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**CALL TO ORDER:**

Mr. O'Leary called the meeting to order at 7:43 p.m. and stated it was open to the public in compliance with Public Law 1975, Chapter 231, section 4 & 13.

**FLAG SALUTE**

**ROLL CALL:           Members Present:** Fette, Luthman, Randazzo, Corcoran,  
Straub, Leuthe, Taylor, O'Leary.

**Members Absent:** Hughes, Didyk, Hahn.

**Also Present:** Ursula Leo, Esq.  
Nevitt Duveneck, PE

**AUDIENCE:**

Mr. O'Leary opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

**OLD BUSINESS:**

1.) Sign Ordinance

Mr. Luthman presented to the Board a revised sign ordinance he had modeled after the ICC regulations. There was discussion on exempt signs and a discussion on temporary signs. The Board discussed the non-conforming signs in town. The Board agreed to review Mr. Luthman's work product and carry the matter to the November 12, 2009 meeting date.

2.) Ridgeline Protection Ordinance

Mr. David Banisch, PP presented and discussed his ridgeline maps. He went over the view line with the Board. He went through his proposed Ridgeline Protection Ordinance with the Board.

Mr. Randazzo requested a 640 foot elevation from the top of the ridge to keep the ordinance interpretation simple. Mr. Taylor agreed with this. Mr. Duveneck felt the view line would be acceptable. Mr. Randazzo said the intent of the ordinance is so that a house is not placed on top of the highest peak.

Mr. Leuthe suggested the view line be lowered from 640 feet and have a map to go with the ordinance so it is perfectly clear where the property owner could develop.

Mr. Banisch said he reviewed the Open Space maps to compare them to the proposed Ridgeline maps. Mr. Randazzo still felt the 640 foot line was sufficient.

Mr. Duveneck suggested the Board Members drive around with the map to see if what is being proposed for protection is in fact what they want to protect.

Mr. Banisch recommended the 100 foot buffer remain in place. There was a lengthy discussion on all of the land disturbances that could take place in the Ridgeline Zone. The Board agreed they wanted to review all of the disturbances they had discussed. Mr. Fette felt it would be important to regulate all development and land disturbances that go on in the area including the cutting of trees. Mr. Taylor suggested a tree cutting ordinance. Mr. Fette suggested the Board consider a soil movement ordinance.

The Board had a discussion on cluster subdivisions. The Board agreed that if development is to take place in an open field, then buffering with trees and plantings should be a requirement.

The Board agreed to change the building height in the Ridgeline area to 30 feet to lower the profile of the structure. The Board wanted the ordinance to require the developer to supply samples of roofing materials and siding materials for their review.

Mr. Banisch said he will make the changes and get a clean copy of the proposed ordinance to the Board within a week.

**NEW BUSINESS:** None.

**RESOLUTIONS:**

1.) Peck, Harold & Sally MNR09-1, VAR09-2 B:14 L:11.01

There were not enough voting members present. The matter will be carried to next week's meeting.

**ORDINANCES:** None.

**TRC REPORT:** None.

**ZONING REPORT:**

Mr. Fette advised the Board he issued a summons to the owner of the RV that is parked on Route 15.

Mr. Fette said he will look into having the foundation on the Pumley property removed. He said it is not suitable for building. Since the structure is gone, the use is no longer valid.

**BILLS:** None.

**EXECUTIVE SESSION:**

A motion to go into executive session to discuss pending litigation was made by Mrs. Straub. It was seconded by Mr. Fette and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Straub, Leuthe, Taylor, O'Leary.

A motion to come out of executive session was made by Mr. Corcoran. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Fette, Luthman, Randazzo, Corcoran, Straub, Leuthe, Taylor, O'Leary.

**CORRESPONDENCE:**

- 1.) Zoning Practice – Safe Growth Audits
- 2.) Thank you note from Ursula
- 3.) From: SC Department of Planning  
Re: Lafayette Asphalt
- 4.) From: SC Department of Planning  
Re: Lafayette Asphalt

**ADJOURNMENT:**

A motion to adjourn was made by Mr. Fette. It was seconded by Mr. Randazzo and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo  
Land Use Board Secretary