

PUBLIC HEARING- PROPOSED ZONING LAW, TOWN OF REDFIELD, FEBRUARY 13, 2018

The Public Hearing for the Proposed Zoning Law of the Redfield Town Board was held on February 13, 2018 at the Redfield Municipal Building starting at 7:11pm. Roll call was taken and the following board members were present:

Tanya Yerdon	- Supervisor
Carla Bauer	- Councilwoman
Matthew Tompkins	- Councilman
Elaine Yerdon	- Councilwoman
Erwin Webb	- Councilman

In addition, Susan Hough -Town Clerk, Paul Pratt -Highway Superintendent, Rob Brenner – Nixon Peabody LLP, John Yerdon, Jim Muscato – Young/Sommer LLC, Terry Harlander, Michael Yerdon- Code Enforcement Officer, Jane Jones - Assessor, Tom Jones, Marc Christmas - Christmas & Associates, Fran Yerdon, Angela Kimball - Tug Hill Commission, Matt Smith – Woodwise, Ralph Fox, Bradley Fox, Ed Montieth, Rebecca Fowler, Florence Parkhurst, Kelly Prentice

Supervisor Tanya Yerdon called the Proposed Zoning Law Public Hearing to order at 7:11pm. As far as the public hearing on the zoning law - we received a letter from Mr. Brenner who is with Nixon Peabody LLP and he represents Woodwise. He did call to get on the agenda.

Rob Brenner - he submitted a letter this evening and as he mentioned at the last meeting and meetings prior to the last meeting when the zoning law was discussed. Woodwise appreciates the Town's hard work coming up with a zoning law that works for the town and that works for the adjacent land owners throughout some of the sensitive areas that the town discussed in length. However, they remain concerned based on their substantial holdings in the town that the minimum lot size in the forest zoning district is too onerous and is not reasonably and rationally related to the interests that are in that part of town that need to be protected. He submitted a letter this evening that includes a chart showing minimum lot sizes in forest zoning districts in contiguous municipalities as well as municipalities throughout the Tug Hill. As you will see from that chart the twenty (20) acre proposal is multiples higher than what other municipalities have, he can take you through the chart if it would be helpful to you. Their request is that the town consider that chart, consider the resources you are attempting to protect and we urge you to reduce that minimum lot size down from twenty acres that is something more appropriate and rationally related to protecting the interests in that part of town that potentially have been zoned forest as part of the proposed zoning law. He would be happy to answer any questions that anyone on the town board has on the letter or the attachment that we provided. We are not proposing a specific metric because they think the duty is on the town board to balance the interests in that area against the minimum lot size but they urge the board to look at what neighboring communities have done. Thank you. Supervisor Tanya Yerdon thanked Rob - this is the only thing she has received as far as the public hearing. She asked Town Clerk Susan Hough if she had received anything from any surrounding municipalities, Susan has not received anything. Supervisor Tanya Yerdon - discussion for this board - want to discuss the forest the twenty (20) acres why you decided to go with the twenty (20) acres, the reasoning. CW E. Yerdon asked if Rob had talked to the Town of Florence which wasn't on the chart - she thought they were closer to what we had. Rob - pulled every zoning ordinance in the area that was on line - you will see there are more zoning districts than just the forest, they included all the zoning districts in each of those municipalities together with the minimum lot sizes in those districts, so we didn't specifically call any particular town, we just took what was available and included it in

that chart. CW E. Yerdon she was curious because they are our neighbor, she knows the core forest is forty (40). Supervisor Tanya Yerdon - yes the core forest is forty (40), but as far as the forest she wants to say it was less than the twelve (12), then Boylston, Osceola is five (5). Marc Christmas - with his dealings with other townships, he believes Boylston is the next highest at twelve (12) but he is not one hundred percent on the exact acres of Florence but he knows it's less than Boylston. Rob Brenner - again with the exception of the minimum lot size in the forest, we think that the proposed minimum lot sizes that are in your draft zoning law are consistence with other municipalities, with the exception of the Forest district, the Core Forest there are other examples of forty (40) are minimum lot size, Rural Residential there are other examples that are consistent with what you proposed at three (3) acres, and Hamlet is also consistent with what you proposed with an acre and a half (1 1/2), it's really that Forest zoning district that's a substantial outlier and we don't think it's rational in the context of adjacent towns and the interests that need protection. CW E. Yerdon - isn't the Hamlet 1.25 acres. Supervisor Tanya Yerdon - yes it's one and a quarter. Supervisor Tanya Yerdon - Hamlet is one and a quarter (1 1/4) acre, Rural Residential is three (3) acres, Forest is twenty (20), and Core Forest is forty (40). Marc Christmas - from a Real Estate professional side of things - he would like the board to consider the fact that all of these large acreage parcels that are in the forest zone by having that twenty (20) acres minimum lot size it significantly devalues the property of those properties that are own in the township of Redfield, there is definitely an adverse effect, if you put that minimum lot size in there just as it relates to the property value. Fran Yerdon - the Town of Osceola has - had a forty (40) acre minimum lot size in the Core Forest for thirty-five (35) years. Supervisor Tanya Yerdon - yes that is how we came to the forty (40) acres. Fran Yerdon - down in the lower part they have minimum lot sizes of twenty-five (25) and five (5) acres, if you go up the North Osceola Road one quarter mile from Town Road is Rural Residential everything from that point on is Core Forest at minimum lot sizes of forty (40) acres. CW C. Bauer asked Fran if he knew what the Town of Florence - Forest minimum lot size is. Fran doesn't know. Supervisor Tanya Yerdon - she just needs your reasoning on the twenty (20) acres minimum lot size in the Forest. CW C. Bauer - would not mind dropping it down to fifteen (15). Supervisor Tanya Yerdon - your reasoning. CW C. Bauer - she would want to be fair and comparable to Boylston, and she would be happy to lower it to fifteen (15) but wouldn't go lower than that. CM M. Tompkins - at our last public hearing on zoning we started at twenty-five (25) when we started the meeting, it was thrown out there fifteen (15) and we settled on twenty (20) because it was kind of a compromise between the two, that's how we ended up there at the end of January. Supervisor Tanya Yerdon - so your reasoning Matt. CM M. Tompkins - he thinks we compromised at the last meeting to alleviate this concern or at least he thinks that was our intent. CM E. Webb- thinks it's a good idea. Supervisor Tanya Yerdon - your reasoning. CM E. Webb- well we came down some, we have to stick to some place. CW E. Yerdon - thought twenty (20) was far when we changed the lines on the map so they wouldn't be in the Core Forest, she could possibly live with fifteen (15) but wouldn't be comfortable with it, she would like to know what Florence minimum lots sizes are. Supervisor Tanya Yerdon - is going to look in her office would like the board to discuss. The Board asked Fran Yerdon for the lot sizes in Osceola. Fran - Rural Residential - a quarter mile each side of any town road is 250 X 350, five (5) acre minimum lot size in the small blocks, on Niciu road and bigger places like that twenty-five (25) acre minimum, and everything else is forty (40) acres on the hill, we have one landowner that owns seventeen thousand (17,000) acres, we have a lot of landowners that own two or three (2 or 3) great lots, we've never been questioned, when we did this thirty-five (35) years ago, Lloyd Bumpus and Ron King were on the steering committee, we asked them what the minimum lot size was they would go and cut timber on - they came up with forty (40) acres, anything less than

that wasn't worth the time going in, that is where the forty (40) acres minimum lot size came from, so if you bought forty (40) acres up on the Hill you could sell the timber on it and someone would come in to cut it cause it would be big enough. CM M. Tompkins - so you do have twenty-five (25) minimum acres lots. Fran - yes down around the Niciu road. Marc Christmas - the difference is though, in the Town of Osceola there are plenty of seasonal roads that don't have the twenty-five acre minimum lot size, right now what you are proposing in Redfield, every single seasonal or minimum maintenance road in Redfield would have a twenty-five (25) minimum are lot size, there are a lot of areas in Osceola that are seasonal roads that don't have that minimum lot size. Fran Yerdon - all town roads in Osceola have Rural Residential one quarter of a mile (1/4) each side of the road, whether they are seasonal or not, they are Rural Residential. Marc Christmas - yes that's right which is far different than what we have here. Fran Yerdon - Anyone getting a permit - it's a seasonal permit, when they are issued a building permit it's right on it, it's a seasonal permit, the Town will not be required to maintain that road in the winter time, to add to that, like in North Osceola, we went with the lot lines, we didn't divide anybody's property. CW E. Yerdon asked if all Woodwise property had trees, is it all forested. Rob Brenner - he imagines most of its trees yes. Again, he thinks compromise is the wrong word, we are not looking for the Town to compromise on anything. We just think a lesser lot size is more appropriate, based on what neighboring communities have done and based on existing roads that are in place, and the configuration of parcels, so it's not that the town purposes X and we come back with Y to try to meet in the middle, we really thought that a lower number is appropriate based on what's out there, it's not that we are trying to propose a number in hopes that you come back with something different, that's not at all what we are trying to do, we think there is a hard number that's appropriate and that's where we're at. We are trying to take, suggest a rational and reasonable approach, it shouldn't be a compromise or a collaborative discussion or anything like that. Supervisor Tanya Yerdon - the Town of Florence doesn't have acreage minimum lot sizes, they are in square footage, F1 and F2, they don't have Core Forest. Supervisor Tanya Yerdon - the map was not as we agreed on - right. Rob Brenner - has a few comments on the map that he could share for everyone's consideration, two (2) meetings ago we had discussed the location of some of the main thorough fairs in town, the Highway Superintendent had expressed some concerns about re-drawing some of the zoning district lines, which he thinks the town board has kept true too, but the one thing to point out now is there's a number of parcels that have ended up in split zones, so the zoning district lines don't follow the full parcel, there's only one (1) parcel relating to his clients holdings but there are a number of parcels that are going to affect other people in Town, they now have a parcel that is half Rural Residential and half Forest that could create some development issues down the line. His suggestion again they only have one (1) parcel that's affected, as a good sound land use planning matter is to have all those parcels that are now Rural Residential to re-draw the lines to make sure the entirety of that parcel is Rural Residential even into the rear where the Forest zoning line may cross because it's going to be hard determine what zoning applies when, that will be tricky for the Code Enforcement Officer down the line. CW E. Yerdon - is not in favor of moving the line, absolutely not in favor of that. Marc Christmas - he noticed just north of the intersection of Old State road on County Route 17, there's a piece that actually has frontage on County Route 17, it is part of the Forest zone but it has frontage on County Route 17. Supervisor Tanya Yerdon - yes it was an oversight. Michael Yerdon - when the Zoning Commission reviewed that, it was suppose to come down but for some reason it didn't continue down, it's a high steep back so it's probably not developable, but the line should go down there. CM M. Tompkins - that makes sense even if it is undevelopable. Supervisor Tanya Yerdon - yes it needs to be consistent. Michael Yerdon - the zoning commission spent a lot of time on, the bigger lot size, the majority of that land there is no public highways on the land what so ever, that is why we wanted to go to the bigger lot sizes, you changed at the last meeting the Core Forest area quite a

distance back to Mad River so you encompassed a lot more land, his personal thought is the twenty (20) acres. Supervisor Tanya Yerdon - asked the Town Board if they had more questions. CW E. Yerdon asked Supervisor what she thought - she's a board member. Supervisor Tanya Yerdon - thinks we should go to fifteen (15) acres. CM E. Webb asked fifteen (15) on this and keep this forty (40). Supervisor Tanya Yerdon - yes. CW E. Yerdon - we have to fix the map again, if it's on County Route 17 it should be pink. CM M. Tompkins - yes that makes sense. CM M. Tompkins - asked Jane Jones - Assessor what's an acre of wooded property worth. Jane - an acre of bare wood land - between \$ 1,500 and \$ 2,000. Kelly Prentice - what's that same acre of land worth on a large parcel of land. Jane - the first acre is always worth the same amount across the board, then it costs down as you get into the bigger acreages, all the parcels are broken down into sections the first acre is worth so much, then the first ten (10) acres are worth so much, then the next ten (10) acres are worth so much, on down the line.

Motion was made by Carla Bauer and seconded by Elaine Yerdon to close the Public Hearing on the Proposed Zoning Law at 7:39pm.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, E. Webb, C. Bauer, M. Tompkins
Nays 0

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Susan C. Hough - Town Clerk