

**APPROVED**

**1/9/2023**

**December 5, 2022  
Town of Taghkanic  
Town Board Meeting**

Note all documents in these minutes may be clicked on and enlarged for easier reading

**6:30 pm:** The Taghkanic Town Board held a meeting on the above date to review the Draft Zoning Regulations.

**Town Board:**

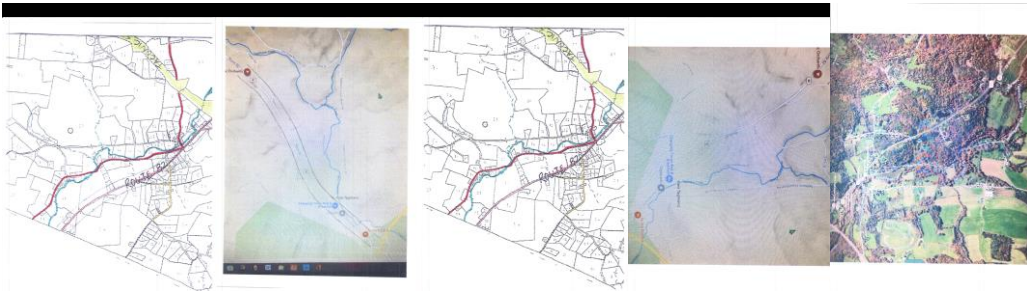
<b>Present:</b>	Ryan Skoda	Supervisor	
	Joyce Thompson	Deputy Supervisor	ZOOM
	Elisabeth Albert	Board Member	
	Elizabeth Craig	Board Member	ZOOM (Left meeting at 8 pm)
	Kara Gilmore	Board Member	
	Linda Swartz	Board Member	
	Cheryl Rogers	Clerk	

**Absent:**

**Supervisor Ryan Skoda:** *Superintendent Rob Burns* needs five minutes; I am here to inform you that the end of Sopok Rd is flooded at the end over the black top. Beavers have backed the water up behind the house and if this issue is not taken care of it will become a major issue with ice and destroying the new black top as well the ice jam that will stop people from getting to their houses.

- ✚ **Board Member Elisabeth Albert:** would like to find a humane solution.
- ✚ **Superintendent Burns** will be going to look over the problem again tomorrow and invited **Board Member Albert** to come.
- ✚ **Superintendent Burns:** also Berkshire Road box culvert has a whole in it.

**Supervisor Ryan Skoda** turned the meeting over to **Board Member Linda Swartz.**



### **Section 40 Use Table**

This meeting focused on the Use Table in Section 40, with specific consideration of those uses within the proposed Mixed Use District along the Route 82 corridor and their relation to the abutting properties in the residential district(s).

Several of the uses listed require "Limited Site Plan Review", a term that was not defined in the Draft Zoning. "Limited Site Plan Review" appears under Section 60-J.6., however, in previous Town Board reviews, it was suggested that much of Section 60 be rewritten or deleted. If "Limited Site Plan" remains in the code, it must be defined.

The draft code lists Multi-family Dwellings as being prohibited in R7 and R3, but P\* (permitted with Site Plan approval) in R2 (minimum of 4 acres required) and MU (at least 1 acre required). Should it be limited only to MU and R2, or also allowed in R3 and R7 districts with similar minimum acreage requirements?

### **Ag & Forestry Uses:**

During this review, Ryan read many citations from Ag & Markets Law (primarily Sections 25-AA and 305A). Many of the regulations in the draft zoning code are more restrictive than the state law. There was a discussion as to whether town codes can be more restrictive or less restrictive than state laws. Joyce will ask the lawyer for clarification.

The definition of "farm" in our zoning code should be the same as NYS Ag & Markets' definition which basically defines it as a single farming operation of at least 7 acres, used for boarding of horses or livestock production and earning at least \$10K a year directly from the farming operation.

Agriculture, Commercial: "Commercial" Agriculture, specifically, is not defined in the draft code, but the definition of "Agriculture" gives examples of several commercial activities. ("Commercial Use" is defined.) Since agriculture is protected under Ag & Markets, is it necessary to define "Commercial Agriculture" or should the word "Commercial" be deleted from this use in the Use Table? While the Use Table in the draft zoning prohibits Commercial Agriculture in the MU, the proposed larger MU district would provide adequate room for this use. Therefore it is proposed that the Use table be changed to show Commercial Agriculture as being a permitted use in all zoning districts.

Section 60-K., "Farming on Non-Farm Parcels" speaks only about the keeping of livestock and makes no mention of crop production. The Board suggests changing the title of 60-K. to "Keeping Livestock on Non-Farm Parcels". A small home garden is not regulated, but larger commercial crop production on a non-farm parcel would need to be addressed in the code.

Agri-tourism is listed as prohibited in the MU in the draft zoning; however, the proposed larger MU district would provide adequate room for this use. Therefore it is proposed that Agri-tourism be permitted with site plan review ("P\*") in the MU District.

Farm Industry is defined as a use that is secondary to a farm operation and may include seasonal storage of vehicles and boats, commercial agricultural machinery repair, preparation and sale of firewood. Again, the proposed larger MU district would provide adequate room for this use, and it is proposed that Agri-tourism be permitted with site plan review ("P\*") in the MU District.

Greenhouse, Commercial: This is a new listed use which requires definition and regulations. (NOTE: the definition of “Nursery, Commercial” needs to be reworked.) There was some discussion as to whether or not it should be permitted in all districts since it is a high impact use. This needs further discussion.

Housing for Farm Employees: Special Use Permit required in residential districts and prohibited in MU. It is proposed that this use be change to permitted P in all districts.

Small Scale Portable Sawmill: This use is shown as permitted with Site Plan Approval in the residential districts and prohibited in the MU district. The larger MU district would provide adequate room, so it is proposed that the Use table be changed P\* in all zoning districts.

Stable, Commercial: Draft Use Table shows this use as requiring Special Use Permit in all residential districts and as prohibited in the MU district. It is proposed that it be changed to P (permitted) is all districts. Be sure this definition and regulations meet the State requirements for a “farm” as noted above. Regulations for Commercial Stable must disallow horse racing.

No changes were proposed to the Use Table for: Animal Hospital; Farm Market; Farm Stand or Roadside Stand; Farmers Market; Forest Management; Greenhouse Accessory to Residential Use; Stable, Private; Timber Harvesting.

Residential Uses:

No changes were proposed to the Use Table for the following residential uses: Accessory Dwelling Units; Bed & Breakfast Inn; Cabin; Dwelling, single-family; Home-Based Business; Housing, Group Home; Housing, Assisted Living or Nursing Care; Housing, Senior Citizen; Manufactured housing.

At the October 27, 2021 review, it was proposed that Two-Family Dwelling be changed to Permitted in all zoning districts. (It is currently listed in the draft zoning as requiring Site Plan Approval.)

The draft zoning code lists Multi-family Structure as prohibited in R3 and R7 and as permitted with Site Plan Approval (P\*) in R2 and MU. It is proposed that the Use Table is be changed to P\* in all zoning districts.

The Town Board set the following dates for the review of the draft zoning:

**December 7, 2022 at 6:30 pm**

**Transfer from Money Market Account to HRA Med. Account:** Clerk Rogers the HRA Med Account needs \$1,758.00 for the Health HRA insurance year December 1, 2022 to November 30, 2023 to total \$6,600.00. ***Board Member Linda Swartz*** motioned to transfer \$1,758.00 from the Money Market Account to the HRA Med Account for the Health HRA year December 1, 2022 to November 30, 2023, seconded by ***Board Member Kara Gilmore***.

**Approved**      **4 Aye**            **(Ryan, Elisabeth, Kara, Linda)**  
                         **0 Nays**  
                         **1 Absent**        **(Elizabeth)**

**Columbia Greene Humane Society 2023 Contract:** ***Board Member Linda Swartz*** motioned to approve the 2023 Columbia Greene Humane Society contact, seconded by ***Board Member Kara Gilmore***

**Approved**      **4 Aye**            **(Ryan, Elisabeth, Kara, Linda)**  
                         **0 Nays**  
                         **1 Absent**        **(Elizabeth)**

**Executive Session: NONE**

**With no further business,** on a motion by **Board Member Linda Swartz**, seconded by **Board Member Elisabeth Albert** the meeting was adjourned at 8:35 pm, carried unanimously by all members present. The next Regular meeting will be **December 12, 2022** at the Taghkanic Town Hall.

**Audience:**

**ZOOM**

**Audience:** Joyce Thompson

Elizabth Craig

Barbara Hermance

Doug Craig

