

**TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF THE DECEMBER 4, 2013 MEETING**

The meeting was called to order at 6:35 pm. Present were: Henry Swartz, Jeff Lick, Don Hegeman, Donna Staron, Aven Kerr and Tal Rappleyea.

The minutes for the November 20, 2013, meeting were approved on a motion by David Everett, seconded by Aven Kerr and carried.

The Committee began with a discussion regarding whether the zoning law should have a “bad actor” component which would, among other things, act as a prohibition against the approval of any new applications before the planning board or ZBA when the applicant and/or land which he/she owns has a current un-remedied violation thereon. Following an in-depth discussion of the purpose and impact of this section, all members agreed that such a restriction should be utilized. The Committee asked Tal Rappleyea to provide examples for review.

The Committee next addressed the Planned Business Development use which was previously discussed and deleted, but tabled pending the opportunity for all members to comment, since several were not present at the time it was initially discussed. Henry Swartz stated that he had not received any further comments and thus the section would remain as deleted.

Tal Rappleyea provided samples from various other municipalities regarding lot coverage and height of buildings restrictions. The Committee reviewed samples from 5 other municipalities and agreed that the 35' restriction was universally accepted and implemented as a result of firefighting capabilities and agreed that the exceptions in the Red Hook/Rhinebeck laws should be utilized.

Section 180-25 “Coverage” limits lot coverage in all districts to 30%. The Comprehensive Plan recommends anywhere between 25 and 50% coverage depending on the zone and the use. The Committee engaged in an in-depth and extended discussion regarding the purpose and desirability of maximum coverage restrictions. It also examined the impacts and need for same in the more densely developed areas of town, including the lake front area on the east side of Kinderhook Lake. Also discussed was the strategy of approaching this issue with maximum structure coverage OR maximum impervious surface and minimum open space. Ultimately, the based upon the usage and history of applications before both the ZBA and the Planning Board, the Committee agreed to keep the 30% maximum coverage in all zones, but agreed that the Boards would remain mindful of this in future applications and make recommendation(s) in the future if changes were seen to be needed.

The Committee next reviewed an email from CEO Walt Simonsmeier regarding a new trend for private property owners to utilize barns and adjoining lands for weddings. The Committee agreed this may be a good use in certain zones and fits with the concept of adaptive re-use of farm structures. However, it also recognized that serious negative impacts such as traffic, parking, noise and septic issues might arise without proper regulation. It was agreed that a new use covering this activity would be defined and allowed as a special use permit* (with specific standards of approval¹) in certain zones.

Motion by Aven Kerr, seconded by Donna Staron, the meeting was adjourned at 8:35 pm. The next meeting is scheduled for December 18, 2013, 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.