

**Village of Port Henry Zoning Commission
4303 Main Street
Port Henry, NY 12974**

June 23, 2013
corrections: June 30, 2013

MINUTES of the ZONING COMMISSION MEETING held June 19, 2013, 5 PM, at the Literacy Volunteers' Office:

In attendance:

All members of the Zoning Commission
Special guest: Bill Ball, Code Enforcement Officer
Public: Frank Martin

Tonight's meeting was scheduled in order for the Zoning Commission to question Mr. Ball on zoning code issues, to obtain suggestions and input from Mr. Ball, to advise Mr. Ball of our preliminary plans, and to ask about any concerns arising from our recent readings of the Development Review Law. Most of the meeting was a general open Q&A session.

Mr. Ball did confirm that zoning laws would be helpful from a code-enforcement view. He also pointed out that establishing the initial law would usually be more difficult than amending it. Once in place, the law could be more easily amended to fit the future, and changing, needs of the Village.

John Viestenz distributed copies of the 6/19 update (working draft) of the "Preliminary Report" to the other Zoning Commission members for their review and further input. It was agreed that members would try to return their comments, additions, and corrections within the next week.

Sandra Lovell pointed out that text regarding subdivisions was still needed, as had been previously agreed to: "All existing lots planned for further subdivision require Zoning Board approval, prior to any subdivision, even if the planned use complies with the existing zone", or similar. The intended goal is to provide protection from having an existing large lot split into multiple smaller lots, whose usage may not fit with the exiting neighborhood and the historical use of the property. Inclusion of this statement is not intended to prohibit any specific development on the smaller lots, but would ensure that an appropriate review was completed. John V. will add this text to the working draft.

---->> As of June 30, 2013, the text included in the "Preliminary Report" consists of the following three paragraphs:

In addition to the specifics covered by the above zones, the Zoning Commission recommends that the following restriction be included Village-wide, regardless of zone:

"No existing lot may be further subdivided without Zoning Board approval, even if the planned use for the sub-divided lot complies with the existing zone."

It is the Commission's feeling that regulations are appropriate to protect the nature of larger lots. While it may be appropriate to have a specific building or use on a lot, having multiple instances of the same building or use on smaller lots would not be appropriate. This simple restriction is suggested instead of more complex regulations regarding minimum lot size for various purposes, which may need to be different in different neighborhoods, based on existing typical lot sizes.

We also questioned if there was a need for a statement regarding the depth of ground-floor commercial spaces and if residential uses would be allowed in the backs or sides of buildings, on the ground floor. It was generally agreed that it could be appropriate to allow ground-floor residential use in the rear of commercial spaces, not to exceed (for example) 25% of the floor space.

The next meeting is scheduled for Wednesday, July 10th, subject to changes based on progress of updating the draft of the "Preliminary Report".