

**TOWN OF DAY COMPREHENSIVE PLAN
COMMITTEE MEETING
FEBRUARY 17, 2009**

Members Present: Ted Mirczak, Chairman
Mary Ann Johnson, Supervisor
David Davidson
June Dixon
Ken Metzler
Judy Traeger
Richard Lamb, Consultant

Members Absent: David Cox
Larry DeRubbo

Others: Lieutenant Seibert, Saratoga County Sheriff's Office
Rich Reuther, Corinth EMS
Glen LaFave, Executive Director, HRBRRD
Michael Clark, Area Administrator, HRBRRD

Minutes Review:

The following changes were made to the minutes: Page 7, *Non-conforming lots* paragraph, second sentence: "Kathan Road area" change to "Lakeview area" and Page 8, first line change from "invited to the same meeting in the event they are interested in pursuing any land acquisitions from these large landowners" to "invited to the same meeting in the event that landowners have an interest in preserving open space on their properties by donating conservation easements."

Motion by Committee Member Davidson, seconded by Committee Member Traeger to approve the minutes of January 20, 2009 with the above referenced changes. Ayes: Mirczak, Johnson, Davidson, Dixon, Traeger, Metzler. Carried: 6-0.

Guests:

Lieutenant Seibert representing Saratoga County Sheriff's Office and Sheriff Bowen:

Many residents have a concern about speeding in the Town not only on North Shore Road but also on the lake with the boats. What can you do to help us solve this problem and what can we do to help alleviate this problem?

Can the Town form its own patrol of the lake by deputizing others?

Road Speed Limit: Directed patrols are done on a target area if the Sheriff's Office is made aware of the speeding problem by citizen complaints and will focus on a particular area for 1-2 weeks. Based on the results of the directed patrol, it may be

continued if the problem persists. Survey results indicated speeding problems on the North Shore Road due to the possibility of more year round residents and it being more heavily traveled there than on the South Shore. Community policing in the form of a neighborhood watch is available and has specific guidelines. Lieut. Seibert can make an officer available to assist in setting a watch up if there is sufficient participation on the part of citizens.

Lake Enforcement: There has been an increase in “go fast” boats since Lake George increased its fees and stepped up its enforcement in all areas of the lake. The Sheriff’s Office has increased its patrols along with sound level measuring devices to measure exhaust noise. While many of the boats are loud, they are not in excess of the decibel level set by the State. Part of the perception of noise level is due to the lake being in a valley and increasing volume being reverberated off the mountains. If the Town wished to lower the decibel level, it could be accomplished through a local law.

Lake Speed Limit: Only the Town of Day has a speed limit on the lake and the maximum speed limit set by the State would be determined by what is safe for conditions. There is a limit within 100 feet of shore set by the State which is 5 mph (no wake speed). Where the buoys are present, if a boat were traveling at a substantial speed, they would not be aware where the Town of Day ends and the Town of Edinburg begins. However, the operator is ticketed if they are exceeding the speed limit in the Town of Day. If the remaining towns on the lake would be agreeable to institute a speed limit, similar to what exists on Saratoga Lake, it would be more of a deterrent. Town Attorney Avigdor would be able to advise the Board regarding lake wide speed limits. The current limits on Saratoga Lake are 45 mph during the day, 25 mph at night and the distance from the shoreline was increased from 100 feet to 200 feet with a speed limit of 5 mph which is lake wide. While it did not decrease the amount of traffic, it did help with excessive speed. The problem boat on Saratoga Lake is the bass boat which travels at 65–70 mph. It was recognized that at the wider parts of the lake, a speed limit would not be as necessary as in the narrows.

Lake Patrols: If the Town wished to form a “lake patrol”, it would involve deputizing peace officers and be established with the State. This matter would also fall under Town Attorney Avigdor’s advice.

How is it determined how much time a Sheriff’s car will spend patrolling in a particular town?

This is also subject to the amount of complaints and activities taking place within the Town. If there is a rash of burglaries, the Sheriff’s patrols will be focused in that area. Some towns including Corinth and Wilton in Saratoga County contract with the Sheriff’s office and the cost would be determined by the number of hours and this figure could be determined by Sheriff Bowen. The Town should determine which hours of the day have the most violations.

Is there any kind of report that shows Car # ___ was in the Town during the week of _____ for _____ number of hours?

There are activity sheets which deputies complete for each shift they are patrolling within the Town despite citizen complaints that patrol cars are not present in the area. Their presence has increased due to an increase in manpower but the activity is not broken down by township but rather by zones. There have been two sheriff patrols within the zone which includes Town of Day during a shift. The patrols will concentrate their efforts on the more heavily traveled roads with a concentration on side roads only if there has been criminal activity reported there. At this time of year, the patrols are checking camps for any suspicious activity and while they do patrol the back roads, they are not checked as frequently as North and South Shore Roads.

How is it determined how much time is spent patrolling the Sacandaga Lake and on what days and what hours?

There are daily activity sheets for navigation patrols which includes weekends from 10 a.m. to 6 p.m. with occasional changes in scheduling. On holiday weekends, the patrols are increased along with DWI patrols. Presently there is one boat for the lake. If activity indicates there is a need for additional patrols, another boat could be added to the patrol. There are two jet skis available for patrols along with five boats within the County and an airboat typically used in the winter months for water rescue. The Town should notify Sheriff Bowen of any violations on road or water and it would be his determination if any additional patrols could be added.

What does the Sheriff's Department see as the biggest problem on the lake in the Town?

The increase in both traffic and number of speed boats are the biggest problems. The Town is stable as far as reported incidents which include no problems with drug activity, burglaries which occur are typically small, and there are a small number of DWI arrests. Most incidents occur on holiday weekends.

Rich Reuther, Corinth EMS:

Response Time: The EMS Squad is stationed out of Corinth. The concern of Town residents is response time which is 20 minutes from the station. Time related emergencies such as heart attack or stroke are directly affected by the length of the response time. They are dispatched in a priority dispatch system which gauges response-whether it would require lights and sirens or routine response time and drive speed without emergency response. Whether Edinburg or Corinth responds is dependent on the County mapping. The issue which arises is where the patient's doctor or hospital is located which may not correspond with which emergency squad responds. Currently how this issue is dealt with is problematic. If the patient requests Corinth EMS and is located in the Edinburg zone, two ambulances may be dispatched to a single location due to EMS being required to dispatch from the district where the patient is located. This

issue should be addressed with the Saratoga County Sheriff's Department (sergeant in charge of communications). If a patient requests a hospital which is located outside of the area (i.e. Albany Medical Center or St. Mary's Hospital in Amsterdam), the ambulance service will attempt to transport them to that location within reason. All ambulance services have their own policy.

Helicopter service is not provided by Corinth EMS but can be accessed. Heart attack or stroke victims in need of imminent intervention may be transported to Saratoga Hospital or Glens Falls Hospital with eventual transport to Albany Medical Center or St. Peter's Hospital, both of which are minimum two hour transport. Consideration must be given to the fact that this is a remote area and transport to the hospitals will be lengthier than in an urban area.

Staff: Corinth EMS is a paramedic/ambulance service which has two ambulances, one paramedic fly car and two paramedics on duty during the day and one at night. They also work with volunteers to cover extra crews. They cover Town of Day, parts of Greenfield and Town and Village of Corinth. All calls received from the Town of Day are responded to with an ambulance and a paramedic on board, a paramedic responding separately in a fly car, or an ambulance with an ALS responder to evaluate the patient. The only other obstacle would be weather related or accessing a patient in the woods (snowmobile or ATV accident) while waiting extraction by the local fire department.

Is there anything the Town can do to improve response time other than forming its own EMS squad?

A paramedic in a fly car located within the Town of Day would cost from \$120,000 to \$160,000 during day time hours without a building. The ambulance would still respond from Corinth but the paramedic would respond within 2-4 minutes. In 2008, the Town of Day averaged 2 calls per month (24 calls per year) with the majority in the daytime hours.

Private road signs would not improve call times because all rigs have GPS which is very accurate. Mapping was an issue prior to GPS services. It would be at the discretion of the Town to decide if signs would be necessary. A patient must also recognize the immediate need for medical intervention and seek medical care at the first signs of trouble. Because the distance traveled has not changed, response time will always be an issue for those with life threatening medical issues.

Do you train on the use of AED's? What is your feeling on the use of these?

AED's are located within a public place typically in airports, schools, etc. At a cost of \$1,000, AED do not require training but would be a time issue if a patient is in full cardiac arrest. The unit has simple instructions with initial instruction given by the company where the Town purchases it from or Corinth EMS. Some towns also have a citizen group who check with senior citizens for medication supplies and compliance.

Corinth EMS would be available to hold educational opportunities regarding self-help health prevention (high cholesterol, smoking cessation, etc.) and classes in CPR. Some towns have a listing of citizens in need (oxygen supplies, etc.) or those bound to their homes, with pets, etc. so if a town wide emergency should arise, these citizens would be responded to.

What procedure would the Town follow to get people to be first responders?

They must be trained and should be affiliated with an emergency squad to carry the equipment. They must be operating under a physician's license and be trained to use oxygen. Since they must operate through an emergency squad, Corinth EMS would verify the first responder's qualifications.

They would be required to complete a two-day training which is sponsored through the County twice a year in Ballston Spa. They would be required to have a pager (at a cost of \$500) and a radio (at a cost of \$1500-\$3,000). After completely outfitting the first responder, the cost would be comparable to what the Town is currently paying for ambulance service. Any prescribed medicine drug or oxygen must be administered under the direction of a physician and by an EMS technician. Due to litigation, how the first responder is trained and with whom they are affiliated is a very important consideration for the Town.

How do you see the Corinth EMS organization changing over the next 10 years?

An increase in volume of calls would be the most obvious change. Many paramedics and volunteers are now being directed by the Town of Corinth and the Town Board Members. There are 15 paramedics on staff with the emergency squad (two are full time) with the remaining part time. Additional paramedics have been on duty over the weekends this year based on need due to call volume and times of calls. Also, volunteers are becoming less available due to work commitments and Corinth EMS is responsible for adequate coverage. Supervisor Lucia, Corinth Board Members and the Town of Day receive a full report on calls. Any issues regarding adequacy of coverage is discussed in this report. If a resident inquires about billing on items not covered by insurance, the report would explain that charge. The billing, previously handled by a company in California and will now handled by the Town of Corinth, had issues with communications and availability of accessing billing records in a timely manner. By handling this locally, that problem was solved resulting in utilizing those saved funds for additional staff.

The crews and buildings are maintained by the squad volunteers who just refurbished their building last year. All vehicles have been staffed with heart monitors to determine if an individual is having a heart attack, carry narcotics for pain management, and perform RSI which assists in the long drive to the hospital which can be 1-2 hours. Extra coverage is provided during special events held within the Town. Advances in medical treatment have greatly improved how medical emergencies are handled by

Corinth EMS in contrast to the past. In the long term, there are no pressing issues other than normal growth. Because of the difficult economic times, all costs are increasing. The Town of Corinth has been satisfied with the way in which all medical emergencies have been handled and there are no plans to make any changes to how EMS is currently structured. Helicopter services are being scaled back due to the high cost to the patient for transport (\$10,000 and up depending on the distance traveled).

Any questions or comments can be directed to Mr. Reuther directly through email dc2resq@hotmail.com or cell 788-1793.

Glen LaFave, Executive Director and Mike Clark, Hudson River Area Administrator and Permit System Administrator, Hudson River Black River Regulating District:

“Would the Regulating District provide us with a copy of your current “Comprehensive Plan”? When do you anticipate doing an update?”

The Regulating District does not have a comprehensive plan but has many plans which are based on mandated legislation and must be adhered. These plans include:

1. Historic Property Management Plan (which will eventually be available on HRBRRD website) which is also mandated by the FERC license and maintained through the State Historic Property Office.
2. Shoreline Stabilization Plan (this is not currently available on the website but is a work in progress) which also falls under FERC mandate and must be filed yearly. Once a year, HRBRRD does a physical inspection of the complete shoreline and prioritizes those areas in greatest need. Last year, a quarter of million dollars was spent on shoreline stabilization with 5,000 tons of stone and over a mile in linear feet was stabilized. Some property owners will apply for work permits and complete the work themselves. Riprap can be purchased from Delaney in Northville.
3. Capital Project Plan which plans and funds capital projects.
4. The Permit System Rules which are under review at this time.

Their mission statement is to regulate the flows of the Hudson River and Black River for the purposes of flood protection and augmentation. There are a number of ancillary duties they perform. Hudson River (established in 1922) and Black River (established in 1919) Regulating Districts were merged in 1959. Each still operate with separate budgets and a common board. The Regulating District is under the regulation of many other entities. The reservoir maintenance is regulated by the FERC (Federal Energy Regulatory Commission) licensing agreement and the offer of settlement. HRBRRD also holds a license with FERC. Hydro plants are commonly licensed but not bodies of water but due to HRBRRD being the primary supplier of water to a number of hydro plants, they are required to have a FERC license.

What are your long range land use goals?

HRBRRD is part of the Department of Conservation and the land use goals would be an offshoot of other policies. The land use on private land directly affects the land use on public land and vice versa. For example, an individual has 500 feet of lakefront with one private residence and it becomes subdivided or becomes townhouses and it would affect the public lands. In the Town of Northampton, a marina owner wished to expand and adequate parking did not exist. There was not a problem with the land use on the State land but with the land under the Town's jurisdiction. After discussions with the Town, the expansion was denied. Under the new rules, any new commercial use or expansion of a commercial use, HRBRRD would not make a decision until seeking input from the municipalities.

What are the long range goals for water control?

HRBRRD is mandated by the State and much of the water control is regulated by the offer of settlement. The water levels and process for release are listed on HRBRRD website and through a phone in with daily updates.

What would the Regulating District think about partnering with local governments, including those that aren't "Communities that benefit"?

It would be contingent upon the definition of "partnering" and due to past litigation, HRBRRD must be cautious. They are part of the Sacandaga Advisory Committee and are working toward assisting localities with grants. HRBRRD was asked to partner in distributing information regarding spiny water flea, an invasive water insect appearing in the lake. While it is not part of their mission, they do feel responsibility and this information was provided free and did not increase the cost of postage in the renewal permit registration so it was included. This would be a good example of the type of partnering HRBRRD is involved in.

What has been the participation of the other Towns around the lake? What benefits are derived from that participation?

It has been on a needs basis, individual basis or one-on-one. Supervisor Johnson has attended numerous public meetings the Regulating District has held. Supervisor Johnson stated while she would like to assist the property owners, it is difficult to represent a permit holder within the Town because she may not be aware of all the issues. Survey results indicate the Town citizens believe the Town needs to be involved. When HRBRRD initiated their rule change, they followed the State Administrative Procedure Act. The Governor's Office of Regulatory Reform assigned two of their staff to oversee the changes. Mr. LaFave has heard the opinions of many diverse groups and it is a balancing act to satisfy all parties.

Many respondents to the survey thought that the Town should look to make the "Park" at the Dam on Kathan Road a point of lake access. The "Park" is actually in Hadley, but the question remains. What plans, if any, do you have for that site?

This site is an official portage site for a canoe carry in. Since 9/11 all the rules have changed and are much more stringent. The Regulating District does not provide direct access, own marinas, docks or launching ramps. It would be at the behest of the Town of Hadley to approach the HBBRRD stating they wished to use the site, and the decision would be based on their plans to utilize the site. If the Town of Day were able to secure a parcel, it would need to approach the Board with the proposal of what their intentions were. The Town of Day sold the park on North Shore Road to the County and the State owns the boat launch. As part of the FERC mandate for safety and due to the security concerns in the proximity of the Kathan Road park, warning sirens are planned to be installed.

There seems to be much distrust of the HRBRRD Board and I am sure you are aware of this. What are your feelings on this and how can we help to improve this?

This is based on perception and what people wish to believe. There is more information on HRBRRD website than ever before, more news releases, Board Members are unpaid, HRBRRD has a zero balance budget, etc. Some believe HRBRRD wishes to increase the permit fees and there is no reason to do so. There is public opinion that the Board is against the permit holders; however, there are two permit holders on the Board. There are some who will continually look for and find fault with the Board and HRBRRD would like to be able to depend on the towns to let their citizens know this perception is not true. There have not been any issues with the Committee on Public Integrity on whose Board the Regulating District serves. The Board has provided training for all of their staff. All Board Members have attended the mandated Board's Government Training which requires one uncompensated workday. Any advice on the part of the towns would be appreciated.

The erosion of the land around the lake is a major concern to property owners. What is your plan to alleviate this and to repair it?

There is an ongoing mandated plan by the Erosion Control Plan at a cost of a half million dollars per year to repair eroded beach fronts. Whether or not it is sufficient is subjective. The Federal Energy Regulatory Commission reviews the plan and mandates it and HRBRRD must submit reports to them. While there are 120 miles of shoreline with only just over a mile refurbished last year, there are many areas which do not require it while at the same time, if a million dollars were available, it could be used. There are maps available in pdf form on the website which shows the erosion sites which have been refurbished since 2003 to the end of December 2008. It shows there are concentrations of where work has been completed at the worst sites. HRBRRD did receive a \$60,000 FEMA grant after the July flood several ago which went completely to erosion control. The three engineers on staff monitor the conditions and if there was a critical situation and FERC required additional work, the work would be done. The

reason FERC mandates shoreline work is to prevent it from affecting the operations of the reservoir and the environment. If it did affect the reservoir operation, FERC would mandate more shoreline work be done. If no shoreline work were done, it would affect the reservoir by increased erosion and runoff of dirt, sand and topsoil filling the reservoir over many years and the reservoir capacity would be affected. None of these repairs are paid by permit fees but by reservoir operations.

HRBRRD may be involved in a court case with Niagara Mohawk and others over the permit system. How do you feel the impact of the lawsuit will affect the permit system? How “vigorously” will HRBRRD fight the National Grid law suit challenging the permit system? How long will the lawsuit take to resolve?

It would be very difficult to predict how the lawsuit will be handled by the courts but the Board will have competent counsel representation to secure a judgment favorable to the Board. Currently there are outstanding lawsuits with Niagara Mohawk which are seven years old so the timeframe for resolution of this lawsuit is also unpredictable. It would also be contingent on number of claims, the judge, the court, the system, whether or not discovery is allowed, and how many motions there are. The permit system has been in existence since the 1930's so why these lawsuits are being brought at this time is not known and was not anticipated by the Board. Niagara Mohawk claim they subsidize the permit system. They also are involved in numerous lawsuits in different municipalities challenging assessments, etc.

Has HRBRRD studied the number of people that they have on staff, particularly maintenance personnel, and do you find yourselves being understaffed? Can you add to staff if need be?

HRBRRD believes they are adequately and minimally staffed which is covered by their budget. The staff is adequate because of the way it is utilized and managed. If there was a need for additional staff, they could technically add to it because there is not an executive order restricting hiring but none is anticipated. The Regulating budget is a three year budget and which covers over two million in property taxes paid for by reservoir operations and not by the permit fees (which amount to just over \$400,000 per year).

The permit fees are used for operating the permit system such as the work permits, crew, vehicle, surveying equipment, etc. At the present time, they are doing a study to determine if the fees collected are adequate to cover the expense of the system and it should be determined by May of this year. Some of the staff's time is divided between the permit system and reservoir operations and those figures are being studied at this time.

How does someone get on the Board of the HRBRRD and how many times a year do they meet?

The Board is appointed to a term of 2-5 years by the sitting government so if the administration does change, the Board serves out their term. Mr. LaFave is unaware of how Governor Patterson's office will handle appointments. In the Spitzer administration, the notification was in the form of a copy of the letter making the appointment. There is no involvement on the part of HRBRRD. The Board consists of seven members, three of whom must live in the Black River area, three in the Hudson River area and one member can live anywhere within New York State. There are a minimum of ten meetings per year (last year there were twelve) at locations throughout the watershed to be held at Northville, Johnstown, Saratoga Springs, Albany, Utica, Watertown, Caroga, Inlet and Stillwater Reservoir. The Board meets at 10 a.m. and the list of the meetings are on the website. The next meeting is set at the Board meetings with committee meetings prior to the Board meetings.

Would HRBRRD having a PR person attend some meetings in the lake towns be possible?

There are no public relations persons on staff or on contract at this time and the public relations are currently handled by Mr. LaFave or Mike Clark.

Will the existing permit system remain much as it is now?

Many of the permit system rules which memorialized current practices, protocols and procedures were not in the old rules which would account for the length of the current rule book. For example, front and back lot were not defined in the old rules along with their eligibility. There were many things which were covered only in memo form in the past and are not included in the rules. Until the new rules are established, the current rules will be the rules in effect and are available on the website.

What is NYSDEC doing with the proposed permit area rules?

The rules must be approved by DEC who can reject the rules totally, require the current rules be utilized, approve the rules or approve the rules with revisions requesting HRBRRD to make the changes. At the present time, HRBRRD has offered to meet with DEC regarding any issues they may have with the rules and DEC is internally reviewing the rules with no timeline available.

What are the early indications from your ongoing fiscal audit showing for future permit system fees?

The permit system fees will be approved by DEC based on the rule approval. A cost methodology should be known by May of this year. Some feel it should be a "pay as you go" system due to the fact that some permit holders do not cause the Regulating District to incur any costs but only visit their permit site and use the beach for recreation. This began the fees for work permits so those permit holders who wish to add a dock, stairway, etc. will pay for it especially when it is a commercial entity where SEQR review may be required. If the Regulating District must visit the site where the work is

being done whether that work be additional docks, building of condos, etc., this would increase HRBRRD manpower hours. The idea being that the work permit will cost the District money and by having this pool of money, it would keep costs lower.

What effect will the APA decision to recategorize HRBRRD permit areas land have on your long range goals?

There will be no changes to long range goals as this was not a recategorization but a technical correction regarding mapping technologies as this has always been State land. The area surrounding the lake is either State or private land and the permit areas were not categorized as State land. This area should be referred to as lands of the State of New York under the jurisdiction of HRBRRD. HRBRRD does not own the land but is the lead agency administering the land. APA will attend the March meeting and Mr. LaFave will be notified if his interpretation of the mapping is incorrect. HRBRRD was not party to this recategorization but notified after the decision was made. HRBRRD is paying taxes on State lands to the counties, towns and schools. Some property owners incorrectly state their tax monies are going to the Regulating District when the case is exactly opposite.

Is HRBRRD going to attempt to work with FERC to alter the terms of the agreement reached several years ago?

At this point, HRBRRD has no plans to do this for the following reasons: The FERC license and the offer of settlement were agreed to prior to 9/11 and prior to the war on terror, prior to oil wells being burned, prior to record cost of foreign oil resulting in the “water” (Great Sacandaga Lake) being a bargain. There are real concerns regarding the needs of this country. Some times two agencies put out a license on one body of water in order to produce power. The agency with the more productive, more efficient and higher capacity plan will be the recipient of the contract. If HRBRRD did attempt to alter the agreement reached several years ago, in what direction would FERC go – more or less? If the negotiations were reopened, the end result could be to the disadvantage of the Regulating District. FERC could reopen negotiations which is unlikely due to the length of the contract (which was negotiated for 40 years). Under most circumstances, it would be renegotiated at re-licensing.

Is there to be an added water release started in 2011 for fish benefit below Stewart’s Dam? If so, how will it affect GSL water levels?

This is in the offer of settlement and there will be an added minimum release which is a mandated agreement. The release will be on a daily basis and consist of 300 cubic feet per second as compared to thousands of cubic feet per second which have been released at E.J. West Hydro Plant which is adjacent to the Conklingville Dam and owned by Brookfield Renewable Power who releases the water to Stewart’s Bridge which is downstream. The release will be so small it will be unnoticeable. The effects of a rain storm would be more noticeable. Stewart’s Bridge is similar to a pond which has run off and if water were not released from the Dam, this run off would make up for that amount

of released water. This release would be time shifted (not scheduled for a specific time) and have a very minimal result. The benefit for be for the fish to prevent drying of the shoreline.

Are there any other upcoming HRBRRD initiatives that will affect the Town of Day?

There are none. Much would be dependent on what is allowable in the Town of Day Ordinance. If a commercial permit is not allowed on private land, it would be denied.

Many property owners believe there should be a boat launch on the South Shore. There have been many changes to the law regarding boat launches and it would depend on the configuration of the boat launch. The traditional poured concrete boat launch is no longer allowed. It would be considered an encroachment as identified in 2003 or 2005 in the form of a ruling (Thomas Gain (sp.) vs. NYS). At the present time, HRBRRD does not penalize a party if they encroach on District land. There are no alternatives on State land for poured concrete and anything affixed to the ground will not be allowed. It must be temporary or removable with no excavation or expansion allowed. The only entity who would be allowed expansion would be the State. The State is currently upgrading boat launches making them handicapped accessible. The State boat launch located in the Town of Day would be able to be repaired and State launches fall under different criteria. Moorings and docks are allowed. The classification of State land was not known as it could be a number of different classifications. The lands around the dam and the Sacandaga Field Office would be classified State administrative. The question of reclassification should be referred to the APA representative. HRBRRD's enabling legislation is a law which takes precedence over regulations. APA would not institute any regulation which would limit reservoir operations and these regulations would come under Federal review.

A marina without a boat launch could be located on the lake depending on the size and would be considered new land use and development requiring APA permits and it would have to meet a minimum frontage requirement. The State would consider what is planned for both State and private land with parking being a big issue. Town of Day Ordinance requires 500 feet of shoreline for the operation of a marina.

Survey:

Committee Member Davidson has compiled data on 739 surveys as of this date and it has been verified by the Secretary. Several Committee Members have also reviewed the surveys. Committee Member Davidson has been very pleased with the results and content of the surveys and the number who have responded. Property owners have indicated their pleasure in residing in the town, the serenity it brings, have offered to volunteer for committees and have provided their names and contact information. Committee Member Davidson will have data compilation including the open ended questions available within a month.

Schedule of Meetings:

It was agreed all meetings will begin at 9:30 a.m. and will be advertised. The following meetings were scheduled:

March 17, 9:30 a.m., Brian Grisi, APA with meeting at 1:15 p.m. for the Planning and Zoning Board Members.

March 31, 2009 9:30 a.m., Survey Data Analysis (subject to change).

April 21, 9:30 a.m., Tom Martin, DEC.

May 19 and June 16, 9:30 a.m. Workshop Preparation.

July 21 and August 18, 9:30 a.m. Workshop Meetings.

Anticipated Public Hearings dates of June and July 2010 and Plan Adoption of August 2010 (which is over two years since the Committee first formed in June 2008). Committee has committed public participation to summer months when most of the property owners of the town are present.

Professor Lamb stated the comprehensive plan may result in changes to local law and some consideration must be given to if this Committee will also be responsible for that part of the process which may stretch the process out for an additional year. Chairman Mirczak stated he did not believe this Committee had committed to rewriting local law. Once the Plan has been adopted and is in place, local law which must comport with the Plan and local law would then be changed. Professor Lamb felt if there was a totally different set of Committee Members working on the local law revisions, they may have a very different mindset from the original Committee's view of the Plan.

Professor Lamb – Goals and Recommendations:

This list will be utilized within the next meetings to identify which issues will be focused on and the types of workshops to be formed. This process will continue into next year. The Goals and Recommendations will be assembled as a draft to be refined within the next few meetings. After the April meeting, no guest will be scheduled until the data is reviewed.

APA review of the Plan would be an informal review because they do not have to formally review our Comprehensive Plan. The recommendation would be for a negative declaration for the SEQRA.

Draft Comprehensive Plan Part 1:

A hard copy of this is available at the Town Hall if any members are having difficulty reviewing the electronic version.

Chairman Mirczak will send a draft proposal via email which he is working on to all Committee Members. He has reviewed all comprehensive plans in Saratoga County and has extracted for uses as examples the goals, recommendations and mission statements and in a few selected cases, some of the layouts.

March 17, 2009 Meeting:

David Cox will chair this meeting. All remaining agenda items for this meeting will be added to the March agenda.

Motion by Chairman Mirczak, seconded by Committee Member Davidson to adjourn the meeting at 12:40 p.m Ayes: Mirczak, Johnson, Davidson, Dixon, Metzler. Carried: 5-0.

Respectfully submitted,

Diane Byrne
Secretary