
From: CouncilPresident@indianlakepa.us
Sent: Thursday, November 26, 2009 7:19 AM
To: ADMIN@indianlakepa.us
Subject: Notice of Public Hearing on Proposed Zoning Ordinance
To: Residents and Property Owners of Indian Lake

Re: E-Newsletter - Notice of Public Hearing on Proposed Zoning Ordinance

As you may know, the Indian Lake Zoning Committee, consisting of Carl Chapman, Ron Petrina (former zoning officer), Dean Snyder (current zoning officer), Scott Moore (member of Council) and myself serving as chair, were charged with performing a comprehensive review of the Borough's zoning Ordinance for the purpose of drafting comprehensive revisions to that Ordinance. The committee put forth an exceptional and cooperative effort and should be congratulated for their effort.

The committee held advertised public bi-monthly meetings from March through October and did an enormous amount of additional work in between those meetings. The scope of the review involved every Article and section of the Ordinance and changes were made throughout. While our intention was to complete our work before the end of June so that publication could occur during the summer months, this was not possible.

As we worked through the process, consensus was achieved among all members of the committee before each change was made. Each change was evaluated and considered carefully. To keep residents informed, the committee published its work on the Borough web site for public review and comment. We also provided copies of our work to the Planning Commission for their interim review and comment. The final integrated product was submitted to the Council and the Planning Commission on October 15, 2009.

At the meeting of Borough Council held on November 11, 2009, the Council, by majority vote, approved the publication of the comprehensive amendments to the Borough Zoning Ordinance and thus initiated the formal phase of the review process that is mandated by the Municipalities Planning Code.

The proposal has been sent to both the Indian Lake and Somerset County Planning Commissions for review. While the County Planning Commission review is generally not a detailed review, Brad Zearfoss, a professional planner with the County Planning Commission, has agreed to provide a comprehensive review of the ordinance and professionally critique our work. The Borough Planning Commission, led by Councilman (elect) Bob Hanson, is diligently reviewing the proposal and has scheduled a number of additional meetings of the Planning Commission to complete its work within the statutorily mandated timeframe. These meetings are also open to the public.

A public hearing is scheduled for Saturday December 19th at the UCC Church of Christ located on Rt. 160 (South of Reels Corner) at 10:00 am. The public hearing is a formal opportunity for members of the community to provide comment to the members of Council. So that this meeting may be productive, please be prepared to provide the section or sections of the ordinance for which you have a concern or comment, the issue or concern that you have, and any proposal for resolution. The Council will be there to hear your concerns and take notes. The public hearing is

not intended to be a forum for debate as we truly want everyone to have an opportunity to address any concerns as a result of your review of the Ordinance proposal. If you cannot make the public hearing on Dec. 19th, please post your comment on the Borough web site in the Discussion Forum or e-mail them to the Borough Manager at office@indianlakepa.us. Each of these comments will be read at the public hearing.

A copy of the Ordinance proposal is published on the Borough website [\[Link\]](#). A copy of the public notice is also available, which provides a summary of the changes [\[Link\]](#). Finally, we have provided a draft zoning district map depicting the Zoning District changes included in the Ordinance proposal [\[Link\]](#).

As noted in the summary, this proposal is a complete comprehensive revision. We propose to specifically reenact the provisions of 144 except as specifically modified. This ordinance will repeal all previous zoning ordinances and has been tentatively designated as Ordinance 155 (proposed). Even though we are presenting this Ordinance proposal as a comprehensive revision, we are adhering to the more onerous publication and notice requirements that we would be obligated to perform if this were simply an amendment. You may have received a post card notifying you of the proposed map changes. While we are only required to mail such a notice to the property owners affected by a map change, the Council felt it prudent to notify every resident. Consistent with the requirements of the Municipalities Planning Code, the summary will be published in the Somerset Daily American on two different occasions. A copy of the proposal, notice, and district map are available for inspection at the Borough office, at the office of the Somerset Daily American, and at the Somerset County Law library in addition to being available electronically on the Borough web site.

This notification, in addition to being sent to all who are registered on the Borough's web site, will be forwarded to Gay Reed for republication through her extensive e-mail list. We apologize in advance if you get this announcement twice. Our goal is to make sure everyone is informed and has an opportunity to comment.

After the formal review process is complete, the Borough Council will review the comments of Mr. Zearfoss of the Somerset County Planning Commission, our Planning Commission, and your comments. The Council will meet at its regularly advertised public meeting on December 23rd. This will be the Council's first opportunity to make a decision as to whether to adopt the Ordinance or send it back to the Zoning Committee.

While I believe we have a proposal that is substantively sound and hope to see it passed before I leave the Council to become the Borough's Mayor, I am more committed to having an understandable and enforceable ordinance that fairly recognizes and protects the rights of all property owners consistent with the requirements of the MPC. If substantial problems are identified, those problems will be resolved before adoption. Any major changes will require republication and another hearing. Because of the time involved, it will be up to the next Council that will be seated after the new year to see this effort to completion.

I hope you will all take the time to review the proposal, think about how it might impact you, and if you identify a problem area, prepare potential solutions for Council to consider. We truly want your constructive input.

Thanks for your participation in this important process and I wish you all a Happy Thanksgiving.

Sincerely,

Michael D. Miscoe

Chairman, Indian Lake Zoning Committee

President, Indian Lake Borough Council

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