

A public hearing was held by the Town Board of the Town of Ballston on Tuesday evening, September 25, 2012 at the Town Hall on Charlton Road

PRESENT: Patricia Southworth ----- Supervisor
Mary Beth Hynes ----- Councilwoman
Timothy Szczepaniak ----- Councilman
William Goslin ----- Councilman
Carol Shemo ----- Clerk
Murry Brower ----- Counsel

Supervisor Southworth opened the public hearing at 6:40 p.m.

The Town Clerk read the legal ad for the public hearing.

The purpose of the public hearing was to consider a proposal by the Town of Ballston Farmland Protection Committee involving the potential purchase of a portion of the Capiello Farm located on Route 50 in the Town of Ballston. The proposal is for the purchase of the land through bonding by the Town and for part of the land purchased to be made available for lease to a farmer and for part of the land to remain open space and/or park land.

Mr. Don Rhodes, working for the Farmland Preservation Committee, gave a brief presentation concerning the purchase of Capiello Farm. The project proposal is to buy 272 acres of land for \$600,000 with the owner maintaining 14 acres and the buildings. The proposal calls for a farmer to lease the land, maintain the land and harvest the crop. The project will be considered for a referendum vote on November 6, 2012 at the General Election under Election Law that requires 36 days for a referendum on year with a regular election cycle. This will give the people the opportunity to vote whether this property should be developed or not. The property will be sold if the Town doesn't show support for the resolution to establish November 6, 2012 as the date for a special election regarding acquisition of 272 acres of Capiello Farm Tax ID 248.-2-86.1 for Town purposes. In 2004, the Town addressed development by creating the Land Conservation Committee to identify sensitive parcels for protection and outright purchase. A moratorium was approved while the Town updated its Town Code, draft GEIS and implemented new zoning. The Comprehensive Plan called for the outright purchase of land to preserve parcels versus development. Cooperative Extension stated that this is a viable project with 70 acres of realistic farmland; there is more farmland to be recaptured but it would cost more. With the Park and Recreation Reserve Fund and the Park and Recreation fees for development already under way, there is enough income to pay for this bond. Mr. Rhodes gave the members of the Town Board a copy of the Draft Purchase Agreement for their consideration.

The following people spoke at the Public Hearing.

Mr. Lonergan said that Capiello Farm is an amazing property. Open space is the best use of the property. There are too many developments and this will cause a strain on our schools; our tax base is ok. This is an outstanding deal; the Board should consider it wisely for the chance will not come again.

Mr. Begin said his property borders the Capiello Farm. He hopes to raise his children in Ballston Lake. The schools are not overcrowded. This proposal is a great opportunity and he can't wait to see the farmer rolling through the fields shortly.

Ms. Morris said she grew up on a farm and the Capiello Farm is a gorgeous property. She is opposed to this proposal. She does not feel recreation and farming should be combined.

Ms. Morris-Groves questioned the common sense of this proposal with incurring debt and long time liability. The Town needs a diversified tax base to give us sales tax revenue. She feels it is short sighted to consider two passive recreation projects while continuing to ask the business community to shoulder an unfair burden for other folks.

Ms. Clark stated we need to keep farms in our Town. Save the farmland for food. Keep it for our children and their future.

Mr. Walters loves our community and the beautiful views. His concern is with our taxes. He paid 1/3 of the taxes when he lived in Phoenix, Arizona. Capiello Farms is a prime piece of commercial property. He is opposed to the Capiello Farm Project. Our children won't be able to afford to live here because of the high taxes.

Mr. Greg Adams asked the Town Board to think seriously about this project. This opportunity does not come along often. In the 70's the Town voted against belonging to the sewer district and we have regretted that decision. This property is a valuable resource. If this project is onerous, the Board can rethink their decision and sell this property.

Mr. Heiner is opposed to buying this property. The Town will lose the tax revenue on this property and we already have several parks. The farmer who leases the land will need to restore the soil and that will mean chemicals going into the lake and encouraging algae formation with a long term negative effect on the lake. He has an issue with the safety of this proposal, combining the presence of the railroad, farm equipment and recreation. The Town needs responsible development to increase our tax base. Our Town Board, Planning Board and Zoning Board do a fine job considering the appropriate development of the land.

Mr. Pfeil introduced himself as the farmer who owns Lakeridge Farm. He opposes the idea of the Capiello Farm project. The best vistas are from his soccer fields and the trails are overgrown. The Board needs to consider the maintenance for the fields and the parking lot for those fields. The examples for the use of the Capiello property stated this evening, the Victor Gush proposal and the Capiello Farm proposal, show the extremes on developing this property. We need a compromise of high end homes situated on a number of acres. The Planning Board should make this decision.

Mr. Darling spoke in favor of this project. The young are leaving our area not just due to taxes but for farmland. His son recently bought a farm a distance away from this area because he couldn't afford to buy a farm here. He is in favor of the project to maintain farmland in our area; it is a novel concept.

Mr. Carusone stated that farmland is a good use of open space. The Town is not in the business of going into business for farming or leasing. A good business needs someone who is responsible for the success as well as the failure of the business. The town will never make up the money paid for this land. The Board needs to consider that the taxes fall on the taxpayer. The taxes will go up more than \$27. We have many special districts and the taxes can increase in each one and that all adds up on our tax bill. Other options available are for the group interested in this proposal to form a corporation and pay for the land, use some of the money for the other park for this property. The Town needs to realize that development is not a dirty word.

Ms. Hicks is concerned with the increase in taxes. The Town will lose tax money if it buys this property. She is opposed to the purchase of this land.

Mr. Merchant gave the Town Board a copy of his letter that he read at the meeting. Mr. Merchant is in favor of scheduling a vote on the purchase of 272 acres of the Capiello Farm to save the land forever for the enjoyment for the whole Town and for every person who drives on Route 50. Capiello Farm has been repeatedly threatened with development as a residential subdivision. It is a now or never decision. In addition to the permanently preserved view-shed, this plan will provide access to Ballston Lake, the bike path and Zim Smith trail, trails through woodlands and wetlands, existing soccer fields and the opportunity to retain actively productive farmland. The Park and Recreation Reserve Fund, the Park and Recreation mitigation fees and the public benefit payments are sufficient to fund the borrowing necessary to repay the bonds for this purchase. A competing option for public parkland, the Lang Property, is significantly less attractive. The will of Mr. Schidzick provides a Trust to provide for the purchase of undeveloped

land and this land is given to the Town. Then the Trust may give any remaining funds to the Town for upkeep of the park. The residents have shown an overwhelming desire to save Capiello Farm and indifference to the possible acquisition of the Lang Farm.

Mr. Pierce spoke concerning the increased phosphorus levels in Ballston Lake. The increase in development equals an increase in phosphorus levels. The Town can minimize farmland fertilizer runoff by a stipulation in the RFP.

Ms. Pierce asked the Board to move forward with this project. Donations and pledges for the Capiello Farm Plan should be encouraged to help with the purchase.

Mr. Pott stated that the Capiello Farm will not bear heavy assessment; it will basically remain the same. Lands set aside for charitable use are a low cost to their communities. The Capiello property presents a priceless opportunity for children to see farmland and provides a great opportunity for young people for recreation.

Mr. Bud Adams talked about the history of farmland in the Town of Ballston. Capiello Farm is ideal farmland that should be preserved.

Ms. Windels said open space is a myth in reality the land belongs to someone. The increased taxes that people are concerned with are school taxes. When you add a development you raise school taxes. She asked whether you would rather look at Capiello Farm or another car dealership.

Mr. Miller passed his turn to speak since Ms. Windels covered the same points.

Mr. Wood, a former resident, asked the Board to preserve farmland and open space. Capiello Farm Project is a great opportunity for land use.

Mr. McCleary supports the Capiello Farm Plan.

Mr. Guider enthusiastically supports the Capiello Farm Plan.

Mr. Rhodes spoke as a Town resident in support of resolution to have a referendum on the November 6th Election concerning the acquisition of Capiello Farm. The \$600,000 cost of this property is well below market value. There are developers interested in this property and the Town Board needs to act on this resolution to show their support to proceed with the Capiello Farm Concept Plan.

No one else wished to speak; therefore, the public hearing was closed at 8:05 p.m.

Respectfully submitted,

Carol R. Shemo
Town Clerk