

ZRC

floats home biz law

Permit proposal draws some criticism as it heads to Town Board

By RYAN MUNKS

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At its first public meeting since November, the Guilderland Zoning Review Committee considered drafts of three local laws, one of which deals with home-occupied businesses and mixed-use development.

The law, which was discussed Wednesday, March 31, before being forwarded to the Town Board for approval would create a mixed-use designation that allows for flexibility with such developments and would permit residential and commercial uses in the same development. It also creates three levels of home occupation for businesses: permitted home occupation, in which a special use permit would not be required, and home occupation I and II, which would be permitted by special use permit.

Zoning Review Committee member and Planning Board Chairman Peter Barber said that requiring a permit for a minor home occupation "gives us a way to resolve neighbor versus neighbor disputes."

He said if one neighbor complains that another is running a business from home, the fact that a permit was issued will be useful in alleviating the concerns.

The proposal drew criticism from

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Councilmen Mark Grimm and Warren Redlich, who felt the draft was overly restrictive.

Redlich asked whether the intent of the law is to require a person to obtain a permit to have a home office, or to buy and sell goods on eBay.

"Warren, did you leave your common sense at home?" asked Barber in response.

Grimm, who was unable to attend the meeting, sent a letter to the committee saying a permit should not be necessary for a minor home occupation.

"Your proposed change would require any home business to get a newly created 'Permitted Home Occupation Permit' from the town and pay a fee. In my view, this requirement is unnecessary," said Grimm, who operates Mark Grimm Communications out of his home.

Despite the concerns of Grimm and Redlich, the committee decided to forward the law to the Town Board, which will discuss it at the Tuesday, April 6.

Committee member Regina DuBois said the board has worked on the draft for three months, and

she felt no changes should be made that night.

"I think personally this is up to the Town Board now to act on," she said.

Supervisor Ken Runion said he is in favor of moving forward with the law without amendments.

"I think the committee has worked on it for months. Also, it's a bipartisan committee. I'm going to defer to their recommendation," he said.

Runion said he expects for a public hearing to be scheduled some time in May. He said he wants to give the residents of McKownville time to review the law due to the population density of the area and the effect home occupations can have on the community.

Other proposals

In addition to sending the mixed-use development and home occupation law to the Town Board, the committee discussed two other proposals.

One would regulate the use of outdoor wood furnaces. Zoning Enforcement Officer Rodger Stone said that there are currently six such furnaces in operation that the town knows about.

Ken Brownell, chairman of the committee, said

that although there are not many of the furnaces in operation, the town is "planning for the future, especially with the cost of heating."

The law requires a permit for the furnaces, with already existing ones grandfathered in, and sets requirements for operation and conditions for the revocation of the permit.

Stone said restricting the operation of the furnaces to Sept. 1 to May 31 "may be a little too restrictive."

Barber said that the Department of Environmental Conservation is considering regulating the furnaces, and a number of municipalities already have regulations in place. He said 35 municipalities have banned the furnaces, and 28 have regulated them in some way, with 20 putting time restrictions on their operation.

The furnace proposal was sent to the Town Board for review.

The second proposal dealt with regulating temporary storage and disposal structures. However, it was tabled by the committee after concerns were brought up about the law being too restrictive to commercial properties.