Comprehensive Plan Steering Committee Administrator