

MINUTES: Zoning Commission's inaugural meeting, 2/27/13 (as revised 3/3/13).

The Zoning Commission held its first meeting on 2/27/13, at the Village Hall.

ZC members present: Evelyn Celotti, Sandra Lovell, Jeffrey Kelly, John Viestenz

ZC members absent: Kelly King

Also present: Lohr McKinstry

Topics discussed:

1. Have we been officially appointed? Does the Village need to pass a Resolution appointing us, or has something been passed in the past, and now the specific names are being appointed? Was there an official letter from the Village, naming us to the ZC?

The text that caught my eye is "Before town board or a village board of trustees can adopt zoning for the first time, a zoning commission must be established..." on page 2 of the "Adopting Zoning for the First Time" booklet. This committee needs assurance from the Village that we are legally established (and what the Village expects from us).

Action item: John to contact Denise and Staley, to request that the above be addressed at the next Village Board meeting. Also, is an "Oath of Office" appropriate? If so, schedule such for as soon after the next Board meeting as practical, for each of the members.

2. The booklet defines our task as "making appropriate zoning recommendations for regulating future development"? Does this mean that we are to develop specific suggested zoning boundaries and suggested zoning rules? Or is there a broader question that needs to be answered first: Do we need / want zoning at all?

I ask that because I have already received some negative (and some very negative) feedback, indicating that some want NO zoning whatsoever. I don't want to ignore their views unless the Village Board has already determined that some zoning is appropriate, and our assignment is to define (or at least suggest) that appropriate initial level. Otherwise, I think we need to first reach agreement on whether ANY zoning is needed or not.

The (assumed) guidance from the Village is to establish "business zone" in the existing downtown core business area, currently covered by the Moratorium. Adjust boundaries as appropriate. Beyond that, there is (as of this time) no specific request or guidance from the Village. It may be appropriate, after Public Hearings, to recommend the zoning for the remainder of the Village (which could be as simple as "no restrictions", or as complex as those testifying suggest).

Action item: All ZC members are to list two or three or (whatever) "Pros" and "Cons"

of zoning. This will be used to start a list that can be used for public information and education, and as a reminder to the (benefits or dangers) of zoning in general. A couple of thoughts are already listed in the “Adopting Zoning for the First Time” booklet. Do you have more? Send e-mails to John V at JohnV.PortHenry@gmail.com.

3. Clarification that all ZC meetings are open to the public, but that the public can testify only at "Hearings", and not necessarily at "Workshops" (although public comment could be allowed at a "workshop" if the ZC wanted).

All meetings and workshops are open to the public. The ZC can schedule “workshops” where there will be no public comments, but a (yet to be determined) number of Public Hearings must be held later, for public comment. Public testimony can be given orally or in writing. Written testimony can be given in advance of any meetings, or after-the-fact. (Amended or expanded testimony can be provided after verbal comments).

We need to strongly suggest that anyone giving testimony look over our notes, which will be brief, and feel free to add expanded comments, to best express their views.

Workshops may allow public comment, but the workshop is not a debate forum.

Most initial meetings will be “workshops”; Public Hearings will be held later.

For hearings of the ZC, “Public” means anyone with an interest in the Village. Being a voter, or a property owner, or a resident is not a requirement. For example, a person with an “interest” could include someone from out-of-town interested in moving here. (Public Hearings at Village Board meetings, on any final proposed zoning regulations and adoption of a Local Law, are generally restricted to registered voters).

Minutes will be posted on the Village website and available (printed copies) at the Village Office.

Sandra will investigate the use of a tape recorder, and the possibility of transcribing testimony.

4. Will there be any meetings with, or guidance from, the Village's attorney?

Quote from the “Adopting Zoning for the First Time” booklet: “... the Department of State strongly recommends early consultation with the municipal attorney for legal advice relating to adoption of zoning regulations.” It is not clear to the members of the ZC if this recommendation is aimed at the ZC, or if this is a recommendation for the Village Board. We are not requesting a meeting with the Village's attorney, but we are pointing out that we have received no specific “legal advice”. **Action item:** John V to ask the **Village Board** for a response.

5. Other Action Items:

Jeff: Obtain a map or maps of the Village, for use at future meetings.

Jeff: Check on availability of the Literacy Volunteers' office for the next series of meetings.

6. Schedule future meetings:

We will probably need to have some daytime, and some evening meetings; not everyone's schedule will fit any pattern, and we need to provide opportunities for public testimony. Flexibility will remain important. It is also important that we (the ZC) do not establish any artificial deadlines. The Village has operated under several separate 6-month Moratoriums before this ZC was established. A few more months (or longer if necessary) won't matter. We will not rush to conclude our business, but we will strive to deliver a recommendation to the Village Board that is complete, and represents our best judgment, after considering all of the public comments.

Plan to meet "about every-other-week". Days and times will vary.

Next meeting: (We discussed the possibility of using space at Literacy Volunteers. After later investigation, the date of the next meeting has been re-scheduled for WEDNESDAY, March 13th, at Literacy Volunteers' office on Broad Street).

Other Discussions and Public Comment: Lohr McKinstry expressed his support for our efforts to obtain public input and to attempt to resolve the uncertainty surrounding the current Moratorium. He pointed out some examples, from other localities, of the conflicts that can arise from zoning discussions.