

Town of New Lebanon
Zoning Re-Write Committee
Minutes – March 24, 2020

Present via tele-meeting: Deb Gordon, Tony Murad, Jim Carroll, Cynthia Creech, David Farren, Jeff Hattat, and Ted Salem

The meeting was called to order at 6:30 PM.

1. Proposed Local Law 1-2020

At its March meeting, the Town Board set 6:30 PM on April 14 for the public hearing. It is unclear if, given the health situation, that the hearing will take place.

2. Farm Definitions / Right to Farm (RTF)

Cynthia ran through a summary of the proposal that she and Jesse developed that replaced several farm-related definitions in the town's Right to Farm Law and the zoning code with those in the AML, made minor changes in other provisions to conform with the revised terms and definitions, and regarding non-commercial farm operations, proposed to make reference to "best practices" and that NYS Agriculture and Markets staff are a resource to review such operations, if requested. Contrary to the February minutes, the committee sees no other enforcement role for the town to play as regards non-commercial farms. Ted will shape the language of the proposal in the format used for referral to the Town Board.

3. Short Term Rental

The committee resumed review of the high level draft requirements for a regulation of such rentals. Tony advocated that the rules should be no different than those that would apply to multi-family dwellings and that they should not apply to what would amount to a two-family dwelling situation (e.g., renting out a room in one's house). He also questioned the need for applicants to document insurance as no other rental properties require that. Deb expressed concern about the proof of certificate of occupancy which led to discussion of what would be involved in an inspection. There was agreement that inspections focus on obvious health and safety issues such as smoke/CO2 detectors and unhindered 2nd means of egress. Ted will re-draft based on these points.

There followed robust discussion on whether any further short term rentals should be permitted in order to preserve housing stock for long term rentals and ownership. The committee has previously examined and rejected this approach, however, this discussion will continue at the committee's next meeting.

Members agreed it would be prudent hold a meeting with STR operators once committee consensus on the proposal is reached.

3. 2020 Priorities

Jeff reminded the group of the need to conform driveway width to state-required 12 feet. He previously provided zoning and subdivision references. Ted will dig those out and propose new language.

Jeff also advised that where food trucks are allowed, new state code will require localities to issue permits including inspections against state code (similar to restaurants). This begs the question whether the town should permit food trucks and how, if at all, they should be regulated. Tony questioned whether food trucks constituted a "use." Jim pointed out it is the property on which they sit that is in question. Would they then be an accessory use? This matter will be taken up at the next meeting

.The meeting adjourned at 8:10 PM

The next ZRC meeting is Tuesday, April 28 at 6:30 PM in a location or manner TBD.

Respectfully submitted,
Ted Salem, Chair