

Minutes of the Regular Meeting of the Silver Lake Planning Commission held on Monday, June 24, 2019, 6:00 p.m.

Planning Members Present: Stoiber, Brown, Lapolla, Heintz

Planning Members Absent: Ciraldo

Others in attendance: Mayor Bernie Hovey
Solicitor Bob Heydorn
Suzanne Lipan, Administrative Assistant
See attached sign-in sheet for others in attendance.

Call to Order

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

Approval of Minutes

Approval of the minutes of the March 11, 2019 meeting.

Commission Discussion

Mr. Heintz said that Mr. Ciraldo is was not in attendance due to the birth of his grandchild. We send him our hearty congratulations.

Plan 2019-10 ~ Mrs. Tracy Smolic, 3003 Harriet Road, Lot 34, Silverview Est Reallotment.

Application to install a freestanding Intex 85 inch PureSpa Bubble Massage Spa (6 person), that will be placed on the existing deck in the rear of the house. The hot tub will have locks. This is a conditionally permitted use. Neighboring property owners have been notified.

The application and accompanying drawings were circulated to the members of the Commission. Mrs. Smollett was in attendance and discussed the location of the spa. She indicated the hot tub holds 200 gallons of water and the lid has locks. No neighboring property owners were in attendance. There being no further discussion by the Commission, Mr. Stoiber made a motion to approve the application. Mr. Lapolla seconded and the motion was unanimously approved.

Plan No 2019-11 ~ Mr. and Mrs. Alex McAllister, 3052 Kingston Circle, Lot 447, Silver Lake Estates

Application to erect two wood decks at the rear of the dwelling.

The application and accompanying drawings were circulated to the members of the Commission. Jason Herb from Klassic Decks was in attendance to discuss the McAllister's application. The Commission discussed this application with Mr. Herb. Mr. Stoiber visited the site. There being no further discussion by the Commission, Mr. Stoiber made a motion to approve the application

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with the condition the impervious surface worksheet be corrected and resubmitted. Mr. Brown seconded and the motion was unanimously approved.

Plan 2019-12 ~ Mr. David Keenan, 3051 Kingston Circle, Lot 438, Silver Lake Estates.

An application to place a metal roof structure over an existing patio.

Mr. Keenan was in attendance to discuss this application. Mr. Stoiber visited the site and stated the landscaping is very nice. Mr. Keenan stated the roof will be metal and the color will be dark bronze. Mr. Stoiber visited the site. There being no further discussion by the Commission, Mr. Stoiber made a motion to approve the application with the condition the fascia is to match the existing house. Mr. Brown seconded and the motion was unanimously approved.

Items for Discussion

Mayor Hovey informed the Commission his intention to erect a monochrome electric message board with brick case pillars, in front of Village Hall. The existing pole sign would be moved to another location.

Mr. Heintz said it sounds very impressive. He said it will take the place of the temporary sign that goes up periodically as the Village is making different announcements and soliciting laborers for the leaf pickup and other programs. There are provisions in the code dealing with signs in the institutional district, and it's a lot less restrictive than it is in the residential district. It seems that the basic issue is with the illumination. Mr. Stoiber said the changeable text is the real issue and Mr. Heintz asked if the sign will flash.

Mayor Hovey said it is not going to be flashing or scrolling and a message will be placed there and will stay for an extended period of time. Mayor Hovey said he realizes that the project will have to go to the Board of Zoning Appeals, but he wants to keep the Planning Commission in the loop. He said that he, Mr. Fred Johnson, and Mr. Hank Gulich have been working on this since January. He said the project is funded by funds that were raised during the Centennial, so it will not cost the Village anything.

Mayor Hovey said the sign will definitely be a good thing for the Village. It will be another way of informing the residents about what is happening. He said the current sign we're using is falling apart and believes it was purchased many, many years ago at a used equipment sale for five dollars.

Riparian Setback Discussion

Mr. Heintz said on Tuesday of last week, all but one of the members of the Planning Commission were given a tour, very graciously, by the Silver Lake Trustees, around the inside of the lake, on the pontoon boat that the Estates maintains. We looked at the extent to which there has been construction or development, or disturbance in and around the lake shore. He said some of that property, as we know from our discussion two weeks ago, is owned by the Lake Trust, which owns about three quarters of the way around the lake, up into peoples' backyards, in varying degrees of maybe 20 feet at the minimum to 40 feet at the maximum. It depends on where the survey lines

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fall. The other 25 percent or so of the lake shore is not in what's known as Silver Lake Estates, and that creates one of the many moving parts that exists with respect to this issue and how we address it, because while the Village can consider and has adopted regulations that govern both the land that is in Silver Lake Estates and not in Silver Lake Estates, there are questions. There is a provision in the Riparian Setback Ordinance that provides structures and uses within the Riparian Setback, existing on the effective date of these regulations that are not permitted, may be continued, but may not be expanded. One of the things that was discussed at the meeting two weeks ago was the idea of taking the lakes out of the Riparian Setback Ordinance. Personally, I have no support for that idea because it would leave the lake shore and surrounding property unregulated.

In going around the inside of Silver Lake last week, we learned that there have been some instances since the adoption of the Riparian Setback Ordinance, where there has been destruction of landscaping, vegetation, trees which is unhealthy for the lake as it relates to the runoff and the erosion. In going around the inside of Crystal Lake yesterday we saw there's a lot less occupancy all the way down to the Crystal Lake shore and there is an existing natural vegetation buffer that goes around the whole inside of that lake. There is significantly less storm water runoff going into Crystal Lake than there is in Silver Lake.

There are eight storm water outfall pipes that go into Silver Lake that generate a ton of water going into Silver Lake. There isn't any of that with Crystal Lake because its spring fed and so the issues that it faces are probably less ominous than the ones that Silver Lake faces. We are treating both of them as important assets of the Village, and we're going to continue to do that. Everything that the Planning Commission does will have any impact on the ordinances of the Village will be done transparently and with plenty of advance notice.

Mr. Heintz said rather than keep this item on the agenda every two weeks, we're going to take it off the agenda for the time being so that we can continue to work with the lake trustees, acquire information, continue to look at the Riparian Ordinance as it currently exists, and determine what, if any, changes need to be made so that we have something that's understandable, that's easily computable, that is fair and reasonable, in terms of how it relates to people's use of their property, and is appropriately protective of the lakes on a going forward basis.

Mr. Heintz said he is encouraged at the prospect of being able to work with the Silver Lake Estates Board, including Mr. Mike Walker and Mr. Fred Johnson, as well as the board of directors at Crystal Lake.

Mr. Heintz said it is the responsibility for citizens to remain aware of its government around them and there's a responsibility for government to inform its citizens of what it intends to do.

Mr. Stoiber said that Silver Lake has a Facebook page that could be used as well.

Mayor Hovey said we can send emails if they are provided to us. He said his personal opinion is, since the Falls News Press has changed ownership, Silver Lake has received virtually no coverage whatsoever which is not our fault. He said we advertise as much as we possibly can.

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Mr. Handelman, 2974 Silverview, said he views this issue as very important for people who have property on the lake and important to the entire Village and informing houses that are on the lake is important as well. He said that another thing that troubles him is the percentage of pollution that goes in the lake from the storm sewers of Silver Lake. Mr. Handelman asked about the property that was clear cut down to the lake. Did they not need a building permit or something to do that? Mr. Heintz said they did need permission because what was clear cut belongs to the Silver Lake Trustees. We are working with the homeowner and the Estates to resolve the issue.

Polly Bloom, 3025 Silver Lake Blvd, said it seems that we're talking about storm water, tree deforestation, and about the lake buffer. She said that all can be encompassed in the storm water issue and as a community that would also impact what we do for a finished structure, in terms of trying to reduce the amount of pollutants. I think it would be prudent, because it's hard to just solve one little piece of it, but take a look as a community.

Mr. Heintz said he was encouraged to learn about this watershed group that's been formed. Mr. Stoiber said when we first started our grassroots watershed group within the Village, we identified right away, there are three parts of the solution to our storm water issues. One is the Village, one is the Trustees, and one is individual homeowners. We set out at the very beginning to try to do education so that people could learn that, on their property, there are things that you can do to reduce the amount of runoff from your property, to reduce the amount of nutrients and pesticides and so forth that run off.

Mike Walker, 2918 Silver Lake Boulevard, said I think it's great that there's a broad recognition of the various issues that we're really dealing with in our watershed and how it affects our lake and property values.

Mr. Stoiber said just because it's not going to be on the agenda for our next meeting, does not mean that it's come to a halt. It will continue to move and evolve and at the point in time in which we have a better handle on the approach, then it will be back on the agenda and everybody's certainly welcome to come here and have their say about what we present at that time.

Mr. Walker asked about the possibility of establishing a workshop.

Mr. Heintz said you could put together a study group, or the watershed committee seems like a great starting point.

Mr. Handleman asked who owns the lake; if it's a privately owned lake; and if there is a boundary.

Mr. Heintz said Silver Lake is owned by the Silver Lake Estates Trust.

Mr. Lapolla said if you go on the GIS, the auditor, or the county website, they have a GIS map. If you look at the parcels, there's actually a line you can see on there that shows the ownership of trust land on that map.

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Mr. Heintz said just because the lake is privately owned, doesn't mean that the entity that owns it, in this case the Silver Lake Estates Trust, is somehow exempt from the law.

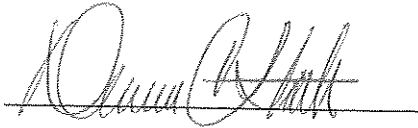
Mr. Handelman so the entire lake is owned by the Estates.

Mr. Heintz said the entirety of the lake is owned by the Estates.

Mr. Stoiber said there might be a few square feet that are not, because the shoreline of the lake does change from time to time, but the property boundaries do not. Properties on DeGruchy Drive extends into the lake by a few feet here and there.

Mr. Heintz said thank you for your attention and your interest and your participation, and we'll be continuing to work on this.

There being no further business to come before the Planning Commission, Mr. Heintz thanked those in attendance for coming and adjourned the meeting at 7:11 p.m.



for Jeff Heintz, Chairman