

Village of Athens Zoning Review Committee

Minutes from meeting on September, 17, 2009

Committee members in attendance: Margaret Moree, Chris Pfister, Denise Hartman.

Meeting called to order at 6:45 pm by Mr. Pfister.

1. The minutes from the September 3, 2009 meeting were approved. Margaret Moree will submit to Nan Stolzenburg for posting.
2. The committee discussed §92-14.1, Waterfront District, Letters O-R which were deleted pursuant to the September 3, 2009 minutes. Upon further review, the committee recommends to ask the Village Board to amend Local Law #1 of 2008 to include the language found in O-R related to temporary residences during construction.
3. Ms. Moree agreed to start assembling a "to do" list of issues referenced in prior committee minutes which required further review, once the committee addressed subsequent sections of the code.
4. Committee members commenced review of §92-49, Definitions. The following changes were recommended:

Accessory Apartment: Delete "either" and "or added to" in the first line

Agriculture: Delete "forestry"

Alteration: committee members will do further research to see how best the current definition fits with usage in the proposed Code.

Auto Repair Shop: definition okay. Need to include as a permitted use in Commercial District in schedule and text.

Auto Sales: Insert "or" after building; delete "or other premise"; insert "and other vehicles, such as" after automobiles; delete "generally but may include"; insert "and" after recreation vehicle. The new definition is proposed to read: The use of any building or land area for the display and sale of new or used automobiles and other vehicles, such as light trucks or vans, trailers, boats or recreation vehicles and including any vehicle preparation or repair work conducted as an accessory use.

Automobile Service Station: delete "that is or are" in line 2; delete "the population of" on line 3; delete "For the purpose of this chapter, there shall also be deemed to be included within this term" and replace with "This term shall include"; delete "all" on line 5. The new definition is proposed to read: "Any area of land, including any structure or structures thereon used or designed to be used for the supply of gasoline or oil or other fuel for motor vehicles. This term shall include any area or structure used or designed to be used for polishing, greasing, washing, spraying, dry cleaning or otherwise cleaning or servicing of motor vehicles."

Bed and Breakfast Inn: Delete the word "Inn"; delete "and providing not more than one (1) meal daily to guests only."

Building Height: Delete all after "highest point of the roof".

Change of Use: Delete "Also" in line 7; insert "Change of use also includes".

Cluster Subdivision: Change to "Clustered Subdivision"; Delete "A subdivision" and replace with "An approved subdivision"; delete "approved pursuant to Town Lawn §278"; Delete "(Refer to Article VI for additional information.)" on last line.

Condominium: Delete entirely.

Cultural/Educational Use: Change to "Cultural Use"; delete "document the social and religious structures and" and replace with "manifest or document the"; change "center" to "centers"; delete all words after "zoological gardens". The new definition is proposed to read: "Cultural Use - Establishments that manifest or document the intellectual and artistic work that characterize a society and include museums, art galleries, community centers, studios, and botanical or zoological gardens."

Forestry: Delete definition and replace with "The science, art and practice of creating, managing and using forest and associated resources for human benefit."

Home Occupation, Low Impact: Delete "no" on line 4; insert "only occasionally" after 'clients' on line 4.

Home Occupation, Major: Delete "for financial gain". Insert a period after "vicinity" on line 5; delete "Or have any exterior evidence of such secondary use, other than a sign." Insert "Such use may include minimal exterior evidence of such secondary use, including signs, equipment, goods and materials." Delete "unit or accessory structure" and replace with "occupation". The new definition is proposed to read: "A business activity resulting in a product or service conducted wholly or partly in a dwelling unit or accessory structure which is clearly secondary to the use of the dwelling for living purposes and does not change the residential character of the dwelling unit or vicinity. Such use may include minimal exterior evidence of such secondary use, including signs, equipment, goods and materials. Such occupation shall not employ more than three non-residents, and shall allow customers, clients or sale representatives to enter the premises."

5. The Schedule of Regulations needs to be amended to replace "Philanthropic" with "Cultural".

6. Committee members agreed to do further research on definitions for: educational use; religious use; and alteration.

Meeting adjourned by Mr. Pfister at 9:15 pm.
Next meeting is October 1, 2009 at 6:30 pm.

CC: Andrea Smallwood, Mayor