

Public Hearing Minutes
Tuesday, October 13, 2015, at the Rockland Town Hall
Called to order by Chairman Cashman at 6:04 p.m.
Adjourned at 6:25 .m.

The Clerk, Treasurer, Supervisor Lasee and Chairman Cashman were present together with Bob Gerbers, Bob Coenen, and Randy Hansen. Supervisor Van Vonderen was excused. Clerk Charette verified that the meeting was properly noticed. Chairman Cashman read the agenda and opened the record.

1. Amend Sections 18-10.03 A. Zoning Administrator duties; 18-10.03 B. Planning Commission duties; Renumber Sections 18-10.12, Fees and 18-10.13, Enforcement and Penalty Provision, to 18-10.13 and 18-10.14, respectively; and Create Section 18-10.12 Land Use Permit.

a. Sections 18-10.03 A.1 and A.5 are being amended to authorize the Zoning Administrator to issue land use permits and to forward all applications for land use permits to the Planning Commission. Bob Gerbers, Zoning Administrator, explained that the land use permit is going to be used to have some type of control over parcels or activities on parcels that never received prior approval from the Town. Gerbers explained that there are parcels located in the Town that were split or built ponds on them without obtaining approval from the Town. These actions have created negative consequences for neighboring properties. Requiring a land use permit is one way to ensure that land owners comply with the Code of Ordinances.

b. Section 18-10.03, B. is being amended to authorize the Planning Commission authority to review and to make recommendations to the Town Board for land use permits.

Gerbers explained that the land use permit application will be forwarded to the Planning Commission for it to review the application and to make recommendations on it to the Town Board. It is the same procedure that the Town uses for conditional use applications.

c. Create Section 18-10.12, Land Use Permit

This section describes when a land use permit will be required, the fee for the permit, and the expiration date of the permit.

Randy Hansen asked what fee will be charged for the land use permit. Clerk Charette noted that the Board has set the land use permit fee at \$200.00.

**2. Create paragraph (m) of Section 18-01.05 A.2. Public Nuisances Affecting Health, to read:
(m) Application of animal manure or manure by-products in liquid form by use of a center pivot, traveling gun or pressurized spray irrigation system through spray or drop nozzles.**

RECOMMENDATION FROM PLANNING COMMISSION

The Planning Commission recommended approval of creating paragraph (m) of Section 18-01.05A.2., at its Wednesday, September 16, 2015, meeting. The draft minutes are incorporated herein by reference.

Bob Coenen, Chairperson of the Rockland Planning Commission, explained that he initiated having local control over the application of liquid manure. Coenen wants the Town to be proactive rather than reactive by passing this amendment to the ordinance. Manure mist and bacteria can be carried by the wind and travel a great distance. With the heavily populated subdivisions and need to protect the Town's water, Coenen believes the language will help protect the public's health, safety and welfare.

Chairman Cashman believes that the new language is a good idea. He clarified that this new language is not meant to stop manure hauling.

RECOMMENDATION FROM ZONING ADMINISTRATOR

Bob Gerbers recommended approval of paragraph (m) of Section 18-01.05 A.2.

PUBLIC INPUT

No one in attendance provided input and there were no phone calls or letters were received by the public on any of the proposed amendments.

CLOSED THE RECORD

M/M by Chairman Cashman to close the record at 6:25 p.m.; seconded by Supervisor Lasee. Motion passed.

ADJOURNMENT

M/M by Chairman Cashman to adjourn; seconded by Supervisor Lasee. Motion passed by voice vote.

Hearing adjourned at 6:25 p.m.

All minutes have been taken truthfully and honestly and to the best of my knowledge and ability.

Jann Charette
Town Clerk

Minutes approved as written / with corrections (**strike one**) by the Town Board on Monday, October 19, 2015.

Dennis J. Cashman
Town Chairman