

**MOUNTAIN LAKES DISTRICT
PLANNING BOARD MEETING & PUBLIC HEARING
At the District Office and via Zoom
January 12, 2023
*UNAPPROVED***

Call to Order: Acting Chair Don Dubrule opened the meeting at 6:18 pm.

Roll Call:

- **Board:** Don Dubrule, Mike Roberts, Mike Bukowski and John Acker were present and Don Dubrule declared a quorum. Zoning Officer Courtney Lantz was absent.
- **Public Present In-Person:** Beth Foldeak **Public Present via Zoom:** Ken Huard, Mike Bonanno, Randy Berenson and Bill Clark.

Public Hearing on Proposed Zoning Ordinance Amendments:

- **Proposed Amendment No. 1 – Clean Up on Lots When Cleared:** Don Dubrule opened the public hearing and read the proposed amendment language. The Board answered questions about the definition of “slightly condition”, the Board’s intent in creating the amendment, and more. After discussion, all agreed there were no further questions.
- **Proposed Amendment No. 2 – Telecommunications Facilities:** Don Dubrule read the proposed amendment language. Mike Bonanno suggested the telecommunications owner/operator be required to guarantee at least one carrier for any tower constructed, or even better, that they guarantee two or three carriers. The Board discussed the suggestion along with the possibility that such a substantive change would require another meeting to discuss the proposed change and, if agreed on, would require another public hearing. After further discussion and agreement that there were no further questions, John Acker made a motion to close the public hearing; Mike Bukowski seconded and the motion passed.

Approval of Minutes:

Dec. 15, 2022: Mike Roberts moved to approve; Don Dubrule seconded and motion passed.

Approval of Agenda: Mike Bukowski moved to approve the agenda; John Acker seconded and the motion passed.

Zoning Permit Applications:

- **Mora – Shed:** Tabled

Permit Report Review: No ZO Report.

Incident Review Report: No ZO Report. Mike Roberts spoke of the Ferwerda permit for the home built on Lakeside Drive and the ongoing setback issue. He asked the Board for consideration and direction of where to go from here with the situation. The Board held a discussion that included the reasons and intent of setbacks and whether the abutter complained about the possible violation. Mike Roberts shared his conversation with legal counsel and said he was given a list of things MLD needed to do to take legal action. He said the list was extensive and expensive and asked if the situation could be resolved by a compromise if the violation was just a few inches. After the Board discussed measurements taken with an

electronic rangefinder and that the homeowner would not allow MLD staff on the property for standard measurements, Mike Bukowski made a motion that **he will notify the zoning officer to contact the abutter and determine their current perspective on the violation and go from there.** John Acker seconded and the motion passed.

Old Business:

- **Rules of Procedure:** Tabled

Public Comments: Randy Berenson asked about the Swiftwater property where a septic system was installed without a zoning permit and was told there was no report available. **Don Dubrule will try to get information on that incident.** Mike Bonanno asked if the Board meeting packet could be made available on the MLD website as is done for the commissioners' meetings. **Don Dubrule said he will look into it.** The Board discussed the recent Ostrander ZBA application where Section 2 was filled out instead of Section 1. **Don Dubrule said he will drop off the application to the ZBA chairperson so the applicant can be contacted to correct the application.**

ZO Comments: NONE

Board Comments: Mike Roberts said he will not run for commissioner again at the 2023 Annual Meeting so the Board will have a new ex-officio depending on election results. Don Dubrule said he will stay as acting chair until the Annual Meeting, and then will resign from the Board for health reasons. Don Dubrule said he did contact a potential new Board member but that person could not attend the meeting due to illness. Mike Bonanno thanked Don Dubrule for all his years of service on the Planning Board.

Next Meeting Date: Thursday, Feb. 16 at 6:00 pm

Adjournment: Mike Roberts moved to adjourn; Mike Bukowski seconded. Motion passed and the meeting adjourned at 7:56pm.

Respectfully submitted by,
Kristi Garofalo