

TOWN OF TAGHKANIC  
ZONING COMMISSION MEETING  
August 3, 2020

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

**Excused:** John Roberts, ZC Consultant Ted Fink

This meeting, held at the Taghkanic Fire House, was called to order at 4:08 p.m. by Joyce Thompson.

**Approval of Minutes:**

- Several changes were made to the Minutes of July 20. The Minutes will be amended accordingly and presented for acceptance at the next meeting of the Zoning Commission. (See note below for Section 50-B.)
- Approval of the Minutes from the July 6, 2020 ZC Meeting is also tabled until the next ZC meeting.

**Section 50-B.**

As a result of the discussion at the ZC meeting of July 20 and further discussion at this meeting concerning the Minutes of the July 20 meeting, the ZC agreed to add a third item to Section 50-B. Area and Bulk Requirements. The first two items in that section are titled **1. Table 50-B.;** **Area and Bulk Requirements** and **2. Density**. The third item will be titled **3. Yards and Setbacks** and state *"Unless specifically permitted in other parts of this Zoning Law, no structures are permitted within the setbacks."*

**Kennels:**

Kara Gilmore and Nadja Palenzuela, owners of a legally-operating dog kennel on Taghkanic/Churchtown Road attended this meeting to share their knowledge and suggest some changes to the draft code in order to provide clear guidance for future dog kennel applicants:

- Currently, Section 80-D.10.b. limits use of outdoor dog space to 7 a.m. to 7 p.m. daily. Kara said that keeping a dog in a cage for 12 hours and expecting them to control their bodily functions for that long is inhumane. She suggested that the ZC consider amending that regulation to 6 a.m. to 10 p.m.
- They said there have been no complaints about their operation, but complaints would generally tend to be about noise (barking) and renegade (loose) dogs. Kara and Nadja suggested adding the following regulations, putting responsibility for the management and control of the dogs on the caretaker:
  - Caretaker shall manage dogs in outdoor spaces in such a way that limits uninterrupted or nuisance barking.
  - Caretaker shall maintain adequate control of the dogs and shall provide adequate protection to ensure that the dogs are not able to leave the premises.
  - Overnight caretaker must be present.
  - Indoor enclosures shall be designed and insulated in a manner that absorbs sound within the enclosure.
- With these additions to the zoning code, Kara and Nadja feel that the larger setbacks stated in Section 80-D.10.c. will not be necessary. They suggest a minimum setback of 150 feet for indoor enclosure from any property line. (They did not have a recommendation for outdoor setbacks; this will need to be determined.)
- It is further recommended that the following language replace Section 80-D.10.d. which sets a limit of 20 dogs: *"The Board shall determine the maximum number of dogs allowed. In making this determination, the Board shall consider the space available within the indoor enclosure to prevent overcrowding."* ("Board" is assumed to be the Planning Board.)
- Finally, they suggest that 80-D.10.e be deleted. *(Kennels should comply with the Companion Animal Care Guidelines of the American Veterinary Medical Association.)*

Elizabeth said that there needs to be some set of standards so that the Boards are not making arbitrary decisions. Kara and Nadja will do research and come up with some size standards that could be in the code.

Kathy said waste management needs to be addressed and suggested that applicants be required to present a waste management plan to the Planning Board with their application.

Section 60-E.3., lists “kennels” as being a Prohibited Home-Based Business, but the Use Table (Section 40) only allows for kennels in residential areas. Is there a distinction between a “home-based business” and a commercial business in a residential district? This is a point of confusion; we will ask Ted to clarify. The ZC decided that “kennels” will remain in 60-E.3. as a prohibited home-based business. As a business use, a kennel requires a Special Use Permit so there is local control.

The ZC thanked Kara and Nadja for their helpful, well-thought-out recommendations, and will discuss it further and make some decisions at the next meeting.

**District Maps:**

Ted provided us with a revised zoning district map that addressed all of the major concerns expressed by the ZC at the July 6 and July 20 meetings. The ZC reviewed the revised map and found no other issues.

Joyce advised the ZC that at the last Town Board Meeting, Supervisor Ryan Skoda offered to contact the County Office of Real Property Services to have a map with updated parcel lines made available to Ted or his student, Erik. Al said that the Office of Real Property Services has clerks whose job is to update the tax parcel maps regularly; if Ted/Erik gets mapping information from the County website, it would be current and accurate.

***A motion to accept the Town of Taghkanic Zoning District Map prepared July 30, 2020, pending further information from the County regarding parcel lines, was made by Moisha Blechman and seconded by Donn Critchell.***

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

The accepted District Map is attached and made part of these Minutes.

**Short-Term Rental Subcommittee:**

Elizabeth Craig, the Chair of the STR Subcommittee, updated the ZC on the activities of the STR Subcommittee:

- She read the second draft of the Subcommittee’s Mission Statement, saying that she thought it was a vital first step to identify and clarify their duties and direction. The Mission Statement will be provided to the Town Board for their August 10 meeting.
- Elizabeth developed a Questionnaire that she asked the Subcommittee to complete. Elizabeth has received the completed questionnaires and the results have been tabulated, showing that the subcommittee members generally agree that STRs should be allowed in Taghkanic, but with restrictions and requirements.
- The subcommittee is now doing research and everyone is working well together in self-selected teams.

The ZC applauds the work being done by Elizabeth and her team.

**Next Meeting:**

**The next meeting of the Zoning Commission will be held on Monday, August 17, 2020 at the firehouse beginning at 4 p.m. Masks and social distancing required. Moisha will not be present.**

***Motion to adjourn: Moisha Blechman***

***Seconded by: Al Huehnel***

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

***Nays: 0***

***Abstained: 0***

The meeting was adjourned at 5:49 p.m.

**Public Audience: Elizabeth Craig (STRs)**

***Kara Gilmore and Nadja Palenzuela (kennels)***

**Minutes Prepared by: Linda Swartz**