

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
February 5, 2018

Members present: Joyce Thompson, Chair; Linda Swartz, Co-Chair and Secretary; Members: Donn Critchell, Moisha Blechman, Al Huehnel, John Roberts, Kathy Bainer; ZC Consultant Ted Fink.

Excused: Elizabeth O'Donnell

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

Approval of Minutes:

A motion to accept the Minutes from January 29, 2018, was made by Donn Critchell and seconded by Kathy Bainer

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

Presentation of Draft Zoning Code to Town Board Member Richard Skoda:

Joyce asked Richard if he'd had a chance to look at the draft code before coming to this meeting; he said that he hadn't. She told Richard to feel free to ask questions at any point during the presentation.

Joyce made the introductory comments and talked about general changes to the code. She explained that the ZC started this process by looking at the definitions in the current code and thinking about if they were clear and accurate. ZC members looked at zoning codes from other towns to find better definitions and definitions that do not exist in the current code. Joyce said that the Definitions found in Article 20 are not final and they would undergo further review and revision after we have completed work on the other Articles. Richard was told that the code will be available on the town's website in an easily searchable electronic version.

Donn gave an overview of the changes made to the district maps and the ZC's reasoning for those changes. He also explained that the area increase of the R-7 district meets the goals of the Comprehensive Plan in that it protects farmlands and forests and maintains the rural character of the town. Rather than dragging the Mixed Use District out along Route 82, it will be redrawn in an effort to make it more walkable. It will contain both residences and businesses and could provide a place for a successful home-based business to move to when it outgrows the home. Kathy said that the ZC is proposing smaller setbacks in the MU.

Richard asked if the ZC had discussed Air B&Bs. He said that he can see both sides of the issue, but it seems unfair that a legal Bed & Breakfast operation is held to a high set of standards, while Air B&Bs fly under the radar. So far, the State has not made any rules for Air B&Bs; but Joyce noted that some counties have set up a contract with Air B&Bs in order to collect taxes. Linda agrees with Richard's point, but sees that it could be difficult to prohibit someone from renting out their own home. Joyce said that much of what the ZC has done with this code is to try to make it easier for people to make money in or from their homes. Ted said that he has had a lot of experience with Air B&Bs and offered to do a presentation for us at a future meeting. The ZC accepted his offer.

Linda gave an overview of the Use Comparison Table, making it clear that this table is not part of the code; it will be used for these discussions only. She explained the purpose of each column on the table, pointing out new permitted uses and notes of interest in the Comments column.

Al explained to Richard how a person would look up a specific Agricultural use, using the Sample Use Look-Up Process table. (Like the Use Comparison Table, this Sample Use Look-Up Process Table is for these discussions only and will not be part of the final code. Joyce asked Richard if he and Ryan would look through the Agriculture & Forestry sections of the code very thoroughly to make sure the ZC has not made any errors or omissions.

Kathy covered residential and business uses on the Sample Use Look-Up Process Table. Richard asked about the ZC's reason for allowing accessory dwelling units. Joyce explained that they would allow for returning grown children or aging parents to remain in an affordable housing situation near their family, could provide housing for a property caretaker, or the accessory dwelling could be used for rental income. Once again, concern was expressed about someone using the accessory dwelling for an Air B&B. Linda said that Article 60-Q states the purpose of the accessory dwelling being for "seniors and empty-nesters", but this use must be better defined and regulated, especially if we want to prohibit or regulate Air B&Bs.

John discussed General Uses and pointed out to Richard that there is a Special Use Permit Flow Chart at the end of Article 80.

The presentation concluded. Richard had no questions and said that he would look through the code and provide the ZC with his comments.

Richard said that the agriculture industry's opinion is that farmland in the northeast is going to be very valuable in the near future because of water. Moisha suggested that the ZC look again at the Intent and Purposes in the code because it doesn't mention water. Joyce asked Richard if the Farm Board is talking about different types of farming (greenhouses or below-ground). Richard said they are not, but farmers will have to produce more. GMOs have been around for decades and although people don't like to hear it, you can't get 200 bushels of corn per acre using organic methods.

The ZC thanked Town Board Member Richard Skoda for his time and contributions to this process.

Comments:

From the Public: Jeff Tallackson made the following suggestions:

- Access to the state and county highways needs to be better defined.
- All incidents of "shall be prohibited" should be changed to "is prohibited".

From the Commission: Moisha suggested that someone put together a list of the town's historic structures. (Town Historian or the CAC?) Several people mentioned historic places throughout the town.

Summary of Next Steps:

- February 19: Presentation to Town Board Member Arthur McGuire
- March 5: Presentation to CEO/ZEO Dennis Callahan
- Joyce said she hopes to have written comments back from the Board and CEO/ZEO by March 16. The ZC meets twice in April; we hope to have a new version to present at the Town Board Meeting in May.

Next Meeting:

The ZC will meet on February 19 at 5 p.m. The ZC will present an overview of the code to Town Board Member Arthur McGuire.

Donn Critchell will not be in attendance at the March 5 meeting. Linda will present the District Map changes.

Motion to adjourn: Al Huehnel

Seconded by: Donn Critchell

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

Nays: 0

Abstained: 0

Meeting adjourned at 6:45 p.m.

Public Audience: Jeff and Chris Tallackson, Susan Raymond, Kara Gilmore

Prepared by: Linda Swartz