

October 22, 2019 Town Board Public Hearing Tax Cap & Zoning Local Laws & Special Meeting

Present: Supervisor Edward Bender, Councilman Marty Mason, Councilman Dan Wiley, Councilman Alan Wood and approximately 16 people.

Absent: Councilman Paul Aubertine, excused

Supervisor Bender called the public hearing to override the tax cap, to order at 6:00pm with the pledge of allegiance.

Supervisor Bender explained that the board will present a budget that will not be over the tax levy limit, so they do not need to override the tax cap.

Supervisor Bender called for public comments.

Kathy Collins – Kathy said that she was in attendance because of her concerns that the town was going to override the tax cap. She said she attended a women’s meeting and this was discussed and she wanted to attend to hear from the board. She asked the board if they were going to override, and the board told her no there was no need to. Kathy then asked if there was any need to worry. She asked the board what the reason might be that they felt the need to do this, what was the rational. She also asked where she could find out information, where she could read about the budget and the reasons for an increase. Supervisor Bender told Kathy that it is becoming more and more difficult to balance a budget, and they may need to override the tax cape at some point.

Liz Brennan – Liz said that she could not find any notices on the meeting and suggested that it be placed on the sign in front of the town office building.

Donna Essegian – Donna said that she agreed that it would be more advantageous to get information out ahead of time. She said that she reads the minutes, but did not know where the board was in the budget process

Debra Suller – Deb said that she did not know the budget was finished and wondered if it could be put on the website.

There being no further discussion, Councilman Wood made a motion to close the Tax Cap Override Local Law public hearing at 6:11pm, seconded by Councilman Wiley. All members voted AYE.

Councilman Mason made a motion to open the Public Hearing at 6:13pm on Local Law #2 the Town of Cape Vincent Zoning Law, seconded by Councilman Wood.

Supervisor Bender called for public comments.

Debra Suller – Deb told the board that she sent in comments and said that she wanted to know why the board made some of the changes that they did. She referenced changing lot size from 1 acre to $\frac{3}{4}$ of an acre; Island districts, recognizing existing neighborhoods; removal of funding for decommissioning, she feels that the funds should be available; why some responsibilities changed from Planning Board to Town Board; outside storage; and concerns with height of SWECS and the deletion of lighting restrictions.

Donna Essigian – Donna reviewed the zoning law public hearing that was held in December of 2019. She said that she had attended some of the Planning Board zoning law work sessions and they addressed issues raised. She said she is pleased at how far the zoning law has come. She said that she started with 25 questions and it was brought down to 4. She said that she was sorry this public hearing was held when more residents are away. She said that her personal opinion is to pass the zoning law as is, although she is not personally happy with some of it. Donna also suggested that a report of the Planning and Zoning Board meetings be given at the Town Board meetings. She thinks this will help with transparency and to get the word out as to what is happening.

Liz Brennan – Liz said that she felt the Planning Board worked hard on the Zoning Law. She said that the setbacks in the Riverfront district were changed to 1,000' and she wanted to know why this was done, and feels the setback should be more than this to comply with the Comprehensive Plan. Liz asked about the area along County 6 that was changed to Agricultural and wanted to know the distance from the center of the road. She talked about the Solar portion of the law and said she was glad to see restrictions for both types of projects, but she did express her concerns with projects located along Rt 12E to the village of Cape Vincent from the town of Lyme, as she felt the setback limits were not large enough, and she felt it would not be good visually as you enter the Village.

Deb Suller – Deb thanked the Planning Board for the hours they put into revising the law.

Tina Rocker – Tina asked about the setbacks for fencing, she said she did not understand why it was 1,000' and she discussed fencing in the various districts. She said she would like to see the law changed to 500'.

Councilman Wiley said that he would like to address two points. He said that he has confidence in the Planning Board and he said he doesn't understand the zoning law and he said he doesn't need to understand it. Councilman Wiley said he feels that he is not in a position to ask the Planning Board to make changes.

Councilman Wiley said that his second point is that if the resident isn't happy with the Planning Boards decision, they can appeal with the Zoning Board of Appeals. He said they make exceptions along the way and he wants the Zoning Board to stretch regulations if it makes more sense.

Councilman Wiley said that he supports the Planning Boards decisions regarding the Zoning Law.

Liz Brennan – Liz said that she still has an opinion which is that she feels this law is not the best for our community.

Donna Essegian – Donna said that she does not want the entrance to our town to be like Alexandria Bay. She wants to protect our positive viewing. Donna said that she feels that overall; it is a good zoning law.

Bob Martin, Planning Board Chairman – Bob said the he feels that it has been great to work with the Town Board and he thanked all of his members. He thanked them for their commitment to the revisions over the last few years and their many hours of research. He thanked the Town Board for their support.

Supervisor Bender said that the town board would not be adopting the zoning law at the meeting as they are waiting to hear back from the Jefferson County Planning Department. He said that they are reviewing the final draft copy at their November meeting and the town board can adopt after that.

Dick Macsherry – Dick said that the County Planning Board needs to review the solar portion, and he said they feel it is beneficial for the County Planning Board to comment on the Law.

Councilman Wiley made a motion to adjourn at 6:43pm, seconded by Councilman Mason.
All member voted AYE.

Councilman Wood made a motion to adjourn at 6:47pm.

Michelle Bouchard, RMC – Town Clerk