

**MINUTES** of the Village of Montgomery Master Plan Committee meeting held in the Conference Room of the Village Hall, Clinton Street, on Thursday, February 18<sup>th</sup>, 2016, at 7:30 pm.

**ATTENDANCE:** Chrm. Conero, Mbr. Blake, Mbr. Romano, Mbr. Steed, Atty. Dowd, Alan Sorensen, Marc Devitt, Maria Beltrametti, Don Berger

**OPEN:** Chrm. Conero opened the meeting with the Pledge of Allegiance.

The Chrm. explains that they have been meeting for over a year as a Master Plan Update Committee and introduces the committee members, as well as the Village Planner, Alan Sorensen. They are here, tonight, to conduct a public hearing on the proposed changes.

Mr. Sorensen explains that this is an update from the 2008 Comprehensive Plan. They started with technical changes to ensure that it was still current to the aspirations of the Village. The Comprehensive Plan is a general policy statement for future land use and development within the municipality. This Comprehensive Plan update reflects the current vision, or desires of the Comprehensive Plan Committee and the Village Board. Within the Comprehensive Plan, there are ten chapters including an introduction, which is an overview; Chapter 2 is Historic Regional Context; Chapter 3 is Population and Housing; there's a chapter on natural resources; a chapter on transportation; a chapter on cultural historic recreational resources; a chapter on community facilities, a chapter downtown revitalization; a chapter on economic development, land use and zoning. There are recommendations within chapter 10, Land Use and Zoning, that would require further action by the Village Board in terms of zoning text amendments to actually implement the recommendations contained within the comprehensive plan. There are a lot of other things that are policies that would be implemented as the policies are followed, either by the Planning, Zoning and Village Board in conducting their daily business.

With respect to chapter 3, population and housing, in 2008 we had to rely on the 2000 census data, of course there was a census done in 2010, with the comprehensive plan update for 2016, we had the advantage of 2010 census data, so that chapter really reflects a complete update of the population and housing trends. Instead of 1990-2000, we look at trends of 2000-2010.

Within the natural resources chapter, there were minor changes in terms of NYS DEC regulations.

With Chapter 5-Transportation, we added a section 5.10 dealing with complete streets. That is the concept that streets should be designed to accommodate more than just automobiles. They should be designed to accommodate pedestrians (sidewalk network), bicycles...there are policies in support of complete street initiatives within this comprehensive plan.

Chapter 6-Cultural Historic Recreational Resources-we updated throughout to ensure the chapter reflected current circumstances within that chapter there were some recommendations back in 2008 for things to be implemented. Some of those haven't been, so the plan is reflected to address that. If there are other recommendations along those lines, we updated the plan to reflect the current policy goals.

Community Facilities was updated to ensure current circumstances.

The Downtown Revitalization Chapter revised the section dealing with NY Main Street which is a statewide main street program; we revised to reflect the current program policy of NY Main

Street. In addition, we added a section recommending further exploration of the feasibility of outdoor café seating within certain areas of the Village.

With Economic Development, in 2008, Empire State Development Corp had a program called Empire Zones. That program no longer exists, so that section was deleted, and in its place we added a new section dealing with shovel ready sites, in a NY Build Now NY program, which is a current Empire State Development Corporation Program. Language was added on the consolidated funding application process; a recent initiative following the adoption of the 2008 comprehensive plan.

Chapter 10-Land Use and Zoning; the PDD was looked at and added a recommendation to further explore whether there should be minimum area requirement for a site to be developed as a PDD. There is also a recommendation to look at whether there should be time-frame set on an approved PDD. The plan is very general in terms of how to accomplish that but it's something that the Comprehensive Plan Committee felt should be looked into further.

The Comprehensive Plan itself would not change that, it would take a subsequent action of the Village Board to actually implement a policy or a local law to amend the PDD process to address that.

10-2 was added for Renewable Energy.

These are the highlights of the Comprehensive Plan. It has a current revision date of February 8, 2016. The purpose of the public hearing is to get the public's input on the proposed revisions to the 2008 Comprehensive Plan.

## **RE: PUBLIC HEARING**

**A MOTION** was made to **OPEN THE PUBLIC HEARING** by Chrm. Conero and seconded by Mbr. Steed.

**Chrm. Conero:** If you make comments about the Comprehensive Plan, state your name so that we can hear it and get it on record. We'd be happy to hear from you.

**Don Berger, 158 Waters Edge:** I just wanted to let this Board know what happened to me today. I went to try to review this booklet and the Village Clerk's office denied it. They said that I would have to FOIL to get this, now the notice outside, it clearly states that we can come down to this Village Hall for public inspection during business hours, which I did and I was denied. Now, my point to this, is how many people, residents, were denied?

**Chrm. Conero:** I have no idea.

**Mr. Berger:** What do we do about such a thing? You see the attendance is low here, maybe that's a result of people being denied to see this simple form.

**Chrm. Conero:** Could be.

**Deputy Village Clerk Murphy:** He did ask for it electronically and I couldn't send it electronically, although, it was on my desk.

**Chrm. Conero:** I would suggest, if it makes sense, we could have this public hearing...we don't have to close the public hearing...we could leave it open for...take written comments, we could leave it open until next month. We're not in any rush to come up with the...

**Mr. Berger:** I think everybody needs to get on the same page. When I'm told that I have to FOIL for this when it clearly states out on the notice that for public inspection?

**Chrm. Conero:** Right. We're an advisory committee to the Village of Montgomery Board of Trustees, if you've got a problem with what happened at the Village Office, you need to go see your mayor...

**Mr. Berger:** I was pretty much shut down.

**Chrm. Conero:** I'm sorry. It should not happen but our committee can't...I don't need jurisdiction over people's work...

**Mr. Sorensen:** You should not have had to FOIL it. You should not have had to FOIL it. I don't understand why that occurred. We'll make sure...

**Atty. Dowd:** If you physically wanted a copy to take home with you...yes, you would have to pay for it.

**Deputy Village Clerk Murphy:** There were other things that he FOILed, as well, it wasn't just this.

**Atty. Dowd:** However, this is a public hearing and absolutely, the documents, you could have sat here at the table and inspected the document without any issue, whatsoever. I don't know why that happened, but...

**Chrm. Conero:** To be fair, too, if you've just gotten the copy tonight, and you haven't read the original one, and you're looking at the new one, you haven't had time to review it to know what's changed in it; it's kind of hard to come to a public hearing and prepare and talk about this. And I understand and that's why I suggested that if we wanted to extend this out to another month, we could do that and I don't have any problem with that, at all.

**Maria Beltrametti:** I'd like to second that idea because I'd like more time to review it carefully and come back with questions or comments.

**Chrm. Conero:** The more people that do look at it and understand it; we'd like to use it as a planning document for our village. It is a very important document, it has a lot of insight in it. If you go back in history, back to before we started on the 2008, there was from 1969 that has some pretty creative things. If you're not prepared to make comments, I'm more than willing to do that.

**Marc Devitt, 146 Union Street:** I appreciate the Board extending the public hearing because the notice was less than ten days and the information, the complete document, wasn't available at the Village until Thursday. The board resolved that by extending the public hearing more than ten days. If it's possible, and I didn't see it online and if it's online, that's great, but originally Tina sent me the first four chapters and there are blue line revisions so you can clearly see where the changes that were made. That was really helpful. Going between that original one and the black and white one and it's a little difficult to see but if the blue line changes are made available online and the public can see it, that would be really helpful.

**Deputy Village Clerk Murphy:** (To Mr. Sorensen), Did you send it to Carol? She puts our stuff on the web.

**Chrm. Conero:** I can send it to Carol.

**Deputy Village Clerk Murphy:** I can send it to Carol, I just didn't know.

**Mr. Sorensen:** I was led to believe it was on the web.

**Atty. Dowd:** It absolutely should be.

**Mr. Sorensen:** It's in a pdf so it's very easy to read. I did do that so that it stands out.

**Mr. Devitt:** The first four chapters I saw that was really helpful because you see exactly where the changes are made and I think it would be helpful to the public. And extending it another month gives everyone plenty of time to review it.

I have a couple of things. Will this refer to the County Planning Department and will it be at the Trustees stage, at some point it's referred to the County Planning Department?

**Mr. Sorensen:** It will be referred to the Orange County Planning Department prior to the Village Board.

**Mr. Devitt:** I don't know if it will be helpful for the Master Plan Committee to get comment back from the County prior to them sending it on to the Trustees? Maybe if they send it on, that's up to you.

There is a section in there on population that showed, again, you had the information up to 2010, which I think was the last census that you had available to you. It would be great, I mean this is good that you're doing this review, because like you said before, the last one done was in '68 or '69 and it hasn't been done in a while so 2008 to now, I think that's good. If it could be done, almost on the 2001-2011 so you can get the current census update, so maybe the next one, try to schedule that? You know, the next update?

**Mr. Sorensen:** The next Comprehensive Plan update?

**Mr. Devitt:** So that you have post-census numbers.

**Mr. Sorensen:** Generally the numbers will come out two years after the official census. That's when you have the bulk of the numbers, so 2012-2022.

**Mr. Devitt:** I'm just throwing that out there. The population is from 2005 when the census was taken, the population in Montgomery was at 4,238. The population in 2010 was at 3,814 but it's noted in the updated Master Plan as an increase of 4.8%. It's actually a decrease in, give or take 10%.

**Atty. Dowd:** But isn't the 2005 number an approximation so that between the two...

**Mr. Sorensen:** It was an estimate.

**Mr. Devitt:** I think the percentages should all reflect that because they reflect that all the way across. The increase or decrease present...

**Atty. Dowd:** I think what Alan's talking about is every ten years the federal government does a census so it was 2000-2010, 2010 being the most recent one. I know that the County tries to project the decade.

**Mr. Devitt:** So your increase is from 2000-2010.

**Mr. Sorensen:** Yes.

**Atty. Dowd:** I think their educated guess is what they think the population will be in 2016 because they don't really know.

**Mr. Devitt:** The section on Valley Central Schools, I might be bouncing around and I apologize, it didn't appear that that was updated at all. I know that Valley Central's enrollment's been down 15% so it's increasingly decreasing.

**Mr. Sorensen:** So its section 7.5, under the schools, I believe?

**Mr. Devitt:** Then, the water and sewer section, that seems like nothing has been updated there and I know that the Village is doing a lot of work with I&I and developing sewer flows and things like that. I think it would be helpful if they got input from the DPW on that.

**Atty. Dowd:** And the water storage tower.

**Mr. Devitt:** And the new tower is not included in that, as well. And that's another ½ million gallons on that tank.

**Mr. Sorensen:** Okay.

**Mr. Devitt:** The B2 zone. In the Master Plan I saw they suggested, I think there was a couple, forgive me if it's not the B2, it might have been the industrial zone, a couple of uses requested to be taken out.

**Chrm. Conero:** From the original one, you're talking about?

**Mr. Devitt:** Yes. And then some uses added to B2 zone; B&B was added and at the meeting the other night, the Village Board amended the B2 zone, if that's official yet, I don't know.

**Atty. Dowd:** Not until it's filed.

**Mr. Devitt:** Prior to that I had suggested that they went from a custom work shop.

**Atty. Dowd:** A shop for custom work, to go from just millinery clothing type of description of what is allowed, to custom automobiles and motorcycles and stuff like that. He is suggesting that maybe we might want to think about even extending even further for custom work. We can do this whenever you get the plan passed by the Board, they can amend or decide what to amend or add whatever they want to add.

**Mr. Devitt:** Some of the uses...I know there's a guy that bought a house on Bridge Street who does high-end furniture design and he's got a shop down in Manhattan and I don't know if he would ever consider having a shop up here to manufacture ...or end tables or any other kind of furniture but I think the master plan should include other uses that the Village would like to see, whatever they are, expand on the uses that would be permitted and encourage the Trustees to adopt other uses so you wouldn't have to go through zoning, like a pdd, maybe if B2 was expanded...

**Chrm. Conero:** Were shops added, proposed to be added to B2 district as a permitted use or repair shops?

**Atty. Dowd:** A shop for custom work already has been proposed. It's probably been there since day one, but started, really reflected when I think there was sewing factories here that produced clothing, millinery hats, like that, the only custom work that you could do in the Village under that permitted use was basically fabrics and clothing and shoes, and stuff like that. With the request that we got from who is purchasing Pine Bush Auction, we increased it to allow custom work of vehicles with certain conditions. But as a site plan view only, not as a special permit.

**Chrm. Conero:** So it's a permitted use but you have to be careful when you do that because you could potentially have a shop that's allowed to do some kind of a nuisance business.

**Atty. Dowd:** How do you define other kinds of custom work that should be added to that definition? We didn't want to stop the process because this particular person was trying to buy it, the piece of property get his business going in the Village, which would then occupy a vacant building right now. But the Village Board would be open to any suggestions.

**Chrm. Conero:** I'm just glad I live behind it.

**Atty. Dowd:** As far as site plans, reasonable conditions always. If everything is kept indoors and during operating hours and as well as sound proofing, I think you can control...

**Chrm. Conero:** You have to be careful when you add certain things to the zone...there can be potential problems.

**Mr. Devitt:** Not much different from Skip Chambers, he's doing tractors and those can be loud. And I would never want to change that or see the Village change that but to allow the Village Board to open to other ideas. And I understand that it might be a nuisance, and you might think it's a nuisance, but you know, Chambers has been there forever and has never been a nuisance to anybody that I know. So, just a recommendation that maybe they look at other uses that could potentially come into the Village, or that they'd like to see, whether it's a bookstore or music shop...just expand on the uses would be helpful.

Just a couple of other things. Were minutes taken for the other meetings? Are they available? Is the information online? I know there's a lot of other...

**Chrm. Conero:** I see there's a section on our website called Exploratory Committees, because that's really what we are. Maybe we can add these items to this area. I don't see master plan on here, at all.

Everyone talking at once.

**Atty. Dowd:** They can be put on there.

**Mr. Devitt:** I think it would be helpful. And any notices of regular meetings, not just the public hearing? Are they noted, as well?

**Deputy Village Clerk Murphy:** Normally, the public doesn't come to the Master Plan meetings.

**Atty. Dowd:** But you still would notice them so people can come, if they want.

**Mr. Devitt:** Have they been?

**Deputy Village Clerk Murphy:** No.

**Mr. Devitt:** Okay, they're not noticed. I was at the Village Board meeting and I asked the Trustees if anything has been done with the update to the master plan and I was told nothing was done at the time. I came down and saw Tina and asked and Tina didn't have anything at the time. It wasn't until this past Wednesday that I saw it in the Wallkill Valley Times and I called Tina and asked if I could get a copy, or review a copy and she didn't have the complete...

**Deputy Village Clerk Murphy:** That's because I was still waiting for it from Alan.

**Mr. Sorensen:** I'm guilty.

**Mr. Devitt:** I think the Master Plan committee extending the public hearing resolves all that.

**Deputy Village Clerk Murphy:** It's not a committee that meets every month. It's only when they're asked to do something by the Village Board.

**Mr. Devitt:** I know and I would still like to attend and if it's noticed I think that would be helpful.

**Deputy Village Clerk Murphy:** I will certainly put it online.

**Chrm. Conero:** Tina's got minutes. I'm just looking...there is a section called exploratory committees, or download documents so we can put these...

**Deputy Village Clerk Murphy:** Why couldn't we just have Carol label it Master Plan?

**Mr. Devitt:** Thank you very much.

**Mbr. Steed:** It is noted on the calendar.

**Mr. Devitt:** Tonight's meeting was on which calendar?

**Mbr. Steed:** The Village of Montgomery calendar...with the Board of Trustees...

**Mr. Devitt:** And I saw it on the website, there was a notice of public hearing but the other meetings haven't been noticed. They were never online. And Tom, if it's on the calendar that's fine but as a public meeting with a board that's appointed by the Board of Trustees, it's an open meeting and it has to be noticed.

**Chrm. Conero:** Wait a minute, it was noticed that we meet every third Thursday of the month. That was our scheduled meeting time.

**Atty. Dowd:** I wasn't asked to prepare a notice but if you said it was put out that way, it's probably put out with all the meetings at the same time. Not individually.

**Chrm. Conero:** So the Planning Board meetings, Zoning Board meetings, they're all published when we have meetings?

**Atty. Dowd:** No, we publish once a year.

**Chrm. Conero:** So that wasn't on the schedule for the year's schedule?

**Atty. Dowd:** I don't know. I don't know.

**Mr. Devitt:** I'm not...so there's more than three people here. You're right. You do want the public participation. This is an important document to the Village and you want to make sure you've got everybody's feedback.

**Mr. Berger:** I have something else. It's a little bit outside my scope and it's probably not the politically correct thing to say. Bear in mind. In the zoning section, in light of what's happening in and around Orange and Sullivan Counties, have you guys thought of doing anything, particularly what's going on in the Town of Monroe and the Town of Mamakating, Town of Crawford, as such. To prevent that from happening here.

**Chrm. Conero:** There's nothing specifically in the plan that prevents that from happening, but I think our current zoning laws would preclude that. I can't imagine that happening.

**Mr. Sorensen:** Within the Comprehensive Plan we look at the development pattern that the Village wants to achieve, so from the 2008-2016 plan, I would say there is very little in terms of changing that vision. There's a well-defined development pattern within the Village and the focus of the plan is to achieve the vision of what the community, how the community wants to see the Village of Montgomery develop and I think that main focus hasn't changed from 2008 to the current vision. I guess I'll leave it at that. When we look at land use, you look at the type of development, whether it's single-family, multi-family, etc. We don't get into who's going to live where. It's focused on the use. We can get into the design aspects. There are some recommendations within the downtown for design guidelines, things of that nature. That's the best that I can respond to the question.

**Mr. Berger:** You took the political, correct route.

**Atty. Dowd:** Alan is a very skilled planner, he knows exactly what we're talking about. He's a legislature up in Sullivan County so he's very much aware of what you're talking about. Let us not dwell upon who occupies the dwellings but on the dwellings themselves.

**Mr. Sorensen:** Exactly.

**Mr. Berger:** That happened in Bloomingburg and you can see where that took them.

**Chrm. Conero:** Yes.



**Atty. Dowd:** And look where it finalized. Again, this country is a free country and people have a right to build and buy and do what they want to do within the law, and in fact the laws in the federal courts have taken a very different stance towards the requirement of every community in this country and the state as to the types of housing that makes a community integrated. And anything that runs afoul of that runs afoul of federal law.

**Mr. Sorensen:** You don't have to look that far...Town of Montgomery risks that...there has to be a balance.

**Chrm. Conero:** I think that's what our master plan is about, it's really not so much controlling, it's just planning and then be planful, and it would be ideal to have our zoning aligned with the comprehensive master plan; that makes things astringent about what can be built where, the density and the type of developments we're talking about. Let industrial...Let's say industrial stay an industrial zone, let business district stay business district, let residential stay residential. Our Village doesn't have a lot of large parcels of land left. There really isn't that many.

**Mr. Devitt:** Just one more thing on the parking, I know the Master Plan talks about off-street parking, municipal parking. It says shared parking agreements and I'm assuming that's with property owners in between property owners. I'm wondering if the master plan committee would suggest to the Trustees that is there an opportunity for the Village to acquire off-street parking, whether it's through gifting or because I think there's some property owners that, if you look at the back-side of Clinton St where it makes sense to have off-street parking, there's a lot of lots including the old Bank of America, Walden Savings Bank, Walden Savings Bank parking lot, 88 Charles Street, National Hotel, there might be opportunities there for, and I'm not saying any of those owners would agree to any of this, but if it's in the Master Plan, then it's something the Trustees can look at in the future and I think it makes a lot of sense. I know the master plan committee talked a lot about trying to protect and promote the downtown business core, I think the off-street parking thing is one thing that rings through and through on your planning board meetings.

**Mbr. Romano:** The national parking lot on a Saturday, is that what you mean?

**Mr. Devitt:** I'm thinking more about the Village acquiring it.

**Mbr. Romano:** The Village taking that?

**Mr. Devitt:** No, not taking it. No, we own the national hotel. Let me give you an example. We own the National Hotel property, and I can't speak for the other owners but I wouldn't be adverse to the Village saying, hey listen, would you consider cutting this off, get it off your tax bills, we'll take it, we'll maintain it but it's going to be open for the municipal parking for all of Montgomery.

**Mbr. Romano:** But people are doing that anyway.

**Chrm. Conero:** But it would be considered in the parking calculation, now that section of downtown would...

**Mr. Sorensen:** So, it's a recommendation to create a municipal lot.

**Mr. Devitt:** Create a municipal lot but you can do it all down Charles Street. It's a future plan. I think that's what the Master Plan's about. Not thinking about the next two years, but four years

down the road what could be. If you lay the ground work now then that gives the trustees, now, and in the future the opportunities to use those tools to try to make that happen and work with current owners or potentially new owners.

**Chrm. Conero:** We always have, there is definitely a parking problem downtown.

**Mr. Devitt:** You look at the Village of Montgomery Thursday, Friday, Saturday night, it's packed and it's awesome! It's great for the business owners.

**Mbr. Romano:** But that corridor is always packed.

**Mr. Devitt:** Yeah, and you want to promote even more of that. And if you give the Village the ability to do that, I think it makes sense, so some kind of language included in that. Personally speaking, if the Village came up with some proposal that, Marc, we could get this off your tax rolls, you don't have to maintain it anymore, it'll become a municipal lot, that's something I would sit down and listen to and a lot of other people would, too.

**Mr. Sorensen:** Okay. I can address that.

**Mbr. Blake:** So, we'd have to up the Village taxes to take care of it.

**Mr. Devitt:** I don't know. It's not maintenance, I think you have to balance it with what you're providing and for your downtown business core. Who's to say that I couldn't say that, put up one of those gates at the national hotel and say, "this is reserved parking for tenants only." Who's to say that Mario couldn't do that and Walden savings bank couldn't do that and bank of America. You think the streets are packed now, those lots are all full with everybody going to all over. I think that's healthy, I think it should be that way. You've got to park down in Veteran's Memorial park because there's no other place to park and walk up the street or in the municipal park or on the street.

**Chrm. Conero:** We spoke a lot about creating a sidewalk system to the park to create that flow of people coming up the sidewalks-creating an environment where people can stay the whole day. They go shopping, they eat and they just flow down to the park. We lack the sidewalk infrastructure on Bridge Street going to the Senior Center and we lack it going on Charles Street.

**Mr. Devitt:** The Master Plan covers that and I think you do a great job but, and then again, does that happen tomorrow, does that happen in two years, not necessarily but you put it in here so that when people do go to develop properties you can say...

**Chrm. Conero:** We can apply for a grant or something and have money available. And that's part of our recommendation was some kind of a sidewalk project to align the streets, especially Wallkill Avenue up here, Charles Street, Ridge.

**Mr. Devitt:** you want everybody to be able to walk from, whether it's the senior apartments or whether it's from Chandler Lane down to the downtown business core.

**Chrm. Conero:** I never park in someone else's parking lot because there's signs that say it's only for people, and I don't want to get towed...

**Mbr. Steed:** What Marc says makes a lot of sense. There are some properties now that are abandoned or foreclosure. That's an opportunity for the village because they're going to ...inaudible...anyway and for us to acquire that and develop it into a useful purpose.

**Mr. Devitt:** whether the Village Trustees do that or not, you guys have done your job and suggested it and said, this is what we think makes a lot of sense for the future of Montgomery. So, how soon will all of that stuff be put on the website?

**Chrm. Conero:** I can't speak for the web designer but can you give me two weeks? I don't know how quick...do you know what the turnaround time is?

**Deputy Village Clerk Murphy:** I can't send anything. It's hard enough for me to open it and I finally got it open and can only send parts of it. When I try to send it the way it's downloaded, it says it's too large. Or if you send it.

**Chrm. Conero:** Would it be helpful for me to call her?

**Deputy Village Clerk Murphy:** I will give you her number.

**Chrm. Conero:** What I would probably do is give her a link to the plans. She can download them and put them on whatever site she puts them on and maybe we'll put a page up that says Comprehensive Plan and get more people involved.

**Deputy Village Clerk Murphy:** Or hopefully other people can be able to download it or print it.

**Mr. Devitt:** Or view it. I think as long as they can open it, they don't necessarily have to print it. You can still have the black and white copy available for everyone to review but as long as you see it online, the color...

It is advised to put the original comprehensive plan online, as well.

**A MOTION to CONTINUE THE PUBLIC HEARING** on Thursday, April 21<sup>st</sup>, 2016 at 7:30pm, was made by Chrm. Conero and seconded by Mbr. Steed.

**RE: ADJOURNMENT**

**A MOTION** was made to adjourn the meeting by Chrm. Conero and seconded by Mbr. Steed at 8:14 pm.

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Tina Murphy  
Deputy Village Clerk