

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
August 1, 2016

Members present: Joyce Thompson, Chair; Donn Critchell; Kathy Bainer; Al Huehnel; Moisha Blechman; ZC Secretary Linda Swartz; ZC Consultant Ted Fink

Excused: Elizabeth O'Donnell, John Roberts, Dennis Callahan

Joyce expressed her thanks to John Roberts for filling in as Chair at the July 18, 2016 meeting.

Approval of Minutes:

A typo noted by Joyce will be corrected. Donn Critchell motioned to accept the Minutes from the July 18, 2016 ZC meeting, with the correction as noted; seconded by Kathy Bainer.

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

Article 40, Version 6:

ZC is instructed to review Article 40, Version 6 which Joyce e-mailed to all on July 16. We will begin group review once we have completed our editing work on Article 60.

Ted's Answers To Questions from the July 18, 2016 ZC Meeting:

Questions which arose at the July 18 ZC meeting were presented and answered by Ted:

- What is a monument sign? Ted explained that it is a large sign with a monumental base. The picture in Article 60-D, Sign Regulations, showing the sign reading "Culinary Institute of America" is a monument sign. Ted will be sure to place the picture of the sign next to the regulation pertaining to monument signs when the final draft is done. Also, Ted will create a definition for monument sign.
- What is the difference between backlit and internally illuminated signs? Internally illuminated is a light within the sign that is projected through the plastic material to illuminate the entire sign area. A backlit sign has a light source that is located behind raised letters on the sign face, creating a soft light which makes the letters stand out. A backlit sign is a single face only.

Other issues from the July 18 meeting:

- The ZC confirmed that the language recommended by Moisha will be used throughout the code as appropriate; for example, say "at least" rather than "not less than".
- Unified Solar Code will be required under the new zoning since it is anticipated that this will become a state requirement in the near future.

Elizabeth could not be present at this meeting, but she sent an e-mail to Joyce asking when the ZC will address setbacks, suggesting that it be done in a Saturday workshop session, addressing building setbacks, use setbacks and exemptions to setbacks all at once. In a previous meeting, Elizabeth asked when we should begin developing standards for a walkable community. A key locational factor for development is public water and sewer and many developers have abandoned plans in areas that do not have public water and sewer.

Joyce spoke about problems faced by seniors regarding services and affordable housing. Ted gave Joyce contact information for a program in Dutchess County that helps in the development of affordable housing.

Linda questioned the purpose of a zoning code when the CEO/ZEO apparently has little ability to enforce it. The Town Board will soon be interviewing a prospective CEO/ZEO and Kathy recommends that the Town Board make it clear to the candidate that he should work with violators to bring them into compliance without having to go to court.

Article 60 Editing Work Continues:

Article 60-L, Roadside Stands:

- Occurrences of "not less than" will be changed to "at least"

Article 60-M, Lighting Regulations:

- Moisha feels that the statement made in the Purpose paragraph, that lighting not be "excessive or unnecessary", is not being met by the regulations.

- There is no way to stop all light from being seen at a neighboring property, but the source of that light (the bulb) cannot be directed toward or seen from a neighboring property. To make this idea more clear, “lamp image” in 60-M.2. will be changed to “lamp bulb”.
- 60-M.3. Exemptions: Incorporate b. (lighting for stairs and ramps) into a. and renumber remaining sentences accordingly.
- Remove time period stated under holiday and temporary lighting.
- 60-M.4.a. is rewritten as follows: *“Lighting attached to single-family home structures shall not exceed the height of the eave or 20 feet, whichever is lower. Residential pole lights shall be fully shielded, shall not exceed 20 feet in height, and shall not cause illumination of adjoining property.”*
- 60-M.5. Landscape Lighting will be removed from these definitions since it is not addressed in the regulations. Linda asked if these definitions will remain in this section or if they will be placed in with all the other definitions. Since they relate only to lighting, they will remain in this section rather than expecting the reader to go to the Definitions Section to look them up. This will occur in other sections of the code as well.

Article 60-N., Noise Regulations, is removed. Noise will not be addressed in the Zoning Code, as it is better addressed through the Penal Code and enforced by the Police.

Article 60-O. Stormwater Management:

- 60-O.1. ZC discussed whether this first sentence should read “land disturbance” rather than “land development”. Since land disturbance can be many things and since the limits are set in items a. and b., this will remain as stated (“land development”). Compliance with this section is required for Planning Board review.
- 60-O.2. No changes.
- 60-O.3. First sentence rewritten as follows: *An erosion and sediment control (ESC) plan shall be submitted as either a written report or a separate drawing, or both.*
- Moisha suggested adding a new item to the end of the list (a. – k.) regarding impacts on wildlife and the microbial effects on soil. ZC discussion concluded that this review would be too in depth and is not needed in this section. Can it go into Section 100, Administration, under Building Permits since the CEO/ZEO would send any questionable permit to the Planning Board which could trigger a more in-depth review? Requiring an environmental assessment for a building permit would probably not be upheld if it went to court. Kathy feels that the CEO/ZEO should consider placement of a house in the environmental sense. She suggested that the new CEO/ZEO be required to take training in this area to make him/her aware of the issues. Perhaps this could be approached through the Subdivision Regulations.

Article 60-P. Forest Management:

- 60-P.1. Moisha feels that the way this section is written encourages unnecessary cutting of trees and clearing of land. The ZC generally feels that this section supports a healthy forest and wildlife habitat, and feels that no change is needed.
- 60-P.2. Joyce wants the code to be clear that a small-scale portable sawmill is temporary and dedicated to a project on the property and not allowed as a “work at home” situation.
- 60-P.3. The first occurrence of “CAC” should be spelled out (Conservation Advisory Committee) with CAC in parentheses.
- 60-P.4. Moisha noted that time periods are set for timber harvesting, but there is no mention of time periods for cleaning up the site and burning. Ted said that Timber Harvest Guidelines cover this.
- 60-Q.1.g. Needs to be split into two separate items (and remaining items renumbered accordingly).
- 60-Q-1.i. Parking is “a minimum” of one and one-half spaces? Shows maximum on table, but requirements for single-family housing were previously removed. This regulation requires some revision.

Joyce hopes we might be ready for a public information meeting by December. Linda will work on the comparison chart. We still need to do bulk regulations, but Ted said that since we have not made any changes to density, there might be just a few changes required for the Mixed Use district.

New or Continuing Business:

From the Commission: None

From the Public: None

Next Meeting:

The next meeting of the ZC is scheduled for August 15. Article 60 editing work will continue.

We will meet again on August 29. Due to the Labor Day Holiday, we will not meet on September 5, but the ZC agreed to meet on September 12 from 4 to 6 p.m. (prior to the Town Board Meeting), and again on September 19 at our regular time.

Motion to adjourn: Donn Critchell

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

Seconded by: Kathy Bainer

Nays: 0

Abstained: 0

Meeting adjourned at 7:45.

Public audience: None

Prepared by: Linda Swartz