

3-14-2013 PUBLIC HEARING – Amendment to Mining Overlay District in Zoning Ordinance

Present:

Councilman Cheryl L. Earl
Councilman Daniel L. Miller
Councilman David L. Montgomery
Councilman Douglas J. Morrell
Supervisor Mary L. Hannon

Also Present:

Attorney for the Town Linda Joseph
Town Clerk Betsy A. Marsh
9 guests

The Sardinia Town Board held a Public Hearing on March 14, 2013 at the Town Hall/Community Center, for the purpose of hearing comments on proposed Local Law #2 of 2013, a Local Law to amend the Mining Overlay District portion of the Zoning Ordinance. The Supervisor called the hearing to order at 6:00 PM, with the Pledge to the Flag.

The Supervisor explained that this amendment to the Mining Overlay District section of the Zoning would allow the Code Enforcement Officer to perform reviews of mining operations and collect fees for the inspections.

The Supervisor then opened the floor to comments from the public.

Jim Witter of Sardinia asked if this law empowers the Code Enforcement Officer to enforce the Mining Overlay district amendment to the Zoning, and the Attorney for the Town stated it does, but not to be confused with the DEC's authority to grant mining permits and to set permit conditions. She stated the CEO can only enforce the requirements of the Town's Zoning, including the farmland mitigation requirements. Mr. Witter asked if the inspections would be performed only once annually and at no other time. Attorney Joseph stated the review could be performed, but not limited to, at least once annually, and this amendment will also allow for the collection of fees.

The Supervisor then asked three times if there were any further questions from the floor. There were none. Therefore, on a motion by Montgomery, seconded by Earl, the hearing was closed at 6:04 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk