

**TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF THE APRIL 4, 2012 MEETING**

The meeting was called to order at 6:35 pm. Present were: Donna Staron, Bob Linville, Don Hegeman, David Everett, Bob Johnson, Henry Swartz, Marilyn Cohen and Tal Rapplelea. Excused: Mitch Khosrova and Jean Rhode.

The minutes of the March 21, 2012 meeting were approved.

Henry Swartz presented the Committee with a copy of the Steep Slope map created by the Comp Plan Committee (CPC) and adopted by the Town Board in Part II of the Plan, which was not available at the last meeting.

The Committee reviewed the proposed Steep Slope EPOD legislation, both individually and in conjunction with the above map. A detailed discussion ensued concerning whether 'segmentation' should be dealt with in the law or if the discrete review of each potential multiple application would address any possible cumulative impacts. It was decided that the review of each individual application would result in a more relevant analysis of the potential impacts based upon the actual facts of the application.

The draft presented was accepted by the Committee as part of the overall basic document to receive a final review upon completion of the final draft of all other portions of the proposed law.

The Committee then focused on the various Ridgeline Protection Overlay District local law. Marilyn Cohen provided a list of concerns, suggestion, etc., prepared by CEO/ZEO Walt Simonsmeier. A copy of same is attached.

Dave Everett recapped the discussion and opinions aired at the last meeting regarding construction on ridgelines. Without actually coming to a vote on the issue, a majority of the Committee had previously voiced the opinion that such construction could occur but with mitigation regulation and guidelines as conditions of approval. The regulations/guidelines shall include, among other things, limiting clearing to a defined square-footage and/or percentage of the affected parcel; lighting location and treatment; and an area to be selected as the 'view area'. The Committee analyzed whether to include a limitation of colors that may be used and unanimously agreed that such regulation would be an overly-intrusive regulation and agreed to not include such a component.

The Committee discussed whether multiple levels of guidelines should be developed associated with simple building permits, subdivisions and/or commercial activity. The Committee unanimously agreed that one standard should be developed since clarity, enforceability and uniformity of implementation would be more easily achieved.

The next topic discussed was ridgeline construction on a 'bald knob' or previously cleared area located on a ridgeline. The Committee again debated whether such construction would

be allowed in any fashion [thus a prohibition for construction within 40 or more feet from the ridgeline] or if further mitigation regulation would be appropriate. It was again unanimously agreed that additional regulation would be appropriate, including the requirement that a landscaping plan designed by a licensed landscaping architect with would include a certification from the professional that the design would mitigate scenic impacts. Alternatively, the landscaping plan could be waived if all construction were proposed to occur 40 or more feet from the ridgeline.

The Committee again reviewed at length, the Ridgeline maps contained in Part II of the Comp Plan and in particular analyzed and compared the Ridgeline Identification Without Ranking – version 2 and the Ridgeline Identification maps. Chairman Swartz agreed to contact the Comp Plan Committee consultant to clarify whether the maps revealed ALL scenic ridgelines within the Town or only those which are bald knobs. In the event the maps do not detail all ridgelines, further mapping might be necessary to assist in the drafting and review of ridgelines.

Specific examples of regulations were next reviewed and the Committee focused on the Town of Warwick example as a well-reasoned and supported model. The regulations should also include treatment of utilities and driveways. The Town's current driveway regulations should be reviewed and merged therein.

The Committee requested that Tal Rappleyea prepare a draft reflecting the above and which would include, among other things, the design, review and approval standards, and a general 'purpose' section for the May 7th meeting.

The next meeting is scheduled for April 18, 2012 at 6:30 pm at the Chatham Town Hall. However, both Chairman Swartz and Marilyn Cohen have other commitments that evening and will be unable to attend. All members were requested to consult their calendars and notify all via email regarding attendance on 4/18. Dave Everett was requested to chair the meeting, if a quorum can be met. If it appears that a quorum will not be met, the meeting will be cancelled and the next meeting will be 5/7.

On a motion by Marilyn Cohen, seconded by Donna Staron the meeting was adjourned at 8:45.