

The Zoning Commission met at 6:05 on Feb. 1, 2010 in the Town Hall.

The following members were present: Mary Kames, Tony Puorro, Sue Oldakowski, John Gallagher, Richard Booth, consultant Nan Stolzenburg, and Town Board liaisons: Janet Schwarzengger and Doug Ostrander.

Members missing: David Hart and Bill Hummel

The minutes of the last meeting were approved on a motion by John G. and Mary K.

Minutes of the Nov. 30, 2009 mtg. were corrected and approved by Tony P. and Mary K.

Minutes of the Nov. 9 2009 mtg. were approved by Richard B. and John G.

Minutes of the Oct. 28, 2009 mtg. were corrected and approved on a motion by John G. and Sue O. And the minutes of the Oct. 26 2009 mtg. were approved by Richard B. and Mary K.

1) A discussion of the hobby farm topic ensued. Mary K. had contacted a resource person from Cooperative Extension and Nan S. had several attachments of information to preview. The resource person Mick Bessire has offered to come to talk to the committee. Mary K. gave a brief overview of the handout received. Mary mentioned the weather, soil, (there are 158 different soils in Greene county). All of the factors that contribute to having animals and a variety of birds live in a healthy and safe environment.

Nan mentioned that we would not attempt to regulate anything in the Agriculture District as depicted in the Zoning Ag. District Map. Backyard Poultry and Livestock Rearing by Cornell Cooperative Extension was reviewed. This will be the basis of what we will use for this part of the law. The committee was in agreement to have regulations related to hobby farms included on # 19 on page 69. We will put the regulation in as an Appendix B for Backyard and Livestock Rearing. This will be Site Plan Review with Planning Board overview outside the Ag. District. In addition, the Use Table will need a Site Plan review added for Hobby Farms. It was decided that all Hobby Farm issues outside the Ag. Dist. should come into standards within a year. It was mentioned that the perk of soil in a hobby farm situation is also to be considered. Nan will also add mink to the form.

2) A discussion of Bill H.'s comment on the enforcement issue was held and all felt that the vocabulary should be changed to reflect Zoning Enforcement Officer and not the Code Enforcement Officer. This will be changed throughout the passages on page 70 in the 3rd Draft. In addition the group as a whole was concerned about the enforcement of all the topics we have touched on throughout our work. The second sentence under A, 1 on page 70 will be removed and the ZEO term will replace all CEO terms on the page. Nan gave a specific example of how the CEO and ZEO would differ for the group.

3) Nan S. presented a follow up of the following topics: a) wind towers, there are only two areas that would be appropriate for wind towers, one in Round Top and the other on the NYS State land boundary according to scientific data. As it is now towns can

prohibit wind facilities see page 68. The wind towers we are talking about are for personal use only as per p.68. b) Nan reported on owner occupied rental which is sold and the new owner rents out both the principal house and the apartment, is it still covered under the non-conforming section? Legal answer No. That change in the use of the principal structure, from owner occupied to non-owner occupied, would represent a change from the use as it existed at the time the new zoning law was passed. The attorney suggested that the new zoning law be very explicit regarding the owner-occupation. This is an express condition of being able to have an accessory apartment

4) Janet S. had a comment about doing away with the specific State Laws that have been placed in the Draft to cut down on the size of the document. Nan mentioned that most Planning Bds. do not look at St. Law so it would behoove us to have these included, this way both the Pl. Bd. and residents have the law at their disposal.

5) Janet S.'s second comment was about having a difference on the Zoning Map with a piece of property that was in an area that required more land for building because of the water available, this was an error and was changed.

6) Nan went over the maps presented. There was some discussion about the legends and these issues will be corrected, i.e. combining RR1 and R 3.

7) The group began work on the pages 69 to the end of the draft. On page 76 & 77 on number 2 Zoning Bd. of Appeals. Anyone turned down by the Pl. Bd. starts the Appeal process.

8) Page 70, Variance, ZBA use variances have the highest criteria that have to be met. Page 80 "use variances" are very difficult and "area variances" most lenient. i.e. set back, says 15 ft. they only have 12ft.

9) Nan will get some pictures from Karl Heck to put in the Design Standards Appendix for non residential buildings. Sue O. mentioned that the use of a chalet type roofs should be put in the Mt. District since many businesses might see this as part of the culture in the Purling or Round Top area.

10) Nan will go over changes in Draft 2 and work on Draft 3 for the next mtg.

The next mtg. will be held 6 p.m. Monday February 22. The March mtgs. will be March 8th and March 22 nd.

The Mtg. was adjourned on a motion by Mary K. and Sue O. at 8:46 p.m.

