

TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF THE FEBRUARY 18, 2015

The meeting was called to order at 6:40pm. Those present were Aven Kerr, Jeff Lick, Donna Staron, Don Hegeman, Robert Walker, Jean Rhode, Dave Everett and Tal Rappleyea.

The minutes for the February 4, 2015 were approved on a motion by Donna Staron and seconded by Jeff Lick.

Upon the request of Jeff Lick commented, the Committee briefly reexamined the planned business development use and all confirmed that such use would Not be permitted within the Town in any district, as had previously been agreed.

The Committee next examined Adult Uses. Tal Rappleyea advised that since the Town currently does not such uses, they are permitted in all districts with just a simple site plan review, based upon US Supreme Court decisions. In order to properly regulate such uses, the Town is required to first complete a 'secondary impacts study' as it relates to the Town and then draft a local law/zoning amendment to regulate same consistent with the report. After an extended discussion, the Committee asked Tal Rappleyea to provide samples of reports and local laws from area towns to begin the process.

Other miscellaneous uses were next reviewed in-depth and addressed as follows:

Wedding/Small Event Gathering Facilities: allowed in Business and Industrial Zones only as a special use, utilizing the general standards.

Air BnB: this is such a new area/use the Committee agreed to monitor the same and see if regulation might be necessary, especially since they would be very difficult to define and regulate.

Summer Camps: since the Town has a long history of successful summer camps it was agreed that such uses should remain in their current zones/standards, but that further standards must be developed such as maximum of 50 campers, minimum of 50 acres, traffic/road bond, vegetation removal limitations and amplified sound limits.

Commercial Horse and Equine Facilities: upon the recommendation of Donna Staron and in review of the CAP, it was agreed that these site plan review, uses and definitions would track language from the NYS Ag & Markets Law and that they would be removed from the special use permit list, allowed as permitted.

Next the Committee reviewed Article VI NonConforming Uses (Grandfather clause). Section 180-45---The discussion initially centered on whether there might be any uses the Town should 'phase out' with a time limit. It was agreed that mobile homes outside of mobile home parks could not be replaced and if a mobile home were to become vacant for period of one year, it too would be not be allowed. It was also agreed that better distinction between uses, buildings and lots must be developed to make the section more clear.

Section 180-46: the one-year look back period should remain the same and the time period for the ZBA to allow resumption would expire after 3 years and the granting of any such resumption would be tied to the special use standards of review.

Section 180-47: delete last sentence. Also add that if non-conforming nature is a bulk requirement then rebuilding of the structure within one year on the same footprint would be allowed.

Section 180-48: no changes

Section 180-49: again better distinction between uses, buildings and lots. The 1/3 expansion allowance would continue but the ZBA must use special use standards for review and if appropriate the ZBA would have discretion to refer the matter to the Planning Board for site plan review.

Section 180-50: add that if the structure is damaged over 80% it must be removed as soon as practicable.

On a motion by Donna Staron and seconded by Jean Rhode the meeting was adjourned at 9:05 pm.