

TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF JULY 15, 2015

The meeting was called to order at 6:35pm. Those present were Donna Staron, Jean Rhode, Henry Swartz, Jeff Lick and Tal Rappleyea.

The minutes from the July 1, 2015 meeting were approved on a motion by Jean Rhode and seconded by Donna Staron and unanimously carried. However Jean Rhode did have a question regarding the process by which the committee had arrived at limiting the number of events to ten for commercial wedding facilities. It was explained that the bulk of this type of commercial wedding facility conducts their events outside and generally during the months of May through September, for a period of approximately 20 weeks. Thus any neighbors to the facility would have potential impact on as many as 50% of their summer weekends if the full number of ten events were utilized and therefore the committee agreed to limit the number to ten.

The final maps were again discussed and Tal Rappleyea informed the committee that he had spoken with Don Meltz who agreed to contact Columbia County Real Property Tax Map Services to update the new tax parcels on the new zoning maps and attend a meeting to discuss the final areas which were changed from RL 1 to RL2 or vice versa.

The committee then resumed its review of the Steep Slope Environmental Protection Overlay districts and the process, procedure and approval standards. A review of many nearby municipalities' efforts to define steep slopes revealed that most were in the range between 15 and 20%. A further discussion proceeded regarding the need and impact for a steep slope EPO. Additionally the comprehensive plan recommends that a steep slope EPO be developed and it recommends that steep slope be defined as a slope between 15 and 20 percent. The committee agreed to request a recommendation from the town engineer regarding this issue and to receive any comments on the proposed standards and requested that Tal Rappleyea forward a copy of both the steep slope and the scenic ridgeline EPO overlay zones and request the engineer's presence at the next meeting.

Since there will not be a map which specifically identifies the steep slope EPO but rather the percentage as measured on the ground in any particular location, then any reference to a map shall be removed from the steep slope EPO. It was agreed that the applicability section entitled "Development permit required" would be modified to include an additional sentence after the first sentence thereof which shall read "For the applicability of this section to take effect, the activity, construction or disturbance must be within the EPO district and not merely on the parcel."

An extensive discussion followed regarding the removal of exception letter H "Reconstruction of structures damaged by a natural disaster" and whether such an exception would be appropriate in the face of potential damage caused by massive erosion on a steep slope. Ultimately the

committee agreed to add the following language to that exception at the end of the sentence as "...damaged less than 50%."

The development permit paragraph was next reviewed and in sub paragraph A the town planning board would be added to the list of those authorized to request additional information. Also in paragraphs A6 and A7, the last word in each of those sub paragraphs "property" would be replaced with "environmental overlay zone or having an impact thereon".

The "Application review; public hearing; issuance or denial of permits": the committee agreed to re-write paragraph A as follows: "Upon acknowledgement of the receipt of a completed application the town planning board shall conduct a public hearing in accordance with the provisions of §180-17 site plan review.", and agreed to delete paragraph C to omit a referral to the town board.

However upon further discussion and in order to make the process more understandable and user friendly since this matter includes the site plan review process, the committee agreed to modify paragraphs A-C to make it conform with the process and procedure for site plan review applications under §180-17. However the contents of paragraph D and its subparagraphs 1 through 4 shall remain as written.

The paragraphs for performance guarantee and suspension or revocation of permits shall also be modified to be consistent with the other portions of the zoning law addressing these matters to again insure consistency throughout the document.

The committee then moved on to the steep slope EPO approval standards and repeated its request to remove references to maps and delete paragraph C under Roman numeral II Applicability and moved the definitions from this section to the dominant definitions section at the beginning of the zoning law to make it more user friendly.

Next under IV procedures for applications to CEO/ZEO the committee agreed to delete numbers 1 through 4 and replace that with the following language: "In addition to all documentation and items required under §180-17 site plan review the applicant shall provide the following:" and then start the list with number 5.

Under paragraph B review of application by CEO/ZEO paragraph 1 shall be modified to replace the words "subject property" with the following: "Activity, construction, or site disturbance". Additionally subparagraph 3 reference to subdivisions shall be deleted.

Paragraph 5: Procedures for application to planning board for steep slope site plan review, sub paragraph A5 shall be removed since this refers to ridgelines and shall be inserted in that portion, next portion of the EPO district.

Robert Walker volunteered to begin the creation of a flow chart to assist applicants in completing building permits and initial EPO analysis and potential site plan/ CEO and or planning board review.

On a motion by Donna Staron seconded by Jean Rhode the meeting was adjourned at 8:30pm. The next meeting is scheduled for August 5, 2015 and the committee shall begin the review of the process, procedure and standards for review and the EPO ridgeline/ scenic views overlay and discuss with the Town Engineer any recommendations concerning the percentage of sope and how it should be measured.