

**TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF THE DECEMBER 19, 2012 MEETING**

The meeting was called to order at 6:30 pm. Present were: Bob Johnson, Donna Staron, Don Hegeman, Mitch Kroshova, Marilyn Cohen, Henry Swartz. Tal Rappleyea arrived at 7:20 due to an ongoing meeting he was required to attend.

Discussion of TDR (transfer of development rights) was tabled until the next meeting. October minutes could not be approved because of lack of members who had been at that meeting. November minutes were approved with Mitch voting for approval and Marilyn seconding the motion.

Marilyn related her discussion with the Planning Board regarding site plan review. Consensus was that site plan review not needed if project met all requirements. However, slopes of greater than 15% would trigger a review. *(Tal- please check with Marilyn to make sure I got this right)*

The mass meeting law was to be discussed at the next Town Board Meeting (Dec 20th). ZIC would discuss this at the January meeting.

Mitch offered the opinion that mass meeting permits are not the role of zoning but should be a permit issued by the Town Board for each event. The other members agreed.

The proposed 4 month lead time (for a permit) was considered too long.

A mass meeting permit should require a site plan review. A discussion was held regarding triggers for such a review-- time of event, number of people, duration of event being some of the possible parameters for such a trigger.

(at this point Tal joined the meeting and took minutes to the end of the meeting)

The Committee reviewed its earlier discussion and recommendations with Tal Rappleyea including that 1) the Town Board should be the reviewing body for mass gathering/public assemblage applications; 2) Site Plan review conducted by the Planning Board should be required for all such applications; and 3) There should be no connection of these applications to zoning and any approvals granted should be for one event only (no 'blanket' approvals).

The Committee then reviewed the several events which already take place in the town without a public assemblage permit, which would have to be reviewed under the proposed law. It was agreed that the exceptions would need to be expanded (to include specifically fire company events and others) as well as a 'grandfathering' clause or the development of a pre-existing list or process to be deemed pre-existing.

The applicability portion of the proposed law was then reviewed. The Committee agreed that the law should apply to events which are commercial in nature or for which an admission price or donation is expected for attendance, participation, or for the provision of goods/services. Additionally, the law should apply to events lasting 8 hours or longer and to those where attendance is expected to be greater than 300.

Other recommendations:

- Require the establishment of an escrow by the applicant to cover the Town's cost of review, event policing and clean up
- Include a "bad actor" provision wherein the Town is authorized to deny applications based upon the past conduct of the applicant in failing to abide by conditions set in previous applications/events, whether in the Town of Chatham or elsewhere.
- Parking areas should NOT be included in the minimum square footage of usable land required for each attendee on the parcel(s) on which the event is proposed to occur

Additionally, the ZIC recommended that the current requirement of 100 square feet per attendee should be scrutinized for appropriateness, including a possible consideration that a minimum of at least 5 acres of usable land for each 300 attendees be required.

On a motion by Henry Swartz, seconded by Donna Staron, the meeting was adjourned at 8:45 pm.

The next meeting is scheduled for January 16, 2013 at 6:30 pm at the Chatham Town Hall.