

Minutes of the Regular Meeting of the Silver Lake Planning Commission held on Monday, February 25, 2019, 6:00 p.m.

Planning Members Present: Stoiber, Ciraldo, Brown & Lapolla

Planning Members Absent: Heintz

Others in attendance: Suzanne Lipan, Administrative Assistant

Call to Order

Mr. Stoiber, Vice-Chairman, called the meeting to order and asked for a roll call of members.

Approval of Minutes

Due to the length of the February 11, 2019, meeting minutes, the Commission will bring them out at the next scheduled Planning meeting for approval.

Commission Discussion

The following is a summary of Planning's discussions tonight along with the actions, both individual and collective, that we're agreed upon to pursue over the next two weeks.

Note: Mr. Heintz is away but is being kept abreast of the subject matter and will be weighing in via text with the members of the Commission.

Riparian setback issue

- Those in attendance unanimously agreed that the lakes should be removed from the riparian setback provisions as their inclusion was not considered appropriate when the original county regulation was formulated and their inclusion here, as demonstrated by the Steere property submittal, would be an unnecessary imposition on lakeside residents. As per the Stoiber markup provided to committee members all references to the lakes will be stricken from the text in our recommendations to Village Council.
- Ciraldo raised the issue of a stream that might show up on one or more of the maps indicated as the data upon which a stream is designated as being subject to this section, but which may have, more recently than the last update to the mapping, been altered so that it no longer exists or be subject to significant flows. Stoiber noted that such a condition would be cause for an appeal and would be addressed by SWCD during the site visit required to evaluate the merits of the appeal.
- To address the confusion caused by the terms "structure" and "use" in the section 1169.07 concerning non-conforming use, and considering the Village Solicitor's conclusion that the intent of those terms for purposes of this issue was to limit expansion of impervious cover,

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we agreed that we should replace those two terms with the single term “impervious cover” and reference the definition of that term in the definitions section. We did not discuss, but I think it is something that is required, is that we should revise that definition to coincide with the definition we have in 1103.03(e) so that we are consistent. Denny is to mark up new language for the group’s review and input.

- In response to the Solicitor’s comments relative to the language “lawful non-conforming structure”, we see no reason to include that within the text. We would like your comments on any legal need for this, Jeff.
- In 1169.07(c) we agreed that (1) through (3) should be deleted the text of the remaining sentence should refer 1169.09 for the specific requirements.
- In 1169.08 there was much discussion relative to the proposal to revise the appeals procedure to coincide with that of the county ordinance: that if the applicant decides to appeal the original Summit SWCD riparian delineation, that appeal goes to SWCD for review and report of findings. Concerns voiced were the appropriateness of making the decision on revision of the delineation at the local level and the concern about delays that might be encountered by second review by SWCD. Stoiber noted that, at the county level, the initial delineation as well as any reevaluation stimulated by appeal, are done before the application ever gets to County Planning Commission for review. The application then includes SWCD’s report and recommendation for Planning Commission consideration in making the final ruling. Suzanne noted that she has the forms for both the initial delineation and the appeal. She will provide the first form to any applicant whose address is on the Riparian Setback list. She will provide the second form if the applicant decides to appeal. Ciraldo recommended that the procedure text be revised to indicate the sequence of events so that it is clear to applicants how the process will proceed. Stoiber will create language for the group’s review and comment.
- These changes will be further exchanged/reviewed by the group via email in the next two weeks so that we can have a markup at our next meeting that we can agree to.

School Property Issue

- All agreed that this is a much more complex situation that the very simplified solution of rezoning to residential would suggest. Considering the Heintz remarks on that topic along with similar thoughts on the part of all members present at the meeting, we agreed that each member will create a list of possible approaches to the disposition of the land along with the pros and cons of each. We will share our lists with the other members via email to stimulate more discussion for the next meeting. Meanwhile, members will attempt to obtain any data or information that may bear upon this planning process, in as discrete a way as possible. Information on school attendance, as-is property value, building condition, residential development land value, political influences, rezoning options that might help to protect against undesirable reuse of the existing building, etc. would be valuable to us in suggesting options to Village Council.
- We will continue discussion at the next meeting.

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Adjournment

MOTION:

Mr. Brown moved and Mr. Lapolla seconded to adjourn.

Yes Votes: Mr. Stoiber & Mr. Ciraldo

No Votes: None

The meeting adjourned at 7:05 p.m.

 4.8.19

Denny Stoiber
Vice-Chairman

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