

**HORICON TOWN BOARD
MEETING & PUBLIC HEARING FOR PROPOSED ZONING LAW**

**July 7, 2016
6:00 PM**

Present at meeting: Matthew Simpson Supervisor
Frank Hill Councilperson
Robert Olson Councilperson
Kenneth Higgins Councilperson
Sylvia Smith Councilperson
Krista Wood Town Clerk

Also: Gary Frenz, Bill Maltbie, Ed Taylor, Dan Freebern, Bill McGhie, Nancie Welch, Rand Fosdick, Bill and Michele Ryan, Jeffrey Belden, Tom Monaco, Rich Wondra, Pat Wondra, Laurence and Karen Meltzer, Ann Carmel, Dan Wolk, Dave Iasevoli, Andy and Harriet Singer, Bob and Jane Lewit, Jim Himoff, Brandon Himoff, Don Tosti, and several others.

Supervisor Simpson called the meeting to order at 6:00 PM and said he had one item to address before opening the Public Hearing. He received the Intermunicipal Agreement from Warren County for the boat patrol on Schroon Lake. Councilperson Hill asked if the contract specifies how many days will be covered. Supervisor Simpson said it does not.

RESOLUTION #104-2016

Councilperson Olson and Councilperson Higgins introduced Res. No. 104 and moved its adoption: **RESOLUTION TO AUTHORIZE INTERMUNICIPAL AGREEMENT FOR BOAT PATROL ON SCHROON LAKE** RESOLVED, that the Horicon Town Board does hereby authorize Supervisor Simpson to sign the Intermunicipal Agreement with Warren County for the Boat Patrol on Schroon Lake for 2016. The Board authorizes the funding for the Boat Patrol in the amount of \$2,500.00 to be taken from (A6412.4) Special Publicity.

Ayes: 3 (Olson, Higgins, Simpson) Nays: 1 (Hill) Abstain: 1 (Smith)

Supervisor Simpson opened the Public Hearing for comments on the proposed Horicon Zoning Law.

Zoning Administrator Jim Steen gave an overview of the changes that are being proposed.

There was a question as to whether septic systems are required to be inspected at the time of sale of a property. Supervisor Simpson said this is something the Town needs to look into. ZA Steen added the Septic Regulations need to be revised and that is something the Town will be addressing in the near future.

Andy Singer asked ZA Steen if he was referring to permanent or removable docks when he discussed the proposed changes to dock regulations. ZA Steen explained the Town makes no distinction between the two. Mr. Singer asked if removable docks that are put back in the water each spring are grandfathered. ZA Steen said they are and added that a permit is not needed each spring when docks are put back in. He did suggest, however, in a case where a dock pre-exists the dock regulations and a permit was never issued the property owner may want to take a picture of the dock and file it with the Zoning office so there is no issue when the dock goes back in.

Jim Himoff addressed the Board regarding the fact that group camps are a prohibited use in the R1 zone in the proposed Zoning Law. He said under the old Zoning Law group camps were a use permitted by right which allowed them to operate as they pleased in the R1 zone. Mr. Himoff said under the proposed Zoning Law, with the group camps as a prohibited use, they would need to apply for a use variance which is extremely difficult for them to obtain. He noted that the group camps are

the biggest employers in the Town, they have been around for many, many years, and are also an important industry for the area. Mr. Himoff said he finds the prohibited use to be illogical, contrary, and it really hurts the group camps. He asked the Board to change the use for group camps to conditional use so there would still be review and control by the Planning Board while allowing the camps the opportunity to utilize and expand their property.

Bill McGhie noted that under the proposed Zoning Law owners of a B&B are only allowed to serve food to guests and they would not be allowed to serve a friend that stops in to visit them. He said he does not think this makes sense. ZA Steen explained that decisions are based on what is consistent so there would not be anything to worry about.

Brandon Himoff asked about the sign regulations. ZA Steen said he plans to review the sign regulations with the Board and hopes to see them revised soon. Mr. Himoff then read a list of minor changes he asked the Board to consider making for clarification purposes in regards to definitions, use classifications, and various wording. In regards to the group camp discussion, he pointed out the camps help to preserve the lake while making it economically viable.

The question was raised as to whether or not the Board could change the use classification for group camps or if it would hold up the process of adopting the proposed Zoning Law. Supervisor Simpson said he did not feel the Board had enough information at this point to make that change because there are over 900 other parcels that would be affected. He said if this change were to be reviewed now it would hold up the adoption of the new Zoning Law, however, it could certainly be reviewed and changed later if the Board chose to do so. He said he feels it would be premature to act now.

Karen Meltzer asked the Board to change group camps from prohibited use to conditional use. She noted the Board should absolutely have the right of control, and the conditional use would allow the Board to say no at any time. She added that so many doors are closed to the camps because currently they do not even have the option to apply to the Planning Board for things they need.

Andy Singer spoke in support of the use change for group camps. He noted that he is a neighbor to three of the four camps on the lake, and he would have no objection to the group camp classification being changed to conditional use.

Laurence Meltzer supported the use change for camps because the prohibited use classification does not allow the camps to ask for the things they need. If the use were changed they would at least have the option of going to the Planning Board for approval.

Mike Raymond explained the thought process during the creation of the Comprehensive Plan, in regards to use classification, was to keep the Town Board or Planning Board from approving something that would not be beneficial to the residential zone.

Jim Himoff said the Committee that worked on the Comprehensive Plan had decided that group camps should be allowed as conditional use in the R1 zone and had included this in the draft document, but it did not make it into the final Comprehensive Plan.

Councilperson Olson said he feels group camps as a prohibited use is unwarranted, punitive, and they should be made conditional use with possibly a minimum acreage requirement. He said he would like to see the proposed Zoning Law adopted now, and then he feels the Board should aggressively review the position of the camps. He feels the Town should be doing all they can to encourage and support the camps.

ZA Steen said there are 949 other property owners that will be affected and they should be given the opportunity to be heard. He said the Board needs to do their due diligence and inform the people this use change is being considered.

Supervisor Simpson said a change like this should not be made without a public hearing to get input from other property owners in the R1 zone. He said, if the Board is in agreement, he will work with Counselor Schachner and the Zoning Administrator to discuss the options, and then the Board can schedule another public hearing. The Board was in agreement with this.

There being no further comments, Councilperson Higgins made a Motion, seconded by Councilperson Olson, to close the Public Hearing. The Public Hearing was closed at 8:00 PM.

Adjourn...

There being no further business to attend to the meeting was adjourned at 8:00 PM by MOTION of Councilperson Higgins and Councilperson Olson, all in favor.

Respectfully Submitted:

Town Clerk