

**TOWN OF CHATHAM, ZONING IMPLEMENTATION COMMITTEE
MINUTES OF THE FEBRUARY 19, 2014 MEETING**

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

The minutes for the January 15, 2014 meeting were approved on a motion by Jeff Lick, seconded by Donna Staron and carried.

At the end of the last meeting, the Committee agreed to begin its' review of the proposed zoning maps at the next meeting and Home Occupations thereafter and requested that Tal Rappleyea provide several examples of how other municipalities deal with this issue prior to the next meeting. However, the maps were not ready for review and thus the review of Home Occupations began.

Tal Rappleyea had previously email several samples, as requested. Additionally, David Everett distributed a commentary written by Professor Patricia Salkin (formerly the chair of the Albany Law municipal center and now the dean of Touro College Law School) regarding the regulation of home occupations (HO). Prof. Salkin recommends that general definitions be developed (which would include a list of uses that will NOT be considered as HO) and methods/performance standards written to properly regulate the uses and impacts. The recommendation also includes the splitting of HO into 2 classes: 1) smaller uses which have no impacts and which would thus be administered by the ZEO and 2) larger uses for which a special use permit would be required. Also, specifics should be developed regarding when or if the HO expires upon the sale of the property to a new owner.

Mitch Khosrova opined that Chatham and the surrounding communities have many local business people with HO or something similar associated with excavating, landscaping, etc., with the storage of vehicles and equipment outside and therefore that particular use should be addressed. He recommended that the manner in which the Town of Ghent regulates HO is very reasonable and workable. Donna Staron agreed and added that periodic checks or inspections need to be performed in order to determine continued compliance.

The Ghent Code, Article 190 was then reviewed, with a focus on the definition. Ghent also has a "Home Occupied Business" (HOB) for larger HO which occur in buildings other than the primary residence on the parcel. After an extended discussion of that law, the Committee agreed to blend the Ghent code and the current Chatham code to reach the appropriate level of regulation. There will be an HO1, HO2 and HOB, depending on the level of impact of the use, definitions will be added to cover vehicles, equipment, and retail sales. The Committee agreed to resume this discussion at the next meeting (or the meeting after that if the maps are ready for review at the next meeting).

Motion by Aven Kerr, seconded by Donna Staron, the meeting was adjourned at 8:40 pm. The next meetings are scheduled for March 5 and 19, 2014, at 6:30 pm at the Chatham Town Hall.