

TOWN OF TAGHKANIC  
ZONING COMMISSION MEETING  
July 18, 2016

**Members present:** John Roberts, Acting Chair; Donn Critchell; Kathy Bainer; Al Huehnel; Moisha Blechman; Dennis Callahan; ZC Secretary Linda Swartz.

**Excused:** Joyce Thompson, Elizabeth O'Donnell

Zoning Commission Planner, Ted Fink, could not be in attendance. Joyce asked John Roberts to serve as Chair since she could not be present for this meeting.

**Approval of Minutes:**

Kathy Bainer motioned to accept the Minutes from the July 11, 2016 ZC meeting, as prepared; seconded by Donn Critchell.

**Ayes:** 5 (*Bainer, Critchell, Blechman, Huehnel, Roberts*)      **Nays:** 0      **Abstain:** 1 (*Callahan*)

**Article 60 Editing Work Continues:**

Editing word continued with review of the signs regulations.

Al asked about size limitations and other regulations for real estate signs (for sale/for rent/for lease). He has found the common size to be about 2'X2'. Some have an additional irregular shape that juts beyond the 2X2 square and some have an additional smaller sign that provides the agent's name or more information regarding the property, such as "BOH approved lot" or something similar. Real Estate signs would generally be exempt, but ZC should at least set a maximum size.

Article 60-D.6. Temporary Signs: Needs to be clearly defined; what they are and what purpose they serve? (They are not a business identifying sign and should not be for advertising purposes).

Article 60-D.10.

- ii. The ZC is not sure what a "Monument" sign is. Is the picture in the draft code showing the sign at the Culinary Institute a monument sign? Ask Ted to clear this up.
- iii. Regulations for projecting signs have not been developed. ZC doesn't want to create a loophole that would allow for two signs for a business (one on the building face and one projecting sign). Consider making it an "either/or" or require that the two signs added together cannot exceed the maximum allowable area for a single sign. Linda said that when DOT reconstructed Route 66 through Chatham, they disallowed projecting signs over the sidewalk, which made it difficult for motorists to find a business, but she agreed with Dennis that Taghkanic does not have a situation that would necessitate projecting signs in our business district. ZC will prohibit projecting signs. It is noted that sometimes in residential areas, you see signs that are hanging from a post; would these be allowed in the business district? The ZC decided that if a business has this type of sign, it would count as part of the total area allowed for signage.
- iv. Wall Signs: ZC reviewed the changes that were made at the July 11 meeting and no additional changes were made.
- v. Backlit Signs: This regulation does not seem to mean the same as "internally illuminated". Ted needs to clarify this for the ZC.
- vi. Awning Signs: Again this would be an "either/or" or would count as part of the total area allowed for a sign.

60-D.11. Removal of Signs: This section appears to be okay as written, however Dennis said that the Code Enforcement Officer is limited in his ability to have a sign removed by anyone other than the sign owner. Linda expressed exasperation over the many situations where we have no choice but to continue through the courts, at great expense and often for a long time before the problem is resolved.

60-D.12 Maintenance; 60-D.13. Severability; and 60-D.14. All okay as written.

60-E. Home Occupations: The ZC has decided to use the term "Work From Home" in order to avoid conflict with the NYS Building & Residential Code's limitations on home occupations. If the ZC is successful in this approach, 60-E. would have to be changed accordingly, and if the use is allowed in an accessory building, that should be included in the regulations under Item 60-E.1.p.

60-F. Conservation Subdivision. This regulation appears to follow ZC discussions and nothing appears to be contradictory.

60-G. This regulation is okay as written.

60-H.1. Reference is made to the note from Ted in this section. Submission of the New York State Unified Solar Permit application will be required.

60-H.2.e. Second sentence refers to a commercial use, but this section is for non-commercial solar energy systems. Sentence is inappropriate and should be removed.

60-H.3. Regulations not needed if we are not allowing large commercial solar energy systems. Kathy asked what if a conservation subdivision wanted to have a solar energy system that would address the energy needs of the development; not a big system; part of site plan approval through Planning Board.

ZC need to check ALL set-back requirements for accessory structures. The definition for Medium scale solar energy system says it would occupy more than 10,000 Square feet and less than 40,000 square feet of surface area. At the largest size, it would likely be located very close to a property line.

60-I.1. Screening Required: This paragraph is very long, but the ZC agreed that it cannot be improved.

Moisha began with her review of Pages 21- 30:

60-J. Agriculture:

- Moisha suggests changing all or most of the occurrences of the phrase “not less than” to a more positive phrase. For example, in 60-J.1. Building Setbacks, say “*Buildings or structures for permitted fowl or livestock shall be located at least 50 feet from any lot line and at least 100 feet from an existing neighboring residential structure.*” Consider setbacks: ZC had a lengthy discussion about changing this to 100 feet from the lot line rather than 50 feet from the lot line. The bigger setback could be a problem for a two-acre property.
- 60-J.2. Manure Storage. Existing code says 200 feet from any lot line and CEO feels that should not be reduced to 100 feet. This sentence also might be changed as stated for 60-J.1. above?

ZC should mark the entries as noted above for further review and discussion when developing bulk requirements.

- 60-J.3. Eliminate second sentence. Start new paragraph with sentence that begins “New farming operations in the Town,”. Moisha suggests adding the word “they” in the sentence that reads in part “...shall be no less than one hundred (100) feet in width and they may be required up to a width of three hundred (300) feet,”. It is suggested that the final sentence being removed.
- 60-J.4. The potential for pollution/contamination of water, air, and soil exists; should that be indicated?
- 60-J.5. Is okay as written.
- 60-J.6. Ag & Markets has jurisdiction over ag operations. Changes were made to this section as follows:
  - c.i. The applicant shall submit a sketch of the parcel on a location map (such as a copy of a survey or tax map) showing:
    - The boundaries and dimensions of the parcel of land involved and identifying contiguous properties and any known easements or rights-of-way and roadways;
    - Existing features of the site including land and water areas, water and/or sewer systems and the approximate location of all existing structures on or immediately adjacent to the site;
    - The proposed location and arrangement of buildings and uses on the site, including access and egress, parking and circulation;
    - Any proposed buildings or structures, including the exterior dimensions and elevations of the front, side and rear views. Applicant shall include copies of any available plans or drawings prepared by a professional.

- Items iv., v. and vi. are then renumbered as ii., iii., and iv.
- The new ii. (previously iv.) will begin with “The applicant shall”
- No changes to iii. (previously v.)
- The new iv. (previously vi.) is re-written from the second sentence to the end as follows: *The Town Planning Board must conduct a public hearing on the proposed Site Plan. Action by the Planning Board shall follow the procedures enumerated in Article 90, Section G. of the Zoning Law.*

60-K. Farming on Non-Farm Parcels: The ZC is split on whether or not fencing chickens is necessary. Chickens do tend to wander onto neighboring property and sometimes into the road where they could cause accidents. They aren't usually noisy or bothersome and they eat ticks and other bugs in the lawn, but they can be messy and will destroy gardens. ZC will bring this issue to the public for discussion.

**New or Continuing Business:**

**From the Commission:** None

**From the Public:** None

**Next Meeting:**

The next meeting of the ZC will be held at the Town Hall on August 1 beginning at 5:30 p.m. John Roberts will not be in attendance and is excused.

***Motion to adjourn:*** Dennis Callahan

***Seconded by:*** Donn Critchell

***Ayes:*** 6 (Callahan, Critchell, Huehnel, Blechman, Bainer, Roberts)      ***Nays:*** 0      ***Abstained:*** 0

***Meeting adjourned at 7:40.***

***Public audience:*** None

***Prepared by:*** Linda Swartz