

HORICON TOWN BOARD
MEETING & PUBLIC HEARING FOR PROPOSED ZONING LAW

August 16, 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: ZA Jim Steen, Bill McGhie, Bill and Michele Ryan, Laurence and Karen Meltzer, Ann Carmel, Andy and Harriet Singer, Bob and Jane Lewit, Jim Himoff, Brandon Himoff, Dennis Doyle, Joan Henshaw, Tadeusz and Kathleen Naumowicz, Gerald Byrne, Heather Granz, Lucille Guthrie, Michael Raymond, Sandy and Merl Norcross, Sally Joiner, John Roulier, Chris Norcross, Stephanie Prentiss Norcross, Georgia McMeekin, Julie Mound, Cosimo DiBari, Rich Gersten, Thad and Jane Smith, Irv Freedman, Ann Carmel, Wayne Cioffari, Dave Crum, Bernie Bolton, Bernie Hill, Teri Schuerlein, Don Butler, and others.

Supervisor Simpson called the meeting to order at 6:00 PM.

Motion made by Councilperson Hill, seconded by Councilperson Higgins, to open the Public Hearing regarding the proposed change to add group camps as a conditional use in the draft Zoning Law.

Supervisor Simpson said this change came about based on the support at the prior public hearing for adding group camps as a conditional use in the R1 zone. He explained group camps are a prohibited use in the R1 zone under the current Zoning Law, but by making them a conditional use they would have the opportunity to apply to the Planning Board for a proposed project. Supervisor Simpson explained the Planning Board has the authority to impose any and all restrictions to address potential issues, as well as having the authority to deny a project.

Supervisor Simpson then opened the floor for comments.

-Bill McGhie, Adirondack, said a conditional use application must come before the Planning Board, and he assured the Board there would be thorough review of any application. He said he supports group camps as a conditional use.

-Jane Smith, Adirondack, said she supports group camps as a conditional use.

-Richard Gersten, of Brant Lake Camp, said they appreciate Brant Lake and the cooperation they have always received; he added this is the 100th anniversary of the camp. Mr. Gersten said all they are asking for is if they have a reasonable request to keep their business vibrant they have the opportunity to get reasonable people to listen and make a decision. Mr. Gersten said the current prohibited use classification would be hurtful to the future of the camp and their efforts to remain competitive with other camps.

-Jim Himoff, of Point O' Pines, said he is in favor of group camps as a conditional use. He noted the camps have all been good citizens and when an issue arises they do what they can to work it out with the community. He said the current prohibited use classification is unreasonable and prohibitive to the growth of the camps. Mr. Himoff said he feels it is reasonable to make group camps a conditional use so the Planning Board can make the determination on what is right for the community.

-Andy Singer, Brant Lake, said he and his wife Harriet own property that is either adjoining or very near three of the four group camps, and they strongly support group camps as a conditional use.

-Julie Mound, Brant Lake, said she is a neighbor of Brant Lake Camp and has always found them to be a wonderful neighbor. She said she feels any changes the camps would consider making would be very well thought out, and she supports this change.

-Cosimo DiBari, Brant Lake, said he feels the definition of Group Camps is too vague. He also expressed concern over the possibility of higher costs to the taxpayers due to expansion of the group camps. He said he feels any costs driven by camp expansion should be absorbed by the group camps. In response to this concern, ZA Steen explained that under conditional use approval there are measures in place that can prohibit undue adverse effect on the Town and taxpayers.

-Bill Ryan, Brant Lake, said he has no objection to the expansion of the existing camps, but he has concerns about future camps that would be objectionable. He asked if the rules could be limited to the existing camps. ZA Steen said they cannot.

-Irv Freedman, Brant Lake, said many people have worked very hard on this, and he feels it is a good compromise that is good for the Town, good for the camps, and good for the people.

-Wayne Cioffari, Brant Lake, asked the camp owners what they have in mind for the land they have purchased. Mr. Himoff, Point O'P Pines, said they purchased the land to prevent development across the street from the camp, and have since thought of putting in a parking lot. Mr. Gersten, Brant Lake Camp, said they currently have nothing planned, but ten years from now that may change so they can stay relevant.

-Jack Roulier, Brant Lake, asked if the camps would be affected if their use was not changed in the Zoning Law. He expressed concern over other camps coming in. Supervisor Simpson said there is very little property in the R1 zone that would be feasible for opening a camp. He said the Planning Board has the ability to protect the Town.

-Gerry Byrne, Brant Lake, expressed concern over increased noise from the camps if there is expansion, or from potentially new camps that might open. Supervisor Simpson noted the Town does have a noise ordinance.

-Georgia McMeekin, Brant Lake, said the Planning Board needs to have guidelines to follow so the concerns of the other 900+ residents in the R1 zone are addressed. Her concern is not so much with what is here but what is in the future.

-Heather Granz asked if the Planning Board would be required to hold a Public Hearing for a conditional use application. ZA Steen responded, yes, the Planning Board would be required to hold a Public Hearing for a conditional use application.

-Mike Raymond, Brant Lake, said the R1 zone is restricted to protect the neighborhood. He said the camps are good neighbors now but that could change if any of them are sold. He said this topic was discussed during the forming of the Comprehensive Plan, and the R1 zone was restricted because that

is what the surveys showed the people wanted. Mr. Raymond said he is totally against changing group camps from prohibited use to conditional use, and feels the change is not good for the 900+ residents in the R1 zone. He said it is important to remember this is a prohibited use in the R1 zone not a prohibited use in the commercial zone.

-Brandon Himoff, of Point O' Pines, said as of 2008 the group working on the Comprehensive Plan recommended group camps be allowed in the R1 zone, and eight years later they are still waiting for this change to be included in the Zoning Law. He pointed out that single family residences are intense use, whereas the large expanse of property the camps own help keep the beauty of the lake. He added that the land they purchased across from Point O' Pines could have been subdivided and developed, so he feels for the single family residents the camps are a better neighbor because the use is not as intense.

-Dennis Doyle, Brant Lake, said the input for the Comprehensive Plan was responsive to all residents of the Town, and the residents did not want commercial development in the R1 zone. He said all commercial use was prohibited in the Comprehensive Plan because that is what the people wanted. He added that the exposure is enormous and the Town Board should deny group camps as conditional use.

-Bernie Bolton, Brant Lake, said he feels everything the camps have ever done has been good for everybody. He said he has no issues with the change, and encourage people to work tog

-Dave Crum, Brant Lake, said he fully supports group camps as a conditional use, and said people either have confidence in the Planning and Zoning Boards to evaluate a reasonable proposal or they don't.

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-Supervisor Simpson noted there are approximately 1500 residents in the Town so he does not feel the approximately 500 responses to the Comprehensive Plan survey would be representative of what the community wants.

There were no other comments regarding group camps so Supervisor Simpson asked ZA Jim Steen to explain the suggested change to the Boat Storage regulations.

ZA Steen explained that the current proposed Boat Storage regulation is extremely restrictive so the Board asked him to revise it. He has created new language, which the APA has looked at, that would be more reasonable. The proposed wording for Section 8.05 – Boat Storage/Commercial is as follows:

- A. Setbacks for commercial boat storage areas shall be the same as structure setbacks for the zone that the commercial boat storage occurs.
- B. The Planning Board may at its discretion impose reasonable conditions as it deems necessary based on a particular site plan, including but not limited to greater setbacks, vegetative screening or fencing.

The Board discussed the proposed wording briefly and agreed to accept the proposed wording for Section 8.05.

There were no further comments on the proposed Zoning Law. The Board passed the following Resolution.

RESOLUTION #120-2016

Councilperson Smith and Councilperson Higgins introduced Res. No. 120 and moved its adoption:

RESOLUTION TO ACCEPT REVISED TOWN ZONING LAW AND REFER TO ADIRONDACK PARK AGENCY

WHEREAS, the Town Board of the Town of Horicon has created a revised Town of Horicon Zoning Law, and

WHEREAS, a Public Hearing was conducted on July 7th to review the proposed amended law, and WHEREAS, the Town Board decided to further amend the new Zoning Law by adding “group camp” as a Conditional Use in the R-1 Zoning District, and

WHEREAS, a Public Hearing on the addition of “group camp” was conducted on August 16th, and WHEREAS, the Town Board wishes to obtain Adirondack Park Agency approval of the new Zoning Law in order to maintain our APA-approved Local Land Use Plan, now, therefore be it

RESOLVED, that the Town Board hereby accepts the newly revised Town of Horicon Zoning Law including the addition of “group camp” as a Conditional Use in the R-1 Zoning District, and,

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to refer the revised Zoning Law to the Adirondack Park Agency for its formal review, and

BE IT FURTHER RESOLVED, that the Town Supervisor, Town Clerk, Town Zoning Officer, and Town Counsel are hereby authorized and directed to take any and all further action as necessary to effectuate the intent of this Resolution.

Ayes: 4 (Smith, Higgins, Hill, Simpson) Abstain: 1 (Olson) Nays: 0

Supervisor Simpson explained that once the APA formally reviews the proposed Zoning Law there will be another Public Hearing.

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 7:43 PM.

Adjourn...

There being no further business to attend to the meeting was adjourned at 7:40 PM by MOTION of Councilperson Higgins and Councilperson Olson, all in favor.

Respectfully Submitted:

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There were no further comments on the proposed Zoning Law. The Board passed the following Resolution.

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Ayes: 4 (Smith, Higgins, Hill, Simpson) Abstain: 1 (Olson) Nays: 0

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Supervisor Simpson said this change came about based on the support at the prior public hearing for adding group camps as a conditional use in the R1 zone. He explained group camps are a prohibited use in the R1 zone under the current Zoning Law, but by making them a conditional use they would have the opportunity to apply to the Planning Board for a proposed project. Supervisor Simpson explained the Planning Board has the authority to impose any and all restrictions to address potential issues, as well as having the authority to deny a project.

Supervisor Simpson then opened the floor for comments.

-Bill McGhie, Adirondack, said a conditional use application must come before the Planning Board, and he assured the Board there would be thorough review of any application. He said he supports group camps as a conditional use.

-Jane Smith, Adirondack, said she supports group camps as a conditional use.

-Richard Gersten, of Brant Lake Camp, said they appreciate Brant Lake and the cooperation they have always received; he added this is the 100th anniversary of the camp. Mr. Gersten said all they are asking for is if they have a reasonable request to keep their business vibrant they have the opportunity to get reasonable people to listen and make a decision. Mr. Gersten said the current prohibited use classification would be hurtful to the future of the camp and their efforts to remain competitive with other camps.

-Jim Himoff, of Point O' Pines, said he is in favor of group camps as a conditional use. He noted the camps have all been good citizens and when an issue arises they do what they can to work it out with the community. He said the current prohibited use classification is unreasonable and prohibitive to the growth of the camps. Mr. Himoff said he feels it is reasonable to make group camps a conditional use so the Planning Board can make the determination on what is right for the community.

-Andy Singer, Brant Lake, said he and his wife Harriet own property that is either adjoining or very near three of the four group camps, and they strongly support group camps as a conditional use.

-Julie Mound, Brant Lake, said she is a neighbor of Brant Lake Camp and has always found them to be a wonderful neighbor. She said she feels any changes the camps would consider making would be very well thought out, and she supports this change.

-Cosimo DiBari, Brant Lake, said he feels the definition of Group Camps is too vague. He also expressed concern over the possibility of higher costs to the taxpayers due to expansion of the group camps. He said he feels any costs driven by camp expansion should be absorbed by the group camps. In response to this concern, ZA Steen explained that under conditional use approval there are measures in place that can prohibit undue adverse effect on the Town and taxpayers.

-Bill Ryan, Brant Lake, said he has no objection to the expansion of the existing camps, but he has concerns about future camps that would be objectionable. He asked if the rules could be limited to the existing camps. ZA Steen said they cannot.

-Irv Freedman, Brant Lake, said many people have worked very hard on this, and he feels it is a good compromise that is good for the Town, good for the camps, and good for the people.

-Wayne Cioffari, Brant Lake, asked the camp owners what they have in mind for the land they have purchased. Mr. Himoff, Point O'P Pines, said they purchased the land to prevent development across the street from the camp, and have since thought of putting in a parking lot. Mr. Gersten, Brant Lake Camp, said they currently have nothing planned, but ten years from now that may change so they can stay relevant.

-Jack Roulier, Brant Lake, asked if the camps would be affected if their use was not changed in the Zoning Law. He expressed concern over other camps coming in. Supervisor Simpson said there is very little property in the R1 zone that would be feasible for opening a camp. He said the Planning Board has the ability to protect the Town.

-Gerry Byrne, Brant Lake, expressed concern over increased noise from the camps if there is expansion, or from potentially new camps that might open. Supervisor Simpson noted the Town does have a noise ordinance.

-Georgia McMeekin, Brant Lake, said the Planning Board needs to have guidelines to follow so the concerns of the other 900+ residents in the R1 zone are addressed. Her concern is not so much with what is here but what is in the future.

-Heather Granz asked if the Planning Board would be required to hold a Public Hearing for a conditional use application. ZA Steen responded, yes, the Planning Board would be required to hold a Public Hearing for a conditional use application.

-Mike Raymond, Brant Lake, said the R1 zone is restricted to protect the neighborhood. He said the camps are good neighbors now but that could change if any of them are sold. He said this topic was discussed during the forming of the Comprehensive Plan, and the R1 zone was restricted because that

is what the surveys showed the people wanted. Mr. Raymond said he is totally against changing group camps from prohibited use to conditional use, and feels the change is not good for the 900+ residents in the R1 zone. He said it is important to remember this is a prohibited use in the R1 zone not a prohibited use in the commercial zone.

-Brandon Himoff, of Point O' Pines, said as of 2008 the group working on the Comprehensive Plan recommended group camps be allowed in the R1 zone, and eight years later they are still waiting for this change to be included in the Zoning Law. He pointed out that single family residences are intense use, whereas the large expanse of property the camps own help keep the beauty of the lake. He added that the land they purchased across from Point O' Pines could have been subdivided and developed, so he feels for the single family residents the camps are a better neighbor because the use is not as intense.

-Dennis Doyle, Brant Lake, said the input for the Comprehensive Plan was responsive to all residents of the Town, and the residents did not want commercial development in the R1 zone. He said all commercial use was prohibited in the Comprehensive Plan because that is what the people wanted. He added that the exposure is enormous and the Town Board should deny group camps as conditional use.

-Bernie Bolton, Brant Lake, said he feels everything the camps have ever done has been good for everybody. He said he has no issues with the change, and encourage people to work tog

-Dave Crum, Brant Lake, said he fully supports group camps as a conditional use, and said people either have confidence in the Planning and Zoning Boards to evaluate a reasonable proposal or they don't.

-Don Butler, Brant Lake, said he is in favor of group camps as a conditional use because the Town needs businesses. He said he also speaks for the Tri-Lakes Business Alliance who supports group camps as a conditional use.

-Supervisor Simpson noted there are approximately 1500 residents in the Town so he does not feel the approximately 500 responses to the Comprehensive Plan survey would be representative of what the community wants.

There were no other comments regarding group camps so Supervisor Simpson asked ZA Jim Steen to explain the suggested change to the Boat Storage regulations.

ZA Steen explained that the current proposed Boat Storage regulation is extremely restrictive so the Board asked him to revise it. He has created new language, which the APA has looked at, that would be more reasonable. The proposed wording for Section 8.05 – Boat Storage/Commercial is as follows:

- A. Setbacks for commercial boat storage areas shall be the same as structure setbacks for the zone that the commercial boat storage occurs.
- B. The Planning Board may at its discretion impose reasonable conditions as it deems necessary based on a particular site plan, including but not limited to greater setbacks, vegetative screening or fencing.

The Board discussed the proposed wording briefly and agreed to accept the proposed wording for Section 8.05.

There were no further comments on the proposed Zoning Law. The Board passed the following Resolution.

RESOLUTION #120-2016

Councilperson Smith and Councilperson Higgins introduced Res. No. 120 and moved its adoption:

RESOLUTION TO ACCEPT REVISED TOWN ZONING LAW AND REFER TO ADIRONDACK PARK AGENCY

WHEREAS, the Town Board of the Town of Horicon has created a revised Town of Horicon Zoning Law, and

WHEREAS, a Public Hearing was conducted on July 7th to review the proposed amended law, and WHEREAS, the Town Board decided to further amend the new Zoning Law by adding “group camp” as a Conditional Use in the R-1 Zoning District, and

WHEREAS, a Public Hearing on the addition of “group camp” was conducted on August 16th, and WHEREAS, the Town Board wishes to obtain Adirondack Park Agency approval of the new Zoning Law in order to maintain our APA-approved Local Land Use Plan, now, therefore be it

RESOLVED, that the Town Board hereby accepts the newly revised Town of Horicon Zoning Law including the addition of “group camp” as a Conditional Use in the R-1 Zoning District, and,

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to refer the revised Zoning Law to the Adirondack Park Agency for its formal review, and

BE IT FURTHER RESOLVED, that the Town Supervisor, Town Clerk, Town Zoning Officer, and Town Counsel are hereby authorized and directed to take any and all further action as necessary to effectuate the intent of this Resolution.

Ayes: 4 (Smith, Higgins, Hill, Simpson) Abstain: 1 (Olson) Nays: 0

Supervisor Simpson explained that once the APA formally reviews the proposed Zoning Law there will be another Public Hearing.

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 7:43 PM.

Adjourn...

There being no further business to attend to the meeting was adjourned at 7:40 PM by MOTION of Councilperson Higgins and Councilperson Olson, all in favor.

Respectfully Submitted:

_____ Town Clerk

HORICON TOWN BOARD
MEETING & PUBLIC HEARING FOR PROPOSED ZONING LAW

August 16, 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: ZA Jim Steen, Bill McGhie, Bill and Michele Ryan, Laurence and Karen Meltzer, Ann Carmel, Andy and Harriet Singer, Bob and Jane Lewit, Jim Himoff, Brandon Himoff, Dennis Doyle, Joan Henshaw, Tadeusz and Kathleen Naumowicz, Gerald Byrne, Heather Granz, Lucille Guthrie, Michael Raymond, Sandy and Merl Norcross, Sally Joiner, John Roulier, Chris Norcross, Stephanie Prentiss Norcross, Georgia McMeekin, Julie Mound, Cosimo DiBari, Rich Gersten, Thad and Jane Smith, Irv Freedman, Ann Carmel, Wayne Cioffari, Dave Crum, Bernie Bolton, Bernie Hill, Teri Schuerlein, Don Butler, and others.

Supervisor Simpson called the meeting to order at 6:00 PM.

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The Board discussed the proposed wording briefly and agreed to accept the proposed wording for Section 8.05.

There were no further comments on the proposed Zoning Law. The Board passed the following Resolution.

RESOLUTION #120-2016

Councilperson Smith and Councilperson Higgins introduced Res. No. 120 and moved its adoption:

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Ayes: 4 (Smith, Higgins, Hill, Simpson) Abstain: 1 (Olson) Nays: 0

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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 7:43 PM.

Adjourn...

There being no further business to attend to the meeting was adjourned at 7:40 PM by MOTION of Councilperson Higgins and Councilperson Olson, all in favor.

Respectfully Submitted:

Town Clerk