

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 5 OF 2008
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Supervisor Louis opened the continuation of the public hearing at 7:00 pm followed by the Pledge of Allegiance. Also attending: Councilwoman McKeon, Councilmen Kuenster, Norris, and Byas, Attorney for the Town Wukitsch, Town Clerk Brooks, Tax Collector Stuart, and 64 members of the public. Absent: Highway Superintendent Jordan.

Supervisor stated that the continuation of two public hearings would be held this evening: proposed Local Law No. 5 of 2008 provided for revisions to the Town's Subdivision Ordinance and proposed Local Law No. 4 of 2008 providing for revisions to the Town's Zoning Ordinance. He continued that there were sign-up sheets in the back, and preference would be given this night to those who did not speak on Monday, followed by those who spoke on Monday. First the Board will hear comment on Subdivision regulations; many here may have comment on conservation subdivision regulation, found in the proposed changes to Zoning regulations, please hold comment to the 7:30 p.m. hearing; optional requirements that the Planning Board can institute for major subdivisions which would include the display of agricultural district lines where an agricultural district line splits a parcel being proposed for subdivision, records of percolation tests and deep hole tests, with locations for septic systems, the identification of slope areas, delineated wetlands and state buffer areas, streams and water bodies, existing wells within 1500 feet of proposed subdivisions and the results of well tests if they are requested by the Planning Board or required by New York State Department of Health to determine onsite water capacity and impacts on surrounding existing wells. In addition with respect to minor subdivisions, provisions have been added to allow flag lots, and adding provisions for common driveways and a coordination of the review procedure under subdivision with requirements of the State Environmental Quality Review Act. Note that a few written comments will be incorporated into the record of the public hearing.

Eric Hoglund --Attachment 1a

Karen Moreau - a few technical things on the proposed subdivision law. In the spirit of making a minor subdivision an easier process for landowners, and encouraging minor subdivisions, I would recommend a few things: one to try to streamline the process a little bit more, and take away some of the discretion you are giving the Planning Board to impose requirements that you can also impose on major subdivisions. There's language in there I noticed that gives the Planning Board that discretion. Also there's a provision that states that a person cannot enter into a real estate contract unless they have subdivision approval. I would recommend that it is not unusual for a person to go under contract to sell a building lot and put a contingency in the contract pending approval from the Town so that they can actually get the process going and it doesn't prohibit them from selling what they need to sell. Those are the only technical recommendations I would make and I'll reserve the rest of my comments for the Zoning hearing.

Peter Zacek: I am one of the owners of the Kreil Farm. I've never seen this many here before, so it must be pretty important. The only thing my brother and I think many people have lost sight of is the fact; Thank you for the past performance of this [Town]Board. You've kept this Town something that everyone wants to look at and assimilate. Believe me, I've been all over and I like New Baltimore. I think there's a fervent feeling in here, no one likes having their possessions stepped on or dictated to. One embodiment we should think of is Keep New Baltimore Green. The way the people are talking around here it's like they want to sell right away. Are we here to grow roots or are we here tentatively to disperse if the right price comes in? Why did Eric choose this Town? There must have been something in this Town. We lose that viability and we become like all those other Towns that become over saturated, we gain nothing, and when we lose character, ourselves, our future. This is the most important thing we are talking about today. You guys [Town Board] are trying to set up something that in future will retain character. If we're going to stay green, let's stay green; don't stay green in a closet. There's always going to be negativity. This is a good town; we could grow with the Town. There could be some amendments. No saturation, this economy is going to turn around and once it does, New Baltimore, along with most of Greene County, is going to

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grow rapidly. Once it does, if there's water to be gotten, they'll figure it out. If sewage needs to be gotten rid of, they'll figure that out. There's enough money here. Why all of a sudden are interested parties here now? Must be something big coming. Everybody along the 9W Corridor, they're in business to make a profit. Just put a cap on it; don't change the character of our Town.

Bob Turan [Adding to the record] I am a District 3 landowner, my family and I own about houses and about 150 vacant acres that could be developed, and a resident of 50 years. I'd like to thank Town Board and Planning Committee for work they've put into this to help move Comprehensive Plan to a set of regulations that can be implemented, something we've been trying to do for at least the last five years. I've been a member of CPAG in the beginning, dropped out of that but did stay in touch by attending meetings and receiving notices to see what the other volunteers have been doing to keep the process moving. If you're a resident of New Baltimore and a property owner, and you get property tax bills, you've gotten mailings about when these meetings are. If people aren't informed they are not reading their mail that the Committee has sent. It would help the Board if comments were specific about certain language on certain pages so that action can be taken rather than just saying it is all no good because that doesn't help. Both of these are tough to get through and hard to read, like a Regents Exam in reading comprehension. There are people saying stuff is in here that's not in here. There is nothing in here that takes away anybody's property; there is nothing in any of these things that says you can't sell your land. Going back in the process, when the survey was done there was a split between the people who wanted to keep 2-acre zoning and those who wanted higher acres. A good example that was used at the time is Columbia County, which has 5- and 10-acre zoning, and which has grown greater property values because people value the space, can build a better house, larger lot and is worth more. The Board tried to write that in the first version of the zoning, and people said we want 2-acre zoning and so you have that. You have minor subdivisions that haven't changed at all and the main change is that Major subdivisions will go to larger lots. That's a good compromise. If I want to give 2 acres to my daughter to build a house I can do that. Minor subdivisions will go on as they primarily always have. It's the Major subdivisions when developers come in, and if anybody wants to sell their land, they can sell it. We are all getting solicitations from companies on the west coast who are looking for land to buy. Do you think if you sold your land to them they would care how they would rape this Town? They would divide it up like a checkerboard, sell the lots and move on, and that's what we don't want. If someone does that, a property owner next to you, and they do that, that's going to diminish your value because every residence costs more in services than what it raises in taxes.

With no more from the attending public, Supervisor read Resolution to Close Public Hearing on Local Law No. 5 of 2008.

**RESOLUTION
NOVEMBER 5, 2008**

**RESOLUTION CLOSING PUBLIC
HEARING ON LOCAL LAW NO. 5 OF 2008**

WHEREAS, the Town Board of the Town of New Baltimore noticed a public hearing for November 3, 2008, and afforded those in attendance an opportunity to be heard, and

WHEREAS, the Town Board adjourned said public hearing to November 5, 2008 to allow the public additional time to present comments and statements regarding Local Law No. 5 of 2008, at which time further opportunity was afforded to those in attendance to be heard.

NOW, THEREFORE, BE IT RESOLVED, that this public hearing regarding Local Law No. 5 of 2008 is hereby closed.

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Councilman Kuenster moved to close the hearing, seconded by Councilwoman McKeon.

The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

Roll Call Vote

Kuenster- Aye

McKeon- Aye

Norris- Aye

Byas- Aye

Louis- Aye

Adopted

The Public Hearing was closed at 7:20 p.m.

Respectfully submitted

Janet A. Brooks

Town Clerk

Attachments

1a-Hoglund