May 15, 2023

State of New York
2679 Route 8
County of Hamilton
Town of Lake Pleasant

A Meeting of the Lake Pleasant Town Board was held on May 15, 2023 at the Lake Pleasant Library 2864 State Route 8, Speculator, NY 12164. The meeting was called to order at 7:00 P.M., to make approvals, give reports, establish organizational tasks, and conduct any business that may come before the Board.

The following were present:
Supervisor: Betsy Bain
Councilman: Neil McGovern, Don Braunius, RaChelle Martz and Katherine O'Connell
Town Clerk: Stephanie Smith
Highway Superintendent - Randy LaVarnway
Guests: Steve Page (Code Enforcer/Building Inspector), Vickie Buyce (Planning Board Chairman), Tracy Joy, Nancy Seifts (Budget Officer), Chris Ambrose, Bonnie Reisinger, Nancy and John Katz, Paul Allen, Eileen LaVarnway, Karen McComb (Library President), Gary Rhinehart Jr.(Dackland radio)

Pledge of Allegiance to the Flag

Resolution #69 To approve the minutes of May 1, 2023
Offered by: Braunius
2ND by: Martz
Discussion: none
Be it resolved, that the minutes of May 1, 2023 be approved as presented
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

Highway Report:

- Highway department has started cleaning town properties.
- Cemeteries are open, look good with minor repairs needed. A grave stone company put a headstone in recently without permission from the town. This resulted in the headstone getting placed in the wrong area. Luckily no remains are in the vicinity where this stone was placed.
-At Karen McComb's request, a motion light was installed at the library.
- Lower end of Gilmantown Rd. was chip sealed today. This is project one of several lined up for this summer.

Resolution #70 Recalling Resolution #25 of 2022, The Town Board Approves Town of Lake Pleasant Highway Superintendent to Bid on Sand and Stone as Needed, Following the Bidding Process and Allowing Other Municipalities to Piggyback.

Offered by: O'Connell
2nd by: Braunius
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

- Form 284 agreement was presented to the board the board to sign so that LaVarnway can spend the funds that were put into the budget last year for general maintenance of roads. These funds will cover the culvert for Fawn Lake Rd. Project A is on Hamilton Lake Rd. from school bus turn around to the end of road. This will be a top coating. Golf Course Rd. from 2nd green culvert to end of road will get ground out and base of road built up. This road is under water most of spring. Estimated cost is $45,000. Chip sealing of Gilmantown will be approximately $28,000. The top paving project from Rt. 8 to 27,000 feet down Pelcher Rd. of Rd. is for an estimated cost of $41,000. Hamilton Lake Rd. paving will be $100,000. Board members passed around the 284 agreement for signatures.
- The 2023 budget contains $96,000 in CHIPS appropriation fund and we have received more than what we budgeted from the state in the revenue line once spent. Up $12,000 this year's budget from last year.
- O'Connell asked if she can get a copy of this prior to the board meeting next year so that she may review the figures ahead of time. LaVarnway said yes, he can get it to her prior to the meeting in the future.
- Bain asked about our garbage truck. No information on it currently.
- Bain asked about the water truck agreement with Arietta and LaVarnway said that it was before Arietta's board this evening.
- Brush pit is open and being used heavily.
- Perkins Clearing Rd. is open. Mud gates are still up on the States end but the town has opened what they are responsible for.
- State Department from Northville brought up the mile markers for Perkins Clearing Rd. with the word Perkins Clearing Rd. on them.
- Pathways will have docks in soon and are open. Signs are not up yet but will be soon.

PUBLIC HEARING – TOWN ZONING REGULATIONS

Supervisor Bain declared the public hearing open at 7:15 P.M.
Following distribution of the Recommended Zoning Regulation changes to the town board members on April 17, 2023, notice of said Public Hearing was duly published in the Hamilton County Express Newspaper on April 20, 2023, with same being posted on same date at the Town Hall shadow box.

Resolution #71 Town of Lake Pleasant Town Board Acknowledges Supervisor Bain Opening Public Hearing on Zoning Regulations.
Offered by: McGovern
2nd by: Braunius
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

Old Business:

1. **Zoning Committee Recommendations –**
   Bain introduced the Zoning Regulations Committee: Neil McGovern, Vicki Buyce, Steve Page and Caitlin Stewart (absent).
   Buyce presented to the board the proposed changes to the Zoning Regulations:
   see attached
   Discussion about the following recommendations were had by the board:
   The permit fee is now subject to the type of permit.
   Section 3.5 addition of CO
   Building height needs to say top of chimney, vent stacks, antennas, etc. instead of highest point of roof.
   Definitions of garage or shed with living space, detached offices, Pet Boarding, and day/care training. Buyce went over the spreadsheet use table. Every project with an X in the box for use must go before the planning board for approval. Special Use permits were explained so that resident's projects can be reviewable. Bain brought up that the state recommends the zoning codes get reviewed every three years so these codes will be reviewed again in 2026. Buyce stated that the board is not changing any boundary lines or zones, only putting an **X** in place of uses of properties.
   Bain next opened up the floor for the public to ask questions or make comments.
   McComb asked what resource management was. Buyce read the definition in the regulation's glossary.
   Nancy Katz, a resident on Lake Pleasant, expressed her concerns about the noise coming from the White House events. She explained that water amplifies sound so that when the wedding music is going on it is as if they are at the wedding. Amplified music for four hours is a concern for residents around the lake.
   Bain asked Page to explain the special use permit to the room. Special use requests must be presented to the planning board to see if the special use is agreeable to the neighbors, environment, and town. Any resident can apply for a special use permit with the planning board, but they must get approval for the permit and if rules are not followed, the permit can be rescinded. Seasonal permits can also be issued. The special use permits will be publicized. John Katz stated that he felt that the board was changing their zoning in a back door kind of way.
   McGovern responded that zoning with conditional use is used all over the state very effectively. Conditional uses are reviewed on their own merits. McGovern gave the example of residents with commercial property around them in the village of Speculator. Issues get worked out in a contractual way without rigid regulations on properties.
   Katz asked if property in the Village should be expected to have the same special uses as properties such as a nice piece of real estate on the lake. McGovern suggested that well thought out events such as the concerts at the point, that have music directed away from the lake, can result in win win situations for all parties. McGovern feels conditional use is the best form of zoning there is. Tracy Joy spoke to the room about ways the White House venue can accommodate the residents and minimize the noise level. Such as not allowing the bride to pick the direction of the speakers and

location of DJ/band. Joy feels that the business these venues generate is worth the little noise that is created as a result. Nancy Katz wishes to enjoy her property in a tranquil way. Music stops at 10:00 P.M. at the White House and the county noise ordinance is for no loud noise after 11:00 P.M. Discussion continued around the room about this issue.

Page mentioned that the White House isn't zoned commercial and if businesses wish to have less restrictions, they can buy commercially zoned property. Views were expressed and voiced. The Katz's and Joy were all in agreement to see how things work and to keep in touch at the close of discussion.

2. **STR Committee Report -**

O'Connell explained that the registration dates need to be changed so that the permits can be issued after the law has been filed.

Bain explained that the public hearing legal has to go into the paper for 2 weeks prior to the public hearing, approval of the board post public hearing, then 45 day wait period prior to submitting to the state.

Registration dates will be changed to September 1st to August 31st the following year. Registrations can be sent via mail or dropped off at town hall.

Resolution #72 For the Town of Lake Pleasant Town Board to Accept the Changes to the Short-Term Rental Registration Dates.
Offered by: Braunius
Whereas, the registration dates will now be from September 1st to August 31st of the following year.
2nd by: McGovern
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

With all persons desiring to be heard, Supervisor Bain closed the Public Hearing at 7:45
Resolution #73 to close public hearing on recommended Zoning regulation changes.
Offered by: Martz
2nd by: O'Connell
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

3. **State Campground Update** –

Answers have come back from Sean Mahar and Erica Ringwald at the DEC Commissioner's offices but they are not in the direction we are looking for so Bain encourages all to keep reaching out to them and pick up the job lists for anyone who would be interested in doing these DEC listed jobs. O'Connell responded that DEC is looking for help. Concerns lie with the possibility that these campgrounds will continue to close early if these job listings are not filled. Braunius explained that he has sought out a job with DEC for the campgrounds. He filled out a pre and post

application with a resume and has not heard back from DEC to date. The town was told that they were looking for lifeguards for Moffit's beach yet there is no listing for lifeguards for Moffit's beach. McGovern explained that two Lake Pleasant campgrounds are targeted to close early which will strain the towns fall economy. McGovern feels it is time for a public hearing about this issue. There are fourteen state campsites in Hamilton County and eleven are slotted to close six weeks early.

4. **BTI Report –**
   Vi Wicks said they have treated all streams in the town. Crew is now working on back woods areas. The area contains large quantities of small larva with 95% being eradicated with treatment. BTI crew plans to retreat streams.

5. **RO System –**
   Bill Dievendorf was in last week to discuss his schedule to reinstall the RO system at the Waller residence and is waiting to hear from other RO residents to get on his schedule for installation.

6. **Community Garden –**
   June Bergholtz plans to do the planting with the 3rd graders again this year on Friday May 19th to start vegetable plants. Kids will get to plant a pot with vegetable seeds and take it home to grow. All produce is donated to the food pantry. Third graders will get to come back in September and see how their crops grew. Bain will meet with Burkoltz about the greenhouse and getting up a fence.

7. **Library Report -**
   McComb announced that they have received applications for Library Manager and interviews have been set up.

New Business:

1. **Planning Board Appointment –**
   KC Morrison has been asked to fill Carol Waller's seat on the Planning Board after receiving her resignation letter.

Resolution #74 Town of Lake Pleasant Town Board to Approve KC Morrison to fill Vacant Seat on Planning Board filling 5/15/2023 – 12/31/2028 Appointment.
Offered by: McGovern
2nd by: Braunius
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

2. **Youth Recreation –**
   Samantha Desrochers and Shiela Crouse met with the youth recreation committee to discuss the summer season of trips, beach days, and hikes. They have decided to advertise for 2 part time rec. assistants at $16/hr. Duties will include managing children at water Safari, hiking, fishing, bus rides etc. Committee is looking for 81 hrs. for each Recreation Aid for Tue/Wed each week this summer. Town of Arietta will be providing the swim lessons and LP will provide the rec. trips if both boards approve.

Resolution #75 Town of Lake Pleasant Town Board to Approve Hiring Two Recreation Aids for the Summer of 2023 with Starting Pay at $16/Hr.
Offered by: McGovern
2nd by: O'Connell
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

3. **Speculator Ambulance – Bain announced:**
   After many years of service (53 Years), Phil Mulleedy has given his resignation from his position as Captain and his seat on the Board of Directors. He will remain a member of SVAC and will provide guidance through this transition of these positions. He will be greatly missed and his commitment to this community has been outstanding.

   The new ambulance is here, and SVAC is asking for volunteers. They need drivers.

Resolution #76 Town of Lake Pleasant Town Board to Approve the Proposed Zoning Regulation Law.
Offered by: Martz
2nd by: Braunius
Adopted by the following vote:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius and Martz)
Nays: None
Abstained: O'Connell

Committee Reports -

Cemetery Committee – O'Connell mentioned an e-mail that Smith sent about classes on cemetery preservation and laws on abandoned cemeteries. It was determined that any abandoned cemeteries are on private lands and were on private lands before the changes to state laws applied.

Resolution #77 Motion to pay Bills: Abstract #17 dated 05/04/2023, #2757-2759 in the amount of $874.17. Abstract #18 dated 05/12/2023, #2743 + 2760-2788 in the amount of $28,123.53.
Offered by: McGovern
2nd by: Martz

Discussion: signing of receipts from HWY department at Charlie Johns and library receipt in a different place other than the library bills. It was explained that this was taken out of the right library budget line.

Adopted by the following votes:
Ayes: All (Supervisor Bain, Councilpersons - McGovern, Braunius, Martz and O'Connell)
Nays: None

Public Comment:
McComb thanked the town board for funding the BTI program. It is well worth it. LaVarnway suggested that anyone who needed to see the difference should go up to Perkins clearing and step a few feet away from their car.

Roundtable:

- McGovern praised the community cleanup day. Lunch served by the seniors was phenomenal.
- If you see Paul Cleveland give him a pat on the back for his extensive cleanup work.
- Chamber dinner is this Thursday at the Lemon Tree. Bain and Martz will be attending.
- Bain was contacted by Hamilton County Public Health Department who wishes to use the town's tennis courts on Monday June 5th from 10 a.m. – 11:00 a.m. to set up a table and issue out bicycle helmets and educational material to residents. The board uniformly agreed with this.

Next meeting: Our next meeting will be on Monday June 5, 2023, at 7PM at the Lake Pleasant Library

***ON A MOTION BY**: Don Braunius **2ND by:** Martz
To Adjourn @ 8:30 P.M.
All in Favor
Respectfully submitted,
Stephanie Smith, Town Clerk