

**LeRoy Township Zoning Commission**  
**March 9, 2021**  
**Working Session Meeting Minutes**

The meeting was called to order by the chair at 7 pm via Zoom.

**Members Present:** Dan Himmelman T.R. Hach, Sharon Noewer, Steve McKee, and secretary, Julie Himmelman.

**Absent:** Dane Hockman

**Guests:** Al Erickson, BZA alternate member

**Audience:**

**Minutes:** The minutes from the January 26, 2021 meeting were read. TR made a motion to approve the minutes as read. Dan seconded. Steve abstained as he was not present. All others were in favor.

**Correspondence:** none

**Zoning Inspector:** Noell was not present to give report as she was driving back from mid-state. Attorney, Ron Graham reported that the Mahr Farm sentencing is scheduled for the end of March.

**Secretary:**

**Audience: No Comments.**

**Trustees:** No trustee was in attendance.

**Old Business:**

**Website:** The new website was launched on Saturday. There are quick links to zoning minutes, regulations, FAQs including a New Build checklist from Noell and a calendar of Noell's office hours.

**Regulations Review by section:**

Section 19 – Pools: TR suggested adding language regarding maximum space between the bottom of fencing and the ground, so that a child could not crawl under. Four inches was suggested.

Section 20-Private Drive: Sharon provided a red-line of this section. She had research other jurisdictions and added a few items. She felt the need for some clarifications. Private Driveways are for Flag Lots. Sharon felt that a Private Drive should be restricted to the residence of the Flag Lot meaning no shared driveway. She also proposed: language to disallow parking of vehicles or accessory buildings of any type or size on the private drive portion of a flag lot, clarification that maintenance of a private drive is the responsibility of the owner, clear language regarding encroachment of neighboring properties, adding a minimum driveway width of 10 feet to allow access for emergency vehicles and instruction regarding the crossing of riparian setbacks. Compliance and approval language was suggested as well. Steve stated he had some personal interest in these regulations and Ron stated Steve would then have to abstain. Sharon will run the language by Noell.

Section 21 – Fences: Dane was not present, but had forwarded his comments. He made suggestions of a definition of Fence, a list of acceptable and unacceptable materials, integrating the new state law

**LeRoy Township Zoning Commission**  
**March 9, 2021**  
**Working Session Meeting Minutes**

regarding Line Fencing for agricultural, and language regarding decorative fencing of a certain length not needing a permit. The secretary confirmed there was not currently a definition.

Section 23 – Signs: There was further discussion regarding ambient constant illuminated of signs. Ron stated it would be a matter of where it was (residential vs. commercial). Removing the language was discussed.

Section 25 – Parking: Steve did not see any changes that would need to be addressed.

Section 26 – Screening and Landscaping: Dane did not supply information and is not present.

Section 27 – Telecommunications Towers: Steve did not see any changes that would need to be addressed.

Section 28 – Occupancy Permit: Dan saw no changes necessary

Section 30 – Site Development Plan Review: Dan saw no changes necessary. He sent the section to Noell who emailed the following comments: Concerns about the scale of drawings, maximum 90% coverage of the land in Commercial development, and no appeal process. Ron stated there is no appeal process for a resolution, because the resolution itself could be challenged as unconstitutional in court.

Noell joined the Zoom meeting at this point. She queried if there should be a recourse. Ron explained that the Zoning Commission makes recommendations for changes to the regulations. The Trustees review and make the decision to pass the resolutions suggested which is not different than a city council or state congress making a law. The BZA would not have the authority to appeal a resolution.

Regarding her comment of 90% coverage, she was concerned that there was not enough green space. Her concern was that it went against the Comprehensive Plan. TR pointed out it may cause run-off issues. Suggestions were made to review the Commercial Guidelines for any conflict. Noell suggested at least 80% maximum coverage. Sharon voiced concern as well about loss of green space as it was a concern in the Comprehensive Plan.

The secretary suggested a review of current Leroy businesses in the business districts to determine what percent of green space exists for each. This is to ensure that we are not making a large percent of our businesses Legal Non-Conforming. Al Erickson pointed out that the County Soil and Water Department will review the footprint which may cover the issue of water runoff.

Section 31 – Riparian Setbacks: Sharon felt this was a difficult section to get through. She would like to get with Noell to go over her thoughts. She is researching class waterways and definitions. She finds the section to be a bit confusing to read, so she feels there need to be some clarifications made. Noell agreed that some research and discussion would be necessary to a make clear recommendations.

Dan asked that members go over the sections they were assigned and draft any suggested language to be added or changed for the next meeting. These drafts will be discussed and finalized at the April meeting, so that the formal process can begin.

**LeRoy Township Zoning Commission**  
**March 9, 2021**  
**Working Session Meeting Minutes**

**New Business:** Dan suggested that the members read over the Comprehensive Plan so that the Commission can direct there focus toward what laid out in the plan.

Sharon asked that the regulations be sent to all in a format that could be red-lined. The secretary said that she can forward the word.doc.

The next meeting is scheduled for April 13, 2021. It will be announced closer to the meeting date whether it would be in-person or at the town hall.

As there was no other business, Sharon made a motion to adjourn. TR seconded and all were in favor.

Respectfully submitted,

Julie Himmelman  
Zoning Secretary