

TOWN OF TAGHKANIC  
ZONING COMMISSION MEETING  
November 16, 2015

Meeting called to order at 6:42 by Joyce Thompson.

**Members present:** Co-Chairs Joyce Thompson and Linda Swartz; Members, Moisha Blechman, Donn Critchell, Kathy Bainer, John Roberts, Elizabeth O'Donnell and ZC Consultant Ted Fink

**Excused:** Dennis Callahan, Al Huehnel

**Approval of Minutes**

A motion to approve the Minutes of November 2, 2015 was made by Donn Critchell and seconded by Kathy Bainer.

**Ayes:** 4 (Critchell, Bainer, Blechman, Roberts)      **Nays:** 0      **Abstained:** 1 (O'Donnell)

**Discussion of possible special considerations for specific uses:**

We might choose to follow Claverack's example of having two types of Home Occupations. What do we envision in terms of businesses in residential areas?

Elizabeth's assignment was possible special considerations that would apply to Greenhouses, both commercial and as an accessory use to a private residence. She noticed that while the Use Table allows for commercial greenhouses with a Special Permit or Site Plan Approval, that allowance is contrary to the code which prohibits businesses in residential districts. Issues for this use might be lighting and fertilizer run-off. Motorized shades could be used to shield light trespass. Consider referencing or linking to the lighting regulations.

Performance Standards: We can set reasonable standards such as setting limits on the size of the structures, the number of truck deliveries, and the number of employees for the purpose of minimizing impacts on neighbors and community at large.

We want to be very supportive of agricultural activities. We talked about the likelihood of increased niche farming. Taghkanic has an economic and growth need for small agricultural enterprises. Often, people who want to begin farming cannot afford or don't need larger tracts of land for their particular crop, so they would be looking for smaller parcels. People with agricultural exemptions are protected by the State, but what can we do to support people who don't have an ag exemption?

We talked about "overlays" and "floating zones" and Ted explained that overlays are "fixed" on the zoning map while floating zones are defined in text of code but not laid out on zoning maps. Overlay is fixed on a map.

We talked about allowing for suitable types of businesses in residential districts – not as home occupations, but rather as businesses. Consider scale and impact: a small business must be appropriate for the home and in conformance with the neighborhood. How would the property be taxed? Our assessor has said that as long as the property continues to appear as and function as a residence, it is not taxed as a business. However, if a new building is added, the property tax would increase due to the improvement. Businesses like restaurants, hotels, gas stations, taverns, etc., would still be allowed only in the business district.

Ted mentioned a trend toward "live-work units" which combines workspace with living quarters into one unit. *(Note: Linda found several articles on line about this new "old" idea. Years ago, it was not unusual for doctors to have their office in their homes, or shopkeepers to live in a space at the back of or above their stores.)* The business would have to be run by the legal occupant of the property (property owner, lessee, or renter).

A new business would require site plan review. Businesses in residential districts should be required to obtain a permit for health and safety reasons and so that emergency responders are made aware of potential hazards.

Donn provided handouts for Farm Housing. This use falls under Ag & Markets. Farm worker housing is most often in manufactured housing and standards are very low, with HUD standards often considered to be unreasonably restrictive. The time and cost of site plan review for farm worker housing is also thought to be unreasonable in some instances, using instead a "streamlined" site plan review process.

Linda did a brief on-line search and found an article on "Short Term Rental Zoning Advice for Community Leaders". Suggested regulations include items like parking, noise and nuisance provisions, garbage collection, occupancy limits, and limits on turnover. Linda also found that some towns and cities required the property owner to secure an operating license for rentals of less than 30 consecutive days. Keep this in mind when discussing what this type of use (AirB&B and VRBO).

ZC members are instructed to go through uses and see where we can change some prohibited uses. For any use that it not viable, the ZC feels it would be better to prohibit it rather than try to regulate it.

Joyce feels that we need some guidelines in order to get through this process more efficiently.

ZC Members were assigned the following uses and instructed to consider the use in light of our discussion:

- Moisha: Agriculture through Housing for Farm Employees
- John: Commercial Nursery through Trailer Camp/Trailer Park
- Donn: Accessory Dwelling Unit Class 1 through Home Occupation Class 2
- Kathy: Housing, Alternate Care through Two-Family Dwelling
- Elizabeth: Adult Uses through Excavation, Small Scale

We have received some comments from the public that they feel the draft code is overwhelming to many readers and that there are too many regulations. Joyce would like to present the code in plain language. Ted sent us a table that compares the old code against the new code so that people can understand what changes were made. In order to remain focused and keep our work moving, we should consider finding someone outside of the committee to develop this table; it should be someone with good writing skills and a basic understand of the zoning. Once completed, we could send the information out to the public in a mailing rather than having another public informational meeting.

**New Business:**

**From the Commission:** None

**From the Public:** None

**Next Meeting:**

December 7, 2015 at 6:30 p.m. at the Town Hall.

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

***Seconded by:*** Kathy Bainer

***Ayes:*** 5 (O'Donnell, Bainer, Critchell, Blechman, Roberts)

***Nays:*** 0

***Abstained:*** 0

Meeting adjourned at 8:35

*Public in attendance: None*

*Prepared by: Linda Swartz*