

Public Hearing
November 30, 2021
6:00 p.m.

Present: Supervisor Gerald L. Deming, Council Members: Lynn Parnell, Amos Smith, Norman Gates and Frank Rose Jr.

Absent: None

Parliamentarian: Daniel Pangrazio, Supervisor of the Town of Caledonia

Others: Thomasine Wing, Allan Wing, Ann Roth Blizzard, MaryAnn Hann, Jon Hann, Craig Hitchcock, Sean Hopkins, Dustin Geiger, Carl Peter, Norm Adkin, Marcia Trathen, Frank Burger, Connie Burger, Gurminder Virk, Russell Sutter, Jeanette Starr, William Odell, Sylva Palmer, Chris Pascuzzo, Joe Bucci Jr, Greg O'Connell, Greg Spezzano, Barb Spezzano, Tim Paul, Tim Boyle, Preet Badwan, Martha Edmonds, Ned Edmonds, Hui Chen, David Cichelli, Elaine Bucci, Joe Bucci, Virginia Legno, Aaron O'Neil, James Cicero, Rick Cicero, Polly Stapley, Anne Hasler, Jason Boyd, Mary Lou Boyd, Bridget Cook Esq, Marilyn Curley, Gene Curley, Courtney Underwood, Greg Burm, Cindy Pond, Greg Norris, Pete Occhioni, Blaine VanRy, Teresa Easton, Mark Easton, Becky Lewis, Roger Bruce, Arnold Matlin, Celia Lewis, Michelle DuBiel, Art Bernecker Jr., Art Bernecker III, Karen Bernecker, Marcia Koch, Justin Curley, David Eaton, Laurie Eaton, Mark Assini, Karen Hulburt, Scott Hulburt, Molly Cummings, Joanne Caraher, Dan Caraher, Amy Carpenter, Heather Nagel, Davies Nagel, Robina Nagel, Cindy Myers, Steve McLean, Marta Burroughs, Mark Connolly, Ann Vitale, Cody DuBiel, Andrea Rose, Thomas Earle, Lee Gratwick, Denise Hahn, Jaylin Brooks, Lewis Price, Lisa Ann McLouth, Gary Giglio, Lynn Copeland, Sandra Copeland, Ashley Clark, Donna Walker, Alex Curry Jr., Kirk Richenberg, Brittany Hart, Karen Canning, Kathy Cunningham, Chris Johnson, Michelle Scutt, Kathy Copeland, Missy Hubbard, Grayce McLaughlin, Joe McIlroy, Ed Canning, Irene Sick, Jake Powell, Riley Stella, David Rose, Deputy Matt Cole and Deputy Hudson Vasile.

Mr. Pangrazio opened the Public Hearing at 6:00 p.m. and turned it over to Supervisor Deming for Town Board introductions. Mr. Deming also introduced Mr. Pangrazio as the parliamentarian for the evening. The Supervisor took a moment to thank the Fire Department for the use of the building and appreciated their assistance with the Public Hearing.

Mr. Deming then went on to state the purpose of the Public Hearing reading the notice in full. After which time he turned the hearing over to Mr. Pangrazio for the speaker portion.

Mr. Pangrazio briefly noted the evenings procedures and time limits while mentioning that written comments will be accepted up until 3:00 pm December 6, 2021. Mr. Pangrazio then welcomed the first speaker to the podium.

Russell Sutter: Mr. Sutter stated that he lives in the hamlet of Greigsville and supports the project. He believes that it will be a benefit to the community while making the corner look esthetically pleasing.

Mark Assini: Mr. Assini told the group that he was an employee of American Rock Salt and talked about the option for employees working locally to be able to purchase food/coffee. He is aware of the traffic concerns on Rt. 63 & Rt. 36 while also addressing the current sounds/noise associated with York Central School announcements, activities and buses. He mentioned the noise associated with the drive thru believing it not to be an issue. Mr. Assini stated that he feels the project is a welcome addition for employees and the community.

Dr. Arnold Matlin:

Comments Presented at York Town Council Public Hearing on 11/30/21

Arnold H. Matlin, M.D.
2290 Anderson Road
Linwood, NY 14486
585-768-6277

My name is Dr. Arnold Matlin. I have lived in Linwood, Town of York for 50 years. My children attended York Central School, and for many years I was the York Central School Physician. I consider myself a stakeholder in this discussion of changing the Zoning Ordinance.

When the current Zoning Ordinance of the Town of York was passed in 2009, the Board consisted of Supervisor Gerald L. Deming and Council Members David Deuel, Norman Gates, Lynn Parnell, and Frank Rose, Jr. All of those people voted for the law except for Mr. Rose, who happened to be absent. David Deuel is no longer on the board. Amos Smith has taken his place, so we'll give him a bye. The vote to pass the Zoning Ordinance was unanimous.

This all happened just 12 years ago. We're not talking about old pioneers in coonskin hats passing an antiquated zoning ordinance. In fact, three of the people who voted for the current Zoning Ordinance are still on the Board: Supervisor Deming, Ms. Parnell, and Mr. Gates.

My question to the Town Board is, Did the people who voted for that Zoning Ordinance in 2009 make a mistake? If they made a mistake, I assume they'll tell us that they made a mistake. If they were right about the Zoning Ordinance, then I see no reason to change it.

Thank you.

Bridget Cook, Esq:

Good evening, my name is Bridget Cook.

I am an attorney at the The Zoghlin Group, which is located on 300 State Street, Rochester, NY 14614.

We represent Heather and Dave Nagel who are opposed to this local law change.

1. One of our main concerns with the proposed local law change is the occurrence of spot zoning.

New York Town Law requires that rezoning be in accordance with the community's comprehensive plan. (NY Town Law §263). The Court of Appeals in *Udell versus Haas* asserted that "the thought behind the requirement is that consideration must be given to the needs of the community as a whole. In exercising their zoning powers, the local authorities must act for the benefit of the community as a whole . . . and not because of the whims of either an articulate minority or even majority of the community." (*Udell v. Haas*, 21 N.Y.2d 463, 469 (1968)).

In stark contrast to this, spot zoning is "the process of singling out a small parcel of land for a use classification totally different than that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners." (*Rodgers v. Vill of Tarrytown*, 302 N.Y. 115, 123 (1951)).

To determine whether an action is spot zoning the test is whether the change is other than part of a well-considered and comprehensive plan calculated to serve the general welfare of the community. (*Collard v. Incorporated Vil. Of Flower Hill*, 52 N.Y.2d 594, 600 (1982)).

Essentially, you cannot change the law to benefit one person.

If conditions are plainly personal to one developer or owner the Court of Appeals has found that this is prima facie evidence of spot zoning in its most maleficent aspect. (*Dexter v. Town Bd. Of Town of Gates*, 36 N.Y.2d 102 (1975)). For example, rezoning of a property from single family residential to multifamily residential for the use by one applicant is textbook illegal spot zoning. (*Mazzara v. Town of Pittsford*, 34 A.D.2d 90 (4th Dept. 1970)).

Recently, the Town of York undertook the process of updating its own comprehensive plan in 2020. As the Town recognizes on its website, "The goal of the Comprehensive Plan is to serve as a guide for the future, which presents ideas to be looked at as the Town continues to change and progress." This change to the zoning code was not discussed during this process or contemplated at all in the Comprehensive Plan.

Instead, the Applicant is trying to avoid seeking a variance from the ZBA, by seeking to rewrite the Town Code. The proper method for the Applicant is to seek a variance from the ZBA.

II. Other Available Properties

To further bolster the point that this is clearly spot zoning, despite the applicant's assertion to the contrary, we have identified at least eight properties that are currently zoned appropriately and are big enough for a drive thru under the current zoning code.

There is only one planned beneficiary of this zoning change- the applicant. However, this change could create a myriad of unforeseen consequences for the future development of this Town.

If this zoning change goes forward we've identified at least 19 properties — in addition to the applicant's property- that would be zoned to allow for drive thrus.

This kind of major change requires careful planning and consideration. It should not be done on an ad hoc basis to accommodate one project when the appropriate remedy is for the applicant to go through the variance process.

Thus, the Town Board should not enact the requested change to the zoning code because this is clearly spot zoning.

We would like to add maps showing the above described property locations into the record.

Thank you for your time.



Properties that are not adjacent to a residential district or residential use property and are, therefore, currently allowed to have a drive-thru with an amplified speaker system, no set-back needed



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Properties that could have an amplified drive-thru, if the law changes

Marcia Koch: Ms. Koch stated that she has roots in the Town of York and travels the Rt. 63 intersection often when visiting relatives. Technology has changed dramatically since 2009 and believes the speakers will be fine and will not be an issue at all.

Joe Bucci Jr.:

York Town Board From: Joe Bucci Jr

Date: December 1, 2021

Two of the primary goals of the Travel Center project from day one have always been the enhancement of the existing trail system, primarily the Little Italy Nature Preserve, by the creation of an anchor business that will help to tie in the existing trails while providing a place to meet, relax, to have a specialty coffee and a meal. The other, is to provide a high quality drive-in restaurant/café for the residents of the Town of York, travelers, people that work in the area and visitors to the community.

Business development and community development do NOT have to be at odds with each other. If they are, it is a missed opportunity, as they can be and should be, mutually beneficial. It will be a shame if the current code is not amended, and the Travel Center (once constructed) will not have a Tim Horton's. The majority of the people in this community want this project to happen, they want a Tim Horton's. That is obvious. They see this as an opportunity that will be an economic benefit to the Town of York, as well as help to highlight and enhance the Town of York's unique trail system. I am in full support of the proposed modification to Section 607.C.

In regards to the misinformation being spread by the opposition about the amendment being "spot zoning", that comment was already disputed and proven wrong by the Deputy Planning Director of the Livingston County Planning Board during a November 10th Planning Board meeting. This is NOT an example of spot zoning, if anything it is the exact opposite. The Town is taking this amendment Town wide, and it will apply to all commercial property within the Town, therefore this cannot be considered spot zoning.

Thank you for the opportunity to provide a comment in support of the amendment and the overall support of the Travel Center Project.

At this time Mr. Pangrazio reminded the audience to not get caught up with the individual comments, keeping it civil and respectful.

Gary Giglio: Mr. Giglio spoke of being a lifelong Town of York resident and would love to see change come to the area. With the technology being used today he does not believe that the speaker system in question is a huge issue and clearly supports the project.

Heather Nagel:

In an interview for an Op-Ed called "The Importance of Balanced Growth", Mr O'Connell said that if someone has a property, they want to make the most money they can from it. That's why zoning is such an important tool." (end quote) Your decision on whether to change our law is not about whether something gets built on the corner of 63 and 36, but how to keep it, and other projects, within the intentions of the Town's Comp Plan. That's the purpose of our zoning. At a proposed 1600 square feet over the building size recommended by our Comp Plan, the town's laws may be doing exactly what they are intended to do, forcing the project to trim down to an appropriate size.

It is not common to amend the context of our code at the request of a project applicant. In fact, when the Town was asked to do just that in 2015, three board members said that once you open up commercial properties, it includes all the commercial properties in the town; it may work well in one area but not be appropriate for all other areas. Another council member stated he felt it would be spot zoning and the amendment was not approved.

It's been said that you can hear Geneseo's brand new Burger King order box inside the neighboring 24/7 Fit Club, obviously going through walls and insulation. That's with 2021 technology. Fortunately the Fit Club is not someone's home. The white paper that the planning board found on automatic volume control was written 11 years ago. Since then, towns have continued to include the very same law that we have, showing that it continues to be a best municipal planning practice; probably because communities that have allowed these next to homes have figured out they are undesirable, even with automatic volume control.

In Sept, the attorney for the travel center told you that our current code will not allow any proposed drive-thrus with amplification and that no drive thru facilities can take place in the area of their proposal, or in any area. In fact there are 7 properties in our town that could have them, not zero; and two of them are in the area of the York Travel Center—half a mile away at the corners of Retsof Road and 63, and one of those corners is vacant so it could easily have a drive-thru restaurant there that would be in a location that is appropriate for one (town planning at work).

In conclusion, I hope that you will see that the law should stay as it is. We currently have a sufficient number of places where drive-thrus with amplification can be built in our town without having to put our residential areas at risk of a poorer quality of life, now or in the future.

I'm submitting an article from last year called "No, We Still Don't Need Drive-Throughs", published by Strong Towns. You may be familiar with Strong Towns, they are an organization dedicated to making communities financially strong and resilient. Just this past Sept they featured an article on Greg O'Connell's work in Mt. Morris. The point they make in the article is that in spite of COVID, drive-thrus still are not the best use of a town's commercial properties.

Thank you for your time and for listening.

No, We Still Don't Need Drive-Throughs

COVID-19 has upended the restaurant business. And cities around the world have scrambled to figure out what they can do to help the sector adapt and survive, One disappointing outcome of this scramble has been a resurgence of interest in drive through restaurants. As Fast Company reported in early September, we've seen the restaurant of the future, and it looks like this nightmarish Burger King:



Image via Burger King

Chains that already have a drive-thru model have leaned heavily on them to drive business: for example, drive-thru now accounts for 90% of total sales at Wendy's. And they're taking their cues for the future from this trend—just read the Fast Company piece:

Ask any fast food company, from Taco Bell to McDonalds and they will tell you:

COVID- 19 accelerated everything....

Nowhere is that more evident than in a series of new stores Burger King plans to start building next year—where the car is treated like royalty.

...[C]hain restaurants are investing in the higher-margin, higher-demand drive-through instead of dining rooms (And Burger King is anything but alone in this regard —as we detailed in a recent feature, this trend is happening across the Industry)

Yet the idea that this is the "restaurant of the future" is more than a little dismaying. Especially because there's been a growing trend in recent years of cities actually restricting the creation of new drive-throughs—for multiple very good reasons. I'm here to say that despite the pandemic, those reasons are still valid



designs even in urban environments where they're not appropriate. Cities should be prepared to resist that pressure. But will they be? Or will they buy into the simplistic notion Wikimedia Commons Image via that the drive-through, thanks to COVID-19, is now the future?



If they do buy into it, it'll be because of the natural human tendency to overreact to temporary circumstances with far-reaching solutions—typically the first solution that comes to mind, feels good, and is politically or practically feasible in a hurry. A good example is the widespread adoption of "security theater" measures shortly after the September 11 attacks. Even though many of the changes likely did nothing to enhance traveler safety, they were driven by the need to appear to be "doing something" rather than a sober analysis of risks, costs, and benefits.

The pandemic equivalent of this seems to include the rush in some quarters to declare that anything that fosters socially-distanced consumption is an unqualified good, regardless of its other downsides or trade-offs. And because cars are the dominant way we currently avoid breathing the same air as other people, this simplistic mindset threatens to reinforce auto-centric policies and design assumptions, at the expense of everyone who doesn't or can't drive, And of our cities' resilience, financial and otherwise.

If someone in your city is telling you that the drive-thru is now the inevitable future of the restaurant biz, here's what you tell them:

1 . Drive-throughs are a bad financial deal for cities.

A drive-through is a markedly low-returning land use, in terms of the tax revenue it brings in versus other uses of the same land. It just so happens that the article that first brought Strong Towns to many readers' attention way back in 2012 was a proof of exactly this concept: a brand new

Taco John's in Brainerd, Minnesota, when you actually do the math, is significantly less valuable than even a fairly drab, run-down strip of small local storefronts.



Total value of the "Old and Blighted" block: \$1, 104,000, Total value of the many readers' attention was "Shiny and New" drive-through Taco John's block: \$618,000.

The reason is simple: the amount of non-place a drive-through restaurant requires is massive, and this drives the value down. It's not just the driving lanes and parking lot; it's things like stormwater buffers that end up being required to make up for all that asphalt.

2. Drive-throughs are traffic nightmares.



The flip side of revenue is expenses and drive-throughs also impose more costs on your city than a lot of other things that than could occupy the same piece of land. One reason is that they are absolutely massive local generators. Sean Hayford O'Leary made a striking comparison on Twitter between a Taco Bell and a 185-unit Apartment building: which do you think brings in more revenue per acre? Which do you think is responsible for more traffic?

A nice side-by-side example on Southdale Circle in Edina. That T-Bell likely generates more traffic than the 185-unit apartment building behind it. Despite being lower-taxed residential, the apartment generates 1.4x as much property tax as the T-Bell (per acre – or 6.7x total).

pic.twitter.com/jljJQIdPXZ
— Sean Hayford O'Leary (@sdho)
August 25, 2020

It's an odd quirk of Your Brain on Cars™ that it's rare to see a groundswell of NIMBY opposition to a new Taco Bell because of traffic, but nearby traffic impacts are a common theme of the opponents of new apartment construction. Go figure.

In the worst cases, a drive-through not only generates a ton of local traffic, but it is so poorly designed and configured to accommodate this influx that it creates hellish back-ups on the adjoining street. The now-locally-infamous "Carbucks" in St. Paul, Minnesota ought to be a cautionary tale. But did the Carbucks experience deter St. Paul from recently approving a conditional use permit for a Taco Bell drive-through, two blocks from a popular light rail and rapid bus station? No, gentle reader, no, it did not. (You can read St. Paul planning commissioner Bill Lindeke's excellent take-down of this decision on [Streets.mn](https://streets.mn).)

I suspect a big part of the reason is the unexamined notion that we somehow "need" these drive-throughs -- not least now that sit-down dining is not an option for many.

3. Drive-throughs are pedestrian nightmares,

A drive-through makes for a miserable environment to walk, ride a bike, or use a wheelchair or other assistive mobility device. Every driveway access to or from the street is a potential conflict point where crashes can happen, because it's a site for unexpected behavior. Drivers may not be looking for people on the sidewalk, or someone may not expect the vehicle in front of them to brake.

On top of this, you have the "wasteland" factor: people on sidewalks feel most comfortable when there is a space-defining, hard edge to follow (a psychological phenomenon called thigmotaxis), such as a continuous wall of storefronts. Driveways break up this wall, and create an imposing and unpleasant environment to walk through. There are few things that can more quickly sap a street's appeal as a walkable commercial destination than a drive-through or two.

4. Drive-throughs just aren't necessary. The needs they meet can be met in other ways.

The most common argument against restricting drive-throughs—other than the simple "Some people like them," which shouldn't hold water against the obvious harm they do to the surrounding environment and your city's finances—concerns people with unique needs that are served by a drive-through arrangement.

- Maybe you have a disability and going inside the business is a significant hassle, unsafe, or impossible for you.
- Maybe you are high risk for COVID complications for one or more reasons, and so you are really are not comfortable going in even just to stand in line for take-out.
- Maybe you are a parent with a young child, who is spared by the drive-through from the need to unbuckle your kid from a car seat and get them into a stroller all while averting any meltdowns.

What I would say here is don't fall into the trap—or let your local leaders and advocates fall into the trap—of conflating "Solving Problem X is necessary" with "Solution Y is one way to solve Problem X, and therefore Solution Y is necessary!"

There are a lot of ways to meet these needs, when we start to get creative. Establishments are doing creative things with take-out windows, or similar makeshift solutions such as putting a table at your restaurant or coffee shop 's front door and letting it serve as the take-out station. Curbside pickup is now common at many stores, so that you can wait for your order in a nearby parking space without leaving your vehicle (or unbuckling that car seat). In an urban environment where many businesses do not have their own parking lots, I would extend this and say an employee will deliver your order anywhere within a couple blocks of the restaurant.



Photo by Erik McClean on Unsplash

You could wait on a park bench if you want! Delivery within a very localized area can easily employ technologies such as bikes, scooters, or even (let's take a page out of famously car-centric fast-food chain Sonic's book here) roller skates to speed up the process.

Jaime Izurieta, an architect and urban designer who is an expert on storefronts, has written a thread suggesting a number of directions that these innovations might take. They will be local and responsive, but the point is that there are lots of ways to address customer convenience, social distancing, and a range of mobility issues within a walkable urban environment.

The drive-through just happens to be the tool that a certain set of corporate chains have already adapted to their needs and business model, It's one that comes with heavy downsides for cities, so don't let COVID be the reason your town thinks twice about limiting or banning new ones. You'll be fine without them.

You May Also Like



Where We Embrace Socialism in the U.S.: Parking Lots
 How we embrace socialism for car storage in the public right of way.
 Oct. 12, 2021 - Joe Cortright

The Hidden Inequity of Car-Based Design
 For significant populations of people in the US., the requirement to drive is a major barrier to participating in city life,
 Sep 27, 2021 Tiffany Owens

Three Questions to Ask While Walking Your City
 Walking permits us to acquire more robust data about our surroundings than does traveling by car. Here are three questions to help guide you as you traverse your city on foot
 Aug 20, 2021 - Tiffany Owens

Becky Lewis:

I am here to ask the Town Board to postpone considering changes to our zoning code for amplified sound systems next to homes until after the revision of our Comprehensive Plan in 2022, just a few months away.

We would not be here tonight if it weren't for the proposed York Travel Center. The only reason we are talking about allowing amplified sound systems on properties next to homes is because the Buffalo company, NOCO Property Management, has asked for it.

This proposed change is not part of a coherent vision for our town. It is a short-cut to meet NOCO's financial timetable. NOCO would like to avoid the standard process of going before the Zoning Board of Appeals to ask for a variance, as I had to do a few years ago.

The current zoning code was in place when NOCO started this project. If the company couldn't be bothered to find out whether the plan met existing zoning codes before moving forward, why should we trust it to be responsible in other areas, such as pedestrian safety and the environment?

NOCO has not earned our trust by putting misinformation on the York Travel Center website stating that the project will generate \$2 million in tax revenues. This is not true. The York Travel Center may generate \$2 million in sales, also known as tax-able revenues. Not at all the same thing as tax revenues.

It is important to understand that the proposed zoning code change could affect multiple homes next to 20 commercial properties across York, from Telephone Road to Main Street to Chandler Road.

It is also important to understand that existing code already allows for a drive-through with an amplified sound system on 7 commercial properties that are **not** next to homes.

— and a drive-through w/out amplified sound next to homes.

In revising our Comprehensive Plan, our community could decide our town should allow amplified drive-through sound systems next to homes, but that zoning change should not be made now, merely to meet NOCO's financial timetable, rather than the best interests of our town.

I urge you to follow standard procedures and not make a rushed zoning code change that could have wide-ranging effects, just months before beginning a comprehensive review of zoning and the future of York. Thank you.

Becky Lewis

Tim Boyle: Mr. Boyle noted that he was representing Newman Property Management and quickly addressed the information he believed to be misquoted in regards to the projected revenue that would be generated from the Travel Center. Mr. Boyle provided correct revenue and tax figures for the project based on research. Mr. Boyle seemed to believe that it is the sound system that is in question and went on to explain in detail the various decibel levels associated with a number of vehicles and sound systems noting that the proposed drive thru speaker system would be much lower.

Martha Edmonds:

11-3-2021

Good Evening. Thank you to the York Town Board for letting us speak at this Public Hearing. Everyone here tonight is a concerned citizen. This is our common ground.

My name is Martha Edmonds and I am a resident of the Town of York, NY.

I choose to stand up and speak out rather than sit silently about the proposed change to the zoning code of the Town. I suppose it is divide and conquer, and has in fact divided out town. The law as it stands now is adequate for the rural nature of our town. In the proposed change, in Section 2 PURPOSE, it is stated that this is to "protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of York". To change because an out of town fossil fuel developer has requested it, seems to be rushed without surveying the community who lives here. Greigsville is nothing like Buffalo. Sure, it would be convenient to get a drive thru coffee, but who wants to listen to the constant ordering and live next door to it if the law is changed? The technology is newer, but not necessarily better, due to the discussions about screening And who is going to regulate the volume when trucks are idling? Perhaps the authors had all of this in mind when the law was written.

Also in our school district;

The Village of Leicester in their code 190-40 states

Gasoline stations, gasoline station-markets, motor vehicle repair shop motor vehicle sales agencies, and drive-in businesses shall comply with the following:

- A. Lots containing such uses shall not be located within 300 feet of any lot occupied by a school, playground, library or religious institution. Measurement shall be made between the nearest respective lot lines.

I was a Teacher Assistant at York Central School for 28 years and our 3 sons went to and graduated from YCS. 4 of the Town Board members and some of their children went to YCS. Went I first heard of this project, my first thought was how close it is the school, which is the center of our town. In the above stated purpose of the change, number one and two are public health and safety. Remember that this is 100 feet from the school.

A legacy usually leaves a better place, like Vitale Park or Letchworth State Park

Today is Giving Tuesday — What are we giving the Town of York?

Treat this as an opportunity rather than a problem.

To change this law is a bit like opening Pandora's box or the genie from Aladdin,

Lewis Price: Mr. Price spoke in support of the project saying that he lives on Chandler Road and from his residence can clearly hear York Central School announcements and events as well as the music at the nearby Wadsworth Grill. He does not believe the speaker system in question will be an issue and is supportive of the Travel Center.

Preet Badwan: Mr. Badwan owns the gas station at the corner of Rt 63 & Rt. 36 and said typically they have approximately 10 locals each day coming in for coffee and with the new facility hopefully have many more if this project moves forward. Mr. Badwan addressed the sound associated with the drive thru and like several others, does not believe it to be an issue. He stated that we need this place as it is good for our community.

Anne Roth Blizzard

To members of the York Town Board

Our existing Comprehensive Plan was developed to "accommodate future development in a manner that maintains the rural character of the town." It states "neighborhood or hamlet scale business uses will have preference over regional or highway oriented commercial uses."

Zoning regulations provide for orderly growth and development in accordance with the Comprehensive Plan. Zoning ordinances are developed from the Comp Plan in order to protect the health, safety and general welfare of the community.

Because our current Zoning Ordinances do not permit amplified speakers on commercial businesses adjacent to residential

areas, you are being asked by the developers of the York Travel Center truck stop to amend the code to fit their particular needs. We have a Zoning Board of Appeals which has been effectively used for years by citizens and developers to request use variances. The ZBA determines whether development plans fit the use as defined in the Zoning Ordinance and Comp plan. These developers want to bypass an established process.

Again, zoning regulations are developed from the Comp Plan in order to protect the health, safety and general welfare of the community. Our Central School has always been the heart of our community. In addition to educating our youth, our school has been a venue for sporting events, concerts, plays, summer rec programs, student driver ed, meetings of the York Leicester Towners for the past 45+ years, community information meetings and festivals such as Field Days. Do you really feel a 24 hour truck stop belongs so close to our busy school and adjacent to homes?

If, rather than adhere to the intent of our Comp Plan and zoning ordinances, you choose to accommodate the developers by amending the Zoning Ordinance to allow for drive through amplification within 50 feet of homes, your arbitrary decision will have far reaching consequences. It will open several other areas in York, a number of these adjacent to residential hamlets, to possible development by commercial fast food chains, each with drive through amplified speakers, each bringing more traffic, bright lights, dumpsters filled with trash, possibly 24 hour service. Do we really want formula fast food chains springing up around our town?

We are only one month from 2022, the year the Town of York will be updating our Comprehensive Plan. It will be important to engage as many members of the community as possible to define a collective vision for our town. Who do we want to be going forward? Will we choose to become a commercial hub catering to interstate traffic passing through? Or will we choose to remain defined by our beautiful farms, lovely vistas, interesting and historic amenities and quiet neighborhoods?

I urge you to put the well being of our community ahead of the demands of the developers of the York Truck Stop. Wait until all our residents have been given the opportunity to participate in updating our Comprehensive Plan, reflecting our collective vision of how we want to live. Don't let one commercial developer pressure you into making a decision that will affect all of us for years to come.

Respectfully submitted,



Anne Roth-Blizzard, former Planning Board member & chair.

David Cichelli: Mr. Cichelli stated that he resided on Rt. 63 for many years and was never bothered by the truck traffic. He urged the group in attendance to look at the pictures displayed this evening and said this facility is beautiful. It will bring in a lot of revenue and he is definitely in favor of the project.

Michelle Scutt: Ms. Scutt grew up in York but has since moved to Mt. Morris. She reiterated that truck drivers need a place such as this to stop at. In many cases, it is not feasible for truckers to veer off routes into Towns such as Geneseo or Dansville as it would take too much time out of their already tight schedules.

Ned Edmonds: Mr. Edmonds stated that he has been a resident in Town since 1984. Despite the Travel Center being a pretty place, he is skeptical as it is still a truck stop. He urged the Board to be careful when deciding and addressed the potential volume level of speaker system. Mr. Edmonds said even though it has been said there will be no noise problem he mentioned the 24/7 gym in Geneseo behind Burger King, saying the speaker can be clearly heard. Mr. Edmonds said York is a small caring community so let's keep it that way. He concluded with questions regarding

the status of the current gas station at the corner if this new one was to move forward and said we are trading green space for this?

Alex Curry Jr.: Mr. Curry stated that **HE IS** one of those truckers that drives up and down this road on a daily basis. He has been a lifelong resident and noted that as long as he can recall there has been a truck stop at that intersection with antique equipment surrounding it, even playing sports next to it as a high schooler. Mr. Curry told the group he is clearly in favor of the truck stop as it is his livelihood.

Molly Cummings:

30 November 2021

To: York Town Board
From: Molly Cummings 2635 York Road
West
York, NY 14592

You have a very big decision to make---one that will have short term and long term consequences for our town. While it is not an enforceable, binding legal document, York has a comprehensive plan that was written in 2006. New York state law states that a town board has the primary responsibility of achieving the goals in that plan. (the seated board at that time accepted that charge) State law says, quote: "A successful comprehensive planning program will enable the town to anticipate and deal with these growth and development problems rather than reacting to them on a "crisis" basis.

The developers of this proposed project have specifically requested that you change a law that is on this town's books to make this truck stop/fast food drive thru project work--in other words, to react on a crisis basis.

By doing that, you will be ignoring at least three of the major objectives of the comprehensive plan: 1) to continue or initiate the conservation of environmentally sensitive areas--that includes the area in question. 2) the need for access regulations and control of frontage development, especially along routes 63 and 36. 3) improvement to public recreation areas, including trails. During the past year more than a million people visited the Letchworth Gateway Villages website. York is a trail town---part of this.

Will York look to the future and nurture the rural nature that those of us who live here greatly appreciate and that visitors want to explore ...or react to the "crisis" that this developer is facing at this moment?

Please don't count on the truck drivers and drive thru coffee drinkers to take a hike through Little Italy.

Instead, consider that changing this law would have long lasting, profoundly negative effects on the direction of our town. Is that being a good ancestor?

Sean Hopkins: Mr. Hopkins represents the applicants of this project and the sole purpose of this meeting is to discuss amending regulation of 607 C. The new amendment to the code is better than the Town's current code saying it was an improvement. Mr. Hopkins reminded the Board and those in attendance that Livingston County Planning issued a favorable recommendation with a 14-2 vote. Mr. Hopkins also stated that the statement regarding Spot Zoning is false as this property is zoned commercial. He concluded by saying that the Town of York is a great place. No need to divide our community as this will allow something for everyone.

Ashley Clark: Ms. Clark stated that she was a lifelong resident and her children currently attend YCS. She is in favor of a postponement at this time and mentioned that the Town did a survey for marijuana opt out why not for this matter as well. Mrs. Clark also addressed the fact that the developers were advertising that an upscale restaurant would be included which she believed not

to be the case. In fact, she mentioned a local restaurant, the Yard of Ale as being what she would consider upscale. Mrs. Clark addressed the comments and division on social media associated with the project. She asked that we be better people than this, saying “this is not who we are as a Town”.

Donna Walker:

From: Donna Walker <dlw2@cornell.edu>
Sent: Tuesday, November 30, 2021 7:03 PM
To: Town Clerk
Subject: Public Hearing

My name is Donna Walker. I live in York. I have two children who attend York Central School in the 8th and 10th grades.

Thank you for the opportunity to speak tonight. I stand in opposition to the proposed change to the zoning ordinance. I regard York's zoning ordinance as a promise - a promise that I will be living in a rural, agricultural community - not a future Henrietta or Geneseo. And that my children would be attending a school made as safe as possible.

It is not right to revoke that promise - that plan - that was thoughtfully developed by the people 'of York on the whim of one developer. And opening the door to chain restaurants adjacent to residences in our town

York is literally at a crossroads and we can choose to encourage the traits that make our town a good place to live or we can allow things that are a detriment to our town.

Please choose wisely.

Lisa Ann McLouth: Ms. McLouth stated that she has lived in York for 17 years and prior to her moving to York she called the Town offices and asked about property information. After researching further, she was made aware of the manure smell that would come from where her home was located in close proximity to a large farm, but decided to buy the property. Saying that this property in question this evening is commercial and suggested that maybe those that are not in favor should not have moved out here.

Dave Nagel

I want to welcome everyone here tonight, I'm really glad there are so many of us that care about the future of the Town of York.

There's a ton of research out there and we, as a town, need to do our due diligence on this issue just like we did for a number of other issues like wind power, fracking, solar power, even pot... so I'll just share some of what I found with the Board:

1. Lessons from Mt Morris
2. Cities Replacing the Worst Kind of Infrastructure
3. 6 Ways to take Back Your Community
4. How Do You Reinvent a Rural Community
5. Locally Owned Firms Recirculate More Money

This brings me to the point that we're all here because the developers of the Travel Center did not do their due diligence in researching the issue.

They should have known that our zoning laws did not allow them to proceed with their plans and now

they expect the town to make up for their mistakes and change our laws just for them. And they even gave us misleading and incorrect information to try and convince us that what they are bringing in to our town will benefit the town and not degrade it.

I want you to think back to those people who helped build this town this town... the farmers, the salt miners and the others that had to work their asses off to make York a good place to work and raise a family...

I don't think they would have bent over backwards to accommodate these types of developers and neither should we.

Dave Nagel 11/30/21

Mr. Nagel submitted number of Articles

1

STRONG TOWNS

9-14-21

Lessons from Mount Morris

This article was originally published on Jonah Richard's newsletter, Brick + Mortar. It is shared here (in slightly modified format) with permission. All images for this piece were provided by the author.



The Great Housing Grab: At the turn of the Great Recession, private equity companies struck gold when they entered the single-family housing market en masse. And they haven't looked back since.

Between 2011 and 2017, some of the world's largest private equity groups and hedge funds spent \$36 billion on over 200,000 homes in ailing markets across the country. By 2019, they owned over 300,000 single-family homes.

That might only represent 2% of the 15 million single-family rentals on the U.S. market. But institutional investors are just warming up. New single-family rental funds are being spun up left and right: Upward America Venture with \$4 billion, Invesco Real Estate with \$5 billion... You get the point.

Then, add in the growing iBuyer market from proptech companies like Zillow, Redfin, and Opendoor. In some markets like Raleigh and Charlotte, iBuyers are scooping up 3% of all homes sold.

The public debate over the ethics of government allowing (i.e., facilitating) this and the morality of such blatant Wall Street profiteering is worth following. Even the Atlantic can't seem to take a consistent stance.

But, regardless of which side you're on, we can all probably agree on one thing: Institutional investors (or, more specifically, those without any local ownership) will never really care about the communities they operate in. Especially when that's on the scale of single-family rentals.

Whether that's because they can't (spread too thin across many communities) or don't want to (more concerned with profits than community leadership) is beside the point. The fact is that community development will never be a priority for people with no actual connection to the community.

This has far-reaching implications, albeit dystopian. Who's going to create spaces that we actually care about? Places that residents are proud of— where they want to hang out, socialize, show off to their friends, and feel at home?

The Hero we Didn't Know we Needed but Got, Anyway

Enter Greg O'Connell, the uninvited guest to Invitation Homes' profiteering party (Invitation Homes is Blackstone's \$17-billion single family home investment vehicle).



Or, more casually: O'Connell is everything Wall Street is not.

O'Connell is a NYC-detective-turned-real-estate-developer admired for his community-first mentality. He not only advocates against gentrification, he is the living antithesis to it. And, fittingly, he is reputed to carry a copy of Jane Jacobs' *The Death and Life of Great American Cities* everywhere he goes.

Long before Brooklyn was cool and trendy (that is, full of high rises, Equinox's, Sweetgreens, and Pressed Juiceris), O'Connell started buying and rehabbing dilapidated properties in Red Hook for use of affordable housing and light manufacturing. You know, the bread and butter of a healthy community.

The results have been a phenomenal success. O'Connell's efforts can be

directly linked to the creation of over 150 businesses and 1,200 jobs in Red Hook.

Fast-forward to 2008 and O'Connell had amassed a portfolio worth hundreds of millions of dollars, partly as a result of other players in the market realizing the value of gentrifying Red Hook. But, despite pressure to sell, O'Connell held out.

Then, he decided to double down on his commitment to promote quality job creation and human-scale neighborhoods.

An alum of SUNY Geneseo in upstate New York, O'Connell turned to Mount Morris—a nearby town with a dwindling population of 2,800. A town that needed a little TLC.

Investing with a Purpose

Around the same time Wall Street started gobbling up single-family homes, O'Connell invested \$1 million in buying 19 vacant, rundown buildings in downtown Mount Morris.

Then, he put another \$1 million into renovations. In exchange for low rents, commercial tenants agreed to certain stipulations: making sure storefronts stay lit after hours, designating a few days a week to remain open late, etc. Things that would help drive traffic to Main Street and promote healthy commercial activity.

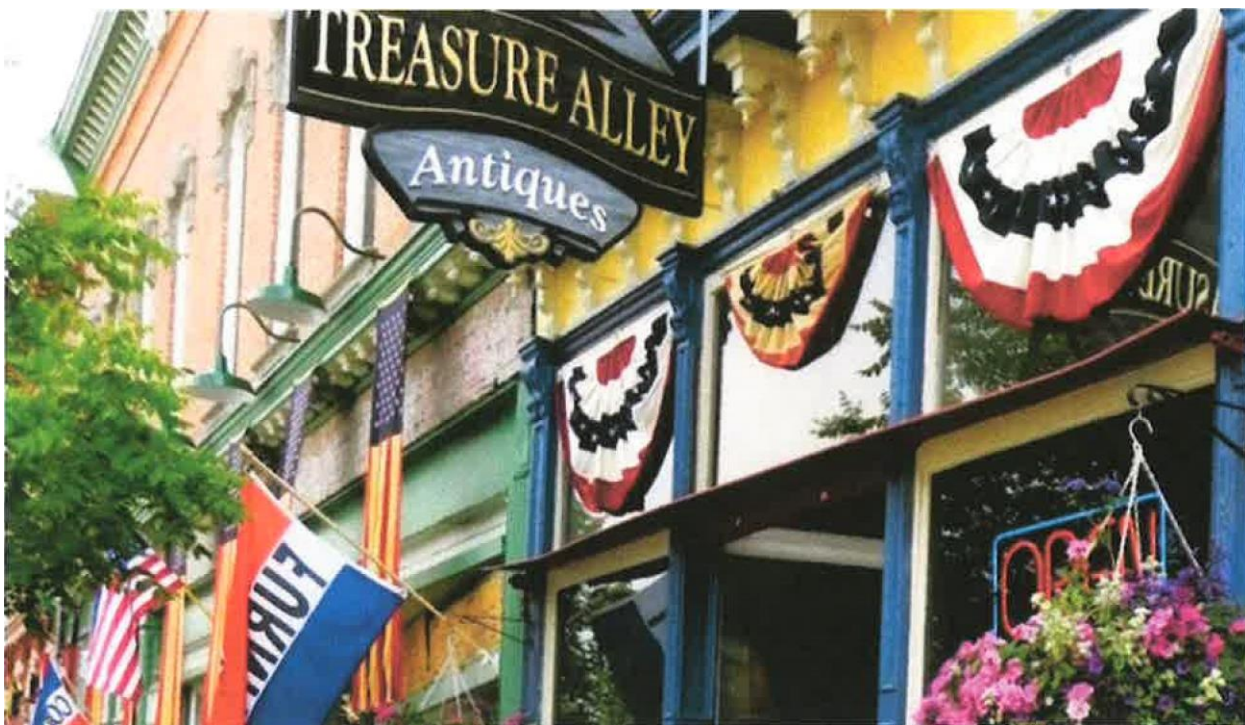
Apartments, too, were discounted. At \$500 per month, residents were able to rent a cozy studio apartment at the center of town.

Skeptics wondered how he would ever make his money back. Perhaps there was some element of genuine altruism, or, at the very least, a conscious decision to slow-roll profits over decades.

By 2011 , Mount Morris was blossoming. A roomy coffee shop, the Rainy Days Café and Bakery, with gleaming espresso machines, had opened in one of O'Connell 's buildings. So had a barbershop, an antiques store, and a gourmet food store that specializes in products from New York State. A deli opened up. Even arts groups began to set up shop.

Today, the town is vibrant and bustling. A destination rather than an afterthought.

On all accounts, what O'Connell initiated in Mount Morris was transformational. The town even has a Greg O'Connell Appreciation Day every year in the spring. It's a testament to the success of his efforts and the gratitude felt by residents.



Lessons We Can All Learn From

Unfortunately, we can't all be Greg O'Connells. But at least there are lessons that we can pick up in his wake to help us drive our own revitalization efforts.

Lesson #1: Engage the Community

O'Connell didn't turn Mount Morris around on his own. Change on that scale takes a village and there were (and still are) many other hands playing key roles along the way:

- High school wood shop students built planters around trees. Other students raised and planted flowers and made banners for the streetlights.
- Metal shop students built the brackets for hanging baskets and a kiosk for event information. They also created life-size angel sculptures for display at each of 30 businesses during the month of December.
- SUNY Geneseo college students developed promotional campaigns for the village and the individual businesses.
- SUNY Geneseo students perform plays and musical events in a space on Main Street.

Lesson #2: Focus on Small Business Development

Mount Morris and O'Connell recruited local startups and entrepreneurs instead of big retailers or employers. This strategy was crucial to fostering a vibrant downtown and forming an attractive place to live. Only once they had succeeded there were they able to start recruiting bigger companies. Here are just some of the steps they took:

- Design guidelines were developed to address storefront design, signage, lighting, and window displays that ensure a pedestrianfriendly and aesthetically-pleasing environment.
- Business guidelines were developed to encourage businesses to change window displays seasonally and to keep display lights on at night. This ensures a more dynamic and active streetscape.
- Livingston County provides a highly successful 10-week Business Ownership Training Course for aspiring entrepreneurs. Graduates from the class have opened many of the new businesses in Mount Morris.

- Niche businesses have been targeted for the new storefronts. Antique stores, arts-based businesses, and specialty restaurants have been recruited.
- O'Connell offers inexpensive rents to minimize risk for startup businesses.
- Local banks and the Livingston County Development Corporation have developed special loan products to support new businesses.

Lesson #3: Leverage Municipal, State, and Federal Subsidies

Unfortunately, there were not many subsidy options available to O'Connell at the time. He had to make do with his own private funds.

However, since then, he has become a staunch advocate for government subsidy to promote similar revitalization efforts across other communities. Because, you know, not everyone has a \$400-million-plus real estate empire to draw from.

Property Tax Abatements

New York State Legislature passed the Ithaca Law in 2001 , which enables cities to pursue their own version of a tax abatement program for new construction and extensive rehabilitation projects.

Most common is a 10-year program. In a nutshell, property tax remains constant for five years after project completion. Then, beginning at year six, the new property tax is introduced in equal increments until full tax liability is reached in year 10.

The power of this cannot be understated. Margins are razor thin for downtown revitalization projects, especially if the developer is looking to make rents affordable for local residents and small businesses. Phasing in any new tax burden over time reduces operating expenses in the initial years and allows savings to be passed off to tenants.

Tax Credit Programs

These act as a direct offset against income taxes and are often used for downtown revitalization projects. So, if a project is awarded \$100,000 in tax credits, the owners are able to reduce their tax payments by \$100,000.

Alternatively, tax credits can often be sold to a local insurance company or bank for \$0.95 on the dollar.

Vermont, for example, has a very robust program. In the fiscal year 2021 , the state awarded north of \$3 million in tax credits across 29 projects.

The only downside is that credits are only awarded once per year. So, projects need to be planned around that deadline, not vice versa.

You, too, can begin taking real, meaningful steps toward revitalizing your local economy. Learn more about how to encourage and support local businesses over at the Strong Towns Action Lab!

[VISIT- THE ACTION LAB](#)

• 05-02-17

These Cities Are Replacing The Worst Kind Of Infrastructure With The Best

R.I.P. parking lots.

"I can't imagine a worse use of land in a downtown area than a surface parking lot,"

says Adrian Benepe, senior vice president and director of city park development for the nonprofit Trust for Public Land, which helped Dallas initially acquire a 3.2-acre lot that will become the new Pacific Plaza Park. "It only serves one function, which is the parking of cars... but they also represent extraordinary opportunities for creating open space parks and other kinds of public spaces that are desperately needed in many downtowns"

in many downtowns.”



[Image: courtesy SWA]

In Santa Monica, a flat, sprawling 7.4-acre parking lot became a green park with meadows and rolling hills. In Chicago, an unused parking lot next to a former movie theater will become a park. In the nearby suburb of Aurora, overflow parking for a shopping mall may also become a park. In Washington D.C., parking lots next to the unused RFK Stadium may become sports fields and a food market.

In Dallas, the plans for the Pacific Plaza Park began over a decade ago as part of a city master plan for downtown parks. After Trust for Public Land helped the city acquire the land about 10 years ago, a nonprofit called Parks for Downtown Dallas offered to donate \$15 million to build the park and another \$1 million for an endowment to fund the operation.

As more people begin to move to downtown Dallas—a neighborhood that used to be dead after offices closed—the park gives them access to green space. "I work downtown, I used to live downtown, and we've seen the transformation," says Robert Kent, the North Texas area director at the Trust for Public Land. "We've seen families move back downtown and residents move here, and it's really important for the city to think about how they're taking care of the parks and open space needs of those residents... Turning a parking lot into a park in one of the most densely populated parts of downtown is a great way to do that."



[Image: courtesy SWA]

The shift from asphalt to a park has other benefits. As climate change makes heat waves more common and average summer temperatures rise, parks can help offset the urban "heat island" effect that makes neighborhoods around paved surfaces even hotter. In a study of Dallas, Trust for Public Land found that the soon-to-be converted parking lot was one of the worst urban heat islands in the city. As heavy storms also become more common because of climate change, the park can absorb rainwater rather than overload sewers.

The location, which is near a light rail station, will also give pedestrians a safer place to walk as they cross downtown. Within the last five years, hundreds of pedestrians have been hit by cars in downtown Dallas, and dozens have died.

Like other parks, the plaza is also likely to boost nearby business. "Whatever taxes you might lose by losing a surface parking lot, you more than make up with the increase in the value of the adjacent real estate," says Benepe. In a study, Trust for Public Land found that buildings next to a park are typically 15% more valuable than the same kind of building a few blocks away.



[Image: courtesy SWA]

In a dense neighborhood, parking lots also are one of the few places left that could easily be converted to a park. "Like many cities, Dallas is built out in many ways," says Kent. "So you have to start trying to find where can you build parks in creative places. And finding ways to repurpose outdated infrastructure like surface parking lots, which really don't have much of a role to play in a modern, downtown urban environment-that's kind of the low-hanging fruit for new park development."

Parking lots are already underused; a 2011 study found that even at peak hours, more than 7,000 parking spots are vacant in downtown Dallas. But the number of empty spaces will increase in the future-not just as cities prioritize public transit, but as self-driving cars make it possible for fewer people to own cars. One recent study predicts that in 15 years, car ownership will drop 31% in Dallas because of the shift to driverless cars. Some cities, including Boston and Nashville, are already building parking garages that are designed to be converted to other uses when car ownership drops. And the growing sea of empty parking lots will open up new room for parks.

ABOUT THE AUTHOR

Adele Peters is a staff writer at Fast Company who focuses on solutions to some of the world's largest problems, from climate change to homelessness. Previously, she worked with GOOD, BioLite, and the Sustainable Products and Solutions program at UC Berkeley, and contributed to the second edition of the bestselling book ^HWorldchanging: A User's Guide for the 21st Century." More

3

T.B.

6 Ways to Take Back Your Community from the "Parking Void"

John Pattison , November 29, 2019

Good news about parking?

Estimates vary on just how much parking exists in the United States. One study by the University of California in 2011 put the number of parking spaces at 800 million (three for every vehicle on the road), covering 25,000 square miles of land. Other estimates range as high as a staggering 2 billion parking spaces—or eight parking spots

for every vehicle. What this means is that towns and cities have devoted an enormous amount of precious land to parking spaces that go unused anywhere from two-thirds to seven-eighths of the time.



Photo by the author as part of the #BlackFridayParking campaign. Taken on Friday, November 29, 2019 at noon, Keizer Station in Keizer, Oregon.

#BtackFridayParking campaign. Taken on Friday, November 29, 2019 at noon, Keizer Station in Keizer, Oregon.

In planner-speak, we are "overbuilt." These parking spaces were expensive to create in the first place and, as we've shown, the replacement bills coming due for taxpayers could be impossibly high. There is some good news, though, which is that the movement to #EndParkingMinimums is gaining momentum. Local governments everywhere are striking these costly requirements from their codes...or relaxing them, which is at least a step in the right direction.

And yet looked at another way we are underbuilt this is because all the land ties up count too: we usually don't know what we've got 'til it's gone. That's the stage many communities are in now, as residents look around and see asphalt wastelands where once life had been (in the form of houses, historic buildings, small businesses, or green spaces).

Which brings us to our second bit of good news: namely, that more and more of these same communities are converting their parking wastelands back into more valuable assets. In some cases, they are de-paving parking lots so paradise can grow again as parks and urban farms. Other towns and cities are repurposing surface parking and parking garages into much-needed revenue generators, including housing and retail space.

Below are six ways this is happening now around North America. This article is longer than usual because I wanted to provide a wide range of examples of how towns and cities are finally liberating the value long sequestered as empty parking. I wanted you to see that—whatever level of resources you and your community have available—there are things you can do to transform your parking spaces into the kinds of places that will make your town or city lovelier, more vibrant, and financially stronger.

1. Convert parking to parks

One way we've seen people reclaim parking spaces is by transforming them into parks and pocket parks. All around North America, as well as in Europe, communities are replacing "the worst kind of infrastructure with the best."

Back in 2005, members of the renowned San Francisco design studio REBAR plugged a parking meter for a few hours, rolled out some sod, and set out a potted tree and a bench to sit on. Thus was born the first PARK. Since then, the third Friday of September has been designated PARK(ing) Day. PARK(ing) Day events now occur in hundreds of cities around the world, in what REBAR described as "a global".

I recently talked to architect Joshua Tomey about his experience organizing a PARK(ing) Day event this year in Columbus, Ohio. Tomey had seen a news article after-the-fact about September 2018's event in Columbus, and so he set a reminder on his phone to check back in a year. But when the reminder came, and he made inquiries with the local chapter of the American Society Landscape Architecture (ASLA)—the ASLA helps organize PARK(ing) Day—there didn't seem to be anything brewing. So he took matters into his own hands. He found an implementation manual online. He contacted the city to see if he needed a permit. When he didn't get a clear answer, he pushed forward anyway, deciding

to ask for forgiveness if he couldn't ask for permission.

Tomey also decided to collaborate with a local business who wouldn't complain about losing a parking space in front of their shop for a day. He found the perfect partner in Prologue Bookshop, a relatively new bookstore in Columbus's Short North Arts District. The owner and manager of Prologue, Dan Brewster, is a native of northeastern Ohio. But he had also lived in the Bay Area and was familiar with PARK(ing) Day. Together, Tomey and Brewster designed their pop-up park as a kind of "outdoor reading room." Prologue promoted the upcoming event to its customers. Tomey found other partners too. A local plant shop, STUMP, loaned out some palm trees. Friends and coworkers brought potted plants. The patio furniture came from someone's backyard. In the end, their only cost was \$20 to rent a truck (to haul the supplies) and approximately \$7 in "parking" fees.



Image courtesy of Joshua Tomey



Image courtesy of Joshua Trnmoil

neighborhood is known as the densest neighborhood in Ohio, and it is in need of more green space. Several neighboring business owners came over and said how much they loved the park, even asking if it could be made permanent. Almost without exception, the passersby were positive too. City officials never came. A Short North improvement district ambassador strolling past did ask what was going on, but just said "cool" and kept on walking. "It was kind of crazy how easy it was," Tomey said.

Tomey was pleased by how well the park experiment was embraced, But he admitted that going into it he had fears he needed to get past. "I was nervous that people would try to stop me, yell at me, tell me to move, or that I'd get no feedback or wouldn't find a business to put it in front of. Instead, I got yes after yes!"

Organizing the PARK(ing) Day event was important to Tomey because Columbus is further behind than other cities when it comes to designing for people rather than cars. He hopes the event gave people a glimpse at how road space can be reallocated in different ways. He definitely plans to do it again next year, once again collaborating with Dan Brewster and Prologue: "I have a new

friend out of it," he said.

2. Free your soil (and the rest will follow)

(PARK)ing Day installs parks on top of surface parking spaces. There are other efforts to get rid of our extra pavement altogether.

One example is the Portland, Oregon-based nonprofit Depave. Depave helps people reduce pollution and reconnect with the natural world (as well as with each other) by removing impervious pavement—including parking lots—and "freeing the soil" underneath.

To date, Depave has helped communities replace tens of thousands of square feet of concrete and asphalt with trees, rain gardens, native habitats, natural play areas, sewers to trees and gardens.

A Depave Network has taken shape too, with groups in Ohio, Massachusetts, Tennessee, Washington, and Canada. Depave has even created a guide for folks who want to "free the soil" in their own communities.

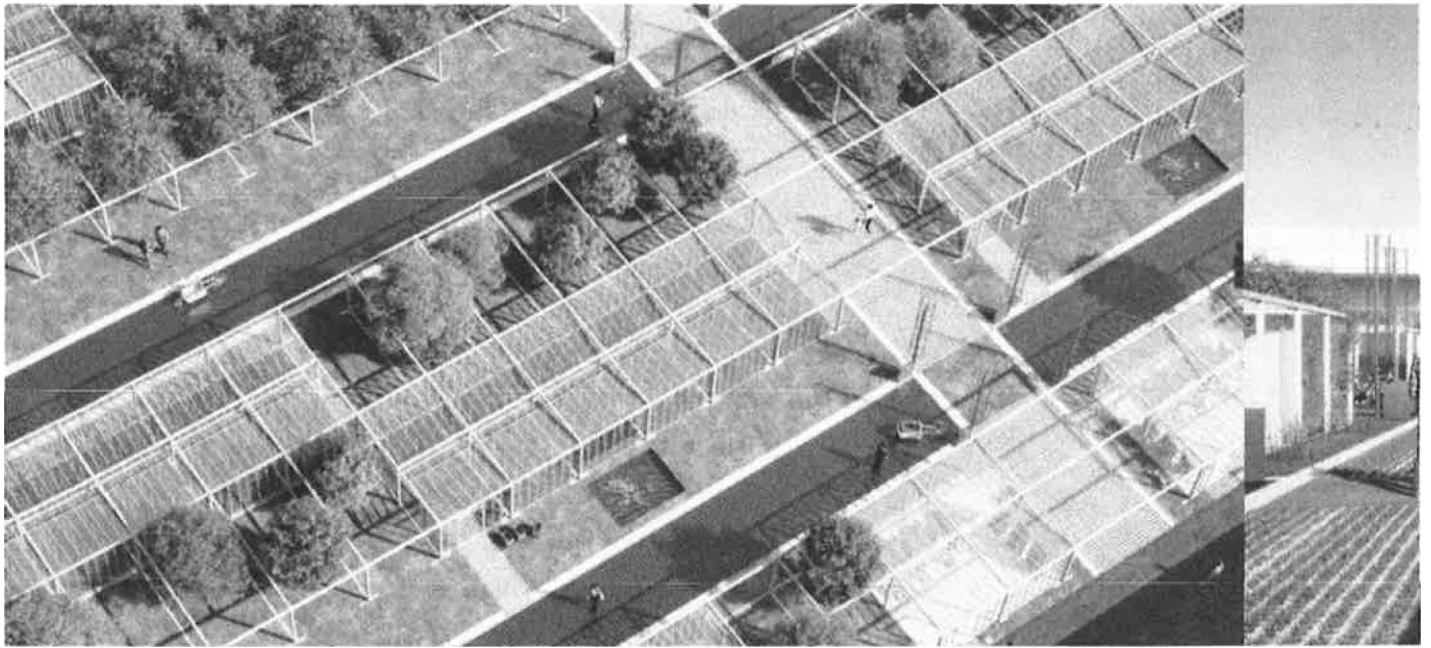
3. Grow food

The flat land of an unused parking lot can make a great site for an urban farm. Growing Lots Urban Farm in South Minneapolis transformed three vacant lots (including two former parking lots) into a thriving one-acre market farm. (This 2014 video tour draws out useful lessons from Growing Lots for folks who might want to start their own urban farm.)

Two other urban farms we've highlighted in the past are the Farmers Assisting Returning Military (FARM) organization in Dallas, Texas, a nonprofit that transformed an urban parking lot into farmland for returning veterans to work in; and Hamilton Farms, which grows produce for several restaurants in St. Louis, Missouri and began on a former parking lot.

The success of urban farms, as well as the excess of big-box store parking, even on Black Friday, has other people thinking too. The French design firm Studio NAB has proposed an ambitious reimagining of the acres of unused parking spaces outside department stores. The concept is called Car Parks 2.0—the next iteration is apparently coming soon—and it involves converting huge parking lots into urban farms, orchards, and garden plots. Interestingly, the design still allows for some parking, but the asphalt has been replaced with a living green layer and the covered carports are covered with productive algae. Studio NAB founder and creative director Nicola Abelkader has said that the parking lot is indicative of our autocentric design, overconsumption and "irrational urbanism." The response of Studio NAB, he

All images via Studio NAB and Inhabitat:



4. Create more housing

One of the ironic effects of parking minimums is that there is now more housing for cars than for people. Even as most of our parking spaces sit empty seven-eighths of the time, towns and cities across the country have identified the lack of affordable housing as a full-on crisis.

Why not convert some of that housing for cars to housing for people? In fact, that has begun...and at every conceivable scale.

Here at Strong Towns, our love of the incremental and small-scale development movement is well-documented. Recently, Andrew Frey told the story on our site of how the infill development movement came to Miami. What finally allowed it to take root in The Magic City was that Miami relaxed its parking minimum restrictions for small buildings. (For more on how parking minimums hinder small-scale developers, check out Chuck Marohn's 2017 interview with Monte Anderson, one of the

One of the reasons we need infill development in the first place is because our communities are riddled with unproductive and mostly-empty parking lots. Well, back in 2014, students at the Savannah College of Art and Design (SCAD) showed what was possible

when they temporarily transformed an Atlanta parking garage into a tiny home community. Each prototype house they designed had to fit inside the footprint of a parking space—about 153 square feet.

The dwellings were ingenious, beautiful, comfortable, relatively inexpensive (they would have a base price of \$40,000) and quick to build.



A parking space-sized house designed by the students and faculty at the Savannah College of Art and Design. Credit

On a much larger scale, more and more old parking lots and parking garages are being converted into housing. Two of the tallest buildings in Chicago may soon be residential towers built on the sites of old parking lots. Knightley's Parking Garage— once Wichita, Kansas's "shining example of mid-century auto-centric architecture"—is now home to 44 one-bedroom apartments. And in Boston, two old garages are being targeted for massive mixed-use redevelopment projects. One would "sprout" a 20-story tower from atop the current garage; all told, it would feature more than 230 condos, 46,000 square feet of retail and restaurant space, and 672 parking spaces (down from 1,037). The other involves the redevelopment of a 1960s-era parking garage that has the capacity for more than 2,000 cars but has only been filled to capacity twice in its lifetime.

5. Create more retail space

The trend toward converting parking garages into more productive uses is so "hot" right now that architects are talking about "future-proofing" new parking garages so they can be easily transitioned to other purposes.

- Architect Sergio Lopez-Pineiro demonstrated that an old parking garage— originally intended to serve a hospital that has now been demolished—could be converted into a kind of all-weather recreation center.
- Andy Cohen, co-CEO of the architecture firm Gensler, has designed a parking structure that can be slowly transitioned over time into office space, classroom space, or a cultural center.
- San Francisco has proposed redeveloping the 732-space Moscone Convention Center garage into "a multiuse complex with at least 100 affordable housing units and at least 650 hotel rooms."
- The cofounder and CEO of CommonSense Robotics recently made the case

that underground parking garages should be converted into e-commerce fulfillment centers.



Major retailers like Macy's and Walmart are starting to see how excess parking is harming their bottom-line. In response, they are actively working to turn that "dead space" into more business — either by renting out to other businesses or, in Walmart's case, by converting parking

lots into towncenter-style retail shops.

Image via Twitter (WePark and Lior Steinberg)

Travis Kalanick, the controversial cofounder of Uber, is now betting big on transforming distressed real estate—including parking lots—into more productive uses. One venture, Cloud Kitchens, creates shared commercial kitchens for delivery-only restaurants. (This is controversial too.)

space (just bring change for the meter)? Or transform street parking into extensions of storefronts, similar to the Street Seats program in Portland. Or empower food trucks owners?

In my own town, there is a parking lot near our downtown that is the site of a bustling and award-winning farmers market. But that outdoor market only runs from late spring through early fall...and only on Saturdays. The parking lot sits mostly empty throughout the rest of the week. What if my town allowed several pop-up shops to use some of the space? Entrepreneurs could market-test products and services before making major investments in real estate, furnishings, permitting, etc. At the same time, these shops would be creating big value for our downtown.

6. Make it safer to get around

One final suggestion for what to do with all that space devoted to parking is to reallocate it for more humane forms of transportation.

A plan approved in late 2018 in Portland, Oregon will remove some parking spaces

in its Central City area to add more bike and bus lanes. New York City Council Speaker Corey Johnson released a report in March calling for New York City to

convert some of its three million on-street parking spaces (equivalent in size to twelve Central Parks) into more bus lanes, among other proposals.

For more inspiration, check out this article from the bike advocacy organization

PeopleForBikes. Back in 2015, they highlighted ten of the best approaches they'd seen from cities around the world who are converting on-street parking spaces into better bike infrastructure.

Sidewalks were narrowed in order to make room for more street parking. We've seen examples of communities around the country who are re-widening their sidewalks, either temporarily as in Georgetown, or permanently.

the comments section.

You May Also Like



Grab Your Camera. It's #BlackFridayParking Day!

Here's how to participate in this annual event!

Nov 26, 2021



An Ode to Donald Shoup

For #BtackFridayParking week, we're paying homage to Donald Shoup, whose work has been hugely influential to Strong Towns.

Nov 24 2021



Where Parking Reform Ideas Go to Die..or Not?

You might be used to good ideas getting killed by committee. Here's some inspiration to keep pushing,

regardless.

Nov 24, 2021



John Pattison

John Pattison is the Content Manager for Strong Towns, He is the author of two books, most recently Slow Church (IVP, 2014), which takes inspiration from Slow Food and the other Slow movements to help faith communities reimagine how they are living life together in the neighborhood. John also cohosts The Membership a podcast about Wendell Berry, the Kentucky writer, farmer, and activist. John and his family live in Silverton, Oregon. You can connect with him on Twitter at [@johnpattison](https://twitter.com/johnpattison).

Interested in writing for Strong Towns, or got a story you'd like Strong Towns to cover? Please email John.

Jun 2, 2015

ECONOMY


How Do You Reinvent a Rural Economy? \$100 at a Time

"Explore Elkin " takes small individual investments and parlays them into bigger returns for the old mill town of Elkin, North Carolina. Instead of a pop and a fizzle, the program has created a slow burn of special events, marketing, and accurate self promotion.

by Melody Warnick
February 13, 2019



Food Truck Friday in Elkin, North Carolina. (Photo provided)



The Daily Yonder's coverage of rural economic issues, including Microsoft workforce development and the future of work in America, is supported in part by [Microsoft](#)

The invitations, hundreds of them, had been sent. Ads were running on the radio and in the Elkin Tribune. And still 57-year-old Jeff Eidson wasn't sure if anyone would come to the March 2017 launch of Explore Elkin. At first the guests didn't seem sure either, even as they walked through the door of the Liberty event venue in downtown Elkin.

"We had people show up and say, 'I only came because I didn't think anyone else would come, and I know you've been working hard on this,'" Eidson remembers with a chuckle. "When 300 people showed up that night, it made it easy to be enthusiastic."

At the time, a salvage company was bulldozing the shuttered Chatham textile mill, once the town's biggest employer. Elkin's downtown had 17 empty storefronts. The population stuck fast around 4,000, as big cities like Charlotte and Winston-Salem siphoned off residents. Asked by the mayor to head up a committee about reviving Elkin's downtown, Eidson gave it six months. He'd seen this sort of effort before, a fireworks pop of interest that inevitably fizzled into nothingness.

And yet the size of the crowd at the Explore Elkin event grew and grew till it was standing room only. There was an energy that brought out the evangelist in Eidson. At one point, he gripped the mic and shared a poker metaphor. "We have to throw our chips in," he said. "We have to get involved and get engaged to develop a shared vision, and then take the steps necessary to realize that vision." He pointed at the red poker chip stickers they'd given out at the registration table, stuck to shirts around the room. "Now ask yourself," he said. "Are you all in?"



An Elkin Explorer hike. (Photo provided)

For Explore Elkin, being "all in" came with a specific ask: Join Elkin Explorers, a group that would act a bit like a grass-roots economic development co-op. Instead of the typical strategy of soliciting local businesses for donations (although they do that too), Explore Elkin urges residents to put their money where their mouth is by joining a group that sponsors and creates events to draw visitors and potential residents to town. For \$100 per couple, you could become an Explorer, or for \$200, an Elkin Explorer Leader. Local doctor Skip Whitman jumped up and offered to match any donations made that evening, up to \$10,000. "We raised \$28,000 that night," Eidson says.

What went right? Partly messaging, Eidson believes. Instead of focusing on failures, he ticked off successes and assets that belied any "struggling

former mill town" cliché. Like the school system, ranked in the top five in the state. The Yadkin River that ran through town. The trails that hundreds of volunteers had been carving out of the mountains, including one that connected Elkin to Stone Mountain State Park, the most popular in North Carolina. The location in the fertile Yadkin Valley wine region, the South's answer to Sonoma. "I think people were starving for an optimistic message and something they could believe in." By reminding people how much there was to love, Eidson created a feeling that Elkin was on the cusp of something better.

He's also used the \$55,000 the group has raised in the past two years to create the "something better" themselves. Explore Elkin retained a local firm, Cavu Marketing, to create a weekly events email, because, says Eidson, "I got tired of learning on Tuesday morning about something that happened on Friday night that I wish I'd gone to." They've given seed money to events. For the Reeves Theater, a historic theater remodeled into a farm-to-table café and live music venue downtown, Explore Elkin has subsidized some performances and advertised others in state magazines.



A downtown block party in Elkin, North Carolina. (Photo provided)

The group also organizes its own slate of activities meant to enliven downtown, including monthly Food Truck Fridays, a Music at the Market event, and a biannual comedy show. "They do a lot of things that bring people downtown and indirectly help downtown businesses and help us,"

says Debbie Carson, co-owner of the Reeves. Nor is their focus downtown only. For the upcoming North Carolina Trail Days, an outdoor-centric event to be held the weekend of May 3 1, Explore Elkin hired a coordinator.

In Eidson's mind, the purpose of Elkin Explorers is primarily "to train our people to be ambassadors." Eidson himself demonstrates, talking up strangers at the gas pumps on 1-77 near Elkin. "Where are you from?" he asks. "What brought you here?" If they're staying, he rattles off three or four things he thinks are special downtown, "whether it's Harry's Place for crab legs or the Reeves for music. Hopefully they'll think about staying and come back. If we can get 500 or 1,000 people doing that, we'll have something."

To that end, Explorers periodically creates events for members only, including an appreciation dinner, a trail walk, and a family float on the Yadkin River. According to Leslie Schlender, the town's economic development and planning director (and an Explorer), the morale-building effect is potent. Going on a fully serviced river trip "gets everyone excited: 'Wow, we live in this great place! We have a river right in our backyard, and this fun community with people who are willing to get out and enjoy it.' As much as the money is used for events, there's this community side of being an Explorer because people see how great it is to live here."

Since the launch of Explore Elkin in spring 2017, the number of vacant properties downtown has dropped from 17 to 8. Anecdotally, "around town people are far more positive than they were before," says Natalie Eidson, Explore Elkin's 27-year-old "chaos coordinator" (and Jeff's daughter-in-law). "I think people are interested in opening businesses and storefronts. You're seeing new businesses come in and renovations happen. They just seem more excited than they were before Explore Elkin. "

The mill won't be coming back to Elkin. And if they want to capture the location-independent rat race escapees, Eidson knows they need more market-rate housing. But his small-town, "I'm all in" approach seems to be making a difference in Elkin. "I think about that phrase a lot when I'm asked to do things in this community," says resident Crystal Morphis, an economic developer who runs her consulting business from a historic building in Elkin's downtown. "Sometimes I'm asked to volunteer for a

committee or help with an event, and I ask myself, "Am I all in? Am I really all in? Yeah, I'm all in.'

Melody Warnick is a free lance journalist who lives in Blacksburg, Virginia. She is author of **This is Where You Belong**, a book described as "a practical guide to loving the place you live. "

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Study: Locally owned firms recirculate more money through the economy

Contributing writer

SEP 22, 2009 - 11:15 PM

Every \$100 spent at a locally owned business on Magazine Street recirculates an average of \$32 through the local economy, according to a study released Tuesday. The same amount of money

spent at a national chain recirculates an average of \$16 back into the local economy.

Smallbiz.jpg John McCusker/The Times-Picayune Daniel Houston of Civic Economics and Dana Eness of the Urban Conservancy make a presentation on the impact of local businesses on the economy.

Conducted by retail analysis firm Civic Economics

, the study also showed that local businesses generate four times the economic impact of national retailers on a per square foot basis.

"The findings have major implications as we rebuild our neighborhoods and economy," said Dana Eness, executive director of the Urban Conservancy, the New Orleans nonprofit that commissioned the report. The Urban Conservancy researches urban economies and sponsors Stay Local!, an initiative that aims to build a "Until now, we've had a lack of hard data to support our push for public policy changes that will support local businesses," Eness said. "But now we have the data and they demonstrate that the best policy is to aid local businesses rather than provide subsidies for large national retailers."

Dan Houston of Civic Economics said the study targeted Magazine Street for its research, but that its findings can be applied to neighborhood commercial corridors in many other parts of the city.

"The New Orleans economy will grow faster if the government helps provide opportunities for local entrepreneurship rather than by supporting tax breaks for large national chains," Houston said. "It's true on Magazine Street. It's true on St. Claude Avenue and it's true of Freret Street."

Houston's firm launched its first retail analysis in Austin several Years "Intuitively, we had a feeling that money spent in local businesses stayed in the community and circulated through it, multiplying the impact, whereas money spent at national chains mostly left the community. But there were no studies to prove it," Houston said. "So we followed a dollar spent at a local bookstore and measured what percent of it stayed in the local community in the form of wages, profit, sources and services, then we compared that with a dollar spent at a chain, based on public records. The research confirmed what we had suspected."

Houston's firm took a similar approach for its New Orleans

study, which was financed with a grant from the Blue Moon Fund. In-depth surveys were circulated to Magazine Street businesses using the Magazine Street Merchants Association as a conduit. The surveys requested highly confidential data about expenses, revenues, sources of goods offered, sources of services like ad design or computer support, and other parameters that indicate how many revenue dollars stay in the city.

"We found that an average of 32 percent of every dollar spent at local businesses stays in the community," Houston said. "An astonishing 10 percent of each dollar goes to locally sourced goods and services. Another 15 percent goes to local labor and 7 percent goes to the store owner in the way of profit."

To gauge the impact of a dollar spent at a national retailer, Houston's firm examined the publicly available records of a typical SuperTarget store and found that an average of just 16 percent of revenues stayed in the community where they were spent.

"The reason is that national retailers may generally have their ads designed and produced somewhere else, usually where their corporate headquarters are. The goods they sell come from all over, with only a small percent supplied by local or regional sources," Houston said. "The money usually leaves the local community for corporate headquarters via a midnight bank draft. That leaves little behind in the community to build the local economy."

Greg Dombourian, president of the Magazine Street Merchants Association and owner of an oriental rug store, said he would like for policymakers at the local government level to embrace the report and understand the economic benefits of favoring local businesses over national ones when awarding economic development grants or subsidies.

"There are simple things that could make a difference, like the Economic Development Fund grant we applied for to advertise Magazine Street as a shopping destination for visitors. Nothing came of it; Dombourian said. Houston said another step that city hall could take to help local businesses would be to streamline permitting and licensing so that they have to spend less time, money and effort on the process. With smaller staffs, few locally owned

businesses have the infrastructure needed to navigate time-consuming and complex procedures.

"If a push were made for just 10 percent of the money now spent at national retailers in the seven-parish area to be spent at local retailers instead, it would result in 1,500 new jobs and a \$245 million boost to the regional economy," Houston said. "If a developer walked into city hall today promising those kind of numbers, policy makers would be going out of their way to accommodate them."

R. Stephanie Bruno can be reached at housewatcher@hotmail.com.

Blaine VanRy: Mr. VanRy took the podium and stated that he wanted to take the Board back to their August Town Board meeting. Mr. VanRy then proceeded to read aloud the York Town Board minutes noting the actions taken at that time when Councilman Smith stated that we had zoning regulations in place for a reason. Mr. VanRy concluded tonight's comments by reading the exact resolution offered by Councilman Smith and seconded by Councilwoman Parnell at the time, reminding them that it was just 3 months ago when the Board took that specific action.

Robina Nagel: Ms. Nagel was raised in York but has since moved to Buffalo to pursue teaching career and continues to be invested in our community. She noted that as a past employee of a Tim Hortons she is familiar with the loud and annoying sound associated with the speaker system. Through her research regarding idling cars and trucks, she is concerned about the affect emissions will have on the nearby school children with asthma or other breathing disorders. She herself suffers from asthma and as an athlete playing sports, the emissions on Rt. 63 near YCS affected her greatly. Also noted was her concern for school children and the sugary drinks that would be available for purchasing at the travel center. Ms. Nagel asked the Board to keep these ideas in mind when deciding what is best for the Town.

After no additional speakers came forth, Mr. Pangrazio asked if there were any others that wished to make comments at which time no one did. Mr. Pangrazio then thanked the group in attendance and turned it over to Supervisor Deming who reiterated that the Public Hearing will stay open for written comments until 3:00 p.m. on December 6, 2021. Email address for submittals: yorksupr@yorknyc.org .

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to adjourn this evenings Public Hearing at 7:03 p.m. Reconvening at the Regular Town Board meeting on December 7, 2021. Voted on and approved, Yes-5, No-0.

***** Two submittals were given to Town Clerk after the meeting:**

Celia Lewis:

Concerning the requested change in York's zoning ordinance, referencing drive-thru facilities with an amplified audio/visual system, and the impact of noise (and light!) on residential neighbors who live, sleep and play nearby. 11.30.2021.

Research shows that chronic exposure to unnatural noise and light can cause a variety of health problems, including:

- Headache
- Sleep disturbances
- High blood pressure
- Increased stress and anxiety
- Hearing impairment

According to the US Environmental Protection Agency (EPA) acceptable noise levels are based on the use of the area in question.¹ For example:

- 45 decibels is identified for indoor residential areas, hospitals and schools
- 55 decibels is identified for certain outdoor areas where human activity takes place
- 70 decibels is identified for all areas in order to prevent hearing loss

To the town's credit, York currently has a noise ordinance that is in line with federal and international health recommendations. It also keeps drive-thru facilities with an amplified audio/visual system from being located next to residential areas. This makes sense.

I voice my concern about the proposed ordinance change because it allows drive-thru facilities with an amplified audio/visual system to be located next to residential areas. It is very vague on what noise levels would be allowed to impact residents (background levels can vary widely), how they would be measured, how they would be continuously monitored and who would pay for monitoring. I personally would not want to live next to a facility with an amplified audio/visual system nor do I know anyone who would choose to do so.

I am also concerned because, as an example, noise levels at a 24-hour truck center for eighteen wheelers with such a drive thru would be quite high. The current wording of the proposed amendment, "such drive-thru facilities shall include features such that the noise generated by the ordering system is adjustable to background noise levels" would allow the amplified system to be as loud as an average level that includes diesel trucks pulling in and out of the truck center. In this case, the town of York's current, health-protective ordinance levels would likely be exceeded. Please carefully consider the impact on neighboring residents that this proposal would create in multiple locations, some near residences, within the town of York. Thank you.

Respectfully submitted,
Celia Lewis
1926 York Road W, Linwood, NY

¹ <https://www.epa.gov/clean-air-act-overview/clean-air-act-title-iv-noise-pollution>

Lee Gratwick:

For the attention of the York Town Board:

I am not in favor of changing the law to allow a drive through sound system at Tim Horton's takeout at the proposed truck stop at Rt. 63 and Route 36.

- * There is a school, and nearby residents, who will be impacted. Though zoned commercial, this is a small community setting and must be protected and respected.
- * It sets a precedent for other commercial developments in our rural community.

Respectfully submitted,
Lee Gratwick

Respectfully Submitted,

Christine M. Harris
York Town Clerk

Patricia A. Barefoot
Deputy Town Clerk