

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
June 6, 2016

Meeting called to order at 5:37 p.m.

Members present: Chairperson Joyce Thompson; Members: Donn Critchell, Kathy Bainer, Al Huehnel, Moisha Blechman, John Roberts; ZC Secretary Linda Swartz

Excused: Elizabeth O'Donnell, Dennis Callahan

Approval of Minutes:

A motion to approve the Minutes of May 16, 2016, was made by Donn Critchell and seconded by Kathy Bainer.

Ayes: 4 (*Critchell, Bainer, Roberts, Huehnel*) **Nays:** 0 **Abstain:** 1 (*Blechman*)

Minutes of the May 14, 2016 ZC meeting are tabled until we have quorum.

Linda reviewed draft Article 40, Use Regulations (including table); Article 60, Supplementary Regulations; and Article 80 Special Use Permits, and prepared a typed list of discrepancies and other observations. This list was e-mailed to ZC members and printed copies were provided at the meeting.

One question that arose from this review is the difference between "Eating Establishments" and "Restaurants". Our definition of "Eating Establishment" includes the word "restaurant". Following a lengthy discussion, Donn Critchell made a motion that "Restaurant" in our definitions direct the reader to the definition for "Eating Establishment"; only "Eating Establishment" will be listed in the Use Table and will be prohibited in 2A and 3A, Special Use Permit in 7A, and Site Plan Approval in MU. The motion was seconded by John Roberts.

Ayes: 5 (*Critchell, Roberts, Bainer, Huehnel, Blechman*) **Nays:** 0 **Abstain:** 0

Regulations could set limits for the numbers of tables, hours, etc.

The Use Table lists "Animal Husbandry" but Article 60-K. calls it "Farming on Non-Farm Parcels" and the words "Animal Husbandry" do not appear within the regulations. This is inconsistent and confusing. We will have to ask Ted about this.

We talked about Article 60-K.3. which regulates chickens on non-farm parcels, and we agreed that the set-back requirements are too restrictive; why not just use the regular building set-backs. Also, we would change the hours as shown in 60-K.1.c. to say "dusk to dawn". Consider prohibiting roosters? "Swine" will be added to the medium-size livestock list in 60-K.1.c.

"Lighting for stairs and ramps" as shown in 60-M.3.b. will be made a part of 60-M.3.a. (following the words "Exit signs"), and the remaining two items will be moved up. We will not set a maximum number of days for holiday lighting since it is not unusual for people to use lights for many holidays throughout the year. We may still set limits on "temporary lighting", but we will need to determine what, specifically, that type of lighting might be.

The Schedule of Off-Street Parking Standards (for new development) Article 60-C needs to be reviewed and carefully considered.

Article 80, Special Use Permits.

- While the vehicles listed in 80-D.30.d.8 are not farm equipment, a farmer may want to rent space in his barns for seasonal storage of this type of machinery.
- Article 80-D.29.h.ii.: Donn said that for Telecommunication Towers and Facilities to work, they need to be placed on a hilltop or a ridgeline, so the last sentence in this item will be eliminated. Item g. makes it clear that 15' is the height limit.
- The word "addition" in 80-D-29.c.ii. will be changed to "additional". Kathy further suggested that this item be broken into two separate sentences for clarity. This is the same for many entries throughout the draft code.
- The ZC would like to see words such as "appurtenance" as it appears in 80-D-29.c.vi., changed to simpler words (in this instance we thought "a subordinate part" would be appropriate). This item, too, should be separated into two sentences for clarity. (*For this and the previous bullet, see the ZC assignment under "Next Meeting" below.*)

Article 80-D.1. Agri-tourism has not yet been developed; we will wait to see what Ted comes up with. Joyce mentioned that the Rockefeller Farm in Livingston holds fund-raising events and they will be milking cows and making cheese.

Article 60-E. Home Occupations: While the ZC would like to be more lenient with these regulations, we are constrained by NYS Building Code. Some time ago, the ZC prepared a letter which the Town Board sent to the Department of State asking that the building code be re-written to allow home occupations in accessory structures. The Association of Towns has also taken up this cause. The ZC may renew our efforts by writing to members of the Senate and Assembly. Article 60-E.1.o. requires that people register their home occupation with the CEO and pay a fee. The ZC does not think that anyone would want to register their home occupation with the CEO and they especially would not want to pay a fee.

It was suggested at a previous meeting that we might be able avoid the NYS restrictions by eliminating "home occupations" from our code and simply say that these regulations apply to businesses outside of the business district. We would allow businesses outside of the business district, but they must meet certain other requirements that would limit impacts and make them acceptable in a residential neighborhood. Ted was going to ask an attorney about this. We need to think about how to handle it when a home business gets too big for a residential area. What can the town do to help them move to the business district?

We don't want to set restrictions on yard sales, but we also don't want them to be a continual or "every weekend" seasonal business. This causes traffic safety concerns and impacts neighbors. When does it stop being a yard sale and become a home occupation or a business enterprise? Code could set maximums.

ZC will need to think about putting together a master plan and identify overlay areas which could be developed for small businesses. This activity might be eligible for grant funding.

New or Continuing Business:

From the Commission: None

From the Public: None

Next Meeting:

The next meeting of the ZC is scheduled for June 20, 2016 beginning at 5:30 at the Town Hall. For that meeting, each ZC member present at this meeting was assigned 10 pages in Article 60 which they will review with an eye toward simplifying language and shortening sentences.

- Donn: Pages 1 – 10
- John: Pages 11 – 20
- Moisha: Pages 21 – 30
- Kathy: Pages 31 – 40
- Al: Pages 41 – 50

Joyce will try to get some examples of a master plan so that we can see what the components are.

The first meeting in July would be on July 4. The ZC agreed to move that meeting to July 11 from 4 pm to 6 pm. The second meeting in July is schedule for July 18, 2016 at our regular time (5:30 to 7:30).

Motion to adjourn: Donn Critchell

Seconded by: Moisha Blechman

Ayes: 5 (Critchell, Blechman, Huehnel, Bainer, Roberts)

Nays: 0

Abstained: 0

Meeting adjourned at 7:38.

Public audience: None

Prepared by: Linda Swartz