

TOWN OF TAGHKANIC
ZONING COMMISSION MEETING
July 20, 2020

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

This meeting, held at the Taghkanic Fire House, was called to order at 4:23 p.m. by Joyce Thompson.

Approval of Minutes:

Tabled for next meeting.

Review of Zoning District Map:

The ZC reviewed the revised maps prepared by Ted's student and dated July 15, 2020:

Kathy Bainer motioned to have large parcel on Route 82 at the northern-most edge of the MU district included in the R2 District. The motion was seconded by Elizabeth O'Donnell.

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

Linda noticed that the current zoning map shows that there is an area that runs along the south side of Livingston Road, on both sides of Conkra Road, perhaps 100' in depth, which is in the R2 district rather than R7. The new zoning map takes the R7 district right up to the road edge, eliminating this R2 area. Linda does not recall that the ZC ever discussed making this change and wondered how the ZC wished to handle it now. The ZC agrees that it would be easier to determine exactly where the boundary is if we had a large-scale print of the current map. Discussion followed resulting in the following motion and boundary line change which runs along the parcel lines rather than an arbitrary line drawn from the road edge:

Kathy Bainer made a motion to put the larger parcel to the west of Conkra Road, as well as the very small square within it, into the R7, and the seven smaller parcels to the east of Conkra Road will be in the R2 district. The motion was seconded by John Roberts.

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

The zoning district map, marked up with the changes as discussed, was circulated to the members present for approval and will be scanned and returned to Ted via email for correction immediately following this meeting.

Uses in Setbacks:

Are there any types of structures that could be allowed to be placed within a setback? What type of structures would that be? What would be the allowances for those types of structures? Consider the size, the use and the setback area devoted to the use. Ted offered a few ideas:

- Exceptions for agricultural structures.
- Make allowances for accessory buildings and accessory structures within setbacks (Section 50-E.)
- No permit needed for simple buildings of less than 100 square feet, such as trash bins and school bus waiting shelters for children in the front yard setbacks.

The ZC agreed that no structures will be placed within the setbacks except those which are specifically provided for in the zoning code.

All structures should require a building permit, and there should be no exceptions. However, the ZC agreed that the Town could offer a "no fee" permit for some structures smaller than 100 square feet which are not on a permanent foundation and which meet all criteria in 50-E.2.a. through 50-E.2.e.

Elizabeth asked Ted if the definition of "Structure" needs to be tightened up in terms of things that can't be done in the setbacks (tennis courts, pools, etc). Ted read the definition of "Structure"; the language includes anything that is "installed on, above or below the surface of land or water." That would cover things like patios, pools, tennis courts, and more, and therefore prohibit their installation in the setbacks.

Accessory Structures:

Joyce noticed that the current code prohibits a homeowner from renting space in their home or accessory building to someone else for a home-based business. She pointed out that there could be circumstances such as we find ourselves in now (COVID 19 pandemic) when it is the neighborly thing is to let someone use the space temporarily for their business.

Elizabeth suggested that there be a maximum size for an accessory structure (ag structures would be exempt), suggesting a maximum size for new buildings of not more than three times the footprint of the principal structure. Lot coverage percentages and setbacks would apply. (Section 50-E.1.)

A motion was made by John Roberts to limit the maximum footprint of new accessory buildings to not more than three times the footprint of the existing principal building. Donn seconded the motion.

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

Next Meeting:

The next meeting of the Zoning Commission will be held on Monday, August 3, 2020 at the firehouse beginning at 4 p.m. Masks and social distancing required.

Motion to adjourn: *Donn Critchell*

Seconded by: *Al Huehnel*

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

The meeting was adjourned at 6:00 p.m.

Public Audience: *None*

Minutes Prepared by: *Linda Swartz*