

At 7:02 p.m., Supervisor Johnson called the Regular Town Board meeting to order.

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, except Councilman Pulsifer, who was absent.

Arthur Johnson-Supervisor
John Lant-Councilman
Robert Rice-Deputy Supervisor
Steve Streicher-Councilman

Also present were Town Attorney Richard DeVall, Town Comptroller Jeffrey Reale and Director of Planning and Engineering, Keith Manz.

Public Comment

Supervisor Johnson asked if anyone had signed up for the public comment session.

Andy Brick from the Law office of Donald Zee, in Albany, asked to speak to the board regarding the proposed zoning changes the board was going to review at the meeting. He was there representing the Tom Farone project in the Hamlet Zone District, which would be impacted by these potential changes to the zoning code. While they are supportive of the idea, they had a number of suggestions that they believe would improve these proposed revisions and asked the board to consider them as the board deliberates these proposed changes before you.

Mr. Brick then went over the following suggested changes he and their client were asking the board to review.

- 1.) Consider amending the fourteen units per acre gross to fifteen units per acre.
- 2.) Retaining or adding in the number of units per floor. They would like that to be considered to remain in place or specifically be placed in the H-1 zoning.
- 3.) Consider adding into the zoning code a potential reduction in parking requirements for mixed use buildings. For example a 25% reduction of what was otherwise required if it is a mixed use building.

Attorney Brick then thanked the board for the opportunity for him to present his ideas.

Approve Pending Minutes

Supervisor Johnson asked for a motion and second to approve the pending minutes from the June meeting.

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

RESOLUTION # 130

NOW, THEREFORE, BE IT RESOLVED, to approve the minutes from the June 7, 2012 meeting as typed without amendment.

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

Ridgeview Commons PUD (Amendment)

Positive Recommendation from T/Planning Bd. w/comments

Positive Recommendation from Co/Planning Bd. w/ comments

Supervisor Johnson stated that this item was before the board last month, there were some proposed changes made and legislative language that needed to be changed. It was referred to the Town and County Planning Boards and both have reviewed these and have some constructive comments. He then asked Attorney DeVall to address the board regarding the legislative language.

Attorney DeVall stated that the proposed Law to modify or amend an existing law and some of the provisions are technical. There is a sentence to be removed and replaced so they need to meet with Attorney DeVall to tidy up the legislation; also the applicant wants to add a bakery as a use at the site. So the applicant needs to provide a definition for bakery to be submitted to the board for consideration.

Supervisor Johnson stated that the applicant has come before the board several times with amendments and he realizes that the project is market driven but he does not want to see any more amendments. The board then set a public hearing for August 2nd, 2012 at 7:00 p.m..

Crest Inn Route (9 Rezone)

Supervisor Johnson stated that last month the board discussed the rezone of Mr. Hussian's property from R-1 to RB-1 to conform with the frontage on Route 9. The board did not take any action in order to review the material received at last month's meeting.

Attorney Hogan, Mr. Hussian's lawyer, stated that the property is landlocked and the only way to get to it is through the Crest front area. The proposal to get to it is from the North side of the property off Ernst Road. Mr. Hussian has received permission from the Department of Environmental Conservation and a permanent Right-of-way Easement from National Grid. Attorney Hogan went over some of the renovations that have taken place at the Crest Inn and the proposed future plans.

Supervisor Johnson stated that the intent of the RB-1 zone on both sides of Route 9 and Route 50 for a long stretch. If you look at the Comprehensive Plan we zoned RB-1 the first 500 feet for commercial uses on both sides and intentionally kept the rear of those properties as residential. It is a transitional zone because all the properties that are adjacent to or behind them on either side are mostly zoned residential. In keeping with that and being consistent, Supervisor Johnson thought that selecting one particular property and rezoning the rear property to RB-1 would not be consistent with the intent of the Comprehensive Plan. It would be somewhat selective or spot zoning and would be illegal and certainly opening up similar requests from other property owners in that RB-1 zone.

Attorney Hogan stated Mr. Hussian just wants to build a house for his family in the rear of the property with some additional cabins.

Supervisor Johnson stated the house was fine, that is within the zone.

After some discussion Supervisor Johnson and the Board members agreed they were not interested in changing the zoning for that property.

Reappointments (Park & Recreation Commission)

Supervisor Johnson asked for a motion and a second to reappoint Park Commission members; Kenneth Bishop and John Roessner.

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

RESOLUTION # 131

NOW, THEREFORE, BE IT RESOLVED, to reappoint Kenneth Bishop as member of the Park & Recreation Commission. (Term to expire 6/30/12) New Term 7/1/12-6/30/15 and;

FURTHER BE IT RESOLVED, to reappoint John Roessner to chairman of the Park & Recreation Commission. (Term to expire 6/30/12) New Term 7/1/12-6/30/15.

The adoption of the resolution was seconded by councilman Streicher, duly put to a vote, all in favor.

Resolution for Grant (Re: NY Horse Park)

Pat Phillips

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

RESOLUTION # 132

WHEREAS, The **New York Horse Park, Inc., NYHP, a not-for-profit organization**, is applying to the New York State Office of Parks, Recreation and historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located in **Saratoga Springs**, a site located within the territorial jurisdiction of the **Wilton Town Board**; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the “support of the governing body of the municipality in which the project will be located”;

NOW, THEREFORE, BE IT RESOLVED, by the **Wilton Town Board** of The **Town of Wilton, New York** does hereby support the application of **The New York Horse Park, Inc.** for a grant under the Environmental Protection Fund for a park project known as **The New York Horse Park Inc.**, and located within this community.

The adoption of the resolution was seconded by Deputy Supervisor Rice, duly put to a vote, all in favor.

Proposed Zoning Changes

Keith Manz

Supervisor Johnson asked Keith Manz to explain the changes since they have to do with the Hamlet zone.

Keith Manz, Town Engineer explained that he and Mark Mykins, the Building Inspector; are trying to clean up the discrepancy in the hamlet zoning. There is no upper ceiling on the density, if you do a mixed use building. There is also a reference in the PUD for multi-family and H-1 was in there, which implied 8 units per area. To clear it up we are taking out H-1 out of the PUD process and in the H-1 you could only do multi-family in a mixed use building, also adding 10% minimum commercial and 14 units per gross buildable acre. The board heard from Attorney Brick earlier wanting 15 units not 14. They would lose one unit. The board would have to make that call. Go from 8 in the PUD and other zones, not in H-1. H-1 before had no limit. The second comment from Attorney Brick was to keep 8 units per floor max. Building Inspector Mykins was proposing to take it out and Engineer Manz agrees from a fire and safety issue. On the last comment from Attorney Brick, Engineer Manz stated that the Planning Board has the flexibility to share parking on any project in any zone can allow reduction in parking without getting a variance from the Zoning Board. Engineer Manz discussed a few things Building Inspector Mykins wanted to take out such as parking setbacks were never in the H-1, distance between buildings (50 feet) and fire safety issues.

The Town Board agreed to set a public hearing for August 2nd, 2012 at 7:15 p.m..

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

Resolution # 133

NOW, THEREFORE, BE IT RESOLVED, to declare the Town Board lead agency in this type one SEQR action.

The adopted the following resolution was seconded by Councilman Streicher, duly put to a vote, all in favor.

Committee Reports (If Any)

Supervisor Johnson stated that at last month's meeting he indicated that he would appoint the long range Capital Planning Committee to look at some buildings that are getting older, some things that need to done and try to plan for these expenses down the road. Whether it be in the Highway Buildings, Park Buildings, Town Hall and Camp Saratoga. He then appointed the following members of this committee.

Robert Rice-Chairman
Jeff Reale
Mark Mykins
Steve Porto
Kirk Woodcock
Keith Manz

Comptroller's Report
(Including Bills & transfers)

May 2012 Cash Disbursements

General Fund	\$209,937
<u>Highway Fund</u>	<u>\$112,717</u>
Total	\$322,654

2012 Budget Transfers

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

RESOLUTION # 134

NOW, THEREFORE, BE IT RESOLVED, to approve the budget transfers requested and listed in the Comptroller's 7/5/12 report to the Town Board.

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

2012 Budget Amendments

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

RESOLUTION # 135

NOW, THEREFORE BE IT RESOLVED, to approve the budget amendments requested for and listed in the Comptroller's report to the Town Board.

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

Internal Reviews

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

RESOLUTION # 136

NOW, THEREFORE, BE IT RESOLVED, approved the Town 2011 Departmental Reviews as completed.

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

Executive Session

On a motion introduced by Deputy Supervisor Rice, and seconded by Councilman Streicher, the board adjourned to executive session at 7:45 p.m..

On a motion introduced by Councilman Streicher, and seconded by Councilman Lant, the board reconvened the Regular Town Board meeting at 8:10 p.m..

The following resolution was the result of the executive session:

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

RESOLUTION # 137

NOW, THEREFORE, BE IT RESOLVED, to accept the proposed settlement to the 2011 tax certiorari for William and Judy Morris on various properties.

The adoption of the resolution was seconded by Deputy Supervisor Rice, duly put to a vote, all in favor.

Adjournment

On a motion introduced by Deputy Supervisor Rice and seconded by Councilman Streicher, the meeting was adjourned at 8:12 p.m..

Respectfully Submitted,

Carol D. Maynard

Supervisor, Arthur Johnson

Councilman, John Lant

Councilman, Robert Pulsifer

Deputy Supervisor, Robert Rice

Councilman, Steve Streicher