



# TOWN OF AMENIA

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## ZONING REVIEW COMMITTEE MEETING MONDAY, SEPTEMBER 11, 2017

The Zoning Review Committee met on Monday, September 11, 2017.

<b>PRESENT:</b>	Leo Blackman, Chair	<b>ABSENT:</b>	Walter Brett
	Terry Metcalfe		Peter Conte
	Nina Peek		Tony Robustelli
	Jim DeSimone		Norm Fontaine
	Larissa Delango		
	Andy Durbridge		

The meeting was called to order by Chair Leo Blackman.

Motion to approve the minutes of July 10, 2017 was made and approved by the committee.

Motion to approve the minutes of August 7, 2017 was made and approved by the committee.

**Air BnB:** Larissa Delango

In writing Ms. Delango put together recommendations and definitions and also used some of the wording from the Village of Coxsackie's code. There is already wording in our code regarding lodging facility which excludes BnB's. The difference between lodging and transient rentals is taxes and regulations. In looking at Air BnB's regulations, they state that one must look into the municipality one lives in and see what their regulation are. BnB's must have owner occupancy. If the owner of the property does not live in Dutchess County then they must have a maintenance caretaker who does. They must register with the town clerk, need building and fire inspections yearly and it regulates the number of rooms for number of people. Other recommendations would be homeowners insurance and a 24-7 contact person for compliance issues. The Town Clerk would keep the records of those establishments in the town with the Building Inspector inspecting yearly. A fee could be charged. There could be penalties for offenses. When a person registers with Air BnB they will give their personal information.

**SOLAR** Leo Blackman

Solar energy- there is a good deal of information from the State and County as New York State is committed to have 50% clean energy by 2030 hence NYS wants municipalities to update their code. The major difference for regulations and approvals is between residential and commercial systems. They define as residential as less than 25kw and commercial as more than 200kw. Between those two categories is what is called "community distribution system". The model code and application forms that NYS put forth they have residential as an as right use with very little restriction in zoning with either ground or roof mounted. Commercial solar farm to make 1 mg (100kw) would need 6 acres of solar panels. This would be enough to power 100-250 houses. Utility use defined as more than 2 mg

which would be 12 acres- enough for 200-300 homes. First consideration we would need to make is what zones would allow solar use. Where would we want solar farms? NYS recommends a site plan review with a special use permit. A ZEO would need special training for a solar farm to make sure that what is on the application is what is actually installed and safe. Sometimes it would need Planning Board review and possibly SEQRA. Some other issues beyond zones is whether there should be a minimum lot size for non-residential, land leases, buffers from natural resources ,wildlife corridors, visual impact (especially in the SPO), decommissioning panels, and soils. The NYS Model Solar Energy Law was referenced regarding what decisions the Committee would need to make. Then the committee would draft pieces of code with legal help and present to the Town Board. There would need to be a public hearing and comment period. It is also recommended to update the Comprehensive Plan. NYS has a unified Solar Permit which all who adopt this would use and this would be a starting point as changes could be made.

Andy Durbridge felt that before determining the legal aspects of code, we should tap into local experts to speak to the committee. For example Dutchess Land Conservancy or the Farm Bureau. Larissa Delango suggested having people who already own solar farms or have solar on private homes, talk to the committee about what they like and perhaps dislike.

**WIND** - No one on Committee, however, Mrs. Metcalfe sent out to the Board the submission from Norm Fontaine.

## **TINY HOUSES**

Ms. Peek stated tiny houses fall into two categories: those on wheels and those on a foundation. In both instances our code has regulations to manage both. The next step is to write a definition of tiny houses and use all those guidance documents to come up with a draft document that works for Amenia. A limiting factor would be size. NYS has a higher minimum square footage. A house on wheels would be either a mobile home or an RV and they are only allowed in one district, Mobile Home Parks. Terry Metcalfe interjected he believed that any kind of a house they would need good sewers, water and electricity, so that lot size would be more of a factor. Andy Durbridge added that when you think of square footage and minimum ceiling height, those numbers have to correlate with building codes. Leo Blackman stated that building code is more size restrictive than most tiny houses. Nina Peek added that is true only for buildings that are on a foundation. The building code does not regulate mobile homes; building codes regulate habitable area, number of windows and ceiling height. Mr. Metcalfe stated that the industries that build tiny houses are trying to define their own building codes. Because of the nature of tiny houses Mr. Durbridge continued many of the buyers are going after stranger, tiny or more unsafe houses. Mr. Metcalfe stated that in other parts of the country there are park models that are usually found in campgrounds where they are still on wheels. They must be registered as a vehicle because they still are on wheels. These park models are smaller than a mobile home. Ms. Peek stated those could be entered into a mobile home park which we have in the town. Mr. Metcalfe felt it was not fair to tell people they needed to build a specific size. Mr. Blackman said the rule was due to concern that people have a certain living standard for sanitary and bath facilities and seems to suggest that the 500 square foot seems to be what is in the code for accessory apartments. Mr. Metcalfe felt that 500 square feet may be too large to consider. There is also the issue of lot size for these tiny homes Mr. Blackman stated. Accessory rules could apply in a hybrid situation, where the parents have a large piece of property and the children put a tiny house on that property. One could make a special permit for a tiny home.

The Friday before our next meeting, each group will submit to the Secretary a draft text on their topic, which the Secretary will distribute to read over the weekend. Then we can have a conversation about what we think is appropriate for the Town on Monday.

The next meeting of the Zoning Review Committee will be Monday, October 2, 2017 at 6:30 p.m.

MOTION TO ADJOURN THE ZONING REVIEW COMMITTEE AT 7:45 P.M. was made by Leo Blackman, seconded by Terry Metcalfe

VOTE TAKEN - MOTION APPROVED UNANIMOUSLY

Respectfully submitted

Susan M. Metcalfe