

TOWN OF WILTON

22 TRAVER ROAD

WILTON, NEW YORK

PHONE: 518-587-1939

FAX: 518-587-2837

Susan Baldwin, Town Clerk

sbaldwin@townofwilton.com

PUBLIC HEARING-Zoning and Code Revisions

7:00 P.M.

PLEASE TAKE NOTICE that the Town Board of Wilton, New York, County of Saratoga, will hold a public hearing on proposed Zoning and Code revisions.

SAID PUBLIC HEARING would propose Zoning and Code revisions as follows: Change existing H-1 zone to RB-1 zone at Wilton Gansevoort Road, Northern Pines Road, East Lane and Ballard Road and propose amendments to Zoning Schedule G, 129 Attachment 13, H-1 Zone & code amendments in Sections 109-16 through 109-21, 109-30 through 109-33, 109-35 and 129-49.6. Proposed revisions are on file in the Town Clerk's Office and can be viewed during normal business hours and online at townofwilton.com.

SAID PUBLIC HEARING will be held on Thursday August 01, 2019 at 7:00 p.m., at the Wilton Town Hall located on 22 Traver Road in said town at which time all persons will be given the opportunity to be heard.

BY RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WILTON

DATED: July 11, 2019

**Susan E. Baldwin
Town Clerk**

Connie Towers, 92 Ernst Road said she respected and appreciated the efforts of the committee but still feels the density, and not just the architectural standards, are key to the integrity and intent of the neighborhood. 12.8 units per acre doesn't work in the Hamlet and 15 units per acre doesn't work in the Ballard Road Hamlet. She said she had notes regarding the Relines online, and if I don't have the most current pdfs, you can disregard those comments;

Ms. Towers said she believes Schedule G should now read Total Side Yard of 30' entirely down the column for all uses.

To be consistent #2 footnote at the bottom of the schedule regarding Maximum Height of front of building should be incorporated into page 7: under C. (2) Architectural design standards. Perhaps an additional line or some wording to this effect regarding "The building frontage with no long continuous façade: as concluded and reflected in the Committees' meeting minutes on May 14, 2019.

Footnote 6 would be changed to decrease Density per unit per acre if that is what the Town Board decides. Whereupon, 3a) Section 129-176 M Apartment houses/multifamily dwellings (1)(b) would be

updated to reflect the new density as was done in prior years such as 2007 and 2012, but I defer to Mark Schachner's expertise as Town Counsel.

Article VIII, Chapter 129 C H-1 Hamlet District: the entire section of pages 44-50 would be replaced to coincide with H-1 law accordingly.

I object to page 87 item d. (6) Any other condition...The planning board may waive or modify standard requirements listed under §129-176. This seems to override our underlying town code, and tends to give the appointed members of the Planning Board members more authority than our elected councilmen or women.

Almost every zoning district in our Town Code refers to this section of our law, for Site design: "For all permitted uses and special permitted uses, §129-176 shall be reviewed for additional requirements."

Ms. Towers said she would appreciate someone looking into the CVS light before all this construction happens. It's only letting three people through at a time and it gets backlogged. With the new building being constructed next to Minogue's, it's backing everything up.

Nancy Dwyer, 12 New Kent Road said this is a public hearing and argues a majority of the residents in this town have no idea what is going on, let alone what is being proposed. She said to no close level can she address issues in this code revision the way Connie does. She has been following code in the Hamlet since day one when the Gordon Building went up. She reads and spends an unbelievable amount of time on it. A majority of the 17,000 to 18,000 people in this community have no idea. This board is supposed to vote on the committee's recommendations and this board has final say of what ultimately ends up in our code. There is a least one board member who was unaware that town board has that power and responsibility. They were under the impression the code revision committee had the power to rewrite the code. Another board member expressed at the June meeting, regarding the moratorium, that the large packet they had just received a day or two before the meeting, from the code revision committee, was too large for him to comprehend. She said she assumed he meant in such a short time. I know there has been sufficient time to read the proposed changes from then and those that have hopefully occurred between then and now so as to make intelligent and informed decisions on what is to become the building block foundation for this town's future. She said hopefully occurred because she said she had no idea if this committee has even met to complete unfinished items. She said she would bet money most, if not all residents in this town have no idea about these meetings or that this committee has existed for three years as another of our town board members was unaware. She said she is on the town's email list but receives no emails. It is not a secret she is interested in attending these meetings as she said she attended several prior to June. We are technically there only to observe so at no point she is aware of, there has been any request or outreach for public input other than tonight. She said she did know you voted against the moratorium and a backroom deal was struck to address a couple of issues within the Hamlet zone. A committee member expressed at June's meeting that there are a lot of people unhappy with the Hamlet. Not sure where that poll was done or how biased or unbiased it was. She said she proposed it was not the Hamlet concept that has his lot may have issue with but the interpretation and implementation we are witnessing is not at all what the intent was at its inception. She said in closing she expressed her frustration that you are even calling this a public hearing when the public at large has no real concept of what is being proposed or how it will impact the future growth and buildout of our town.

Eric Rosenberg, 16 Craw Lane said he hasn't looked at the code revisions. It seems that the focus of the code revision was pretty narrow. He said his concern, as usual, has to do with the process. The board was made up exclusively or almost exclusively of current town officials and prior town officials. Not exactly sure why, the town did not reach out to a broader range of community members to get the input of what people want. He said he assumed the law was followed and procedures were followed but

suggested the minimum was done. Why wasn't all of this advertised on the town's website and the Facebook page? Something like we want your input, we want to understand what it is the residents of Wilton want. It just doesn't seem to happen here and he said he's not sure why. He said he's heard stories of why but isn't going to get into that. He said he would just like to see the town show a bit more, be a bit more open and really involving more of the citizens of Wilton in this process. It can only bode well for the future of Wilton and it will certainly go a long way in stopping people like me standing up here and saying why isn't the town more open and receptive to what the citizens of Wilton want.

Supervisor Johnson said the Zoning Revision Committee was for a Comprehensive Plan Update, which was attended by a large number of people. It was advertised. The Zoning Revision Committee was created to implement the zoning changes based on the recommendations based on the Comprehensive Plan. The Hamlet zone just happened to be the zone most addressed. The Comprehensive Plan Update was well advertised, people attended and people had input. This is a follow up to that plan. The public was invited and this is zoning changes based on the input from the public on the Comprehensive Plan Update.

Dave Buchyn, 201 Heritage Way said what Supervisor Johnson just said about the Comprehensive Plan Update is absolutely 100% true and he said he was at most of those meetings. It was a very good process with a tremendous amount of public input and advertisement.

Mr. Buchyn said a lower density in the H-1 zone will lead to a larger, per capita carbon footprint, more sprawl and increased habitat disruption. True environmentalists and nature lovers like higher densities. Within a short walk from Park Place you will find: a post office, a dry cleaner, a book store, a hair salon, a deli, a pizza place, a wine shop, a Stewart's, two banks, a pharmacy, a Dunkin Donuts, a motel, a nice sit down restaurant, a college, a day care center, a dance studio, an audiologist, two eye doctors, a church, a farm field, an airplane landing strip, a dentist, a veterinarian, a storage facility, a retirement home, country club, a CPA and a massage parlor. These services and amenities all decided to locate in Wilton based on market conditions. Over specifying the type of business that can be allowed in a multiuse building in the H-1 zone will lead to vacant space as is seen in other similar developments. I believe it is best to set some general guidelines and then let business owners determine the highest and best use of land in the H-1 zone. The point is, please don't over specify what can go into these buildings. Some people don't like the hospital offices but if you start over specifying you will have vacant space.

REGULAR TOWN BOARD MEETING-August 1, 2019

Supervisor Johnson called the Regular Town Board meeting to order at 7:15 p.m.

Pledge of Allegiance

Supervisor Johnson led the board and the audience in reciting the Pledge of Allegiance to the Flag.

Roll Call

Roll Call by the Town Clerk showed all board members present.

Arthur Johnson-Supervisor
Steve Streicher-Councilman
Duane Bogardus-Councilman
John Lant-Deputy Supervisor

John McEachron-Councilman

Also present was Director of Planning and Engineering, Ryan Riper, P. E., Comptroller Maria E. Moran, CPA, CGFM and Mark Schachner, Town Counsel.

Public Comment Session

Nancy Dywer, 12 New Kent Road spoke about a long term plan for road maintenance. There is a 2015 update to the traffic planning study and a 2016 road condition report compiled by Cornell Local Roads Program. She asked about the road conditions in her neighborhood and the paving schedule. She also asked about crack sealing.

Eric Rosenberg of 16 Craw Lane spoke about attending the Wilton Zoning Board of Appeals and Wilton Planning Board meetings and compliance of New York State laws.

Dave Buchyn, 201 Heritage Way spoke about political signs and the changing of the code to allow for two signs on corner lots.

Approve Pending Minutes

On a motion introduced by Councilman Bogardus, the board adopted the following resolution:

RESOLUTION #237

NOW, THEREFORE, BE IT RESOLVED, to accept the minutes from July 3, 2019, as typed.

The adoption of the resolution was seconded by Councilman Streicher duly put to a vote, all in favor. The motion passed 5-0.

Zoning and Code Revisions

On a motion introduced by Councilman McEachron, the board adopted the following resolution:

RESOLUTION #238

NOW, THEREFORE, BE IT RESOLVED, to amend the proposed zoning code revisions to reduce the number of units per acre from 15 to 12 in Schedule G, H-1 zone.

The adoption of the resolution was seconded by Deputy Supervisor Lant, duly put to a vote, all in favor except Councilman

Streicher who was opposed. The motion passed 4-1.

On a motion introduced by Councilman McEachron, the board adopted the following resolution:

RESOLUTION #239

NOW, THEREFORE, BE IT RESOLVED, to approve the zoning and code revisions with amendment.

FURTHER BE IT RESOLVED, the revisions are minor which generally decrease the intensity of allowed development and are not an action subject to the State Environmental Quality Review Act (SEQRA).

The adoption of the resolution was seconded by Councilman Bogardus, duly put to a vote, all in favor. The motion passed 5-0.

Contract Approval-SZ Enterprises

On a motion introduced by Councilman Bogardus, the board adopted the following resolution:

RESOLUTION #240

NOW, THEREFORE, BE IT RESOLVED, to approve the contract with SZ Enterprises for headstone cleaning and restoration in Emerson Cemetery in an amount up to \$7,500.

The adoption of the resolution was seconded by Deputy Supervisor Lant duly put to a vote, all in favor. The motion passed 5-0.

Personnel Policy Amendments

On a motion introduced by Councilman Streicher, the board adopted the following resolution:

RESOLUTION #241

NOW, THEREFORE, BE IT RESOLVED, to approve the Election Day Voting Policy and

amendment to Uniform and Clothing Benefits in the Town of Wilton Personnel Policy.

The adoption of the resolution was seconded by Councilman Bogardus duly put to a vote, all in favor. The motion passed 5-0.

Committee Reports

Councilman Bogardus said the new pavilion is in use and 95% complete. Our town staff did a wonderful job on the construction. The relocated pavilion has been in use for Summer Camp. The landscaping will be done after camp is finished. There was a court renovation meeting this morning. We are on time with construction and have made some minor changes to windows. We are exploring a sprinkler system and do not yet have a cost. It is not a requirement and we are looking at need.

Supervisor Johnson said we had the unfortunate passing of Paul Woshanko. Paul was a long time highway employee and was caretaker of Camp Saratoga for many years. Our condolences to Paul's wife and family.

Discussion was held on the Splash Park and the amount of shade available.

Nancy Dwyer asked if the towns are responsible for the census in any way. **Supervisor Johnson** said we have been working on it for some time. The federal government hires the census workers.

Comptroller's Report

1.) 2019 Budget Transfers

On a motion introduced by Councilman McEachron, the board adopted the following resolution:

RESOLUTION #242

NOW, THEREFORE, BE IT RESOLVED, to approve the 2019 budget transfer requested for and listed in the Comptroller's 8/1/2019 Report (attached) to the Town Board.

The adoption of the resolution was seconded by Deputy Supervisor Lant duly put to a vote, all in favor. The motion passed 5-0.

2.) Section 8/Public Housing Plan Public Hearing

On a motion introduced by Councilman Bogardus, the board adopted the following resolution:

RESOLUTION #243

NOW, THEREFORE, BE IT RESOLVED, to set a public hearing on Thursday, October 3, 2019 at 7:00 p.m. for the purpose of receiving comments on the proposed PHA Plan for 2020 for the Section 8 Housing Choice Voucher Program.

The adoption of the resolution was seconded by Deputy Supervisor Lant duly put to a vote, all in favor. The motion passed 5-0.

3.) 2019 County Sales Tax Distribution

Ms. Moran said Saratoga County requires, by board resolution, the town determine how we want to take our sales tax revenue distribution. It would be in credit or cash.

On a motion introduced by Councilman McEachron the board adopted the following resolution:

RESOLUTION #244

NOW, THEREFORE, BE IT RESOLVED, to approve the payment of the Town of Wilton's portion of the 2019 Saratoga County sales tax in cash.

The adoption of the resolution was seconded by Deputy Supervisor Lant duly put to a vote, all in favor. The motion passed 5-0.

4.) Fee Waiver

On a motion introduced by Deputy Supervisor Lant the board adopted the following resolution:

RESOLUTION #245

NOW, THEREFORE, BE IT RESOLVED, to ratify the approval of a onetime building permit fee waiver in the amount of \$613.20.

The adoption of the resolution was seconded by Councilman Bogardus, duly put

to a vote, all in favor. The motion passed 5-0.

5.) Personnel

On a motion introduced by Councilman McEachron the board adopted the following resolution:

RESOLUTION #246

NOW, THEREFORE, BE IT RESOLVED, to approve overnight travel for David Towne to attend the annual NYS Magistrate’s Association meeting in Lake Placid from September 15 to September 18, 2019. The adoption of the resolution was seconded by Deputy Supervisor Lant, duly put to a vote, all in favor. The motion passed 5-0.

Adjournment

On a motion introduced by **Councilman McEachron** and seconded by **Councilman Streicher** all board members in favor, the meeting was adjourned at 7:53 p.m.

Respectfully Submitted,

Susan Baldwin, Town Clerk

Supervisor, Arthur Johnson

Councilman, Steve Streicher

Deputy Supervisor, John Lant

Councilman, John McEachron

Councilman, Duane Bogardus