

Board meeting

From: dreeb@albany.edu
Subject: Board meeting
Date: Thu, April 8, 2010 3:21 pm
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Hi Board members:

Thursday next--April 15th--a Board meeting--7pm--firehouse

Is that OK Jim?

We have an important issue to discuss--the report by the Zoning Study Committee--there was a Town Board discussion on Tuesday last--the Board went into a lengthy discussion that evening and I did what I could to indicate that the report presented some problems for McKownville.

It reduces the restrictions on business uses (home occupations) of residential properties by making the receipt of an SUP for such less cumbersome--in some cases, no hearing will be required at all, no neighbors will be informed, no public notice. Rather permission is perfunctorily granted upon filing of a request with the building department. See section "R, A and B"

I previously sent out a copy of the zoning report but another is attached.

So-- today's morning paper described a husband and wife in Sharon Springs that makes "muesli" breakfast cereal in their home--I will be able to do that in McKownville by filing a report that says--no physical change in the property will occur, the property will still be used as a primary residence, no nonresident employees will be involved, no advertising structure, no external storage of materials, no clients or customers will be at the property, no articles will be offered for sale, and a few other stipulations. As long as my wife and I do what the Sharon Springs couple does, package and sell the products at farmers markets, we will have met the requirements of the law.

Will the business bother the neighbors--I would think so--not just the running back and forth and the busyness--but because it is not a residence any longer but is something else. I have lost a neighbor and gained--Nothing.

The operator of the business gets away with out paying rent on another building and the Town loses any property tax receipts that might have been gained--the state gets its sales tax revenue and the town shares in that--the federal and state government gets its income tax receipts from the business. But the neighbors lose. And what happens to the resale value--you tell a prospective buyer of your home that the home next door is wonderful because it operates a food packaging business in its basement--I don't think so.

The next category is called HOME OCCUPATION 1 (HO1)--the one above is called MINOR HOME OCCUPATION (MHO).

This does require a hearing--a "special use permit"--it permits one non-resident employee, vehicles of clients must park on the property, and no more than two clients on the property at one time, along with other stipulations.

This one and the next clearly impact--negatively--your home.

The next category is HOME OCCUPATION 11 (HO11). This permits three nonresident employees, accessory structures are permitted, and may offer

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for sale products repaired or grown on the property.

In McKownville presently there are maybe as many as a dozen or more properties in violation of the zoning ordinance--the chiropractor at 1445 Western--the chiropractor does not live on the property and has more than one employee and vehicles of customers and employees park on Norwood and on Glenwood.

There are four "landscape" services operated out of homes on West and East Dillenbeck as well as a home in Woodscape--where commercial vehicles along with trucks with commercial signs attached to trucks are parked on the property.

There is a "deer meat" service operated out of a home on Arcadia/Upper Hillcrest, a building maintenance business operated out of a home on the corner of Knowles and Western.

There are several homes in violation of the grouper law including the Ipek home on Western and several on Western closer to the university.

And so forth.

This proposed law does nothing to help out McKownville

So what do we do--does it prevent truck delivery traffic in MHO and others--no--does truck traffic impact the neighborhood negatively--Yes. Remember that a dozen or so streets in McKownville are dead end streets--any traffic going up the street also comes down the street--that is, every car and truck has a doubling impact on neighbors.

Does it assume that sidewalks are available for customer traffic--Yes--do we have sidewalks on most of our side streets--no.

Side street parking will occur--does that negatively impact the neighborhood--Yes.

Do home occupations reduce the quality of life in the neighborhood--suppose there are fourteen of them along a dead end street of 40 homes--is this a neighborhood street at that point--No. Is it something that will attract home buyers--No. It is something else--like living on a short dead end street where there are several institutional buildings and a cemetery--it is just not a neighborhood street.

Anyway--please read the document--figure out what we should say about all of this. The Town Board hearing is May 4, 7:30.

I NEED MUCH HELP ON THIS ONE.

Don

Attachments:

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| Local Law (3-14-10).doc |
| Size: 106 k |
| Type: application/octet-stream |