

**TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE  
MINUTES OF THE OCTOBER 2, 2013 MEETING**

The meeting was called to order at 6:40 pm. Present were: Jean Rhode, Jeff Lick, Don Hegeman, Mitchell Khosrova, Donna Staron, and Tal Rappleyea.

Jean Rhode was appointed as ad hoc Chair for the meeting on a motion by Jeff Lick, seconded by Mitchell Khosrova and carried.

The minutes for the August 21, 2013, meeting were approved on a motion by Donna Staron, seconded by Jeff Lick and carried.

The Committee briefly discussed Section 180-18 Two Single Family Units On One Lot and Section 180-20 Planned Business Development and agreed to table a final decision on these matters pending a discussion with all members present.

A review of Section 180-22 Public Utility Uses, Siting and Structures followed. Several questions and issues arose regarding the 1) the definition of a public utility; 2) bonding; 3) underground placement of wiring; 4) abandonment; 5) cohesiveness with Communications Towers law and 6) addition of screening and other types of design standards.

To address the above questions, the committee asked that Tal Rappleyea 1) obtain a definition from current NYS law for utilities; 2) import language from the communications tower law with respect to performance and abandonment bonding; 3) import language from the communications tower law with respect to time frames and controls for abandonment 4) create standards and authority for the implementation of conditions affecting screening and other design factors, including underground wiring requirements, when appropriate; and 5) clarify language in this section regarding the interplay with the special jurisdiction of the ZBA over both site plan and special use permits relating to communication towers. Mitchell Khosrova suggested that the Committee review the standards found in the Town of Malta's zoning law regarding underground wiring and other requirements.

The Committee next briefly reviewed Section 180-22.1 Communications or Broadcast Towers or Facilities and Section 180-23.1 Small Scale Mines. Tal Rappleyea reported that these sections are relatively new and current. They have been successfully and efficiently utilized several times over the past several years by the ZBA and thus may not require modification. The Committee agreed to table these sections pending a report from David Everett, ZBA chair, with respect to any needed changes.

Next, a proposed new section recommended by the Comprehensive Plan relating to ECHO (Elderly Cottage Housing) units was reviewed. A discussion followed regarding the purpose, feasibility and extent of ECHOs. Jeff Lick stated that a review this section is well timed with a consideration of Two Single Family Units On One Lot. It was agreed that while the temporariness of an ECHO unit initially seems counterintuitive in this parallel analysis, it does encourage the assistance of elderly parents by adult children and makes it more affordable to

accomplish. The Committee asked for a clarification of what types of construction are governed by Chapter B of the NYS Fire and Building Code, since the proposed section refers to that regulation as the type of construction allowed under this Section.

The Committee agreed to return to this section for further review in conjunction with Two Single Family Units On One Lot and on its' own merits.

On a motion by Donna Staron, seconded by Mitchell Khosrova, the meeting was adjourned at 8:25 pm.

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

**NB:** During a review of my notes and the code, I noticed that we missed a review of Section 180-21 Special Minimum Lot Size Provisions found on page 66 of the working document. We will need to circle back and review that at the next meeting.