

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
March 2, 2020

Members present: Joyce Thompson, Chair; Linda Swartz, Co-Chair and Secretary; Members: Kathy Bainer, Moisha Blechman, Al Huehnel, Elizabeth O'Donnell (via video conference), Donn Critchell (in at 5:10); ZC Consultant Ted Fink

The meeting was called to order at 4:06 p.m. by Joyce Thompson.

Approval of Minutes:

A motion to accept the Minutes of the February 17, 2020 meeting was made by Moisha Blechman, and seconded by Kathy Bainer.

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

Review and Discussion of Letter from ZC to Town Board re: Short Term Rentals Task Force:

Would the task force draft an amendment or a local law? It depends on timing. If the code has been adopted, the regulations would be added as a new local law. If the new zoning code has not yet been adopted when the task force completes their work, the regulations would be added by amendment. How can we ensure that the amendment goes into the code? Ted suggests putting a placeholder in the draft code to serve as a reminder. The placeholder will be the language about the short term rentals, specifically that this use will continue to be prohibited while the town looks at the issue. Susan Raymond asked for clarification about the process and Joyce explained that the task force would develop the language for the local law or amendment, present it to the Town Board, it would go to public hearing, and finally included in the zoning code as an amendment or local law.

Joyce made one final change to the letter, adding "Co-Chair" following both Joyce's and Linda's names. She will send the final letter out to the ZC and to Susan Raymond via email.

Kathy Bainer presented the Zoning Commission's motion as put forth in the draft letter to the Town Board from the ZC, a copy of which is attached to and made part of these Minutes. The motion was seconded by Moisha Blechman.

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

Kathy Bainer motioned that the letter be sent to the Town Board for action; seconded by Moisha Blechman.

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

Section 20 Definitions:

- The term "LOT, HOUSE" would only be used in a conservation subdivision situation. Therefore, the definition is shortened to read: *"The actual lot size in a conservation subdivision."*
- MINERAL: Moisha said that topsoil is not a mineral. However, this definition comes from the NYS Mined Land Reclamation Law and will remain as is.
- MOTEL: At the end of the sentence, delete "use by" and change "transient tourists" to "transient lodging". For consistency, "transient lodging" should be the term used in all instances in the code where transient lodging is permitted (Bed & Breakfast Inn, Hotel, Inn, etc.)
- NOISE: Moisha and Elizabeth suggested that the word "loud" be removed from this definition. However, Kathy pointed out that when people complain about noise, their complaint is that it is loud. The CEO does not have the equipment nor the expertise to read noise levels; noise complaints are addressed through NYS Penal Law. The definition will not be changed.
- NON-FARM COMMERCIAL COMPOSTING FACILITY: Add a definition entry for "COMMERCIAL COMPOSTING FACILITY, NON-FARM" and cross reference to here. (NOTE: This is only for non-farm operations; if the composting facility is part of a farm operation, it is protected by Ag & Markets.)
- PARK: delete "for recreational purposes" at end of sentence to eliminate confusion.
- PERMITTED USE: Move this definition to Page 33 with other definitions for Use and cross reference.
- PET CEMETERY: Slight change to definition: *"Property used for the interment of dead household and exotic pets"*
- PROHIBITED USE: Take same action as recommended for PERMITTED USE (see above).
- PLANNING BOARD: Modify definition as follows: *"An appointed body whose principal duties are to review and approve, approve with conditions, or deny site plans, special use permits, and subdivisions."*

- PRINCIPAL BUILDING: Elizabeth recommends consistency with the use of this term throughout the code. Is “dwelling” and “residence” used? Ted will do a global search to be sure that these terms are appropriately used.
- PUBLIC ASSEMBLY AREA: Change “town common” to “town facilities”. Taghkanic does not have a town common; most often the town hall or the firehouse is used for public gatherings.
- SIGNS: In the second paragraph, near the end of the second sentence, change as follows (changes are shown here underlined): “...used for commercial or non-commercial purposes by any person or business when the sign is placed in view of the general public.”
 - Each instance in this section that has the plural “SIGNS” will be changed to the singular “SIGN”
- SOLAR ENERGY SYSTEM: Definition seems to indicate that a window could be a solar energy system. Ted explained that in some situations a window could be considered a solar energy system. No change will be made.
- SOLAR ENERGY SYSTEM, BUILDING-INTEGRATED: The last sentence in this definition is too long and needs to be broken into two sentences: Insert a period following “spandrel glass or other façade material.” Change new final sentence as follows: “It may also be integrated into semi-transparent skylight systems, roofing, replacing traditional roofing materials, or other building or structure envelope systems.”
- SOLID WASTE: Add the words “Solid Waste” to the definitions for “DUMP” and “TRANSFER STATION”.
- Change STORAGE FACILITIES to SELF-STORAGE FACILITIES and move it to the top of the alphabetical listing. Also, in the first sentence, add the word “commercial” before “storage of goods or materials.” Note that this use is prohibited.
- Delete definition for “STORAGE UNIT”; it is not necessary since SELF-STORAGE FACILITIES are prohibited.
- STREAM BUFFER IS CROSS-referenced to “BUFFER ZONE” which should say “BUFFER ZONE, STREAM/WETLAND” since that is the actual title of the definition. After looking at the definition for BUFFER ZONE, STREAM/WETLAND, the ZC changed the beginning to the definition to: “A setback to surface waters as required by the New York State Department of Environmental Conservation ...”
- TAVERN: Delete “therefore” in first sentence. Delete “but” in last sentence and insert a comma after “entertainment”.
- THEATRE: Delete “but” near the end of the definition and insert a comma after “performances”.
- There was some confusion about the definition of “TRAILER, TRAVEL OR TENT”. The ZC is instructed to check though the regulations and be prepared to discuss this definition further at the next meeting.

Next Meeting:

The next meeting of the ZC is scheduled for Monday, March 16, 2020. THE MEETING WILL BEGIN AT 4:00. Donn will not be in attendance; Ted is unsure of his availability; he will let us know.

- We will continue review in Section 20, on Page 33
- Look through regulations for TRAILER, TRAVEL OR TENT

Once we have completed review of Section 20, we will continue to the next sections. Continue your review, making notes as needed. Remember: the purpose of this review is not to change the content of the code, but only to check for errors and to be sure everything is clear and accurate and it all fits together.

The ZC agreed to have a third meeting this month, on March 30. John is unsure of his availability; he will let us know.

Motion to adjourn: Elizabeth O'Donnell

Seconded by: Donn Critchell

Ayes: 6 (O'Donnell, Critchell, Huehnel, Bainer, Blechman, Roberts) ***Nays:*** 0 ***Abstained:*** 0

The meeting was adjourned at 6:10 p.m.

Public Audience: Susan Raymond

Minutes Prepared by: Linda Swartz