

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
September 18, 2017

Members present: Joyce Thompson, Chair; Members: Donn Critchell, Moisha Blechman, Elizabeth O'Donnell, Al Huehnel, John Roberts, Kathy Bainer (*arrived at 5:25*); ZC Secretary Linda Swartz; ZC Consultant Ted Fink

The Meeting was called to order at 5:07 by Joyce Thompson.

Approval of Minutes:

- Minutes from the ZC Meeting held on August 21, 2017: Motion to approve made by Donn Critchell; seconded by Moisha Blechman.
Ayes: 5 (*Critchell, Blechman, O'Donnell, Roberts, Huehnel*) **Nays:** 0 **Abstained:** 1 (*Bainer*)
- Minutes from the ZC Meeting held on August 28, 2017*: Motion to approve made by Donn Critchell; seconded by Al Huehnel.
Ayes: 4 (*Critchell, Huehnel, Blechman, Roberts*) **Nays:** 0 **Abstained:** 2 (*Bainer, O'Donnell*)
- *Note: The August 28 meeting was an "extra" meeting held in order that the ZC would not have to meet on Labor Day (September 4). However, since it was not "noticed", it was a workshop and no votes were taken.*

Article 30, Final Review:

30-A.

- Lead paragraph: Next to the last sentence: Change to *"The purpose of each Zoning District, is described below."*

R7:

Moisha asked why the R7 District is called "Rural Agriculture" rather than just "Rural". Ted said he gave it that title because it is referenced that way in the Comprehensive Plan. The ZC discussed the differences between the districts R7 titled Rural Agriculture, R3 Rural Countryside, and R2 Rural Residential.

Motion to call the residential zoning districts R2, R3, R7 (with no further descriptive title) made by Donn Critchell; seconded by Al Huehnel.

Ayes: 6 (*Critchell, Huehnel, Blechman, O'Donnell, Bainer, Roberts*) **Nays:** 0 **Abstained:** 0

Ted will remove all such zoning district names throughout the code and only use R7, R3, R2, and MU (or Mixed Use).

The R7 paragraph was modified as follows:

- Remove all occurrences of "Rural Agriculture".
- First sentence *"The R7 District recognizes the Town's most rural areas where forests, farms, and fields predominate."*
- Last sentence: *"New development should be planned in a flexible manner to sustain the rural character of the district by protecting forests, farms, and fields and to protect the Town's wildlife and water resources."*

R3:

- Remove "Rural Countryside" throughout paragraph.
- Change paragraph as follows: *"The purpose of the District is to sustain the Town's historic pattern of rural land uses, characterized by large expanses of forests and fields and unspoiled views. The District contains a scattering of residences, farms, rural businesses and planned development surrounded by forests and fields."* The remainder of this paragraph is deleted.

R2:

- Remove "Rural Residential" throughout paragraph.
- Change paragraph as follows: *"The R2 District recognizes an area of moderately high rural density surrounding the hamlet of West Taghkanic. A continuation of residential uses in this area, if appropriately planned and sited will help preserve the sense of openness while providing an opportunity for housing on smaller, more affordable lots."*

30-C.

- 30-C.1. At the end of sentence: add the word “or” before “of a person” (“... by action of nature or of a person...”)
- 30-C.3. On the second line, change “hereof” to “thereof”.

30-D.

- 30-D.5. Delete.

Al voiced his concern about too much regulation and government overreach. He said that he joined this committee in order to make sure that didn't happen with the revised zoning. Joyce asked him if he thought the new code does, in fact, go too far or infringe on the rights of property owners, and Al replied that that he understands that regulations are necessary but he thinks that this draft code is okay.

Mixed Use District:

Elizabeth suggested that the first two parcels on northwest corner of Livingston Road and Route 82 also be included in the MU district since the area on the southwest corner has been designated MU.

Motion to add the two parcels on the NW corner of Livingston Road/Rte 82 to the MU District made by Kathy Bainer; seconded by John Roberts.

Ayes: 5 (Bainer, Roberts, Critchell, Huehnel, O'Donnell) Nays: 1 (Blechman) Abstained: 0

Linda will amend the MU District map to show the two added parcels on Livingston Road and will also amend the full town map with the proposed new district boundaries per discussion and send out to ZC.

Ted reported that he reviewed the Supreme Court decision regarding sign content, as discussed at the August 28 ZC meeting, and found that it only pertains to non-commercial signs; commercial signs are not affected.

Presentation Plans for Articles:

Joyce explained her plan that she would sit with each board member individually and go over the code and give them time to think about it and ask questions before we have a public presentation. Joyce asked the ZC for their ideas:

- Moisha said a one-on-one would be a good idea because Joyce would have their attention. There could then be a second meeting with the entire Town Board.
- Al thinks it's better to have the entire Town Board at a ZC meeting.
- Kathy thinks that an initial one-on-one is a good idea.
- Elizabeth thinks that each person might interpret what he hears differently, leading to confusion and controversy. This approach would also make Joyce the sole representative of the committee's work. Elizabeth suggested instead that the Town Board members be asked to individually attend a ZC meeting (11/20, 12/4 and 12/18).
- Kathy suggested that the Town Board consider re-instituting the second monthly meeting; what used to be the Building Committee Meeting would now be a Zoning Commission Meeting.

Points for discussion:

- We know there is going to be growth in Taghkanic. We want to allow that growth while retaining the rural character.
- We have not made significant changes to the existing code in terms of regulations
- Chart that compares the existing code with the draft code; where areas that are the same and where changes were made (like allowing a second dwelling unit).
- Generally speaking, a person would only consult the zoning code when they need to do something with their property. They most often would just contact the CEO for guidance.
- Easier to use (electronic version with links).
- Ask Town Board member to choose a Use from the Use Table and follow the references.
- Why is the new code longer? Three major areas: 1) Uses that should be allowed but rural character must be protected; 2) Large subdivisions require more restrictions and more and better guidance on the kind of development the town prefers; and 3) the definitions have been clarified.

Article 80:

Joyce will send Ted a copy of the newly passed Local Law on reimbursable costs. Ted will complete the Special Permits Flow Chart, and then this section will be ready.

Miscellaneous:

The ZC asked that a “draft” watermark be placed on each page of the code so that readers understand it not final.

Linda said that she had gone through the new versions of the articles and compared them with her notes for changes on the previous versions and noticed some changes that had not been made. She will type up a list and send it out the the committee and to Ted.

New or Continuing Business:

From the Commission: None

From the Public: None

Next Meeting:

The next Zoning Commission meeting will be held on **Monday, October 2, 2017 beginning at 5 p.m. at the Town Hall.** ZC members were assigned articles as follows for review. They are instructed to look for unclear language and inconsistencies, especially as they relate to referenced material.

Article 40: Elizabeth

Article 50: Donn

Article 60 (J-R): Moisha

Article 60 (A-I): Joyce

Article 70: John

Article 80: Al

Article 90: Kathy

Motion to adjourn: Donn Critchell

Seconded by: Al Huehnel

Ayes: 6 (Critchell, Huehnel, Blechman, O'Donnell, Bainer, Roberts)

Nays: 0

Abstained: 0

Meeting adjourned at 7:09

Prepared by: Linda Swartz