

## Minutes of the Zoning Commission of the Town of Caroline Meeting on Tuesday, January 31, 2023

The meeting was called to order at 7:04 p.m. by Jean McPheeters, chair.

Attendees:

Zoning Commission Members: Ernie Bayles, Michele Brown, Barb Knuth, Bruce Murray, Jean McPheeters

Clm. Tim Murray, liaison to the Zoning Committee

Others: Town Supervisor Mark Witmer and Nan Stolzenburg

Excused: Bill Podulka

Note: Ernie Bayles, Bruce Murray, Jean McPheeters, Barb Knuth, and Supervisor Mark Witmer were inside the Town Hall. Therefore, four members attended in an announced place, thereby establishing quorum. Michele Brown joined us via Zoom.

Nan Stolzenburg attended by Zoom.

1. Privilege of the Floor:
  - a. Ken Miller spoke about the upcoming public hearings.
    - i. Asked that these meetings be pushed out at least 3-4 weeks from now.
    - ii. Make sure that in the draft law grandfathering is noted.
    - iii. Wondered if the draft law will be sent to the Farm Bureau and Ag and Markets.
2. The minutes of the January 17 meeting were moved (Bayles/Knuth) and approved unanimously.
3. Town Council Report: Councilman Murray noted that the Board passed the new Code Enforcement Law with the new state regulations at the last board meeting. Also, that all 3 sites being considered for the highway building are feasible; however, the current site has been chosen. The town is just beginning to receive bids for this project.
4. Agenda items:
  - a. We reviewed the final version of the Preliminary Report and made a few minor changes.
  - b. A note was passed to a Zoning Commission member and we agreed that it was noted that it is inappropriate for members of the public and the commission to pass notes in private at these meetings.
  - c. Jean moved the resolution to hold public hearings (attached). It was seconded by Barbara Knuth. Barbara said that the work on this draft zoning law has been "hard, informed and deliberate." There have been two years of Task Force work and the Comprehensive Plan work before this. There has been great discussion and lots of input. It is time to share this with the public.
  - d. Bruce Murray spoke and said that the comprehensive plan was not done well, not enough input. He also felt that the Zoning Commission has not sought enough legal advice, and that several issues, such as the Conservation

Subdivision, were pushed through. He also said we had not followed the “Adopting Zoning Laws for the First Time” booklet closely enough.

- e. Michele Brown said that the Commission held a discussion on Conservation Subdivision and voted to include this in the draft law, and that nothing had been swept under the rug.
- f. Ernie Bayles said that he agreed that the Commission has done an enormous amount of work and has done our due diligence to formulate a zoning law.
- g. Barbara Knuth pulled up the Coon Series booklet “Adopted Zoning for the First Time,” and noted that it lists the following steps:

*Step 1: Creation of the Zoning Commission*

*Step 2- Performance of the zoning commission; public participation and final report;*

*Step 3- Compliance with the comprehensive plan and environmental assessment;*

*Step 4- Performance of the local governing board; notice and public hearing;*

*Step 5- Referral by the local governing board to the county planning agency or regional planning council;*

*Step 6- Enactment procedures; voting and entry into the minutes;*

*Step 7- Publication, posting, filing and effective date.*

Barbara said that we have worked on Step 2 for the last two years, and that we have sought legal advice when needed and have been cognizant of the comprehensive plan and environmental assessment (Step 3) throughout our work.

Jean then called the roll call on the resolution and the vote was 4 Ayes, 1 Nay (Bruce Murray) and 1 Absent/Excused (Bill Podulka).

We then agreed to have Public Hearings on February 22 and 28 in the evening starting at 6 p.m. We thought that we would likely need 3 hours for each. The first will be held in the Town Hall both in person and on Zoom. The second will be at the Brooktondale Fire Station and will only be in person.

We reviewed the notices that will be published in the newspaper, posted on the bulleting board in the clerk’s office, and sent to adjacent towns.

The meeting adjourned at 8:30 (approximately).

Respectfully submitted,

Jean McPheeters