

**TOWN OF DAY COMPREHENSIVE PLAN
COMMITTEE MEETING
AUGUST 18, 2009**

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

Members Absent: Dave Davidson

Others: David Smail, Co-Chairman-Town of Day Property Owners Association and Director-Great Sacandaga Lake Association
Suzanne Denn, Town Board Member

Minutes Review:

Motion by Dave Davidson, seconded by Committee Member Traeger to approve the minutes of July 21, 2009 meeting. Ayes: Mirczak, Johnson, Metzler, DeRubbo, Traeger, Cox, Dixon. Carried: 7-0.

David Smail, Co-Chairman-Town of Day Property Owners Association and Director-Great Sacandaga Lake Association:

Mr. Smail appeared representing the Property Owners Association which is comprised mainly of seasonal residents who own property on the water and a very limited number who reside on Yates Hill Road. The Property Owners Association strives to keep their membership apprised of any changes or important issues within the Town in order to act on it.

- One area of concern within the Adirondack Park would be the limited opportunity to earn a living. In the Town of Day, due to its proximity to the Capital District, commuting to work is a possibility.
- The survey results regarding desire for cell phone coverage without unsightly tall towers is the same concern for the property owners. Discussion ensued regarding the community's expectations of cell towers; how they will appear; and, a recent email regarding how cell towers can disappear into the background of a landscape.
- Discussion ensued regarding concerns of community over the regulations and restrictions associated with the lake; concern over the rule changes and how those changes will impact their ability to use their land or the access area or restrict them from making changes or improvements to the

access area; belief that property owners are more proactive in their care of the lake regarding erosion; and, Mr. Smail's work to obtain protection for property owners.

- Discussion ensued regarding safety issues resulting from the deterioration of the Conklingville Dam; high water levels damaging dam; problems with channeling through dam; inability to obtain engineering reports from HRBRRD; possible solutions to stop erosion damage to the dam; target levels being maintained; and, how target levels are also not being maintained.
- In addition to the Goal: "Coordinate with neighboring towns and government agencies" (including HRBRRD, DEC and APA), Mr. Smail suggested specific issues which would benefit from Town intervention are the permit land and possible solutions for ownership; liability connected to being a permit holder; reviewing the FERC agreement regarding target levels; and, working with HRBRRD to maintain the water levels closer to the target levels to alleviate damage to the dam and control erosion.
- Mr. Smail confirmed the groups he is affiliated with have the same desire to retain the rural atmosphere, do not like restrictions placed on them, would like to keep the taxes low, work together to accomplish certain goals and not be a hindrance to each other. For instance, he stated the property owners appreciate the assistance received from Code Enforcement Officer Metzler to obtain a building permit.
- Mr. Smail believes large buildings should be restricted which may create erosion associated with mud slides down driveways. Supervisor Johnson stated the County will be notifying homeowners by letter that they are responsible for shoring up their driveways. However, the County should have been more restrictive and not allow driveways on such steep slopes. Committee Member Traeger stated some homeowners are insistent on following through with their building plans against the advice of authority. Committee Member Cox stated the County tends to look at sight restrictions. Supervisor Johnson stated the driveway requirements of both the County and the Town of Day should be compared and make recommendations for changes or additions. Mr. Smail stated if, for example, a homeowner wished to site a driveway, the Town could provide them with sufficient information to accomplish it without the problems with runoffs.
- Code Enforcement Officer Metzler stated taking into consideration Mr. Smail's comments that homeowners wish to maintain the rural flavor of the town, regulations would be necessary to maintain that goal.
- Mr. Smail stated in his role of keeping property owners informed, communications could be improved due to lack of a town newspaper.
- Mr. Smail believed some of the towns pursue grants and the ultimate result is the project is not well utilized. A dock at the boat launch with handicap access would be a welcomed addition to the Town and he believed there were funds assigned to this project. Supervisor Johnson stated her source informed her it will be on schedule for installation next

year. Chairman Mirczak stated this Committee is identifying those projects it would like to see undertaken and then will pursue the funds to complete it.

- Discussion ensued regarding Town property on Min Allen Road (sand pit and cemetery) and a sand pit area off South Shore Road (Bushey Park) which was donated to the town and declared forever wild by Town resolution. Professor Lamb stated the Committee would like feedback on the State land near the “S” curves from the property owners. John Ferguson, a former surveyor for HRBRRD, identified the ten areas surrounding the lake where there is public access. This is to refute the statement that the public does not have access currently to the lake. One area is located near the dam (Town of Hadley) which is used by the public and has not been officially designated a park. The other areas also have the potential for parking and public access.

Professor Lamb stated these maps should be included in the plan indicating public access areas located within the Town of Day. Mr. Smail stated DEC has agreed to meet with GSLA and he will obtain that map. Professor Lamb stated it is the responsibility of the Park Agency to reclassify those lands into some category. A “want list” could be retained for those areas which are not covered by a permit and would be useful to the public, and a recommendation should be made that they be reclassified as intensive use. This is an opportunity for the Town of Day to have some input as to what the classification may be. He further stated a constitutional amendment would have to be drafted to cover the lands around the lake. Discussion ensued regarding traditional congregating areas on the lake and improvements to the same to avoid problems associated with Sand Island and the reluctance of permit holders to accept these large groups of boaters near their area.

Workshops:

Chairman Mirczak stated regarding the minutes for the August 8th workshop, page 4, Viewshed paragraph, should reference the tree cutting law rather than the Viewshed Protection Act.

Chairman Mirczak shared information with the Committee regarding the suggestion of Charlie Czech depicting boardwalks pinned to the High Peaks walls at Avalanche Lake called “Hitch-up Matildas”.

Chairman Mirczak noted a clarification in the terms mobile homes versus manufactured housing which all members were provided with:

- Mobile homes no longer exist and they are to be referred to as manufactured homes with metal frames which are a permanent structural component of the building transported to the site on axles. All references to mobile homes should be changed to manufactured homes.

- Modular homes are built without a metal frame transported to the site and placed on a foundation permanently for the life of the building.
- Manufactured homes are allowed in all zones as all zones allow single family dwelling and manufactured homes are single family dwellings.
- Discussion ensued regarding whether to limit the zones where manufactured homes could be located; that there was no outcry against manufactured homes on the survey results; a property owner's concerns with unoccupied manufactured homes; to retain the same language in the ordinance regarding manufactured homes; the current costs of manufactured homes; problems which occur with used manufactured homes; the inability to safely move older homes; to set an age requirement of allowable manufactured homes; public reluctance to accept proposal of not allowing any manufactured homes older than ten years; manufactured homes provides a means for low cost housing; Code Enforcement Officer Metzler reviewed his inspection of older manufactured homes to be sited on a parcel in the Town (which inspected on site and if they do not pass inspection, they are removed); permits are required for any building for habitation; and, under the goals for affordable housing, it is currently not recommended for any change.
- It was the consensus that since the Comprehensive Plan is projecting 20 years in the future, there should be some reference to manufactured homes for the Committee who will be addressing any changes to the Zoning Law.

Chairman Mirczak stated two individuals contacted him regarding attendance at the August 25th workshop. It is up to the Committee Members if they wish to attend but it is not necessary to all to attend. It will also be an open format discussion.

Property Owners Association Meeting of August 15:

Chairman Mirczak stated he was providing information only on upcoming events and did not field any questions.

Survey Analysis:

Committee Member Davidson has revised this version to be written in a more general than personal sense. No comments were received from Committee Members. Committee Members agreed to examine the analysis before submitting it in draft form to be placed on the website. It was agreed that the drafts and charts would be incorporated in the analysis for inclusion in the master plan after each question they pertain to. A comparable cover page to other documents will also be included. Professor Lamb will obtain the final version from Committee Member Davidson and complete the inclusion of drafts and charts.

The Town of Day logo will be obtained from Assessor Duane Nealon in electronic form to be incorporated on the title pages of all documents. It would be

retained in PDF form for easy deletion or inclusion of information. Goal of Committee is to have the survey analysis ready for website inclusion within the next month.

Vision Statement:

Discussion ensued on different versions of vision statements indicating there is no standard. Professor Lamb recommended that the statement be the basic statement or goal and discuss some subcomponents of that statement in more detail. For example, there could be a vision for economic development, conservation, affordable housing etc. expanding on each recommendation. After each goal and recommendations, there would be a vision statement for each individual category. There is no ideal size for a vision statement but all members agreed it should be short.

It was agreed the vision statement which Committee Member Davidson submitted is best summed up by the following portion of that statement: “The vision of the future of the Town of Day is grounded in the past, and in the present. Simply put, 20 years from now, the Town of Day should look and feel as it does now – rural, rustic, quiet and unspoiled with woods and lake and mountain views.”

Professor Lamb stated the current zoning regulations are good but did feel “Planned Unit Developments” needed to be revised or eliminated. This type of large development would be the most dramatic change in the Town. The Committee would need to determine how the vision statement reflects on interior parts of large parcels and what the recommendation would be.

New Persons To Meet With:

Lauren Roberts, Town of Day and County of Saratoga Historian, will be the guest at the September 15th meeting at 9:30 a.m.

Meetings will continue to be held on the third Thursday at 9:30 a.m. through May 2010.

Committee Member Cox will contact Peter Byron of Great Sacandaga Lake Association and Joe Sullivan and Dick Smith of Sacandaga Protection Committee for the October 20th meeting.

School Districts as guests will be eliminated.

Business Owners will be guests at the November 17th meeting and it will be an evening meeting at 7 p.m. Supervisor Johnson and Code Enforcement Officer Metzler will compile a list and ads will be placed in various publications prior to the meeting. The list will be circulated among Committee Members to any additions.

In regard to adjacent towns, interest would be indicated in mutual cooperation without making any specific references to individual towns. The Town of Edinburg has

very dissimilar subdivision and zoning laws and they may have some input to explain why they are doing things differently than Town of Day. The Secretary will contact Jim Bogert, Edinburg Planning Board Chairman to be our guest at the December 15th meeting. Discussion ensued on shared services between rural towns; single supervisor representing two towns and legalities of the same; and, the effects of the closing of the Batchellerville Bridge on snow plowing, schools, EMS and fire service.

Website:

There were 85 hits on the Comprehensive Plan link which included 54 visits to the July 11th presentation in August and a total of 71 visitors in July.

The meeting was adjourned at 11:40 a.m.

Respectfully submitted,

Diane Byrne
Secretary