

TOWN OF TAGHKANIC  
ZONING COMMISSION MEETING  
August 17, 2015

Meeting called to order at 6:33 by Joyce Thompson.

**Members present:** Co-Chairs Joyce Thompson and Linda Swartz; Members, Al Huehnel, Moisha Blechman, Donn Critchell, Elizabeth O'Donnell, Kathy Bainer, John Roberts, Dennis Callahan

**Approval of Minutes**

Elizabeth suggested a modification to the Minutes of August 3, 2015. Motion to approve the Minutes of August 3, 2015, as modified, was made by Donn Critchell and seconded by Moisha Blechman.

*Ayes: 5 (Critchell, Blechman, Huehnel, O'Donnell, Bainer)    Nays: 0    Abstained: 1 (Roberts)*

*NOTE: Dennis had not yet arrived when the Minutes were reviewed and voted on.*

**Continuing Review of Article 60 – Version 10:**

- **60-M** (Purpose): Move the phrase “by limiting outdoor lighting that is misdirected, excessive, or unnecessary” to the end of the paragraph.
- Delete **60-M.3.g.**
- Add the phrase “and in conformance with article 60-M.2.” to the end of regulation **60-M.4.d.**
- **60-O** Stormwater Management: Ask Ted about the need for this whole section. Can we just refer to NYS DEC Stormwater Pollution Prevention Plan requirements rather than recreating the wheel?
- If we keep any of the requirements under 60-O:
  - 2.b. Log haul roads would usually be less than the one acre SWPPP requirement, but the ZC would like to set standards to control the impacts of soil erosion. Refer to DEC. What does DEC have on this?
  - 2.g. Delete. No need to exempt grave sites since they are less than one acre in size.
- **60-Q** Affordable Housing: Change all occurrences of “accessory apartment” to “accessory dwelling unit” (singular and plural) in this entire section. Expand the introduction to define the three different types of accessory dwelling units (Accessory Dwelling Unit Wholly within the Principal Structure, Accessory Dwelling Unit in an Accessory Building, and Cottage Home which would be new construction. ***Need to put “Cottage Homes” back in definitions.***
  - **60-Q.1.**
    - Remove “less affluent”
    - Change “through creation of accessory dwelling unit” to “by permitting accessory dwelling units”
    - Remove the word “especially”
    - Remove “without increasing sprawl or new subdivisions and without degradation of the environment”
    - **60-Q.1.a.** Elizabeth feels strongly that in order to foster affordable housing, a Special Use Permit should not be required. We will discuss this with Ted.
    - **60-Q.1.i.** Change start of sentence to “The accessory dwelling unit, when located wholly within the principal dwelling unit is subordinate . . .” and add the words “a maximum of” before “650 square feet” and before “1,000 square feet”. (***Note: We will need another letter which states the allowable area for an accessory dwelling unit in an accessory structure. We feel it should be 75% which is the same area provided for Cottage Homes.***)
  - **60-Q.2.** Important differences between affordable housing types: Cottages can be subdivided off as long as they meet all other requirements. Accessory dwelling unit can contain no more than 35% or 650 s.f. of the habitable space of the existing single-family structure when located within the same structure, but can be up to 75% or 1,000 s.f. of the habitable space of the existing single-family structure when located in an accessory structure.
  - **60-Q.3.c.** Remove last sentence. Put this in Article on Non-Conforming Buildings and Lots. We need to take a hard look at the Article on Non-Conforming Buildings and Lot.
  - **60-Q.3.e.** and **60-Q.4.c.** Town cannot enforce deed restrictions. Can we legally ask for a deed restriction? If not, remove “and such restriction shall be recorded in a deed rider.”, and change last sentence to read “The Building Inspector will not issue a Certificate of Occupancy unless one unit is owner occupied.”

- **60-Q.5.b.** refers to Hamlet Overlay District, which has not been discussed by the ZC. This is a topic for future discussion.
- **60-Q.5.d.** Change as follows: *“The maximum number of dwelling units within a multi-family structure shall be four (4).”*
- **60-R.3.d.** In the second sentence, add the word “by” near the end of the sentence (. . .”it may decrease said buffer area by up to fifty (50) feet.”)
- **60-R.3.h.ii.** Change sentence as follows: *“The use shall be so operated as to control the emission of smoke or particulate matter to the degree that it does not present a public nuisance and is not detrimental to the public health, safety, comfort or general welfare of the public.”*
- **60-R.4.** In both a. and b.: The Planning Board has no enforcement authority. The ZEO will revoke the permit and take further action and, if/when the project is brought back into compliance, the ZEO will refer the permittee back to the Planning Board.

The ZC agrees that it would be a good idea to underline all words that appear in the definitions and link them so that a simple click on the word will take them to the definition. Also links to county, state and/or other sites for information cited in the Zoning Code.

Ted sent out Version 11 to the ZC. Joyce and Linda noticed that some of the suggested changes had not been made. They will go through Version 11 together to find all the changes and mark up Version 11 and send it to Ted for correction.

**Noise Law Recommendation:**

An introductory cover sheet was drafted to be attached to the Noise Law which will be sent to the Town Board for approval before sending it to the Town’s Attorney.

**New Business:**

**From the Commission:** None.

**From the Public:** None

**Next Meeting:**

Our next meeting is scheduled for August 31 at 6:30 at the Town Hall. Elizabeth will not be present.

Article 60 will be presented to the town at the Town Board Meeting on Saturday, September 19 at 9:30 a.m. John Roberts and Donn Critchell will not be present.

**Motion to adjourn:** Elizabeth O’Donnell

**Seconded by:** Donn Critchell

**Ayes:** 7 (O’Donnell, Critchell, Blechman, Huehnel, Bainer, Roberts, Callahan) **Nays:** 0

**Abstained:** 0

Meeting adjourned at 8:35

*Public in attendance:* None

Prepared by: Linda Swartz