

**CITY OF SHOREWOOD
CITY COUNCIL WORK SESSION MEETING
MONDAY, MAY 11 2026**

**5755 COUNTRY CLUB ROAD
COUNCIL CHAMBERS
5:30 P.M.**

MINUTES

1. CONVENE CITY COUNCIL WORK SESSION MEETING

Acting Mayor Sanschagrín called the meeting to order at 5:47 P.M.

A. Roll Call

Present. Acting Mayor Sanschagrín; Councilmembers Maddy, Gorham, and DiGruttolo; City Administrator Nevinski; Planning Director Griffiths

Absent: Mayor Labadie

B. Review Agenda

DiGruttolo moved, Gorham seconded, approving the agenda as presented.

Motion passed 4/0.

2. DISCUSSION

A. Zoning Code Update

Planning Director Griffiths started the meeting by reviewing the project and introducing Beth Richmond of HKGi, the consultant assisting with the project.

Ms. Richmond stated that the purpose of the meeting was to review all work completed on the Zoning Code update in Phase One. Explain what has been done and highlight the next steps. She shared that last year, a Zoning Code audit was completed to identify areas of the Code that needed updating, were confusing, or were not up to date or in compliance with State Statute. She noted that the audit was presented to the Council, focused heavily on the districts and the Code's rezoning, and identified many line items that needed fixing. The idea behind the audit was to have a roadmap for updating the Code. She added that the Code update would be done in two Phases, and there were a few reasons for this. Primarily, some areas of the Code need to be fixed quickly to make it more usable, specifically its organization and compliance with the State Statute. She explained that the second Phase of the Code update, after the 2050 Comprehensive Plan update, will address any elements in the Comprehensive Plan that Zoning needs to address. That is why the update is structured this way: the City is in the middle of the Comprehensive Plan cycle. Right now, the goal for Phase One is to complete the Code cleanup, make the technical changes, and organize everything so everyone can understand it.

Councilmember DiGruttolo asked if Ms. Richmond would share what was not compliant in the Code. Ms. Richmond shared that the line items could be sent out. She noted that, mostly, certain uses are protected by State Statute, such as daycares, manufactured home parks, and sacred communities, which had not been updated in a while. The way the City was not allowing those uses was not in line with what the State Statute now requires. Acting Mayor Sanschagrín clarified that when those items were put in place, they were legal, but over time, the State developed new rules. Ms. Richmond assumed that would be the case, and it is not uncommon for those uses to still need updating. Councilmember Gorham asked whether there was a major

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update last year regarding the sacred communities. Planning Director Griffiths shared that the sacred communities were updated last year and taken into consideration as part of the process to ensure compliance. He added that daycares, manufactured home parks, and religious places are protected under State law, and that new legal precedents continue to emerge, changing how cities regulate them. He shared that the city went through a long period with few updates to the City Code, and when updates don't happen, it is easy for things to get lost in the shuffle. Ms. Richmond stated that Phase Two will include standards for Telecommunication Towers, and that this is another area known not to be quite up to where it needs to be with State and Federal requirements. Acting Mayor Sanschagrín asked if, in the meantime, the city would defer to the State Statute. Ms. Richmond shared that in the areas where the city knows it may not be compliant; it would refer to the State Law or the Federal Act. Planning Director Griffiths noted that the rules around telecommunications are constantly changing, so if the Code is updated, those rules may change again. He added that there has been a big push at the Federal level to reduce barriers to broadband access and to sell tower data availability. He stated that the section of the Code is not so bad as to be unusable; it just needs a few procedural tweaks from time to time to comply with Federal law. He reminded the Council that about a year ago, there was a cell tower conditional use permit application, in which the Planning Commission review was bypassed to go directly to the Council because the application had to be reviewed under a Federal law-imposed shot clock. That would be the kinds of things that would need to be adjusted.

Ms. Richmond shared that for Phase One, things kicked off in December; updates were worked on with the Staff throughout the spring; a full draft is ready for review by everyone; and the final adoption process will follow.

Ms. Richmond explained that she will highlight the changes made in the first update. She noted that, in trying to make the Code more usable, there will be reorganization, updates to the formatting and numbering, addressing inconsistencies in language, grammar, and references, and incorporating graphics and tables to reduce text and clarify standards.

Councilmember Gorham asked whether HKGi creates its own graphics. Ms. Richmond shared that the graphics are made in-house, but HKGi can draw on a comprehensive library thanks to previous code updates for other cities. She noted that if those graphics are used, they are adapted to each city's style.

Ms. Richmond explained that, as the Code is structured today, there are 26 individual sections, now consolidated into nine divisions, with sections in each division. The divisions are intended to place the language most used by the public at the top of the Code, with the more technical terms the Staff would use at the bottom. She noted that within the groupings, they tried to put similar topics together, hopefully making it clearer to people as they read through. She added that the number had been updated, and each division now starts with 1201. Planning Director Griffiths shared that one reason for adopting the new numbering system is that it makes future updates to the Code much easier. This is the same numbering format used in the Subdivision Code update, and it has been very effective. Acting Mayor Sanschagrín asked if the structure was standard across other cities. Planning Director Griffiths stated that, for cities with updated codes, it is fairly standard and follows a structure recommended by the codifier several years ago. Right now, it takes a lot to shift things around, which is why the Code ended up the way it is. He added that 1201.03 is currently the largest section of the Code and covers many topics, serving as the catch-all chapter.

Ms. Richmond shared some larger changes relative to the reorganization. In 1201.50 Overlay and Special Districts, shoreland and the planned unit development are grouped in the section, and now the floodplain language that was in Chapter 1101. Similarly, in 1201.70 Development Standards, many different items are grouped, and Chapters 1102 Wetland Development and 1103 Tree Preservation are included in the section as well. She added that once the update is adopted, the 1100 chapter will cease to exist.

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Acting Mayor Sanschagrín asked whether any of the reorganization would create issues with nonconforming uses. Ms. Richmond stated that the reorganization should not cause issues. She stated that the language with nonconformities was just updated, so the new language is in the Code, and nothing has changed except for how the Code is organized.

Councilmember Gorham pointed out that more review sessions are coming up. He asked when the final draft would be rolled out and how the public would know what to do. Ms. Richmond shared that this could be discussed with the Staff regarding which informational or educational components would be provided. She noted that, typically, when the Code is adopted, the consultant's work would end there, but explanatory blurbs or additional information could be provided upon request. City Administrator Nevinski shared that the newsletter would be a source, and possibly something on the website, and something that the Staff could talk about. Planning Director Griffiths stated that there is a lot of informational and educational material available online, and that the Code will be available online after it is finalized. He added that, typically, people who use the Code reach out to the Staff, and education can come through that channel as well.

Ms. Richmond explained the changes related to the Zoning Districts, noting that they were proposed as part of the Zoning Code Audit, which was discussed at that time, and that a consensus was reached. In speaking with the Staff, there are many districts, and some are not even being used. She shared that the number of districts would be reduced from 13 to 8. She pointed out that a new naming system is also being proposed because of how the districts were named previously and the lack of clarity in the Code for readers of the names. She showed a slide with the existing districts, the updated zoning districts, and what happened to the eliminated districts. She also shared a picture of the City's earliest zoning map to show similarities and differences. She explained that the R-1 districts are changing from R-1A to R-EL (Estate Lot Residential), which allows the largest lots in the city today. R-1B and R-1C have been combined to make R-LL, Large Lot Detached Residential. Then R-1D is now R-SL (Small Lot Detached Residential). She added that the names are showing that the lot sizes are different.

Acting Mayor Sanschagrín asked what the dimensions of the device used to measure and classify the districts were. Ms. Richmond shared that the R-EL is 40,000 square feet, R-LL is 20,000 square feet, and R-SL is 10,000 square feet. The R-EL and R-SL stayed the same, so the purpose is to clarify and make the logic clearer.

Ms. Richmond shared that in the R-2 district, there are three existing today, and in the end, there would be one district, R-LD (Low Density Residential). She stated that R-3A and R-3B were updated recently, so not much change was made, and the districts do not apply to many areas of the city. Mainly, the names were changed: R-3A is now R-MD (Medium Density Residential), and R-3B is now R-HD (High Density Residential). She noted that in the previous three, the focus was on the density rather than the lot size to draw the distinction. She explained that the rest of the districts have some changes. The Residential Commercial (R-C) district is being proposed for elimination because, as written today, it appears to allow mixed use. Still, the district states that properties within it must be designated as either residential or commercial. All of the parcels have already been developed. She added that discussion of mixed use may come up as the city works through the Comprehensive Plan, and, if the City is interested, it could be added during Phase Two. She stated that the General Commercial district will change from C-1 to G-CM to match the letters used in the other abbreviations. Commercial Service, C-2, is not a district in the city, so the proposal is to eliminate it. Finally, Lakeshore Recreational (L-R) stays the same but has a new abbreviation, LS-R. Planning Director Griffiths shared that many of the changes are name changes or improvements that make things more practical. He noted that the way the current Code works is a big pressure point for the Staff, and is really complicated for the residents. He added that, in communicating with residents, the new Code will make it that much easier. From Staff's perspective, the city is going back to the way things used

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to be done in Shorewood. He shared that it was very common for zoning to become more complicated as things changed. This Zoning Code update matches what Shorewood is today.

Acting Mayor Sanschagrin asked if any of the changes cause issues for existing uses. Planning Director Griffiths shared that it is not happening. As part of the update, the City is not changing anyone from residential to commercial; it is just combining things.

Councilmember Gorham asked about the R-C district. Planning Director Griffiths stated that the R-C district is designed to determine which direction to take. Once chosen, the standards are almost identical to those for residential or commercial. Most of the parcels are commercial, and there would be no changes to the property owners. Councilmember Gorham asked if someone who owned a residential property in R-C could rezone it to be commercial. Planning Director Griffiths noted that, in theory, that would be an option. Most of the properties are commercial, and the Comprehensive Plan did not contemplate converting them to residential use. He added that, as they go through the Comprehensive Plan update, it may make sense to consider a mixed-use district.

Councilmember DiGruttolo pointed out that when the decisions were made, someone was thinking about why they were made the way they were. She asked how much consideration was given to that and whether there is room for the city to be more forward-looking. She loves the idea of maintaining the character of the city, but not at the expense of what is needed in the future. Planning Director Griffiths shared that it has been considered, and at some point, someone thought certain things were a really good idea. He added that in the case of the R-C districts, no flexibility is being lost because the decision has already been made. A rezoning could also take place if a resident wants to change from residential to commercial, just as would be required under the current Code. If there were still vacant land, then this would be a bigger consideration, but all the parcels are developed. Councilmember Gorham clarified that the owner has chosen one, and if the owner wants to choose the other, the owner would have to go before the Council anyway. Planning Director Griffiths noted that it was true.

Councilmember Gorham stated that for the R-1 district, R-1B and R-1C would be combined, with a maximum lot size of 20,000 square feet instead of the 30,000 square feet for R-1C. He asked about the unintended consequences as they relate to subdivisions. Ms. Richmond explained that the R-1B is 10 lots today and is the one that will be reduced to meet the dimensional standards. She noted that the lots cannot even be subdivided at that point because they are on the lake and subject to lakeshore standards. Planning Director Griffiths shared that those lots could not be subdivided, and there are just 10 lots to deal with, compared with over 1,000 in the R-1C district. He added that as part of the audit, the discussion was not to change the R-1A district because it would open up potentially developable land.

Ms. Richmond showed a preview of the use tables, indicating that the intention is to show what is and is not allowed in each district. The reason for the table is to eliminate repetitive text. She added that some of the uses are slightly different and now comply with the State Statute. Planning Director Griffiths shared that the City Code is currently structured with embedded uses and is very repetitive and difficult to understand. This is all in a table now, and it makes it a lot easier. Ms. Richmond showed a preview of the tables related to the Dimensional requirements, one for lot dimensions and one for site dimensions. She noted that the Staff had removed the lot depth and adjusted some lot area standards to bring them into conformance with the 2040 Comprehensive Plan. The Comprehensive Plan comes before the Zoning Code. The standards are now listed by districts and use type.

Ms. Richmond continued to discuss fencing. She noted that specifically for boundary line fences, which are fences within eight feet of the property line, those fences need to be at least 25 percent open. She added that one of the most common requests that the staff get is for a privacy fence, but they have to tell them no

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because of the 25 percent open requirement. Historically, this has been enforced along all of the boundary lines. She asked whether the Council would like to stick to the standard in place today or if there is room to discuss potential changes. She stated that, in speaking with the Planning Commission, their consensus was that, particularly closer to the property line, it was reasonable to have the 25 percent requirement, but suggested that, instead of the eight-foot distance, it be narrowed to three feet. That would make the policy apply to fences on or close to the property line, rather than those farther back. Councilmember DiGruttolo asked what the purpose of the 25 percent open is. Planning Director Griffiths explained that, based largely on what was seen, the 25 percent is about aesthetics, and there would be some openness rather than just a wall. This requirement dates back to the original Zoning Code in the 1950s. It has come up before, and previous City Councils have decided to keep the requirement as it is. He added that the privacy fence is probably the number one request. Acting Mayor Sanschagrín asked whether there are situations where a resident installs a privacy fence, someone complains, and the City has to enforce it. Planning Director Griffiths stated that the 25 percent rule has happened. He noted that most of the proposals that come in are for white vinyl privacy fences, so if the rule is changed, that is probably what would go in. Ms. Richmond clarified that there is a different standard in the Code specific to fences along streets. That also requires 25 percent open right now, but that is not what is being proposed to change unless that is what the Council wants.

Councilmember DiGruttolo stated that the 25 percent should be discussed as a Council. Since it is the most requested item, the Council should listen to the residents unless the Staff has a different perspective. Planning Director Griffiths shared that this is the time to discuss the fences. He noted that most communities allow privacy fences. The city has allowed privacy fences as part of PUDs or townhome developments. Acting Mayor Sanschagrín noted that the City was being inconsistent at the time, which would be another reason to get rid of the restriction. Councilmember DiGruttolo shared that she is in favor of changing it, but feels it should be voted on. Planning Director Griffiths shared that the Council will vote on the Zoning Code and hold a public hearing. He added that for the fences that have been allowed, no complaint has come in about not liking them. In many cases, fences solve many issues. Councilmember Gorham asked if the thought is for interior only. Planning Director Griffiths stated that it is up for discussion. Councilmember Gorham stated he does not want to see privacy fences lining Smithtown. He added that the city has been tough on many residents in enforcing the requirements, and that a sudden change could be hard. The 25 percent does make a big difference in the aesthetic appeal. Planning Director Griffiths shared that the wall of fences would probably happen if allowed. Councilmember Gorham stated that the Council talks a lot about the character of the City, and that allowing privacy fencing would change how the city looks. Acting Mayor Sanschagrín asked which portion of the requests are from people on the streets, like those in Smithtown. Planning Director Griffiths stated that most come from those types of streets. He added that people typically build privacy fences on a street because there is an appeal to reduced noise or greater safety.

Councilmember DiGruttolo stated that, in a quick search on ChatGPT, she found that some of the cons include water flow issues and animals not being able to roam freely. Then, the fences also become a fortress of walls. She noted that restrictions could be instituted, such as where the fences could go. She shared that she would like to know, prior to making a decision, how many requests the city has received in the past year. She noted being inclined to allow the privacy fences. Planning Director Griffiths stated that he probably cannot get an exact number, as that is not something that is tracked. He estimated that it is probably about 30 to 40 people a year. Councilmember DiGruttolo noted that the privacy fence does not bother her. Councilmember Gorham stated that if the Council were voting, he would vote against changing it, but it feels like a big decision. Planning Director Griffiths offered that the topic could be revisited in the future, and there could be engagement on the topic with the Comprehensive Plan. Otherwise, the Planning Commission thought to keep the 25 percent requirement but to reduce the distance from eight feet to three feet from the property line. Acting Mayor Sanschagrín asked if the fence would be farther from the road.

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Councilmember Maddy shared that the discussion is to build walls next to the neighbor's property. He agreed with Councilmember Gorham that there is no right to build a wall on the property line. He noted that the city is blessed to have open design, and it is a beautiful thing. Building property walls would change things in the community. Councilmember DiGruttolo agreed that building walls should not be done, but fences, yes. Councilmember Maddy pointed out that building fences stops humanity. He added that fences do not make a better community. Shorewood has a great open community, and he does not want to ruin that. Planning Director Griffiths stated that the Staff has direction that there is no clear path forward, so he proposed to move forward with the status quo and be looked at again in the future. Councilmember DiGruttolo asked if the Staff could look into what all the other beautiful neighborhoods around Shorewood do. She pointed out that maybe there could be a middle ground as well, and all the options should be explored if residents are genuinely asking for the fences. Planning Director Griffiths shared that the topic would be removed from the Zoning Code update and can be handled on its own because it deserves more attention.

Ms. Richmond went over the updates to procedures. She stated that all of the procedures have been grouped in the last section. She added that the section begins with language that applies to everything, and each subsequent section covers a different topic. The proposal is to add a procedure for site plan review for the larger buildings within the city. She suggested that the proposal is merely administrative; if there is confusion, it can be brought before the Council. She noted that right now, it is not formally explained, so having it in writing is important for site plan review. She shared that the other changes are related to PUDs; it is common to establish PUDs through a zoning amendment rather than a CUP. Language was added on how to process minor and major PUD amendments. She added that the proposal is to eliminate approval for the general concept plan; it is not very common to see approval, but only to gather information. The last change is removing the public hearing requirement for the general concept plan. She asked how the Council felt about the formal public hearing for a general concept plan. She noted that the Planning Commission favored keeping things as they are.

Councilmember DiGruttolo asked what specific problem is being solved by removing a public hearing at the concept stage and how the city ensures that residents can still have meaningful input before the project momentum becomes irreversible. Ms. Richmond stated that holding the public hearing at the beginning of the process, where everyone can attend, ensures that everyone is aware of it. She noted that the hard part about that is that it is a concept plan, and it might not go any further, and the entire neighborhood may be really upset about something that may not go anywhere. Councilmember DiGruttolo stated that no problem is solved by getting rid of that. Planning Director Griffiths stated that it is fine, and the Planning Commission concurred. The public hearing is not typical, which is why it was brought to the Council's attention. Councilmember Maddy stated that he thought the Planning Commission did not want the redundancy. Planning Director Griffiths pointed out that the Planning Commission wanted the public hearing. Ms. Richmond added that, especially because the Planning Commission had just held a public hearing for a concept plan. Planning Director Griffiths stated that the bigger issue with PUDs is eliminating the approval step, as it puts the City in a difficult position.

Ms. Richmond shared the next steps in the process, with the draft Code put up for everyone to review and provide feedback. Then the feedback will be incorporated and used to prepare a final draft.

Councilmember DiGruttolo stated that the new site plan process allows the administrator to approve the plan unless the matter is voluntarily shifted upward. That is a significant governance shift. She asked whether there should be objective thresholds for automatic review by the Planning Commission or Council, rather than relying on administrative discretion. She noted she could send it via email due to time constraints. Planning Director Griffiths shared that this is why certain standards are in the Code. Right

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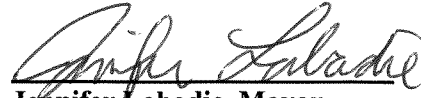
now, that is how things are set up because there is no procedure, and whatever the administration says is the process. He noted that he would follow up after and beef up the standards.

Gorham moved, DiGruttolo seconded, Adjourning the City Council Work Session Meeting of May 11, 2026, at 6:58 P.M.

ATTEST:

A handwritten signature in cursive script, reading "Sandie Thone", written over a horizontal line.

Sandie Thone, City Clerk

A handwritten signature in cursive script, reading "Jennifer Labadie", written over a horizontal line.
Jennifer Labadie, Mayor

