

TOWN OF DAY COMPREHENSIVE PLAN COMMITTEE MEETING APRIL 20, 2010

Members Present: Ted Mirczak
Mary Ann Johnson, Supervisor
Ken Metzler, Code Enforcement Officer
Dave Davidson
June Dixon
David Cox
Richard Lamb, Consultant

Members Absent: Judy Traeger

Others: Suzanne Denn, Town Board Member

Motion by Committee Member Dixon, seconded by Committee Cox to approve the minutes of the March 16, 2010. Ayes: Mirczak, Johnson, Metzler, Davidson, Dixon, Cox. Carried: 6-0.

Executive Summary:

Chairman Mirczak reviewed the Executive Summary which is a quick synopsis of the Plan which captures the essence of the large document. The Committee agreed it would:

- Be labeled “*Page I*”.
- Titled “*Executive Summary*”
- First sentence would be: “*The foundation of the plan is the vision statement.*”

Draft of Entire Plan (Lamb Document dated 4/16/10):

Cover Page:

- Change from “Assisted by:...” to “*With the assistance of Dr. Richard...*”
- Add “*Approved by the Town of Day Town Board, 2010*”
- A page will be added which will include the Resolution by the Town Board approving the Plan.
- Logo and map will remain as is.

Page i, Contents Page:

- Page numbering will change.
- All Supporting Documents will be after the text of the Plan with pdf versions of the maps (larger format maps will be retained in the vault).
- The Inventory and Analysis, June 2009 and Analysis of APA Land Use Area Classifications will have new title pages.

- Under the “Comprehensive Plan Committee” include the title of each member:
 - Ted Mirczak, *Committee Chairman and Vice-Chairman Planning Board*
 - David Cox, Chairman of Planning Board
 - Dave Davidson, Zoning Board of Appeals Member
 - Larry DeRubbo, Citizen at Large
 - June Dixon, Citizen at Large
 - Judy Traeger, Chairman Zoning Board of Appeals
 - Mary Ann Johnson, Town Supervisor
 - Ken Metzler, Code Enforcement Officer

Page ii, Acknowledgements:

- Add titles to all guests. Secretary will provide to Professor Lamb.

Page 1, Planning History:

- Map Legend will be added in larger font under the map in order to be legible.
- Footnote 1 should be after the third paragraph which begins “In 1988...”

Page 2, Planning History:

- Fourth paragraph after numbered paragraphs which begins “In May ...” change first sentence from “...*as a consultant to assist it in...*” to “...*as a consultant to assist in...*”
- Last paragraph change from “...*process and arrive at ...*” to “...*process and produce...*”

Page 3, Purpose: No Changes

Page 4, Planning Process:

- Paragraph two, first sentence change from “*Inventory Analysis*” to “*Inventory and Analysis*” to retain consistency of Page i.
- Fourth paragraph – add period after the last sentence.
- Fifth paragraph, second sentence, change from “...*assessment, and legal issues,...*” to “...*assessment, legal issues and the town historian...*”.
- Sixth paragraph, first sentence change from “...*progress reports, announce...*” to “...*progress reports and announce...*”

Page 5, Vision Statement:

- First paragraph, first sentence change from “...*Town of Day Land Use...*” to “...*Town of Day Comprehensive...*”
- If possible to change font of actual vision statement (Professor Lamb to review if digitally possible).
- Last paragraph, first sentence add comma “To achieve the vision, growth...”

Page 6, Goals and Recommendations:

- Point of information (not necessary to include in draft): Minutes are retained permanently and will be available for review at any time.
- Under Item number 3 change from “*Land use...*” to “*Land Use...*”
- Sentence which is second to last, second to last full paragraph which states: “The Goals within each category...” will remain with a review by the Committee of each category to insure they are listed in priority order.

Page 7, Government Action in Issues Affecting the Town:

- Issues, Public Opinion and Survey Results will be a single topic heading for each of the following categories from Page 7 through 16.
- Under existing Public Opinion and Survey Results, change the first sentence by removing “*When asked to rate the importance of various issues*” with the sentence beginning “*Question 17E...*”.
- Under Goals, remove the statement: “These goals are listed in priority order.”
- Goal 1, change the heading from “...*organizations that effect the...*” to “...*organizations that affect the...*”
- Goal 2, first sentence remove the parenthesis from (in the Issues paragraph). Same sentence remove (s) from representative which will remain in the singular form.

Page 8, Specific Recommendations (in priority order):

- Change *Specific Recommendations (in priority order)* to *Recommendations*.
- Change sentence to: “Work to *retain* HRBRRD lands along the shore of Great Sacandaga Lake as *non-forest preserve lands*.”

Page 9, Community Development/Community Services:

- Issues, Public Opinion and Survey Results will be a single topic heading for each of the following categories from Page 7 through 16.
- Issues, first paragraph, second word change from *citizens’* to *citizen*.
- Issues, third paragraph, last line should read “...agencies and *establishing* mutually beneficial services such as hazardous waste collection.
- Issues, fourth paragraph, third line, third to the last word remove comma after them.
- Issues, fifth paragraph, remove comma from the end of the line.

Page 10, continuation of Community Development/Community Services:

- First full paragraph, third line, first word *reinforced*, remove comma.
- Third full paragraph, third line *permit*, remove comma.
- Fourth paragraph, remove commas and add dashes to read: “*There was a strong response – 56% important – to having...*”.
- Same paragraph, second line, second word *problem*, remove comma.
- Fifth paragraph, first line *EMS services*, remove comma.
- Same paragraph, second line *problem*, remove comma.

- Sixth paragraph, fourth line *hand*, remove comma.
- Seventh paragraph, second line *another*, remove comma.
- Eighth paragraph, sentence should read “*The opinions were evenly distributed across the spectrum – 31% disagreeing, 36% no opinion, and 33% agreeing – that...*”.
- *Goals and Specific Recommendations* topic heading change to *Goals and Recommendations*.
- Remove next sentence.

Page 11 continuation of Community Development/Community Services: no change.

Page 12, continuation of Community Development/Community Services:

- Goal 7, 2 to read: *Allow “residential cluster development” in all residential zoning districts consistent with Land Use Plan.*
- Goal 7, 3 to read: *Revise the lot size requirements in selected areas where “workforce” housing could be constructed on smaller, more affordable building lots consistent with Land Use Plan.*
- Goal 7, 4, first line remove the colon after the word identify.

Page 13, Land Use, Zoning and Resource Preservation:

- *Specific Recommendations* will become *Recommendations*.
- Under 1 the first sentence will read: “*The Zoning Ordinance should retain existing lot size requirements for single family home building lots.*”
- Under 2 the sentence will read: *Recommend adopting policies that would direct growth away from the lake shore.*
- Page 20, first incomplete paragraph, second line after colon which reads: “*Re-examine the Planned Unit Development provisions of the Town of Day Zoning Law, and revise, as needed, for consistency with the Vision statement*” be moved from Page 20 to Page 13 and become Number 3.
- Number 5 will be removed.

Page 14, Recreation:

- Under Goal, change *year around* to *year round*.
- “*Opportunistic*” *Recommendations* will become *Recommendations*.
- Number 9 from page 15 will become Number 1 under *Recommendations* with corresponding number changes.

Page 15, continuation of Recreation:

- Under 6, last sentence of: *See Goal 2 above* will be deleted.
- Proactive *Recommendations* subtitle will be deleted.
- The following sentence after Proactive *Recommendations* beginning “*Some recommendations should be...*” will be deleted.
- The changes should enable the contents of Page 16 to be moved to Page 15.

Page 18, Historic Preservation:

- Pagination will correspond with changes.
- Under 3, last sentence, change from “...seeking input *form* a...” to “...seeking input *from* a...”.

Page 19, Land Use Plan:

- General Concepts, paragraph four, first sentence: Remove (*see above*).
- Same paragraph, second sentence: Change from “*In their review...*” to “*In its review...*”.
- Paragraph five, first sentence, change from “...*should be reviewed and revised, and additional...*” to “...*should be reviewed, and additional...*”.

Professor Lamb stated in his review of the existing Zoning Law, the Town Board can approve any land use plan on a case by case basis regardless of what the Town of Day Zoning Law states with the exception of the density requirements which would include locating marinas and restaurants in any location in town. It is a device which was included in the Zoning Law to add flexibility in order to approve projects on a case by case basis usually applying to larger developments. Town of Day Zoning Law states there can be a Planned Unit Development on a minimum of ten acres which could be located on the lake shore. Workforce housing could be located on smaller lots if approved as a PUD. He further stated if this Committee wishes to limit smaller lots this current provision is potentially huge loophole. This Committee has to consider if it wishes it to remain in Zoning Law or impose greater restrictions which will be include phases such “this will not be waived”.

Committee Member Davidson stated the Comprehensive Plan does not have the force of law but is advisory. Boards must have the ability to respond to situations in the future on a case by case basis. Professor Lamb would recommend the statement on Page 20, first incomplete paragraph which reads: “*Re-examine the Planned Unit Development provisions of the Town of Day Zoning Law, and revise, as needed, for consistency with the Vision statement*” be moved to Page 13, Land Use, Zoning, and Resource Preservation, Recommendations as Number 3.

Page 20, continuation of Land Use Plan:

- Neighborhood Commercial (NC) Districts, Vision to read : “...*businesses that serve the local population, and are consistent with the Town vision statement.*”
- Lakeshore Residential (LR) Districts, Vision, second sentence to read: “...*marinas, provided that they are designed to be compatible...*”.
- Same paragraph, last sentence, remove “...*i.e. that in the...*” and replace with “*and are consistent with the Town vision statement.*”
- Allowable Uses remove second sentence which begins: “*Cluster development in the ...*”.
- Minimum Lot Size delete “...*except for lots within a conservation subdivision.*”

Page 21, Residential Moderate Density (RMD) District:

- Vision delete “*i.e. that in the future the town...*” and replace with “*and are consistent with the Town vision statement.*”
- Discussion ensued regarding vacant undersized lots and the property owners’ rights to develop them and the length of time ownership.
- Residential Low Density (RLD) Districts, Locations, second sentence change 518 feet to 528 feet.
- Vision add period at end of third sentence which reads: *Construction on steep slopes should be discouraged.*”
- Following sentence should read: New development *should* be consistent.
- Allowable uses, second sentence change *1 acre* to *60,000 square feet*.

Page 22, Residential/Resource Conservation District (RRC):

- Vision remove “*...i.e. that in the...*” and replace with “*and are consistent with the Town vision statement.*”

Page 23, continuation of Planned Unit Development Districts (PUD):

- Second paragraph, remove “*...i.e. that in the...*” and replace with “*and are consistent with the Town vision statement.*”

Professor Lamb distributed copies of the Recreation Plan map to all members.

Chairman Mirczak stated the schedule had indicated a May meeting to finalize the Draft Plan. With the completion of the review at this meeting, the May meeting will be cancelled and all members will have a copy of Professor Lamb’s corrected version to review via email with all changes/comments to be directed to Chairman Mirczak. Any simple typographical or grammatical errors to be sent directly to Professor Lamb.

Web Posting and Need for Publicity:

The Secretary stated she will be briefed by Norm Hotz on future posting on the web and in the future she will be handling all web posting. In light of this, all new Comprehensive Plan drafts should be able to be included in the very near future.

Chairman Mirczak stated all materials which are listed as drafts will be pulled down and replaced with the final version of the Plan. This version of the Plan will be utilized during the presentation to the Town Board and any presentations to the public.

Schedule Review:

Once the negative declaration is made at the June meeting and a resolution is made to forward the Plan to the Town Board for adoption, it will be ready to be forwarded to APA and Saratoga County Planning for informal review. Committee Member Cox stated this document should be referred to as a draft until adoption by the Town Board due to the possibility of further changes. At the time of the Town Board meeting on July 12th, the Town Board will schedule the public hearing(s). If there are

any revisions to the draft after the first public hearing (by the Town Board and then suggestions from property owners at the first public hearing), a second public hearing must be scheduled.

Chairman Mirczak will review with Supervisor Johnson the anticipated schedule and meetings with Board, reporters, etc.

Committee Member Davidson stated he will expand the Executive Summary into a press release once the draft is web ready.

The Secretary will invite Carla Kolbe of Sacandaga Express to attend the June 3rd meeting with the Town Board after speaking with Supervisor Johnson.

Chairman Mirczak stated Brian Grisi of APA will be working on large format maps to conform to our existing Zoning Law.

The Special Meeting with the Town Board will be June 3rd at 5 p.m. The next regular meeting will be Tuesday, June 8th at 9:30 a.m. contingent on completion through emails of the draft plan. The scheduled meeting of June 29th will remain on the agenda at this time.

The meeting was adjourned at 11:35 p.m.

Respectfully submitted,

Diane Byrne
Secretary