

TOWN OF TAGHKANIC  
ZONING COMMISSION MEETING  
November 19, 2018

**Members present:** Joyce Thompson, Chair; Linda Swartz, Co-Chair and Secretary; Members: Al Huehnel, Donn Critchell, Moisha Blechman, Elizabeth O'Donnell, John Roberts (in at 6:00); ZC Consultant Ted Fink

**Absent:** Kathy Bainer

The Meeting was called to order at 5:10 by Joyce Thompson.

**Approval of Minutes:**

No quorum for approval of Minutes. Tabled until next meeting.

**Short Term Rentals:**

Linda read from an article that appeared in the November 15, 2018 edition of the Columbia Paper in regards to Hillsdale's proposed Local Law No. 1 regulating short-term rentals. The proposed law requires a \$50 permit (annual renewal is being considered) and that the owner, manager or authorized representative must reside within 20 miles of the rental property.

Susan Raymond explained how Airbnb works, and said that there are 110 Airbnb operations in Hillsdale and 21 in Taghkanic. "That makes short-term rental the biggest business in town." There's more money to be made by short-term rentals than by leasing; this negatively impacts the availability of affordable housing. Susan thinks Hillsdale's law is a good start and is in favor of requiring annual permit renewal so that the permit can be revoked if problems arise. In October, Susan provided the ZC with written recommendations for short-term rentals, including that (1) the homeowner live in Taghkanic for no less than three years before opening the home to renters and that (2) the homeowner live in that residence for a minimum of 275 days a year. Donn checked on-line for NYS residency requirements (for voting or other purposes), but found nothing helpful.

Susan also recommends regulations to address noise, lighting, and parking. Language that already exists in the draft zoning code regulating these impacts in other commercial uses will be added to the regulations for short-term rentals. Joyce asked Ted if we should define and regulate short-term rentals as a specific and separate use or roll it into other regulations. Ted said it could go into Supplemental Regulations and in Article 80 if it will require a Special Use Permit. Donn said that short-term rentals should be listed in the Use Table under "Business" rather than "Residential". Ted said it depends on how we regulate it: if the amount of time it can be used for rentals is limited and the owner would be required to be in residence for a period of time, it would still be a residential use.

The ZC talked about length of stay and number of rental days in a year. (Short-term rental will be defined as a stay of less than 30 consecutive days.) Elizabeth said that it's important to set a maximum number of days, but the number of weekend stays should also be considered, remembering that holiday weekends are often longer than two days. The ZC concluded that it's better to limit the number of days (not differentiate between weekdays and weekends), and set a limit of 80 days per year, with a \$100 annual renewal permit with revocation clause. A building inspection for fire and safety is required and the homeowner, manager or responsible party must live nearby (distance to be determined). An annual rental report will be made part of the annual permit renewal process (to ensure that the property is not being rented for more than the maximum number of days).

The ZC talked about "workforce housing" (a term that may be seen in a more favorable light than "affordable housing"). Workforce housing is based on median household income; income percentage requirement can be set in the regulations.

**Shawangunk Homeowners' Guide to Living with Nature:**

Kathy replied via email as soon as the brochure was made available by Ted that she thought the publication was very good and something she would like to see us use in Taghkanic. Moisha thought the publication was good, but somewhat lacking in regards to issues like forest fragmentation and climate change. Al said that is a good guide. It was suggested that the CAC might be the appropriate committee for developing this guide. Moisha agreed and will present the idea to the CAC.

Elizabeth said while the guide seems well-intentioned, it is “too tepid”. She believes that our work over the past year has shown that it is very difficult for our town to develop local business, and that what we have of value in Taghkanic is our natural resources. She feels that we should be more prescriptive about certain practices and be straightforward in telling people there are better alternatives than using chemical herbicides and pesticides and cutting down trees and filling in wetlands and planting invasive species. Al pointed out that state and federal regulations address many of these concerns. Joyce said these are all good points and Moisha should include them in her presentation to the CAC.

John said that the building and fire codes say that grass and weeds in the “immediate” vicinity of a home cannot be taller than 18” tall, but if we use that language, we need to clearly define “immediate” vicinity.

**Moratorium:**

As requested by the ZC at our meeting on October 15, 2018, Ted drafted a Local Law Filing placing a six-month moratorium of all requests, applications and activities associated with overnight accommodations involving glamping, camping, etc. while the use is being studied by the ZC. Jeff asked about the way the LL is done as an amendment to the zoning and asked where it will appear in the code. Ted explained that this is the way moratoriums are typically done; it is a temporary change to the code, but it doesn’t appear in the code. Separate resolutions are needed for SEQR referral to the County Planning Board and the local planning board.

- Joyce recommended that the first two sentences under Section 1. be deleted (Ted will do that).
- Elizabeth was concerned about having the some types of overnight accommodations listed, maybe leaving a loophole for others. Ted pointed to the footnote which lists a wide variety of accommodations. Elizabeth suggested that the font size of the footnote be much larger to make it more noticeable.

***Moisha Blechman motioned to present to the Town Board with the draft local law to amend the Zoning for the purpose of a six-month moratorium on glamping and related activities. The motion was seconded by Donn Critchell.***

***Ayes: 5 (Blechman, Critchell, Roberts, Huehnel, O’Donnell)    Nays: 0    Abstained: 0***

Proposed Local Law will be presented to the Town Board at the December meeting.

**Article 40, Version 13 Review and Discussion:**

Agri-Tourism: Shown as “P” (permitted) on Version 13 with a note that says the ZC has discussed it being either “P” or “S” (Special Use Permit). Linda read from the Minutes of 11-06-2017 when the ZC made the decision to change this use from P to S. Ted said that Ag & Markets has rules protecting agri-tourism in agricultural districts. He will send the information to the ZC for discussion at the next meeting. If the use required a Special Use Permit, the person looking into the use would look at the Special Use conditions and see that they don’t need a permit if they are located in an ag district.

**Comments:**

**From the Public:** None

**From the Commission:** None

**Next Meeting:**

The next ZC meeting is scheduled for December 3, 2018. To prepare for the meeting, the members of the ZC will take Article 40 and check it against notes and discussion will begin with Agri-tourism and go through Article 40 at the next meeting.

***Motion to adjourn: Donn Critchell***

***Seconded by: John Roberts***

***Ayes: 5 (Critchell, Roberts, Huehnel, O’Donnell, Blechman)***

***Nays: 0***

***Abstained: 0***

***Meeting adjourned at 7:05 p.m.***

***Public Audience: Jeff Tallackson, Susan Raymond***

***Minutes Prepared by: Linda Swartz***