

TOWN OF CHARLTON
Town Board
Workshop to discuss proposed Zoning Ordinance Changes

December 29, 2014

A Town Board Workshop to discuss proposed zoning changes by the Town Board of the Town of Charlton, Saratoga County, New York was held at the Charlton Town Hall and commenced at 6:00p.m.

Present: Councilman Grasso, Councilman Hodgkins, Councilman Lippiello, Councilman Verola, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney Van Vranken.

The Board discussed the following items:

- 1) Septic Language: Councilman Grasso said that some of the public comments received suggested that the Board adopt the complete NYS 75A regulation. The Board did agree to reference the State regulation 75A and the 60 minute percolation rate, rather than the 45 minute percolation rate. He also said that the State language avoids the amendment of native soil issue, but our ordinance clarifies it. The Board did not make any further changes to the native soil language.
- 2) Solar: The Board decided that if a resident met the 50 foot setback, there would not be a need for a site plan review, and approval could be done by permit from the Zoning & Building Department. The ZBA will handle setback exceptions. On page 166, 5-CF – the Board changed the word shall to should in regards to screening. In Section 5-CB, table 4, site plan review will be removed. On page 160, the Board agreed to change small scale solar from 10 kw to 25 kw.
- 3) The Board will remove some of the language on page 56 regarding Exceptional Use Permits. The paragraph will now read: A use not listed below is prohibited.
- 4) Flood plain language on page 126: the Board did not make any changes, but will look further into the language.
- 5) 2 Acre upland for building lot: The Board was not in complete agreement about this change, therefore a decision was made to remove the language that would have required 2 acres of upland area for each lot.
- 6) Pond setback: The Board decided to change the side and rear setback for ponds to 20 feet.
- 7) Setback for temporary or portable farm stands: The Board agreed to a minimum setback of 10 feet for a farm stand with a height of 10 feet or less. For each additional foot of height to the farm stand above 10 feet, the setback will increase 2 feet. This will be added to the zoning table. The Board will work on language regarding definitions between permanent and temporary stands.
- 8) The Board agreed to soften the language on farm stands to allow for non- Town grown agricultural related items and handmade items such as quilts and farm bags.
- 9) Lot size reductions for farms: The Board felt that the reductions were appropriate. No further changes were made.
- 10) Chickens: The Board added language to say that anyone in the Ag and Res/Ag Districts can have chickens. Board members addressed concerns regarding keeping of roosters. Language will be added to address number of chickens, keeping of roosters, and lot size requirements.
- 11) Junk Boats or vehicles: The ordinance addresses cars and trucks. The Board decided not to add language about boats or other vehicles.
- 12) Changes to fee schedule: Changes can be done anytime by resolution. No changes were made tonight.

Councilman Grasso will make the changes that were decided on tonight and he will keep a record of the new changes and the pages of the new document that will be affected. The new information will be published on-line once it has been distributed to and reviewed by the Town Board.

12/29/14 TB Workshop minutes approved 1/12/15

Attorney Van Vranken discussed the SEQR review status as it relates to the proposed zoning amendments. He indicated that the Town Board had previously drafted a Full Environmental Assessment Form for the proposed amendments. The Town Board is the lead agency as it relates to SEQR. There weren't any comments raised during the public hearing process that would significantly impact the Board's SEQR review. Councilman Grasso indicated he had reviewed the draft Full Environmental Assessment Form and indicated he will update the document based on the latest round of zoning amendments. He doesn't believe the amendments will result in significant environmental impact. Attorney Van Vranken indicated that it is likely that a negative declaration is in order which will need to be completed prior to the Town Board taking action on the final draft of the zoning amendments. Councilman Grasso stated the Full Environmental Assessment Form is on file at Town Hall.

Resolution No. 188

Motion made to adjourn the Workshop

Motion made by: Councilman Verola

Seconded by: Councilman Lippiello

Vote: All Ayes, No Nays. CARRIED

The Workshop adjourned at 7:05 p.m.

Respectfully submitted,

Brenda Mills
Town Clerk