

TOWN OF NORTH HARMONY

~ ~ ~PLANNING BOARD MEETING~ ~ ~

Tuesday, 7:00 PM

October 21, 2008M

Planning Board Members Present: Steve Senske, Julie Lescynski, Dick Sena, Walter Geist, Pat Rice, Chip Warner, Richard Johnson

Guests Present: Sally Carlson, Brad Lawson, Don McCord

Mrs. Carlson gave the board a copy of *ADOPTING WATERFRONT CONSISTENCE REGULATIONS* and asked that they review it and make recommendation to the Town Board before their December meeting.

Fall Planning Conference- Those planning to attend are; Julie Lescynski, Pat Rice, Dick Sena and Walter Geist

Planning Board Survey- Mrs. Carlson said that the deadline for them to be returned is October 28, 2008.

After reviewing input from the previous meeting, Mr. McCord handed the board a copy of the first draft of recommendations on a local law pertaining Adult Entertainment for the board to review.

After discussion, the board collectively decided the following changes should be made to the first draft:

Under A. DEFINITIONS

CLASS I ADULT USES:

The word digital will also be included in the second sentence.

The third sentence should read as follows; a media shop shall have more than 5 percent but less than 10 percent of the stock in trade or more than 5 percent but less than 10 percent of the gross public floor area occupied by hard core material.

CLASS II ADULT USES:

2 ADULT MEDIA SHOP: The word digital will be included in the first sentence.

4 as listed in the outline under class III Adult uses should be move to Class II and reads as follows:

Nude Model Studio: Any place where a person who appears in a state or nudity or displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration.

PB 10/21/08 (Pg. 2)

CLASS III ADULT USES:

#2 and #3 make reference to the size of a room being more or less than 600 square feet. Mr. McCord agreed to check on the language and reason the board may want to include the specific square footage in either of these uses. The board agreed that they would make their decision after Mr. McCord reports back with his findings.

#6 should be added to include language on a member's only fee based club.

B. ADULT USE RESTRICTIONS-

Under#1 A. Locations: Class I Adult Use shall be permitted in "C-1" (the word *zoning* should be removed) districts as set forth in Section XXXX.

Under #2 CLASS II ADULT USES REGULATIONS:

b. 2. Will be changed from 1,000 feet to 1,500 feet.

c. The word *area* will be added to the end of the first sentence and will now read as follows; No Class II Adult Use shall be conducted in any manner that allows the observation of any materials depicting, describing, or relating to specific sexual activities or specific anatomical area from any public way or from any *adjacent area*.

In addition to the noted changes and after lengthy discussion, the following motions were made:

Steve Senske made a motion to recommend to the Town Board that on either side County Route 33 between Eiden Road and Ramsey Roads be zoned for adult use. Julie Lescynski seconded the motion and it was carried unanimously.

Julie Lescynski made a motion to recommend that language be added to instruct all merchants to have any hard core material covered. The motion was seconded by Chip Warner and was carried unanimously.

Julie Lescynski made a motion to recommend that the FLOATING ADULT USE DISTRICT be eliminated under Locations Restrictions #2. Chip Warner seconded and the motion was carried unanimously.

The next regularly scheduled meeting will be November 11, 2008 at 7:00 P.M.

On a motion made by Mr. Geist and seconded by Mr. Senske, the meeting was adjourned at 9:05 PM.

Respectfully Submitted,

Penny S. Best

Deputy Town Clerk