

Zoning issue still hot in town

By Matt Peppe
Staff Reporter

HYDE PARK — The fight is not over to put in place a permanent zoning plan to determine the town's rapidly planned growth. Although the Yancy McArthur administration managed to pass a zoning ordinance and map in September, residents and planning board members have complained that errors and inconsistencies take the teeth out of it. So, the old question is back: the 2003 or 2005 zoning plan?

Supervisor Pompey Delafield said in a telephone interview that the town board will not attempt an overhaul of the zoning, but will appoint a committee charged with finding discrepancies and conflicts in the current version of the zoning.

"The town cannot go through the whole process all over again," Delafield said. "We can't afford to do that."

Hyde Parkers have not for-

gotten about the 2003 version of the comprehensive plan and zoning that was developed—and nearly adopted—under Delafield's first term in office. The plan was closely based on the ideas behind the 1997 master plan, itself the work of years of input. A vote was only prevented after a court ruling declared an "appearance of a conflict of interest" on the part of then-Councilman Russell Urban Mead.

The result was a stalemate and another administration that left office without finalizing a zoning law. In stepped McArthur, back for his second term of office as supervisor, with promises of finally putting zoning into place. However, after his zoning review committee drastically strayed from the 2003 version of zoning, numerous hearings met with public outcry and bitter division among residents.

In September, the law was passed. The issue was over. Or

was it?

The November elections clearly sent a message. The board majority responsible for passing the zoning was voted out in favor of Delafield and four Democrats.

Zoning is a sensitive political issue. Delafield admitted as much at the last town board meeting when he said, "I've been elected and un-elected over this."

It is with a careful step that the new board must deal with the issue. As if the debate never ended, however, residents picked up where they left off at the last board during the first public comment period of the year.

What to do?

There was a slew of complaints about specific discrepancies between parts of the 2005 plan, which is now the town's law.

(Continued on Page A4)

... Zoning

From Page A1

Herb Sweet, a member of the zoning board of appeals, cited the rules laid out for land where the Baker/Gagne hotel conference center on 340 acres of property near Route 9 and Saint Andrews Road, the largest development slated for Hyde Park, is planned to go in. He said contradictions make the job of the reviewing agency, the planning board, impossible.

"The code says the reviewing agency 'shall be guided by visions, goals and strategies of the comprehensive plan.' The plan says the Bellefield district should preserve natural beauty of the land and promote tourism, but also create a bypass road between Route 9 and Route 9G. They're two opposing goals," Sweet said.

Mary Donohue, chair of the zoning board of appeals, said the last board worked back-

wards in developing their zoning plan by creating a zoning code and modifying the comprehensive plan to fit that.

"You have to start with a plan and then move to zoning," Donohue said.

With mounting criticism of the 2005 plan, which was recently put on the books, some suggested scrapping the law altogether in favor of what they saw as a better alternative—the 2003 plan.

"We need sound zoning," said Denise Dunn, who said the board can choose between two zoning documents, referring to the 2003 and 2005 versions. She added that she hoped the new town board "honors your pre-election commitments to sound zoning."

John Bickford warned that getting rid of the 2005 zoning after it was already made law

would set a dangerous political precedent.

"The last thing this town needs is for another board to throw it away and come in with a whole new zoning," Bickford said.

New planning board member Anne Dexter, formerly a spokeswoman for Stop the Sprawl, said the zoning code seems to be missing the teeth needed to regulate land use. She cautioned that not fixing zoning would be detrimental.

"This zoning is not helping; it's really hurting," Dexter said.

Delafield urged residents to have patience while the board dealt with the problem.

"This town has been so all-consumed with zoning," Delafield said. "There are many other things in dire need of help."