

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
June 17, 2019

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

Excused: John Roberts

The meeting was called to order at 5:14 p.m. by Joyce Thompson.

Approval of Minutes:

A motion to accept the Minutes of June 3, 2019, was made by Donn Critchell and seconded by Al Huehnel.

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

**At the time of this motion, Elizabeth O'Donnell had not yet gotten through on teleconference.*

Continuation of Review of Complete Zoning Document:

Joyce referred to the Minutes of June 3, 2019, and reminded the ZC to keep the issue of internally illuminated signs (Section 60.D.5.e.), and possible development of regulations for those signs, in mind as the Sign Regulations are discussed.

Local Law Amending Zoning for Solar Energy Systems:

Part of the Clean Energy Community Program, emanating from the adoption of the Unified Solar Permit. Town Attorney Andy Howard recommends that this be done by local law because it has to amend the current zoning. The language in the local law will be the same as the language that will be in the draft code. Ted said that the draft zoning is "a little slim" on this issue, and warned that we wouldn't want to have loopholes. The local law will be replaced by the zoning code once the zoning code is adopted. Ted used the law that is being used in the Town of Kinderhook, and tweaked it to fit our use. ZC members were given copies of the law and Ted went through it, explaining each section.

Joyce asked the ZC to review the local law and send any comments to her by **NO LATER THAN JUNE 24**. She will then send it to Andy Howard for review, and if he approves it, it will be presented to the Town Board at the July 8 meeting.

Building Height Under Section 50-E.1.:

Elizabeth sent an email to the ZC members that contained three photos of fairly ordinary farm houses and a barn, none of which was taller than 17 feet in height (measured from ground to eave), in order to make her argument that accessory buildings need be no taller than 20'. Anyone seeking a taller building can apply to the ZBA for a variance. The ZC thoroughly discussed this issue and a vote was taken:

Elizabeth made a motion to maintain the language of Section 50-E.1. Version 4; *"Accessory structures . . . shall not exceed twenty feet in height in any residential district. Exceptions to the 20 foot height limitation include structures used for agricultural purposes on a farm and for bona fide works of art such as sculptures."* (Everything following the word "sculptures" is deleted.) **The motion was seconded by Kathy Bainer.**

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

Area and Bulk Requirements Table Review:

The ZC looked at the nine items found in the draft bulk table, gave consideration to what is in the existing zoning versus what is proposed, and talked about the appropriateness of the regulation.

- **Maximum Density** is unchanged. Lot sizes remain 7 acres (R7), 3 acres (R3), and 2 acres (R2). Lot size in the MU district is one-half acre. The ZC finds this maximum density to be acceptable.
- **Front Setback:** 100' in R7 (unchanged from existing code); 75' in R3 (existing 100'); 50' in R2 (existing 75'); and 20' minimum/30' maximum in MU (existing 100'). The ZC finds the proposed front setbacks to be acceptable.
- **Side Yard Setbacks:** 100' in R7 (unchanged from existing code); 50' in R3 (existing 75'); 35' in R2 (existing 50'); and 20' in MU (existing 50'). The ZC finds the proposed side yard setbacks to be acceptable.
- **Rear Setback:** 100' in R7 (unchanged from existing code); 75' in R3 (existing 100'); 50' in R2 (existing 75'); and 20' in MU (existing 100'). The ZC finds the proposed rear setbacks to be acceptable.
- **Maximum Height for Primary Structure:** 35' in all districts. This is unchanged from the existing zoning. The ZC finds this maximum height limitation on primary structures to be acceptable.

- **Maximum Lot Coverage:** The proposed maximum lot coverage in residential districts is 10% (20% in existing code) and in the MU the maximum coverage is 25% (unchanged). The ZC feels that 10% coverage allows for more building than would be necessary and appropriate on a residential lot.

Moisha Blechman motioned that the maximum lot coverage be set at 5%, with site plan approval required when any single structure exceeds 10,000 square feet; **motion seconded by Donn Critchell.**

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

The ZC will review the non-conforming lot regulations to be sure that this change will not negatively impact those smaller properties. Al will try to find some property surveys that he can send to Elizabeth who will sketch in a structure using these maximums and setbacks in order to verify that the numbers will work. This should also help us to understand the impact on undersized lots.

- **Minimum Lot Width** (measured from the setback line): 350' in R7 (unchanged from existing code); 250' in R3 (unchanged); 200' in R2 (was 150' for non-residential uses and 200' for residential uses); and 100' in MU (not in existing code). The ZC finds the proposed minimum lot width requirements to be acceptable.
- **Minimum Lot Frontage:** This category does not exist in the current zoning. The draft code sets the following minimum lot frontage: R7: 350'; R3: 250'; R2: 200'; and MU: 100'. Flag lots are excluded from this requirement. Al said that the pie-shaped wedges in a cul-de-sac would not fit into this frontage requirement and suggested a 60' minimum lot frontage requirement in cul-de-sacs. Ted said that this is addressed in the design standards in the Subdivision Regulations, and that cul-de-sacs are uncommon today.
- **Minimum Open Space:** Another new category that does not exist in the existing zoning code. Minimum Open Space was shown on the draft table as 90% in all residential districts and 75% in the MU. This will be bumped up to 95% so that it corresponds to the 5% Maximum Lot Coverage. These requirements do not apply to Conservation Subdivisions, but these are reasonable standards for small subdivisions.

Kathy Bainer made a motion to accept the Area and Bulk Requirements Table, as adjusted; **seconded by Moisha.**

Ayes: 4 (*Bainer, Blechman, O'Donnell, Critchell*) **Nays:** 1 (*Huehnel**) **Abstained:** 0

**Huehnel opposed to Minimum Lot Frontage requirements.*

Next Meeting:

Monday, July 1, 2019 at 5:00 p.m.

We will begin the July 1 meeting with Section 60-D. Signs. ZC members are reminded to go through the sign regulations and make note of the various sizes of signs permitted and where they are allowed.

Motion to adjourn: *Donn Critchell*

Ayes: 5 (*Critchell, Blechman, Huehnel, O'Donnell, Bainer*)

Seconded by: *Moisha Blechman*

Nays: 0 **Abstained:** 0

The meeting was adjourned at 7:16 p.m.

Public Audience: *None*

Minutes Prepared by: *Linda Swartz*