

TOWN OF TAGHKANIC  
ZONING COMMISSION MEETING  
May 15, 2017

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

**Excused:** John Roberts

The Meeting was called to order at 5:16 by Joyce Thompson.

**Approval of Minutes:**

A motion to accept the Minutes from May 1, 2017, was made by Al Huehnel and seconded by Donn Critchell.

**Ayes:** 4 (Huehnel, Critchell, Blechman, Bainer)      **Nays:** 0      **Abstained:** 1 (O'Donnell)

**Article 30 MU District Discussion:**

Linda distributed a satellite image of the enlarged Mixed Use area as is being considered by the ZC. How deep into the properties along CR10 should the MU district go? ZC had considered going about 300'. Al said he prefers to go with the property lines rather than split a property into two different zones. How far up Taghkanic/Churchtown Road should MU district go? ZC members should make an attempt to visit the area and give some thought to these questions. Will be discussed at the next meeting.

Elizabeth reminded the ZC to keep setbacks in mind: setbacks in MU are less than in residential districts, lot size minimums are a half-acre. Establishing a maximum distance from the road for the MU district creates a built-in setback. The MU district must be kept compact enough to be "walkable". What will be the impact on properties that are currently in residential districts? What will full build-out do to water, sewer, traffic, etc.? Ted said that those impacts will be addressed in SEQRA before the code is adopted by the Town. The proposed MU district needs to be better defined before environmental impacts can be determined. A zoning analysis must be done and Ted said it's also a good idea to also do a fiscal analysis: fewer town services to non-residential properties (no school children, usually not on town roads) provides a net tax benefit to the town. What is involved in a zoning analysis? Build out: expansion of ½ acre zoning provides areas for home-based businesses that have out-grown the home, more potential development along Route 82 and CR 10 (and into side roads). Best way to guide development. Can we get funding for the analysis? Ted said we just missed the Greenway Grant application deadline; next round in 3 months. During that time, ZC could talk to property owners who will be impacted. Explain that ZC is considering changes to the existing Business District, enlarging it and making it a Mixed Use district - combining small, low-impact businesses with residential use; creating a small, walkable community with low-key enterprises.

The MU district will include things that are "left over" from the Business District in the old code. The ZC is instructed to go through the Use Table and consider if each use is okay in MU. Are some uses (such as gas stations) appropriate only on the state highway? New zoning could limit some types of businesses to state highway (Route 82) or do a commercial overlay. Further discussion at next meeting.

**Article 60: Donn**

- 60-J.6.c.iii. the last sentence needs to clarify the type of professional (an engineer, land surveyor, planner, licensed in NYS). Ted will take care of it.
- 60-M.2. Maximum lamp wattage and lamp shielding should be the same for both residential and commercial. Rewrite as follows: *"Except for the exemptions listed in Article 60-M.3. below, all lighting installations shall be designed and installed to be fully shielded (full cutoff) such that the lamp itself or the lamp image is not directly visible outside the property perimeter, and shall have a maximum output of 3,750 lumens for commercial lighting and 1,600 lumens for residential lighting."*
- 60-Q.1. Ted had included a note here for ZC discussion asking if accessory dwelling units would have full or expedited site plan review. The ZC considered both options:
  - Require full site plan review? Planning Board could be more lenient in some situations. (Article 90 covers Site Plan Review and includes a section on waiver of requirements.)
  - Since site plan review is not required for the principal dwelling, should it be required for the second dwelling unit? This is about providing affordable housing; cost of Planning Board approval could be a burden. Building Permit and Health Department approval would still be required.

ZC to discuss further to decide what would be needed for expedited procedure.

- 60-Q.1. Third sentence is long and confusing. Rewrite as follows: *Accessory dwelling units may exist within a principal structure, in an existing accessory building, or may be a separate accessory dwelling through new construction.*
- 60-Q.4.b. Sentence is unclear. Ted will determine a maximum allowable number of units in the MU district and will clarify sentence.
- 60-Q.4.d. Add *"per parcel (except in MU District as is 60-Q.4.b.)"* to the end of this sentence.
- The ZC has decided that townhouses are not in keeping with the Comprehensive Plan, and will therefore be deleted from regulations and from the Use Table.

Since John could not be present for this meeting, he provided his Article 60 review comments via e-mail:

- Article 60-B.3. should be split into two separate parts; one to address Lighting and another to address Heat.
- Article 60-B.5. should also be split into two parts; one for Radioactivity and another for Electromagnetic Disturbance.
- 60-C.5. The fourth sentence in this item (*"The Planning Board is authorized to reduce applicable front yard setbacks..."*) will be deleted.
- 60-D.5 and 60-D.6. John wondered if the reference to banners in 60-D.5.i. and in 60-D.6. are in conflict with each other. 60-D.5.i. prohibits banners, while 60-D.6. provides for temporary signs (including banners) with a permit. The references are not in conflict.
- The ZC feels that items 5 and 6 should be re-arranged (move Temporary Signs to #5 and Prohibited Signs to #6) for better flow.
- 60-D.5. John thought that this section prohibits Christmas decorations. This was an issue at the last public informational meeting, which Linda felt had been clarified. She asked what can be done to make it clear that Article 60 deals with SIGNS, not decorations. The ZC suggested that a note be included at the very beginning of Article 60-D. stating that residential holiday decorations are not signs for purposes of this section.
- 60-H.1. prohibits "large-scale solar energy systems". To eliminate confusion and conflict, the definition in 60-H.4. for "Solar Energy System, Roof-Mounted" will be re-written as follows: *An active Solar Energy System that is structurally mounted to the roof of a building or structure, may be of any size permitted.*

#### **Article 70, Version 2:**

Ted distributed Article 70, Version 2. ZC is instructed to read it and be ready with edits. Al is lead for issues. This will be discussed at next ZC Meeting (May 29).

#### **New or Continuing Business:**

**From the Commission:** None

**From the Public:** None

#### **Next Meeting:**

The next Zoning Commission meeting is scheduled for **Monday, May 29, 2017 beginning at 5 p.m. at the Town Hall.**

**Motion to adjourn:** Kathy Bainer

**Seconded by:** Al Huehnel

**Ayes: 3** (Bainer, Huehnel, Blechman)

**Nays: 0**

**Abstained: 0**

(O'Donnell and Critchell prior to adjournment)

**Meeting adjourned at 7:25.**

**Public audience:** none

**Prepared by:** Linda Swartz