

## Minutes of the Zoning Commission of the Town of Caroline Meeting on Tuesday, April 26, 2022

The meeting was called to order at 7:15 p.m. by Jean McPheeters, chair.

### Attendees:

Zoning Commission Members: Michele Brown, Ernie Bayles, Barbara Knuth, Bruce Murray, Bill Podulka, Jean McPheeters

Others: Town Supervisor Mark Witmer

Excused: Val Warke, Tim Murray

Attendees: There were approximately 10 people on Zoom and 2 people attending at Town Hall.

- 1) Privilege of the Floor: Opportunity to bring forward matters of concern.  
Sylvia Short said that she feels that NYS laws and rules already protect the people and the land and that zoning is not needed. Caroline is more than 200 years old and had done fine without zoning.  
Peter Hoyt said that no one on the Zoning Commission understands farming and that it would be a good idea to add a farmer to the commission. Spoke about the report from the Agricultural Committee. Jean McPheeters noted that she had forwarded the report to the ZC members and would read the articles. The committee report noted that tax incentives would be a useful way to keep land in agricultural uses. (N.B. The report and links to several articles will be posted on the Town website.)  
Rebecca Phillips spoke and asked "Can you prove that we've been negligent and abusive in taking care of the town? Prove to us what is negligent?" Jean McPheeters responded that the Town Board's charge to the zoning commission had nothing about negligence in it and in no way has negligence ever been mentioned by anyone to or by members of the commission. Ms. Phillips asked that her question be posted with an answer by the ZC.
- 2) Approval of Minutes of the April 14 meeting was postponed until the next meeting.
- 3) Town Council Report: Tim Murray was unable to attend. Supervisor Witmer reported that the Town Council would be meeting next May 4<sup>th</sup> for its agenda meeting.
- 4) Jean reported that the Review Board would be meeting to look at the Site Plan Review and our suggested changes. They were planning to meet on May 11<sup>th</sup>, but that may change.
- 5) We then began discussing some issues that remained:

Mining: The H.L. Robinson gravel mining company had asked that we include some definitions of mining and that it be included in the use tables. We agreed to include mining in the use table with either a Special Use Permit or Site Plan Review (5-1 Bruce Murray voted Nay.)

Here are the definitions that we agreed upon. (The exact wording will be reviewed at the May 3 meeting.)

Mine – The excavation or extraction of earth, sand, gravel, stone, clay, loam, humus, top soil or other earth material from a lot and removal thereof from that lot and any of the related land use activities engaged in during the removal activities such as blasting, construction

and use of processing and accessory buildings, building and use of access roads, use of trucks and equipment, placement of barriers and other similar structures, clearing of property, or removal or placement of trees, vegetation and earth material.

Mine, Small Size – A mine that removes less than 250 cubic yards of earth material in twelve (12) consecutive months.

Mine, Moderate Size - A mine that removes between 250 cubic yards and 750 cubic yards of earth material in twelve (12) consecutive months. It shall also include mining operations in connection with construction of improvements, changing of contours, and grading of lots in an approved subdivision, or on a parcel associated with an approved Site Plan provided that no more than seven hundred and fifty (750) cubic yards or 1,000 tons or less of earth materials are removed from the lot; or for construction of a pond.

Mine, Large Size – A mine that removes more than 750 cubic yards (1,000 tons) of earth material within a period of twelve (12) successive calendar months. Large size mines are also those regulated and permitted by NYS DEC Mined Land Reclamation Law.

#### Setbacks and Right of Way

After discussion regarding how the state, county and town measure lot lines (whether from center of the roadway), we agreed to remove front setbacks from the use table. Unanimous

#### Water Resources Overlay

The current overlay shows several lines in from the center of creeks. For instance, in the Six Mile Creek area in Slaterville, there is a line 50 feet from the Center of the Creek, another 100 feet, and a third that was 200 feet. These represent the Riparian Buffer, the Setback Area, and the Overlay Edge, respectively. After much discussion we agreed to decrease the Overlay Edge to 125 feet. Unanimous

We agreed to have an extra meeting on 5/3/22 at 7:15 p.m.  
The meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Jean McPheeters