

**TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF THE JUNE 6, 2012 MEETING***

The meeting was called to order at 6:30 pm. Present were: Jean Rhode, Bob Linville, Don Hegeman, Henry Swartz, Dave Everett, Mitch Khosrova, Donna Staron, Marilyn Cohen and Tal Rappleyea. Excused: Bob Johnson.

Motion by Bob Linville, to approve the minutes of the May 16, 2012 meeting as presented, seconded by Jean Rhode and carried. Mitch Khosrova abstained, since he was not present for the 5/16 meeting

The Committee began the discussion with a review of the Residential lands (RL) districts and the language associated with Rural Design Standards (RSG) for uses within an RL-1 zone. The Committee emphasized that RSG would be utilized as a guideline provided by the building department to landowners, but not as a requirement for permitted uses in the zone.

The next use examined was Home Occupation*. The Committee briefly discussed each of the hallmarks of a home occupation and the differentiation with home businesses, including number of employees, activities, signs, etc. It was agreed that the review standards, definitions, etc., would be reviewed in depth during the analysis of Section 180-29 of the current Code*. The committee did agree that since this use will ultimately have its own section in the zoning, it should be removed from the use Chart and that further review of the language associated with “additional employees” should be removed.* Mitch Khosrova requested that Tal Rappleyea obtain a copy of the Ghent Town Code associated with Home Occupations, since his experience lead him to the belief that Ghent’s treatment of the topic is well written and resulted in good planning outcomes.

The Committee then reviewed the use of Multi-Unit Residential Dwellings. The committee agreed to do conduct the same future analysis as set forth in the June 5, 2012 meeting minutes relating to Work Force Housing.*

The Committee then reviewed the use of Small Non-profit Recreation Area. The committee agreed to do conduct the same future analysis as set forth in the May 2, 2012 meeting minutes relating to Small Non-profit Recreation Areas in Hamlet Zones.*: Following is an excerpt thereof:

The Comp Plan recommends that water consumption by Small Non-Profit Recreational Areas (SNRA) in Hamlet zones should not affect surrounding well pressures. The Committee agreed that the only way to accomplish this recommendation is through the use of “draw down” tests on the subject property and a monitoring of the surrounding wells during such test. A detailed discussion followed regarding the need, impact, cost and viability of draw down tests particularly where the nature of the proposed

SNRA requires little or no water consumption. Thus the Committee agreed to add the term “where applicable”^{*} to such recommendation.¹

This point caused a further discussion regarding the location in the zoning for this type of recommendation: the committee considered whether this type of approval standard should be found in the use chart or in a separate ‘performance standards’ section. The Committee agreed that it would be more user friendly to have a separate performance standards section and further agreed to create same with this standard (relating to the water consumption of SNRAs) and others currently in the use chart.*

The approval standard relating to a limitation on the size of the building housing the SNRA to 125% of the adjacent buildings should be modified to be consistent with Comp Plan’s recommendation. The Plan suggests that buildings in Hamlet zones should be more uniform in size and thus the language utilized in other sections of the Comp Plan “Buildings shall be in keeping with the size and scale of the hamlet community.”^{*} should also be used in the zoning law.

Next uses reviewed:

Water Storage Facility or In-ground Reservoir: The second sentence in the proposed language will be eliminated. This will be listed as requiring a Special Use Permit and will be required to conform to the RSG^{*} to be developed.

Public Buildings: This use shall be eliminated because of the case-by-case process and analysis required under the Court of Appeals case of Monroe County.

Public Outdoor Recreation Area: The Committee agreed to combine this use with the SNRA, but exclude outdoor firing ranges and hunting preserves, which should have its own category/delineated use. Members agreed to obtain Comp Plan notes relating to that committee’s intention regarding this, NRA standards for use and find other requirements, possibly in the NYS General Business Law. Design and performance standards will be created.*

At the request of the Town Board, the Committee will review the various drafts of the proposed Conservation Advisory Council Local Law at its next meeting.

On a motion by Henry Swartz, seconded by Marilyn Cohen and carried, the meeting was adjourned at 8:25.

The next meeting is scheduled for June 20, 2012 at 6:30 pm at the Chatham Town Hall.

¹ The Committee agreed to utilize asterisks [*] as an indicator in the minutes that it would return to the noted issue at the time that the performance standards section is written for inclusion therein.