

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
December 21, 2015

Meeting called to order at 6:39 by Joyce Thompson.

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

Excused: Moisha Blechman, Al Huehnel

Approval of Minutes

A motion to approve the Minutes of November 16, 2015 was made by Kathy Bainer and seconded by Elizabeth O'Donnell.

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

Review of Article 60 and Comments:

Linda performed a critical review of proposed Article 60, looking for things that might be confusing or which she felt were too regulatory, and prepared a typed list of comments which was given to the ZC. Joyce asked that the ZC members also take the time to carefully read through Article 60 and give careful consideration to those things which might be confusing to the average reader or which might be too regulatory for our town.

The ZC has not received any written comments from the public since our presentation in September, nor has the Town Board commented. Kathy gave Article 60 to the Planning Board and asked that they read through it and comment, and they have said that they feel it is too much regulation. Linda pointed out that if they are not fully familiar with the existing zoning code, they have no basis for comparison. The current zoning is fairly restrictive; many of the "new" things in the zoning already exist in the current zoning, but we have expanded them for clarity, and in many cases, to make them better for the residents. Kathy said she gave a copy of the current zoning code to Lois Krasilovsky so that she can compare it against the draft code. We agree that the proposed code is overwhelming and not a "fun read"; and Kathy acknowledges that the members of the Planning Board might not have read the whole document, and are basing their comments on only a few select sections. Donn suggested that it might be easier for people to comprehend if it is presented in smaller pieces. For example, the Use Table might be enough to think about at one time. Give it to the Boards and post it to the town website and let people absorb that. We have many more definitions in the proposed code, which Dennis said is the first step towards clarity.

Some of the confusion with the proposed code is that when people are reading it on-line, they can't tell which section they are in and therefore cannot correctly apply the regulation. Ted said that having it codified by General Code would make it easier to navigate, but that costs money. Ted also reminded us of Naomi's 6/27/11 document citing the Comprehensive Plan recommendation on how to implement regulation. He cautioned that we need to look at the Comp Plan and make sure that we are following the original plan for how zoning was supposed to happen.

Joyce said that perhaps the misinterpretation of the code and the public perception that there is too much regulation is due to the quantity of words as opposed to the actuality of the law.

Since the ZC is a committee of the Town, we will ask that the Town Board give us their comments in writing. We should set a deadline for those comments (30 days?) so that we can address any issues and continue to move forward. In general, the ZC feels that the Town Board has not shown support of our efforts, and there is growing concern that they plan to shoot down the new code. The ZC has put a great deal of effort into this task and we would like The Town Board to work with us as a team, not as adversaries.

Use Table Discussion:

John reported his work on Commercial Plant Nurseries, Greenhouses, Roadside Stands, Saw Mills, Stables, Timbering and Camps:

- Commercial Plant Nursery is shown on the Use Table under discussion with a double asterisk (**) indicating a "farm industry". Is it an agricultural use or not? Need to look at Ag & Markets Law. Farms require a minimum of 7 acres and must earn at least \$10K/yr. Would be protected by Ag & Markets Law if in the Ag District and could qualify for ag exemption. Certain uses cannot be done except in ag districts.

Ag Districts are by parcel and do not necessarily align with prime soils areas. New Ag District maps are available on the Columbia County website, and Elizabeth suggested that the maps or a link to the maps be included in the code.

- **Commercial Greenhouse:** The proposed Use Table allows for this use in all residential zones. The ZC feels that some low-impact uses are acceptable in residential areas. Site Plan approval will be required in 2 and 3 acres zones. In ag districts only? Might need to have an overlay.
- **Private Greenhouses** as an accessory use are low impact and are permitted in all districts.
- **Roadside Stand:** Permit is all districts
- **Saw Mill (large commercial) and related facilities:** Use Table shows it to be prohibited in all districts.
- **Small, temporary saw mill operations** which use wood from the lot on which it sits are often used only during clearing and development of a property. They do not use timber from off-site sources. Noise might be biggest issue. Would need site plan review.
- As a result of discussion on saw mills, the ZC decided to add **small-scale commercial saw mill operation**, which would be a business (not a home occupation). It would be permitted in all residential districts where there is at least 7 acres on a parcel, and Site Plan review would be required. Will be prohibited in business or mixed use district.
- **Private Stable:** Permitted in all residential districts.
- **Commercial Stable:** Needs Site Plan Review, needs to meet lot size and setback requirements and should follow Cornell Standards.
- **Timber Harvesting:** Is controlled by State DEC.
- **Campground and Trailer Camp:** Because the ZC had not previously reviewed this use, we had a lengthy discussion: Should be allow only tents on campgrounds? Change "Trailer Camp" to "RV Park" to avoid confusion and allow tents as well as RVs. These uses require provision of certain services such as electrical hook-ups, water, toilet facilities, and dump stations. Dennis initially motioned to prohibit which was seconded by John, but Donn and Elizabeth argued that this use is suitable in ag districts and a prohibition is likely to be controversial. We decided to eliminate "Trailer Camp/Trailer Park" from the Use Table, and "Campground" will allow for both tents and RVs. It will be allowed by Special Use Permit in R7 Districts and prohibited in all other districts. "Campground", which currently appears under the AG & Forestry Section of the Use Table, will be moved to the "Business" section. "Camp" also appears under "Residential Uses" in the table and will be eliminated from that section.

New Business:

From the Commission: Joyce announced that as of January 1, Linda will no longer be a member of the ZC. The ZC agrees with Joyce's recommendation that Linda continue to serve as ZC Secretary. The ZC has a budget from which Linda would be paid at the same rate as other board secretaries. Joyce will inform the Town Board accordingly.

From the Public: None

Next Meeting:

The next ZC meeting is scheduled for January 4, 2016. Elizabeth is excused.

- ✓ We will try to complete the Use Table Review. Then we need to go through the revised Use Table and figure out where we are.
- ✓ We will also need to compare the old zoning and the Comp Plan against what we have so far. Ted will check to be sure our efforts are in line with the Comp Plan and have that ready for the January 18 meeting.
- ✓ We hope to complete Article 60 by the beginning of February.
- ✓ Joyce will report our progress to the Town Board at the January Organizational Meeting and ask for their written comments/recommendation.

Motion to adjourn: Dennis Callahan

Seconded by: Donn Critchell

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

Nays: 0

Abstained: 0

Meeting adjourned at 8:25

Public in attendance: None

Prepared by: Linda Swartz