

APPROVED
8-9-2021

July 13, 2021
Town of Taghkanic
Town Board Meeting

Note all documents in these minutes may be clicked on and enlarged for easier reading

6 pm: The Taghkanic Town Board and Zoning Commission held a Special meeting on the above date with a combination of *Supervisor Ryan Skoda* and all other Board Members, Town Clerk and Zoning Commission at Town Hall and 2 residents attending via Zoom. *Supervisor Ryan Skoda* opened the meeting with the Pledge of Allegiance.

Town Board

Present:	Ryan Skoda	Supervisor
	Elizabeth Craig	Board Member
	Kara Gilmore	Board Member
	Linda Swartz	Board Member
	Joyce Thompson	Board Member
	Cheryl Rogers	Clerk

Zoning Commission

Present: Al Huehnel Elizabeth O'Donnell
Moisha Blechman (former ZC member)

Via Zoom Don Critchell Kathy Bainer

Absent: John Roberts (excused)

CAC

Present: Tony LaSalvia

Public Audience: Barbara Hermance

Correspondence:

Tony LaSalvia: Comments regarding the proposed Zoning Map. (attached)

Supervisor Ryan Skoda turned the meeting over to **Board Member Joyce Thompson Chair of the Zoning Commission:**

Zoning Commission Chair Joyce Thompson asked for the Board's concern, changes, and recommendations started tonight at section 60-E.1b. Home Based Businesses Page 14. *Zoning Commission Co-Chair Linda Swartz, Secretary* made all duly noted changes, concerns and recommendations in the following Sections 60-E.1.b – 60-E.3 in her attached minutes.

JOINT TOWN BOARD/ZONING COMMISSION WORKSHOP
July 13, 2021

Present: Town of Taghkanic Supervisor Ryan Skoda, Town Clerk Cheryl Rogers, Town Board Members Kara Gilmore and Elizabeth Craig, Town Board Members and Zoning Co-Chairs Joyce Thompson and Linda Swartz, Zoning Commission Members Al Huehnel, Kathy Bainer, Donn Critchell, Elizabeth O'Donnell and ZC Consultant Ted Fink. Former ZC Member Moisha Blechman was also present.

Excused: ZC Member John Roberts

Public Audience: CAC Chair Tony LaSalvia, Erin Edwards, Barbara Hermance

The Town Board continued its review and discussion of the Draft Zoning Code.

Section 60-E. Home-Based Business:

- **60-E.1.b.** This regulation must match with the changes previously made to Section **60-D.5.a.** for on-premise home-based business signs.
- Ryan asked about the outdoor storage of equipment and materials requirements in Section **60-E.1.c.** It was explained that the ZC feels it's important to minimize visual impacts in residential districts. Discussion resulted in changing this regulation to a more positive tone as follows: *"Outdoor storage of materials or equipment shall be permitted only when screened from public view."*
- **60-E.1.h.** The limit of clients at one time is changed from three to ten (*"... limited to not more than ten (10) clients or customers at a time ..."*), but the limit for children in a day care facility will remain at six (6).
- **60-E.1.i.** Commercial vehicle trips to home-based businesses is increased from four to five trips per week. (Excludes ordinary delivery from USPS, UPS and FedEx.)
- **60-E.1.k.** In the first sentence, *"... associated with commercial or industrial activities ..."* is changed to *"... associated with heavy industrial activities ..."*. "Industrial" will need to be added to the **Definitions** and cross-referenced to "Light Industry/Manufacturing".
- **60-E.1.l.** We had a very long discussion about the allowable weight of trucks and equipment associated with home-based businesses on local roads. Ryan recommends increasing the maximum weight from 14,001 to 23,001. The entire paragraph is re-written as follows: *"To protect Town roads, no home-based business that is located on a town road shall be allowed which requires the presence on the premises of a truck with a gross vehicle weight rating of 23,001 pounds or more that is used for business purposes."*
- **60-E.1.o.** It was clarified that the purpose of registration is to allow the town to know about the existence of home-based businesses, which could be vital to fire-fighters and other first responders. Barbara Hermance suggested that if the home-based business sign required a permit, we would know about the business. Barbara also asked about pre-existing, non-conforming home-based businesses. This might need legal opinion.
- **60-E.1.g.** adheres to NYS Residential Building and Residential Code in requiring that no more than 15% of the dwelling's habitable space is devoted to home-based business use. **60-E.1.p.** allows for a home-based business to be conducted from an accessory dwelling. It is the intention that a tenant in an accessory dwelling would also be allowed to have home-based business subject to all other requirements in this Zoning Code. To make this intention clear, the words "tenant-occupied" will be inserted before "accessory dwelling unit". Tenancy or tenant will be added to the **Definitions**. It was noted that the right to operate a home based business applies to the person, not to the building, so it could be in the principal dwelling or an accessory dwelling.

- **60-E.3. Prohibited Home-Based Business:** “Alternate care facility” which appears in this regulation, is defined under “Housing Special Needs”. It will be listed in the definitions as “Alternate Care Facility” with a cross reference to “Housing Special Needs”. “Assisted Living” will also be cross-referenced.

Tony LaSalvia had to leave the meeting early, but left us with his comments regarding the proposed Zoning District Map. That map is Page 2 of these Notes.

Next Meetings: August 4, August 16, and August 18. All meetings will begin at 6 p.m.

Minutes Prepared by: Linda Swartz

The Town Board set dates for the next Combination Special Meeting: **August 4, 16 and 18, 2021 beginning at 6 p.m.**

With no further business, the meeting was adjourned at **8:15 pm**, carried unanimously by all members present. The next Regular meeting will be **August 9, 2021** at the Taghkanic Town Hall.

Draft Town of Taghkanic Zoning law

The issue of 2-acre, 3 acre and 7-acre zones were brought up at the initial Town Board meeting to review the Zoning Law. The comments here are my own and may or may not reflect the entire CAC. The use of 7-acre zoning in large forested areas is important to maintain those large forest tracts. It is true that large forest tracts protect not only the forests themselves and that does include the wildlife and the movement of the wildlife from one area to another. The large forested, uninterrupted areas are important for many other reasons including quiet aesthetically pleasing areas but these areas also protect and help to clean water, both surface and groundwater. These large uninterrupted areas also lead to biodiversity and perhaps most importantly that biodiversity allows for climate resiliency. Why this is important is that we are beginning to feel the affects of climate change and forests, clean water and biodiversity are important in diminishing those affects. This is something some may wish to sweep under the table in view of property rights and values but if we take a look around to other parts of the country and world, we may find that our forests and undisturbed areas may help us and are well worth protecting.

I would also like to address the idea of small acre zoning and the affect that has on the land. When we allow areas with small parcels, we drastically fragment the forests and wildlands that I addressed above. If we have identified areas where we already have small parcels and wish to keep that lot size in the zoning law, we should try to keep these areas along the already existing roads in which they exist. By spreading these small lots further from roads, we begin to fragment the open, forested and wildlands. If we have large parcels divided into 2 or even 3-acre parcels, we may see more roads which do more fragmentation. We only have so much forested and wildland in our town and allowing fragmentation of these areas is counterproductive in the long term, as climate change and the need for clean water are not going away any time soon.

Tony LaSalvia

Chair, Town of Taghkanic CAC