

City Council Meeting - Saratoga Springs, New York
December 2, 2014

Public Comment & Council Deliberations
on
Commissioner Mathiesen's resolution
to prohibit PUDs in the greenbelt.

This document contains complete transcripts of

1. Comments from the public (nearly 45 minutes)
2. Discussion by the City Council members & their vote on the resolution

A video of the meeting is available on the City's website
<http://saratogaspringsny.swagit.com/play/12022014-957>

For a full text of the resolution, which Council passed unanimously,
link to:

http://www.sustainablesaratoga.org/wp-content/uploads/2014/12/Resolution_PUD_s_2014.12.02.pdf



Some highlights from the Council discussion December 2, 2014

Commissioner Franck: “But I do also want to say to the [Comp Plan Committee] [...] if you give us this [proposal to allow PUDs in the greenbelt]...we’ve already pretty much made our decision that...at least *this vote*...will not make it.

We don’t know what else. I’m sure we’re going to look at everything very closely. There’s maybe other things that don’t make it. There’s maybe other things that may be tweaked.

But *this* would be dead on arrival.”

[...]

“So I’m hoping from their end that they revisit this. And just take that out.”

Commissioner Madigan: “The public has been consistent. [...] They have voiced their opinion loudly. They have demanded that we maintain the no-PUDs-in-the-greenbelt, the prohibition against the PUDs in the greenbelt. And they came out again tonight and voiced their opinion quite loudly. And I support everything that was stated here tonight by the public and support your resolution 100%.”

Commissioner Mathiesen: (from the resolution);

Whereas, to be effective, the protection of the Conservation Development District must be a long term community commitment,

[...]

“However, the 2001 Comprehensive Plan has served the city very well. [...]We have the City in the Country, we have the Conservation Development Districts, because of the ideas that came about at that time. And the idea that, in 2014, those ideas would be threatened, I found very scary. I really did.”

Commissioner Scirocco: “I think it’s green space that we should preserve forever.”

“what we do here ...we pretty much legislate for the future. And the future is a place we’ll send our children that we’ll never see.”

Mayor Yepsen: “And yes, this is a recommitment tonight to our status quo. This is what we’re working under right now. And the greenbelt has been protected.”

PUBLIC COMMENT (19 speakers)

(timings refer to the video of the meeting, archived on the City's website)

0:42 – Jane Weihe - White St

I wanted to share with you a piece of campaign literature, put together by a guy named Ron Edsforth, a former Skidmore professor, for a City Council race here in Saratoga in 1987. So if you'll note the front of the brochure says "Ask the question – suburban sprawl or small city in the country? It's time to decide."

And on the inside...the candidates pledge, among other things, "to preserve the Conservancy Zone and direct new high-density residential and commercial projects into areas already zoned for those purposes."

And they pledged "to keep Saratoga Springs a small city in the country, a special place both residents and tourists love, because it has not succumbed to the developers demands for suburban sprawl."

Almost three decades later, that campaign slogan has gathered bi-partisan support and has become embedded in our Master Plan, and we have a Zoning Ordinance that gives that concept teeth.

Yet here we are again, asking the same question, even though we have evidence all around us of the success of planning that directs commercial and denser residential development downtown and away from the outer areas of the city.

I want to thank commissioner Mathiesen for introducing a resolution this evening to continue to protect the uniqueness of Saratoga Springs. I want to thank Commissioner Madigan, who has indicated she supports this resolution 100%. I hope the remaining council members, who I've not had conversations with, will join them to unanimously pass this resolution.

Once again, tonight, we are asking the question: "Saratoga Springs...suburban sprawl or small city in the country?" It is indeed again "time to decide."

Thank you.

2:50 – Barbara Thomas –Circular Street

I moved to Saratoga Springs last year because it is that small city in the country that has a compact walkable downtown, that funnels all of our commercial development into the downtown area.

I hope that the Council will act so that we preserve that greenbelt around the city, that we don't allow the Planned Unit Developments, which increase the total density within those areas, and that we keep the wonderful city we have.

3:40 – Cliff Ammon – Nelson Avenue

I speak in favor of Chris's resolution.

The thing that makes this city valuable is the trees and the greenbelt and the good zoning that we have and I certainly don't want builders and developers and anybody messing around with our beautiful city,

Thank you.

4:17 – Tim Scherbatskoy – Bryan Street

I'm a professor of ecology at SUNY-Adirondack. I just would like to remind us about the value of these green areas. You know, once they are gone, they can't be put back. So I think it's really important. Although at the time, it may seem like—a little here, a little there—it's not a big deal, the erosion of these important spaces is an irretrievable step.

And we need to be bold to look to the future when we will value these more even than we do today.

And I really recommend that we support this resolution.

Thank you.

5:04 – Colin Klepetar – Waterbury Street

Before I read what I want to read, I'm hoping that all these comments tonight can be directed toward Bradley Birge and the Comp Plan Committee. Here's what I prepared.

The City in the Country concept has led to prosperity in our community, a strong downtown core with successful family-owned businesses, a strong real estate market, and above all, a fantastic place to live. We avoided the pitfalls and consequences that are the direct result of poor planning that many of our neighboring towns have faced, by creating a strong comprehensive plan that focuses on the downtown core.

This plan, and the City in the Country concept, led us away from suburban sprawl and big box stores and toward a nationally recognized downtown, a multi destination, and one of the 10 best places to live in New York, according to a nationally published media outlet. The uniqueness of our city, in my opinion, is due to the rare balance of one of the best main streets in the country, historic buildings and neighborhoods that have been thoughtfully preserved and restored, infill development that has created a walkable downtown, and numerous amenities, all within a couple of miles from rural countryside.

These qualities are in danger of being compromised as our Comprehensive Plan Committee ignored public sentiment and voted to allow Planned Unit Developments into the greenbelt.

As we all know, PUDs are tools for developers to bypass specified zoning in certain areas. And I am sure that many planning consultants would agree that these tools are very helpful for communities looking to grow in rural residential regions. However, as the number of PUDs

increase, these same communities start to look like Anytown, USA and lose their character and charm.

Sometimes, communities need these tools to change direction and create opportunities for developers to advance an agenda and stimulate the economy. However, Saratoga Springs is the envy of many communities because of its smart growth which has led to a robust economy and an extremely high quality of life.

So instead of changing course and heading in the direction of many failed communities, let's stay the course and preserve our greenbelt and support our downtown.

Lastly, no matter what adjectives we use to describe allowing PUDs in the greenbelt, whether its "flexible," "complementary," "environmentally-friendly development," etc., the bottom line is that allowing these commercial and high-density developments into the greenbelt threatens the experiences and the lives of all of us who have chosen to call this place home. Because, let's face it, we are choosing to live here because we love our City in the Country.

Thank you.

7:50 – Nancy Goldberg – Sarazen St., Interlaken

This is getting very old. We've been here a lot of times over the past year.

A long time ago, someone said "it's the City in the Country." I heard it attributed to Jane Weihe. And we've been fighting for it ever since.

And every now and then, the Council comes up and says, "Hmmm...well...maybe." The problem is that the citizens don't want it.

May I remind you all (and the new people here who may not remember) that it was a \$40 million lawsuit the last time.

The last time a City Council said "OK, we'll go into our greenbelt," the citizens rose up. (You get elected every two years.) And they had to retract it and it was a \$40 million lawsuit.

I have seen Tom Newkirk's plans. (Nice man.) I have seen the Anderson plan. They all have retail. They all have commercial. I don't know where the DBA is, but they ought to be here.

It's economics: the City in the Country. People come here because they like to see green.

Please don't destroy it.

Thank you.

9:05 – Darlene McGraw – South Federal St.

I'm living in part of the Saratoga Springs Housing Authority. I would like to welcome everybody and I'm so happy to see everybody here, whether you are part of the Council or just another one of me, just a member of the community.

I would like to, first of all, ask... I have not seen in the newspapers yesterday and I didn't hear anything from the City, even though they weren't necessarily part of *our* city, about the car accident two years ago on the Northway. I think...I'm going to go out and take a moment of silence if anyone wants to because there are a lot of problems nowadays with drugs and alcohol

and distracted driving as it is anyway. I think we should spend time and take a moment of silence for anybody, especially those involved in that crash. It wasn't there in the newspapers yesterday, none of the papers.

We need to (a) keep our whole community safe and I think the Dept. of Public Works...we should take a moment for the sidewalk and streets. Because kids—we walk to school—or at least I did when I was a kid and I still see kids walking to school whether it's all the way from elementary, college, and beyond. We need to keep these roads safe. Everybody is a pedestrian at one point or another.

And the buildings that are vacant...if they're vacant and nobody's in them, how long have they been like that? Why not make them low income housing?

I'm getting sick and tired of seeing condominiums and all this housing for the rich. I didn't move here to see that. I moved—one hour by car, two hours by bus away—about a year ago. I didn't come here for that. I didn't come here to see all this development and all that. I didn't come here for that. I came for the growth and for what Saratoga Springs was known about when it was born.

We need to remember. This city is known, not just here around this county. It's known throughout the county, the state, and the nation. We should at least be grateful that our City—it's in Schuylerville, but it's close enough—we have a National Cemetery. How many cities can say they have one that close by? I'm not sure how many cities can say that they have a National Cemetery that close by to them.

We have a state park. I love that state park. It's awesome.

We have a lot of other things. We have a race track and stuff. People come from all over just to come here.

We need to start being like we're role models. You teach kids, you're a role model. We should act like that too. Not just do other stuff. Not be bullying and put other people down.

Thank you. Have a great day.

12:30 – Pastor Peter Berrios – Jefferson Terrace

Darlene hit the nail on the head, speaking about bullying tactics and so forth. About 6-7 months ago, if you remember, was the last time that I was here, and the last thing I said was the Council is going to be held accountable to the people on the decisions that you make this year and next year.

And there's a lot of things going on and a lot of people are very upset about this Council and with City Hall and what's going on. And I am taking this time to let you know that you have an opportunity now to rethink on those decisions you are making and to really come forward and ask the people what it is that they really want. Before you make a final decision on the things you are doing.

Because if you don't, I want you to remember something, just last week, the Governor tried to do something in Lake George and he walked away with a black eye. You do not want that

here in Saratoga. Remember, you are held accountable to the people here and they will let you know about it. I promise you.

14:25 – Dee McMorty – Dyer Circle

I'm here to ask all of you to help protect our City in the Country by preventing development in our protected green space. Please don't sacrifice what makes Saratoga special just to cater to a small group of people who stand to make a lot of money. It's time to stand strong against this type of development and represent the majority of Saratoga's residents, as well as those who frequent our area because of our combination of natural beauty and a thriving downtown.

Once you open the door to PUDs, this will be lost. Don't allow it under your watch. And do what you can to put this to rest for good.

Thank you.

15:10 – Thomas Dragonetti – Maple Ave

Idyllic lakes, verdant green farmland, rolling hills, magical brilliance of nature at its best, and some of the richest history in our country's young culture--these are some of the reasons I decided to move back to Saratoga Springs and contribute to the community here, rather than continuing to live in a major city.

It's all this that makes Saratoga a unique city, a distinguished city, even if only a small dot on the vast map that is the United States.

The New York City Ballet and a world-renowned orchestra summer here. Not because we look like any other downtown. They did not come here to find a Levittown. They came here to find that perfect balance between country and city. Call it the unparalleled marriage of town and country, of rural and urban, of fast and slow. Horses, apple orchards, organic farms, race tracks, a polo club, small businesses like Mrs. London's (which are serving pastries from one of the world's most accomplished bakers), Northshire Bookstore from Manchester (another town like ours), antique stores, Lyrical Ballad, Yaddo (where literary geniuses and artists come to camp for inspiration)—all of these are jewels that make the crown that is Saratoga Springs shine because they cherish that unique mix and blend of green and concrete.

If we, the residents of this Utopian reality, this country-urban miracle, rob our own city of what is its mojo, its DNA, let us also prepare for the funeral of the city we once knew. We will become just another town in America. The artists and tourists that flock to us, hungry to absorb our charm, will disappear.

The all-sustaining and curative springs that brought people here to heal and chill will find no taker. They might truly become the litter of the toxic waste bed of a society anxious to grow without any civic mindedness and respect for its own self, its unique identity, and what nature blessed it with.

So I pose this question: Why on earth would we open the door to endanger our beautiful green space that ultimately drives people to our city and downtown and replace it with cookie cutter businesses and housing developments that all surrounding towns already have?

I urge the City Council to really think about this before making a decision.

In life, and especially when it involved development, the environment, sustaining existing culture and history, less is most certainly more.

17:50 – James Stegman – Crommelin Drive

I'd like to echo the sentiments of the young woman who spoke a few speakers prior where she said that we can be role models. We really have the opportunity to lead by example.

And one of the things that we have done effectively over the last few years is resist the siren's call of unbridled development which is being suggested by these things that are ominously named PUDs. When I was younger, we used to insult each other by calling each other puds. It seems ironic that I feel like once again that I am harkening back to my days as a seventh grader and I feel like the hot breath of an insult bearing down on my neck.

I think that we really need to energize ourselves here and really work diligently toward preserving our greenbelt, which really pretty much is the identity of the city.

Why we would capitulate that to some greedy developers who are trying to capitalize on their 'sensible purchases'—lo those many years ago—when they were fully aware of the limitations on development and feel at this time they can petition because we must be really desperate to grow our economy.

Be careful what you wish for. You know, this notion that unbridled growth is never ending, constantly bountiful, rewarding all that come into contact with it, the magic elixir that is going to solve the world's problems—it's really not true.

And if you look around at the communities that surround this town that have allowed themselves to be worn down that way, they're really very uninviting places to go to.

People come from Clifton Park to shop in Saratoga Springs. They come from Queensbury to go to Saratoga Springs.

Why is that?

There is a certain allure to going into places that are on a human scale, where people can walk in and feel like they are not going through a meat grinder.

Let us not allow these PUDs to surround us and destroy our quality of life.

And lead by example. Leave something to our children that we can be proud of. Not a legacy of waste.

Thank you for your time this evening.

20:20 – Susan Bokan – Lincoln Ave

I left here in the 60s when Urban Renewal had pretty much destroyed the city that I grew up in, and came back only for major holidays.

And when I'm here tonight, it's because of probably 10,000 hours of free volunteer work that faces I see here –Geoff and Bob and Tom and Jane – who've made this city so spectacular...that when I had the opportunity to live anywhere in the world, I surprisingly came back to this great town.

And it's because we've been careful in development. And because so many people in this room tonight, and so many others not here, worked so hard to preserve it.

So, help them keep up their good work.

21:33 – Denise McDonald – Phila Street

First of all, I want to acknowledge ... I know that the Comp Plan Committee has put a ton of hours and work of volunteers and I do appreciate the work that they've done. I've actually attended a couple of the meetings. I attended the last meeting.

I have to say that there have been some disturbing things for me in terms of observing the process as a citizen. I realize that the Comp Plan Committee is an advisory committee to the City Council and members are not legally required to recuse themselves from any Comp Plan Committee vote but have to make a public acknowledgement of their potential conflicts of interest. So like in a court of law, I guess, basically, you know, they can't be held legally accountable for having a conflict of interest. But in the court of public opinion, which we are all here to attest to, it looks really bad. It looks like a conflict of interest and it also undermines our confidence in the Comp Planning Committee when a majority of the people who voted for these PUDs look like they most likely will benefit financially from these being allowed in the greenbelt and the potential development from it.

Look at some of the people on the board. Without even naming names, there's an architect, a commercial real estate broker, a banker, a builder, a chamber president whose membership includes all of the people who voted for the PUD. And it also looks highly inappropriate for the head of the Chamber, and a member of the Comp Plan Committee, to start a Facebook page in support. So basically, out marketing and pushing for the passage of this thing. It's just...glaringly, it's highly inappropriate. And I just don't think that Comp Plan Committee members should be involved in this kind of activity.

So I just need to say this as a citizen...I'm concerned about the process and you know there were even discussions at the last meeting about development that is going on in that area and what potentially may happen. I'm just very concerned about it.

And there were also discussions back in the May 12 meeting (I was looking at a recording today of it) and the head of the Chamber was talking about that he doesn't think the greenbelt exists any more, that we shouldn't have greenbelt language in the Comp Plan. And even Geoff Bornemann, who is the head of the Comp Plan Committee, asked him "are you sure you want to remove the concept of the greenbelt from the Comp Plan?" and he said, "yes." Essentially. You can look at it verbatim and look at that meeting. But it just felt like it was the beginning of introducing like "let's get rid of this greenbelt language and sort of just call it a City in the Country." But for me it read as a signal, "let's get in here and move things toward this PUD and start to kind of like weaken the greenbelt," that kind of thing. And I know there's a lot of stuff going on behind the scenes, but I just need to say this. That's it.

Thanks.

25:03 – Harry Moran – chair of Sustainable Saratoga

First I would like to thank Commissioner Mathiesen for cutting to the chase with his resolution to prohibit PUDs in the greenbelt area. And thank you to the entire council for considering this.

The deliberation on this issue on the Comprehensive Plan committee has been long and contentious. And yet at all of the Comp Plan meetings, we have heard nothing but strong support for the continued protection of the greenbelt. The ultimate decision on the content of the Comprehensive Plan is, of course, the City Council's. The passage of Commissioner Mathiesen's resolution and policy statement will send a clear and unmistakable message to the community on where this council stands on this issue.

Three years ago, Sustainable Saratoga campaigned for the update on the Comp Plan. We have closely monitored the Comp Plan Committee's progress and have encouraged all of our followers to actively participate in the process. We feel very strongly that the City in the Country development concept still presents the most sustainable future for our community. Simply put, it's been the foundation of the city's success and what has made Saratoga Springs unique.

The greenbelt provides major environmental and economic benefits, and is one of the key reasons for Saratoga's recent upward trajectory. Recent over the last several decades. Sustainable Saratoga therefore strongly supports the resolution to protect our greenbelt. Allowing PUDs in the Conservation Development District will open the door to denser commercial development in exactly the wrong location. We urge you all to vote for this resolution tonight.

Thank you very much.

27:15 – John Kaufmann – White Street

I'm hoping and optimistic that this resolution is gonna pass. My own feeling is this should be an important lesson for us all which hopefully finally we will get. I've watched over the decades that the appointments to these boards and these organizations tend not to be fully reflective of the community. And this incident this evening couldn't be more demonstrative of that.

I don't have any question that Sonny Bonacio is a wonderful builder and a good man and has done great things for this city, and that he should have input in whatever process happens in terms of development. I fully support that.

But...I think that when the Council and the Mayor and other people make appointments to these boards, I think...I hope they will be thinking "this person represents my vision. I like putting this person on because they are going to put the city in the right direction."

Rather than the history of this, saying, "well...he's an important player in this community. He's very important for development and he should be at the table as part of creating a decision process." And I think that mentality—of which we can understand it—regrettably has resulted in us having to come out on snowy nights to all of these meetings. And I would just urge this Council that as they make appointments in the future, let's choose people who we feel that "yes...that person represents this city, that person represents me." Thank you.

28:54 – Sam Bruton – Lake Ave

I'm not against development as a rule.

The argument we've heard for the PUDs is that, if the PUD is proposed, it still has a lot of hurdles to overcome to become accepted. And I think to a lot of us, that's cold comfort. Or not much assurance. We've seen things that we thought would never pass...that we're facing...that were life changing...come before a committee and pass. And go through.

So another thought is that the PUD situation...if we allow PUDs in the greenbelt... is going to put the burden back onto the citizens once more, on a case by case basis. This is our chance now to speak in general about our feelings about that. And hope that, in the Comp Plan process and this process (and thank you for the resolution tonight), we can speak as a whole in one major way instead, if we allow the PUDs in, of having to scour the agendas for the Committees repeatedly to see if something is on the docket. Another thing that we have to mobilize and come out for and rally against.

Another thought is that the PUD situation...the applicant brings something forward...no applicant's going to bring something if it doesn't think it can pose it as something acceptable, that won't be accepted. So it comes forward with all the standards being met for the language that is now in the Comp Plan. And if it doesn't pass, then it opens us up to lawsuits. We've seen that before.

So, I think we're just urging you to strongly consider that we're speaking as a whole. This is the time now. This is our power. This is really the power we have. We're not...We don't look forward to the prospect of having to scour the agendas and coming to meeting by meeting, case by case

And so I urge you to think seriously about this resolution, and to pass it. I think we all are asking for that.

Thank you.

31:55 – Amy Durland – Lakewood Drive

First of all, I just wanted to say that after...at some point early in the meeting, there will be a presentation by Sustainable Saratoga's Bring Your Own Bag and some of you who are here might be really interested in hearing that. It's going to be a great presentation. Just wanted to mention that.

The other thing I just wanted to mention preliminarily is...I'm not sure when the vote on the issue that most people have been speaking on, on the PUDs in the greenbelt, is going to happen. I know it's on Commissioner Mathiesen's agenda toward the end of the meeting. And I don't know if all the people who are here would prefer to understand the discussion...to hear the discussion and understand the vote when it happens. I just wanted to throw that out as well.

No PUDs in the greenbelt. Thank you Commissioner Mathiesen very much for proposing that and gratitude to the rest of the council members who may support it.

After eleven years on zoning and planning boards, here are some of my observations. Given latitude, developers typically will go for the maximum. Maximum density, maximum uses, maximum relief from standards. What you could, I guess, call maximum flexibility. And the flexibility is an advantage for them, not for the city.

Here's how the PUD application process works. Developers court City decision makers on behalf of their project. So it becomes a political question. Who's on the City Council and how can I win their vote? Not...is this really what the community wants and needs. What the community really wants and needs is what the Comp Plan process is supposed to be about. Those broad PUD criteria in the draft Comp Plan, they are easily met. Whether or not the Council likes any individual PUD application won't matter because, as was mentioned before, it becomes legally perilous to say no to a PUD application that meets those broad criteria.

You say "wait for more specific zoning amendments and you'll work it out then?" We don't want to wait. Why? Two reasons. Because we have had to go through this process and generate all this reaction for something that we thought was settled: our City in the Country. And we want to secure this one provision now.

Number 2? The City's current standards already prohibit PUDs in the greenbelt. It's the status quo. And the draft Comp Plan language, most recently voted in, would preclude the ability of the City to continue that prohibition.

If you allow this anti-planning, developer-driven device, in a short time you won't even recognize our City in the Country.

And I want to add one other thing. Somebody said "this is getting old." It is. I've been in this community for 27 years. And for much of it, I've been working in various ways, to preserve the City in the Country vision that I think is the foundation of our community's success and appeal and special quality.

Those of us who have had to continually expend our efforts and energy and time and money, and time with our families, many times over the years, are really sick and tired of having to fight this fight over and over again.

We rely on you, our elected officials, to represent us on these important issues so we don't have to do what we are doing here tonight, continuing to sacrifice our lives to uphold what we shouldn't have to be fighting for in the first place.

35:20 – Nurcan Atalan – Cleveland Ave.

The American Planning Association explains that Planned Unit Developments have grown increasingly popular, in part because standard subdivision and zoning ordinances have serious limitations. The report also suggests that PUDs can offer a degree of flexibility, which is why they are preferred, and they can be used to advance a number of Smart Growth objectives.

But the more recent EPA report (Environmental Protection Agency report) cautions us that PUDs tend to be reactive, responding to proposed development, rather than implementing a broad collective vision created by the community through a comprehensive plan. It also cautions us that, once the PUD becomes "the primary method site plan review and permitting,

municipalities are sometimes less able to connect the PUDs to the local comprehensive plan objectives.”

The same report continues and argues that “the PUD approach has proliferated to the point that it has given rise to a host of unanticipated challenges. These challenges include: providing controls to ensure that PUDs provide community benefits; and, most importantly, environmental standards are ignored in the PUD review process.

As a professor at Skidmore College, I followed the Comprehensive Plan process with my students. Attending the meetings and being present here at City Council meetings, the meetings were eye opening for my students, particularly when they heard discussions about sustainability and the misconceptions and fears that the conservation of the greenbelt would threaten or would mean the end of the economic well-being of Saratoga Springs. On the contrary, opening the greenbelt for PUDs would threaten the economic well-being of Saratoga Springs.

On a personal level, I want my daughter to grow up in a place where I chose four years ago to settle because I thought it was a city that integrates the City in the Country vision.

I ask that the City Council members support Commissioner Mathiesen’s resolution to prohibit PUDs in the greenbelt.

Thank you.

37:55 - Allen Turkheimer – Woodlawn Ave

I didn’t come here to speak tonight. And I’m holding up my grandson’s presentation.

But...as a zoning board member in another city, I watched that city die. Yonkers, New York did not stick to its plan of doing downtown. It’s a dead city down there. Boulder Colorado took its main street and made it a walking market. Every city that you see in any of the magazines that are desirable to live in today have viable downtowns.

It’s not the Chamber’s right to pave over this whole city.

And a PUD is no different than spot zoning. When you have spot zoning, you are open to legal implications. You’ve gotta defend it. Once you open a PUD, you’re going to have to defend every other PUD legally from not being used.

So it’s a Catch-22 situation.

I say, I’m with Commissioner Mathiesen.

39:40 – Laura Rappaport - Excelsior Spring Ave

I just really want to thank everyone for their hard work...the Comp Plan Committee...It’s a huge amount of volunteer hours and we all appreciate that.

I also support commissioner Mathiesen’s no-PUD-in-the-greenbelt resolution. I wanted to echo everything everyone’s said and I just wanted to do it on the record.

But I wanted to speak to the things we sometimes read in the paper or hear on the blogs, which is “this is really popular, and there’s a few special interests, and there’s a small special interest group that thinks the other way.

And this is not a small special interest group here in this room.

I think sometimes the small special interest groups are the people that are going to stand to benefit financially from development proposals in our city. I saw that in my time on the Planning Board.

And I just think it is so super that we have very large special interest right here in this room and I hope that the Council will listen to this crowd.

Thank you.

41:03 – Charlie Samuels - Saratoga Springs

I wasn't going to speak tonight because I don't think I need to but I do want to mention something that nobody else has mentioned.

I've been kind of obsessed by this issue and trying to find out as much information as I can about it. The PUDs in the greenbelt (it's so funny). But I really haven't been able to find any information despite the fact that I have spoken to three of the people that have voted for the rosy green language. I was at the meeting. I've called three of the people, or corresponded with them. And I haven't found any information.

And what I think is different is that... I would think this would be the perfect opportunity to explain how you voted.

So I'm hoping... I really want to know. And I'm hoping you come up here to this mic, whoever voted for that, and explain why you voted.

Thank you.

42:17 – Mayor Yepsen

Thank you all for your comments. Very important information and input tonight.

CITY COUNCIL DISCUSSION & VOTE

(timings refer to the video of the meeting, archived on the City's website)

MAYOR YEPSEN (0:00)

I'll move this over to Commissioner Mathiesen to take up his item on the agenda that many people have come tonight for.

COMMISSIONER MATHIESEN (0:10)

Thank you, Mayor.

This is a resolution on Planned Unit Developments in the Conservation Development District. I will read the resolution first. The resolution is as follows.

Resolution on PUDs

*Whereas, the City of Saratoga Springs is a world-renowned destination which has won awards both for its vibrant downtown and for its desirable lifestyle for its residents,
and*

*Whereas, the concept of City in the Country was established decades ago as a means of preserving open space in the rural districts of the City, presently defined as the Conservation Development District and of encouraging the re-development of the City's urban core,
and*

*Whereas, the City in the Country standards have been incorporated into previous Comprehensive Plans and codified into the Zoning Ordinance and have effectively discouraged inappropriate development in the Conservation Development District,
and*

*Whereas, by preserving the unique nature of our City, these guidelines continue to protect the economic viability of the local community and have a positive impact on the regional economy,
and*

*Whereas, our citizens value the preservation of open space through the City in the Country concept,
and*

*Whereas, a means of continuing to protect the concept of City in the Country has included a zoning ordinance prohibition of Planned Unit Developments (PUDs) in the Conservation Development District,
and*

Whereas, to be effective, the protection of the Conservation Development District must be a long term community commitment,

Now, therefore be it resolved that, in order to protect the unique character of our City, the City Council supports the prohibition of Planned Unit Developments (PUDs) in the Conservation Development District.

I make a motion to adopt the resolution as presented and it is attached with the agenda.

MAYOR YEPSEN: Is there a second?

COMMISSIONER MADIGAN: Second

MAYOR YEPSEN: Discussion?

COMMISSIONER MATHIESEN (2:15):

I'd like to say I don't have much to add to all the comments that have already been made. I thank everyone for coming tonight and who made some very valuable and important comments on this issue...So I'm just going to say I agree with everything that has been said.

COMMISSIONER MADIGAN: I came prepared to say a lot but I don't think there really is anything more to say. The public has been consistent. They've showed up to the Comprehensive Plan Committee meetings. They have voiced their opinion loudly. They have demanded that we maintain the no-PUDs-in-the-greenbelt, the prohibition against the PUDs in the greenbelt. And they came out again tonight and voiced their opinion quite loudly. And I support everything that was stated here tonight by the public and support your resolution 100%.

COMMISSIONER SCIROCCO (3:03): I just want to say...I can't really say how proud I am of each and every one of you who stood up here tonight and spoke. I think...I've lived here all my life, all 66 years...going on 67. Born February 29, a leap year, sixteen and a half years. But...I guess,...you know...the city is unique. It's a one of a kind. It's the jewel of the county.

And...you know...what we do here ...we pretty much legislate for the future. And the future is a place we'll send our children that we'll never see. I have grandkids. I want them to enjoy the same thing that we enjoy right now and I think the green space in the city is one of the most important things that we can preserve because, again, it just makes us unique. And it makes us something that's special.

There is no place that I have ever been or I guess I could ever go to that is comparable to the city I'm proud to serve on this Council. Again, I just can't say how proud I am of the public and the sense of community. Not just for this issue but for issues that were in the past and issues that are going to be here in the future. When there's an issue, people come out in droves and it makes my job easier because I get a good sense of what the climate of the people in the city are really thinking. I don't always get a chance to talk to a lot of people. This makes a lot of sense, to keep PUDs out of there. I think it's green space that we should preserve forever. It's a conservation zone and just tell developers, "no way." I mean, stay out of it. It's green. It's something that we want to preserve.

We talked about our tree program in the city and how we want to preserve our trees. I commend Sustainable Saratoga for their efforts in preservation.

Again, I just can't say enough about the turnout here tonight and the way things are going. So I'm gonna support this.

COMMISSIONER FRANCK (5:45):

What I'd like to state is a couple of things because I just want make sure there is no misunderstanding ...Four of us sitting at this table fought very hard against the former Mayor to have what we felt was a fair representation on the Comprehensive Plan Board. Because, if people remember, originally there were thirteen members on the Board and they were all picked by the Mayor. Now, some were Democrats, some were Republicans, some were Independents. And the word bi-partisan was thrown out there. But I certainly did not feel ...just because you're in different enrollment doesn't mean you had the same thought process.

And it was very heavy pro-development pretty much across the board. There were four members who didn't even live in the city. Not that they weren't good members, not that they didn't work in the city, or a part of the city, whether it be Skidmore or the State Parks.

But, as I argued then and I argued very strongly that any ...if that was the comprehensive plan that it was dead on arrival because it did not encompass the city...in views...

The Mayor did acquiesce because it was pretty clear it would be dead on arrival. And did give the ability...cause...though Mayor Yepsen's been here for...in her ninth year, she was a supervisor at the time. So none of these board members that are currently on there were chosen by Mayor Yepsen. People have to understand that. Mayor Johnson, I believe, had seven choices and each one of us had two each.

When I made my...Geoff Bornemann, who is the head, was one of my choices and Devin Dal Pos...I chose him, one, because I wanted a variety of views but, two, also because he was in the southwest neighborhood which is a fifth of our city and there was nobody in that area and I wanted to make sure that that was chosen.

I felt, whether we agree with this board and we're sent 7-6 votes or whatever, that's not always bad, because it shows that people have differing views. That vote would have been probably 13-nothing had it been the original board, just so you know. For this.

So, clearly, I have no problems backing this resolution. I think we would have taken this out no matter what. And even if it stays in...as nice as this resolution is, and I think it's important because it sends a strong message to the Comp Plan Board...that doesn't mean they have to change it...but I think it's clear that we don't want this to happen so whether it happens with this moving forward or we just take the recommendations...we can take all the recommendations and accept it, or we can throw them all away, or we can pick or choose as the legislative body what to do. And I think it's pretty clear.

And I had a number of calls...over the...since this last vote...because the vote's gone different ways originally and then switched...from people who said John...and I said, I just don't believe it's the will of the Council for this. This was before Commissioner Mathiesen had brought this forth.

So surely, I can back this.

We talked about Boards a lot tonight. This board has put in probably more hours any board in the last year and a half. So I don't want to yell and scream at them and say you're screwing this up. Because people have differing views. So I'm hoping from their end that they revisit this...and just take that out

It's not like PUDs were allowed in there and they're taking them....They were not allowed in there. So this is a very substantial change, in my view. This is not tweaking. This is not changing a T-4 to a T-5 or a T-3. This is a substantial change. And I know that most of this vision of the PUD relates to the eastern ridge but this would also affect other parts of the city, Around the city. Once you're allowed to do it in one area, it could affect the other areas. So I know the focus may be on one area, but it's not just that. I know all you guys understand that but it took me for a while to understand all those processes.

I clearly can back this. But I do also want to say to the Board, this is not...we're not saying that you're not trying your best to do your job...but to try to just give you that...and Commissioner Mathiesen, this is your resolution so you could speak to this better...we're not saying you are bad people or doing anything bad...We're just saying that...if you give us this...we've already pretty much made our decision that...at least this vote...will not make it. We don't know what else. I'm sure we're going to look at everything very closely. There's maybe other things that don't make it. There's maybe other things that may be tweaked. But this would be dead on arrival. And I believe that's what this is basically saying.

COMMISSIONER MATHIESEN (10:29): Exactly

COMMISSIONER FRANCK: So clearly, I would vote for this measure.

MAYOR YEPSEN (10:33):

I also have a few comments. And I would certainly support this. The greenbelt and the City in the Country has been extremely important to me ever since I first ran in 2005. We ran on a platform of City in the Country and open space protection and I think my record certainly proves that all of those are very important to me.

I was the only one at this table with no appointment on this committee. And yet, they had already...when I took office on January 1...had put in an enormous amount of time.

So did the public. The public showed up at so many meetings and participated in workshops and had already invested a lot of time.

So I didn't make changes on the committee. However, I did make a change on the chair of the committee, immediately. And took Cliff Van Wagner off as chair and put Geoff Bornemann in as Chair and he has served as Chair with Jamin Totino since then. But Geoff has done a great job of bringing in....with all his past experience of working on comprehensive plans for many decades

And it *was* troubling how the original committee was chosen. And if I was Mayor that would have never happened. Immediately, we would have asked every council member to appoint somebody to something this important to the city. It's comprehensive. It should be a comprehensive view of the city and our future. So I was very frustrated with watching the former Mayor appoint a committee that didn't allow the other council members...and I'm very grateful that my colleagues at this table fought for representation on that committee.

It made it much more diverse. With diversity comes difficulty. But it's healthy. It's healthy to have diversity and to be able to debate these issues and be sure that we are coming up with the best product to ensure our future, our city for the future .

Clearly there has been a process in play now this year. I've tried to be very clear that this committee has a job to do and I think every committee member, regardless of their position, is taking this very seriously. And they have put in an enormous amount of time.

I think we're up to 18 meetings. I think when they were first appointed, you told them something like six meetings. Or the Mayor did. And so this has been above and beyond.

My most important goal here is that we update the Comp Plan. We are working with a 2001 Comp Plan. This city deserves better than that. And we need an updated Comp Plan and we need it to be protecting our City in the Country and protecting our vibrant downtown and our core density.

And so, all the work that I have done...20 years ago, more than 20 years ago...when I first moved to Fifth Ave., Exit 14 was being threatened as you recall. That was my first attempt at politics, I guess. And we passed then a large majority of the city, 75% of the city then passed a bond referendum to protect open space. So we know this is working.

I then joined the board of the Open Space Project. I then sat on a 7-member committee to bring the Open Space Project and the Land Conservancy together, what we now know as Saratoga Plan. And was a founding member of that board.

This is important.

And I guess...the only hope that I have is that we fully respect every member of the Comprehensive Plan and that we let the process finalize because we need an updated comp plan to protect our City in the Country.

And that is only going to happen if we let the public speak. Public hearings are extremely important to this Council, I know they are. And it's extremely important on something this important. There is a public hearing scheduled for December 9 by the Comp Plan and then a follow-up meeting of the Comp Plan Committee on December 18 to hopefully vote on a draft that will then be presented to the Council.

And just to be really clear about where we are in the process and where we've come from and the authority of the Council. Brad Birge is here and has been patient. To...just to reiterate where we are in the process and where this resolution fits into everything.

And then I want to emphasize the importance of who is elected to this table. Because the authority rests with the City Council. That's it. The end authority rests with the City Council. So the Comp Plan is an advisory board.

And yes, this is a recommitment tonight to our status quo. This is what we're working under right now and the greenbelt has been protected. There are no PUDs under my administration. Are there? Not yet. No. So, it's not something that has come up. It's not an issue that is the only thing the Comp Plan has been working on but it is clearly the most important. And the one that has caused the largest debate and is very important to the residents of this city.

My hope is that we can get past tonight and the Comp Plan public hearing and final meeting accomplished because – we are this close to having a draft plan to the City council. Which then we can do anything we think is appropriate. We have final authority...to change it, revise it, to update it, to send it back for more information. And we will do that.

And I expect that we will hold several public hearings, if I have anything to say about it. And make sure we are looking at everything the Comp Plan Committee is putting before us. Because we owe it to them. Even though I didn't appoint this committee, I respect them, and I appreciate all the time they have put into this. And we need to ensure that this process is finalized and presented to the Council. So that we can do our work with this Comp Plan and hopefully vote on something that we can all feel good about.

COMMISSIONER FRANCK (17:00):

Before Brad goes, I just want to say one more thing, Mayor, which is an important distinction. The first two years I was in office ... in 2007...we had a Comp Plan...and they were *there*. There were some things I think that the Council, the new Council in 2008, would have made changes to.

But the whole thing was thrown away

The mayor disbanded the comprehensive plan board. And it wasn't like early on. They were done. They were just at the last draft period. Two people who I appointed who really worked hard on it...and I did the same thing, two different views...they came to me and said they would never do any volunteer work for the City again. They were literally spending 15-20 hours a week for close to a year. I think nine months

And it was tossed in the trash.

We're supposed to look at this every five years. And that's why we have this pretty large gap of 13-14 years. I was new then, but just having the memory of that, when the whole thing was going to be done in six months, I said, I got a better chance of getting a date with a supermodel than this thing will get done in six months. There is no way this is going to happen. It was just so ridiculous, that thought process.

So this process has gone...and government's a tough thing...but I think we are sending a strong message, but let's let this Comp Plan get their final draft. Let's not kill this thing. Because I don't want to throw out the baby with the bath water. And I think Commissioner Mathiesen is *not* doing that by just saying there's strong opposition at the council level and at the city level in general. I appreciate that.

I just wanted to bring that up....I forgot all about it till the Mayor said 2001. We've been here before and never even got it to the table.

COMMISSIONER MADIGAN (19:20): – And Brad, before you go, Chris...I

want...Commissioner...I want to commend you for doing this this evening. It clearly was important to a lot of people. A lot of people were motivated. You really are the man of the evening.

This is an important resolution. There were no fewer than four votes on this topic. And I don't think there has been any discussion of wanting to kill the Comprehensive Plan.

They have all worked very, very hard and we're expecting a Comprehensive Plan to come forward as a result of this. But I do think this helps. It sends a correct message...that we want to protect the greenbelt.

So again, thank you for bringing this forward.

COMMISSIONER MATHIESEN (19:45): And we do want the Comprehensive Plan Committee to finish their work and it is important to have the Comprehensive Plan revised. And yes, it has been since 2001 since the comprehensive plan was last revised.

However, the 2001 Comprehensive Plan has served the city very well We have the City in the Country because of that plan. We have the City in the Country, we have the Conservation Development Districts, because of the ideas that came about at that time.

And the idea that, in 2014, those ideas would be threatened, I found very scary. I really did. I do have to take issue with some of the comments made here about ...I realize that the Comprehensive Plan Committee is more representative of the community than it was when it was first constituted by Mayor Johnson. What we had done was, we had held out and said

there'll be no funding for the consultants unless you allow the rest of the council to have a say on who sits on that committee. However, what John Kaufmann was saying is important too. What John Kaufmann was saying was that it's really important that these comprehensive plan review committees be representative of the entire community. And I think we've had a problem doing that. Despite that, I think the 2001 plan was great, and even the 1991 plan. The 1999 plan accomplished a lot, too. But it's very important in the future that we make sure that these committees, in five or six years...some of us will be long gone...but in five or six years, when it's time to look at this again, it's very important that they appoint people and represent the entire community.

I certainly respect people who are on this committee.

What I don't believe is that this is a committee that is broadly representative of our entire community.

COMMISSIONER FRANCK (21:37): But us as elected officials picked half of those

COMMISSIONER MATHIESEN: ...we did have more options

COMMISSIONER FRANCK: I don't know who else would pick them. I agree with some of the people's votes. I can disagree with some of the votes. Mayor Johnson and I have different views on the future of the city. That doesn't mean he's wrong or I'm wrong. And he was elected three times in a row. I just felt that if you have all thirteen, that's a pretty strong view and our views were out.

I give Commissioner Scirocco a lot of credit because he was a Republican at the same time and had the courage to disagree with the Mayor and make his choices. So if you think it's bad now, the way...it would'nt have been even close to that.

And I think the problem was, it wasn't even the funding, because the Mayor was going to self-fund it. It was the dead-on-arrival that...at the end of the day...that killed it.

MAYOR YEPSEN (22:30): – And speaking of the funding, you approved a contract for \$60,000.

ALL: 65

MAYOR YEPSEN:

The first thing I did...One of the first...I asked Jackie, our consultant, when I first got into office, how much time have you used up? And she said, two-thirds. So basically she has been working for free at this point. And I just thought you should know that.

Sorry Brad, go ahead.

23:00 [*Brad Birge gave a summary of the committee's process and timeline*]

MAYOR YEPSEN (26:23): All those in favor, say "aye."

ALL: "AYE"

MAYOR YEPSEN: Any opposed? Abstentions?
Matter passes.