

**TOWN OF ESPERANCE  
ZONING RE-WRITE COMMITTEE  
Meeting Minutes  
April 25, 2013**

PRESENT:

Timothy Rank, Chairman  
Raymond Gillis Sr., Vice-Chairman  
Shane Nickle, Senior Planner, Schoharie County Planning and Development Agency  
Susan Brower  
Michelle Brust  
Bill Brynda  
Jane Hickey  
Joseph J. Kopacz  
Pamela Newell  
Lisa Ovitt  
Thomas Slater

ABSENT: Ed Kulesa

The meeting was called to order by Chairman Rank at 7:35 pm. Shane Nickle handed out three items: a Draft Town of Esperance Zoning Law, a Schoharie County Agricultural Planning Guide, and an Appendix A-Village of Esperance-Use and Area Schedule. Mr. Nickle asked the committee if they would prefer a chart form, such as the Appendix A example, or a narrative form to lay out permitted land uses. There was a consensus to try a Use and Area Schedule (chart) instead of a narrative format.

The committee proceeded to discuss various issues related to the Draft Town of Esperance Zoning Law as follows:

- >A ~~double strike through~~ indicates a recommendation that the verbiage be taken out.
- >Yellow highlight means verbiage added.
- >Section 3.1 will need to be re-written to include "obtaining a zoning permit."
- >Definitions do not need to be numbered and will be moved to a section at the end of the document.
- >Kennel definition- parts of the definition go beyond definition and should be removed and relocated in another section.
- >On page 16, the highlight color needs to be reviewed and changed.
- >On page 19 regarding damaged buildings- this needs to be reviewed and updated with a provision for declaring a building damaged.
- >Esperance has a stand alone Flood Protection Law. There is only a need to reference the stand alone law in this document.
- >There needs to be a reference to 2 feet above the 100 year flood plain in this law.
- >Uses Prohibited section page 36- After initial discussion, Mr. Nickle proposed that he prepare a new section combining Summit's and the Village of Esperance's Uses Prohibited sections for further discussion.

- >Uniform Code Enforcement Officer- eliminate the word “Uniform”.
- >Zoning Board of Appeals- Keep at 5 members.
- >Use Variance and Area Variance Sections are outdated and need to be re-written to comply with New York State Town Law.
- >Currently the Zoning Board of Appeals is doing Special Use Permits, normally the Planning Board should do that function. There was agreement to change the process so that Special Use Permit requests will now go to and be processed by the Planning Board. This will keep the Zoning Board of Appeals as a truly appellate board. Page 46
- > The Telecommunications Section seems to be acceptable. Page 48
- > A Severability section was added at the end. Pages 56-57
- >Need to examine Riparian Zone Provisions for possible inclusion. Mr. Nickle will provide an example to discuss. Mr. Nickle will attempt to obtain a map of the streams in the town.

Meeting Adjourned at 8:50 P.M.

Next Meeting scheduled for May 23, 2013 at 7:30 P.M.

Respectfully Submitted,  
Thomas H. Slater