

**TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF THE DECEMBER 18, 2013 MEETING**

The meeting was called to order at 6:35 pm. Present were: Henry Swartz, Jeff Lick, Don Hegeman, Donna Staron, Aven Kerr, Mitch Khosrova, Dave Everett and Tal Rappleyea.

The minutes for the December 3, 2013, meeting were approved on a motion by Aven Kerr, seconded by Donna Staron and carried.

The Committee began with a discussion regarding Residential Siting and Design (RSDS) standards. The Comprehensive Plan recommended as good resource, the document entitled “Building With Little Compton In Mind”, which the ZIC obtained and reviewed thoroughly. An in-depth review of the contents of the resource and how it might be handled in conjunction with the zoning law then followed.

In particular, the Committee debated whether to specifically adopt each of the recommendations in the Little Compton resource as requirements or recommendations or refer to the text or the Comp Plan as it relates to this subject. Members of the Committee noted to require all the recommendations be followed, could very well result with many similar looking houses, which the Comp Plan recommends against. Additionally, both Comp Plan Committee and the ZIC have attempted to avoid being too onerous in the writing of the relevant documents and complete implementation of Little Compton could result in the very heavy restrictions common on Long Island, which causes unnecessary litigation.

The Committee then reviewed the specific recommendations from the Comp Plan regarding RSDS, which led to discussion and questions about whether such should be included in the proposed zoning law. Don Hegeman noted that the language suggested is a recommendation of the Comp Plan and could be included as a recommendation in the zoning as a tool to assist the Planning Board. Concerns were then voiced that future Planning Boards may interpret that recommendation as a requirement, which would then again lead to overly burdensome regulation. A discussion followed regarding policy vis-à-vis legal implications. Mitch Khosrova stated that his belief is that the fundamental problem with this sort of regulation is the ‘slippery slope’ it can lead to could then extend to requirements that residences must be environmentally friendly, have solar power or be required to utilize expensive state of the art insulation devices. Don suggested that it could be made as a resource for the Building Department to make available to home builders.

Henry Swartz then asked for a motion regarding how this topic should be handled. On a joint motion of Mitch Khosrova and Jeff Lick, the Committee opined that much of what is included in this recommendation has already been implemented in the new proposed zoning law, these recommendations more appropriately reside in the Comprehensive Plan and would get greater exposure on the website in that format, seconded by Dave Everett, the ZIC unanimously agreed to not include a specific RSDS section in the zoning law.

The Committee then reviewed the Density Bonus section of the Comp Plan and after an extended discussion and review, agreed that same, as written, is appropriate in all districts throughout the Town. However, the Committee wanted to have more time review and comment further on this point and agreed to table for further discussion, if necessary.

Motion by Aven Kerr, seconded by Donna Staron, the meeting was adjourned at 8:35 pm. The next meeting is scheduled for January 6, 2014, at 6:30 pm at the Chatham Town Hall.