

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
May 2, 2016

Meeting called to order at 5:45 p.m.

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

Approval of Minutes:

A motion to approve the Minutes of April 18, 2016, (with a minor correction) was made by Elizabeth O'Donnell and seconded by Moisha Blechman.

Ayes: 6 (*O'Donnell, Blechman, Bainer, Critchell, Huehnel, Roberts*) **Nays:** 0 **Abstain:** 1 (*Callahan*)

The Latest Use Table:

Donn worked on the portion of the Use Table from "Roadside Stand" through "Timber Harvesting".

First we discussed Timber Harvesting and Forest Management:

Donn handed out a typed sheet headed "A Municipal Official's Guide to Forestry in New York State" which included a definition of "Forest Use", a list of criteria for timber harvesting, and a list of agencies which might be involved in forest management and timbering (NYSDEC, NYSDOT, ACOE). That document is attached and made part of these Minutes. The ZC had a lengthy discussion on the difference between Forest Management (requires a long-term plan prepared by a professional forester) and Timber Harvesting (purpose of which is to cut and sell lumber). It's important to understand that clearing land for development is not "timbering". The town can regulate things like weight of trucks on local roads and land clearing for development. Donn noted that there is nothing in the guide on regulating saw mills. In order to claim a forestry exemption, a person would need at least 50 acres of forest and a forest management plan. Discussion showed that our definitions for Timber Harvesting and Forest Management might need to be revised; will "google" Society of American Foresters and 6NYCRR for guidance.

By show of hands, the ZC decided to permit timbering in all districts; Moisha was the only dissenting vote. Dennis referred to our existing code and feels that we just need to "tweak" the current law. Should we limit the number of trees that are cut? Elizabeth suggested that the Supplemental Regulations set a maximum number of acres allowed for timbering, after which a forest management plan would be required. Ted feels that there should be some control over timber harvesting, which could be done by a permit rather than requiring site plan approval. Ted will get us some example regulations.

The remaining uses in Donn's assignment are contained in Version 12 of Article 60. The ZC does not have the current version of that Article and the regulations contained therein have not yet been fully formed, although we have had limited discussion on the regulations for these uses: Farm Market (minimum of 7 acres); Farm Stand (from April 1 through November 30); Farmers' Market (covered under Article 22 of NYS Ag & Markets Law); Commercial Greenhouse (minimum of 7 acres); Housing for Farm Employees (Ag & Markets Law 305a); Roadside Stand (sale of products grown on the same property); Commercial Stable (minimum of 7 acres, minimum of 10 horses [as per Ag & Markets Law], and must meet setbacks). ZC will continue to work on these regulations.

Elizabeth's assignment looked at the entire group of "Dwelling Units" (permanent housing). She found that the regulations under Article 60.Q. Affordable Housing are contradictory, ambiguous, or lacking. There are obvious discrepancies between the Use Table and the Regulations.

- Single family dwellings: As of right.
- Accessory Dwelling Units includes cottage homes. According to the Regulations, cottage homes can be larger than what would be allowed for other types of accessory dwellings, but they don't require the double lot size (Need to find out if ZC decided to eliminate this requirement.) Linda noted that the ZC had previously considered having two classes of Accessory Dwelling Units: Class I (within the principal dwelling unit) and Class II (in an accessory building and being no greater than 75% the size of the principal structure or 1000 square feet, whichever is smaller [may include cottages]). Must meet all zoning and setback requirements of new construction.

- Two-family units can be in an existing single family home and may be accomplished by new construction or by conversion of an accessory building on the same property. Both units may be equal in size. Per our Use Table, two-family dwellings are permitted by right and no Special Use Permit or Site Plan Approval is required. Should a Special Use Permit required to ensure compliance with water and sewer? Can the CEO/ZEO make Board of Health approval a requirement for issuing a building permit? Regulations must be clear that property cannot be subdivided unless subdivision would result in each parcel having adequate acreage for the zoning district in which it is located and both parcels would meet all setback requirements.
- Multi-family dwellings. Maximum of four units. Site Plan Approval required.
- Boarding House: Move this use to the Business Section of the Use Table (does not need to be owner-occupied).

Ted will re-do the Table of Contents and will show on it what the most recent version is that we are using, and he will send us current versions of all Articles.

New or Continuing Business:

From the Commission: None

From the Public: None

Next Meeting:

The next ZC meeting will be a **full-day session on Saturday, May 14, from 10 a.m. to 3 p.m.** Coffee and snacks will be provided and we will walk to JoJo's for lunch (weather permitting). ZC will continue review of the assignments, starting with Kathy's work.

The public is encouraged to stop by for all or part of this important work session.

Motion to adjourn: Donn Critchell

Seconded by: Al Huehnel

Ayes: 6 (Critchell, Huehnel, Bainer, Blechman, O'Donnell, Roberts) ***Nays:*** 0

Abstained: 0

(Dennis Callahan left at 6:35)

Meeting adjourned at 7:38.

Public audience: None

Prepared by: Linda Swartz