

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
April 6, 2020

Members present: Joyce Thompson, Chair; Linda Swartz, Co-Chair and Secretary; Members: Kathy Bainer, John Roberts, Elizabeth O'Donnell, Donn Critchell; ZC Consultant Ted Fink

Excused: Al Huehnel, Moisha Blechman

This meeting, held via Zoom video-conferencing due to the quarantine orders issued by the Governor due to the coronavirus pandemic, was called to order at 4:01 p.m. by Joyce Thompson. Moisha and Al were unable to join the meeting due to problems connecting through Zoom.

Approval of Minutes:

Review and approval of the Minutes of the March 2, 2020 meeting was deferred until the next meeting of the Zoning Commission, which is scheduled for April 20, 2020.

Letter from ZC to Town Board re: Short Term Rentals Task Force:

Joyce reported that the letter from the ZC recommending the creation of a task force to look into the issue of short-term rentals was presented to the Town Board at their meeting on March 9, 2020. The Town Board will consider the request and it will be discussed at the Town Board meeting which is scheduled for April 13.

Continuing Review of Final Draft:

Section 20 Definitions:

- TRAILER, TRAVEL OR TENT: To be clear, "Trailer" is the key word in this definition; "Travel" and "Tent" means "Travel Trailer" and "Tent Trailer". Joyce recommends the placement of commas and removal of the word "and" in the last line, as follows: "...equipment permanently attached, a current license, and is not permanently affixed to the ground."
- TRANSFER STATION: Insert the word "solid" in front of "waste" in the second line. ("*...discarded machinery, vehicles or parts thereof, or solid waste material of any kind, ...*")
- USE: Several types of "USE" are defined under this heading, including ACCESSORY, CONTINUOUS, NON-CONFORMING, PRINCIPAL and TERMINATION OF. "USE PERMITTED" and "USE, PROHIBITED" will also be included under this general heading of "USE" and cross-referenced to their full definitions, which appear on Pages 19 and 21, respectively, in this draft version. Also, in the definition for "USE, ACCESSORY", the word "such" will be changed to "the".
- Both "Code Enforcement Officer" and "Zoning Enforcement Officer" have been defined and are used throughout the code. What is Dennis's title? Will the jobs ever be separated and done by two different employees; one to handle zoning law and one to handle residential building code? **Joyce will find out some answers before the next meeting.**

Section 30 Zoning Districts and Map:

- Be sure to include the Zoning District Map in the final version. **Linda will try to determine which version of the map was last discussed and approved by the ZC and resend it to the ZC members for final review and discussion.** Once it is accepted by the ZC, Ted will create a clear final version with roads and parcel lines.
- The word "hamlet" appears in the description of the MU district. No "hamlet district" has been designated, so this term does not need to be defined and the standard dictionary definition will apply.
- At the very end of 30.B. add "*and in the Office of the Town's Code Enforcement Officer.*"
- Numbering in 30-D. need to be corrected. The following notes correspond to corrected numbering:
 - Re-write 30-D.2. as follows: "*The requirements specified in this Zoning Law shall be considered minimum requirements, unless specified as a maximum, and shall apply uniformly to every building, structure or use of land.*"
 - Re-write 30-D.3. as follows: "*Buildings, structures or land shall be used or occupied in conformance with the regulations specified for the Zoning District in which it is located. A building or structure, or part of a building or structure, shall only be erected, moved, altered, reconstructed or enlarged in conformance with the regulations specified for the district in which it is located.*"
 - In 30-D.6. Delete "*as required for each building or use,*"

Section 40 Use Regulations:

- 40-A.2. Symbols: Under the “*”, the term “expedited review” will be changed to “limited review”.
- Also in 40-A.2. Under the “S”, remove the word “Subsection” (two occurrences).
- 40-B. Use Table:
 - Farm Market provides for limited site review, indicated by **. Should Farmers’ Market also be ** or is this a use that has greater impact? That can be decided by Planning Board during review. It is an agricultural use and we have made every attempt to remove impediments to farming operations.
 - Sawmill, Small-scale Portable has not been defined. Definition should include note that a small-scale portable sawmill is on wheels and trailered (to differentiate from chain saws). Also, in the Use Table, change the Special Conditions note to 60-P.3.
 - In the definition for Sawmill, remove the word “establishment”. Large-Scale Commercial Sawmills are prohibited.
 - Automobile Lease/Rental Facility should be removed from the Table. The use will be prohibited by omission rather than by specific prohibition. That way, if, for instance, the Citgo station wanted to have a few ride-sharing vehicles (like Zipcar), they could pursue the use as a “Business, Service” which would require site plan review.
- 40-C. Prohibited Uses:
 - Change “Concentrated Animal Feedlot Operation” to “Confined Animal Feeding Operation”
 - Change “Self-storage Facility” to “Self-Storage Facility, Commercial”
 - Include the Special Use Permit Flow Chart at the end of Section 40 (also at the end of Section 80)

Section 50 Area and Bulk Regulations:

- 50-A. “Intent and Purpose” or just “Purpose”? Code shows a mix of terms. They will all be changed to “Purpose”. Also, remove “In order” from start of sentence; end first sentence after “to lessen congestion” and begin new second sentence with “No building on premises...”
- 50-B.2. Density: Rewrite as follows: *“Lots may only be improved in accordance with the density requirements outlined in Table 50.B., and other applicable bulk regulations for the use and/or district as set forth in this section and for conservation subdivisions in Section 60-F. of the Zoning Law.”*
- 50-D. Change first sentence as follows: *“The maximum building height limitations set forth in Table 50.B., the “Area and Bulk Requirements”, shall be applicable to principal buildings and accessory buildings and other structures.”*
- 50-D.2. Minor edits in first sentence: remove comma after “small-scale building elements” and continue sentence as follows: *“...that are not to be used for human occupancy, and which, in their aggregate coverage, occupy no more than 10% ...”*
- 50-E.1. Delete first sentence. 20 foot maximum accessory building height is changed to 35 feet.
- 50-E.2. Maximum floor area is changed to 100 square feet. For consistency, also change Section 100-D.2.a. to 100 square feet.

Section 60 General Provisions and Supplementary Regulations:

- 60-D.3. Second sentence: include a note that SEQR is not required.
- 60-D.3.b. Delete the “s” from the end of the second occurrence of the word “applicant” near the end of the paragraph.
- 60-D.4. It was suggested that we add another item which would require that external business signs be dimmed or turned off at the end of the business day. Since we have no means to measure the light output to ensure that a light has been “dimmed” to some arbitrary standard, we will instead require that the business signs be turned off at the end of the business day. The regulation will be written as follows: *“External business signs are to be turned off at the close of the business day.”*

Next Meeting:

The next meeting of the ZC is scheduled for Monday, April 20, 2020. THE MEETING WILL AGAIN BE HELD VIA ZOOM VIDEOCONFERENCING AND WILL BEGIN AT 3:45. JOYCE WILL SEND OUT THE MEETING INVITATION AND INSTRUCTIONS PRIOR TO THE MEETING.

- We will continue with review beginning with Section 60-D.5. (Page 6).
- Clarify CEO or ZEO (Joyce)
- Review Zoning District Map (Linda)

Motion to adjourn: Elizabeth O'Donnell

Ayes: 4 (O'Donnell, Critchell, Bainer, Roberts)

Seconded by: Donn Critchell

Nays: 0 Abstained: 0

The meeting was adjourned at 6:02 p.m.

Public Audience: None

Minutes Prepared by: Linda Swartz