

# Town of Slaughter Beach | MINUTES

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Meeting date | time 7/28/2014 1:00 PM | Meeting location Slaughter Beach Fire Dept.

Meeting called by Bill Krause, Mayor

Type of meeting Special Workshop Meeting

Facilitator Bill Krause, Mayor

Minutes Prepared by Kathleen Lock

## Attendees

Bill Krause, Mayor

Amy Parker, Vice Mayor

Jackson Gingrich, Treasurer

Kathleen Lock, Councilperson

Bill McSpadden, Committee chair, Zoning Committee

Barrett Edwards, Town Attorney

## AGENDA TOPICS

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### Order of Business

1. Call meeting to Order
2. Approval of meeting agenda
3. Introductions and announcements – this is the final workshop meeting with Council, SBZO amendment committee chair Bill McSpadden, and Town Attorney to address final questions and clarification of document for SBZO amendment. Minimal public comment will be accepted. When final draft is prepared by Town Attorney and ready, there will be a public meeting with proper notice.
4. Discuss and vote on filling the open cleaning position to clean and maintain town public restroom and pavilion. Discussion of possible candidates. Resident Holly Masten has shown interest. Discussion and vote on contract, hours and pay.
5. Slaughter Beach Zoning Ordinance (SBZO) – address any final areas that require further work and clarification, discuss remaining issues in the amending process, such as zoning maps and zoning commission.
6. Presentation and discussion of FOIA rules by Town Attorney.
7. Update on recycling bins located on fire company property.
8. Adjournment

Prepared by Mayor, Bill Krause

Posted July 21, on town bulletin board

At 12:00 noon

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1. *The meeting was called to Order at 1:00 p.m. by Bill Krause, Mayor.*
  2. *Approval of meeting agenda, motion made by Jackson Gingrich, seconded by Amy Parker. Motion was carried unanimously.*
  3. *Introductions and announcements. Mayor Bill Krause introduced Barrett Edwards, Town Attorney, and Bill McSpadden, SBZO chairperson. Mayor Krause noted that there was a quorum of Councilpersons present. Glenn Stieffenhofer was absent.*
  4. *There was some discussion regarding the hours of operation and cleaning requirements for the restrooms and pavilion. It was determined that the opening hours for the restroom that were published in the newsletter are 7:00 a.m. through 8:00 p.m. Monday through Sunday, April 1 through October 31st. Hollie Masten, a town resident, acknowledged that she was interested in undertaking a contract with the town. A motion was made by Bill Krause to execute a contract with Hollie Masten at a cost of \$900 for the months of August and September, and \$600 for the month of October. The motion was seconded by Jackson Gingrich and passed unanimously. Jackson Gingrich will prepare the contract and present it to Ms. Masten.*
  5. *Comments regarding changes to zoning ordinances*
    - a. *Bill McSpadden updated the Council on proposed changes to the zoning ordinances.*
    - b. *Dan McCarthy asked if zoning change on the Rafter property from commercial to commercial/residential was accomplished. Bill McSpadden confirmed that it was accomplished and a size limitation of 1,000 sq. ft. for the convenience store would be incorporated.*
    - c. *Bill McSpadden confirmed that all subdivisions of existing lots would have to conform to new lot size.*
    - d. *Barrett Edwards confirmed that there are "a handful of changes from the last meeting and that prior to the public meeting, all changes to the zoning ordinances should be highlighted so that the public is aware of proposed modifications". New redlined version makes it easier to identify changes.*
    - e. *A discussion ensued about who will be responsible for preparing maps for inclusion in the zoning ordinances and for larger maps to be shown at a public hearing. Bill McSpadden reported that Mr. Bob Nash, a surveyor, will prepare the revised maps. The maps have not been redone since nobody knew what was being revised*
    - f. *Bill McSpadden reported that the permitting process must change drastically in order to comply with FEMA requirements, and the job requirements for the Building Inspector will increase. The Building Inspector must identify what the process was vs. new requirements.*

- g. A discussion ensued about how best to notify residents of any impacts to their properties due to changes in the zoning ordinances. Bill McSpadden replied that many of the changes should not conflict with the pre-2012 zoning ordinance. There may not be any parcels where zoning requirements will adversely impact the property owner, e.g., increasing lot size, but we will need to inform residents of ordinance changes. Any property owner that is adversely impacted must be notified of said impact.
- h. It was determined that the Council will send out a notice to all residents. In order to comply with requirements, we will also post an appropriate notice in the newspaper 15 days beforehand, and post notices on the billboard and website. Notices must be mailed to the property location 30 days prior to a public hearing. Notices must also go out to non-property owning residents.
- i. Barrett Edwards stated that we need to have a public hearing and all maps should be done prior to that time so that compliance with all ordinances can be accomplished at one time.
- j. Amy Parker asked the Town Attorney about the number of people who should sit on the zoning commission. Barrett stated that it must be an odd number -- either 3 or 5 residents.
- k. Jackson Gingrich stated that he was confused about the difference between a café and a restaurant. Under the new ordinance, a café is limited to 1,000 square feet, while restaurant is limited to 2,000. The issue was resolved by deleting the word café in the first instance. The motion was made by Kathleen Lock, seconded by Jackson Gingrich and passed unanimously.
- l. Barrett Edwards will modify language in section 9.1.(a) to clarify that a review by the Town prior to issuance of Certificate of Occupancy will be limited to setbacks and zoning requirements. Bill McSpadden added that this final review will help to ensure that the Town collects elevation certificates, etc. in keeping with FEMA requirements.
- m. Amy Parker will check with Bob Clendaniel to make sure that we are not forgetting anything in 9.1 that is listed on website (as previously negotiated with FEMA).
- n. Barrett Edwards will make sure that the Slaughter Beach website lines up with the paperwork listed in section 9.1, Certificate of Occupancy.
- o. A brief discussion was held regarding impact fees. Barrett Edwards stated that impact fees would require a separate ordinance. He's done some research but was not prepared to discuss particulars at this meeting and believes that we should move ahead with the zoning ordinances without waiting to incorporate the impact fee ordinance.
- p. The Town will redo flood ordinance in the near future. The height limitation will remain as is until new floodplain maps are released by FEMA and the Town revises floodplain ordinance.

- q. A discussion ensued about whether railings are included in the height limitation. There was some disagreement about the language and whether it required clarification. A motion was made by Kathleen Lock, and seconded by Bill Krause to include railings in the height limitation. The motion was passed 3-1, with Jackson Gingrich opposed.
- r. A discussion ensued about the definition of Family. A motion was made by Bill Krause and seconded by Jackson Gingrich to include the number of unrelated persons that may form a family unit from 3 to 5.
- s. Some discussion ensued about placing windmills in a residential area, since they are allowed in a Conservation-Agriculture (C/A) zoning district. It was determined that windmills are not allowed in a residential zoning district.

6. Pertinent FOIA rules:

- a. Meeting agendas must be posted 7 days in advance
- b. Agenda can be amended
- c. Agenda must describe what actions are anticipated
- d. Meeting can deviate from agenda if a discussion naturally leads to another topic
- e. Anytime there are 3 or more people working on town business, an agenda must be prepared and the meeting must be held in a public place
- f. Committees of 2 can meet without an agenda. Committee meetings of 3 or more must follow 6.e, above
- g. Rules on holding executive sessions are cumbersome. Contact Town Attorney if one is anticipated.
- h. FOIA requests – contact Town Attorney to see what must be turned over
- i. FOIA fees – default to state fees
- j. Place to submit a FOIA request must be listed on website
- k. Councilmembers should have separate email on central web server
- l. If something is not on the agenda, Barrett makes the following recommendation: if it involves money, put it off until the next meeting. All important decisions should be put off until the next meeting. Ordinary and customary business doesn't have to be put off.
- m. Barrett Edwards said there is some flexibility in dealing with exigent circumstances.

7. *Recycling bins. Fire Dept. asked that bins are removed. In follow-up discussions with the President, he asked that we wait until the Department's meeting on August 5<sup>th</sup> before taking action. If the Fire Company so votes, the recycling bins will be removed.*
8. *Motion to adjourn made by Amy Parker, seconded by Jackson Gingrich. Motion passed unanimously.*

Attachment: Sign-in sheet