



**FOTENAKES MOVED**, seconded by Swanson to have the Clerk continue as Recording Secretary. MOTION CARRIED.

**3. Public Comment Session**

**HENNEKE** stated the Zoning Board of Appeals (ZBA) has never opened the meetings for public comment, but it has been highly recommended that ZBA, due to the Open Meetings Act, have a special Section for Public Comments. On the Agenda, "Public Comments" would follow the "Approval of the Agenda." **FOTENAKES MOVED**, seconded by Vaughn to accept "Public Comments" listed after the "Approval of the Agenda." MOTION CARRIED.

**FOTENAKES** felt there should be a time frame for speaking on a particular topic. **SWANSON** stated the time frame has to be stated under the Public Comment Section of the Agenda. **HENNEKE** felt the ZBA should adopt a policy that would incorporate, into the By-Laws, that states that public comments is limited to a particular time; **HENNEKE** stated the City of Flushing has five (5) minutes. **VAUGHN** felt three (3) minutes would be a reasonable time frame. **HENNEKE** stated the time frame could be extended if the issue warranted the extra time. **FITCH** wanted to know if the time frame was placed on the bottom of the Agenda, would it have to be announced at the start of the meeting. **HENNEKE** would like the time frame placed under the "Public Comment" Section.

**HENNEKE reviewed sections of Rules of Procedure, Public Hearings, 2, (v)(a)(b) - which states:**

- "The Chairman may allow more than one to speak in favor of a petitioner"
- "The Chairman may allow more than one to speak against the petitioner and impose a time limit for the speaker that is five minutes or more per speaker."

Sometimes there are instances where more time is demanded.

**FOTENAKES MOVED**, seconded by Swanson to adopt a procedure of three (3) minutes for Public Comments other than Public Hearings. MOTION CARRIED.

**HENNEKE recommended the amendment to the Public Comments, Regular Minutes, be placed under the Rules of Procedure, Section 4.0 Meetings as 4.1 and be listed as 4.1 A and be stated as:**

"All regular meetings of the Zoning Board of Appeals shall be open for Public Comment on any issue and that the Chairperson may limit each speaker to no more than three (3) minutes."

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1. **FITCH** passed out new zoning updates for Private Drives and C-1 and C-2.
2. **SWANSON** stated that since the Planning Commission has been updating the zoning ordinances, did any member have an issue that **SWANSON**, as a ZBA Member, should take back to the Planning Commission.
3. **HENNEKE** suggested that "Board Comments" be brought up at the next ZBA Meeting and be made a part of the Agenda.

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**VI. NEXT REGULAR SCHEDULED MEETING** will be held on **TUESDAY, MAY 9, 2006 AT 7:30 P.M.**

**VII. ADJOURNMENT: HENNEKE** declared the ZBA Meeting adjourned at 8:10 p.m.

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EDWARD HENNEKE, Chair

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JULIA A. MORFORD,  
Recording Secretary

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RICHARD VAUGHN, Vice Chair

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Date Approved

01/03/06 appeals