

TOWN OF TAGHKANIC  
ZONING COMMISSION MEETING  
June 20, 2016

Meeting called to order at 5:35 p.m.

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

**Approval of Minutes:**

Dennis Callahan's name was moved from "absent" to "excused" on the June 6, 2016 Minutes. A motion to approve the Minutes of June 6, 2016, with the noted change, was made by Donn Critchell and seconded by Kathy Bainer.

**Ayes:** 5 (*Critchell, Bainer, Roberts, Huehnel, Blechman*)      **Nays:** 0      **Abstain:** 2 (*Callahan, O'Donnell*)

A motion to approve the Minutes from the full-day ZC Meeting held on May 14, 2016, was made by Kathy Bainer and seconded by Donn Critchell.

**Ayes:** 4 (*Bainer, Critchell, Huehnel, O'Donnell*)      **Nays:** 0      **Abstain:** 3 (*Blechman, Roberts, Callahan*)

**Home Occupations/Home Business:**

In contradiction to the NYS Residential Building Code, most municipalities permit residents to operate their home-based businesses from the principal structure and/or from an accessory structure. The ZC wishes to encourage work-from-home and feels that the current push for improved broadband service in Columbia and Greene counties would further support a work-from-home policy. After much discussion, the ZC decided to use "work from home" in lieu of "home occupation". We will set restrictions for size, number of employees, prohibit subletting/leasing, and create regulations for signage, traffic, noise, odors, lighting, etc., in order to minimize neighborhood impacts. We will need to make changes to the definitions and the regulations. Dennis said that there are also building and fire codes which must be adhered to, and that a fire wall is required between the living area and the business operation regardless of the type of business. Dennis also advises that New York State has adopted the International Building Codes and included the New York State addendum.

John asked if the ZC thinks there is a need to change the zoning districts from "Residential" to something else if we allow work-from-home. "Rural" was suggested so that it remains "R2", "R3", and "R7". Al said that, based on his review of Article 60, changing it from "Residential" would create more problems. Residential and Agricultural are the two main uses Taghkanic. In residential districts, people want to be able to continue a way of life as long as impacts are minimal to rural and residential life. People can exercise a land use that earns them money as long as they don't increase traffic, noise, lighting, etc. Scale must stay small like we did for home-based business. Do we need two categories: one for home occupation and one for this new work-from-home category? Ted recommends that it be under one category to minimize confusion and conflicts. Ted will come up with a purpose and intent for each district and that will help to clarify what we are trying to achieve through our Table of Uses and Bulk Regulations. Ted will change the column headings in the Use Table to R2, R3, R7, and MU (they currently appear as 2A, 3A, 7A, and MU) .

At the June 6 meeting, we discussed sending a letter to state elected officials asking that they support a change in State Building Code to allow a home-based business in an accessory building. Linda found a letter in her records which was drafted by the ZC in November of 2015 for sending to the State Attorney General. The letter had never been presented to the Town Board for their action. Joyce took the letter for the Town Board. Linda will send Joyce an electronic copy.

**Article 60 Editing Work:**

Donn prepared a typed list of his review work and suggested edits:

- 60-A.1.: Delete phrase "for the district in which such building or land is located." at the end of the first sentence.
- 60-A.2.: For clarity, insert "as found in subsections a thru f below" after the word "thresholds" in the first sentence. Should we add a threshold for gas pipelines and interstate powerlines? Gas pipelines are handled by New York State, and we probably can't change anything. Any changes for powerlines would require that the town enter into an inter-municipal agreement with the county; complicated.
- 60-B.4.: Should we add Ag & Markets since they regulate waste on farms? Ted said that DEC handles this.
- 60-B.8.: Toxic or Noxious Matter: What about people who use pesticides?
- 60-B.9.: Should well drilling be added? Dennis said that well drillers don't use "pounders" anymore and the well should not be at the lot line anyway, so this shouldn't be a problem.

- 60-C.2. Schedule of Off-Street Parking Standards For New Development (chart)
  - 60-C.2.: Top of chart "Parking Area Space Requirements"
  - Change all housing to "One Space/Bedroom" except senior citizen or senior housing.
  - Put "GFA = gross floor area" in the Intent and Purposes paragraph and again below the chart for clarity.
  - Change reference in third sentence to Article 60, Section C.(3) to Article 60, Section C.(6).
  - The Intent and Purposes paragraph says that the standards should be considered *maximums*; this should be changed to "minimums". Some development might require maximums so that they don't over develop the parking.
  - Remove one-family dwellings and two-family dwellings from the chart.
  - Donn asked why garages are not included in the parking area requirements if 60-C.1 says "off-street parking spaces, open or enclosed ..."
  - Link the Use Table to the Parking Area Requirements
  - Farm Markets and Roadside Stands should appear as separate items on the chart since they are vastly different.
  - Clarify B&B for parking space
  - Change "Home Occupation" to "Work from Home"
  - Hotel, Motel, Inn: One space for 4 employees is not reasonable since we do not have public transportation.
  - Place of public assembly: 1 space/3 people
  - Recreation Facility: 1 space/3 people. Change "facility" to "area".
- 60-C.5. Parking Area Specifications:
  - Second sentence after "15 feet", add "in alignment or"
  - Third sentence after "applicable front yard setbacks, add "give the distance"
- 60-D.3. Permit Required: A sign can be repainted as long as it doesn't change the message or character of the sign (repainting as maintenance). Change first sentence as follows: "A sign may be placed, erected constructed, painted, altered, relocated, enlarged, reconstructed, displayed or lit only as expressly permitted in this chapter and only after review and approval of the Planning Board . . ." Add a paragraph that allows for maintenance of a legally existing sign, as is, does not require a permit. Maintenance on a sign that does not meet the standards of the zoning code will require a permit.
- 60-D.4.: Take item c. out of the exemptions and instead put it into the regulations to permit it as "One non-illuminated window sign when such sign, measured together will all permitted window coverage, brings the total window coverage to no more than ten percent of the window's surface area."
- 60-D.5.d. Move to 4. Exempt Signs
- 60-D.5.i. Change last word "hereunder" to "above".
- 60-D.6. Last sentence. "Trailer or wheel-mounted signs are prohibited except for farm stands" should be copied and added under 60-D.5. as a new letter following k.
- 60-D.8.a. Change "Home Occupation " to "Work from Home"

Overall, the ZC feels that the Signs section needs to be simplified.

Donn will send his comments on the Parking Standards Ted, with a copy to the ZC Secretary who will forward it to ZC members.

Elizabeth asked if the ZC should create a set of standards to have in place should a walkable mixed use area ever be developed.

**New or Continuing Business:**

**From the Commission:** None

**From the Public:** None

**Next Meeting:**

The next meeting of the ZC will be held on **July 11, 2016 from 4 to 6 p.m.** (Change due to July 4<sup>th</sup>). We will continue with the editing work on Article 60.

**Motion to adjourn:** Donn Critchell

**Seconded by:** Dennis Callahan

**Ayes:** 7 (Critchell, Callahan, Blechman, O'Donnell, Bainer, Huehnel, Roberts) **Nays:** 0

**Abstained:** 0

**Meeting adjourned at 7:50.**

Public audience: None

Prepared by: Linda Swartz