

CLEARWATER TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING

July 8, 2013

Minutes Approved 10-14-13

Meeting called to order by Chairperson Lucy Gerlach at 7:03p.m., followed by the Pledge of Allegiance.

Board members present: Lucy Gerlach, Tina Fields, Jim Adams, Dave Lawicki, Kathy Eldridge

Also present: Guy Molby, Zoning Administrator and Teresa O'Hara ZBA Recording Secretary

Chairperson Gerlach requested the board review agenda for meeting and asked for any additions or questions regarding agenda. Board accepted agenda as written.

Chairperson Gerlach asked for a disclosure of actual or potential conflicts of interest. There was no conflict of interest.

Gerlach directed board to review and approve the April 8, 2013 minutes. The board accepted minutes as written.

No public attendance; no public comment.

OLD BUSINESS:

Chairperson asked Zoning Administrator Guy Molby for an update on the Schurman shed. Fields asked whether it had been moved as promised. Molby reported that Ms. Schurman has contacted several, local contractors and they are either too busy or not interested in the job. Molby suggested Schurman contact Elmer's. Elmer's has agreed to move the shed but probably will not get to it soon. Supervisor Neiderstadt wants Molby to get a date certain for the move. He will contact Schurman again.

Gerlach directed board to review the 20 day limit in section 26.12 of zoning ordinance. Fields questioned the 20 days; Gerlach was concerned over who decides the date. After much board discussion, Gerlach will contact Deputy Clerk Pat Gray and get her input, then compose a re-wording of zoning ordinance section 26.12 and email it to ZBA members for suggestions and final approval.

NEW BUSINESS:

Gerlach directed board to review the proposed changes to ZBA By-laws. Changes were discussed in detail and approved by General Consensus.

Changes to the ZBA By-Laws:

“As approved by the Zoning Board of Appeals on April 13, 2009 and amended by same on April 12, 2010, July 9, 2012, and July 8, 2013.”

Section 1; D1 - Add:

Proposed minutes shall be available for review by the public not more than eight business days after the meeting; approved minutes, not more than five business days after the meeting at which they were approved.

Section 2 Meetings A - Begin with:

Meetings of the ZBA shall be held quarterly on a date to be published in February each year, or at the call of the chairperson.

Section 2 Agenda - Shall read:

4. Approval of agenda.
5. Chairperson calls for disclosure by all members of the ZBA of any actual or potential conflicts of interests concerning any item on the agenda.
6. Approval of minutes

Section 2 Public Hearings - Renumber, beginning with:

4. Approval of Agenda
5. Chairperson calls for disclosure by all members of the ZBA of any actual or potential conflicts of interests concerning any item on the agenda.
8. (delete Call for disclosure of conflict of interest (see Section 5)
15. SHOULD READ: Chairperson signs and dates ZBA decision form.

Section 6: Amendment

Change date to: July 8, 2013.

Chairperson Gerlach informed board she will print out amended ZBA By-Laws and make sure each member gets a copy.

Tina Fields, representative from the Planning Commission, gave a report to the ZBA. Fields informed the ZBA that, although the Planning Commission has discussed ordinance changes that were discussed and amended by the ZBA at the April meeting and forwarded to the commission, they have not taken action.

Fields also stated that Township Clerk Julie Vance is the new Township Board Representative to the Planning Commission and that makes the commission board complete. The commission changed its meeting time to 7:00p.m. and will meet regularly the first Monday of the month except for the November meeting, which will be held a week earlier, on October 28, 2013.

Fields reported that the commission has been working on the Master Plan for Clearwater Township, but has now taken up the issue of roads and alleyways in Rapid

City which were platted long ago but never developed. In some cases they have been built over. They cannot be vacated by the township without a survey and a court action. Fields and Clearwater Township Trustee Grace Beland have been researching grant availability to help cover this cost. Fire Chief West has identified those several undeveloped roads/alleys which the township must retain for emergency vehicle access. The Planning Commission feels this vacating by the township and distribution of the vacated land to adjacent property owners will clear up title questions and increase property values in Rapid City. As things stand, there are concerns that property cannot easily be transferred and land cannot be secured to establish future businesses in Rapid City.

Zoning Administrator Guy Molby had no report. Fields commented on Molby's recent health issues.

No public in attendance; no public comment.

Gerlach reminded the board that she will be emailing them (a hard copy to Molby) regarding re-wording of zoning ordinance section 26.12.

Tina Fields made a motion to adjourn the meeting, Dave Lawicki seconded the motion, and the board approved. The meeting was adjourned at 7:35p.m.

Respectfully submitted,

Teresa O'Hara, ZBA Recording Secretary

The next regular meeting will be held on Monday, October 7, 2013 at 7:00p.m.