

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
February 1, 2016

Meeting called to order at 6:40 by Joyce Thompson.

Members present: Chairperson Joyce Thompson; Members: Donn Critchell, Kathy Bainer, John Roberts, Al Huehnel, Elizabeth O'Donnell; ZC Secretary Linda Swartz and ZC Consultant Ted Fink

Excused: Moisha Blechman

Absent: Dennis Callahan

Approval of Minutes

A motion to approve the Minutes of January 18, 2016 was made by Elizabeth O'Donnell and seconded by Donn Critchell.

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

Use Table Discussion – General Uses:

- **Airfield:** New airfields will be prohibited in all zoning districts. Existing legal airfields are grandfathered.
- **Heliport:** Linda red the definition which was added at our meeting of April 21, 2014. ZC decision was to prohibit in all zoning districts, except as required by law or for emergencies.
- ZC had a discussion about **drones:** FAA registration is now required. Will be addressed through law, not zoning.
- **Cemetery:** The Comprehensive Plan is very clear about protecting farmland and we don't want to lose prime farmland soils to cemeteries. Prohibit in 7-acre and require Special Use Permit in all other districts.
- **Church or Other Place of Worship:** We cannot disallow places of worship altogether, nor would we want to. However, the recent trend has been to sell under-utilized churches and combine parishes, rather than build new churches. We will prohibit in 7-acre and special use permit in all other districts.
- **Club, Membership (non-recreational use):** Our definition indicates that this type of club is not conducted primarily for financial gain and includes clubs like the Elks, Masons, etc. (Hall rental and events at such clubs is not for profit, but for club maintenance or to support charities.) These types of clubs are usually found in the more densely developed areas. Therefore, we will prohibit in 7-acre zones and will require a special use permit in all other districts.
- **Club for Recreational Use:** This use has not yet been defined. This type of club and the previous "non-recreational club" uses generated a lengthy discussion about their purpose(s) and impacts. We will need to make our definitions very clear. We should try to align the club definitions with the existing Recreation Area definitions. The ZC determined that indoor recreation clubs would be prohibited in 7-acre zones and allowed by Special Use Permit in all other districts; and the outdoor recreation clubs, because of the need for larger properties, could be allowed by Special Use Permit in 7-acre districts and prohibited in all other districts. We will make a separate entry in the Use Table for **Gun Clubs** and new gun clubs will be prohibited. Gun Clubs and Hunt Clubs are different and must be clearly defined. Ted warns that we should be aware of what other towns around us have zoned out because it could then possibly concentrate that use in our town. We also had a brief discussion about "floating zones" and decided that it would be best to not use this type of zoning in Taghkanic.
- **College:** Prohibited in all residential districts to preserve rural character and minimize impacts to residential areas; site plan review in Mixed Use District.
- **Community Facility:** This use title will be removed as it is the same as "Town Facility/Public Use".
- **Conservation Use:** Eliminate from Table; not a zoning use, although our code should incentivize conservation use.
- **Cultural Entertainment Facility:** A cultural entertainment facility is thought to be primarily not-for-profit while a theater is a business use. Both uses are prohibited in all residential zones and site plan review is required in the Mixed Use District.
- **Fair (Agricultural):** Ted recommends that temporary uses such as fairs not be handled through zoning, but would rather be permitted by the Town Board on a case-by-case basis.
- **Golf Course:** Due to environmental concerns (fertilizers, pesticides), traffic impacts, and a potential loss of farmland soils, golf course will be prohibited.
- **Government Uses:**
 - Dump/Landfill: Prohibit in all zones (as both government use and private use)
 - Recycling Facility: Prohibit in all districts.
 - Transfer Station: Prohibit in all districts.
 - Institutional Use: Prohibit in all districts.

- Parks & Trails: Site Plan approval required in all districts.
 - Playgrounds: Site Plan approval required in all districts.
 - Public Assembly Area: Site Plan approval required in all districts.
 - Public Utility Facilities: Special Use Permit required in all districts.
 - Recreation Area, Non Commercial: Site Plan approval required in all districts. (The note about miniature golf should be removed from this section of the Use Table since mini-golf would be a business use.)
 - School, Public or Private: Special Use Permit in all districts.
 - Senior Center: Site Plan approval required in all districts.
 - Telecommunications Town (new): Special Use Permit required in all districts.
 - Telecommunications on existing building: Special Use Permit required in all districts.
- It was decided that Renewable Energy Systems should appear under the General Uses Section:
 - Solar Energy (roof mounted or free-standing): Site Plan approval required in all districts.
 - Wind Energy Conversion System: Site Plan approval required in all districts.In both solar and wind systems, site plan review should consider the size of the systems.

Ted will update the Use Table for our next meeting.

Review of Comp Plan/Existing Code/New Code as presented by Ted:

ZC members are asked to look at the Taghkanic Zoning and Comprehensive Plan Consistency chart which was prepared by Ted. Linda suggested that the same type of chart be used to compare the existing zoning against the revised zoning so that the public can easily see what changes are being made.

Critical Review and Comments on Article 60:

ZC members are asked to go through Article 60 and mark up what they think is not clear or any issues they might see.

There are three scheduled Saturday Town Board Meetings in 2016 (March, June, and September). It is not likely that we will have anything ready for the March meeting; we hope to have something by June.

Letter to Attorney General re: Home-Based Businesses in Accessory Buildings:

Joyce read a draft letter seeking assistance from the NYS Attorney General in having the State Residential Building Code revised to allow for home-based businesses to be conducted from accessory structures on the principal property. This is a follow-up to the letter sent to the Department of State Division of Code Development in 2014.

Elizabeth O'Donnell motioned that the letter be presented to the Town Board with the ZC's respectful request that the Town Board sign the letter and send it to the Attorney General. The motion was seconded by Donn Critchell.

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

New Business:

From the Commission: None

From the Public: None

Next Meeting:

February 15, 2016 beginning at 6:30 p.m. at the Town Hall.

Motion to adjourn: Donn Critchell

Ayes: 4 (Critchell, Roberts, Huehnel, Bainer)

(Elizabeth O'Donnell left just before adjournment)

Seconded by: John Roberts

Nays: 0 Abstained: 0

Meeting adjourned at 8:55.

Public in attendance: None

Prepared by: Linda Swartz