**Town of Lake Santeetlah**

**Special Meeting Minutes (Zoom)**

**July 20, 2021**

Mayor Hager called the meeting to order at 10:00AM. Councilmembers Predmore, Haag, Simon, and Carlton were present for the meeting. Town Administrator Matheson Town Clerk Emily Hooper and Attorney Justus were also present for the meeting.

**Approval of the Agenda:** Councilmember Haag made a motion to approve the agenda. Carlton seconded. The motion passed unanimously.

**New Business:**

Mayor Hager explained that the review would begin going page by page through the Ordinance.

1. **Discussion of the Proposed Zoning Ordinance, Map and Application Forms:** Predmore asked if the Land Use Plan was on file at the office. There is a copy at Town Hall.

Carlton asked if the term “slowly increasing” is included in the Land Use Plan as stated in the Consistency Statement.The term is used in the Plan.

Predmore asked if Article 2 #8 should say waste management instead of “sewerage.” Justus explained the wording is directly from the Statute.

Predmore asked if a definition is necessary for, Construction in Article 5. No definition is needed for construction if it can be defined clearly in the dictionary.

Attorney Justus explained the goal for today’s workshop would be to deal with Council member’s questions from the Ordinance, Zoning Map and application forms as approved by the Planning Board but not necessarily resolve the questions. They will be further discussion at another workshop and later at a Public Hearing.

Article 5 Carlton suggested to remove the word “planning” before jurisdiction.

Carlton expressed his feelings of moving forward with the Planning Board acting as the ZBA making final decisions with the Land Use Plan. Carlton feels that the final decisions should be made by the Town Council.

In the beginning stages of this plan the Town Council discussed the Planning Board later becoming the Zoning Board of Adjustment.

The Zoning Board of Adjustment typically deals with variances, appeals and issuing special permits. The Planning Board decided to continue the issuance of special use permits and PUD’s to the Town Council.

If the word construction is defined, then that definition is controlling and would be the same in all areas of the document. This comment will be reviewed. A Zoning Permit must be authorized prior to site work or construction.

Page 7. Definition of floor. Predmore recommended it say the “top finished surface.”

Page 8. Predmore referred to the definition of height and felt that it should be changed to read, the lowest grade point existing prior to construction start adjacent to the building. This definition has been debated by the Planning Board. Local contractors helped to determine the definition as presented would be the best option for the topography of the town.

Page 9. Predmore asked for clarification, of the location of the curtain wall. The location is the perimeter.

Page 11. Definition of watercraft in parking space should not say “with or without trailer.” Carlton suggests the definition be reworded not to allow watercraft without a trailer.

Page 11. Planning Board. Carlton stressed again his concern with the Planning Board being the ZBA.

Page 14. Carlton asked about major variance and minor variance. Later in the Land Use plan a reference is made to major variance and feels that a definition is needed. Justus stated, if the variance is not minor then it is major. A definition should be added.

Carlton pointed out that the definition to Violation should have the phrase added, “after notice by the Zoning Administrator.” This would clarify when a perceived/reported violation becomes an actual violation.

Religious Institutions, Haag asked if this would prohibit individuals from having a church Bible study or gathering in their home. Is it restricted to a certain number before being named as an institution? Justus explained that it doesn’t preclude the use of a dwelling for a Bible Study that would be incidental for the overall use of that structure as a residence. If the home was turned into a church then the land use is changed and there would be restrictions or a violation.

Page 16. Ord. Ord. is referring to the Map. This will be better clarified.

Page 17 Adult Establishment. Justus explained that if it is not listed and prohibited then it is allowed.

Diana Simon asked if Single family residential homes in commercial district would need any type of permit. Carlton asked other questions about things (Single family residential…) allowed in Governmental District (water towers, town hall, parks should be GS). Justus will further review.

Page 20. Manufactural Homes Class C The “c” should be removed.

Side Set back. If it remains at 10ft. it will cause many variance requests in the future. Mayor Hager suggests it change to 5ft. with no exceptions. Predmore would be opposed to 5ft. Justus explained there would be an exception for minor variances.

Justus explained the Accessory Structures (page 24). The five feet can be an accessory structure. A shed, “separate structure,” fence, steps going to the lake that are not attached could be included in the five feet. Unattached garages are not an accessory use.

Page 21 Carlton asked why Religions Institutions were permitted in the GS district. The Supreme Court does not want religious institutions prohibited. The property owner (the Town) can then allow or prohibit the use.

Page 23. Top line on page 23. Carlton referenced that the side setbacks weren’t clearly identified as 10ft. To clarify (10-10-10) could be added. Justus will review.

The Planning Board has 5 members with one alternate. Carlton asked when does the alternate have the right to vote. Justus explained the alternate votes when he/she is sat for purposes of exercising the responsibilities of a Planning Board member who is absent. Carlton stated that this should be clearly identified in the Land Use Plan.

The workshop will be continued to August 10,2021 at 10:00AM for further discussion. The Council can continue discussion at the Council meeting on August 12, 2021. A Public Hearing can be scheduled on August 10, 2021.

Carlton made a motion to continue the workshop to August 10, 2021 at 10:00AM. Simons seconded. All others approved. The motion passed unanimously.

**Announcements:**

* The next Council Meeting will be held August 12,2021 at 10:00AM. This meeting will be held via Zoom unless otherwise notified. Information will be sent out later.

**Motion to Adjourn.**

Councilmember Haag made a motion to adjourn. Simon seconded. The meeting was adjourned at 2:33PM.

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Jim Hager, Mayor Emily Hooper, Town Clerk