



PLANNING BOARD

MINUTES (FINAL)

THURSDAY, JANUARY 26, 2023

6:00 P.M.

CITY COUNCIL CHAMBERS

CALL TO ORDER: Mark Torpey, Chair, called the meeting to order at 6:00 P.M.

SALUTE TO THE FLAG:

PRESENT: Mark Torpey, Chair; Mark Pingel; Vice Chair; Kerry Mayo; Chuck Marshall; Todd Fabozzi; Patty Morrison; Bill McTygue

STAFF: Susan Barden, Principal Planner, City of Saratoga Springs
Leah Everhart, Counsel to the Land Use Boards

ANNOUNCEMENT OF RECORDING OF PROCEEDING:

The proceedings of this meeting are being recorded for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript of the recording.

COMMENTS FROM THE CHAIR:

Mark Torpey, Chair announced the agenda items to be discussed this evening. The items being discussed are 439 Grand Avenue, a lot line adjustment in the SR District, 313 Jefferson, a modification to a subdivision that the planning board previously approved, 172 Caroline Street, a final two lot subdivision, and the Weibel Plaza PUD zoning Amendment. This last agenda items is an advisory opinion that is being provided to the City Council.

A. APPROVAL OF MEETING MINUTES:

Approval of meeting minutes was deferred to the end of the meeting.

B. POSSIBLE CONSENT AGENDA ITEMS:

NOTE: The intent of a consent agenda is to identify any application that appear to be “approvable” without need for further evaluation or discussion. If anyone wished to further discuss any proposed consent agenda item, then that item would be pulled from the “consent agenda” and dealt with individually.

NONE AT THIS TIME

C. APPLICATIONS UNDER CONSIDERATION:

#20220906 439 Grand Ave Lot Line Adjustment, Proposed lot line adjustment between two lots in the Suburban Residential (SR) district. UDO

Applicant: Daniel J Snyder Estate

Presenter: James Snyder

James Snyder introduced himself as the executor of the estate of Daniel Snyder. The applicant is looking to adjust a lot line with a family member; taking about five acres of the deceased family members land and adding it to another family member's property. No additional lots will be created; simply shift a line within two parcels.

The lot line plans showed a picket fence and existing driveway, both of which are no longer needed and will be removed. Mr. Snyder indicated that he was unsure of what, if anything will be built on the new 8.66 acre lot; his brother is purchasing the land for his children.

Discussion as to why this project was not an Administrative Action; this project is not a type 2 action it's a SEQRA unlisted action; the board is the only involved agency identified, which means you don't have to go through the process of coordinated review. The Board can review Part one of the EAF form tonight. Public notice is not required for boundary line adjustments.

Mark Torpey, Chair, reiterated the decommissioning of the loop driveway so it doesn't extend on to the larger parcel as well as removal of the picket fence; those were the only outstanding items that the city staff mentioned and started to go through the short form assessment. It was determined that there would no impact or a small impact for each question on the short form.

Mark Pingel, Vice Chair noted that due to information provided in part one of the SEQRA Short Environmental Assessment Form and analysis of the information provided and presented in part two of the SEQRA Short Environmental Assessment Form he motioned for a negative SEQRA declaration since the project will not result in any large and important impacts and will not have a significant adverse impact on the environment. Todd Fabozzi seconded that motion.

Motion carries unopposed.

Mr. Torpey reiterated the stipulations: decommissioning of the u-shaped driveway and the removal of the picket fence. Chuck Marshall moved to approve the lot line adjustment as proposed; Kerry Mayo seconded.

Motion carries unopposed.

#20221079 313 Jefferson St Subdivision Modification Proposed modification of an approved two-lot subdivision in the Urban Residential - 2 (UR-2) district.

Applicant: Marini Residential Services, LLC
Agent: Engineering America, George Yasenchak

Mark Torpey, chair announced agenda item number two is 313 Jefferson Street, in the UR2 district; he noted the Zoning Board of Appeals approved a variance for this project in 2020. There's an existing home on the site that needed the setback variance; the Planning Board also approved the subdivision in October of 2020 and created the two lots. One lot has an existing house on it and there is a proposed house to be on the second lot where there will be significant removal of trees.

George Yasenchak introduced himself and noted that the Board members should have letters from the arborist and the present owners indicating the trees that were removed were diseased, dropping limbs and becoming a hazard. Mr. Yasenchak further noted that the City Arborist approved them being removed and was investigating having DPW take them down. The current owner did not wait for DPW and had the trees taken down himself. There were five trees removed and the site plan proposes five new trees. Four of those are street trees being planted in the city right of way along Taylor. The trees taken down were also along Taylor.

Mr. Torpey noted that there were specific conditions of approval in the notice of decision. First being that no trees were to be removed along Taylor and the other condition was driveway placement for the new lot to be accessed by Jefferson. Mr. Torpey continued by pointing out that the plans show 13 trees being removed and only five being planted, resulting in a net loss of eight trees.

Discussion ensued regarding the report provided today by the City Arborist showing that only one of the removed trees was in poor condition, not all of them. Susan Barden was unable to speak with the City Arborist regarding his report before the meeting. Mr. Fabozzi was able to show Mr. Torpey the report. The report had not yet been provided to the applicant. Mr. Torpey continued, noting that most of the trees identified as being healthy were removed despite the fact that there was a condition in the notice of decision that specifically instructed the trees not be removed.

Further statements were made that the letter from the City Arborist was potentially mischaracterized, the report submitted today should be reviewed by the applicant and they should come back to the Board with a strategy or plan to mitigate the loss of trees. Mark Pingel pointed out that the plans show an extensive stand of White Pines existing now that are not on the drawing after the construction. Additionally, there are two or three decent sized deciduous trees. Mr. Pingel continued by saying that there is quite a discrepancy between the letters that were received in preparation for this meeting and what the arborist has since provided; there is a significant number of additional trees that will be removed according to the plans and there definitely needs to be some thought about the number of trees and their placement.

Mr. Torpey commented that Notices of Decision specifically instruct applicants regarding tree removal and very often those instructions are ignored, making the Board sensitive to these violations. He continued by stating it is important for the applicant to come back to the Board with a plan for replanting on-site or even off-site; allowing the Board to work with the applicant to resolve the issue. Discussion ensued about the caliber of trees the Board would like to see in the plans; however, it is up to the applicant and the design team to come to the Board with proposals.

The next part of the project up for discussion was the driveway placement. Mr. Yasenchak noted that the plans have the driveway on Taylor St., however, the buyer is open to moving the driveway to Jefferson Street. This placement will cause an issue in that they will not be able to meet the 100-foot setback requirement since the lot is only 103 feet long. This will not allow the driveway to be 100 feet from the intersection per the current zoning requirements. Because of this, they will be applying for a zoning variance. Mr. Yasenchak pointed out that there is a stone wall along Jefferson Street and it is on city property. The stone wall may have to be altered in order to put the driveway on Jefferson, so they would like input from the Board. He reiterated that they are willing to move the driveway to Jefferson, but it will require a zoning variance and may impact the city-owned stone wall.

Mr. Torpey replied that the Jefferson St. driveway placement, though not 100 feet from the intersection is still further than it would be on Taylor St, and therefore, safer. In regards to the stone wall, Mr. Torpey wanted the applicant to ensure the potential buyer was made aware that the wall is city property, and that at some point in the future, the city may need to remove or alter it for city purposes unbeknownst to the new owner. He further stated that the city was amenable to sensible alterations to the stone wall to accommodate the driveway. The Jefferson St. placement is much safer in terms of both ingress and egress.

Mr. Torpey stated that the last topic on this project that needed to be discussed was that there was a note on the plans regarding a roof eave hanging over the front setback. Mr. Yasenchak replied that the new UDO allowed for overhangs to impinge or be over the setback. Susan Barden confirmed this. Mr. Torpey continued by saying that after the applicant had a chance to look at the tree issue, the project could potentially be put on a workshop agenda

#20221084 172 Caroline Final Subdivision, Consideration of Coordinated SEQRA Review and advisory opinion to the ZBA for a proposed two-lot subdivision in the Urban Residential - 3 (UR-3) district.

Applicant: James Stockwell

Agent: George Yasenchek, Engineering America, Co.,

Mr. Torpey opened with a description of the application and disclosed that he lives within 250 feet of the property. The existing structure will remain and there will be a new curb cut on Nelson to accommodate a new driveway for that for structure. Mr. Torpey further mentioned the need for a variance from the ZBA for the minimum or the average lot width and asked that those specifics be explained.

Mr. Yasencheck began by explaining there is a 38-foot access to Telford place and the way the new zoning calculates the average lot width is by averaging the front, middle and rear widths. If it wasn't for that little bit on Telford place at 38 feet, there would be no issue, but they will be applying for the zoning variances for the 38 foot at the back. The curb cut on Caroline will meet the requirement from the zoning that there is off street parking. Applicant is not counting the off-street parking in the back because the garage is so close, no cars can be parked there other than in the garage. The curb cut on Caroline for Lot 2 is to allow off street parking without having to walk a large distance from the garage to the house. The curb cut on Nelson for Lot 1 is for the same reason. Mr. Torpey asked for confirmation that the apartment that is currently above the garage, would no longer be used as an apartment, which was confirmed by the owner of the property.

Mr. Torpey continued, explaining this project is a two-lot subdivision that will eventually be proposed to the Board, but tonight they would only be hearing about the project in order to supply the ZBA with an advisory opinion since there are ZBA variances needed for this project. Additionally, he said the Planning Board was not taking any action on the subdivision tonight, they were looking at environmental review of the project and after the ZBA made their decisions, the applicant would need to submit a separate application and come before the Planning Board.

Discussion regarding the second curb cut on Caroline for Lot 2 ensued. Points were raised that the curb cut was not a necessity; the garage would provide enough off-street parking to satisfy the zoning requirement. The second curb cut would mostly be to cut down the walking the homeowner would have to get into the home. Mark Pingel pointed out the UDO states that the curb cut would need to be approved by the Department of Public Works. The Planning Board would have to seek input from DPW on that before a decision was made. Further discussion brought up the points that the UDO states one curb cut per single family home, and a second curb cut would have to be approved at the discretion of DPW. Having DPW approve the second curb cuts is a new regulation and the criteria they use to make their determinations is not clear. Suggested to the applicant that they have a strong reason for the second curb cut on a different street. Kerry Mayo pointed out that on that particular block of Caroline Street, there are no driveways, they all back up to alleys, and it would be out of place in the neighborhood. The applicant then came up to state that if unnecessary, he doesn't want a second curb cut.

Further discussion ensued regarding the parking on Caroline, on Talford place, the lack of sidewalk on Talford, winter parking being an issue. Also discussed the legality of having a second dwelling unit on the same lot, what the requirements were and that variances would be needed for this subdivision.

Mr. Torpey reiterated that no decision was being made by this Board, that the application had to go through the ZBA and the Planning Board would be doing the SEQRA and may be inclined to provide a positive response knowing the applicant would have to come back before this Board. Susan Barden pointed out that this project had been publicly noticed and as such, the Board could open public hearing if they chose. Due to the fact that there were members of the public at the meeting, Mr. Torpey opened up public discussion for the project.

Kerry Mayo brought up the point that the new building would have to go through historic review and the particulars of the difference between Historic review and Architectural review were discussed.

Much discussion about next steps commenced, determining that whichever Board does SEQRA must ask for permission to serve as lead agent and the Planning Board would need to do that before rendering any decisions or providing advisory opinions. Patty Morrison made a motion to seek lead agency status, seconded by Kerry Mayo. All Board members were in favor.

More discussion ensued regarding in which order the steps should be taken, ending with Mr. Torpey saying the Board would leave it at this point tonight, wait to hear from the ZBA and then review SEQRA. The Board will adjourn the project with the public hearing open.

#20210564 Weibel Plaza PUD Zoning Amendment Consideration of advisory opinion to the City Council for a text amendment to the Weibel Plaza PUD.

Petitioner: Baruch Aronson
Agent: Justin Grassi, Esq.

Mr. Grassi introduced himself and started his presentation by explaining he has this application before City Council; the Weibel Ave PUD Amendments. The main point of the application is to add uses to the PUD, specifically a marijuana dispensary, warehouse and distribution plans. They are looking to extend the “life” of that PUD. The general location of the PUD is what encompasses the Hanaford, Khols and Tractor Supply at exit 15 as well as two out parcels along Loudon Road. The parcel that they are speaking about today is Zone B of the PUD, specifically the 16 acres behind Hanaford. We are aware the Zone B technically expired in 2012. The issue here is that the PUD stipulated that if a site plan was not submitted by 2012, then the zone reverts back to the zone that existed at the time of the PUD, however, that zone no longer exists at all in the City’s current zoning map.

Mr. Grassi continued by summarizing his appearances before the Board. Once in 2021 which resulted in revisions and then in 2022 resulting an unfavorable decision. The Board responded to all of the requirements for that recommendation, but one specific item was that the warehouse distribution plans were not consistent with the comprehensive plan. The petitioner is back before the Planning Board because the City Council passed a motion to send this back to the Planning Board. Commissioner Moran drafted a letter outlining two questions/concerns/clarifications.

The first question touched on how in 2021 this Board suggested that the use submitted for a warehouse and distribution plan didn't incorporate most of the transect design elements that were incorporated in the zoning districts in the 2015 comprehensive plan and didn't have much pedestrian connectivity. Due to this suggestion, the applicant incorporated these transect design elements into the PUD that would now apply to that zone B. The Council's question was why we, as petitioners, are still non-compliant to the comprehensive plan. The second question Commissioner Moran asked touched on the finding that warehouses are contrary to the comp plan, but warehouses exist in zoning districts in the same comprehensive zone area as our project. Our comprehensive zone

area is the CMU, the Community Mixed Use. The original zoning ordinance from 2012 had a warehouse district that allowed warehouses within the CMU. Now, under the UDO, there is a light industrial district within that CMU that also allows warehouses. The City Council would like clarification on how the light industrial district would be in conflict with our comprehensive plan.

Mr. Grassi further noted that there was no clarification discussed in the regular Planning Board minutes, and that there was additional discussion at the workshop that resulted in a change of opinion. Those minutes were not available to the City Council or Mr. Grassi to review. What Mr. Grassi is looking for this evening is at least clarification on how warehouses are inconsistent with the comprehensive plan or even a reversal of the negative decision. Additionally, Mr. Grassi asked whether the Planning Board really had site plan concerns or if it's just that the Board feels that a warehouse district is inconsistent with the comprehensive plan.

Mr. Grassi then reviewed the meanings of the terms community mixed use, comprehensive plan and zoning ordinances. He pointed out that parts of the area are already well established and other will be shaped by future planning decisions. He further noted that they have revised the PUD amendment to include the design elements of zone B, which is the 16 acres they are looking at. It was also noted that the area in question has some built-in challenges, which is why it has not yet been developed. The land itself dips a bit, is behind DOT, sits along the Northway, to the south there is a utility easement and there is also a waste facility.

Mr. Grassi finished by reiterating that what he was looking for this evening was clarification from the Board.

Todd Fabozzi thanked Mr. Grassi for his presentation and commented that it seemed almost as if Mr. Grassi was asking the Board to change their opinion, and noted that Mr. Torpey had a draft of that clarification.

Mark Torpey stated that he will open for discussion but wanted to confirm that all in attendance understood what was being asked of the Board. He stated that since the Board already provided an advisory opinion, this was a request for clarification of our opinion. Mr. Torpey then stated the specific questions needing clarification. The first question is essentially, does the addition of the transect zone design standards to the PUD legislation provide what is necessary and sufficient to support the proposed uses of warehouse distribution plants and wholesale establishments and in essence make those uses consistent with the comprehensive plan? The next question is since the two previous zoning ordinances included a separate and distinct warehouse district that fell within the boundaries of the comprehensive plan's CMU designation, does this set a precedent for finding that the warehouse use is consistent with the comp plan? Also, the current UDO includes a separate and distinct light industrial district in the exact same location within the boundaries of this comprehensive plan. Since the warehouse uses are now included under that newly revised light industrial district doesn't this also support a finding that the warehouse use is consistent with the comp plan? The last item Mr. Moran's letter touched on was seeking overarching guidance to assist the City Council to evaluate the potential

Weibel Ave PUD amendments more fully but before taking legislative action on the proposed text amendments.

Chuck Marshall asked if the amendments they were asking for were to be approved, would those apply to Zone A as well. Mr. Grassi replied that some of them would, unless otherwise stated. He elaborated by stating that they're currently proposed to only apply to Zone B because Zone A is already largely built out. He continued by disclosing that some owners in Zone A have retained counsel and are opposing the application because they do not want additional design elements to be imposed on their areas.

Discussion continued regarding the expiration of the PUD, the accessibility they have through easements, the inability to make site improvements without owner approval and the potential opportunity to negotiate additional access ways in the future. The point was raised that the 16-acre area in question currently has no permitted uses because the original uses expired and the zone transitioned back to something that no longer exists. That the question on whether to extend those original uses is before the City Council, which would allow 41 uses for the property.

Further dialogue touched on the fact that with the approval of the amendment, the marijuana warehouse and dispensary would be allowed uses. The Board provided a favorable opinion for that usage. Discussion continued, reiterating and reclarifying permitted uses under previous zoning ordinances and the new UDO. Ultimately culminating in the question about whether warehouses are appropriate in the area, and that is a decision for the City Council that it is up to the Planning Board tonight to clarify for the City Council, the three questions set forth in the letter from Commissioner Moran.

Mr. Torpey reiterated question one related to incorporating the language of the transect zones in the PUD. The draft response, is that at a high level asks, whether any use should be permitted as long as the physical design and layout meets a certain design standard. If added to the PUD compliance with transect standards would then be necessary but not sufficient to ensure that the proposed uses would comply with the comprehensive plan and would not be contrary to the UDO. The Planning Board believes however that there are some uses which simply do not comport by their very nature regardless of physical design standards being strictly adhered to. This is the reason why the new UDO takes a different approach to uses as compared to the previous zoning ordinance. Unlike the previous T4 T5 districts, where all uses were permitted as long as a special use permit was issued and a site plan approved, the current UDO expressly states which uses are allowed. Warehouse and wholesale establishment uses are expressly not permitted in the urban neighborhood and the neighborhood center areas of the city without a zoning variance. The UN and NC designations replace the T4 and T5 designations respectively. Further, the term distribution plant is not listed anywhere in the UDO as an eligible use. These three proposed uses are not properly aligned with the long-term vision of the neighborhood scale businesses complemented by safe and engaging pedestrian connectivity.

Discussion points were brought up that the City Council has no obligation to adhere to the advisory opinion that PUDs do have to comply with the comprehensive plan, that other towns and municipalities sometimes overlay a traditional or explicit zoning district on a

PUD to increase the types of allowed usage without modifying the language in the PUD legislation.

Mr. Torpey then addressed the second question. The second question dealt with the question about the previous Warehouse District that the CMU encompassed. The CMU designation overlaid one small pre-existing Warehouse District as well as the surrounding T4 T5 areas in 2015. This area of the city is down by the train station and does not mean that the CMU designation expressly endorses any or all pre-existing conditions or uses that were present in 2015. A comprehensive plan establishes a future long-term vision for all areas in the city. By law, this must guide zoning ordinances, which then determine how further development will proceed. It is worth noting that the area under discussion is designated T4, T5 and the actual lot of this warehouse district is quite small by comparison. The warehouse district and its “state” as of 2015 represented what could be more aptly described as a pre-existing non-ideal condition to be grandfathered until new development was proposed. It was expected that any future development in the area would need to comport with the comprehensive plans CMU designation by supporting neighborhood scale businesses and services that are truly walkable and connected to adjacent residential neighborhoods.

Mark Pingel further explained that the IND District in that CMU is self-storage and nothing that even comes close to a warehouse. To say that that little pocket sets a precedent for every CMU in the city is a stretch. After some discussion, Mr. Pingel commented that by thinking that since design standards are in place, then someone could build anything they want is backwards. First, we determine uses and then apply design standards.

As there were no questions about the response to Commissioner Moran’s second question, Mr. Torpey addressed question three. Mr. Torpey again read his draft response. The recently enacted UDO reviewed this area of the city and changed the zoning ordinance of the Warehouse District to Industrial Light. This change was intended to more closely align with the CMU designation but still fell short of the comprehensive plan’s aspirational goals. The Industrial Light purpose statement lists warehouse as an eligible use but also says that any use must have minimum adverse impacts on neighboring uses. It seems clear that the UDO does not want any Industrial Light development to adversely impact surrounding neighborhoods. Additional UDO clarity is probably needed to more accurately define this specific use under the broader INDL designation in the new UDO. Significant discussions occurred throughout the Udo development process about the need to attract different types of businesses that would diversify the city’s economy. Much discussion centered on the importance of the INDL District to attract such businesses as prototyping facilities and innovative maker spaces that employ locally sourced and skilled professional talent. The incorporation of the warehouse use into the Industrial Light District was more intended to serve as an ancillary use which would support principally neighborhood scale businesses that complement and interconnect with mixed-use residential neighborhoods. The Planning Board recommends that the City Council add clarifying UDO language to the Industrial Light Warehouse definition to ensure full compliance with the CMU designation going forward. The more appropriate location for commonly defined and typically larger general warehouses which you’re looking for really should be limited to the Industrial General District.

Mr. Grassi commented that what was just described, how warehouses should be ancillary is exactly what they are proposing. The rest of the PUD has major retailers with warehouses in the rear. Their proposal would have the same. The warehouse would not be seen from Weibel nor from Loudon. The land itself is difficult to develop, and the warehouse would be an ancillary use to go along with the mixed-use commercial already there.

Discussion ensued with major points being that the applicant doesn't have a specific use in mind for the property; that area of the city generates a good amount of taxes for the city and perhaps the commercial side should be explored further; that a use variance is still an option for the applicant, though often difficult to receive; without the extension there would be no permitted uses; that if the applicant pulled their application, there would be no allowable uses for anyone else; areas around the site are potentially being developed residentially; this space is difficult to develop due to many factors, including accessibility; the Board, to a certain extent is almost being coerced into settling for a less than ideal use; the applicant seems to want a warehouse to be approved despite there being 41 other uses available if the application is extended; and are essentially asking to be allowed to do whatever they'd like. Additionally, there are already traffic issues on that street and a warehouse would add to those issues.

Mark Torpey commented that the Board will try to provide as much feedback to the City Council and ZBA regarding appropriate uses that are aligned with the long-term vision of the city but that is difficult when there are three facilities that are in total non-compliance with the comprehensive plan. There is no buffering, no streetscape, it's not pedestrian friendly and adding a warehouse would just add to those issues. Mark Pingel added that the Planning Board cannot establish a precedent where they ignore the documents and regulations, they are committed to enforcing because there is a commercial problem with a specific parcel.

Todd Fabozzi noted that their job this evening was to respond to the three questions from the City Council, that Mark Torpey wrote an articulate response that perhaps the Board could just add on to if necessary, but the most they can do is make suggestions to the Council, and they will do what they will.

Mark Torpey asked to read the ending to his response, reiterating that the questions had been answered, and this remaining part was just overarching guidance. "As mentioned previously for the warehouse District the comprehensive plans CMU designation was similarly applied over the Weibel Avenue PUD in 2015. The original Weibel Avenue PUD language was adopted by the city in 1992 over 30 years ago. No one would argue that the current design and layout of the existing buildings are ideal implementations of the CMU designation within the comprehensive plan. But most would agree that future development should proceed in a manner that adheres to the UN and NC zones which surround this area of the city. This includes full implementation of the physical design standards for the transect zones and limiting the uses to those that truly comport with the CMU designation. The current UDO does not allow for warehouse and wholesale establishment uses in the UN and NC zones and does not mention distribution plant as an identified use at all. This area of the city needs substantive additional development to properly align with the comprehensive plan. It is worth noting that the build out of the Greenbelt trail is anticipated

along Loudon Road. New sidewalks are being considered along the full length of Weibel Avenue. Improvements to Lake Avenue and the Weibel Avenue intersection are underway to improve both pedestrian and cyclist safety. As currently worded, the Weibel Avenue PUD does not even allow or provide for residents of the apartment complex across the street to safely walk to the grocery store. What currently exists is inconsistent with the future direction of the city and can be improved with further developments if the PUD changed consistent with the Planning Board's recommendations. Mr. Torpey commented that this opens the door for possible discussion; that to add the proposed uses represents a step in the wrong direction which will make it even harder to remedy the existing inconsistencies.

Mark Pingel commented that if the Council believes the allowed uses for UN and NC are too restrictive, they have to change the comprehensive plan, which will allow them to the designation for the PUD. Mr. Grassi disagreed, insisting there must be a way where warehouses comport with the comprehensive plan since it does in light industrial. To say otherwise would say the city's own light industrial district is in violation of its comprehensive plan.

Mr. Torpey countered that they are offering a suggestion that that warehouse definition is different than what Mr. Grassi is looking for in the Industrial Light District; that there is there is no clarification as to what warehouse means in the Industrial Light District and the Planning Board is recommending that the definition be much more specific, in a way that warehouse as an ancillary use could comport with the CMU overlay if you're trying to build that community connectivity.

Further discussion ensued where Mr. Grassi noted how helpful that information is and Mr. Torpey responded that the primary principal use in business would need to be small scale and community-based. The use would need to comport with that CMU overlay; there are specific uses we're trying to attract.

Mr. Grassi then suggested that without a change in the definition of warehouse, the zoning ordinance is inherently in conflict with the comprehensive plan. That perhaps the language was left vague so that in certain circumstances, a warehouse could be considered consistent.

Mr. Pingel commented that the last paragraph of the CMU points out that there are some areas of the city where the identity of the area is well established, acknowledging that some uses were grandfathered in. Mr. Pingel reiterated that it has to be use driven and the exceptions follow, otherwise the Council has to change the comprehensive plan.

Discussion about how to add the changes and additions to Mr. Torpey's response to the City Council letter commenced; all changes will be sent to Susan Barden for consolidation and will be discussed and voted on at the next workshop.

Mr. Torpey asked if there was a motion on the table to approve the October 13 and October 27 meeting minutes. Mark Pingel moved and Kerry Mayo (?) seconded. All were in favor, the motion to approve the minutes carried.

MOTION TO ADJOURN:

There being no further business to discuss the meeting was adjourned at 8:08 P.M.

Respectfully submitted,

Julia Destino

Meeting minutes approved April 13, 2023