

Comprehensive Plan Implementation Group Meeting #19, February 15, 2017 Minutes

Attendance

Committee – Karen Murphy, Randi Walker, Don Hegeman, Van Calhoun, Bob Balcom

Planner – Nan Stolzenburg

Public - Wendy Carroll, Donal Collins, Rick Werwaiss

Call to order

The meeting was called to order at 6:08 p.m. by Randi.

Approval of Minutes

The minutes from February 13, 2017 were distributed and approved.

Review of Plan

Nan Stolzenburg, the Town's Comprehensive Plan and Zoning Implementation consultant joined the meeting to assist the group with a variety of questions.

Uses Table

Development of the uses table was one of the primary areas the Comprehensive Plan Implementation Committee sought guidance from Nan. During development of the uses table, the group pursued a delicate balance between the proscriptive details provided in the comprehensive plan and public and private property interests. Nan answered a number of questions and clearly stated the distinction between site plan reviews and special use permits. Site plan only uses are permitted irrespective of the use. Uses requiring a special use permit are those with potential impacts on the neighborhood and therefore are permitted if the use meets specific standards. Nan reminded the group that all special use permits require site plan review.

Nan suggested the we consider combining all zoning districts into one table and simply state the following permit requirements:

1. Use is permitted outright
2. Use requires a site plan review by Planning Board
3. Use requires a special use permit by Planning Board

The group agreed with Nan's recommendation. She reminded us that standards for special use permits would be detailed in this Section § 180-58 Individual Standards for Special Uses. This

section would detail all the items that need to be reviewed by the Planning Board for that particular use and the requirements could vary by zoning district. In contrast, for uses which only require a site plan review we would develop a core set of review items. For the uses table, she further stated that we can eliminate the category of non-permitted uses because as stated in the table heading, uses not listed in the table are not permitted.

As we proceed with developing the uses table we will be answering these two questions for each use:

1. Is the use something we want in this district?
2. What is the process for allowing the use?

Farming

Nan provided the group of a number of important concepts related to farming and farm protections which guide our zoning. Farms in a New York State Agricultural District meeting the NYS Agricultural and Market Law, are protected and not further regulated by Town Law. Farming for personal consumption is not considered a farm operation under State Law. Nan suggested we review guidance provided by Cornell Cooperative Extension **for development of guidelines for non-commercial farms in a Non-Agricultural District**. A fair amount of discussion took place around farms in and near hamlet zoning. The group and the Comprehensive Plan support farming in these areas but also recognize that the close proximity to densely settled areas of the town should prompt some oversight such as a site plan review. The uses table will include the following for farming:

1. Make farming a permitted use in the Agricultural District in all zoning districts except Hamlet
2. For Hamlet district, individuals seeking to establish a farm will be required to complete a modified site plan review

Home Occupations

The group recognizes that the Comprehensive Plan supports home-based businesses. Nan further suggested we divide home-based businesses into two categories:

1. minor - permitted outright
2. major – requiring a special use permit

Major businesses would be those that employ more than just family and have significant signage, accessory buildings, traffic and potentially noise. The premise for requiring a special use permit is that these businesses may have elements that impact the neighborhood.

Group Homes

Nan told the group that group homes are regulated under NYS Code and therefore cannot be further regulated by our zoning. Group homes will be allowed as a permitted use.

Dirt Roads

Nan suggested we add requirements in site plan review or special use permitting to maintain rural road standards. Applications for uses with potentially significant traffic on dirt roads could be required to go through an engineer traffic analysis. Nan also suggested we develop a highway standards law for subdivisions that says we will not pave dirt roads to accommodate the subdivision. If the impacts are expected to be significant and more than the dirt road can handle, we can require the use to install and ingress and egress from a paved road.

Mobile, Manufactured and Modular Homes

Nan provided clarification on these types of homes. Mobile homes are those manufactured before 1976. Manufactured homes are built after 1976 and are HUD certified. Manufactured homes could be built on a trailer or on a permanent chassis. **Neither a mobile or manufactured home could be used as an ECHO or accessory unit. Tiny homes could be considered accessory apartments.**

Ridgeline Protection

Nan looked over the various maps developed for review of ridgeline protection during the development of the Comprehensive Plan and during review by the previous Zoning Implementation Committee. She reminded the group that our stated goal in the Comprehensive Plan was to protect the top of the ridgeline and that the steep slope overlay protects detrimental environmental effects. The group eliminated the maps portraying large buffers around the ridgeline marker and selected the map denoting just the ridgeline to serve as our official guidance. Nan suggested we review Ancram's ridgeline protection regulations.

Randi Walker is recording all changes and questions for Nan Stolzenburg for this meeting. Changes are being submitted to Nan and posted on the website page provided by the Planning Better Places website, <http://www.planningbetterplaces.com/chatham.html>

Next Meeting - February 19, 2017, 6:00 pm, North Chatham Library.

Adjournment – the committee adjourned at 8:00 pm.

Submitted by Randi Walker