

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
October 7, 2019

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

Excused: John Roberts, ZC Consultant Ted Fink

The meeting was called to order at 5:07 p.m. by Joyce Thompson.

Approval of Minutes:

A motion to accept the Minutes of the September 30, 2019 Zoning Commission Meeting was made by Donn Critchell, seconded by Kathy Bainer, and passed by a majority of those who were present at the September 30 meeting.

Ayes: 3 (Critchell, Bainer, Huehnel) **Nays:** 0 **Abstained:** 0

Elizabeth, who was not present at the meeting of September 30, 2019, asked about the final sentence under the paragraph covering Section 80-D.19.d wherein the ZC feels that any farm use that does not cause significant impact should be "permitted by right". She asked if a use requires site plan approval, is it still "permitted by right"? (Section 90 specifically deals with Site Plan Review and Approval.) This needs to be discussed further at the next meeting when Ted will be present to guide us. Moisha noted that large farming operations do present a significant impact.

Continuation of Review of Complete Zoning Document:

Al asked if the draft code addresses the difference between major and minor subdivisions? Kathy said it is covered in Section 90-D on page 90.3.

Moisha asked if the draft code requires undergrounding of utilities. Section 90-F.2.e. sets forth the requirement that newly installed utility services and service revisions which necessitate exterior alterations are placed underground.

90-F.4. deals with landscaping. Moisha suggested that plantings be heat and drought tolerant. Can be suggested by Planning Board, but ultimately it should be left up to the developer.

There are several instances in 90-F.4. (a, b, d, e [two times], f, and g) and in 90-F.6. (b [two times], c, and d) where the word "shall" will be changed to "should" However, "shall" is appropriate in 90-F.6.a. and will not be changed to "should".

Elizabeth said that it's important to remember that "design criteria" is not "zoning code".

The last sentence in Section 90-F.6.b. will be eliminated and 90-F.6.b. will now read as follows: *"Materials should have good architectural character and should be selected for harmony with traditional materials"*.

Section 90-F.6.c. is rewritten as follows: *"Building components such as windows, roof lines, doors, eaves and parapets should be compatible with the character of the Town of Taghkanic."*

Section 90-F.7. Signs: Donn and Linda will cross-check for compatibility with Section 60-D. If Section 60-D covers this, Section 90-F.7. will simply refer the reader to Section 60-D.

Section 90-F.8.a. add "CAC" following "Planning Board" and change "or" to "and" (...*"determined by the Planning Board and the CAC and as identified by other..."*)

Sections 90-F.10 and 90-F.11 seem to apply only to major subdivisions.

Kathy said that as Planning Board Chair, she uses the items listed in Section 90-G. as a checklist. Section 90-G and the rest of Section 90 is essentially guidance for the Planning Board, not instructions for applicants.

To clarify the distinction between Section F and Section 90-G (Planning Board Review of Site Plan), Section 90-F will be retitled "Site Plan Design Criteria for Applicants", and the applicant will be instructed to refer to Section 30, Zoning Districts and Map, and Section 40, Use Regulations.

The ZC wondered if the time requirement for posting of “at least 15 days prior to the date of the hearing” (Section 90-G.4.b.) is adequate; Kathy said that the Planning Board has 62 days to act on the application following the close of the public hearing, and to lengthen the posting time would result in dragging the process out. Elizabeth suggested that, based on the scale and impact of the project, 30 days’ notice might be warranted. Kathy said that if the application is for a very large subdivision, it would be helpful if nearby residents could be notified as soon as the application is received so that they can find out about the project before the public hearing. Elizabeth said that the agenda for Planning Board meetings, as well as other open town meetings, should be posted on the town’s website.

As a result of this discussion, the lead paragraph in Section 90-H will state that for major subdivisions or projects with substantial community impact, the Planning Board may determine that property owners within 1000 feet of the property that is the subject of the application receive earlier notification.

Section 100-D.9. states that a building permit becomes invalid unless the work is commenced within one year following issuance (may receive two 6-month extensions). If that timeframe is not met, the process must begin again. Should a site plan have the same type of expiration? To be discussed at the next ZC meeting.

Next Meeting:

The next meeting of the ZC is scheduled for Monday, October 21, 2019, beginning at 5:00 p.m.

- We will begin with Section 100, Administration.
- Continue with the discussion of Site Plan expiration (see last paragraph, above).
- Get an answer to Elizabeth’s question about a use that is “permitted by right” (from September 30 meeting)
- Donn and Linda will advise of their findings in the comparison of Section 90-F.7. against the Sign regulations found in Section 60-D.7. Any changes needed to 90-F.7. will be made.

If the full ZC is present, we will finalize the discussion on accessory building height.

Motion to adjourn: Donn Critchell

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

Seconded by: Al Huehnel

Nays: 0

Abstained: 0

The meeting was adjourned at 7:00 p.m.

Public Audience: None

Minutes Prepared by: Linda Swartz