

LUMBERLAND TOWN BOARD & ZONING REWRITE COMMITTEE
PUBLIC INFORMATIONAL MEETING
JULY 28, 2011

The Lumberland Town Board held a joint public informational meeting with the Town of Lumberland Zoning Rewrite Committee on Thursday, July 28, 2011, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Rajsz opened the meeting at 7:05 p.m., followed by the Pledge of Allegiance.

Roll Call was administered to those Town Board members present:

Supervisor Nadia Rajsz
Councilman/Deputy Supervisor Joseph Carr
Councilman Jay Shafer
Councilman James Akt
Councilman William J. McKerrell was Absent

Also present were Town Clerk Virginia Horn, Town Attorney Danielle Jose/Decker, Heather Jacksey from Sullivan County Planning, Zoning Rewrite Committee members Lewis Powell, Greg Bodnaruik, Terri Fountain and Peter Comstock, consulting attorneys Helen & David Slottje, Kaitlin Carney from the Sullivan County Democrat, Sandy Long from the River Reporter, numerous Town of Lumberland residents and many concerned citizens from various locations.

Supervisor Rajsz stated this was an informal informational meeting to review the draft of the new proposed amended zoning laws. Supervisor Rajsz introduced the members of the Zoning Rewrite Committee, the consulting attorneys for the committee and the Town Attorney.

Supervisor Rajsz stated that anyone that would like to speak should state their name and where they are from, noting there is a sign in sheet for those that would like to speak. Supervisor Rajsz noted that they would like the Town of Lumberland residents to be able to speak first.

Supervisor Rajsz reported the Town Board needs to approve the resolution to take lead agency status for the zoning rewrite. Supervisor Rajsz read the resolution and Councilman Carr made a motion to approve, Councilman Akt seconded, all in favor, so carried.

Supervisor Rajsz deferred to the Town Attorney to explain the procedure needed to approve the amended zoning. Town Attorney Danielle Jose/Decker explained the

deadlines that need to be met, noting the Town Board will schedule a Special Meeting for August 31st to approve advertising for a Public Hearing, and another Special Meeting to hold a Public Hearing on Sept. 21st to approve the Local Law.

Supervisor Rajsz turned the meeting over to Lewis Powell, Chairman of the Zoning Rewrite Committee. Powell stated there was a sign in sheet for anyone that would like to speak, noting that Town of Lumberland residents could go first and every speaker will be given 5 minutes.

Susan Morley, Town of Lumberland resident, stated that she had a few concerns, among them that there was no table of contents for the draft and that it was rather wordy in the legal department. Morley stated that it was overwhelming and that the pictures at the back of the document were very black and not identified.

Charles Petersheim, a property owner from the Town of Lumberland and owner of Catskill Farms Builders, stated he has no way of determining what has changed from the old zoning laws to the new proposed ones because there were no red lining to indicate the changes. Petersheim questioned the regulations for gas drilling and Powell referred the question to attorney David Slottje to explain. Slottje stated that the zoning regulations sets forth what people can do, noting you would have to go to the Zoning Board of Appeals to get a variance if you wanted to do gas drilling on your property.

Susan Morley noted that the new document is basically what we are doing now but has expanded to follow newer guidelines. Morley stated that it is outlined to make everyone get everything fairly and is important for the future.

Susan Gregg from Glen Spey Thanked all the Boards of the Town of Lumberland for their work and questioned if citizens have access to the Town Attorney to ask questions? Lew Powell stated that anyone can contact the Zoning Rewrite Committee with questions, noting that the Town Clerk has any contact information.

A concerned citizen questioned if we are protected from imminent domain? Attorney David Slottje reported that the State or Federal Government can come in and claim imminent domain. Attorney Helen Slottje reported that there is a Home Rule bill before the Assembly and Senate that has not been passed yet.

Keith Gilmour from Glen Spey stated that so many people have worked hard to protect us from the gas drilling and now, more than ever, it is important to protect ourselves and we should support the town and get the new regulations done.

Charles Petersheim questioned why monies are being raised to not approve the zoning document? Attorney Helen Slottje stated that the fund raising Petersheim referred to has nothing to do with the zoning rewrite.

Mario Pruzie questioned if there was anything showing the differences between the old zoning and the proposed new zoning regulations? Attorney David Slottje reported that when any amendment is done it is usually done in certain sections, but noted that this rewrite was a substantial amendment so they did not reline the whole document. Supervisor Rajszyk stated anyone can reference to the old zoning regulations. Heather Jacksey stated that the draft of the zoning rewrite is not complete, noting they have to enter the seeker review before they can finalize the document. Pruzie questioned if there was a particular event that prompted the rewrite? Supervisor Rajszyk reported that the Town completed their Comprehensive Plan which prompted the zoning rewrite. Councilman Shafer stated that they needed to update the zoning to coincide with the Comprehensive Plan. Attorney Slottje stated the zoning rewrite was not a response to gas drilling.

Supervisor Rajszyk stated that the draft of the proposed zoning laws was on the Town website at townoflumberland.org. Supervisor Rajszyk stated that if anyone has questions please get in touch with the Zoning Rewrite Committee and Thanked everyone involved in the rewrite.

Councilman Carr made a motion to adjourn at 7:55 p.m., seconded by Councilman Shafer, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn
Town Clerk