

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
January 7, 2019

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

Excused: Elizabeth O'Donnell, Donn Critchell

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

Approval of Minutes:

A motion to accept the Minutes of December 17, 2018, was made by Moisha Blechman and seconded by Al Huehnel.

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

The following comments and questions in relation to the Minutes of December 17, 2018, were brought up for discussion purposes, and resulted in no changes being made to the Minutes:

- Under Ag & Markets, an entry reads "Ag tourism activities might be restricted to an Ag District." Agriculture itself is not restricted, so what does the ZC want to do with ag tourism? John will get an updated agricultural district map, which should provide the ZC with some guidance.
- 60-Q.1.b.7. "The accessory dwelling unit shall be separated from the principal dwelling by at least the average height of the principal and accessory structure." Where does the measurement begin? Ground level to peak of structure? What if the building is on a slope; is it measured from the higher side or the lower side?
- 60-Q.4.c. This regulation allows for "not more than two units for the first acre". The R2 district requires two acres for a site, so should this say "not more than two units for the first two acres? Does "first acre" mean the primary acre (where the principal structure exists)? A lot of less than two acres would be non-conforming and additional building would be limited or prohibited. Per the Minutes of December 17, Ted will re-work the language to clarify this regulation.

Article 40 (Version 13) - Discussion continues:

Uses appearing on the Use Table Article 40 from "Adult Use, Passive" through the end of the Use Table, which are not specifically mentioned in these Minutes as being changed, are accepted "as is" by the ZC.

➤ **Business Uses:**

- Adult Use: Requires Special Use Permit and direct access to state highway. Ted will send out revised Article 80 (now called Section 80), Special Use Permits, later this week. The ZC will go back and review all uses which require Special Use Permit after receiving Section 80.
- Bar: Requires Special Use Permit and direct access to highway. Hold for revised Section 80.
- Business, Professional or Administrative Office: Permitted with Site Plan in MU; prohibited in residential districts. Setbacks may need to be adjusted where this use abuts a residential use.
- Business, Retail: From the December 17 meeting: Should retail and wholesale business be combined into one use? ZC agreed that the two uses could be combined since the use is permitted only in the MU district and the maximum floor size of 5,000 sf should limit impacts. Highway access requirement will be removed.
- Campground: Special Use Permit in R7; prohibited in other districts. Regulations state no utility hookups, no generators, increased setbacks, not more than 15 sites, 15-acre minimum lot size, direct access to state or county highway. Town has a 6-month moratorium in place. Do we need to set limits on the length of the season? In general, camping season runs from May through September, or even into October, but some campgrounds stay open longer or reopen a limited number of sites for hunting season. Joyce to check with Parks and Recreation for their rules. Hold for revised Section 80.
- Car Wash: Hold for revised Section 80. Requires direct access to state highway.
- Construction: Hold for revised Section 80.
- Eating Establishment: Hold for revised Section 80.
- Gas Station: Hold for revised Section 80.

- Lodging:
 - Boarding House: Maximum of five sleeping rooms. Hold for revised Section 80.
 - Conference Center: Prohibited in MU; Special Use Permit in all residential districts. Requires access to state or county highway. Hold for revised Section 80. Set 50-acre minimum lot size, 25 maximum guest rooms
 - Hostel: Special Use Permit in all districts. Hold for revised Section 80.
 - Hotel/Motel: Permitted only in MU with Special Use Permit. Hotel requires access to state or county highway; motel requires access to state highway. Hold for revised Section 80. Set 15 units max.
 - Resort or Lodge: Prohibited in MU; permitted in all residential districts with state or county highway access. Hold for revised Section 80. Set 50-acre minimum lot and 25 maximum guest rooms.
 - Inn: Special Use Permit required in all residential districts; Site Plan in MU. Hold for revised Section 80.
 - Printing, Retail/Wholesale: Prohibited in all residential districts; Special Use Permit in MU with direct state highway access required. Hold for revised Section 80.
 - Tavern: Prohibited in residential districts; Special Use Permit and direct state highway access required in MU. Hold for revised Section 80.
- **General Uses:**
- Cemetery: Special Use Permit required in all districts. Hold for revised Section 80. Town Board approval required.
 - Church: Special Use Permit required in all districts. Hold for revised Section 80.
 - Civic, Other Public Use: Permitted in all districts subject to the provisions of Section 4-A.3. Per the Minutes of July 2, 2018, the ZC considered splitting this into two separate uses: one would be for lesser impact activities such as town parks, recreation and trails, while the other would be for more intense civic uses such as municipal buildings and the highway garage. Section 40-A.3. lists nine specific factors which must be considered by the public agency in planning capital projects and further requires that consideration of the town's comprehensive plan. Given those requirements, splitting this use into two separate is not likely to change the outcome. The use will not be split.
 - Club, Indoor Membership: Prohibited in R7; permitted with Special Use Permit in R3, R2, and MU. Hold for revised Section 80.
 - Club, Outdoor Membership: Prohibited in R3, R2 and MU, Special Use Permit required in R7. Hold for revised Section 80.
 - Public Utility: Special Use Permit required in all districts. Hold for revised Section 80.
 - Recreation Area, Non-Commercial: Special Use Permit and direct access to state or county highway required in all districts. Hold for revised Section 80.
 - School: Special Use Permit and state or county highway access required in all residential districts; Site Plan in MU. Set 10-acre minimum lot size, maximum of 50 students, and prohibit boarding. Public schools are subject to the Monroe Test. Hold for revised Section 80.
 - Senior Center: Special Use Permit required in residential districts; site plan in MU. Hold for revised Section 80.
 - Telecommunications Tower, New: Hold for revised Section 80.

Comments:

From the Public: None

From the Commission: None

Next Meeting:

The next ZC meeting is scheduled for January 21, 2019. Ted will send out a new version of Section 80 this week for ZC review at the January 21 meeting. **Please be sure you have Version 10 of Section 80 for the January 21 meeting** so that we are all working from the same document.

February Meetings: February 4 and 18. Once the ZC has completed review Section 80, Version 10, Ted will put together a copy of the complete zoning code and send it to Joyce, who will make copies for everyone. Once we have that, each member of the ZC will read through the entire document and check for consistency between sections, be sure it makes sense, be sure that there are no typos, and that it reads easily.

Al will not be in attendance at the meetings on January 21 and February 4.

Motion to adjourn: Al Huehnel

Ayes: 4 (Huehnel, Blechman, Bainer, Roberts)

Seconded by: Moisha Blechman

Nays: 0

Abstained: 0

Meeting adjourned at 7:20 p.m.

Public Audience: Susan Raymond

Minutes Prepared by: Linda Swartz