

**TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF THE MAY 2, 2012 MEETING***

The meeting was called to order at 6:35 pm. Present were: Bob Linville, Don Hegeman, Bob Johnson, Henry Swartz, Dave Everett, Marilyn Cohen and Tal Rappleyea. Excused: Mitch Khosrova, Donna Staron and Jean Rhode.

Motion by Bob Linville, to approve the minutes of the April 18, 2012 meeting as presented with two changes, 1) notation that the next meeting was set for May 2, 2012 and 2) notation that Marilyn Cohen was also excused from attendance at the meeting, seconded by Bob Johnson and carried.

Tal Rappleyea informed the Committee that he is continuing the work on the final draft of the Scenic View protection overlay law and should have same ready for the May 16, 2012 meeting. He also reviewed the progress made by the Committee at the April 18, 2012 meeting.

The Committee then continued its review of the Zoning District Use tables, picking up with the Hamlet zone and the Small Non-Profit Recreational Area SUP process and definition.

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.

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.

Next uses analyzed:

House of Worship: all performance standards will be moved and readdressed later, however the committee agreed that the first sentence thereof is acceptable, but that the SUP portion of the second sentence should be deleted.* Additionally, the standard for size and scale as noted above with SNRAs will be utilized here.*

Museum and Library Use: performance standards will be moved and readdressed later.* Additionally, the standard for size and scale as noted above with SNRAs will be utilized here.*

Residential Cluster: this shall be renamed Conservation Subdivision, consistent with the rest of the Town Code. Additionally, upon review and completion of the performance standards, the Committee agreed to include more restrictive standards to mitigate any potential negative impacts.

Work Force Housing: performance standards will be moved and readdressed later.* The Committee agreed that much of the description associated with this use is of little value to the definition and/or performance standards since it does not reflect the definition set forth in the Comp Plan and such description should thus be eliminated.

Day Care: The Committee recognized that most of this use, definition and performance standards are pre-empted by NYS Law and agreed that a review of the State rules and regulations would be instructive and important on this topic.* A review and analysis of those rules and regs will be accomplished at the next meeting.

The Committee then focused on the terminology in the Comp Plan regarding the relating to Residential *Areas* v. Non-Residential *Areas*. The utilization of “area” in this setting, as opposed to “use” does not appear to be supported in any other place in the Comp Plan and thus the Committee agreed to move forward with Residential v. Non-Residential *Uses*.

The next meeting is scheduled for May 16, 2012 at 6:30 pm at the Chatham Town Hall.

On a motion by Bob Linville, seconded by Marilyn Cohen and carried, the meeting was adjourned at 8:40.