

**Town of Northampton Zoning and Subdivision Update
Public Workshop Summary Notes
August 12, 2009**

Comment/Question: When you drive around New England you see businesses like banks with architecturally sensitive design but not in New York. Is good design part of zoning?

Response from consultant: Absolutely, design is dealt with through design standards in zoning that deal with such elements as building location, parking, lighting and building materials. It is reasonable to expect good design that is compatible with local character.

Comment/Question: How does zoning deal with grandfathering? Is a building expansion going to have to meet new standards?

Response from Consultant: There are choices about that. Typically existing uses and other preexisting conditions such as small lots that might not meet new standards are grandfathered. Uses that were legal at the time of adoption are grandfathered as legal nonconforming uses. There is more flexibility for towns in how they deal with nonconforming lots, design, signage and other items. For example, a community may require that signs meet the new standards within 5 years. That's common and often a fair balance.

Comment/Question: Where can we get a copy of the existing zoning map?

Response from Zoning commission: The official existing zoning is available from the Town. It's very hard to read as the only copies that exist are Xerox copies that are very faded. The one in the presentation is a replica and not the official zoning map.

Comment/Question: It is important that the community be able to see drafts of the new zoning as it is worked on so that they can see what is being planned and comment on the draft and not pull ideas out of thin air. There is concern about what may be proposed for Sacandaga Park and that the neighborhood will not be properly protected. It is important that the community be involved throughout the process.

Response from Consultant: Providing partial drafts of the zoning before it is all put together will not provide the community with the full picture of the zoning proposed. Every section is interrelated. The Commission will be editing some sections many times between now and the end and it's better to provide a complete draft and give the community the full picture to respond to rather than pieces. It may cause some unnecessary confusion and concern. The full draft will be available to the community with plenty of time to comment and review.

Comment/Question: Are there design standards in the Town now? Sacandaga Park has distinct character and some of the development happening in the neighborhood is not compatible design.

Response from Consultant: The Town has no design standards now. That is why those things are happening. The new zoning will have design standards to incorporate the historic architecture of the Park . This can be accomplished through such techniques as an overlay district. An overlay district is a layer of zoning that floats or is “overlaid” on top of the base zoning in an area to address some unique issue such as neighborhood preservation through design standards.

Comment/Question: Concerned that increased commercial uses in Sacandaga Park would create additional traffic through the Park including through-traffic. There are also no sidewalks to support foot traffic through the neighborhood to access commercial uses.

Response from Consultant: We understand - you would like us to consider the mix of uses allowed in Sacandaga Park and think about their impacts on the neighborhood.

Comment/Question: There is a trade-off in economic development between the greater good and the needs of a subpart of that good. In Sacandaga Park, a large waterfront commercial area might be supported by the County but it would be detrimental to the neighborhood. The commercial should be as small as possible and the residential should be as large as possible. The seasonal core should be preserved but we need a critical mass of four-season residents as well. And over the long term, the commercial uses that are encouraged on the waterfront should be the highest and best use of the land as it is so valuable.

Comment/Question: Concerned about the existing industrial district in the Town. If that is no longer industrial the existing industrial property owners might lose their ability to use their property for industrial uses other than that which it is used for now (which would be grandfathered).

Response from Consultant: Yes, that would be true, if the area is no longer zoned for industrial uses, they would be able to continue their current use or sell their property for their current use but other industrial uses would no longer be permitted.

Comment/Question: For those property owners who are not local, will information be available on the internet?

Response from Consultant: Yes, the draft document will be available on the internet as well as other materials from meetings. Typically these would be on the Town’s website but apparently the Town’s website cannot be updated regularly so, we are creating a webpage for Northampton on our (the consultant’s) website that you will be able to link to and get information and the draft document. If you sign in at this meeting and provide an email address we can notify you when the webpage is up and running.

Comment/Question: How does this zoning relate to the ZBA (Zoning Board of Appeals)?

Response from Consultant: The new zoning is the new set of rules, it will be the new zoning that the Planning Board and ZBA use.

Follow-up Question: Will there be criteria for variances because right now the ZBA approves almost all requests.

Response from Consultant: The criteria for approving variances is what the State Statute requires and that will be the same in the new Zoning. The difference is, now the Town will have a new zoning law that should reflect that Town vision and should address a lot of the things that people are requesting variances for. One of the problems right now is that the zoning ordinance is so old it's hard to know what is really intended by that zoning or whether it really is what the Town wants. It has created uncertainty about what variance requests are reasonable. Once the new zoning is in place, there should be a lot fewer variance requests made and a lot fewer approved.

Comment/Question: When will the zoning be done?

Response from Consultant: It is anticipated that it will be finished in time for next summer when the seasonal residents return. The hope is to get public input on the draft next summer. The draft may be done before that and available for review but a public meeting and public input will be in the summer.

Comment/Question: If we are considering buying property – next summer is a long way off and it's difficult to buy property not knowing what the zoning might change to.

Response from Consultant: It is a long time but the draft may continue to change up until it's done. You can attend the Commission meetings and based on the discussion get an idea of the direction things are heading in and it may be pretty clear what the zoning map will like before the draft is completed but, nothing is certain until it's approved. **Response from Zoning Commission:** Anyone can attend the Commission meetings. However, these meetings are our time with the consultant to get advice on this draft and that time needs to be used for that work. If there are questions or concerns feel free to come and talk to Zoning Commission members at any time.

Comment/Question: However, It's important that the dissemination of information about the drafts be a level playing field.

Response from Consultant: That's true.

Comment/Question: In order to reach seasonal residents that are here for meetings could there be webinars, could presentations be posted on the internet?

Response from Consultant: We can't promise webinars but we plan to post the Power Point presentation and summary notes from the meetings. We can include dates of future meetings etc.

Comment/Question: Will zoning affect property assessment and property taxes.

Response from Consultant: No, they are completely unrelated. Property is assessed based on improvements to land and has nothing to do with zoning.

Comment/Question: Concerned about lack of turn out at this meeting. If there isn't good turn-out and input from residents, the Town board will be voting on this zoning in a vacuum. What can be done differently to get turn out at the next meeting?

Response from Consultant: We are also concerned about the turn-out. We can't speak for what was done in terms of outreach by the Town for this meeting. We welcome any new ideas that anybody has for getting more people to meetings because we prefer a packed house. The best way to get turn out, in our opinion, is through a postcard mailing. Another effective tool is the use of organizations with email lists as a free way of circulating information. The group that often gets missed is the young family so thought should be given to how best to reach them.