

MINUTES
VILLAGE OF CHESTER VILLAGE BOARD
APRIL 5, 2018
SPECIAL MEETING

PRESENT: John Thomas BELL, Mayor
Chris BATTIATO, Deputy Mayor
Alan BATTIATO, Trustee
Brian BOONE, Trustee
Elizabeth REILLY, Trustee

PLAN COMMITTEE: Leslie SMITH, Member

ALSO PRESENT: Harold PRESSBERG, Village Zoning Board of Appeals Attorney
John ORR, Code Enforcement Officer

SPECIAL MEETING

Mayor Bell opened the Special Meeting at 7:00 PM with the Pledge of Allegiance.

Code Enforcement Officer John Orr reviewed the timeline for establishing the Village's Zoning Code.

Harold Pressberg, Village Zoning Board of Appeals Attorney advised how Zoning relates to the Comprehensive Plan:

- A Comprehensive Plan is the basis for Zoning;
- A Comprehensive Plan is defined as the goals, objectives, principles, guidelines, policy standards, devices and instruments for the immediate long-term projection, enhancement, growth and development of the Village;
- The New York State Comprehensive Plan § 7-722 is the Zoning regulations that apply to the Village. It's the State Law that gives the Village the authority to do Zoning, subdivisions, site plans, everything that the Zoning and Planning Boards do and gives the Village the authority to pass the Zoning Code;
- The Comprehensive Plan is enforced by the Zoning Code;
- In creating a Comprehensive Plan, the Village is making the overall policy that's going to be implemented by the Zoning Code. The Zoning Code gives you the "police power" to regulate land use, but before you can change or augment or revise the way the Zoning Code is presently, you're supposed to do it in accordance with a Comprehensive Plan. So, when you come up with a Comprehensive Plan, you're laying the ground work for any amendments that you're going to make or any major changes to the Zoning Code because the Zoning Code itself is supposed to be based on a Comprehensive Plan.
- The Comprehensive Plan and Zoning Codes are in place to protect the Village. To prevent somebody from being unduly burdened, to rationally prevent unpopular uses from being used. You can control, as we do in the Village, with a rather comprehensive Code and it has to be done comprehensively and fairly.
- We have not only the Code that sets forth the general rules, but we have safety valves. We have the Zoning Board of Appeals that can grant area variances and use variances in specific cases under specific criteria if a general rule doesn't apply. We have, of course, requesting the Village Board change the Code, which has been done several times. It all has to be done and understood as part of a general, overall Comprehensive Plan.
- The Comprehensive Plan doesn't implement itself, it's implemented by among other things, the Zoning Code, which is enforced by the Code Enforcement Officer and the Planning Board. It is the main legal embodiment of what you're going to come up with, which is the Comprehensive Plan.
- Once you have a Comprehensive Plan, to implement it, changes are made in the Zoning Code with about 90% of anything you come up with.
- Besides the Zoning Code being certain regulations, it also divides the Village into different zones or districts – you have a residential district, an agricultural district, business districts and manufacturing districts. Obviously, over time some of the manufacturing districts were not viable and the Village had applications for use variances. Those are some of the things you've been considering.
- Once the Comprehensive Plan is established, it's implemented by changing the Zoning Code. Currently, the Village's Comprehensive Plan is exhibited by your Code.

Mayor Bell provided an overview of where the Village is in the Comprehensive Plan process for Stu Turner of Nelson, Pope and Voorhis;

- We've had meetings with Megan Tennermann from Orange County Planning;
- We've done a SWOT review;
- We've brought together ideas from the residents and the Village Board;
- We believe the Village is ready for direction from a planner.

Stu Turner, FAICP, PP and Bonnie Franson, Partner, of Nelson, Pope and Voorhis provided an overview of their firm:

- They used to be the Turner Miller Group;
- Their partners in the Suffern, NY office are local to the Hudson Valley, they've done other jobs in the area and are familiar with the Village, it's laws and its challenges;
- They've worked with agricultural, historic, suburban areas;
- They've done Comprehensive Plans and Zoning Amendments for the Town of Monroe, Wurtsboro, Airmont, Montebello, Town of Blooming Grove, Village of South Blooming Grove, Fishkill, Pine Plains and many others;
- They can provide copies of other Comprehensive Plans and Zoning Amendments they've worked on for other municipalities for reference;
- They've done public surveys and public informational meetings;
- They can assist the Village in:
 - Developing a Comprehensive Plan, design guidelines;
 - Establish committees based on public preferences;
 - Work on Zoning updates as the Zoning must be in accordance with the Comprehensive Plan;
 - Set immediate, realistic goals as well as future goals;
 - Work with committees to fill in any information they may be missing
- As consultants, they are a resource for the Village, but the Village Board oversees the Comprehensive Plan;
- They've assisted municipalities with day to day site plan and subdivision reviews;
- They will research staffing, budget, the Village's tax base;

To assist Nelson, Pope and Voorhis, they've requested the minutes from previous meetings, the SWOT assessment, what committees have been established and any other information that would be helpful.

Nelson, Pope and Voorhis was asked their opinion on a moratorium during the Comprehensive Plan process. Mr. Turner advised a moratorium could be either good or bad, but the Village would need to pay close attention to how the moratorium is structured.

CEO John Orr noted that no major Zoning changes are proposed to warrant a moratorium and the Board should consider if a moratorium would open the Village to a potential lawsuit.

The Board discussed inviting the remaining planners to the next meeting to interview / see what they propose and possibly hire a planner at the May Village Board meeting. The next meeting was **SCHEDULED FOR WEDNESDAY, APRIL 25, 2018 AT 7:00 PM.**

Mayor Bell asked if there was anything else to discuss. As there were no other comments, ***MOTION** was made by Trustee Boone, second by Trustee Chris Battiato, to **ADJOURN THE MEETING** at 8:20 PM. Motion passed 5-0.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary