

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
October 3, 2016

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

The Meeting was called to order at 5:40 by Chair Joyce Thompson.

Approval of Minutes:

The call to order time will be added and minor typos corrected. A motion to approve the Minutes from the meeting of September 19, 2016, as amended, was made by Donn Critchell and seconded by John Roberts.

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

In response to a question asked during a preliminary discussion, Ted said that a site plan application can be processed through the Planning Board concurrently with a ZBA application for a variance when there is a situation that makes it necessary; for instance, changes to a site plan that are required due to unforeseen environmental reasons.

Article 40-B. Accessory Uses List Review:

The ZC was unsure if a separate list of Accessory Uses in Article 40 was really necessary. Joyce suggested that the accessory use be listed next to the corresponding principal use. The zoning code could include a general statement that accessory uses are any uses that are customary and incidental to the principal use such as garages, swimming pools, etc.

Though Elizabeth was not attendance at this meeting, she reviewed the accessory uses list and e-mailed her comments to Joyce for sharing at this meeting. Elizabeth advised that the first accessory use listed on the table, "dwelling for an attendant, watchman or caretaker..." is essentially covered under accessory dwelling units. Ted said that while they are similar, an accessory dwelling unit not related to the care and maintenance of the property (say, as a rental unit) requires site plan approval, but a caretaker's dwelling would not necessarily require site plan approval. The ZC feels this is a pretty fine line. Joyce asked Ted about the risks of not including a separate list of accessory uses in the Use Table, and Ted answered that the only problem he can think of is if a use impacts a neighborhood. The ZC discussed the issue and agreed that many of the accessory uses could be included within the definition of the principal use and then managed by the regulations for that principal use. Ted agreed that doing it that way will make it clear and is a more efficient way to handle the accessory uses.

A motion to remove the Accessory Uses List from Article 40 Draft Version 6, and incorporate those accessory uses into the sections pertaining to that use was made by Kathy Bainer, seconded by Donn Critchell.

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

Ted will go through the Accessory Uses listing and make sure they are included in the corresponding principal uses as appropriate.

Article 40-C, Prohibited Uses List Review:

- Hotels need to be added to the list of prohibited uses. The Minutes of May 14, 2016, show that the ZC agreed to prohibit hotels due to their size and concerns about sewer and water. Motels and Inns are permitted.
- Joyce said that she agrees with prohibiting wind energy systems, but she would like to protect the ability to have a solar farm that serves more than one household. John said that the 40,000 s.f. maximum in our regulations would be more than adequate to serve a few homes. Ted said that he is currently working on a solar farm application in another town which he feels is a very good example of a solar farm. The solar farm, on an 87-acre farm parcel, is not visible from the road, power produced will serve as many as 900 homes, the lines are underground, the power produced goes directly into the grid, there will be no concrete structures built (thereby protecting farmland soils), and a plan for decommissioning the system is built into the plan. He will bring the plans to our next ZC meeting.
- We talked briefly about drones. There are some state and/or federal regulations in place, but there is nothing that can be done through zoning. ZC expressed concern about the loss of privacy.

- Animal Crematorium: Per discussion this will be changed to “Crematorium” and defined as “Facilities for the incineration of deceased humans or animals.”
- Hospitals, due to size and water/sewer issues, will be prohibited. (Defined under “Medical Facilities” and included in the definition for “Institutional Use”). Doctors’ offices (on Use Table under “Business, Professional or Administrative Office”) and Urgent Care Facilities (on Use Table under “Medical, Urgent, Dental or Eye Care Clinic”) are both allowed with site plan approval in the MU district.
- Institutional Use: As per the definition, institutional use includes hospitals, sanatoriums, correctional facilities, and other large development for public or semi-public use. The size and the need for water and sewer make this a use that the ZC feels is not appropriate in Taghkanic. The definition, however, includes nursing homes, and since they are, in fact allowed with a Special Use Permit in MU and 2A, “nursing homes” will be removed from the definition.
- Shooting Preserve is prohibited. ZC needs to work on definitions and regulations for Rod & Gun Club, Hunt Club, Gun Club (and what are the differences between them?).
- Non-Farm Commercial Composting Facilities will be prohibited, but the ZC needs to define this use.

Joyce asked if the ZC should go back to the definitions and make the revisions discussed so far. Ted suggested that this be addressed after everything else is done because there might be more changes needed.

Should setbacks and MU district be revisited? (See assignment below under “Next Meeting”.)

New or Continuing Business:

From the Commission: None

From the Public: None

Next Meeting:

Next meeting will be on October 24 from 5 to 7 p.m. **NOTE TIME CHANGE**

To prepare for this meeting, ZC is directed to look at setbacks in existing code (Density Control Schedule on pages ZA-4 and pages ZO-11 thru ZO-14). Ted said that the requirements in our existing zoning are pretty typical of what other towns require. Things to consider:

- Revisit front yard setback of 100’; consider 15 or 20’ in MU?
- Allow three stories in MU?
- Allow buildings to be closer together in MU?
- Limit size of new non-residential buildings?
- Allow buildings that are properly scaled to the community?
- Increase coverage and set maximums for building size?
- Have illustrations so you can see how a building fits into a lot?
- Exempt some uses?
- Create a walkable area along the highway?

Joyce recommends that we try to get a Greenway Grant for a Master Plan for the Business District.

Motion to adjourn: Al Huehnel

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

Seconded by: Moisha Blechman

Nays: 0

Abstained: 0

Meeting adjourned at 7:40.

Public audience: None

Prepared by: Linda Swartz