

# Town of Rochester Comprehensive Plan, Zoning Code, and Map Task Force

Report to the Town Board



5/11/2009

Carl Chipman, Supervisor  
Lynn Archer, Councilwoman  
Tavi Cilenti, Councilman  
Manuela Michailescu, Councilwoman  
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# TOWN OF ROCHESTER

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Supervisor 626-3043  
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Assessor 626-0920  
Transfer Station 626-5273



Code Enforcement 626-2433  
Planning Board 626-2434  
Zoning Board 626-2434  
Court House 626-2522  
Youth Commission 626-2115

RE: Report from Comprehensive Plan, Zoning Code, and Map Task Force

The CZM Task Force is pleased to issue our recommendations relating to Subdivision Code, Zoning Code, and the Zoning Map of the Town of Rochester.

The CZM Task Force was created by unanimous resolution of the Town Board on March 6, 2008 with each Town Board member nominating two members each. Tom Shepstone AICP, principal partner of Shepstone Management Company, was retained by the Town to serve as professional consultant to the committee.

## **Comprehensive Plan, Zoning Code, and Map Task Force members**

David O'Halloran, Chairman  
Michael Baden, Vice-Chairman  
Imre Beke Jr.  
Jeffrey Davis  
Gerry Fornino  
Alonzo Grace  
Frank Kortright Jr.  
Diana Puglisi-Cilenti

Robert Rominger

Martha Tardibuono

### **Ex-Officio members**

Kristin Marcell (ECC)

Rebecca Paddock-Stange (Planning and Zoning)

Brenda Striano (Code Enforcement)

The CZM Task Force began a review in April 2008 of the Town of Rochester Zoning Map, Chapter 125: Subdivision and Chapter 140: Zoning of the Code of the Town of Rochester. During the 14 month review, the CZM has held 26 public workshop meetings. In coordinating the review, the CZM Task Force members reviewed the 2006 Comprehensive Plan, the current Town Code, and the drafts of the Code Task Force as resources for its discussions. Considerations were given to the Natural Resources Inventory report, New York Rural Water Association report, Ulster County Planning Board comments, modern common planning and zoning practices, NYSDEC regulations and practices, County, State, and Federal regulations, the knowledge and experience of the CZM members, the advice of our consultant, as well as the comments, concerns, and questions heard from Rochester residents during the 2006 public hearings. Our report is not merely a template or form Code with Town of Rochester inserted, but rather the result of a thoughtful, detailed, realistic study of the Town.

The CZM Task Force would like to offer thanks and acknowledge all who assisted in our review.

The Town of Rochester Code Task Force for their draft codes and maps

Rick Umble and Tom Hynes of Ulster County Information Services for mapping assistance

Dennis Doyle and Robert Liebowitz of the Ulster County Planning Department;

The staff of the Town of Rochester offices of Assessor, Code Enforcement, Highway, Planning and Zoning, Supervisor, and Town Clerk

The Town of Rochester Environmental Conservation and Historic Preservation Commissions

**The CZM Task Force offers these specific Recommendations to the Town Board**

- **Chapter 140 (Zoning) Town of Rochester Code text**
- **Town of Rochester Zoning Map**
- **Chapter 125 (Subdivision)Town of Rochester Code text**
- **Present Chapter 130 (Telecommunications) to be deleted**

**In addition, we offer comments on these topics which we find relevant to our review**

**1. Animals**

- References relating to the keeping of animals have been removed from our proposal because we believe this subject to be not a matter of zoning and we recommend strongly the Town Board address this subject independent of zoning by enacting a separate Code chapter or incorporating it into an amended Chapter 53 (Animals).

**2. Historic Property Recognition Program**

- The Town Board, in conjunction with the Historic Preservation Commission, should recognize the wealth of historic properties in the Town and the excellent documentation of these properties, by establishing a Task Force to explore the subject of a voluntary Historic Recognition Program.

**3. Code Enforcement**

- We recommend the Town Board enact legislation authorizing the Code Enforcement Office to address the issue of cleanup of properties in a manner similar to Chapter 66 (Unsafe Buildings) rather than addressing this issue through the court system.

**4. Planning and Zoning Boards**

- Application forms and checklists detailing the instructions and requirements for Subdivision, Site Plan, and Special Use Permit applications should be updated or created with regard to the Code revisions. This is to aid both the applicant and the Planning Board in the application and review process. These documents should be reviewed and updated periodically.
- The Planning Board should review the thresholds as to when professional review by the Town Planner, Engineer, or attorney is necessary for the review of Planning Board and ZBA applications. This professional review is an important tool for the Planning Board and ZBA. These thresholds should be reviewed and updated periodically.

**5. Environmental Conservation Commission**

- The Environmental Conservation Commission should establish an “Invasive Species” list of prohibited plants to be supplied to the Planning and Zoning office for the benefit of both applicants and the Planning Board in the review of landscaping choices on applications. This list should be reviewed and updated periodically.

**6. Training and Education**

- The Town Board should schedule training sessions on the Code revisions to educate the Planning Board, the ZBA, the Planning and Zoning office, the Code Enforcement Office, and any other individuals or agencies the Town Board feels would benefit from this training. We recommend Shepstone Management Company provide this training and the Ulster County Planning Director be invited to attend.