

**Final Generic Environmental Impact Statement
Evaluating the Cumulative Impacts of Growth
Prepared on behalf of:
Town of Stillwater
Saratoga County, New York**

Lead Agency: Town of Stillwater Town Board

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Draft GEIS Accepted: July 17, 2008
Public Hearing: August 6, 2008
Public Comment Closed: September 19, 2008
Final GEIS Accepted: February 19, 2009

Applicant and Participating Consultants

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EXECUTIVE SUMMARY

A. Introduction

The purpose of this Final Generic Environmental Impact Statement (FGEIS) is to evaluate the potential impacts of growth on certain resources and facilities located in the Town of Stillwater, Saratoga County, New York. This document examines the impacts of land development projected to occur from 2007-2017 on the Town's infrastructure including highways (traffic), water supply and distribution systems, wastewater collection and treatment system, as well as the Town's open spaces, farmland, and recreational facilities.

The FGEIS has been prepared for the Town of Stillwater Town Board the Lead Agency, in accordance with the regulations of 6 NYCRR part 671, pursuant to the New York State Environmental Quality Review Act (SEQRA). This FGEIS includes and incorporates the Draft Generic Environmental Impact Statement by reference.

The Town of Stillwater Town Board accepted the Draft Generic Environmental Impact Statement DGEIS as Complete on July 17, 2008 and initially set August 21, 2008 as the close of public comment period on September 19, 2008.

The FGEIS responds to substantive comments made on the DGEIS, includes copies of all comments received , and a copy of the public hearing transcript.

This FGEIS evaluates the cumulative impacts of land development (new homes, commercial/industrial development) on the town's infrastructure and community character as defined by farmland and open space. The level of detail in a GEIS is usually provided at a reduced (conceptual) level of detail and presented in broader scale/prospective. The GEIS focuses on a range of issues and cumulative (or incremental) impacts. The evaluation of cumulative impacts is not typically addressed in detail in site specific EIS's, but is a major focus of a GEIS. Over time, cumulative impacts can have significant and often irreversible impacts on community character and resources.

The Town of Stillwater is concerned that uncontrolled or poorly managed growth will have a significant adverse impact to community character, open space and agricultural resources, its highway system, as well as its water and wastewater facilities and has therefore caused the preparation of this document.

B. Organization of FGEIS

The FGEIS includes this Executive Summary, which provides an overview of the project and highlights the mitigation measures developed in both the DGEIS and

the FGEIS to avoid, minimize and mitigate impacts associated with future growth within the Town of Stillwater. Section 1 of the FGEIS provides a listing and documentation of the comments provided. Section 2 of the FGEIS is an ERRATA section that identifies changes made to the DEIS by inclusion of notes in the FGEIS. Section 3 of the FGEIS provides responses to comments in the same organizational structure as the DGEIS. It is noted that general comments or opinions in support of or in opposition to the project are included in this FGEIS, but generally, no response is made to such comments.

A number of Appendices are attached to the FGEIS. These include copies of the public hearing transcripts and the written comments. A complete listing is provided in the Table of Contents.

C. How the GEIS will be Used

This FGEIS has been prepared to examine the impacts of growth on the Town of Stillwater's infrastructure (highways, water, wastewater systems) open space, farmland, and recreational facilities which have common or related impacts. The use of a Generic EIS is an appropriate tool for the action because it is "an entire program or plan having wide application or restricting the range of future alternative policies or projects, including new or significant changes to existing land use plans, development plans, zoning regulations or agency comprehensive resource management plans" (6NYCRR 617.10(a)(4)).

Following the adoption of Findings, the Town Board may adopt mitigation fees. This FGEIS proposed mitigation fees to assist in addressing impacts on farmland/open space and recreation facilities. Formalization of the imposition of mitigation fees may require adoption or amendment of local laws to establish or modify the Town's fee structure. It is anticipated the fees will be collected and deposited in a restricted special Town fund and used exclusively for their designated purpose. In addition to the establishment of mitigation fees a series of policies and regulatory measures are also proposed to further mitigate the effects of development. Adoption of findings does not have the effect of law and further action is required by the Town to affect these measures.

Future SEQRA Compliance

Projects requiring the review and approval of the Town including (but not limited to) building permits, applications for site plan approval, special use permit, and subdivision that are subject to SEQRA review will proceed through the Town's review process as normally required. A Short or Full Environmental Assessment Form will be required consistent with current practice. During the performance of the SEQRA review, the lead agency has all the powers and authority rested with it under NYCRR Part 617. The Lead agency can request any/all information it deems

necessary to ascertain the potential environmental impacts of the action (planned project).

The Planning Board (or lead agency) when reviewing an individual project may consult the body of information and analyses included in the GEIS and assess whether the evaluations included in the GEIS adequately assess the project specific impacts currently under review. As an example, impacts to the Town's transportation system were evaluated in the DGEIS Section 3.5. If an individual applicant can demonstrate the project specific impacts associated with traffic fall below the threshold evaluated with the DGEIS, then no further evaluation of traffic impacts may be necessary. The Lead Agency may utilize the GEIS in this fashion for any and all of the resources evaluated in the DGEIS.

Should the Lead Agency find that there are site specific issues that have not been addressed in the GEIS, or if the project is not in some way in substantial compliance with the GEIS and SEQRA Findings, then the lead agency may require additional SEQRA review for any area of impact not addressed by the GEIS and SEQRA Findings.

D. Description of the Proposed Project

The primary purpose of this GEIS is to evaluate the cumulative impacts of future development on land use and community character, the natural environment, infrastructure community services in the Town of Stillwater. Evaluation of the major impacts will enable the Town to be proactive in guiding future development, develop mechanisms to manage and mitigate the effects of development; preserving a high quality of life for Town residents.

Future development in the Town may impact many resources. The Town currently requires developers to pay for project specific improvements when impacts to specific resources/facilities are identified, during the site plan and/or subdivision review process and improvements to facilities are necessary to achieve their (project specific) goals. As long as the incremental improvements are proportionate with the level of development and all impacts of individual projects are addressed, this process is adequate. However, this is not always the case and this GEIS is being prepared to ensure that the need for major improvements to the Town's facilities are identified, properly planned for, and that the financial burden for any necessary improvements is distributed equitably among all parties.

The equitable distribution of mitigation costs is a key element in the GEIS. Most mitigation has a high cost, and through SEQR, all those who benefit should pay, including a public share. As a component of the approval of the Luther Forest Technology Campus (LFTC) Planned Development District (PDD), the project sponsor Saratoga County Economic Development Corporation. (SEDC) acknowledged the growth inducing aspects of the project required further

evaluation. Specifically, the LFTC PDD GEIS Findings Statement acknowledged the need for the Town to further evaluate the impacts of the full buildout of the LFTC on the Town and identify appropriate growth management strategies.

The study area, for the purpose of the GEIS, is the entire Town of Stillwater, which includes 22,865 acres of residential, commercial, agricultural, vacant, and recreational land. The Town is located in the Hudson Valley of eastern New York, approximately 25 miles north of Albany. It is bordered on the east by the Hudson River, and the Town of Saratoga to the north, Malta to the west, and the Town of Halfmoon to the south. The Village of Stillwater is enveloped by the Town and is located east of the Town adjacent to the Hudson River. While the Village of Stillwater was not a part of this study, certain roadways and the Village water supply system is discussed in the content of the GEIS.

Stillwater is primarily a residential and agricultural community. Residential uses make up 28% of the Town, while 13% of the Town's total land is used for farming. Farming historically is concentrated in the rural areas with agriculturally compatible soils. Stillwater continues to be a community with a significant amount of agricultural land in active agricultural use in part because of its fertile soils. Agriculture is also a foundation for the community's identity and comprises a significant portion of its scenic open space.

Less than 2% of Stillwater's total land area is used for commercial purposes. Commercial properties are primarily located along U.S. Route 4 with some scattered along other major roads in the Town. Industrial development in Stillwater is also negligible with a total of 101 acres or less than 0.40% of the Town's total land area, used for industrial purposes.

The GEIS analyzes the overall impacts of land development under an anticipated growth scenario ("Proposed Action") within the Town. A buildout analysis of the entire Town was completed. A buildout analysis is an estimate of the overall development potential of a land area under a set of assumptions and constraints. The buildout estimate provides the basis for estimating growth that will occur in the Town over a ten (10) year period (2007-2017). Utilizing the Town's zoning regulations, as well as environmental and regulatory constraints, estimate of the total number of residential dwelling units and the floor area of commercial/industrial space was prepared.

A total of 3,868 units of single family housing could be constructed in the Town based on the current zoning regulations and the assumptions and constraints utilized. Based on the anticipated expansion of water and sewer service area this number increases to 4,071 homes. Similarly up to 1.2 million square feet of commercial/retail space and 2.6 million square feet of industrial square feet could be

constructed in the Town. These figures are in addition to the facilities planned on the LFTC.

The growth projection utilizes the buildout estimate as the starting point for estimating the growth rate. Based on an analysis of local building permit trends, the inventory of approved subdivisions, and a discussion paper provided by the Capital District Regional Planning Commission (CDRPC) regarding regional growth rates, a local growth rate was established.

Historically, the Town has issued an average of 42 single family permits per year. This growth is predicated on the success of projects like the LFTC. Based on the analysis of CDRPC projections, a regional evaluation of growth and local trends, it estimated that 600 new homes, 10,000 SF of commercial space and 50,000 SF of new industrial facilities will be constructed during the 2007-2017.

In order to perform certain projections (i.e., traffic) the anticipated development was distributed geographically throughout the Town. Projected development was assigned to a planning area (Traffic Planning Area) based on a review of the historic development patterns, the availability of infrastructure, and the location of approved lots.

E. Summary of Existing Conditions, Potential Impacts and Mitigation Measures

This section summarizes the existing environmental conditions, potential impacts of the action, and proposed mitigation measures as appropriate for major issues that have been identified. Please note that no new analyses were conducted in preparing the Final GEIS and the following descriptions are extracted from the DGEIS and presented here for the convenience of the reader.

1. Soils & Geology

The bedrock of Stillwater region generally consists of shale, siltstone, sandstone, and limestone. The shale formations are very thick or deep in their vertical extent and are not noted for their water-producing abilities. Stillwater's surficial geology is the result of glacial action that occurred nearly 15,000 years ago. There are a number of other lacustrine (lake) deposits within the Town and some other glacial fringe deposits.

There are approximately 7,422 acres of Prime Farmland within the Town of Stillwater (29% of total soils) and 8,065 acres of Farmland of Statewide Importance (31% of total soils). Less than 3% of Stillwater's soils can be characterized as hydric soils

Development within the Town of Stillwater has the potential to result in adverse impacts with respect to soils and geology. Erosion of soils and resultant siltation of water bodies is a potential impact. Loss of productive agricultural soils is also a potential impact. Many development constraints can be overcome through implementation engineering practices, implementation of state and local regulations and use of best management practices. The local review process (i.e., site plan and subdivision review) is a means to ensure implementation of existing (state/local) environmental regulations. Preventing the loss of agricultural lands is a more difficult matter.

2. Water Resources

The Town of Stillwater has several notable surface water resources; the Mechanicville Reservoir, Saratoga Lake, the Anthony Kill, and the Hudson River. Saratoga Lake and the Hudson River are important recreational and aesthetic resources. Mechanicville reservoir serves as a regional water supply.

Groundwater resources are limited in their aerial extent within the Town. Two (2) private water supply companies: The Saratoga Glen Hollow Water Supply Corporation and the Saratoga Water Service Corporation both operate wells and treatment facilities on the western perimeter of the Town and serve a number of developments in close proximity to Saratoga Lake.

Construction activities associated with potential buildout over the 10-year evaluation period could expose soils to erosion, which would in turn lead to sedimentation in downstream water bodies, including streams, wetlands, ponds, and lakes. Uncontrolled development has the potential to further degrade/encroach on regulated (and unregulated) wetlands impacting their value for habitat, flood storage, and stormwater recharge.

Compliance with standard best management practices, state and local regulatory programs will ensure that waters are protected from potential adverse impacts of stormwater and construction-related runoff. Additional regulatory and policy improvements are included in the land use and zoning sections of the DGEIS.

3. Locally Significant Habitat and Species

The Town of Stillwater supports a variety of mature and successional forested, meadow, and wetland areas. The Natural Heritage Program maintains a database of New York State's rare, threatened, and endangered species and has identified several important species within Stillwater. The Northern Harrier (NYS Threatened Species) is known to breed in the marsh and grasslands located in northern portions of the Town. Several vascular plants listed as threatened or endangered are also known to exist within the Town.

Growth within Stillwater over the 10-year buildout period will result in a reduction in the amount of undisturbed land and potentially a reduction of sensitive ecosystems and wildlife habitat. Approximately 1,100 acres of land within the Town could be converted to development during this time, most of which would impact agricultural and forested land. The Town should ensure that consultation with the NYSDEC Natural Heritage Program as well as the USF&WS occurs during the review of local projects as a means of reducing the unintended loss of these resources. Additional (or enhanced) land use policies are recommended and identified in the land use and zoning section.

4. Land Use and Zoning

Land uses in Stillwater include a mixture of rural residential, agricultural, undeveloped, suburban residential, commercial, industrial, and institutional uses. Single-family homes are the predominant residential use in Stillwater. Very limited areas of the Town have been developed for non-residential purposes. Approximately 3200-3600 acres of Stillwater is utilized for agricultural purposes. The Town has identified at least 76 parcels in agricultural use, encompassing 16 % of the Town's total land area. Saratoga National Historical Park encompasses over 2790 acres and represents one of the most significant cultural and historic resources in the Town and County.

The Town utilizes a traditional zoning scheme regulating land use. The Town is divided into eight districts and also allows for use of a floating Planned Development District (PDD).

5. Community Character

The Town adopted a new Comprehensive Plane in June 2006. The Town's Vision Statement successfully captures what is important to the Town and its residents:

"Stillwater aspires to retain and strengthen its rural character, open space resources and agricultural traditions. It seeks to manage growth and change in a manner that protects and enhances the community's historic and aesthetic attributes, improves community quality of life, stimulates economic activity, and supports social and civic institutions for this and future generations of Stillwater residents."

The Town has undertaken a number of important community planning efforts in addition to the Comprehensive Plan including The Stillwater U.S. Route 4 Corridor Plan (an amendment to the Comprehensive Plan) and the Farmland Protection Green Infrastructure Plan that further elaborate on the important characteristics of the Town that shape its character.

From 1990 to 2000, Saratoga County's population grew by 10.7 %. From 1982 to 1997, over 425,000 acres of land in Upstate New York was converted from rural

uses (mostly agricultural and forest land) to urban development. In Stillwater, it is estimated that approximately 1100 acres of land could be developed by 2017. Based on Stillwater's projected growth rates and current zoning regulations, 92 % of that growth is likely occur in the Town's most fertile or forested areas.

The *Stillwater Comprehensive Plan* calls for a series of policy changes to address these impacts including historic preservation measures, design guidelines, and context sensitive/low impact design methods among them.

Both the *Stillwater Comprehensive Plan* and the *Stillwater Farmland Protection & Green Infrastructure Plan* recommend the creation of a local Purchase of Development Rights (PDR) program as a means of enhancing the State/County PDR programs while allowing for local control. PDR programs are designed to facilitate the sale and acquisition of willing landowners' site-specific development rights for conservation purposes. Once the development rights are purchased, a site's existing uses are permitted to continue, but the development of the property is prohibited in perpetuity.

By aggressively implementing the *Stillwater Farmland Protection & Green Infrastructure Plan*, the Town could mitigate many of the adverse affects on natural and agricultural resources that are associated with rampant growth. Specific land preservation goals are outlined in the Farmland/Open Space section of this document.

6. Transportation

The Town of Stillwater roadway system consists of a network of local, County, State, and U.S. roadways. Major arterial roads include U.S. Route 4, NYS Route 32, and NYS Route 67. A series of County highways and local roadways constitute the balance of the local roadway network. . Interstate I-87 and NYS Route 9 are two major arterial roads in the region and are located just west of Stillwater in the Town of Malta. A number of roadway improvements are in the planning stages including access improvements to the LFTC.

The traffic impact study include in the DGEIS evaluated eleven (11) intersections and nine (9) roadway segments. Traffic growth projected to occur as a result of the 10 year growth projections is not anticipated to significantly effect the operation of an intersection or road segment with one exception. The intersection of Route 9P and Lake Road (CR76) project is projected to operate at a LOS F under the build condition and will require mitigation. Traffic largely associated with the construction of the LFTC and the Saratoga Lake Hotel will impact this intersection. The installation of a traffic signal at this intersection was projected after completion of Phase 3 of the LFTC buildout. As a result of the analysis in this DGEIS, this mitigation will be required prior to that time. The Town (and the LFTC project

sponsor) should review the timing of this mitigation and assign implementation accordingly.

7. Water Supply & Distribution Systems

Properties within the Town of Stillwater are serviced with potable water by a variety of means including Town Water Districts, private water companies, outside users to neighboring municipal water systems, and individual wells. The Town purchases water for each of its four water districts from either the Village of Stillwater or the City of Mechanicville. The Town of Stillwater does not own a water supply source or facility. Two private water companies, the Saratoga Glen Hollow Water Supply Corporation and the Saratoga Water Services Corporation, supply select geographic areas with drinking water.

Potential Future Service Areas

The water supply evaluation completed in the DGEIS identified three (3) potential new service areas. While there are no plans for extension of services, the Town believes that each of the areas have the potential for service. These potential service areas are the Route 4 service area, Viall Avenue service area, and the Route 67 service area- all described below.

Route 4 Service Area

This area generally extends north from the Village of Stillwater to just south of Hanehan Road and includes properties east of Route 4. This service area would connect to and purchase water from the Village of Stillwater system.

Viall Avenue Service Area

The proposed Viall Avenue Service Area generally extends north on Viall Avenue from Water District #3 and includes properties east and west of Viall Avenue. Water to the service area would be supplied by the City of Mechanicville and would require the construction of an elevated water storage tank. Approximately 8,000 linear feet of water main would be required to service this extension.

Route 67 Service Area

The proposed Route 67 Service Area would extend west on Route 67 from George Thompson Road to just east of Farley Road and includes properties north and south of Route 67. The service area would connect to the existing water main at the intersection of Route 67 and George Thompson Road. Approximately 8,000 linear feet of water main would be required to service this area.

The Water Supply Report included in the DGEIS provides detailed calculations of estimated water demand for the Town's potential residential and non-residential buildout. Estimates for the cost of constructing the distribution infrastructure required to service each of the potential service areas are as follows.

- Route 4 Service Area ~\$2,078,000
- Viall Avenue Service Area ~\$4,277,000
- Route 67 Service Area ~\$1,041,100

Cost feasibility varies with each of the planned districts, with the Route 4 currently not feasible. Establishment of new water facilities can be initiated by the Town or a private party. In the case of a privately sponsored project, the project sponsor will seek the approval of the formation of the district, construct the facilities, and dedicate the facilities to the Town for operation. It is envisioned that any of the three (3) new service areas described in the Water Supply Report will be constructed when a combination of market forces or public demand create significant demand for water service.

8. Wastewater Collection and Treatment Systems

The Town of Stillwater does not operate any wastewater treatment facilities. The southern portion of the Town of Stillwater, with the exception of the Village of Stillwater, is within the Saratoga County Sewer District No. 1 (SCSD). The SCSD within the Town of Stillwater extends from the Hudson River west to Saratoga Lake. Properties within the SCSD, if permitted, can discharge wastewater to the SCSD collection and treatment facilities. The SCSD operates a 21.3-mgd wastewater treatment facility located off of NYS Route 4 in the City of Mechanicville.

The Town of Stillwater currently administers four sewer districts, designated as Sewer Districts No. 1, No. 2, No. 3 and No. 4. which convey wastewater to the SCSD or the Village of Stillwater wastewater treatment plant. There are additional properties within the Town that dispose of wastewater through private connections to the aforementioned municipal systems or through individually owned and maintained wastewater disposal systems.

Sewer District No. 1

The Town of Stillwater Sewer District No. 1 generally lies in the southeastern portion of the Town and encompasses properties along Castle Drive. Approximately 79 residential properties convey wastewater to the Village of Stillwater Wastewater Treatment Facilities.

Sewer District No. 2

The Town of Stillwater Sewer District No. 2 generally lies in the southeastern portion of the Town and encompasses properties along Gurba Drive and Kellogg Road. Wastewater is collected and conveyed to the SCSD Wastewater Treatment Facilities.

Sewer District No. 3

The Town of Stillwater Sewer District No. 3 lies in the southeastern portion of the Town and encompasses the Revolutionary Heights Planned Development District (RHPDD). Wastewater from Sewer District No. 3 will be collected and conveyed to the sanitary sewer system servicing Sewer District No. 2 with eventual conveyance to the Gurba Estates Pump Station.

Sewer District No. 4

The Town of Stillwater Sewer District No. 4 lies in the southeastern portion of the Town and encompasses Hillside Colony Mobile Home Park (HCMHP).. Construction of the wastewater facilities were completed around 1970. The Town of Stillwater has formed Sewer District No. 4 to include the HCMHP property and permit the eventual conveyance of wastewater to the Town of Stillwater Sewer District No. 3. When approved by the Town of Stillwater and the SCSD, wastewater from HCMHP would be diverted to the Town of Stillwater wastewater conveyance system and eventually to the SCSD collection and treatment systems.

Riverside Neighborhood

The Riverside neighborhood in the southeastern portion of the Town is within the SCSD, but not within a Town Sewer District. The Turning Point Subdivision is located in the southeastern portion of the Town between County Route 75 and Brickyard Road and includes properties along Finish Line Court, Battery Boulevard, Musket March and Sirchia Road. The Turning Point Subdivision is within SCSD, but not within a Town Sewer District.

Saratoga Lake Service Area

Properties along the eastern shore of Saratoga Lake within the Town of Stillwater are serviced by the SCSD.

Planned Facility Improvements

The Town of Stillwater is undertaking a project to improve Town and SCSD wastewater collection and pumping system infrastructure to facilitate the acceptance of the additional flow from Sewer Districts No. 3 and No. 4.

Potential Sewer Service Areas

There are four (4) geographic areas that are considered likely to have sewer service over the 10-year buildout period based on the current availability of municipal water service and the potential for municipal water service to be expanded. The four areas are VanNess Road, Viall Avenue, Brickyard Road, and Route 4. It is anticipated that sanitary sewer infrastructure could be expanded to serve each of these areas and that all wastewater from the new service areas would be directed to the Saratoga County Sewer District Wastewater Treatment Facility which reportedly has adequate excess capacity.

VanNess Road Service Area

The Van Ness Road Service Area generally extends west from the Sewer District No. 1 boundary on Van Ness Road to County Route 75. Wastewater facilities servicing the area would consist of approximately 10,500 feet of gravity sewer main along Kellogg Road, Van Ness Road, Flike Road and Brickyard Road. The wastewater collection system would provide municipal sewer service to a portion of Stillwater Water District No. 4 which is currently unsewered, as well as to a large area of a Low Density Residential Development District on Van Ness Road.

Viall Avenue Service Area

The service area would provide municipal sewer to all of the Town of Stillwater Water District No. 3 as well as additional Low Density Residential District lots. Wastewater from this service area would be conveyed by gravity sewers to an existing SCSD sanitary sewer manhole on Saratoga Avenue.

Brickyard Road Service Area

The Brickyard Road Service Area includes the majority of Water District No. 4 with the balance of Water District No. 4 serviced by the Van Ness Road Service Area. Approximately 8,500 feet of gravity sewer and 5,500 feet of forcemain (and associated pumping stations) would convey wastewater to the SCSD.

Route 4 Service Area

The Route 4 Service Area generally extends south from the Village of Stillwater to the northern limits of the Riverside neighborhood. The collection system servicing the Route 4 Service Area would include approximately 19,000 feet of gravity sewer, 7,000 feet of forcemain and three pump stations.

The Wastewater Report includes construction budgets that estimate the cost of constructing the collection infrastructure required to service each of the potential

service areas. Financing scenarios were developed to finance the estimated construction costs for each of the potential service areas.

The NYS Comptroller 2007 threshold for Town districts is \$568 per home. The annual user costs presented are based upon project financing through conventional means. Based on the buildout analysis for the *Stillwater Comprehensive Plan* and the available capacity within the SCSD Wastewater Treatment Facility, it appears that extension of sewer service to new service areas is feasible.

9. Community Services

There are presently four (4) police agencies providing the full range of law enforcement services within the Town of Stillwater. These agencies represent the local, county, state and federal levels of government and include the Stillwater (Town) Police Department, the Saratoga County Sheriff's Office (County Sheriff), the New York State Police (NYSP), and Park Rangers at the Saratoga National Historical Park. The Town of Stillwater is served by 2 volunteer fire departments and 1 rescue squad. In addition, under certain conditions, fire/EMS services are provided through mutual aid agreements with agencies in neighboring towns in Saratoga County as well as other nearby counties.

Increased population will result in additional calls for service. Preliminarily, these agencies may accommodate these impacts through additional tax revenues.

Stillwater is serviced by four school districts: the Stillwater Central School District, the Mechanicville City School District, the Shenendehowa Central School District, and the Schuylerville Central School District. The Stillwater Central School District is the primary school district for the Town and the entire Village. The Stillwater Central School District is at capacity. The Stillwater Central School District is a centralized facility, and any expansion would require the acquisition of nearby land. It will be necessary for the Stillwater Central School District to secure funds for future growth related needs.

The Town of Stillwater is provided with library services from the Stillwater Free Library on Hudson Avenue in the Village of Stillwater and the Media/Library Center on the campus of the Stillwater School Complex. The Saratoga National Historical Park maintains a library on the park site. Increases in population will likely result in increased usage of library facilities and resources. It will be necessary for the Stillwater Free Library to secure funds for its future growth related needs.

10. Parks & Recreation

The Town of Stillwater completed an inventory of existing park and recreation facilities as a component of the Town's Comprehensive Plan. The DGEIS included

an assessment of the condition of these facilities and evaluated future parks and recreation needs.

A variety of recreational programs lack facilities within the Town proper. Soccer, Little League/baseball, and lacrosse facilities for instance are inadequate or non-existent. The Town has a variety of other facilities that are generally inadequate to meet future needs. The Town lacks a centralized multipurpose facility that could serve the diverse needs of the community in an economically sound fashion. Additionally, there are no public boat launches or swimming areas in the Town. Fortunately the Town has developed a series of plans to improve its network of parks and facilities.

As a component of several recent community planning efforts the Town has also identified future linear trail (on and off road) improvements to meet motorized (i.e., snow mobile) and non-motorized (i.e., equestrian, pedestrian) needs. A large, centrally located multi-use indoor/outdoor facility in the Town of Stillwater would provide space for all the current and future recreational needs. The construction of a multi-use indoor/outdoor recreational facility would cost approximately \$1 million; however, it would not satisfy all of the Town's anticipated recreational needs. The Town's overall recreational needs are estimated at \$5.6 million.

The future cost for recreational services was divided proportionally between, existing development and projected residential development. Based on the number of existing residential units, the ten (10) year growth projection represents an approximately 9.8 percent increase within the Town. The future growth share is 9.8 percent of the total recreational cost, or approximately \$548,000.

• Existing Residential Units	3,054
• Projected Residential Development	600
• Percent Increase	9.8 %
• 9.8 % of Recreational Cost (total)	\$548,000

Commercial/Industrial development often drives residential growth and recreational demand due to increases in localized labor and customer visitation, it is recommended that such development shoulder a proportion of the recreational costs as well. Ten (10) year projected non-residential growth in Stillwater is approximately 150,000 square feet. Based on a survey of neighboring municipalities, reasonable recreational fees for commercial development is \$0.80 per square foot construction, which would generate and \$120,000 in recreational fees.

The residential share of recreational cost estimates is approximately \$913 per single-family detached home. Mitigation fees can be collected at the issuance of each building permit, or, as an alternative, collected in thirds: one third at the stamping of final plans; one third at the first building permit; and one third at the first issuance of Certificate of Occupancy.

11. Farmland and Open Space

The Town's Farmland and Open Space resources serve to define the character, landscape and history of the Town. The Town developed the *Stillwater Farmland Protection & Green Infrastructure Plan* recognizing the importance of these resources.

New York State's Agricultural Districts Law was enacted in 1971 and Stillwater is part of Saratoga County Consolidated Agricultural District No.1, As of 2005, there were 36 parcels – totaling 3,263 acres – enrolled in Stillwater's 15,740 (+/-) acre portion of the agricultural district.

Based on USGS National Atlas Forest Fragmentation Census data, National Land Cover Database information, and New York State orthographic imagery, there are over 17,000 acres of unfragmented forests within Stillwater. The majority of these lands are within the Plum Brook and Saratoga Lake watersheds, and Saratoga National Historic Park. According to Saratoga County Real Property Tax Service (2007) data, there are over 3,316 acres of land that are taxed under Section 480-a of the Real Property Tax Law.

Growth has the potential to further encroach on and fragment the Town's farmland and open space resources. Residential development within the Town's agricultural core impinges on the ability to actively cultivate lands and conduct farming practices. It is estimated that future residential development could consume approximately 1,100 acres of land. A majority of the growth would occur areas that are Stillwater's most fertile farmland and unfragmented forests.

From 1982 to 1997, over 425,000 acres of land in Upstate New York was converted from rural uses (mostly agricultural and forest land) to urban development. In addition to the impact to the Town's agricultural resources future growth could impair Stillwater's ecological health through loss of habitat, natural recharge/buffer areas, and increased non-point source pollution storm and surface water runoff.

The *Stillwater Farmland Protection and Green Infrastructure Plan* provides a variety of recommendations to conserve Stillwater's agricultural, natural, cultural, and recreational resources and establishes some specific goals for land protection:

- Create a Conservation Advisory Council or other entity to lead this effort

- Continue Public Education process
- Amend local land use regulations (zoning and subdivision) – incorporate techniques recommended in this plan, such as:
 - Conservation subdivision design
 - Environmental overlay district
 - Local wetland protection regulations
 - Scenic overlay for viewshed of Saratoga National Historical Park
 - Agricultural zoning
 - Tree clearing regulations for new development
- Develop a local Purchase of Development Rights (PDR) Program
- Consider establishment of a Lease of Development Rights (LDR) Program
- Additional recommendations are included in the plan

Active protection of agricultural resources through purchase of development rights (PDR) and lease of development rights (LDR) programs is an essential element of the *The Stillwater Farmland Protection and Green Infrastructure Plan* (Plan). The *Stillwater Farmland Protection and Green Infrastructure Plan* Advisory Committee established a goal to preserve 2,000 acres of high quality agricultural and natural resources lands by the year 2017 through a local Purchase of Development Rights (PDR) Program.

Using the average of \$6,500/acre, the total cost of preserving 200 acres is approximately \$13,000,000. This cost can be distributed to existing residents (tax revenues), new development (mitigation fees), and the balanced raised through other means (grants, gifts, County/State initiatives, etc.)

The cost attributable to future development (or 28 %) is estimated at \$3,640,000. Utilizing these figures, a \$3,159.72 per acre of disturbance-mitigation fee would be assessed. By adopting these fees, Stillwater would be able to generate part of the necessary cost for strategic land acquisition. Stillwater should consider certain actions exempt from mitigation fees, including affordable housing projects and family member uses.

12. Cultural Resources

The Town is rich in cultural and historic resources. The Saratoga National Historic Park (SNHP) and the Champlain Canal are two locations in Stillwater listed on the State/National Register of Historic Places (NRHP). Each of these historic sites/features played a pivotal role in early American History.

The NYS Office of Parks Recreation and Historic Preservation (OPRHP) lists 37 sites currently characterize as known archeological sites with Historic, Prehistoric, and Precontact significance. Of these sites, only one has been determined to not eligible for NRHP status. .

The New York State Historic Preservation Office (SHPO) Archeological Sensitivity Maps for New York State are, “defined areas within the state where the discovery of archeological sites is predicted” According to SHPO Archeological Sensitivity Maps, over 14,300 (+/-) acres are within archeological sensitive areas, which is approximately 56 percent of the Town’s overall land area.

Without conducting a site specific investigation it is difficult to predict any and all impacts to the cultural resources within Stillwater as a result of development. Regardless, because Stillwater is so rich in history, it is evident that the development of certain parcels and/or archeological sensitive areas of the Town without further research could result in the destruction of cultural resources. The Town’s Comprehensive Plan and the Farmland Green Infrastructure Plan recommend several policy related initiatives:

- Develop a local historic preservation ordinance;
- Develop historic area overlay district;
- Examine Special design guidelines or review criteria;
- Form a historic preservation commission: and
- Coordinate cultural resources preservation efforts with the Saratoga National Historical Park and the National Park Service,

In addition to these recommendations, existing state and federal laws are in place, which, when implemented, are designed to avoid, minimize and mitigate impacts to historic and archeological resources. Therefore, the Town should require all potential development within the Study Area to be conducted in accordance with these procedures

The following table summarizes the significant potential impacts and mitigation measures.

Table E-1, “Summary of Significant Environmental Impacts and Mitigation Measures”

Resources	Potential Impacts	Proposed Mitigation Measures
<p>Parks & Recreation</p>	<ul style="list-style-type: none"> • 30% increase in recreational resource demand will impact the already insufficient number of existing facilities • 30% increase in recreational resource demand will impact the already inadequate and/or ill-equipped existing facilities 	<ul style="list-style-type: none"> • Construct Multipurpose Recreation Facility • Complete and/or construct proposed recreational facilities • Develop town-wide multi-use trail system • Adopt mitigation fees to offset growth induced costs: <ul style="list-style-type: none"> Per single-family detached home or equivalent = \$913.00 Per square foot of commercial construction = \$0.80
<p>Farmland & Open Space</p>	<ul style="list-style-type: none"> • Anticipate approximately 1,152 acres of development consuming and further fragmenting farmland and open space. • Associated Loss of and/or impairment to environmental resources (e.g., habitat, biodiversity, water quality/quantity, forests, etc.) • Loss of and/or impairment to community character as defined by the Town’s Comprehensive Plan • Loss and/or impairment to local agricultural business • Loss and/or impairment to historic resources • Decline in local food security • Loss and/or impairment to local tranquility 	<ul style="list-style-type: none"> • Preserve 2,000 acres of Farmland & Open Space resources • Create Farmland & Open Space Advisory Committee • Public education • Establish trails subcommittee • Amend local land use regulations • Develop a local Purchase of Development Rights Program (PDR) • Consider developing a Lease of Development Rights Program (LDR) • Reduce Farmland & Open Space assessments • Establish a historic preservation commission • Ensure compliance with existing regulations • Adopt mitigation fees to offset the costs of growth related impacts: <ul style="list-style-type: none"> Per acre of disturbance = \$3,159.72

F. Interested Agencies

The following Agencies have been identified as Interested Agencies and were asked to review and comment on all or a portion of the proposed DGEIS:

- Saratoga County Planning Board
- Town of Malta Town Board
- Village of Stillwater Village Board
- City of Mechanicville

1.0 COMMENTS RECEIVED

Appendix A, Public Hearing Transcript, contains a record of all comments made at the public hearings. Comments made during the public hearing are referenced at the end of the comment by stating the individual's last name, followed by the initials "PH" for Public Hearing, then a number that references the specific comment made by the individual (see Appendix A, Public Hearing Transcript). For example, the first comment made by Mr. John Doe at the Public Hearing would be referenced as "[Doe-PH-1]."

The following individuals commented on the DEIS at the Public Hearing:

Table 1.0-1: List of Individuals Who Commented on the DGEIS at the Public Hearing

Name	Address
Basile	64 South Hudson Avenue
Blume	732 9P
Burdyl	Durham Road
Delarosa	34 Halfway House
Marotta	21 Pine Ridge Road
Murray	Address Not Given
Unidentified Female	Address Not Given

A record of written comments is found in Appendix B, "Written Comments." Somewhat similar to the Public Hearing comments, written comments are referenced at the end of the comment by stating the individual's last name, then a code referencing the individual's letter (see Appendix B, Written Comments) which begins with the letter "L" for letter, followed by a number that references to the specific comment made by the individual. For example, the first comment made in a letter submitted by Mr. John Doe in a written letter would be referenced as "[Doe-L1-1]."

The following individuals commented in writing on the DEIS:

Table 1.0-2: List of Written Comments on the DEIS

Letter Number	Name	Date
L1	Julie Annotto	August 14, 2008
L2	Penny Cronin	August 14, 2008
L3	John VanHorn	August 14, 2008

Table 1.0-2: List of Written Comments on the DEIS

Letter Number	Name	Date
L4	Joann Winchell	September, 15 2008

A special DGEIS workshop was held with the Town of Stillwater Planning Board on September 15, 2008. Appendix C includes the record from Planning Board Workshop. Consistent with the coding of the Public Hearing and Written Letters, Planning Board Workshop comments are referenced first by the initials SPB for Stillwater Planning Board, then the initials PBW for Planning Board Workshop, followed by a number that references the specific comment made by the Stillwater Planning Board.

Substantive comments raised by the public and/or involved and interested agencies during their review are addressed below. Comments expressed as opinion and/or those that do not concern potential environmental impacts of the project are not required to be incorporated into the FGEIS response section, and/or may be responded to with “Comment noted.”

In general, the order and categories of topics follow the outline of the DGEIS. Comments concerning no particular section of the DGEIS are addressed first.

Comments made by the following individuals are indexed below by FGEIS page number.

Index of Comments by Individual

Annotto, 7, 8, 11, 12, 18, 28

Basile, 4, 5, 14, 16, 17, 25

Blume, 6, 15

Burdy, 5, 11, 23, 26, 27

Cronin, 8, 11, 13, 15, 23, 24, 28, 29

Delarosa, 25

Marotta, 6, 14, 18, 22, 23, 27, 28

Murray, 5

SPB, 9, 13, 20, 21, 24, 29

Unidentified Female, 21, 27

VanHorn, 8, 12, 13, 18, 19, 20

Winchell, 9, 10, 14, 16, 21, 30

2.0 ERRATA

2.1 Buildout Analysis/Growth Projections

Initial information contained in the DGEIS Buildout Analysis (DGEIS Section 2.5, Appendix A, and Appendix F) regarding lands protected by conservation easement of lands where development rights have been sold to NYS or other

conservatory organization did not identify the Burdyl and/or Price Farms as being protected from development. Based on personal comments made during the Public Hearing by the necessary changes to the Buildout Analysis have been made. And are depicted in Figure 1. The buildout analysis depicts approximately 26 potential new dwelling units could occur on the Burdyl property under correct conditions. This does not on it's own overstate the development potential of the LDR district on the Town. The intention of the buildout analysis is not to depict specific locations of new dwelling units, but to provide an approximate development maximum from which to build subsequent growth projections from and to offer a visual pattern of projected development, illustrating areas of dispersed or concentrated growth. No further changes to the Buildout of Growth projections is necessary.

2.2 Water & Wastewater Services

The following discussion is made available to the reader in an effort to present the most up-to-date information on the Town of Stillwater's water and wastewater planning initiatives and the proposed connection to the Saratoga County Water Authority (SCWA) water system.

All Town of Stillwater water districts are supplied with water purchased from neighboring communities: the Village of Stillwater and the City of Mechanicville. The impending Hudson River dredging project and its potential impact to the Village of Stillwater water supply has prompted the Town to investigate alternate and additional water supplies.

The SCWA is currently constructing water treatment and distribution facilities extending from the Town of Moreau to the Luther Forest Technology Campus located in the Towns of Stillwater and Malta. The SCWA intends to supply communities along the transmission route and would have capacity to service the Town of Stillwater water districts and potentially the Village of Stillwater.

The Town of Stillwater is considering extending a water main from the existing water districts to connect to the SCWA water system in the western portion of the Town. In addition to the SCWA, the Town is now also considering a connection to the Saratoga Water Services (SWS) system.

The SWS is a privately owned and operated water system with approximately 2,000 residential, commercial and industrial customers in the Towns of Stillwater and Malta. The SWS currently has plans to extend a water line from its existing Cold Springs pumping station to the intersection of Elmore Robinson Road and along Elmore Robinson Road to the intersection with George Thompson Road. The SWS system is reported to have capacity to service the Town of Stillwater.

Figure 2 Depicts the Saratoga County Water Authority (SCWA) water system. Figure 3 is a site location map that depicts the Saratoga Water Services (SWS) system.

3.0 RESPONSES TO COMMENTS

3.1 Background

This section addresses all comments received during the public comment period on the DGEIS. The Draft GEIS was accepted as complete on July 17, 2008 commencing the public comment period and comment closed on September 19, 2008. Comments were submitted in writing and were also expressed orally at the DGEIS public hearing held on August 6, 2008. Copies of the Public Hearing transcripts are included as Appendices A. A complete copy of all written comments are presented in Appendix B.

Comments are generally organized according to the structure of the DEIS. Where applicable, similar comments have been summarized into one general comment in order to allow a comprehensive response to multiple comments on the same issue. The written and oral comments presented in this section have been paraphrased.

3.2 Miscellaneous Comments

The comments included in this section of the FEIS are those that did not fit into the organizational structure of the DEIS, on which this FEIS is based.

Comment 3.2-1: “One of the concerns that I’ve been observing, we’re short-timers here, is that the growth and the need for growth, people need lower cost places to live.” **Basile-PH-2**

Response 3.2-1: While the DEIS does not specifically address affordable housing, one of the goals of preparing the DEIS was to identify and mitigate uncontrolled growth that could negatively impact local tax rates, drive infrastructure costs upward and disproportionately distribute those costs. Further, undesirable development patterns that are often driven by speculative real-estate markets have a tendency to drive housing costs upward. While affordable housing was not specifically within the scope of the DEIS, the Town does recognize that such an important issues should be addressed through specific research and study, coupled with an appropriate programmatic response.

Comment 3.2-2: “Eventually, the Town Board approves this, but what do they really do with it? There’s a SEQRA review that has to take place, but

is there not a SEQRA review for every project that has to be done under, that would come under GEIS?” **Basile-PH-4**

Response 3.2-2: As future development is proposed within the Town, the Lead Agency for each proposed action will be responsible for carrying out the requirements of SEQRA. This will require the Lead Agency to interpret the Statement of Finding prepared by the Town, for the GEIS as it specifically relates to the development being proposed. An applicant will provide the Lead Agency with sufficient documentation to compare the parameters and impacts of a site specific project with the Findings Statement, each project that is subject to SEQR (Unlisted or Type I) must prepare a Full Environmental Assessment Form.

SEQRA requires a supplemental to the final generic EIS if the subsequent proposed action was addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.

Comment 3.2-3: “If somebody has a development, do they have to have the SEQRA review if it complies with this one here?” **Basile-PH-5**

Response 3.2-3: *please see* Response 3.3-2

Comment 3.2-4: “I think in the Town of Stillwater is missing a major opportunity by not looking at doing something with the Saratoga County based horse park. Again, there’s been issues about, who’s going to fund it? I think Senator Joe Bruno has showed us, if you build it, they will come and that if you include a plan for that which would be a tremendous recreational and an ecologically friendly business for this township, that the type of facility may be all privately funded or a joint state private partnership and that may end up not costing the Town anything and it may provide a tremendous benefit in the future for the Town. **Burdyl-PH-5**

Response 3.2-4: Section 3.9, Parks and Recreation, and Appendix F, Stillwater Farmland Protection & Green Infrastructure Plan, recommends that the town develop a network of multi-use trails that would be design to accommodate the equestrian community. As such, a Stillwater horse park would complement this vision quite well – advancing this specific recommendation.

Comment 3.2-5: “[It has been] stated that there may have been mapping errors. Would you make sure you revise that and make report to the Town Board if there are mapping errors?” **Murray-PH-1**

Response 3.2-5: We have strived to utilize the most up to date information and address any comments concerning inaccuracies. However, several of the comments noted during the comment period regarding mapping accuracy have proven to be the result of either a misunderstanding or misinterpretation of map content. For specific examples, please see Response 2.5-1 and Response 3.10-4.

Comment 3.2-6: “The water, sewer, another speaker mentioned the horse park. Stillwater, we are so lucky that we are located right here, right next to Saratoga. Clifton Park is talking about trying to get the horse park in their area. There’s talk of a new development down there where they want to design a development around horses. Stillwater would certainly be a better location for a horse park driving up through the hills. We already have horse farms, thoroughbred as well as standard bred. **Marotta-PH-7**

We are closer to the population centers than Washington County. I know they are very interested in pursuing the horse park. Why don’t we grab it? We’re here. We’re close. With gas and everything, less traffic, we have more resources and it’s an agricultural farm business and Capital District regional planning, all the planning things, agriculture, saves open space, it’s low cost and not demanding on services. They don’t have kids in school. They don’t need more roads.

Response 3.2-6: *please see* Response 3.2-4

Comment 3.2-7: “My concern about the mitigation fee primarily rests with it may become too profitable for our town to rely too heavily on them and encourage overdevelopment. So I suggest you tie that into something to do with zoning regulations so you can’t overdevelop the areas, because frankly, I don’t see how you can keep anybody from building anywhere other than if you have zoning regulations that you’re enforcing. So if you’re going to change those, then you’ll have overdevelopment.” **Blume-PH-2**

Response 3.2-7: The proposed mitigation fees are a function of projected growth and are designed to assess the cost of development to the individual proposing the development. Development mitigation fees are not designed to encourage development. The mitigation fees are designed to assess the cost of development to the individual proposing the development. The mitigation fees are also intended to mitigate haphazard, overdevelopment by focusing preservation efforts on those areas that are vital to the community’s character (i.e. Stillwater’s farmland and natural resources). In accordance with NYS General Municipal Law, zoning must be in conformance with a town’s Comprehensive Plan. Stillwater Comprehensive Plan identifies areas where growth should be supported and areas where growth should be limited.

In addition, the Stillwater U.S. Route 4 Corridor Study and Draft Stillwater Farmland Protection & Green Infrastructure Plan highlight land use strategies that preserve and/or enhance Stillwater's community character as continues to grow responsibly and sustainably.

Comment 3.2-8: “Environmentally fragile, the lake has already been compromised by past and present developments in the Town of Stillwater. Our shoreline has been forever changed, and not favorably. Does the Town of Stillwater have a Storm Water Management Plan in place and if not, why not, and if yes, who will monitor that the plan is being followed?” **Annotto-L1-1**

Response 3.2-8: A “Storm Water Management Plan,” or Storm Water Pollution Prevention Plan (SWPPP), from a regulatory perspective, generally address more site/project specific stormwater related issues. Therefore, a SWPPP would not necessarily be the appropriate tool to address all of Saratoga Lake's stormwater runoff problems; however, an intermunicipal watershed management plan could (*please see* Miscellaneous-5). With regards to monitoring, with the exception of small site improvements, most construction activities require a permit from the Stillwater Planning and Building Department. As such, all permit applications are thoroughly reviewed, ensuring that every proposed project is in compliance with federal, state, and local land use regulations. The Town of Stillwater's Building Code and Zoning officer is responsible for ensuring that permitted projects comply with these said regulations.

Comment 3.2-9: “Will our natural landscape be replaced with streets, parking lots, rooftops and other impervious surfaces?” **Annotto-L1-2**

Response 3.2-9: One major objective of the GEIS is to mitigate negative impacts associated with future growth and to prevent undesirable and/or haphazard development. One aspect of the proposed open space mitigation fee is to create an incentive to utilize better site design that is less disruptive to the community's natural resources. Furthermore, Section 3.10, Farmland and Open Space, and more specifically, Appendix F, Stillwater Farmland Protection and Green Infrastructure Plan, provides a series of recommendations intended to limit the amount of impervious surfaces, including but not limited to the following:

- Create a riparian buffer ordinance
- Adopt “green” stormwater management design elements for subdivision regulations (e.g., rain gardens, bioretention basins, porous pavements, vegetative swales, etc.)
- Consider adopting a conservation subdivision ordinance

- Consider adopting an ordinance for protecting existing trees and/or native vegetation in new developments

Comment 3.2-10: “Any necessary improvement to the infrastructure should be borne by the developer, however, the Town should not approve large developments based on what they can gain, with no regard for the neighborhood, the environment and quality of life issues. The lake community has already been heavily targeted by developers. There is already a strain on the infrastructure.” **Annotto-L1-6**

Response 3.2-10: Those benefitting from the establishment and/or extension of the new water and/or wastewater services bear the cost of constructing and maintaining the facilities. Therefore, the costs associated with impacts and/or improvements to this area will be covered by both the development community and users (*please see* Response 3.2-9).

Comment 3.2-11: “Who monitors the existing environmental regulatory programs that you mention in [Section] VII page 17 [of the DGEIS]?” **Annotto-L1-9**

Response 3.2-11: In addition to the Town of Stillwater’s Building Code and Zoning Enforcement Officer, county, state, and federal authorities will review and/or monitor proposed plans and projects that are germane to their respective departments and/or agencies. See also Response 3.2-15.

Comment 3.2-12: “At this time, the 9P corridor is already super saturated and its “rural character” is slowly being eroded. The already proposed new developments in this 9P corridor will only add to the congestion and cause more stress on the already strained infrastructure, as well as eliminate more of the rural setting/character of the area.” **Cronin-L2-3**

Response 3.2-12: Comment noted.

Comment 3.2-13: “How is “residential resort” defined?” **Cronin-L2-12**

Response 3.2-13: According to the Town of Stillwater Zoning Local Law, “the purpose of this district is to encourage the development of seasonal and year round waterfront development in a manner that protects water quality and minimizes congestion and adverse impacts on water bodies.”

Comment 3.2-14: “Recommendations and plans for avoidance of environmental impacts due to residential/commercial development are already in place with existing New York State DEC regulations. So I found

those recommendations a waste of the paper they were written on and ultimately the trees they recommended saving.” **VanHorn-L3-1**

Response 3.2-14: While NYSDEC does regulate the use and/or alternation of certain natural resource features (e.g., wetlands, waterways, etc.), in many instances, regulatory authority rest solely with the local municipality. Stream corridors, various types and sized wetlands, critical groundwater recharge areas, locally significant habitats, steep slopes, and vegetative cover are just a few examples of the kinds of natural resources that are not necessarily regulated by the NYSDEC. In addition, NYS zoning enabling statues do not allow municipalities to establish impacts fees. Therefore, in order for a community to offset the cumulative impacts of growth, mitigation via the State Environmental Quality Review Process (SEQRA) is necessary.

Comment 3.2-15: “The DGEIS should identify for the school where additional facilities may be warranted for further growth.” **SPB-PBW-9**

Response 3.2-15: The analysis of the school and its future needs is both a necessary and worthwhile endeavor; however, this specific project was outside of the scope of the GEIS.

Comment 3.2-16: “Does the DGEIS address the need for additional cell towers and greater cable access?” **SPB-PBW-10**

Response 3.2-16: No. This specific project was outside of the scope of the DGEIS.

Comment 3.2-17: *The commenter maintains that the following departments, agencies, and/or individuals should review the GEIS:* “NYS Dept. of Agriculture and Markets (Bob Summer); NYSORPS (Robert Marks); Cornell Cooperative Extension (Richard Smith); SC Sewer District (DePasquale); NYSDOT; SNHP.” **Winchell-L4-1**

Response 3.2-17: The Stillwater Town Board is the Lead Agency for the Stillwater GEIS. As such, the responsibility of reviewing the GEIS rests with the Town Board. However, throughout the development of GEIS, numerous individuals representing the state and/or county were involved. This includes: NYS Department of Agriculture and Markets, NYS Office of Parks, Recreation and Historic Preservation, Hudson Valley Greenway, Locks to Lakes, Cornell Cooperative Extension, Saratoga County Planning Department, Saratoga PLAN, Saratoga National Historic Park, and many more. Please see Response Miscellaneous-7 for some of the additional resources that were reviewed while developing the GEIS.

Comment 3.2-18: “The Public Hearing held on August 6th had only 20 participants present...I am concerned with publication/timing.” **Winchell-L4-2**

Response 3.2-18: Comment noted. Please note, the GEIS was made available at the Town Hall and was posted on the Town’s website, the date and time of the Public Hearing was duly publicized, the public comment period was extended 23 days, and a formal presentation was made to the Planning Board in order to address any concerns associated with public participation and/or review.

Comment 3.2-19: “There was no formal presentation made to the Planning Board, I am concerned with the impact on regulations/enforcement.” **Winchell-L4-3**

Response 3.2-19: *please see* Response 3.2-18. The steering committee charged with developing the DGEIS included a representative of the Planning Board and the (former) Director of Planning and Development. We note that upon receiving this comment, the public comment period was extended by the Town Board and a presentation and workshop was subsequently conducted with the Town’s Planning Board.

Comment 3.2-20: “GEIS needs to be updated already to take into consideration dredging impacts and water woes that surfaced in 2008.” **Winchell-L4-8**

Response Miscellaneous-20: The GEIS does not focus on the impacts dredging of PCB laden sediments may have on the local communities and their water sources. The General Electric PCB Dredging Project has been the subject of a lengthy and rigorous environmental review process.

Comment 3.2-21: “The strained infrastructure is not addressed.” **Winchell-L4-11**

Response 3.2-21: It is the Town’s opinion that the GEIS adequately addresses the Town’s future infrastructure needs. More specifically, the GEIS discusses sewer and water infrastructure improvements, roadway improvements, recreation and trail improvements. In addition, the numerous land use recommendations and/or alternatives presented in the GEIS reflect careful consideration of the Town’s existing and potential infrastructure. Evaluation of current infrastructure issues is being addressed on a proactive fashion by the Town.

3.3 Introduction (DEIS Section 1.0)

The following address comment received on Section 1 of the DEIS

Comment 3.3-1: “The Saratoga Lake area has been omitted. How can any evaluation of the Town of Stillwater be creditable when one of Towns area/locations has not been included?” **Cronin-L2-5**

Response 3.3-1: The DGEIS focus is town-wide. As such the Saratoga Lake region was not omitted. Throughout the study, the Saratoga Lake area’s soils, water resources, important habitats, transportation infrastructure, water supply and distribution system, community services, parks and recreation facilities, farmland and open space resources, and cultural resources, were included in all analyses. For some additional comments regarding the Saratoga Lake area please see Response 3.2-5.

3.4 Growth Projections (DEIS Section 2.5)

The following address comment on DEIS Section 2.5 Growth Projections

Comment 3.4-1: “Specifically on the building dot density, there’s errors, such as there’s protected land for the Burdyl and Price Farms and those are shown as build-out areas.” **Burdyl-PH-1**

Response 3.4-1: Initial information regarding preserved lands did not identify the Burdyl and Price Farms as being protected from development. However, based the on the personal comments above, we have made the necessary changes to the Buildout as depicted in the ERRATA section of this FGEIS. Regardless, the Burdyl property depicts approximately 26 potential new dwelling units; whereas, the Low Density Development (LDR) District, in which the Burdyl property is located, has a projected buildout of 1,804 new dwelling units. This does not on it’s own overstate the development potential of the LDR district. The intention of the buildout analysis is not to depict specific locations of new dwelling units, but to provide an approximate development maximum from which to build subsequent growth projections from and to offer a visual pattern of projected development, illustrating areas of dispersed or concentrated growth. The dot density map has been corrected to reflect the noted omission.

Comment 3.4-2: “In the lake community, have the already approved and/or applications for development at the present time been taken into consideration?” **Annotto-L1-3**

Response 3.4-2: Yes. The Town of Stillwater GEIS Buildout/Growth Projection Analysis captured information from projects recently approved or undergoing review by the Planning Board. The Buildout notes one factor influencing the rate of residential growth is the available inventory of approved and/or proposed residential subdivision lots. It points out that several residential subdivision projects have been approved in recent years but have not yet been fully constructed. Because of this, the Buildout/Growth Projection Analysis incorporated this information into the study. As such, it is the Town's opinion that the amount of projected growth has been carefully and adequately deliberated

Comment 3.4-3: In your growth projections (pg.6) it states that historically the Town issued an average of 42 single family permits per year. Presently in the lake community, more homes than the average have been approved.”
Annotto-L1-4

Response 3.4-3: The Build out Analysis/Growth projections notes that 427 subdivision lots have been approved. Approximately 161 of these approved lots (37 percent) are located with close proximity to the lake. Building permits (i.e., home construction) do not necessarily correlate with lots approved. The growth projections assumed 140 new homes would be constructed within those same subdivision constituting approximately 23.3 percent of the Town's growth.

Comment 3.4-4: “Who will monitor developmental growth, especially the developers?” **Annotto-L1-5**

Response 3.4-4: The Town's Building Development is the first point of contact for monitoring local land development. In addition, a variety of state, regional, and federal entities review and regulate land development. For additional information please see Response 3.2-15.

Comment 3.4-5: “When you study pages 29, 72, and 83 in relation to the already existing approved (427 lots/homes) and predicted (600 lots/homes) single family home development in Stillwater, over 50 percent directly impacts the Route 9P area/Lake community and no recommendations to mitigate or protect this Lake community are suggested.” **VanHorn-L3-2**

Response 3.4-5: Please see Response 3.4-3 regarding growth projections (approximately 23 percent). The DEGIS proposes mitigation fees to address loss of open space, increase demand for recreational facilities protection of agricultural land; all which will benefit the Saratoga Lake area. For additional comments please see Response 2.4-2.

Comment 3.4-6: “The safety health and welfare of this Lake neighborhood are secondary to the development/traffic flow of Route 9P as a primary roadway segment. No consideration is given to the density, speed limit (35mph) blind driveways or lack of shoulder width around the lake. In fact the report identifies that Route 9P has a two to four foot shoulder width, when in fact a zero shoulder width is the case in many areas of this road not to mention minimal setback distances of prior existing homes.” **VanHorn-L3-5**

Response 3.4-6: Comment noted. The physical characteristics of NYS Route 9P were not studied/analyzed. The Town has communicated concerns regarding the character of NYS Route 9P to NYSDOT and is actively pursuing enhancements to Route 9P

Comment 3.4-7: “Because of the omission of already proposed/approved development projects that have yet to come to fruition, I feel this study is incomplete. To effectively evaluate development impacts on those particular sections of our Town, to be impacted by said development, proposed projects need to be included. When addressing “future development of land”, it is critical to include the ensuing impacts of projects already being presented to the Town of Stillwater, for your evaluation to be creditable.” **Cronin-L2-1**

Response 3.4-7: All previously approved projects and or projects undergoing review have been included in the Town’s Build out Analysis/Growth projection. *Please also see Response Miscellaneous-17*

Comment 3.4-8: “Regarding future housing, Chazen presents numbers (3,868-4,071) but not specific areas of the Town that could absorb such housing, other than state where “...92% of development is likely to occur...”. **Cronin--L2-2**

Response 3.4-8: The Town of Stillwater GEIS Build out Analysis/Growth Projection is based on the town’s existing zoning and environmental constraints. Based on this analysis, the majority of projected growth will likely take place in the Low Density Residential (LDR) and Rural Residential (RR) Districts. The Dot Density map conceptually depicts the distribution of this growth.

Comment 3.4-9: “In the Rural Residential District it states that it has the potential for 12.6 dwelling units.” **SPB-PBW-7**

Response 3.4-9: Please note that the projected growth for a particular area is theoretical and is based only on 10-year projections. As such, the Town of Stillwater GEIS Buildout/Growth Projections (Appendix of the DEIS) buildout analysis is based on the town's existing zoning and environmental constraints to development. Given the significant number of nonconforming lots within the Rural Residential District, the projected number of dwelling units is low. This figure does not reflect the potential to convert the existing seasonal homes that define the area into more permanent residences.

Comment 3.4-10: "Did this study take that part of the growth into account? I think the growth is driven also by the employment that would occur with AMD or anybody else that would occupy the Luther Forest reserve. When I look at the growth that you project, I don't see a large growth." **Basile-PH-4**

Response 3.4-10: *please see* Response 3.5-2.

Comment 3.4-11: "I have been simply amazed at the growth that is occurring in Halfmoon. Now Halfmoon's much further along. It's also closer to 87 and that sort of thing. But when I look at the growth there, if that rubs off on us, any of it, I would think it would be a lot higher than 600 [new homes]." **Basile-PH-5**

Response 3.4-11: *please see* Response 3.2-3

Comment 3.4-12: "I thought something that might be helpful is if we had a build-out map showing what we presently have, and I know that is available through GIS and I think the county actually had access to it. There are a couple different programs. **Marotta-PH-1**

But that would be an excellent comparison so that we can [sic] what we have now, this is what's projected for 10 years from now and it'll give people a little better idea. That is something we should think about."

Response 3.4-12: An updated dot density map is included in the ERRATA section of this FGEIS as Figure 1, which depicts – conceptually – what development might look like and how might it be distributed.

3.5 Mitigation Fees (DEIS Section 3.0)

The following address comment on DEIS Section 3.0 Existing Conditions, Potential Impacts, and Proposed Mitigation

Comment 3.5-1: "How will mitigation fees be evaluated (case by case basis?). I agree that recreational facilities are currently not meeting the needs of residents and property deeded to the Town has proven to be a real concern.

Increasing recreational fees per proposed building lot to \$900 is a good idea.”
Winchell-L4-5

Response 3.5-1: The Town Board should periodically review the rate/amount of development, the demand on municipal facilities and infrastructure and assess the mitigation fee structure.

3.6 Water Resources (DEIS Section 3.2)

The following address comment on DEIS Section 3.2 Water Resources

Comment 3.6-1: “The Town of Stillwater has been part of an ongoing movement to prevent the City of Saratoga Springs from using Saratoga Lake as a water source. With this in mind, how could you list on page 7 under “B water resources” Saratoga Lake as a “.....surface water source...”? ”.
Cronin-L2-8

Response 3.6-1: This section states that Saratoga Lake is a significant water “resource.” It does not convey any policy or preference for use of this resource.

Comment 3.6-2: “As far as development is concerned, one of the major things of course that affects us on the lake is potential for runoff from these all these new developments. I keep hearing about another and another and another development off of 423, off Jim Row behind St. Isacc Joe’s down off Luther Road, et cetera, et cetera.

And the problem is any runoff from any of these projects is going to end up in the lake. And I can say from personal experience, because we live two houses north of the mainstream that comes down from the proposed St. Isaac Joe’s development, the runoff from that without any development at all, every spring, our dock just goes further and further and further out into the lake. We’ve extended it about 30 feet in the 10 years or so that we’ve lived here. That’s just from the drainage, natural drainage.

There’s a drainage ditch in front of our house into the lake. There’s been about a half dozen houses built right in the area there. And when there is run off from the neighbors new lawns they put in, and you have a nice heavy rainstorm, which we seem to be blessed with in the last few years, and then you just see going down the drainage ditch. You’ve got it full where you have to have people come in to excavate just from a couple houses being built and not being careful on how they control there landscaping if you will.

I think the lake's a great resource for the community and obviously is a great resource for anybody that lives on it and I think we really need to take a serious look at protecting that resource. Thank you. **Blume-PH-1**

Response 3.6-2: The GEIS focus is town-wide. As such, Saratoga Lake and its various tributaries were examined as important community and environmental resource. Throughout the GEIS, and more specifically, within Section 3.10, Farmland and Open Space, and Appendix F, Stillwater Farmland Protection and Green Infrastructure Plan, it is recommended that the town adopt a riparian buffer and local wetlands ordinance, "green" Best Management Practices (BMP) for managing stormwater, environmental overlay districts, and further engage in intermunicipal watershed planning. Such measures would help protect not only Saratoga Lake's water quality, but water resources throughout the community. In addition, the GEIS recommends that the town consider adopting zoning mechanism designed to preserve site-specific natural resources (e.g. conservation subdivision, etc), which would also help to mitigate stormwater impacts – town-wide.

In addition, the New York State Department of Environmental Conservation (NYSDEC), pursuant the Clean Water Act ("CWA"), regulates stormwater discharges from certain construction activities via the New York's State Pollutant Discharge Elimination System (SPDES). More specifically, an owner or operator of a construction activity must obtain permit coverage through either an individual SPDES permit which address the stormwater discharges or obtain coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-08-001) prior to the commencement of construction activity. SPDES permits must address discharges with "the reasonable potential" to cause or contribute to an in-stream excursion above the allowable ambient concentration of standards and guidance values. Permits for discharges with such a reasonable potential must include requirements to provide enhanced pollutant reductions.

Comment 3.6-3: "There needs to be more review of Saratoga Lakes to address future proposals for municipal use (such as water source/recreation)." **Winchell-L4-12**

Response 3.6-3: Comment noted. Please see Response 3.2-5 for additional discussion regarding Saratoga Lake.

3.7 Transportation (DEIS Section 3.5)

The following address comment on DEIS Section 3.5 Transportation

Comment 3.7-1: “In the traffic study, you talked about a light down at 9P and Lake. The one I’m concerned about is down here on the other end of it in the Village.” **Basile-PH-1**

Response 3.7-1: Comment Noted

Comment 3.7-2: “I wonder how much growth is going to take place in Rensselaer and Washington Counties and use the bridge that we have.” *It is believed that the commenter is referencing Hemstreet Park (i.e., Route 67) and Stillwater Bridges.* **Basile-PH-1**

Response 3.7-2: Growth Projections presented in the DGEIS were developed in part from the Capital District Regional Planning Committee’s regional growth projections, which included the effects of growth within Albany, Rensselaer, Saratoga, and Schenectady counties.

Traffic projections including in Section 3.5, Transportation, were initially based on Town of Stillwater GEIS Buildout/Growth Projection Analysis (Appendix A of the DGEIS) and existing information obtained from the following resources:

- NYS Department of Transportation (NYSDOT),
- Saratoga County Department of Public Works,
- The Luther Forest Technology Campus Traffic Impact Study, dated November 4, 2002 prepared by Creighton Manning Engineering, LLP
- Saratoga Lake Hotel Resort & Marian Project Traffic Impact Study, dated September, 2006, prepared by GTS Consulting
- White Sulphur Springs Estates Traffic Impact Study, dated March 28, 2005, prepared by Creighton Manning Engineering, LLP
- Stillwater Woods Traffic Impact Study, dated December 1, 2004, prepared by Creighton Manning Engineering, LLP

The DGEIS Traffic Impact Study (TIS) included the projections from the abovementioned sources and also included a 0.5 percent growth rate – resulting in five (5) percent growth in traffic from outside/town sources. Such a rate is considered by transportation professionals to be an “aggressive” growth factor. Based on these numbers, the TIS distributed traffic onto the regions roadways: including the noted entrances to the Town and Village when assessing traffic impacts.

Comment 3.7-3: “Regarding traffic, I was very happy to see that you are talking about monitoring traffic on a regular basis, but I don’t believe that there’s no need for mitigation at this point, because it’s all going to catch up with us.

We will have development. And other municipalities, that’s one of the first places they bang in those mitigation fees, because all of a sudden, you’re going to go geeze we can’t get out of our road anymore all the wear and tear on the roads. Why shouldn’t the Town be benefiting if those people from Washington County are coming across the bridge, going all through Stillwater using our roads? We need to get something out of it. So I would like to see traffic mitigation looked at again.” **Marotta-PH-8**

Response 3.7-3: The operational characteristics of a roadway system are evaluated through the use of Level of Service (LOS) analyses for the intersections and roadway segments that are studied. The transportation portion of the GEIS is the result of careful study of major roadways within Stillwater. This analysis indicates that projected growth will have a nominal impact on the LOS throughout town. This analysis took into account a 0.5% per year increase in traffic on the Town’s roadways from traffic passing through the Town from locations outside the Town due to general growth. With such evidentiary results, there is no legal basis for transportation related mitigation fees. However, the GEIS does recommend the continued monitoring of certain intersections and roadway segments. If future monitoring does find that GEIS transportation projections are too low, resulting in inadequate LOS, subsequent SEQRA action could require such mitigation fees and/or measures.

Comment 3.7-4: “The possibility of widening Route 9P was mentioned at the Public Meeting. We also know that, although this road is continually eroding from the heavy truck traffic, there is no money for other than small repairs. Widening the road is would bring on a myriad of other problems other than funding.” **Annotto-L1-8**

Response 3.7-4: No proposal for widening Route 9P has been made. Comment Noted

Comment 3.7-5: “The only proposal is to maintain over double the volume traffic flow with a traffic light at the Route 9P and Lake Ave. Intersection.” **Van Horn-L3-3**

Response 3.7-5: Please see Response 3.5-2

Comment 3.7-6: “The report recognizes that development in adjacent communities will also have an impact on Route 9P, but the only concern appears to be maintaining traffic flow.” **VanHorn-L3-4**

Response 3.7-6: As noted above (Response 3.5-2), the operational characteristics of a roadway system are evaluated through the use of Level of Service (LOS) analyses for the intersections and roadway segments that are studied. However, LOS is clearly just one of the many concerns regarding transportation, more specifically, as it relates to pedestrian safety, infrastructure costs, land use impacts, and overall quality of life. The town recognizes that NYS Route 9P, given its current condition and adjacent land uses, will likely require further planning and analysis. In fact, several of the town’s planning initiatives have already highlighted the need to so. For example, the Stillwater Comprehensive Plan highlights NYS Route 9P as an area that “deserves special attention” apropos pedestrian improvements. Furthermore, Appendix F, Stillwater Farmland Protection and Green Infrastructure Plan, identifies the NYS Route 9P corridor as an area where the town should pursue the creation of a multi-use trail. Please see Response Miscellaneous-2 and Response 3.5-2 for additional comments regarding traffic analysis.

Comment 3.7-7: “The safety health and welfare of this Lake neighborhood are secondary to the development/traffic flow of Route 9P as a primary roadway segment. No consideration is given to the density, speed limit (35mph) blind driveways or lack of shoulder width around the lake. In fact the report identifies that Route 9P has a two to four foot shoulder width, when in fact a zero shoulder width is the case in many areas of this road not to mention minimal setback distances of prior existing homes.” **VanHorn-L3-5**

Response 3.7-7: Comment noted. The physical characteristics of NYS Route 9P were not studied/analyzed. The Town has communicated concerns regarding the character of NYS Route 9P to NYSDOT

Comment 3.7-8: “Nobody could have envisioned Route 9P when the original Indian trail was widened for carriage access to the Sulfur Spring Hotel and the dirt road to fish camps paved and declared a “new state road”. But, we can certainly correct what it has become, and propose what it should be, given the Lake neighborhood that it is.” **VanHorn-L3-6**

Response 3.7-8: Commented noted. An overriding goal of the GEIS is to manage growth.

Comment 3.7-9: “The Capital District Planning Commission (CDRPC), Capital District Transportation Committee (CDTC), Center for Economic Growth (CEG), and New York State Department of Transportation wouldn’t suggest placing a new highway through the center of an existing densely populated neighborhood, but it appears Stillwater is willing to accept this future “traffic pattern” as an unavoidable impact. **VanHorn-L3-7**

Response 3.7-9: No new roadways are proposed as mitigation of the growth of traffic.

Comment 3.7-10: “In my opinion the Saratoga Lake Community needs to lobby for a change that may include the elimination of Route 9P as a “through road”, creating a neighborhood and access similar to the condition that exists on the western side of Saratoga Lake with Route 9. The speed limit should be reduced and enforcement increased. Stop sign intersections and traffic routing forced away from the lake side density. The possibility should be explored, of obtaining this road from the state and returning it back to the community for its original purpose of getting to and from the Lake. “Primary roads” need to be created in rural, less densely populated areas to handle the anticipated growths/traffic flows. The possibility of making a deal with NYS to trade/develop County Route 70 as a primary state road and turn Route 9P into a County neighborhood road. Finally, Let’s rename this road and end the confusion between 9 and 9P. **VanHorn-L3-8**

Response 3.7-10: The Town agrees that NYS Route 9P requires further evaluation. However, the focus of the DGEIS is town-wide and such specific analysis outside its intended scope. For additional comments regarding NYS Route 9P, please see Response 3.5-5.

Comment 3.7-11: “With AMD coming, there are concerns of the main thoroughfares and intersections such as NYS Route 9P, County Route 76, and State Route 423. **SPB-PBW-1**

Response 3.7-11: Section 3.5, Transportation, examined the existing transportation network within Stillwater. The potential impact of the projected growth, including AMD, to this resource was considered. Included in this examination were NYS Route 9P, County Route 76, and NYS Route 423. The GEIS, after extensive analysis, found that traditional mitigation is not required, with the exception of the Route 9P and County Route 76 intersection, where state traffic volumes will necessitate a new traffic light.

Taken into consideration were the already planned traffic improvements associated with the LFTC project. The reconstruction of Farley Road, Fitch Road and Cold Springs Road from Route 67 to 1/8th mile south of Lake Road

(County Route 76), as well as Elmore Robinson Road from George Thompson Road (County Route 75) to Cold Springs Road, will include an asphalt pavement section with surface drainage.

Comment 3.7.12: “Is there a way to utilize the old railroad beds that are high and dry and available for access to State Route 423 for construction traffic?” **SPB-PBW-4**

Response 3.7-12: Using the old Delaware & Hudson railroad bed for construction related traffic was not specifically examined in the GEIS. However, the Stillwater Farmland Protection and Green Infrastructure Plan identifies the old railroad bed for possible reuse as a multi-use trail.

Comment 3.7-13: “The traffic light at the intersection of Hudson Avenue and the Stillwater Bridge Road should be looked into for any impact that may occur in his area.” **SPB-PBW-5**

Response 3.7-13: This intersection of US Route 4 and Stillwater Bridge Road was specifically examined in the GEIS. The GEIS found a nominal 0.1 second in delay (LOS) by the year 2017.

Comment 3.7-14: “No significant traffic impact in 10 years. I am concerned with NYS Route 9P and County 76 to Route 4 and 32.” **Winchell-L4-4**

Response 3.7-14: *please see* Response 3.5-9

Comment 3.7-15: “How do we incorporate the need for traffic lights? The mapping needs to be clarified with Town and County Planning Departments.” **Winchell-L4-7**

Response 3.7-15: No new traffic signals are required as a result of the anticipated traffic impacts.

Comment 3.7-16: “Construction traffic for PDD’s need mitigation/repairs.” **Winchell-L4-9**

Response 3.7-16: Comment noted. We recommend the Planning Board incorporate evaluation of construction related traffic into its analysis when reviewing PDD’s and subdivisions.

3.8 Water Supply & Distribution Systems (DEIS Section 3.6)

The following address comment on DEIS Section 3.6 Water Supply & Distribution Systems

Comment 3.8-1: “The Second one was brought up by Jeff Burdyl and that is the relationship to water. He was talking about potential water development on 76? Is that supposed to be 67?” **Unidentified Female-PH-2**

Response 3.8-1: We believe Mr. Burdyl identified the need to examine water and sewer services for portions of Route 76, an area that he noted as a growth corridor.

Comment 3.8-2: “Based on what has occurred within the past month or so around here regarding water, specifically the Village of Stillwater, and they are mentioned in here as being a resource to provide water to other areas. I believe that may need to be revisited and re-evaluated.” **Marotta-PH-3**

Response 3.8-2: The water supply evaluation prepared for the GEIS looked at the provision of water service to property owners within existing water districts who are not currently served, as well as to users in three potential new service areas, which were identified as “likely” to have water services within the next 10 years based upon the town’s current land use regulations, environmental characteristics and/or constraints (i.e., slope, depth to bedrock, soils, etc.) and projected growth. Additional input was received from the Town’s GEIS Steering Committee and the Town Water Superintendent.

Comment 3.8-3: “We have the county water system that is coming down here to service AMD. They do have some other municipal clients. There is no mention of that in here. It will be coming into Stillwater along Route 67 and will definitely have the possibility to impact the Route 67 Corridor as well as the Cold Spring Road area north up to AMD and adjoining Lake Road and 9 P. So that whole western part of town is going to defiantly be impacted by that water.” **Marotta-PH-4**

Response 3.8-3: The route of the Saratoga County Water Authority’s waterline project was not available when the DGEIS was initially published. In the interest of providing the reader with the most up-to-date information, Figure 2 in the ERRTA section depicts the now proposed route.

The construction of the County’s new water facilities was subject to its own SEQR reviews. Regardless of this fact, growth as a result of AMD has been examined extensively through this and previous SEQRA analysis. It is worth noting that when a town initiates an expansion of its water services, initial funding for the district formation and/or improvements is typically derived through some borrowing practice and a tax levy (or capital charge) and the delivery and maintenance of the district is funded through the imposition of a user. In the case of a privately sponsored project, the project sponsor will see the approval of the formation of the district, construct the facilities, and

dedicate the facilities to the town for operation. The capital cost are absorbed by the project sponsor and passed along or recovered through the sale cost of the development benefiting from the facilities. In either case those benefitting from the establishment of the new facilities bear the cost of constructing and maintaining the facilities. Therefore, the costs associated with the impact and/or improvement to this area apropos water service will be covered by both the development community and users.

Comment 3.8-4: “[AMD] is the location where the two major private water suppliers have their wells and their company’s clients. It would seem to me that if we could...we talk about public private partnerships. The water might be an excellent public private partnership area since we do have two private companies that are doing very well. We now have the county water that has been subsidized by our taxes and New York State residents, so we pay for it already and we will be paying for it for a while. So let’s take advantage of it.”

Marotta-PH-5

Response 3.8-4: The water supply planning assessment did identify several potential sources of water for future system expansion. We understand that the Town and Village of Stillwater are in ongoing communications with Saratoga County and the private water companies regarding a potential public and/or private solution.

Comment 3.8-5: “Why bother with wells and stressing out the Village of Stillwater? And then the whole sewer water: one of the other speakers pointed out there is a little discrepancy. You’re talking about a water district along 67 but no sewer. I haven’t looked at all the soils and all of that, but it just seems if you’re doing one, you should probably do the other, because it is definitely going to drive development and increase density. **Marotta-PH-6**

Response 3.8-5: *please see* Response 3.6-2 and Response 3.6-3

Comment 3.8-6: “I was a little concerned on the water segment of the GEIS. Route 76 appears to be a primary route for where there might be population growth, but I see no discussion of a potential sewer system in that area. We’re showing a sewer system in that area, for the Route 4 Corridor, which is right in the middle of the corridor that we want to have preserved as green space. So that is seems to be a contradiction in terms from a planning point of view. **Burdyl-PH-4**

Response 3.8-6: The infrastructure (water and sewer) planning studies examined potential service areas based on the proximity to existing infrastructure, current/future development characteristics, cost, and engineering feasibility. It is important to note that the decision to develop

any of these services area will require further examination by the Town. This should include evaluation of other Town goals and objectives (i.e., open space and farmland protection).

Comment 3.8-7: “Why was [looking at both water and sewer along Route 67 not incorporated within your evaluation?” **Cronin-L2-10**

Response 3.8-7: *please see* Response 3.6-2 and Response 3.6-3

Comment 3.8-8: “Does “resort residential” apply to all Town of Stillwater land areas that [abut] water (i.e. Hudson River, Saratoga Lake) or have water views, etc?” **Cronin-L2-11**

Response 3.8-8: No. The Residential Resort District (RRD) is located in the Saratoga Lake and NYS Route 9P area only.

Comment 3.8-9: “In the new Water Service Growth Plan, there is no mention of the Saratoga Lake area.” **SPB-PBW-6**

Response 3.8-9: The GEIS considers Saratoga Lake as an important natural resource. The grater Saratoga Lake community is already served by a private water service provider. As such, the cost of additional infrastructure costs will be borne by the operator and/or users within the district. No new municipally controlled infrastructure has been proposed.

Comment 3.8-10: “There are no mitigation fees for sewer, water, traffic and storm water drainage proposed.” **SPB-PBW-11**

Response 3.8-10: Water and sewer facilities with the Town are assessed through established special districts and associated tax levy/user fees. The DGEIS Traffic Impact Study (TIS) did not reveal the need for mitigation. No town-wide or regional stormwater drainage district was considered and/or created. For some additional comments please see Response 3.6-3.

3.9 Parks & Recreation (DEIS Section 3.9)

The following address comment on DEIS Section 3.9 Parks & Recreation

Comment 3.9-1: “What are the mitigation fees for a non-residential building per square foot and for a single family dwelling unit?” **SPB-PBW-12**

Response 3.9-1:

\$913.00 per single-family detached house

\$0.80 per s.f. of non-residential development

3.10 Farmland & Open Space (DEIS Section 3.10)

The following address comment on DEIS Section 3.10 Farmland & Open Space

Comment 3.10-1: On open space, on page 39, there are a couple statements there that we want clarification on. It is to be considered to make the building lots larger and also go on a sliding scale. We were under the impression that it was going to stay as it is now, two acres and low density. Basically, that's what we want. **Delarosa-PH-1**

Response 3.10-1: The "Zoning Considerations" highlighted on page 39 of the Stillwater Farmland Protection and Green Infrastructure Plan represent several land use alternatives that are designed to reduce conflict between farm and nonfarming neighbors. Furthermore, these considerations are intended to ease the developmental pressures Stillwater farmer's will increasingly face in the near future as a result of projected growth.

Comment 3.10-2: "The other comment I have is on mitigation. If an individual is going to build a house on land they own, then the mitigation fee really shouldn't apply to them. If you're going to go with a different development, then you're talking a different segment of the population." **Delarosa-PH-2**

Response 3.10-2: Comment noted. The Town Board is contemplating an exemption for minor subdivisions and/or the subdivision of agricultural lands for the establishment of building rights for an immediate family member.

Comment 3.10-3: "The next thing that really bothers me, this has been bugging me for a long time, has to do with taking lands out of, being able to be developed, keeping them farm forever. I really don't understand why you have to pay a lot of money to do that. I've heard those arguments time and again, but for taxpayers that have to pay a mitigation fee all the way that may amount to \$9 million, that's a lot of money. I am concerned about that kind of thing and having to pay those kind of taxes." **Basile-PH-7**

Response 3.10-3: The conservation goals set forth in the Stillwater Farmland Protection and Green Infrastructure Plan are intended to mitigate the impacts of projected growth. It is the town's opinion that the cost associated with such an effort should be equitably distributed among the development, commercial, and residential communities.

Many "cost of community services" studies have demonstrated that such agricultural and open space land uses generate more in real property tax

revenue than they require in municipal benefits. According to the American Farmland Trust, for every dollar generated in property tax revenues in northeastern New York, Farmland only requires \$0.21 in public services. Whereas residential development requires \$1.36 in services for each property tax dollar collected. Therefore it is in the best interest of the Town's taxpayers to preserve farmland as it will help to control tax growth.

Comment 3.10-4: "There's other errors on the soil maps and things like that. I would just ask the Chazen Companies to go back to their sources for these maps and just double check what you're mapping over...On the soil maps, if you go back and look on the on-line information, it appears to me that [prime agricultural] the soils cover almost 60 to 80 percent of the entire town and I don't see anything in the GEIS about mitigating that impact of chemical pollution of those soils. How can it be prime agricultural soil if it's been drenched in pesticides for 20 years? So I ask that item be looked at also." *The commenter was specifically addressing what he perceived as an error on the DGEIS Prime Farmlands Map. More specifically, he sought clarification on how the same soil type could have different classifications (i.e. Prime or Farmland of Statewide Importance) depending on the geographical location.*
Burdyl-PH-2

Response 3.10-4: Prime Soils is a designation that is assigned by the United States Department of Agriculture, Natural Resource Conservation Service. Prime Soils are well-drained soils that have a gentle slope and require a minimum of conservation practices. The criteria for identifying prime soils are entirely related to soil characteristics and other physical criteria. In general, soils of Statewide Importance are defined as soils that are similar to prime soils but with minor shortcomings, such as greater slopes or less ability to store soil moisture. As such, a particular soil type is not universally considered a prime or statewide important soil, unless it meets all the necessary criteria to classify it as such. After careful evaluation, it was determined that this was the case for the soil groups in question. Furthermore, fertilization and pest control practices have no bearing on these classifications.

Comment 3.10-5: "Secondly, I agree with the previous gentleman that minor subdivisions or individual lots should not be charged the mitigation fee on a per acre basis. I think that's a burden on the private citizens. If you have a large developer, that's a different story. So I think that should be another consideration." **Burdyl-PH-3**

Response 3.10-5: Comment noted. *please see* Response 3.10-2

Comment 3.10-6: “One thing I would also recommend was, I think we should be very careful when we put down environmental overlay districts and really take a look at the impact on residents, long-time residents, of this town.” **Burdyl-PH-6**

Response 3.10-6: Comment noted.

Comment 3.10-7: “I would also recommend that we do not get involved in the Hudson River Greenway situation. I know they provide a lot of grants. I think there’s other sources for grants than tying the Town population up in that situation.” **Burdyl-PH-7**

Response 3.10-7: Comment noted. The Hudson Valley Greenway provides technical assistance and small grants for planning, capital projects, and water trails and land based trails that reinforce greenway criteria. Participation in Greenway programs and/or projects is entirely voluntary.

Comment 3.10-8: “Can we ask for clarification on two things that were brought up by two of the speakers? The first one brought up by Marty Delarosa, the sliding scale. I’m not certain what that even stands for. I know he talked about building lot size. I’m not certain what sliding scale stands for.” **Unidentified Female-PH-1**

Sliding Scale (Example)	
Area of Lot of Record	Maximum Additional Lots Permitted
1 to 10 acres	1
10.1 to 20 acres	2
20.1 to 40 acres	3
40.1 to 80 acres	4
80.1 to 160 acres	5
160.1 to 320 acres	6
over 320.1 acres	7

Response 3.10-8: Sliding scale zoning limits the number of times that a parent parcel can be split, based on its size, i.e., the larger the parcel the more splits that may occur, up to a maximum number established (as shown on the example chart). A larger minimum parcel size is also established.

Unlike exclusive use zoning, sliding scale zoning allows some non-farm residential development without special land use or other reviews. Sliding scale zoning can be useful in agricultural areas where there are significant development pressures and land speculation. The use of sliding scale zoning is most effective in areas where a wide range of parcel sizes exist and non-farm residential development has already begun to occur.

Minimum and maximum building lot sizes can be used to encourage the location of non-farm development on less productive farmland and/or in areas where development is more concentrated to direct growth onto already fragmented land.

Comment 3.10-9: “I think it’s very interesting the way park land and open space and natural resources, they’re all very interconnected. So if we look at maps, you’ll see areas that have problems for development due to slopes, wetlands. Then we have our scenic views. We have archeological. All those things affect where development can take place.” **Marotta-PH-2**

Response 3.10-9: Comment noted.

Comment 3.10-10: “The maps, getting back to the natural resources, and forestland, big green blob over here, is a very valuable resource. That right there is at probably the highest risk right now of losing it. So it has to be a Town decision. Do we care about it? Be prepared with water and sewer and AMD and Cold Spring Road being re-done, we’re seeing a huge increase in traffic there. It’s going to have water and sewer. It’s going to be the closest to AMD and the most direct access to the Northway. So, you know, that will be a prime development area.” **Marotta-PH-9**

Response 3.10-10: Comment Noted.

Comment 3.10-11: “Any plan for green space/open space planned for the Lake community?” **Annotto-L1-7**

Response 3.10-11: Many of the land use recommendations highlighted in the DGEIS are designed to preserve Stillwater’s natural resources and open space based on the ecological importance and indirect economic benefits (i.e., riparian habitat, groundwater recharge, etc.). As such, wetlands, stream corridors, the Lake’s waterfront are targeted for protection and/or conservation.

Comment 3.10-12: “as far as “major improvements to the Towns facilities....the financial burden for any necessary distributed equitably among parties.” Existing residents of the Town of Stillwater have been dutifully paying taxes, thus supporting its infrastructure. The cost of any additional needs/improvements due to development should be borne solely by the developers, with no incentives given by the town. Resident’s tax money has made/supported the Town of Stillwater in such a manner as to attract these developers- therefore, these developers should be solely responsible for all costs related to becoming a part of our Town. **Cronin-L2-4**

Response 3.10-12: Comment Noted. One of the goals of identifying mitigation fees is to link the cost of particular improvement (i.e., infrastructure) to the individual or project requiring the facility.

Comment 3.10-13: “Under ‘Silt and Geology’ Chazen addresses:”resultant siltation of water bodies” ...however Chazen failed to recognize the existing/ongoing severe infiltration of silt into Saratoga Lake, from the creek located by #533 on 9P. It has been proven, in a court of law, that this accumulation of silt is caused by development. The Floor of our Lake has, and continues to be, dramatically impacted by this continuing flow of silt. On page 7 under “Water Resources” you list what construction activities “could” do to our waters – those factors you listed already have and continue to happen in Saratoga Lake. In addition , this report does not address correcting the existing problem of silt/storm water runoff caused by developers not taking the proper precautions; at this time many homes along the 9P corridor are affected by this condition.” **Cronin-L2-7**

Response 3.10-13: *please see* Response 3.2-5, Response 3.2-15, and Response 3.10-15.

Comment 3.10-14: “Have you looked at issues that may affect the Hudson River and Saratoga Lake due to storm water drainage?” **SPB-PBW-3**

Response 3.10-14: The GEIS as established by the Town Board, Saratoga Lake and the Hudson River, along with their various tributaries, were examined as important community and environmental resource. The direct impacts of storm water on these water bodies was not the focus of this document. Intro their/reward- A number of recommendations within the GEIS will have a positive affect on these resources and water quality. Throughout the DGEIS, and more specifically, within Section 3.10, Farmland and Open Space, and Appendix F, Stillwater Farmland Protection and Green Infrastructure Plan, it is recommended that the town adopt a riparian buffer and local wetlands ordinance, “green” Best Management Practices (BMP) for managing stormwater, environmental overlay districts, and further engage in intermunicipal watershed planning. Such measures would help protect not only Saratoga Lake’s water quality, but water resources throughout the community. In addition, the DGEIS recommends that the town consider adopting zoning mechanism designed to preserve site-specific natural resources (e.g. conservation subdivision, etc), which would also help to mitigate stormwater impacts – town-wide.

Comment 3.10-15: “What is the mitigation for the Farm Land Protection Plan? **SPB-PBW-13**”

Response 3.10-15: In addition to the numerous recommendations, techniques, and zoning considerations/alternatives outlined in Appendix F,

Stillwater Farmland Protection and Green Infrastructure Plan, of the GEIS, a \$3,160 per acre of disturbance mitigation fee is recommended. These fees, coupled with municipal funding options, are to fund a local Purchase of Development Rights program designed to preserve a critical mass of farmland within the town.

Comment 3.10-16: “I need clarification on the “Sliding-Scale” concept for assessments.” **Winchell-L4-6**

Response 3.10-16: *please see* Response 3.10-8

Comment 3.10-17: “Rural Character” and areas already saturated with residences (such as 9P and eastern County Rd. 76).” **Winchell-L4-10**

Response 3.10-17: Comment noted

4.0 ADVERSE UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS IF THE PROJECT IS IMPLEMENTED (DEIS Section 4.0)

Future growth and development within Town of Stillwater will have some adverse impacts on the community’s resources that cannot be avoided. Loss of land and increase impacts on the community services among them. The Town is able to manage the harmful effects of these impacts by ensuring that all development comply with existing environmental regulatory programs as well as enhancing local policies and practices. The Town’s agricultural resources and its associated character are threatened not only by development but by the increasing burden on the agricultural community at a state and national scale. Town leaders, the agricultural community, and its citizenry will need to form a strategic partnership to preserve the character of the Town that makes Stillwater unique.

5.0 ALTERNATIVES (DEIS Section 5.0)

The action being evaluated in this document is the growth of the Town over a ten year planning period (2007 to 2017) assuming 600 new single family homes and 150,000 SF of non residential (Commercial/Industrial) space, in addition to the LFTC facilities. Two alternative growth scenarios were examined: the Town could grow at a slower rate consistent with historic trends (Linear Growth Rate) or could grow at a much more rapid rate (Hyper Growth Rate).

If the Town were to grow at a rate consistent with historic rates (slower rate) the environmental impact would be reduced proportional to the growth rate. The Town’s technical team dismissed this alternative after evaluating regional growth projections, examining the current trends and considering the LFTC development. The Capital District Regional Planning Commission (CDRPC) in its “Effects of Alternative Development Scenarios in the Capital District” evaluated a series of

potential growth rates including the Trend Hyper- Growth Rate. Under this scenario development would occur at a rate and scale consistent with that seen in other parts of the U.S (resulting in a 21.3% population increase to the Town). If growth at this rate were to occur the resultant impacts of this alternative would be accelerated and moderate increases in the impacts to the Town's open space/agricultural resources would be realized. Monitoring of growth is an important mitigation measure

6.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES (DEIS Section 6.0)

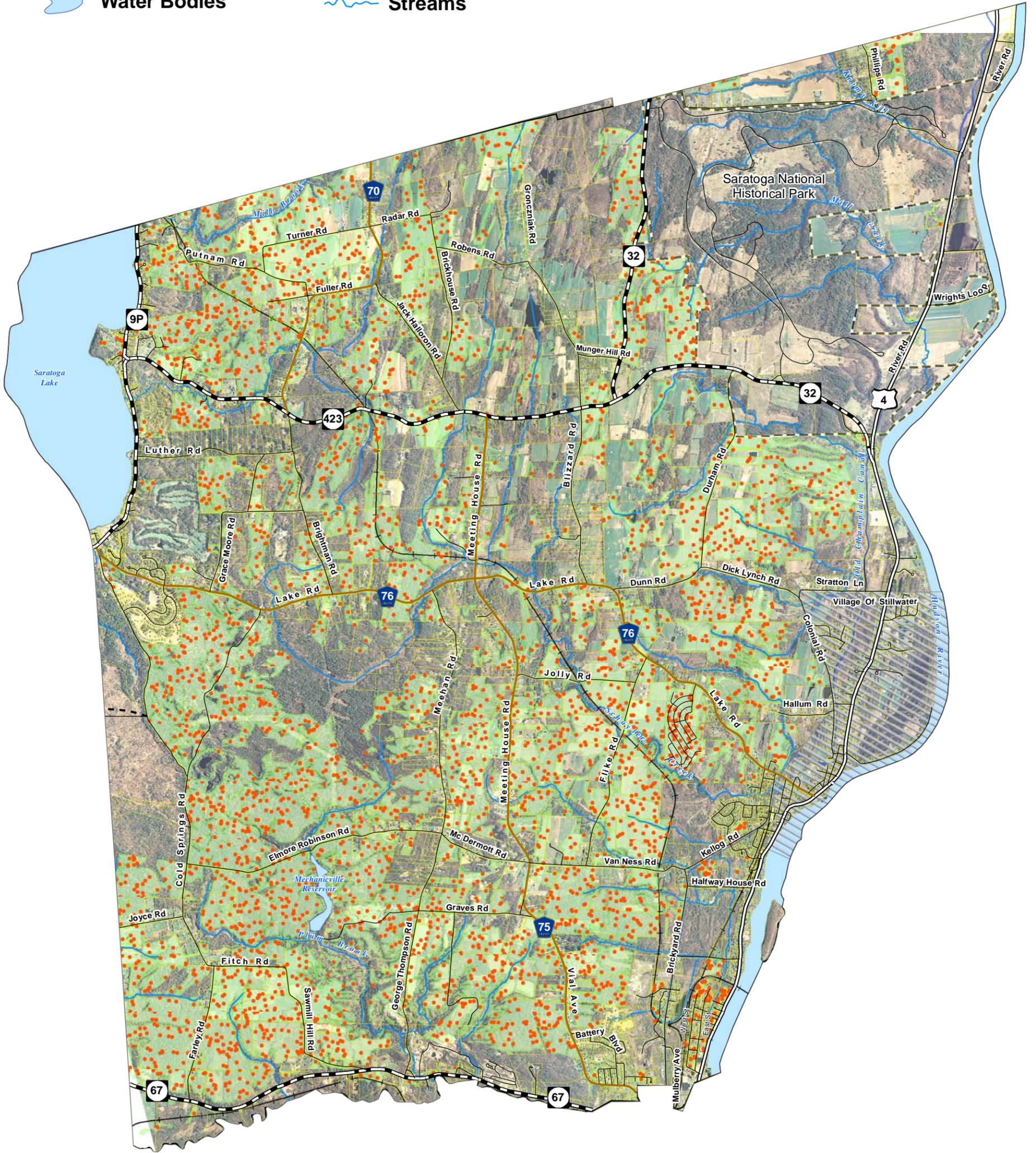
Based on the growth projections and the distribution of this growth 92 % of development is likely to occur in the Town's most fertile or forested areas. The conversion of agricultural and open space resources for development would have a profound impact on Stillwater's rural community character and its natural environment.

The *Stillwater Comprehensive Plan*, *Stillwater US Route 4 Corridor Plan*, and the *Stillwater Farmland Protection and Green Infrastructure Plan* all call for a change in Stillwater's current land use paradigm. Stillwater's existing zoning regulations are currently more favorable to suburban oriented development.

7.0 GROWTH INDUCING ASPECTS (DEIS Section 7.0)

The impetus of developing this Stillwater DGEIS was to evaluate the growth induced by the development of the LFTC and the chapters of the DGEIS describe those impacts. The projected residential and commercial development describe in this DGEIS will certainly result in some growth inducing impacts of its own. The DGEIS contemplates the need for additional services as a result.

- 1 Dot = 1 DWELLING
- Village Of Stillwater
- Unconstrained Portion/Developable Parcels
- Water Bodies
- Streams



Data Sources:

1. Tax Parcels - Saratoga Co. Office of Real Property Services, 2007.
2. Roads and Water Resources - NYS Office of Cyber Security and Critical Infrastructure Coordination (CSCIC), 2005.
3. Landcover - NOAA Coastal Services Center, Northeast Land Cover, 2005.



CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTS CO., P.C.

Dutchess County Office: 21 Fox Street Poughkeepsie, NY 12601 Phone: (845) 454-3980	Orange County Office: 356 Meadow Avenue Newburgh, NY 12550 Phone: (845) 567-1133	Capital District Office: 547 River Street Troy, NY 12180 Phone: (518) 273-0055	North Country Office: 100 Glen Street Glens Falls, NY 12801 Phone: (518) 812-0513	New London: 914 Hartford Turnpike Waterford, CT 06385 Phone: (860) 440-2690
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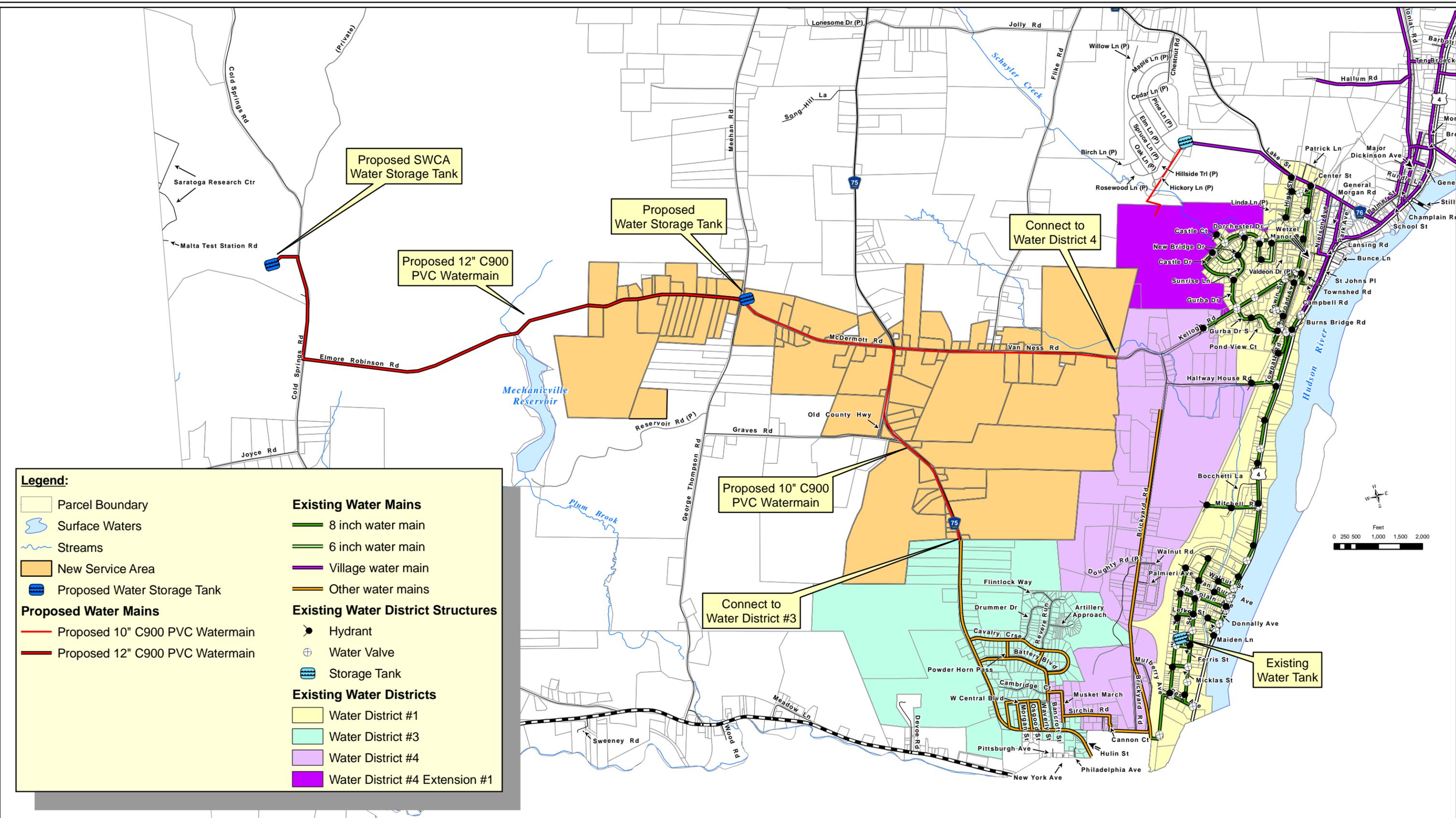
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Town of Stillwater FGEIS

Potential Residential Dwelling Units

Town of Stillwater
Saratoga County, New York

Drawn:	CLC
Date:	11/03/2008
Scale:	1:48,000
Project:	30601.17
Figure:	1



Legend:

- Parcel Boundary
- Surface Waters
- Streams
- New Service Area
- Proposed Water Storage Tank

Proposed Water Mains

- Proposed 10" C900 PVC Watermain
- Proposed 12" C900 PVC Watermain

Existing Water Mains

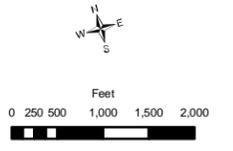
- 8 inch water main
- 6 inch water main
- Village water main
- Other water mains

Existing Water District Structures

- Hydrant
- + Water Valve
- Storage Tank

Existing Water Districts

- Water District #1
- Water District #3
- Water District #4
- Water District #4 Extension #1



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Note: This map contains a combination of survey quality and non-survey quality data. The purpose of this map is to show the general location of Town of Stillwater water infrastructure. This map is not intended for construction or engineering purposes.

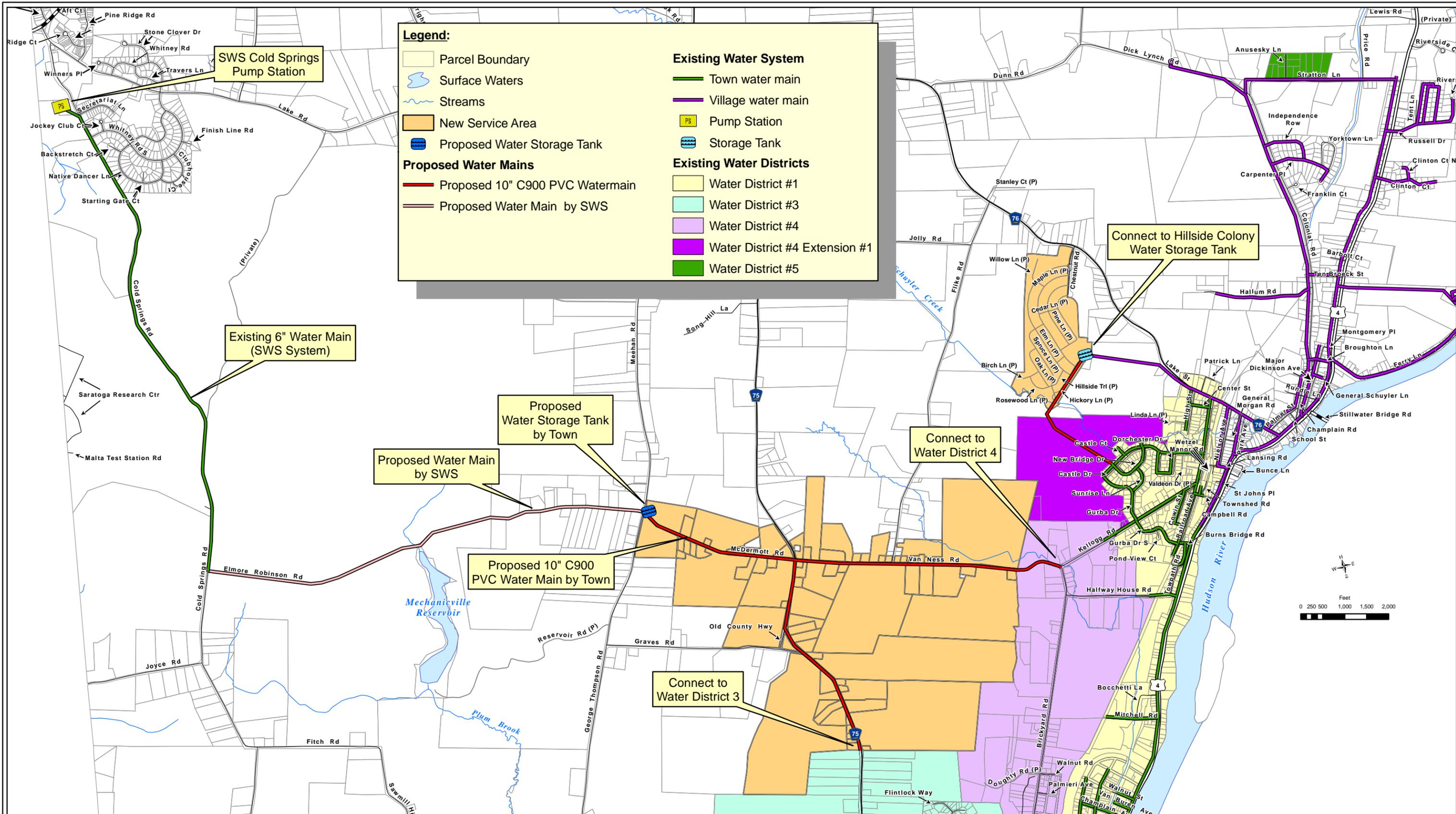
Map Document: (R:\3\30800-30899\30801.04\GIS\maps\30801_04_SCWA_systemForTown_forFGIS_11x17.mxd) 12/3/2008 -- 3:09:23 PM

Town of Stillwater Final Generic Environmental Impact Statement

**Saratoga County Water Authority (SCWA)
Proposed Water Service**

Town of Stillwater
Saratoga County, New York

Drawn:	CLC
Date:	12/03/2008
Scale:	1:24,000
Project:	30801.04
Figure:	2



THE Chazen COMPANIES
 Engineers/Surveyors
 Planners
 Environmental Scientists
 Landscape Architects

CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTS CO., P.C.

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Map Document: (R:\3\30800-30899\30801_04\GIS\maps\30801_04_ConnectionToTheSWSsystemForTown_ofFGIEIS_11x17.mxd)
 12/3/2008 -- 2:42:55 PM

Town of Stillwater Final Generic Environmental Impact Statement

**Saratoga Water Service (SWS)
 Proposed Water Service**

Town of Stillwater
 Saratoga County, New York

Drawn:	CLC
Date:	12/03/2008
Scale:	1:24,000
Project:	30801.04
Figure:	3

A. PUBLIC HEARING TRANSCRIPT

1 TOWN BOARD TOWN OF
2 STILLWATER, NEW YORK

3 TOWN OF STILLWATER DRAFT GENERIC ENVIRONMENTAL IMPACT
4 STATEMENT (DGEIS)

5
6
7 STENOGRAPHIC MINUTES OF PUBLIC HEARING conducted in the
8 above-entitled matter on the 6th day of August, 2008, at
9 the Stillwater Community Center, Stillwater, New York,
10 commencing at 6:14 p.m.

11 SUPERVISOR Shawn Connelly
12 COUNCILMEN Artie Baker
13 Ken Petronis
14 COUNCILWOMEN Lisa Bruno
Virginia Whitman Sue
15 TOWN CLERK Cunningham James P.
16 ATTORNEY Trainor, Esq.
17 CHAZEN COMPANIES Chris Round
P Paul Cummings

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INDEX TO SPEAKERS

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MARTIN DELAROSA 34 Halfway House
Road.....PAGE 32

JOHN BASILE 64 South Hudson
Avenue.....PAGE 33, 50

BILL BLUME 732 Route
9P.....PAGE 35

JEFF BURDYL 188 Durham
Road.....PAGE 37

CAROL MAROTTA 21 Pine Ridge
Road.....PAGE 45

BETTY BLUME 732 Route
9P.....PAGE 54

1 P R O C E E D I N G S

2 SUPERVISOR CONNELLY: I'd like to call this
3 special meeting for the Draft Generic
4 Environmental Impact Statement to order. Please
5 rise for the Pledge.

6 (Pledge of Allegiance.)

7 THE CLERK: Councilman Baker.

8 COUNCILMAN BAKER: Present.

9 THE CLERK: Councilwoman Bruno.

10 COUNCILWOMAN BRUNO: Present.

11 THE CLERK: Councilwoman Whitman.

12 COUNCILWOMAN WHITMAN: Present.

13 THE CLERK: Councilman Petronis.

14 COUNCILMAN PETRONIS: Present.

15 SUPERVISOR CONNELLY: Like I said, this
16 meeting is for the Draft Environmental Impact
17 Statement. I'd like to thank everybody for
18 coming. The purpose is to conduct a public
19 hearing. Mr. Round, Chris Round, from the Chazen
20 Companies will get into that a little bit more in
21 a few moments. I would just like to ask the clerk
22 if the meeting was posted.

23 THE CLERK: It was posted on July 22nd. It
24 was also posted outside my office on the bulletin

1 board.

2 SUPERVISOR CONNELLY: Anybody that does raise
3 their hand to speak tonight, we ask they please
4 come to the podium and give their name and their
5 address clearly so that the stenographer can
6 please get it down. We had some problems about
7 that last time. So we ask anybody that is going
8 to speak, once you've been recognized, to please
9 come up to the podium.

10 At this time, I would like to turn it over to
11 Chris Round from the Chazen Companies.

12 MR. ROUND: Good evening. Can everybody hear
13 me okay? We do have a microphone. As Supervisor
14 Connelly said, we're going to have a little
15 brief presentation. We're going to go through
16 about a 30-minute presentation and then we're
17 going to open up the public hearing and we ask you
18 to come to the microphone and you'll have an
19 opportunity to comment on the Draft Environmental
20 Impact Statement that we have published for you.
21 What's gonna happen after tonight, though, is
22 we're gonna accept written comments on the
23 document. You can provide written comments to the
24 Town Board, Supervisor Connelly's office.

1 We're going to accept those through August 17th.
2 What happens in the process is a Draft EIS
3 is developed. A Final EIS is a document that's
4 responsive to the comments and answers the
5 questions that are asked by the public and those
6 interested and involved agencies. And those
7 comments are incorporated into a final document,
8 which is then presented to the Town Board for
9 acceptance.

10 The Town Board accepts the Final EIS and
11 then to conclude the SEQRA process, SEQRA findings
12 are adopted. And the findings are really the
13 tools that set the course for future action and
14 talk about mitigation measures and we're gonna
15 talk a little bit more about that tonight.
16 As a way of introduction, Paul Cummings from
17 my office is here. I'm Chris Round. I'm with the
18 Chazen Companies. We've been working on this
19 project about 18 months. We've working with the
20 town, various committees in the town and we're
21 gonna talk to you a little bit tonight about what
22 is a Generic Environmental Impact Statement; why
23 are we developing one; why is the Town
24 entertaining this action; and what's not in the

1 GEIS do; what doesn't the GEIS do? Because some
2 people think it's all powerful and there are some
3 misconceptions about that. Hopefully, we'll
4 straighten that out for you tonight.

5 Our presentation is gonna focus on what are
6 the technical studies? What are the five or six
7 technical studies? And we're gonna talk real
8 quickly about each of those. And then at the
9 conclusion, we're gonna talk a little bit about
10 mitigation and mitigation fees and then we're
11 gonna ask you to come up and provide comments to
12 the Board.

13 I remind you to please sign in. We do have a
14 sign-in sheet. Full copies of the EIS --you can
15 see a couple of them around here --they are
16 available at town hall. They're posted on the
17 website. The Town does have a limited number of
18 disk copies, so you can get them in PDF format. I
19 think the Town would entertain producing written
20 copies --providing written copies, but it's about
21 \$150 worth of reproduction costs, so they are
22 available through other means.

23 We do have the Executive Summary over there,
24 which does a pretty decent job of explaining

1 what's occurred in the EIS.

2 The introduction part of our presentation is:
3 Why are we developing an Environmental Impact
4 Statement? Why is the Town motivated to do so?
5 What's in a GEIS and what's not in a GEIS? Why
6 did the Town develop a Generic Environmental
7 Impact Statement? The concern for growth and what
8 growth might do to the town.

9 On the slide, there are a couple of elements
10 that the Town's concerned with. About 18 months
11 ago, as a result of --as stimulated by the
12 development of the Luther Forest Technology
13 Campus, the concern was growth is gonna run
14 rampant throughout the whole Capital District,
15 especially in Stillwater and Malta. There's the
16 concern that residential growth and ancillary
17 growth is gonna have a negative impact on the
18 community's character, negative impacts on our
19 water supply, our wastewater system and the
20 highway system. It's gonna have increased demands
21 for parks and recreation.

22 So the Town said the proper way to evaluate
23 the potential impact is to do so through the SEQRA
24 process and evaluation of those impacts in a

1 Generic Environmental Impact Statement.
2 The GEIS allows for this comprehensive
3 evaluation. Typically, you see a GEIS or an
4 EIS --if you've seen the EIS process, you're
5 familiar with it. When an individual project is
6 undertaken, a new Home Depot is built, and
7 somebody does a traffic study and the community
8 says, "That's not enough. We're concerned about
9 these other impacts", if there's potential for a
10 significant adverse environmental impact to the
11 community, the Town Board will say, "We want to
12 undertake a more rigorous review of the specific
13 project."

14 A Generic EIS allows the community to look at
15 potentially unrelated actions or a series of
16 actions, you know, let's look at those in total.
17 Let's look at those in cumulative fashion and how
18 might these combined impacts, in this case,
19 growth, just the actual sequential growth,
20 cumulative growth --what happens if the community
21 is not able to evaluate the individual process and
22 needs to evaluate those in a cumulative fashion?
23 And it allows them to look at them in total. It
24 allows us to look at what happens if five

1 residential projects all happen, will it have a
2 residential impact? One residential project may
3 not but all five together might have a traffic
4 impact.

5 So that process allows us to do that and it
6 allows us to look at mitigation measures or
7 mitigation fees. Instead of just the last person
8 who triggers the need for a traffic signal pays
9 for the traffic signal, it allows all of those
10 folks who might trigger the need for a traffic
11 signal to pay for the traffic signal. The GEIS
12 allows for that process to occur.

13 So what's not in the GEIS? I know there's
14 some concern in the agricultural community that
15 the GEIS is an adoption of a new series of laws, a
16 new series of zoning regulations. It is not that.
17 There are no new zoning amendments as part of this
18 process. There are no new land restrictions that
19 says you can build or you cannot build.

20 Our technical studies do provide some policy
21 recommendations. We'll talk about those. And
22 growth is not prevented as a result of this. The
23 idea is to manage growth to make sure that those
24 who may impact the community in a potentially

1 adverse way address those impacts and not put all
2 the burden on either the taxpayer or the
3 individual project.

4 Where are we in this process tonight? Well,
5 we've been --about 18 months ago, a year ago, two
6 years ago in November, we started this process.
7 The Town Board at that time adopted a scope of
8 work and said, "We want to look at these
9 particular environmental resources, these
10 particular infrastructure pieces."

11 So it defined which technical studies we were
12 gonna do. And then we now published a Draft GEIS
13 and, now, we're at the public comment process.
14 The GEIS has been published, posted on the
15 website. It's available for your review. So what
16 we're doing now is the public comment process.
17 We're gonna try to zip through a summary of what's
18 in the GEIS and then allow you to provide comment.
19 Who's managing this process? Well, the Town
20 Board is managing the process. Initially, when we
21 were doing the technical studies, we had
22 representatives of the Highway Department, the
23 Water Department, the Planning Board, the Building
24 Department, they were reviewing internal board

1 documents. They were reviewing the traffic study.
2 They were reviewing the water study. So they
3 provided technical feedback where we're working
4 for the Town Board for this town technical piece.
5 Here's the series of technical studies.

6 We're gonna talk to you about each of these
7 tonight. There's five different ones. We're
8 gonna talk first about the build-out analysis.
9 This is something that was done over a year and a
10 half ago. What we did was we estimated what was
11 the total potential for development in the town
12 under a certain series of conditions? And that
13 allowed us to then take the total build-out and
14 then look at how much of a build-out, how much
15 growth was gonna occur in a 10-year planning
16 window.

17 This document is intended to cover the time
18 period 2007 to 2017, a 10-year window. And then
19 it allowed us to take --once we have an estimate
20 of how much growth can occur, we can then look at
21 how might that growth impact individual resources.
22 We looked at environmental constraints. We
23 looked at land use regulations. Under our current
24 land use regulations in the town, we have the

1 potential to build 4,000 new homes. That's gonna
2 basically double the number of homes in the Town
3 of Stillwater. 4,000 new homes are not gonna be
4 constructed in 10 years. That's the full
5 potential under current zoning regulations.

6 Then, there's another nearly 2.6 million
7 square feet of industrial commercial space that
8 can be built under our current conventional zoning
9 regulations. These things tend to slightly
10 overestimate, because nobody builds the maximum
11 unless you're in a really dense urban area and
12 you're pushing the envelope in a lot of cases.
13 So then we said, well, what percentage of
14 this growth might occur in 10 years? And what we
15 did in order to make that assessment was we looked
16 at building permit records, we looked at growth
17 patterns historically and we made our best guess.
18 There's a lot of information that goes into this,
19 but at the end of the day, it's what do we think
20 is gonna happen and judgment is applied. And the
21 Town's technical team is very much involved in the
22 decision-making process.

23 What did we estimate? There's a series of
24 those particular estimates. And you see on the

1 left-hand side build-out, almost 4,000 new homes?
2 Well, what we think is gonna occur in the next 10
3 years is 600 new homes are likely to be
4 constructed in the next 10 years. We based that
5 on looking at our average 10 years, only 370 homes
6 were built. If we take our best year and times
7 that by 10, we have 760 homes. The thought is
8 we're not gonna have the best year every year. So
9 we took that average and we did 600 new homes.
10 We take those numbers and, now, we can
11 project these traffic numbers. We can estimate
12 how much water might be used. We can look at how
13 much recreation facilities might need to be
14 constructed to accommodate this new population in
15 terms of numbers and population numbers.
16 Traffic planning assessment. What we did is
17 we worked with the Highway Department and our
18 technical team and we said we're gonna do a
19 traffic study on a town-wide basis. We're gonna
20 look at what is the level of service, the
21 traditional measure of how is an intersection or a
22 segment of a highway operating. We looked at
23 taking how much new growth will occur, how much
24 traffic will result as a result of building 600

1 new homes and about 150,000 square feet of
2 nonresidential space. So we looked at that.
3 And we also looked at what happens when Luther
4 Forest builds out and what happens when other
5 growth outside of the town and the village occur.

6
7 We looked at impact on the intersections and
8 these nine roadway segments and that graphic --I
9 apologize, it looks small, but there is a whole
10 size copy in our GEIS. We looked at that and what
11 might that do to our particular intersections?
12 What we find out is good news. We don't think
13 there's gonna be a significant traffic impact as a
14 result of growth in the next 10 years with one
15 minor exception. We do know the Luther Forest
16 Technology Campus had done a series of traffic
17 mitigation measures and some of those are already
18 underway and we think the intersection of 9P and
19 Lake Road is gonna need a signal sooner rather
20 than later.

21 I think they thought that was gonna need a
22 signal at Phase 3. We think it's gonna need a
23 signal at Phase 1. That was the big, you know,
24 ah-ha moment with that.

1 We also think we need to monitor traffic on a
2 regular basis, because what we didn't quantify
3 was, well, if we have all these new vehicles on
4 the road, even though they don't put an impact on
5 a particular intersection, might they consume the
6 roadway more and might we need to do more frequent
7 maintenance activities? Might we need to replace
8 the roadway, chip and oil the roadway in a more
9 frequent fashion?

10 Then, traffic and maintenance fees are not
11 necessary in this case, because we've already
12 identified the mitigation. It is gonna be the
13 responsibility of the PPD campus project.

14 Next, we looked at wastewater systems. Both
15 for water and wastewater systems, what we did in
16 both cases, we looked at our existing water and
17 wastewater systems, looked at what are our
18 existing infrastructure, what are our existing
19 capacities. Then, we looked at with the town
20 technical team where might water or wastewater be
21 extended to in the next 10 years?

22 It's a tricky little thing to do, because
23 part of it's an engineering exercise, part of it's
24 gonna be driven by demand, by new users, and part

1 of it's gonna be driven by environmental issues.
2 We need water in a particular area because of an
3 environmental issue or wastewater because of an
4 economic development activity. You can't always
5 predict those things.

6 We made some assumptions about where the
7 water and wastewater service areas might be and
8 then we put real numbers to those systems. How
9 much might these systems cost and what might that
10 cost be to the individual user? And in this case,
11 we're not looking at mitigation fees, because in
12 both cases of water and wastewater, these are like
13 intertwined, the users pay for the facilities with
14 the exception if you're able to achieve grant
15 funding or some other incentive to build the
16 facilities.

17 This is just a graphic. We have one of these
18 maps over here. There are, you know, four
19 existing districts in the town and then there are
20 a couple service areas or franchise areas to the
21 two private water companies. We started there and
22 we inventoried those systems and we said, "Are
23 there people in the existing districts that are
24 not being served? Do we need to reserve water or

1 wastewater for those users?"

2 Because we don't want to sell whatever
3 capacity we have to a new user before we take care
4 of our existing users that are already within our
5 districts. We didn't do these planning studies
6 for the private companies and we didn't do an
7 evaluation. That is not our job to do that
8 evaluation. It wasn't part of our scope of work.
9 What we did identify is, hey, we think
10 there's three general areas where water might be
11 provided, all right, and those are those three
12 areas you see right to left. The Route 4 area in
13 red is the area extending north of the village.
14 The pink area in the middle is the Viall Avenue
15 area that we're calling. That red area extending
16 along Route 67 West from the southern part of the
17 town, we're looking at the Route 67 area.
18 We made those judgments based on availability
19 of existing infrastructure, connectivity to
20 existing water supply and graphic engineering
21 issues.

22 What we came up with --it's hard to read
23 those things, but we identified conceptual designs
24 for those systems. We costed those systems and we

1 identified the cost to individual users. And you
2 can see in this case there's three districts
3 there. For instance, the Route 4 district, what
4 we did is in our --it's not in this slide, but we
5 looked at it and it's probably cost-prohibitive,
6 because there's just not enough users in that area
7 to support a water service. It would be, you
8 know, too expensive for an individual user.
9 That's not to say that system couldn't be
10 constructed, but right now with the current
11 conditions, it's cost-prohibitive.

12 Viall Avenue is different. Viall Avenue,
13 there's 332 users in that area and there's
14 potential for additional users. That may be a
15 system that could be constructed if all
16 conditions, all things being equal. And Route 67
17 was almost cost-feasible.

18 The conclusion of our water system plan -
19 and we mentioned this at the start --no water
20 mitigation fee. We're not gonna charge --if we
21 found, for instance, we could build a piece of
22 infrastructure that was needed as a result of
23 growth for all growth, we could charge a broad
24 audience for the cost of that particular piece of

1 infrastructure. In this case, each of the
2 districts is gonna stand on their own, pay their
3 own fee and fund the infrastructure that would
4 bring them facilities, bring them infrastructure.
5 So these are enterprise districts, special
6 districts, in the town. They pay for themselves.
7 That's the theory for the special districts.
8 The value of this exercise, and you'll see a
9 similar slide for wastewater, is that this is a
10 perfect mechanism to obtain funding for grants.
11 It's a good planning tool so that when a developer
12 comes into town or the Town is contemplating it,
13 they have all this information ready to roll. We
14 know exactly how much it's gonna cost us. We need
15 to maybe update our costs. We know exactly where
16 we want water and what kinds of systems to be put
17 in place. We know where the water tank needs to
18 go. We don't need to go figure all this out.
19 It's already planned ahead of time.

20 Very similar conversation here; wastewater
21 system plan. We got the existing districts. We
22 went through a similar evaluation, four service
23 areas. You're gonna see that they're very similar
24 to the water system areas. The Brickyard area, a

1 little different. It's that infill area along the
2 Brickyard. Viall Avenue, that blue area, very
3 similar to the Viall Avenue water area. Van Ness
4 Road, by virtue of geology and topography, was an
5 area that we could serve potential development
6 opportunity. And then the Route 4 area, same
7 evaluation. There's the four areas. In this
8 case, this slide does present the individual cost
9 impacts. And affordability of water and
10 wastewater are not --there's not a strict
11 criteria.

12 There is a benchmark that we use. That's the
13 Comptroller's threshold. It says if you fall
14 above this threshold, the Comptroller wants to
15 review your map planning report for water or
16 wastewater, because we find that if it's above
17 this threshold, there may be some affordability
18 issues. And that's not to say if it costs more
19 than \$568 --if it costs more than \$568, that
20 doesn't mean you couldn't build it, but the
21 Comptroller is gonna require a review of your
22 report and proposal. In this case, only the Viall
23 Avenue fell below that threshold. The others, you
24 know, fluctuate around that threshold.

1 What could happen, though, is you might have
2 an individual customer, economic developer,
3 housing development, who could afford to pay more
4 for infrastructure and might bear more of that
5 cost to bring water and wastewater in these areas
6 and the cost for individual users or ancillary
7 users may come down; might obtain grant funding,
8 et cetera, to reduce these costs. But, again, no
9 mitigation fee. It's an enterprise district and
10 it's a terrific mechanism for funding and
11 planning tool.

12 The next two elements we're gonna talk about
13 have mitigation fees associated with them. I just
14 want to talk briefly about what a mitigation fee
15 is.

16 A mitigation fee, under the SEQRA process, is
17 defined as an equitable means to assess the cost
18 of a required improvement or required facility.
19 It's a means to distribute that cost to all of
20 those people who are gonna benefit from it, all of
21 those people who are gonna require that facility.
22 You heard my traffic impact analysis earlier
23 on in this process. Instead of the last drug
24 store to come into town pays for a signal, all the

1 drug stores that got built in the last five years
2 are all gonna contribute to that.

3 This process allows us to assess folks, the
4 development community, the builder, the developer,
5 a portion of the cost of the facility and then the
6 Town can either construct it in advance or can
7 bank that money until such time as that
8 improvement is needed. It eliminates this last-in
9 pay process and it's typically assessed when you
10 get a building permit.

11 We already have what we call open space or
12 rec fee. When you obtain a building permit, you
13 need to pay \$500 or \$600 and that goes into a rec
14 fund. Malta has gone through this process and has
15 mitigation fees, Clifton Park. Colonie has an
16 airport district where you're paying for traffic
17 improvements. It's a very smart way to pay for
18 growth.

19 Rec facilities assessment. This was an
20 additional technical study. This is like the
21 fifth rec study that we did. It's a part of the
22 analysis. We've worked very closely with a
23 working group of residents, folks who were very
24 much involved in programming sporting activities.

1 I know Ken was on that group. We had a series of
2 meetings and then we had roundtable discussions
3 and we identified, you know, facility needs, what
4 might new facilities need as a result of changing
5 characteristics in our population.

6 We did this inventory of our existing
7 facilities. We found out that, hey, there's this
8 whole cluster of facilities that we planned but
9 have not built. We haven't really completed a lot
10 of what we're doing.

11 So we engaged the community in a variety of
12 efforts and, hopefully, what was identified was:
13 What are our needs with respect to recreation
14 facilities?

15 And so the conclusion of this analysis -
16 and, again, this is the appendices or appendix to
17 the EIS. There's a whole rec study, and we're not
18 doing it all justice, but what we know is, hey,
19 our facilities are not meeting their current
20 demands. The facilities that we have in town are
21 generally substandard with respect to quality,
22 with respect to health and safety issues. They're
23 definitely not state of the art; no surprise
24 there, and they're not meeting their current

1 needs, yet, alone meeting our future needs.
2 So I mentioned there's a number of these
3 things that have been planned. We have executed
4 in the form of pocket parks. We've got a lot of
5 these little things.

6 What we did is we looked at all of those
7 needs, that we identify all of the facilities,
8 that we complete them and we looked at some future
9 needs based on population and based on inadequate
10 facilities, for instance, for baseball and
11 football, soccer, lacrosse, skating facilities,
12 waterfront access; all total, \$5.6 million of
13 rec.

14 How are we gonna pay for all that? Well,
15 what we did is we --what communities are doing
16 now is rather than building multiple remote
17 facilities, they're looking at multiuse recreation
18 facilities, like a centralized facility that might
19 accommodate some immediate needs and then have
20 room for expansion down the road.

21 I think there's some ideas out there about
22 what might be put into a multiuse facility;
23 centrally located, adequate parking. If you have
24 a central location, it takes care of maintenance;

1 it's a little easier to address. We thought maybe
2 there's some indoor component to this.

3 Ideally, though, sometimes if you have a
4 central location, you have a public/private
5 partnership where the community itself is not
6 paying for all these things. Maybe there's a
7 private partner out there that's willing to fund
8 some of these improvements or grant facilities.
9 We mentioned mitigation fees earlier. We're
10 familiar with the rec mitigation fee. What we did
11 is we looked at, well, how much growth can occur
12 in 10 years and what portion of that should be
13 attributed to future growth?

14 Approximately 10 percent of the cost of all
15 our recreation facilities should be borne by new
16 development and we're recommending that the
17 mitigation fees be increased to approximately \$900
18 per dwelling unit. We're also recommending the
19 mitigation fee be assessed to nonresidential
20 development, because there is a connection between
21 employment and quality of life and new facilities
22 and demand for recreation facilities, trails, et
23 cetera.

24 So in our EIS, we have this whole shopping

1 list of rec facilities and we said we would like
2 to do this in an economical fashion, planning
3 fashion. We'd like to assess, you know, a portion
4 of this to new development, so that's how that's
5 shaking out.

6 Paul's gonna talk quickly about the Farmland
7 Protection and Green Infrastructure Plan and how
8 that was developed and then we're gonna open it up
9 to public comments.

10 MR. CUMMINGS: One of the last technical
11 studies that we did was the Farmland Protection
12 and Green Infrastructure Plan or, as it's been
13 referred to throughout, farmland open space plan.
14 Green infrastructure is just a fancy word for open
15 space.

16 That plan was really born out of Saratoga's
17 green infrastructure plan. The idea was, hey,
18 the county did a plan, let's develop a plan that's
19 Stillwater's, not the county's. We'll build off
20 of some of their efforts, but let's make a local
21 plan that we call the shock zone.

22 And that plan, the idea was to identify
23 various preservation and conservation goals, but
24 most importantly, it's not in and of itself,

1 because it's an appendices or appendix within the
2 document, not a regulatory program per se. What
3 it did was it help set certain goals that we used
4 for a baseline to develop what we did within the
5 GEIS.

6 So like many of the plans that we developed,
7 we used an advisory committee or technical
8 committee. This committee was made up by local
9 residents and farmers and it was critical and
10 vital in inventorying what are the natural and
11 agricultural resources within the town; help to
12 establish what are some of our preservation and
13 conservation goals in the future and what are some
14 of the strategies?

15 And as part of developing that plan, there
16 was a public outreach effort at the school. We
17 held a public workshop and we asked the community:
18 What are those special places? What have we not
19 inventoried?

20 We spilled out all the maps that we had made.
21 What have we got right and what have we got wrong?
22 People sort of put stickers on the map, et cetera,
23 and it was very valuable. We came away learning a
24 lot more than we had already just from the

1 community itself.

2 And the result of those efforts is a map such
3 as this which is also on display over here if
4 you'd like to take a closer look. That's the
5 inventory. That's sort of the highlight of the
6 actual resource inventory within the Town of
7 Stillwater, sort of darker, higher and lower.
8 There's high developed areas, et cetera, and
9 there's less agricultural resources. That's what
10 you're seeing there. And the same can be said for
11 the natural resource inventory.

12 This map, for instance, the darker, you're
13 starting to see forested areas, wetlands, streams,
14 et cetera. So we overlaid all these resources and
15 where multiple resources hit, that's where you see
16 the darker colors.

17 What's the result? What does this lead to?
18 That's the big question. What it does is it
19 develops a map like this, which is part of this
20 document that we created. This is the open space
21 and agricultural conservation vision that's within
22 the plan, and the idea is that it allows the Town
23 to take a look back and it is working with willing
24 landowners and partnerships, et cetera. They're

1 not haphazardly funding projects and saying, oh,
2 this is a parcel where things might be worth
3 saving and this is a parcel where we'd like to
4 work with something here. It allows for a
5 coordinated effort and that's sort of a policy
6 guiding document.

7 Another big element that came out of the plan
8 was these preservation goals. We're looking at
9 1,500 acres priority farmland and 500 acres of
10 priority natural resource area that would be great
11 if, within the next 10 years, we could conserve a
12 total of 2,000 acres. Well, what's interesting,
13 one of the reasons we came to this number was that
14 the last 10 years without any of these programs,
15 without any of these systems, the Town with
16 various partnerships has been able to save almost
17 800 acres alone within 10 years.

18 We said to ourselves, well, without these
19 other resources, we could easily double that or
20 more and so that's how we came up with that. We
21 said, of course, like the other studies we looked
22 at, you know, what's this gonna cost? What's the
23 reality?

24 So we looked at using purchase development

1 rights as a primary tool; coordinating with
2 willing landowners, partnership with willing
3 landowners who would want to sell a person's
4 development rights. Based on the average cost of
5 development rights within the community, we said
6 that that program would cost a total of \$13
7 million. And we said, okay, future growth should
8 be responsible based on the amount of land that's
9 projected to consume should bear 22 percent of
10 that cost, and that comes out to over \$3 million
11 total.

12 Well, how do you fund all this? That's only
13 part of the solution. The public share, there are
14 numerous opportunities, various grant
15 opportunities, municipal budgeting, options, et
16 cetera, to help do the public share of any of
17 those conservation efforts; whereas, the private
18 share, what we're proposing --and this is similar
19 if you run the numbers with what other communities
20 have done in the area --adopting a mitigation fee
21 that would be upwards of \$3,000 per acre of
22 disturbance, and that's the key.

23 People say, oh, I bought 50 acres, I'm gonna
24 develop something on that. You're not paying the

1 whole 50 acres. It's the area of disturbance.
2 Say you build a small house and you actually end
3 up disturbing a quarter of an acre or even less,
4 you're only gonna pay a quarter of that price or
5 less, depending.

6 So that sort of concludes the major technical
7 studies that are within the document. Now, we're
8 gonna be moving on to the opportunity for
9 yourselves to come up and comment and provide
10 questions or comments, rather, to us that we're
11 gonna record. We're receiving written comments
12 til August 17th which can be submitted to the Town
13 via the website, in written format, et cetera, and
14 those comments will be, as Chris mentioned in the
15 beginning, part of the overall SEQRA process, the
16 State Environmental Quality Review Act process.
17 We've got one more slide here and this,
18 again, is just some housekeeping. What we do ask
19 is --you've signed in, hopefully. We just want
20 to let you know it's being recorded here as well.
21 It's an official transcript. This is a Town Board
22 meeting. We ask that you please come up. We're
23 gonna try and get the microphone working. As you
24 can see, Chris is working on it.

1 We ask that you clearly state your name so we
2 can record it and then, again, use the sign-in
3 sheet. The idea is that we know what the question
4 is, who asked it and we'll be able to respond to
5 it articulately and fully.

6 And, again, I know it's a lot --we've just
7 presented a lot of information. Again, full
8 copies are available at Town Hall. We're gonna
9 try and get a copy of this to the library as well.
10 One of the best resources, if you have Internet
11 access, the Town's website has both the full
12 document you can download. If you have not really
13 high speed Internet connection, there's also just
14 the text of the document and then individual
15 pictures so you can bring those up. So that's one
16 of the best resources. Then, again, we have
17 copies of the Executive Summary as handouts as
18 well that you can take.

19 So, again, we open the floor. Please clearly
20 state your name and feel free to make any public
21 comment that you'd like. We ask that you come up.

22 MR. DELAROSA: My name is Martin Delarosa and
23 I live at 34 Halfway House Road. A couple
1 24 comments. [On open space, on page 39, there are a

1 couple statements there that we want clarification
2 on, if we can. It says on there that it is to be
3 considered to make the building lots larger and
4 also go on a sliding scale. We were under the
5 impression that it was gonna stay as it is now,
6 two acres and low density. And, basically, that's
7 what we want.]

2 8 [The other comment I have is on mitigation.
9 If an individual is gonna build a house on land
10 they own, then the mitigation fee really shouldn't
11 apply to them. If you're gonna go with a
12 development, then you're talking a different
13 segment of the population. And, basically, that's
14 the only two comments I have at the moment. Thank
15 you.]

16 MR. BASILE: Good evening. My name is John
17 Basile. I live at 64 South Hudson Avenue. I have
1 18 a couple areas of questions. [In the traffic
19 study, you talked about a light down at 9P and
20 Lake. The one I'm, of course, concerned about is
21 down here on the other end of it in the village.]

2 22 [One of the concerns that I've been observing
23 and, you know, we're short-timers here, is that
24 the growth and the need for growth --people need

1 lower cost places to live.] [I wonder how much
3 2 growth is gonna take place in Rensselaer and
3 Washington Counties and use the bridge that we
4 have.]

4 5 So what I really want to know is: [Did this
6 study take that part of the growth into account?
7 And, of course, I think the growth is driven also
8 by the employment that would occur with AMD or
9 anybody else that would occupy the Luther Forest
10 reserve. So, you know, when I look at the growth
11 that you project, I don't see a large growth.]

5 12 [I have been simply amazed at the growth that
13 is occurring in Halfmoon. Now, Halfmoon's much
14 further along. It's also closer to 87 and that
15 sort of thing. But when I look at the growth
16 there, if that rubs off on us, any of it, I would
17 think it would be a lot higher than 600.

18 So I was really surprised that the number was
6 19 as low as 600.] [So I guess that's my second
20 comment, but that relates to the traffic study.
21 So I'm concerned again about what happens if
22 people are gonna move across the bridge to find
23 lower cost places to live.]

7 24 [Now, the next thing that really bothers me,

1 and this has been bugging me for a long time, and
2 that has to do with --I don't know what the right
3 term is. It's --and you used it, but I'm afraid
4 I didn't catch it, but it has to do with taking
5 lands out of, I guess, being able to be developed,
6 keeping them farm forever. I really don't
7 understand, though, why you gotta pay a lot of
8 money to do that. I've heard those arguments time
9 and again, but for taxpayers that have to pay a
10 mitigation fee all the way that may amount to \$9
11 million, that's a lot of money. So I'm concerned
12 about that kind of thing and having to pay those
13 kind of taxes.] Thank you very much.

14 MR. BLUME: My name is Bill Blume. I live at
1 15 732 9P. [And as far as, you know, development is
16 concerned, one of the major things, of course,
17 affects us on the lake is the potential for runoff
18 from all these --you know, I keep hearing about
19 another and another and another development off of
20 423, off Jim Row (phonetic) behind St. Isaac
21 Joe's, down off of Luther Road, et cetera, et
22 cetera.

23 And the problem is any runoff from any of
24 these projects is gonna end up in the lake. And I

1 can say from personal experience, because we live
2 two houses north of the mainstream that comes down
3 from the proposed --I don't know what it's
4 called --the St. Isaac Joe's development, the
5 runoff from that without any development at all
6 every spring, I mean, our dock just goes further
7 and further and further out into the lake. We've
8 extended it about 30 feet in the 10 years or so
9 that we've lived here. That's how much the lake
10 keeps filling up, just from the drainage, natural
11 drainage.

12 And I've seen in one case where a neighbor -
13 there's also a drainage ditch in front of our
14 house into the lake. There's been about a half
15 dozen houses built right in the area there. And
16 just the runoff from their lawns, you know, when
17 they put in new lawns and you have a nice heavy
18 rainstorm, which we seem to be blessed with the
19 last few years, and then you just see, you know,
20 going down the drainage ditch or little stream,
21 whatever you want to call it, you got it full
22 where you have to have people come in to excavate
23 just from a couple houses being built and not
24 being careful on how they control their

1 landscaping, if you will.

2 I think the lake's a great resource for the
3 community and obviously is a great resource for
4 anybody that lives on it and I think we really
5 need to take a serious look at protecting that
6 resource.】 Thank you.

7 MR. BURDYL: Good evening. First of all, I
8 want to thank the Board for providing this public
9 opportunity. I've got a number of overall --I'm
10 sorry. I'm Jeff Burdyl, Durham Road. Thank you.
11 I've got a number of sort of wide-ranging issues
12 with this overall GEIS and I'll try to be brief
13 here.

14 First of all, I ask the Town Board to really
15 do their due diligence and to ask their
16 contracting engineering firm to do their due
17 diligence. I have some issue with some of these
18 maps that have been created. 【Specifically on the
19 building dock density, there's errors. There's
20 errors such as there's protected lands for the
21 Burdyl and Price farms and those are shown as
22 build-out areas.】 【There's other errors on the
23 soil maps and things like that. I would just ask
24 the Chazen Companies to go back to their sources

1 for these maps and just double check what you're
2 mapping over.]

3 3 [Secondly, I agree with the previous gentleman
4 that minor subdivisions or individual lots should
5 not be charged the mitigation fee on a per acre
6 basis. I think that's a burden on the private
7 citizens. Obviously, if you've got a large
8 developer, that's a different story. So I think
9 that should be another consideration.]

2cont'd 10 [On the soil maps, if you go back and look on
11 the on-line information, it appears to me that the
12 soil --what is known as the prime soils cover
13 almost 60 to 80 percent of the entire town and I
14 don't see anything in the GEIS about mitigating
15 the impact of chemical pollution of those soils.
16 I mean, how can it be prime agricultural soil
17 if it's been drenched in pesticides for 20 years?
18 So I ask that that item be looked at also.]

4 19 [I was a little concerned on the water segment
20 of the GEIS. Route 76 appears to be a primary
21 route for where there might be population growth,
22 but I see no discussion of a potential sewer
23 system in that area. We're showing a sewer system
24 for the Route 4 Corridor, which is right in the

1 middle of the corridor that we want to have
2 preserved as green space. So that seems to be a
3 contradiction in terms from a planning point of
4 view.]

5 5 [Also, I think the Town of Stillwater is
6 missing a major opportunity by not looking at
7 doing something with the Saratoga County-based
8 horse park. Again, there's been issues about,
9 well, who's gonna fund it? I think as Senator Joe
10 Bruno has showed us, if you build it, they will
11 come and that if you include a plan for that which
12 would be a tremendous recreational and an
13 ecologically friendly business for this township,
14 that that type of facility may be all privately
15 funded or a joint state private partnership and
16 that that may end up not costing the Town anything
17 and it may provide a tremendous benefit in the
18 future for the Town.]

6 19 [One thing I would also recommend was, again,
20 I think we should be very careful when we put down
21 environmental overlay districts and really take a
22 look at the impact on residents, long-time
7 23 residents, of this town.] [And, basically, I would
24 also recommend that we do not get involved in the

1 Hudson River Greenway situation. I know they
2 provide a lot of grants. I think there's other
3 sources for grants than tying the town population
4 up in that situation. That's it.] Thank you very
5 much.

6 MR. ROUND: Any takers?

7 (No response.)

8 MR. ROUND: We encourage you if you do have
9 comments to come on forward. Maybe it would be
10 helpful this time --we do have a smaller
11 audience. These were all good comments that we
12 heard. And the way this process will work is we
13 don't have answers for all these things tonight,
14 but your input may revise the SEQRA finding
15 statement or the FEIS or may adjust the mitigation
16 fees.

17 The idea about providing credits to private
18 land development or farm-owned communities a
19 credit, not having to pay mitigation fees, those
20 are things that are gonna be seriously considered
21 as this process moves forward and is gonna be
22 entertained by the Town Board as they go through
23 and conclude this process. I encourage you to
24 come forward with your ideas and concepts, please.

1

1 UNIDENTIFIED FEMALE: [Can we ask for
2 clarification on two things that were brought up
3 by two of the speakers? The first one brought up
4 by Marty Delarosa, the sliding scale. I'm not
5 certain what that even stands for. I know he
6 talked about building lot size. I'm not certain
7 what sliding scale stands for.]

8 MR. ROUND: I don't have that reference in
9 front of me. I don't know if Paul can answer that
10 question, but typically, it means --sliding scale
11 setbacks are typically setback in a lot size in
12 a --there's no proposal to take the two-acre zone
13 and change the minimum lot size, make it either
14 smaller or larger. So there's not a proposal
15 there.

16 I think in the Farmland Protection Plan, the
17 idea is that we see a lot of building permits in
18 town and they need to come in and get a variance,
19 because they can't comply with the building
20 setback. And if we have preexisting lots of
21 record, all right --so you've got an acre and a
22 half lot in a two-acre zone, for instance, and
23 maybe the setback is excessive for your lot and
24 the idea is that we see, especially in waterfront

1 districts where the setback is based on the lot
2 size itself. So a 20-foot setback on a 200-acre
3 lot is not a big deal, but a 20-foot setback on a
4 60-foot wide lot may make the development of that
5 lot very marginal. I don't know if that was the
6 issue that we were looking at, Paul?

7 MR. CUMMINGS: Yeah, yeah.

8 MR. ROUND: So that was the sliding scale
9 issue.

10 MR. CUMMINGS: What was the second one?

11 UNIDENTIFIED FEMALE: I didn't get to the
12 second one yet.

13 MR. ROUND: Okay. So is that accurate as far
14 as sliding scale?

15 MR. CUMMINGS: Actually, that's one
16 mechanism. Sliding scale --that's one sliding
17 scale mechanism which there's a couple of. It's a
18 technical term. So Chris described one type of
19 sliding scale and one that was in --that's on
20 page 39 as Marty brought up in the farmland plan.
21 It's not in the GEIS.

22 You see where properties, larger parcels, the
23 larger the parcel, the number of actual divisible
24 units is lessened by the larger the size of the

1 parcel; whereas, the smaller the parcel, you might
2 actually see more divisible units where a smaller
3 or a tighter subdivision could occur.

4 Lancaster County, PA, which is a very
5 similar --some of the townships in that area are
6 very similar to Stillwater. They use that with
7 purchase development rights, again, that's with
8 building landowners, et cetera, so that someone
9 who has a large parcel can sell part of their
10 purchase development rights and then still
11 subdivide their property and see some revenue from
12 that as well.

13 So the idea is they get to double dip on a
14 PDR and then a sliding scale, do a couple parcel
15 pieces of development on that.

16 MR. ROUND: And I think those were concepts
17 that were thrown out there that the Town Board, if
18 and when they revise the zoning regulations,
19 subdivision regulations, should look at these more
20 progressive tools rather than just a conventional
21 setback, and so comment noted.

22 And the second?

2 23 UNIDENTIFIED FEMALE: [The second one was
24 brought up by Jeff Burdyl and that is the

1 relationship to water. He was discussing --I
2 believe, in his discussion, he was talking about
3 potential water development on 76? Is that
4 supposed to be 67?]

5 MR. ROUND: I think it's a very valid point.
6 If the Route 4 area is an area where we do not
7 want to promote growth, we do not actually want to
8 promote infrastructure in those locations. So
9 that's definitely an area that the Town needs to
10 look at.

11 And I don't know that it was --that
12 geographic area --maybe after, we can take a look
13 at that map together and identify that so that we
14 have it accurately captured.

15 Please come to the mike.

3 16 UNIDENTIFIED MALE: [The gentleman also stated
17 that there may have been mapping errors. Would
18 you make sure you revise that and make report to
19 the Town Board if there are mapping errors?]

20 MR. ROUND: The commenter for the record -
21 your name, sir?

22 MR. MURRAY: I'm John Murray.

23 MR. ROUND: John Murray also echoed the
24 comment that the maps, if there are mapping errors

1 with respect to soils for protected areas that are
2 shown as --that there is development occurring,
3 that those should be corrected and that should be
4 identified on the record so the Town Board knows
5 those errors have been corrected before the
6 process moves forward. Accurate?

7 MR. MURRAY: Uh-huh.

8 MS. MAROTTA: Hello. My name is Carol
9 Marotta. I'm at 21 Pine Ridge Road. I'm also a
10 member of the Stillwater Planning Board. I did
11 have an opportunity to review the majority of the
12 document on-line. It's an excellent resource.
13 And I just had some comments and questions.

14 I'm familiar with our Comprehensive Plan and
15 it appeared that your build-out dot map was very
16 comparable to our Comprehensive Plan. So there
17 seemed to be that consistency. [But I thought
18 something that might be helpful is if we had a
19 build-out map showing what we presently have, and
20 I know that is available through GIS and I think
21 the county actually has access to it. There are a
22 couple different programs.

23 But that would be an excellent comparison so
24 that we can see, okay, this is what we have now,

1 this is what's projected for 10 years from now and
2 it'll give people a little better idea possibly.
3 So that was something I thought we might think
4 about.]

2 5 [I think it's very interesting the way park
6 land and open space and natural resources, they're
7 all very interconnected. So if we look at the
8 maps, you'll see areas that have problems for
9 development due to slopes, wetlands. Then, we
10 have our scenic views. We have archeological.
11 All those things affect where development can take
12 place.]

3 13 [And then regarding the water, based on what
14 has occurred within the past month or so around
15 here regarding water, specifically the Village of
16 Stillwater, and they are mentioned in here as
17 being a resource to provide water to other areas.
18 I believe, you know, that may need to be revisited
19 and re-evaluated.]

4 20 [And we have the county water system that is
21 coming down here to service AMD. They do have
22 some other municipal clients. There is no mention
23 of that in here. It will be coming into
24 Stillwater along Route 67 and will definitely have

1 the possibility to impact the Route 67 Corridor as
2 well as the Cold Spring Road area north up to AMD
3 and adjoining Lake Road and 9P. So that whole
4 western part of town is going to definitely be
5 impacted by that water.]

5 6 [Additionally, that is the location where the
7 two major private water suppliers have their wells
8 and their companies and clients. It would seem to
9 me that if we could --we talk about public
10 private partnerships. The water might be an
11 excellent public private partnership area since we
12 do have two private companies that are doing very
13 well. We now have the county water that has been
14 subsidized by our taxes and New York State
15 residents, so we pay for it already and we will be
16 paying for it for a while. So let's take
17 advantage of it.]

6 18 [You know, why bother with wells and stressing
19 out the Village of Stillwater? And then the whole
20 sewer water; one of the other speakers pointed out
21 there is a little discrepancy. You're talking
22 about a water district along 67 but no sewer. And
23 so I'm not sure --you know, I haven't looked at
24 all the soils and all of that, but it just seems

1 if you're doing one, you should probably do the
2 other, because it's definitely gonna drive
3 development and increase density.]

7 4 [So the water, the sewer. Let's see. There
5 was also --another speaker mentioned the horse
6 park. Stillwater, we are so lucky that we are
7 located right here, right next to Saratoga.
8 Clifton Park is talking about trying to get the
9 horse park in their area. There's just talk of a
10 new development down there where they want to
11 design a development around horses. Stillwater
12 would certainly be a better location for a horse
13 park driving up through the hills. We already
14 have horse farms, thoroughbred as well as
15 standardbred.

16 So we are closer to the population centers
17 more than Washington County. I know they are very
18 interested in pursuing the horse park. Why don't
19 we grab it? We're here. We're close. You know,
20 with gas and everything, less traffic, we have
21 more resources and, you know, it's an agricultural
22 farm business and CD, or Capital District,
23 regional planning, all the planning things,
24 agriculture, saves open space, it's low cost, it's

1 not demanding on services. They don't have kids
2 in school. They don't need more roads.]

3 It takes large properties and they keep
4 everything open and it generates money. So
5 definitely, I'd like to see that pursued a little
6 bit more.

8 7 [Regarding traffic, I was very happy to see
8 that you are talking about monitoring traffic on a
9 regular basis, but I don't believe that there's no
10 need for mitigation at this point, because it's
11 all gonna catch up with us.

12 We will have development. And other
13 municipalities, that's one of the first places
14 they bang in those mitigation fees, because all of
15 a sudden, you're gonna go, oh, geez, we can't get
16 out of our road anymore and all the wear and tear
17 on the roads. Why shouldn't the Town be
18 benefiting if those people from Washington County
19 are coming across the bridge, going all through
20 the roads of Stillwater using our roads? We need
21 to, you know, get something out of it. So I would
22 like to see, you know, traffic mitigation looked
23 at again.]

24 And one other thing was that when you look at

9 1 [the maps, getting back to the natural resources,
2 and forestland, big green blob over here, is a
3 very valuable resource. That right there is at
4 probably the highest risk right now of losing it.
5 So it has to be kind of a town decision. Do we
6 care about it? Is it something --because just be
7 prepared with water and sewer and AMD and Cold
8 Spring Road being re-done, we're seeing a huge
9 increase in traffic there. It's going to have
10 water and sewer. It's going to be the closest to
11 AMD and the most direct access to the Northway.
12 So, you know, that will be a prime development
13 area.]

14 So I feel the town residents, the Town Board,
15 the Planning Board, everyone should be aware of
16 that and get comfortable with what you want it to
17 be, make your views known.

18 But I think having the GEIS is awesome for
19 Stillwater to have this document. I think it's a
20 valuable resource and I'm looking forward to a
21 revised one. Thank you.

22 MR. BASILE: John Basile again. I just had a
23 question. Chris, I know that you explained this
24 at the beginning of this, what's supposed to

8cont'd

1 happen, but I'm not clear. [Eventually, the Town
2 Board approves this, but what do they really do
3 with it?

4 There's a SEQRA review that has to take
5 place, but is there not a SEQRA review for every
6 project that has to be done under --that would
7 come under this GEIS?]

8 MR. ROUND: I think that's a very good
9 question. I'll hopefully give you a reasonable
10 response. If a new development now comes into
11 town --let me back up. We will take the comments
12 we receive today and the written comments and
13 respond to those things. And if the FEIS is
14 accepted, SEQRA findings are developed and the
15 SEQRA findings will officially document the
16 record, you know, what process would we undertake,
17 what were the conclusions --when you say
18 findings, these are the conclusions of the
19 evaluation that occurred.

20 We'll make the corrections that are necessary
21 that have been brought out tonight and then the
22 findings statements will --for instance, with
23 respect to traffic, will establish thresholds and
24 say, okay, for 600 new homes, it's not necessary

1 for traffic mitigation fee. And for traffic, for
2 instance, we've identified potential areas for
3 growth, so we had to distribute this growth. We
4 didn't present this map tonight, but we said based
5 on historical development patterns and based on
6 subdivisions that we know are in the planning
7 process, here's where we think the traffic is
8 gonna take place and under that condition, there's
9 no additional mitigation necessary.

10 With respect to recreation, we're gonna be
11 adopting a recreation mitigation fee. The SEQRA
12 finding statements will allow the Town --give the
13 Town the authority to collect those fees. If a
14 new project comes in and it's basically
15 consistent --the lead agency, in this case, the
16 Planning Board's gonna be obtaining a subdivision
17 review, let's say, for instance. So long as the
18 impacts of that subdivision are lesser or
19 consistent with the SEQRA finding statement and
20 the evaluation that was conducted here, that
21 project may not require additional SEQRA review
22 specific to the resource to be evaluated.

23 It's a difficult concept. I'm trying to
24 focus it down a little bit more, but we may ask an

1 applicant to provide justification of traffic
2 impacts associated with this project and as long
3 as they're consistent or lesser than what was
4 evaluated, we may not require traffic mitigation
5 for that particular project.

6 With respect to recreation, we're gonna
7 collect a fee. With respect to farmland
8 protection, there's gonna be a mitigation fee. It
9 does not absolve future applicants from not
10 conducting SEQRA review, but it does establish
11 thresholds by which they will be judged whether
12 they will need additional review or not. That's a
13 difficult thing to articulate on the fly here.

5 14 MR. BASILE: [Let me ask just a slight
15 variation of that. If somebody has a development,
16 do they have to have the SEQRA review for that if
17 it complies with this one here?]

18 MR. ROUND: If it complies, the lead agency
19 will have to make a decision: Does it fall below
20 the thresholds that were evaluated with respect to
21 traffic and water, et cetera? You may have a
22 project that --we did not evaluate visual and
23 aesthetic impacts or impacts to cultural
24 resources. So if you have a project that comes

1 into town and they're gonna build a 300-foot tall
2 tower, that, in my judgment, the Planning Board
3 says we need to review visual impacts under the
4 SEQRA review process. They will be required to
5 undergo a SEQRA review. Either that can be
6 performed as a separate review, like you would do
7 an environmental assessment form. And if you
8 think an impact statement needs to be prepared for
9 a particular project, the lead agency has the
10 authority to request that. Hopefully, that
11 answers as direct as I can.

12 Yes, ma'am.

2cont'd

13 MS. BLUME: Betty Blume; 732 9P. [My concern
14 about the mitigation fee primarily rests with it
15 may become too profitable for our town to rely too
16 heavily on them and encourage overdevelopment. So
17 I suggest you tie that into something to do with
18 zoning regulations so you can't overdevelop the
19 areas, because frankly, I don't see how you can
20 keep anybody from building anywhere other than if
21 you have zoning regulations that you're enforcing.
22 So if you're gonna change those, then you'll have
23 overdevelopment.]

24 I don't know how else you can stop it other

1 than it costs too much to get water, costs too
2 much to get sewage, other drainage issues,
3 wetlands. The state has enacted, I believe, new
4 things on wetlands that makes it much harder if
5 you're in a wetlands area, you have to prove
6 drainage problems. Now, I believe if you want to
7 put in dry well systems, which I don't like, they
8 don't always work and they clog up, but if you
9 want to keep people from overbuilding, you want
10 somebody not to overdevelop a piece of property,
11 there's ways you can put codes in that make it
12 expensive for them to do that like septic dry well
13 systems.

14 There are, I'm sure, plenty of other creative
15 ways of doing it. I just know what I've
16 experienced in other building situations in
17 another part of the state.

18 Please take into account --I don't have a
19 big problem with mitigation fees, but I do have a
20 problem with changing the character of the
21 community extensively and I know many old-timers
22 don't like change. You're gonna have to have
23 change. If you want jobs, you've got to have
24 change. So you better plan for it or you're gonna

1 be not happy with your results.

2 SUPERVISOR CONNELLY: Anybody else? Last
3 call?

4 MR. ROUND: Anybody else that would like to
5 comment? The Supervisor's looking for the last
6 call. If you haven't commented tonight, please do
7 so through written comment. You can address a
8 letter --there's information on the Executive
9 Summary. Address the letter to the Town
10 Supervisor or the town clerk and give it to that
11 office and we will capture that information.

12 The next step is we'll produce a draft final
13 document. There are a number of issues that
14 require the Board's input. We'll probably have
15 some type of informal workshop with the Board to
16 make sure that the responses are the Board's
17 responses, because it is the Town Board's document
18 so they need to be comfortable with the fees that
19 are being thought of and the ideas about providing
20 some credits or some waivers for specific
21 projects. Those kinds of things need to be
22 addressed and you can expect that within the next
23 two months.

24 As I mentioned, our written comment period

1 closes August 17th, so I think that's two weeks
2 from tomorrow, about two weeks. But please do so
3 and we look forward to those. You'll see a
4 response to these comments tonight as well as all
5 written comments.

6 Thank you for coming out.

7 SUPERVISOR CONNELLY: I would like to thank
8 everybody for coming. Because this is a Town Board
9 meeting, we have to close the meeting out as a Town
10 Board.

11 Motion to adjourn?

12 COUNCILMAN PETRONIS: Motion.

13 COUNCILWOMAN WHITMAN: Second.

14 SUPERVISOR CONNELLY: All in favor?

15 (Affirmative responses.)

16 SUPERVISOR CONNELLY: Motion carries. Thank you
17 very much. (WHEREUPON, at 7:24 p.m., the public
18 hearing was concluded.) *****

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CERTIFIC ATION

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I, **THERESA L. KLOS**, Shorthand Reporter and Notary Public within and for the State of New York, do hereby CERTIFY that the foregoing record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

THERESA L. KLOS

Dated: August 19, 2008.

B. WRITTEN COMMENTS

LETTER 1

From: Julie Annotto
Sent: Thursday, August 14, 2008 11:57 AM
Subject: Town of Stillwater DGEIS

Comments/Concerns/Questions Re: Town of Stillwater DGEIS

I am glad that the Town of Stillwater had the foresight to prepare for what hopefully will be smart growth.

As a resident of the lake community ---a vital part of the Town-- I am concerned about how the lake community factored into this DGEIS. First I see it that a lot of development will take place in the lake area with corridors of Routes 423 and 32 leading to Route 9P, on the lake. However, I don't see where the fragile environment of the lake is really addressed in this document.

- 1 ----[Environmentally fragile, the lake has already been compromised by past and present developments in the Town of Stillwater. Our shoreline has been forever changed, and not favorably. Does the Town of Stillwater have a Stormwater Management Plan in place and if not, why not, and if yes, who will monitor that the plan is being followed?]
- 2 ----[There are environmental challenges. Will our natural landscape be replaced with streets, parking lots, rooftops and other impervious surfaces?]
- 3 ----[In the lake community, have the already approved and/or applications for development at the present time been taken into consideration?]
- 4 [In your Growth Projections (pg. 6) it states that historically the Town issued an average of 42 single family permits per year. Presently in the lake community, more homes than the average have been approved.]
- 5 ----[Who will monitor developmental growth, especially the developers?]
- 6 ----[Any necessary improvements to the infrastructure should be borne by the developer, however, the Town should not approve large developments based on what they can gain, with no regard for the neighborhood, the environment and quality of life issues. The lake community has already been heavily targeted by developers. There is already a strain on the infrastructure.]
- 7 ---- [Any plan for green space/open space planned for the lake community?]
- 8 ----[The possibility of widening Route 9P was mentioned at the Public Meeting. We all know that, although this road is continually eroding from the heavy truck traffic, there is no money for other than small repairs.

Widening the road would bring on a myriad of other problems other than funding.]

- 9 ----[Who monitors the existing environmental regulatory programs that you mention in VII, page 17?]

These are just a few of my comments/concerns/questions. Thank you for this opportunity

Julie Annotto
Town of Stillwater
Saratoga Lake

LETTER 2

From: Penny Cronin
Sent: Thursday, August 14, 2008 7:02 AM
Subject: Town of Stillwater DGEIS

To: Shawn Connelly
Town of Stillwater Town Board
The Chazen Companies Attn: Chris Record

RE: Town of Stillwater DGEIS, prepared by The Chazen Company

The following comments are with regard to Chazen's evaluation of potential impacts of growth on certain Stillwater Town resources and facilities to occur from 2007 to 2017:

- 1 [Because of the omission of ALREADY PROPOSED/APPROVED development projects that have yet to come to fruition, I feel this study is incomplete. To effectively evaluate development impacts on those particular sections of our town, to be impacted by said development, proposed projects need to be included. When addressing "future development of land", it is critical to include the ensuing impacts of projects already being presented to the Town of Stillwater, for your evaluation to be credible.]
- 2 [Regarding future housing, Chazen presents numbers (3,868 - 4,071) but NOT specific areas of the town that could absorb such housing, other than state where "...92% of development is *likely* to occur..."]
- 3 [At this time, the 9 P corridor is already super saturated and its "rural character" is slowly being eroded. The already proposed new developments in this 9 P corridor will only add to the congestion and cause more stress on the already strained infrastructure, as well as eliminate more of the rural setting/character of the area.]
- 4 [As far as -
"... major improvements to the Town's facilities..the financial burden for any necessary improvements is distributed equitably among parties..."]

Existing residents of the Town of Stillwater have been dutifully paying taxes, thus supporting its infrastructure. The cost of any additional needs/improvements DUE TO DEVELOPMENT should be borne solely by the developers, with NO INCENTIVES given by the TOWN. Residents' tax money has made/supported the Town of Stillwater in such a manner as to attract these developers - therefore, these developers should be solely responsible for all costs related to becoming a part of our town.]

Referring to page 5, III Project Location

5 [The Saratoga Lake area has been omitted. How can any evaluation of the Town of Stillwater be credible when one of the town's area/locations has not been included? This lake area is an area being heavily targeted by too many new development projects which already are threatening the lake's unique character and physical characteristics, not to mention the strain on this area's infrastructure. Chazen needs to specifically evaluate the Saratoga Lake area, and its infrastructure, in their DGEIS evaluation.]

6 [On page 6, "Traffic Planning Area" needs to be more specific relating to route 9 P. At this time New York State does not have the resources to make the needed repairs, however the Town is being approached to approve many developments which will DIRECTLY IMPACT /INCREASE CONSTRUCTION TRUCK /VEHICULAR TRAFFIC on 9 P. The **existing**, deteriorated condition of route 9 P needs to be specifically addressed in any evaluation of the Traffic Planning of the Town of Stillwater, beyond "...the installation of a traffic signal...".]

7 [Under 'Silt and Geology' Chazen addresses:

"...resultant siltation of water bodies..." however Chazen failed to recognize the EXISTING/ONGOING severe infiltration of silt into Saratoga Lake, from the creek located by #533 on 9 P. It has been proven, in a court of law, that this accumulation of silt is caused by development. The floor of our lake has, and continues to be, dramatically IMPACTED by this continuing flow of silt. On page 7, under "Water Resources" you list what construction activities "COULD" do to our waters – those factors you listed already have, and , CONTINUE TO happen in Saratoga Lake. In addition, this report does not address correcting the existing problem of silt/storm water runoff caused by developers not taking the proper precautions;at this time many homes along the 9 P corridor are effected by this condition.]

Chazen needs to specifically incorporate this factor in the DGEIS, since Chazen states:

"The primary purpose of this DGEIS is to evaluate the cumulative impacts of future development on land use and community character, **the natural environment...**"

QUESTION:

8 [The Town of Stillwater has been part of an ongoing movement to prevent the City of Saratoga Springs from using Saratoga Lake as a water source. With this in mind, how could you list, on page 7 under "B. Water resources", Saratoga Lake as a "...surface water source..."?]

9 [On page 7, "Land Use and Zoning" you listed the mixture of land uses in Stillwater but OMMITTED "RESORT RESIDENTIAL".]

10 [Why was this not incorporated within your evaluation?]

11 [Does "resort residential" apply to all Town of Stillwater land areas that abut water (i.e. Hudson River, Saratoga Lake,), have water views etc.?)

12 [How is "residential resort" defined?]

13 [On page 9 you mention the "Saratoga Lake Hotel"? Specifically, to what hotel are you referring?]

Respectfully submitted,
Penny Cronin

LETTER 3

From: John Van Horn
Sent: Thursday, August 14, 2008 2:40 PM
To: SinniDi@XXX.com
Subject: Stillwater DRAFT GEIS

Julie

I read the Stillwater draft GEIS and found the future growth predictions informative. The report spends a lot of time identifying adverse environmental impacts that quite frankly happen as a result of our existing soil, water, and geologic conditions, with or without future growth and development.

- 1 [Recommendations and plans for avoidance of environmental impacts due to residential/commercial development are already in place with existing New York State DEC regulations. So I found those recommendations a waste of the paper they were written on and ultimately the trees they recommended saving.]

As a resident of Stillwater/ Saratoga Lake I have the following concerns in relation to this report:

- 2 • [When you study pages 29, 72, and 83 in relation to the already existing approved (427 lots/homes) and predicted (600 lots/homes) single family home development in Stillwater, over 50% directly impacts the Route 9 P area/Lake community and no recommendations to mitigate or protect this Lake community are suggested.] [The only proposal is to maintain over double the volume traffic flow with a traffic light at the Route 9 P and Lake Ave. intersection.]
- 3
- 4 • [The report recognizes that development in adjacent communities will also have an impact on Route 9 P, but again the only concern appears to be maintaining traffic flow.]
- 5 • [The safety health and welfare of this Lake neighborhood are secondary to the development/traffic flow of Route 9 P as a “primary roadway segment”. No consideration is given to the density, speed limit (35mph), blind driveways or lack of shoulder width around the Lake. In fact the report identifies that Route 9 P has a two to four foot shoulder width, when in fact a zero shoulder width is the case in many areas of this road not to mention minimal setback distances of prior existing homes.]
- 6 • [Nobody could have envisioned Route 9 P when the original Indian trail was widened for carriage access to the Sulfur Spring Hotel and the dirt road to fish camps paved and declared a “new state road”. But, we can certainly correct what it has become, and propose what it should be, given the Lake neighborhood that it is.]
- 7 • [The Capital District Planning Commission (CDRPC), Capital District Transportation Committee (CDTC), Center for Economic Growth (CEG), and New York State Department of Transportation

wouldn't suggest placing a new highway through the center of an existing densely populated neighborhood, but it appears Stillwater is willing to accept this future "traffic pattern" as an unavoidable impact.]

- 8
- [In my opinion the Saratoga Lake Community needs to lobby for a change that may include the elimination of route 9 P as a "through road", creating a neighborhood and access similar to the condition that exists on the western side of Saratoga Lake with Route 9. The speed limit should be reduced and enforcement increased. Stop sign intersections and traffic routing forced away from the lake side density. The possibility should be explored, of obtaining this road from the state and returning it back to the community for its original purpose of getting to and from the Lake. "Primary roads" need to be created in rural, less densely populated areas to handle the anticipated growth/traffic flows. The possibility of making a deal with NYS to trade/develop county route 70 as a primary state road and turn route 9 P into a county neighborhood road. Finally, let's rename this road and end the confusion between 9 and 9 P.]

Those are my thoughts, feel free to use, forward, or publish in any way that will allow me to cross the road without putting up a cross walk to do it!

Thanks

John II

PS The Lake Association should seriously consider having the Engineering firm they hired to study lake levels/discharge look at providing real solutions to our traffic congestion and potentially saving someone's life before we worry about saving possessions/docks.

How about this for a money saving idea,,,,, take off the cover page of the Stillwater Draft GEIS and put a new cover page on saying ----- Saratoga Lake Association, Lake Level and Discharge Study ----- most of the same information will be repeated and the recommendations will be just as weak, including when it rains half the summer the impact is "unavoidable"!!!!

LETTER 4

From: JoAnn Winchell

- 1
1. [Need review from: NYS Dept. of Agriculture & Markets (Bob Summer
 2. Request review of NYSORPS (Robert Marks)
 3. Request review from Cornell Cooperative Extension (Richard Smith)
 4. Request a review by SC Sewer District (DePasquale)
 5. Request a review from NYSDOT

6. Request a review from SNHP]
- 2 7. [Public Hearing held on August 6 with only 20 participants present...concerned with public/timing]
- 3 8. [No formal presentation made to Planning Board...concerned with impact on regulations/enforcement]
9. 10 years build-out potential = 4,000 new homes
10. Prediction for 10 years = 600 new homes
- 4 11. [No significant traffic impact in 10 years...concern with NYS Route 9P and County 76 to Route 4&32
12. No mitigation fees necessary for water & sewer...concern since new water service/tower planned, and sewer for 4 area planned]
- 5 10. [How will mitigation fees be evaluated (case-by-case basis???)]
11. I agree that recreational facilities are currently not meeting the needs of residents and property deeded to the Town has proven to be a real concern. Increasing recreational fees per proposed building lot to \$900 is a good idea]
- 6 12. [I need clarification on the "Sliding-Scale" concept for assessments]
- 7 13. [How do incorporate the need for traffic lights?
14. Mapping needs to be clarified with Town and County Planning Depts.]
- 8 15. [GEIS needs to be updated already to take into consideration dredging impacts and water woes that surface in 2008]
- 9 16. [Construction Traffic for PDDs needs mitigation/repairs]
- 10 17. ["Rural Character" and areas already saturated with residences (such as 9P and eastern County Rd. 76)]
- 11 18. [Strained infrastructure is not addressed]
- 12 19. [There needs to be more review of Saratoga Lake to address future proposals for municipal use (such as water source/recreation)]
- 13 20. [The natural environment pertaining to drainage/run-off/silt [sic] in build-up in Saratoga lake needs to be evaluated]
- 14 21. [The Planning Board has adopted an unwritten standard restricting PDD developers to just 40 building permits per year, this needs clarification and should be enacted in policy form]

- 15 22. [Identify which intersections in the Town (during expected 10-year build-out) experience potentially deteriorating levels of service and/or may require signals (integrating intermodal and multi-modal transportation)]**
- 16 23. [Based on anecdotal experience, a review/recommendation of existing public safety and public wireless communications systems is warranted (also, potential environmental impacts)]**
- 17 24. [Impact on school (economical and fiscal) existing vs. build-out]**

C. TOWN OF STILLWATER PLANNING BOARD WORKSHOP

**STILLWATER PLANNING BOARD
SEPTEMBER 15, 2008
7:30 P.M.**

Present: Chairwoman JoAnn Winchell, Robert Barshied, Peter Buck, Carol Marotta, John Murray, Patricia Paduano, Paul Tompkins

Also Present: Ray Abbey-Building Department, Paul Cummings-Town Planner, Daryl Cutler-Attorney for the Town, Ken Petronis-Councilman, Chris Rounds-Engineer- Chazen Companies

**Town of Stillwater
Draft Generic Environmental Impact Statement
(DGEIS)**

Chairwoman Winchell stated that on August 6, 2008 there was a Public Hearing held at the Stillwater Community Center on the proposed DGEIS. She stated that 20 residents, all Town Board Members and three members of the Planning Board attended. Chairwoman Winchell inquired of the Board members if they had received the DGEIS CD that was handed out; they informed her that they had received the CD.

Chris Rounds of Chazen Companies gave a brief overview of the DGEIS. Mr. Rounds informed the Board that DGEIS is to evaluate the potential impacts of growth on certain resources and facilities located in the Town of Stillwater. Mr. Rounds stated that the DGEIS deals with the Town's infrastructure including the following: Highways (traffic study), water supply and distribution systems, wastewater collection and treatment systems, open spaces protection plan, farmland protection plan, and recreational facilities. He further stated that the DGEIS draft was a combined effort with input from The Chazen Companies, Representatives of three Development Parks, Town Board Members, Highway Department, and a member of the Planning Board.

Mr. Rounds stated that the build-out estimate provides the basis for estimating growth that will occur in the Town over a ten-year period. This estimate utilizes the Town's zoning regulations, as well as, environmental and regulatory constraints. He also stated that the estimated growth for the ten years is 600 new homes, 10,000 square feet of commercial space and 50,000 square feet of new industrial facilities will be constructed. He further stated that the Town has issued an average of forty-two building permits per year.

The DGEIS Draft looks at a variety of forested, meadow, and wetland areas within the Town of Stillwater. The Natural Heritage Program has a database of NY State rare, threatened and endangered species and has identified several within Stillwater. The Northern Harrier is one that is known to breed in the marsh and grasslands in parts of the Town. There are also several vascular plants that are threatened or endangered that exist 70 within the Town. Mr. Rounds stated that the Town should ensure consultations with NYSDEC, Natural Heritage Program as a means of reducing the unintended loss of these resources.

Mr. Cummings stated that the DGEIS helps to preserve ecological features that the Town should target as preservation points. DGEIS helps to generate monies that will become available to the Town to protect these resources. He further stated that there are a series of policies within the DGEIS.

Chairwoman Winchell submitted a listing of her concerns. Carol Marotta mentioned that she addressed many of her concerns at the Public Hearing. There was further discussion on the following: [With AMD coming, there are concerns of the main thoroughfares and intersections such as NYS Route 9P, County Route 76, and State Route 423.] [How does DGEIS address the build out of this project?] [Have you looked at issues that may affect the Hudson River and Saratoga Lake due to storm water drainage?] [Is there a way to utilize the old railroad beds that are high dry and available for access to State Route 423 for construction traffic?] [The traffic light at the intersection of Hudson Avenue and the Stillwater Bridge Rd should be looked into for any impact that may occur in this area.] [In the new Water Service Growth Plan, there is no mention of the Saratoga Lake area.] [In the Rural Residential District it states that it has the potential for 12.6 dwelling units.] [The common language relating to Community Services and Stillwater Central Schools with the Comprehensive Plan.] [The DGEIS should identify for the school where additional facilities may be warranted for further growth.] [Does the DGEIS address the need for additional cell towers and greater cable access?] [There are no mitigation fees for sewer, water, traffic, and storm water drainage proposed.] [What are the mitigation fees for a non-residential building per square foot and for a single family dwelling unit?] [What is the mitigation for the Farm Land Protection Plan?]

After a lengthy discussion listing the concerns of all the Planning Board members, it was stated that a response from The Chazen Companies would be forthcoming. The response would be made to the Town Board. Copies of their response would be forwarded to the Planning Board.

D. SARATOGA PLAN LETTER OF SUPPORT



August 21, 2008

Hon. Shawn Connelly, Supervisor
Town of Stillwater
Stillwater Town Hall
PO Box 700
Stillwater, NY 12170

Board of Directors

Julia S. Stokes,
Chair
Lisa Nagle
Vice-Chair
John Colley,
Treasurer
Raymond Seymour,
Secretary
Timothy Barnett
Marsha Boelio
Peter Brooks
Camille A. Daniels
Michael Funk
Keith Giles
Edgar King
Charles Martin
Bradford Oswald
James Sinnott
Katharine Stone, Esq.
Shane Williams-Ness

Emeritus Board

Joseph Berger
Barbara L. Glaser

Advisory Council

Jim Bruchac
Jeffrey Olson
James Rossi
Martha Strohl
Douglas Ward
Daniel Wojcik

Acting Director

Laura Welles

RE: Stillwater Draft Generic Environmental Impact Statement

Dear Supervisor Connelly and Town Board Members:

Thank you for the opportunity to comment on Stillwater's DGEIS. As the land trust and community planning organization for Saratoga County, Saratoga P.L.A.N. is thankful to have such committed municipalities with which to partner in protecting our resources.

There are two specific issues raised in the DGEIS that deserve mention: the idea of a locally-controlled Purchase of Development Rights (PDR) Program and the recommendation to utilize "actual area disturbed" acreage when calculating fees. A PDR Program will allow the Town to partner with willing land owners to voluntarily protect agricultural, historic, scenic, wetlands, and habitat resources. Such a program not only benefits the community at large, but the specific land owner as well. A local program will allow leveraging of County, State and private funds for more efficient agricultural and open space preservation.

The use of the number of actual acres disturbed by development instead of total acres of a site in calculating fees encourages good site design and planning by rewarding voluntary cluster and conservation subdivisions. Such subdivisions can protect valuable resources at minimal cost to taxpayers while still allowing developers to realize financial benefit. The use of the number of acres disturbed is also a more fair and accurate calculation of actual impacts caused by development.

The investment the Town has made in both the Farmland Protection and Green Infrastructure Plan and DGEIS is obvious, and greatly appreciated. It is this type of planning and forward-thinking that will

ensure the preservation of the County's most significant agricultural, historic and natural resources as well as encourage much-needed economic development. We look forward to assisting the Town and its residents in reaching their preservation goals.

Sincerely,

Diane E. Metz
Community Planning Coordinator.

E. SEQR DOCUMENTS

617.9

**State Environmental Quality Review (SEQR)
Notice of Completion of Draft EIS
and
Notice of SEQR Hearing**

Lead Agency: Town of Stillwater Town Board

Address: Stillwater Town Hall
P.O. BOX 700
Stillwater, NY 12170

Date: July 17, 2008

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Draft Generic Environmental Impact Statement (GEIS) has been completed and accepted for the proposed action described below. A public hearing on the Draft GEIS will be held on August 6, 2008 at 6 PM at the Stillwater Area Community Center located on Palmer Street, Stillwater, NY 12170. Comments on the Draft GEIS are requested and will be accepted by the contact person until August 21, 2007.

Name of Action: Stillwater Cummulative Impacts of Growth

Description of Action: The Town of Stillwater estimates a total of 4,071 homes, up to 1.2 million SF of commercial/retail space and 2.6 million SF of industrial square feet could be constructed in the Town. These figures are in addition to the facilities planned for the recently approved Luther Forest Technoilogy Campus (LFTC). The Town projects that at least 600 new homes and 150,000 SF of non residential development will be constructed over a ten year period (2007-2017) and that this growth may have the potential to adversely impact the Town's infrastructure, recreational facilities, community character, farmland and open space resources. .

Location: Town of Stillwater, Saratoga County, New York

Potential Environmental Impacts:

1. Potential soil erosion/soil removal and sedimentation to construction on or near steep slopes;
2. Stormwater runoff from developed areas into streams or wetlands;
3. The potential for increased traffic flow;
4. Potential impacts to community service providers for new residents including police, fire, emergency services;
5. Compatibility of the proposed action with existing community or neighborhood character;

6. The potential impacts to regulated wetlands, floodplains, streams, and groundwater resources;
7. The potential impact to vegetation and wildlife and important habitats;
8. The potential impacts on farmlands, recreation and open space resources.

A Copy of the Draft EIS may be obtained from:

Contact Person: Mr. Shawn Connelly,
Address: Supervisor
Town of Stillwater Town Board

Mailing Address
Stillwater Town Hall
P.O. BOX 700
Stillwater, NY 12170

Physical Address
Stillwater Town Hall
66 East St., Riverside
Stillwater, NY 12170845-

Telephone: (518) 664-6148

Electronic versions of the Draft EIS, in Adobe Reader (PDF) format, are available for downloading or viewing at the Town of Stillwater web site at <http://www.stillwaterny.org>

A Copy of this Notice and Draft EIS Filed With:

Supervisor Shawn Connelly

Town Board of the Town of Stillwater (Lead Agency)

New York State Department of Environmental Conservation
Environmental Notice Bulletin
email: enb@gw.dec.state.ny.us (*Notice only*)

Involved Agencies

Town of Stillwater Town Board

Interested Agencies

Saratoga County Planning Board
Town of Malta Town Board
Village of Stillwater Village Board
City of Mechanicville

617.9(a)(6)
State Environmental Quality Review (SEQR)
Resolution Determining Final GEIS Complete
Town of Stillwater Cumulative Impacts of Growth GEIS

WHEREAS, the Town of Stillwater Town Board recently adopted a Comprehensive Plan focused on preserving the quality of life and character of the Town. Induced growth within the Town is anticipated to occur as a result of the buildout of the Planned Development District for the Luther Forest Technology Campus; and

WHEREAS, the Town Board has caused the preparation of the Draft Generic Environmental Impact Statement evaluating the cumulative impacts of growth on the community , and is the only involved agency for the purpose of this project and SEQR Lead Agency for the review of the proposed development; and

WHEREAS, a Draft Generic Environmental Impact Statement (DGEIS) was submitted by the Town’s consultants for review by the Town Board on or about July 2, 2008; and

WHEREAS, the Town Board determined , that the DGEIS was complete for purposes of commencing public review on July 17, 2008 and issued the required notices and intent to conduct a public hearing on the DGEIS; and

WHEREAS, the Town Board held a public hearing on the DGEIS on August 6, 2008; and received public comments on the DGEIS until September 19, 2008; and

WHEREAS, the Town Board, based on comments from the public and involved and interested agencies, prepared a Final Generic Environmental Impact Statement (“FGEIS”) addressing the substantive comments and issued the document for review on December 17, 2008.

NOW THEREFORE BE IT RESOLVED, that the Town Board determines that the December 17, 2008 version of the FGEIS adequately address the comments received from the public; and

BE IT FURTHER RESOLVED, that the Town Board adopts the Notice of Completion of FGEIS and that a copy of the Notice of Completion and the FGEIS shall be provided to the Environmental Notice Bulletin (625 Broadway, Rm. 538, Albany, NY 12233-1750) for publication therein

BE IT FURTHER RESOLVED, that copies of the Notice of Completion and, and the FGEIS, shall be posted on the official website of the Town of Stillwater; and

BE IT FURTHER RESOLVED, that a copy of Notice of Completion and the FGEIS shall be distributed to the NYS Department of Environmental Conservation,

617.9

State Environmental Quality Review (SEQR)

Notice of Completion of Final GEIS

Lead Agency: Town of Stillwater Town Board

Address: Stillwater Town Hall
P.O. BOX 700
Stillwater, NY 12170

Date: February 19,2009

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Final Generic Environmental Impact Statement (GEIS) has been accepted as complete for the proposed action described below.

Name of Action: Stillwater Cummulative Impacts of Growth

Description of Action: The Town of Stillwater estimates a total of 4,071 homes, up to 1.2 million SF of commercial/retail space and 2.6 million SF of industrial square feet could be constructed in the Town. The Town projects that at least 600 new homes and 150,000 SF of non residential development will be constructed over a ten year period (2007-2017) and that this growth may have the potential to adversely impact the Town's infrastructure, recreational facilities, community character, farmland and open space resources. .

Location: Town of Stillwater, Saratoga County, New York

Potential Environmental Impacts:

1. Potential soil erosion/soil removal and sedimentation to construction on or near steep slopes;
2. Stormwater runoff from developed areas into streams or wetlands;
3. The potential for increased traffic flow;
4. Potential impacts to community service providers for new residents including police, fire, emergency services;
5. Compatibility of the proposed action with existing community or neighborhood character;
6. The potential impacts to regulated wetlands, floodplains, streams, and groundwater resources;
7. The potential impact to vegetation and wildlife and important habitats;
8. Increased demand for recreational facilities
9. The potential impacts on farmlands, recreation and open space resources.

A Copy of the Final GEIS may be obtained from:

Contact Person: Mr. Shawn Connelly,
Address: Supervisor
Town of Stillwater Town Board

Mailing Address
Stillwater Town Hall
P.O. BOX 700
Stillwater, NY 12170

Physical Address
Stillwater Town Hall
66 East St., Riverside
Stillwater, NY 12170845-

Telephone: (518) 664-6148

Electronic versions of the Draft EIS, in Adobe Reader (PDF) format, are available for downloading or viewing at the Town of Stillwater web site at <http://www.stillwaterny.org>

A Copy of this Notice and Final GEIS Filed With:

Supervisor Shawn Connelly

Town Board of the Town of Stillwater (Lead Agency)

New York State Department of Environmental Conservation
Environmental Notice Bulletin
email: enb@gw.dec.state.ny.us (*Notice only*)

Involved Agencies

Town of Stillwater Town Board

Interested Agencies

Saratoga County Planning Board
Town of Malta Town Board
Village of Stillwater Village Board
City of Mechanicville

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