

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
October 15, 2018

Members present: Joyce Thompson, Chair; Linda Swartz, Co-Chair and Secretary; Members: Al Huehnel, Donn Critchell, Kathy Bainer, Elizabeth O'Donnell (via video conference), ZC Consultant Ted Fink

Excused: John Roberts, Moisha Blechman

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

Approval of Minutes:

A motion to accept the Minutes of October 1, 2018, was made by Donn Critchell and seconded by Al Huehnel.

Ayes: 3 (Critchell, Huehnel, O'Donnell) **Nays:** 0 **Abstained:** 1 (Bainer)

Ted is waiting until we have completed review before he makes any changes to any of the Articles. (He has not done updates since January). He will begin with Article 60, which he hopes to have available by our October 29 meeting.

Article 60-Q. Two-Family Dwellings:

Regulations for two-family dwellings by conversion of an existing structure are found in Article 60-Q.2., and Article 60-Q.3. is regulations for two-family dwellings by new construction. Both types of two-family homes require that the owner occupy one of the units. Ted will re-write 60-Q.2.e. to make it more clear. Two-family dwellings are different from accessory dwelling units and are covered under 60-Q.1.

Multi-Family in R3 and R7 Districts:

Elizabeth suggested that multi-family dwellings (which, by our definition, contain a maximum of four dwelling units) be permitted only in the MU and R2 districts, keeping this use concentrated in areas which are already more densely developed. It is not unreasonable to expect a building containing four separate dwelling units to have eight cars on the property (two cars per dwelling unit); a considerable impact. It was also suggested that multi-family dwellings be on state highways where there could be public transportation (bus line). Donn said that people in R2 might not be happy with that. Ted reminded the ZC that our zoning must provide for affordable housing or we could be challenged in court as violating housing needs. The ZC agreed on a solution which allows multi-family dwellings in the R2 and MU Districts, but requires a minimum lot size of three acres.

Parking Spaces:

At a previous meeting, John talked about the size of parking spaces in relation to the size of trucks; trucks are longer and wider and often don't fit in the parking spaces provided. The issue of parking space dimensions can be addressed during site plan review to allow for longer vehicles.

Camping/RVs:

A new trend is emerging in which wineries and breweries provide overnight parking for RVs; essentially making their parking area into a campground. Our Agri-tourism regulations do not allow for overnight accommodations, so this shouldn't present a problem.

Outdoor Storage of Equipment and Materials:

Kathy said that people in rural areas, especially those who have home-based businesses, tend to use their land for the extra space it provides, and she does not feel that they should be denied this use of their property. She suggested that, rather than prohibiting outdoor storage as stated in Article 90-E.1.k., the code should instead require screening from the road and from neighboring properties. Ted will rewrite Article 90-E.1.k. to state that *outdoor storage can exist ONLY if it can be screened from view on ALL sides and that the material stored must be material that is necessary to the business.*

Tiny Houses:

New York State has yet to define "tiny houses" or "mini-houses". Our Building Inspector/Code Enforcement Officer therefore cannot permit these structures since they are not considered a building. Taghkanic ZBA heard an applicant who was considering a tiny house camp in the Pumpkin Hollow Road area. The application called the tiny houses "RVs" because they are vehicles on wheels. That applicant has since pulled his application, but it is possible that they might

decide to move forward with the plan. Since this use will be addressed in the new zoning; the ZC asked Ted to draft a moratorium prohibiting trailer parks and RV camps that require hook-ups. Ted will send the draft moratorium to Joyce for presentation to the Town Board at the November meeting.

Air BnB (short-term rentals):

Susan Raymond from the audience asked if the ZC is considering regulations for short-term rentals (the ZC has discussed this at length). Susan suggested that they be registered, adhere to all Health Department regulations and fire codes (including periodic inspections), have adequate parking, regulations for noise and trash, and that the property owner be on-premise. There should also be a fee (maybe \$100/year) that would cover the Building Inspector's fee. We will discuss this further at our meeting on October 29

Commercial activities in residential areas:

Elizabeth feels that the code allows for too many commercial activities in residential areas. Many changes have been made to Article 40 over the course of many meetings. Once we have an updated Article 40, we will be better able to decide which uses are not appropriate in residential areas.

Development of Non-conforming Lots:

Once Article 40 has been revised, Elizabeth will also be better able to determine if the draft code adequately addresses the development of non-conforming lots and enlargement of non-conforming buildings. Ted will see if he can find out if a non-conforming use transfers with the sale of the lot. Jeff pointed out that if the property is owned by a corporation, the non-conforming use could go on forever.

Environmental Issues:

Forested areas need to be acknowledged and protected. We need to build a culture of environmental awareness. Kathy said that the Planning Board recommends that applicants think about potential environmental impacts during their site development, suggesting things like keeping animal corridors open and not paving the driveway; and she said that people very often agree with the recommendations. Kathy suggested that when someone comes in for a building permit, they be provided with a handout of helpful suggestions for protecting the environment. Maybe DEC or the Sierra Club has some handouts they could give us. Ted said that he has a copy of a similar handout from the Shawangunk Valley; he will see if he can find it for us. This will be discussed further at the October 29 meeting.

The draft code prohibits solar farms but Ted suggested that if we have concerns about jump-starting solar in the town, one idea is to allow a solar farm that incorporates an agricultural component like growing crops or providing an area for livestock grazing beneath the solar panels.

Comments:

From the Public: None

From the Commission: None

Next Meeting:

The next ZC meeting is scheduled for October 29. ZC is asked to do the following in preparation for this meeting:

- Look at the draft zoning for regulations on solar/wind energy (unified solar permit), clean energy (led lighting etc), charging stations, water protection.
- Climate Change: What do we have in this area and what could be beefed up.

Motion to adjourn: Donn Critchell

Ayes: 4 (Critchell, Huehnel, O'Donnell, Bainer)

Seconded by: Al Huehnel

Nays: 0 Abstained: 0

Meeting adjourned at 7:15 p.m.

Public Audience: Jeff Tallackson, Susan Raymond

Minutes Prepared by: Linda Swartz