

TOWN OF GREENFIELD

PLANNING BOARD

October 29, 2013

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:00 p.m. On roll call, the following members are present: Tonya Yasenchak, Nathan Duffney, Michael Gyarmathy, Andrew McKnight, Thomas Siragusa, John Streit, and Stan Weeks. John Bokus, Alternate, is absent. Charlie Baker, Town Engineer, is present.

MINUTES – October 8, 2013

MOTION: S. Weeks

SECOND: J. Streit

RESOLVED, that the Planning Board waives the reading of and approves the minutes of October 8, 2013, with minor corrections.

VOTE: Ayes: Duffney, Gyarmathy, McKnight, Streit, Weeks, Yasenchak

Noes: None

Abstain: Siragusa

PLANNING BOARD CASES

ROBERT FRASER – Site Plan Review

Locust Grove Road

Robert Fraser is present. He has provided the additional information that was previously discussed regarding wells; changed the scale to make it accurate. A public hearing is reopened at 7:05 p.m. and closed as there are no public comments. T. Yasenchak states that she is confident with everything that has been added to the site plan and that the applicant has answered all the Board's questions. Board has no additional questions. C. Baker asks if both residences are going to be served by the one well and what the yield is. R. Fraser states that they will be and that it is greater than 5 gallons per minute. C. Baker states that the existing septic for the house is not on the plans. He states that 5 gallons per minute may or may not be an issue depending on who is living in the apartment. R. Fraser states that he will not be renting this, it is only for visitors. T. Yasenchak states that this will be going thru the building permit process and is subject to the correct inspections.

RESOLUTION – R. Fraser, Site Plan Review

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board grants Site Plan Review to the application of Robert Fraser for property located at 266 Locust Grove Road, TM#151.-3-11.1, per the application submitted.

VOTE: Ayes: Duffney, Gyarmathy, McKnight, Siragusa, Streit, Weeks, Yasenchak

Noes: None

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DAVID VANIER – Minor Subdivision

Greene Road

David Vanier is now present. T. Yasenchak recuses herself as D. Vanier has hired her father to do the perk test and deep hole for this project. J. Streit states that this application is scheduled for public hearing tonight. He asks if the applicant is prepared to present more information tonight. D. Vanier states that he has the perk test and deep hole test results with him, but he does not have the survey yet. He understands that the public hearing was publicized and needs to be opened tonight. Public hearing is opened and adjourned as there are no public comments. D. Vanier will contact the Board when he is ready to be back on the agenda.

DAVE EVANS –Minor Subdivision; Lot Line Adjustment

Plank Road

Dave Evans is present. A. McKnight recuses himself. T. Yasenchak reviews that at the last meeting the applicant did provide some additional information and a survey. She asks D. Evans to review what he is proposing. D. Evans reads from his narrative that he is seeking approval for three lots to share a single existing private road. There is room to put in a second driveway along side the first. Recent estimates for construction costs are \$45,000 to \$60,000. He has a buyer who would like to purchase the 3 lots for himself and his extended family. He reads reasons as to why it would be better to have one driveway. T. Yasenchak states that at the last meeting the Board discussed their concerns for 3 lots sharing one driveway. She asks for comments from the Board after receiving this new information. J. Streit asks which three lots the applicant has a buyer for. D. Evans states proposed lots 3.1 and 3.2, and lot 4. J. Streit questions that they would remain as three lots, for an extended family and share the one driveway. D. Evans states that there would be one lot for the buyer's father or father-in-law; one lot for himself and one to be available to his children. T. Siragusa states that what the buyer does with the lots is of no concern because we don't know – he could turn around and sell them tomorrow. It doesn't mean anything. We can't say what is going to happen in the future. His feeling on the shared driveway is that there is one there already for 6, 7 and 8, and there is also one across the street. He does agree that it is a tough area to get in. He thinks that he would be ok with this, not anywhere, but he thinks that this is exceptional territory and he would be ok with the right legal agreements, which need to be in place regardless of whether it is two or three. S. Weeks states that he would agree pretty much with T. Siragusa. He is definitely concerned about shared driveways, maybe not initially but somewhere down the road in the future about disagreements between the folks who are sharing a driveway. He does think that is a concern. He does think that this is a fairly unique area and he would just want everyone to understand that he does not want this to be a general precedent but he thinks that in this case he would be agreeable to having it happen. The applicant does have to build that to a high standard for a driveway and that helps him some in knowing that. He reiterates that in this case he would be willing to approve such a setup. B. Duffney states that he agrees with T. Siragusa and S. Weeks regarding the shared driveways. This is not a unique area, it is a tough area. When the Planning Board subdivides lots, it has to be buildable lots, which with the shared driveway they would be buildable lots. T. Yasenchak states that there are several different standards that would make it a buildable lot. B. Duffney states that regarding the conflicts, there is deed language. T. Yasenchak states that there is easement language that D. Evans has proposed that, if we were to proceed in that direction, the Town Attorney would look over and make modifications accordingly that would be consistent with standard NYS easement language. B. Duffney states that as S. Weeks stated, he would not want to use this to set a precedent for all other subdivisions, but this is a tough area. J. Streit asks T. Siragusa if this is different philosophically to him if we were to approve this is as with three prospective buyers, that we might look at it differently, but since we are looking at it that one person is buying all three lots and therefore if he is going to resell or reuse, that becomes his problem at a future date. That it alleviates the Planning Board from a possibility of solving future problems now? T. Siragusa states that it doesn't mean anything. They could say one thing and sell the lot the next day. They would be sold with the easement and the driveway language, but just because he is going to own them himself or put one aside, that is not binding. B. Duffney states that if the Planning Board approves this with

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the 3 lots on one shared driveway tonight, tomorrow morning the potential buyer could back out. As far as one person buying all three, that means nothing to him. T. Yasenchak states that a turnaround is required and it is in the notes. She asks where those would be and she asks C. Baker what the radius of that would be. C. Baker states that with the Dorsey subdivision on Locust Grove Road, we sent it to emergency services who made the recommendation that they wanted a pull off at 500', they wanted markings and turnaround ability at the end of the road for their fire trucks. He would strongly recommend that we do the same thing here, if the Board feels inclined to go in the direction to approve this, send the plan to the fire department to take a look at it and give whatever recommendation they feel is necessary to get their equipment up in there and out. T. Yasenchak states that in order for them to pass each other, they need somehow so that they are not backing down what would be a very interesting driveway. She would like to see where that would be on the plans. C. Baker states that previous to this, D. Evans did another shared driveway and they did a complete SWPPP for that driveway due to the amount of land disturbance that was going to be required to build it. C. Baker states that he would strongly suggest that we require the same thing here, if the Board feels that they are going to go in that direction. What that is going to involve is that there would be a design for that shared driveway, because it is serving three properties we want to make sure that there are adequate turnarounds, there is adequate drainage, and whatever the amount of disturbance it turns out to be, if it requires that an NOI be filed, then that should also be done. T. Yasenchak states that there are two stream crossings and that would need to be addressed as well. D. Evans states that the stream crossings have already been approved and installed. He does not anticipate much disturbance of the land. The road is already there. T. Yasenchak states that the road is there because it is an existing driveway, not necessarily that it was installed according to our regulations. D. Evans states that it doesn't yet have turnoffs or the posts that were discussed. Depending on where the houses are, there may not be existing turnarounds. C. Baker asks what the surface of the existing road is, gravel? D. Evans states that it is. T. Yasenchak asks if it was designed to the Town's keyhole standards. D. Evans states that it is his understanding to satisfy that requirement. At this point he does not know if the Town would want to see it dug up. C. Baker states that he would recommend a certification from an engineer. T. Yasenchak refers to the keyhole lot requirement. She questions the wetland jurisdiction line. C. Baker refers to note #8 that this is ACOE. T. Yasenchak states that in seeing a better map, she is more comfortable with having a shared driveway. There are the two stream crossings, so that will limit the environmental disturbance. She states that as we go forward with this, she does not want to set a precedent because the Comprehensive Plan does talk about limiting shared driveways. Obviously we can make that decision as a Planning Board when it is an extreme circumstance. She reads from the Plan. She states that she thinks that this is a unique circumstance and we can see how it would work. J. Streit states that it would be good to put into the minutes that the Board recognizes that we do not generally favor shared driveways, but the extreme conditions of this so mitigates it that we approve it under these very unique circumstances and the demands of this land as far as development, and this is not to be used as a precedent on other land unless similar circumstances exist. T. Yasenchak states that when we are making our motion, obviously that will be in the discussion and the minutes. She states that the Board seems to be leaning in favor of the 3-way shared driveway but would like to see where those turnarounds could be. D. Evans states that these are 30 acre lots, with that much land he would not be surprised if a homeowner decides to build a house somewhere other than the proposed locations. If that is the case, is the buyer limited in that respect as to where the turnarounds are, etc. T. Yasenchak states that they are not limited to put the house in these locations as long as they meet the setback requirements, wetlands, etc. but they would have to have the turnaround within 100' of the structure. She states that is pretty specific in the keyhole notes, she is concerned with what is happening in the 1200' from the road to the end. Even to the first house location there is quite a long distance. C. Baker states that we did not require a turnaround along the road but an area to pull off so that two vehicles could pass each other. T. Yasenchak states that the applicant should speak to the Fire Department and have comment on what they would like and be comfortable with. D. Evans asks about the SWPPP. C. Baker states that it is a construction document, he does not have a problem as long as it is understood at the time of approval that prior to the construction of this driveway, the SWPPP has to be in place. D. Evans might not be the one building this driveway, he is probably going to sell it and whoever is buying it is going to be building it. They are the one who should be filing for the NOI. C. Baker reiterates that it should be clear that the document should be filed before the driveway is constructed. The problem is

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that once the subdivision is approved, he does not know what mechanism makes that happen. M. Gyarmathy states that he thought that we were discussing seeing some type of design for this driveway since it is so long. He feels that now is the time to see that. C. Baker states that the problem is that we do not set the requirements for driveways. That is where this whole thing falls apart when you are looking at a shared driveway. M. Gyarmathy states that he thinks it is too much to ask of the building department to put the onus on them to do all this. C. Baker states that in essence, by approving a private driveway that is what you are doing. There is no Town standard for private driveways. T. Yasenchak states besides needing to be designed by a licensed engineer. B. Duffney discusses storm water, erosion and water bars, etc. C. Baker states that those are things that should be thought about in the process of approving this because those are all things that can happen every spring with heavy rains. The maintenance on a driveway of this length in this terrain is going to be up there and you are putting that responsibility on those three land owners who may be coming to the Town for help. M. Gyarmathy asks if having a design now would help that or not. C. Baker states that we do not regulate private driveways. M. Gyarmathy asks if incorporating the design into the drawings would help. C. Baker states that it could. T. Yasenchak states that we don't regulate the driveways, but we do SEQRA and in doing SEQRA we look at all aspects of environmental quality and that includes runoff. D. Evans states that he spoke to his surveyor, title abstracter and a couple of attorneys and none of them knew why it becomes a problem for the Town with shared driveways. T. Yasenchak states that technically it doesn't but historically it has been. Legally people come and complain when they have problems with their neighbors and a road, all the time. If we can be good neighbors ahead of that and foresee the potential for future problems and minimize that, then it makes everyone in the community happy. Historically we have seen shared driveways come back with people complaining. S. Weeks states that is one of the reasons we put that requirement in for the keyhole lots that it has to be designed and certified by an engineer, which gives him quite a lot of comfort to think that it is going to be done properly. D. Evans states that in the proposed easement, he provides for the possibility that someone may want to put another driveway in there. He cannot see it being done, considering the cost, but the ability is there. T. Yasenchak asks the Board what they would like, to have D. Evans talk to the Fire Department? S. Weeks states that he thinks it is appropriate to do that and have something come back in writing regarding that. That would probably satisfy him. T. Yasenchak states that we did talk about having the markers so that they would know how long the driveways were. T. Yasenchak requests these be shown on the map or as a note on the map, so that the Board will know that this will be done. The easement language is discussed. D. Evans would like to run it by his attorney before we send it to the Town Attorney. C. Baker suggests that the Board could possibly make the SWPPP contingent upon the first building permit that is issued. Prior to the issuance of any building permits, the driveway has to be designed and the SWPPP has to be filed. B. Duffney discusses the steepness of the driveway and his concerns for storm water erosion. D. Evans states that the driveway has been in existence since the 1940's and it has not experienced the kind of problem that B. Duffney is discussing. He states that the biggest problem has been the stream crossings. Finch Pruyn did some logging a few years ago and the debris is still washing down and it blocks the culverts. B. Duffney suggests calling DEC because they are regulated as loggers. T. Yasenchak states that she would be comfortable with making the driveway design covered by a SWPPP in the decision. T. Yasenchak asks the applicant to talk to the Fire Department and find out what they are comfortable with for this driveway. D. Evans states that the Board would like to see the markers on the plans or as a note; the SWPPP and driveway design before the first Building Permit is issued; and he should talk with the Fire Department. He will have his attorney review the easement language.

WILL ORTHWEIN – Minor Subdivision

Daniels Road

Will Orthwein is now present. He has had the plans revised to include the standard notes, setbacks and proposed building envelopes. The wetlands are ACOE. T. Yasenchak reopens the public hearing at 7:53 p.m. and closes it as there are no public comments. A. McKnight questions that the septic and well are not on the plans for the existing house. T. Yasenchak states that that will be reviewed when the applicant

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submits building permits. C. Baker states that the standard note #1 covers this. T. Yasenchak states that if the map needs to be revised, it would be good if that can be shown. W. Orthwein states that he has an idea where they are. A. McKnight states that if the proposed septic were moved to 100' away from the property line, that would meet the requirement as well. Board consensus is that the map is fine. B. Duffney asks that this was the property that was going to be the equine hospital. W. Orthwein states that there is no contract, but there is the possibility and that applicant will have to go through a separate process. C. Baker states that the applicant has done everything asked for.

RESOLUTION – W. Orthwein, SEQRA

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board completes Part II of the Short Form SEQRA. All questions are answered “no” and the second box is checked, indicating that this will not result in any significant negative environmental impacts for the Minor Subdivision of Will Orthwein for property located at 169 Daniels Road, TM# 152.-1-17.

VOTE: Ayes: Duffney, Gyarmathy, McKnight, Siragusa, Streit, Weeks, Yasenchak
Noes: None

T. Yasenchak asks if A. McKnight is ok with the septic and well being addressed by note #1. A. McKnight states that he is.

RESOLUTION – W. Orthwein, Minor Subdivision

MOTION: A. McKnight

SECOND: J. Streit

RESOLVED, that the Planning Board approves the application of Will Orthwein for a Minor Subdivision of property located at 169 Daniels Road, TM# 152.-1-17 as submitted.

VOTE: Ayes: Duffney, Gyarmathy, McKnight, Siragusa, Streit, Weeks, Yasenchak
Noes: None

PRESTWICK CHASE – PUD Amendment

Denton Road

Fred McNeary, Jr., Luigi Palleschi and Dave Pentowski, attorney, are present. L. Palleschi states that revisions have been submitted and additional PUD language. He reviews that they are seeking to revise the PUD from 89 acres to 110 acres. They are in agreement with P. Goutos who would like to purchase the 6-acre portion behind his house. They will be doing a lot line adjustment. The EMS area has been removed and that portion has been incorporated into the PUD and a 7 unit building has been added in this location increasing their total number of units to 300 in addition to the existing facilities, for a total of 476 units. Nothing has changed regarding the proposed community building, gazebo, maintenance building, the 10-stall garage, etc. They have added the proposed buffer to the site plan. They have provided the SWPPP, they feel that they have given the Board enough information so that we can complete SEQRA and move to the Town Board. There may be a little discussion regarding the PUD legislation but the Town Board has the ultimate say. T. Yasenchak states that the public hearing was adjourned. L. Palleschi believes it was closed. The tape from the last meeting will be reviewed. T. Yasenchak states that we obviously have revisions to the plans. L. Palleschi states that all of the revisions made to the site plan were in favor of the neighbors. A. McKnight states that he likes in Section 5 of the PUD language where it discusses the additional uses and that the uses defined in the section are not made available to the public. M. Gyarmathy states that there was discussion that the last section of road would be gravel or not, so now it is just going to go straight thru to Daniels Road. L. Palleschi states that they are going to pave it because of emergency purposes, plowing, etc.

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M. Gyarmathy asks that they are going to put a gate there. L. Palleschi confirms this. A. McKnight states that then it is intended to only be emergency vehicle use. C. Baker questions that the residents will not be able to use that entrance. L. Palleschi states that at one point they wanted to propose it because they felt that it would be better to have the second access onto Daniels. He is in favor of having that open to the residents only because there is a small portion who will really use it, but it gives them the opportunity to use it. They meet the sight distance so he is in favor of using it for the residents. A. McKnight questions that it is being proposed for the residents' use. L. Palleschi states that they are back to using it for residents. There will still be a gate there so that you don't get the cut through from traffic on Daniels. T. Siragusa asks if the gate is down someone needs to card out but there are provisions for the emergency services. F. McNearly explains that the residents have a key fob, which will raise the gate. There is a SOS system for emergency access. He states that if there is an ambulance call, they know about it and are outside to direct them to the proper location. So they are usually watching for them. B. Duffney states that L. Palleschi stated that they do meet the sight distance requirements on Daniels Road and asks if that is at the posted speed. L. Palleschi confirms this. B. Duffney states that if the residents were able to go out onto Daniels Road, it would cut down on a lot of the traffic coming out onto Denton Road. T. Yasenchak asks if the correct topo is shown on the plans and the height of the proposed buildings in the front. L. Palleschi states that it is, they updated the topo throughout the site. He states that the buildings in the front will be the 2-story buildings and they will not exceed 35'. Currently from Denton Road you can only see the peak of the existing rooftop. T. Yasenchak states that while the Town Board ultimately approves the PUD language, the Planning Board reviews the wording and how it is written affects the way that the Planning Board reviews the SEQRA. The Planning Board looks at the density of the use on the site, so how it is worded is definitely something that the Planning Board looks at. It has to get fine tuned because the Planning Board is commenting on it for the Town Board. If the Town Board changes things that the Planning Board has seen, the Planning Board needs to be able to comment on it. We need to see what the final PUD language will be in order to give them a proper review. L. Palleschi suggests going through the changes and then we can make that determination. T. Yasenchak states that with the exception of dotting and "i" or crossing a "t", it all has to be specific. L. Palleschi states that he disagrees with that. T. Yasenchak states we did the same thing for Skidmore. We are looking at the density and uses, and need to have it as complete as possible. T. Yasenchak reads what the Planning Board is charged with completing from the Code. She reiterates that there are things that are fine-tuned at Site Plan Review but there are things that we need to know up front because that affects the way we look at this from an environmental standpoint. Public Hearing is discussed. A. McKnight questions that the Planning Board can reopen a public hearing at any time. T. Yasenchak states that we do have the right to reopen and we do have additional information that was presented since the time that the public last had time to comment. T. Yasenchak goes thru some of the changes and that the PUD language has been modified slightly.

T. Yasenchak reopens the public hearing at 8:25 p.m. Rosemary Jensen, Locust Grove Road, states that she had presented a handout the last time giving some of the history, the significance of the green certification, etc. She states that their main concern is the setback of the units that will be closest to them. If they go with the white pines that they have used elsewhere, the circumference of those is about 30'. She thinks that the site plan is a little off on their being able to put two rows of trees and still have the spacing shown in between. That would be her primary concern because currently anyone coming down her driveway and from her house, they get a direct view of the parking lot and a section she indicates on the plans. Comments are made that it is a shame that that is obstructing the view. If there is any way that they can avoid having their view obstructed even more so, that would make them happy. Other than that, Prestwick Chase is a good neighbor, it is a good plan, but there will be a lot of people in a very quiet section of Town. She reiterates her request that the Planning Board visit the Bed and Breakfast to get a sense of the aesthetics and how they would change.

Paul Bouchard, Denton Road, states that he would encourage the Board to have the second exit onto Daniels because in case of an emergency, people from 400 units trying to get out one gate could just be tragic. J. Streit asks if R. Jensen's concern is that there are enough trees. R. Jensen states that they would like a real shield. J. Streit states that she talked about the obstruction of views and he was confused if she

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meant the obstruction of the view beyond where these trees are but that then she would like the trees. He states that we could do the same thing as with Skidmore of having a provision for a bond to be set that if from the stand point of the public, an inadequate shield was presented that there be provisions that the Town could enforce additional trees to be planted. T. Yasenchak states that that is within the purview of the Board. B. Duffney states that during the planting of these trees, when they are planted, they are not going to be 40' high. It will take some years for it to reach full screening. R. Jensen requests that they be mature from the beginning. F. McNearly states that it was mentioned that, the screening that is presently behind the three houses on Denton Road, the diameter is about 20'. They were tree-spaded in there about 10 years ago out of the 15 years that they have been open. That is one row of trees. The proposed screening is for two rows of trees. If one row of trees 10 years later is considered adequate screening for those 3 individuals on Denton Road, this one small section facing the old Lombardi farm is proposed as double. B. Duffney asks how tall those were when they were transplanted. F. McNearly states that they have their own tree spade on the premises. White Pines are pretty tolerant and they can tree spade about a 12' to 15' white pine. They are field grown white pines so they are very robust and bushy. He states that they really don't start growing up until they are crowded by other trees. A. McKnight states that the trees could be planted on a berm. B. Duffney states that you actually don't have to. When a tree is being crowded in it is going to go up for the sun. A. McKnight states that to start from the beginning with total shielding you could put it up on a berm, like Peckham Materials does. F. McNearly states that when they were tree-spaded in they were probably about 12' around. S. Weeks states that we could say something about established and maintained. F. McNearly states that R. Jensen is on the environmental side in liking to keep their fields uncut and Prestwick Chase likes to keep their property manicured, and a natural tree line between the two would be perfect because as much as R. Jensen doesn't want to see the buildings, F. McNearly does not really care for a field full of pollen. Discussion takes place about closing the public hearing as we are probably not going to hear anything new. There being no further public comment, the public hearing is closed at 8:34.

T. Yasenchak states that the Town Attorney will still be looking over the PUD language and making comments. There may be items in addition to what is discussed tonight. L. Palleschi questions that this list will change the site plan. T. Yasenchak states that it should not change the site plan in any dramatic way. She states that the PUD language does not really talk to the site plan. It states what the uses are and setting the zoning law for this lot. We are talking about review of the PUD in general and we are looking at aesthetics and SEQRA, then that does deal with the site plan. A. McKnight questions the date "as revised" in Section III, and that he thinks it was revised somewhere in September. He wants to make sure that the Town Board is going to get the correct version of this map. L. Palleschi states that he believes the latest revision is 9/25/13 and he will check this. Question is raised regarding the 100 acres mentioned in Section III and how that was arrived at. L. Palleschi states that it is because of the lot line adjustment that will be done with P. Goutos. In Section IV, T. Yasenchak suggests stating 'construction of a maximum of 300 apartments' in case it changes during site plan review and removing the phrase "consisting of 23 two-story buildings with 8 units each.....7 units each" and making it less specific as to the number of buildings. L. Palleschi states that he agrees with that but suggests keeping 'consisting of 2 and 3 story buildings' so that everyone is aware of that. C. Baker questions that we should clarify that these are 'senior' apartments. T. Yasenchak states that she thinks that when you get down to Section V that would be where we would specify that it is for seniors. F. McNearly suggests using the term 'adult' as an industry term versus 'senior'. T. Yasenchak states that she believes that it has to say senior, because adult could be considered to be 21 years old. She feels that 'senior' has a legal definition that is recognized by the State. T. Yasenchak refers to the phrase "additional parking....consistent and necessary for the uses set forth below" and being more specific about the other amenities. L. Palleschi states that it could be like the tennis court or pickle ball. T. Yasenchak states that those things are listed. She states that we will ask the Town Attorney about that. She believes that the Town Attorney will probably comment on the last sentence in Section IV also because we do have to know the general site plan so that we know how the environment is affected. Section V – T. Siragusa states that we had talked about more specific understandings of how much space each use was going to take. He asks if the 1000 square feet referred to would be for each of the uses or each individual. L. Palleschi states that they do not know the number of professionals at this time. He states that this was discussed last time and they are

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putting in “up to” a certain amount of square footage. T. Yasenchak questions how that will affect the size of the buildings and the number of buildings. L. Palleschi states that buildings 10 – 15 are three story buildings where there is garage space underneath which can be converted to that use. F. McNearly explains that most of the uses are already being provided on the premises in the main building. He explains that there is currently a shared use of space that does not always allow for privacy and there is the issue of quarantining buildings at times of illness. Using the outlying buildings for these services will help to keep this out of the main building. Regarding the shared spaces, they may have a couple of physicians using a space on alternate days. Medical professionals are not there everyday, all day. M. Gyarmathy states that what we have to keep in mind is that these facilities are only for the people who live within the PUD. T. Yasenchak states that it seems like the space in these units are already taken up with the 7 units, so when you add all these other things in there, she is wondering how much of that space will be eaten up by those types of services and will the applicant then need more buildings because they might not be able to meet the 300 units that would obviously be more economical. She states that for the density of the use of the space, we are saying 300 units, but then we are not saying what the limit is for all the rest of this. Right now we are saying you can build the 300 units, but you really could add on to any of these other buildings and those offices are not included in units. M. Gyarmathy states that what he thinks F. McNearly is saying is that they are going to utilize the ground level of those 3-story buildings for these other uses and it does not affect the number of apartments they are going to have. C. Baker asks if it is possible to put a total cap on the square footage on the total first floor of those buildings. T. Yasenchak states that if the applicant says that it is going to be limited to those 6 buildings, on the lower level and we know the square footage of those lower levels, that gives us an idea of the area of the use. That is something finite. F. McNearly states that what if he states that they are not going to be building any other buildings for services, but they would be contained inside the apartment buildings. The size of the buildings is calculated and F. McNearly states that he does not charge the professional for the space. A. McKnight questions that the applicant is stating that for the current, existing main building the applicant would never want to have professionals in there. T. Yasenchak states that she is sure that there is a way to word it so that this deals with the new buildings. F. McNearly states that there is 28,000 square feet in the main building, which will continue to be used for primarily the seniors in that building. T. Yasenchak also suggests maybe not specifying that these services will be in buildings 10 – 15 as that may change on the site plan, and say that there is a maximum square footage, perhaps ‘in a multi-use building with apartments’. T. Yasenchak asks for clarification on item #16. F. McNearly states that they are trying to specify that there are areas in the main building and then the pool building will be a community type of gathering place. T. Yasenchak suggests removing the phrase “as shown on the Prestwick Chase Amended PUD plan” in item #17. L. Palleschi states that is the way they usually refer to the PUD plan and then when it comes back to the Planning Board it would be called the site plan. T. Siragusa questions whether they currently have a polling place. F. McNearly states that they do not because they could not have a polling place in a building where they have a liquor license. A. McKnight questions the lock box referred to in Section VII and why that is in the PUD. L. Palleschi explains that there is a box with a key in it so that if there is a fire the Fire Department knows right where it is to be able to get into it. A. McKnight asks if we can identify that as an emergency services lock box. T. Yasenchak asks if anyone has questions or comments about the plan. B. Duffney asks about the alarm system. F. McNearly states that there are separate alarms for each building, but all units in one building are connected. B. Duffney asks if the parking is right up to the buildings on the 3 story buildings so that a ladder truck could get to them. F. McNearly confirms this. A. McKnight asks about the capacity of the wells. L. Palleschi states that there is plenty of capacity. They have 3 wells with about 90 gallons per minute. F. McNearly states that a regular apartment complex is supposed to be using about 36,000 gallons per day and Prestwick Chase averages somewhere between 5,000 and 6,000 gallons. C. Baker states that DEC numbers are always in the range of 4 to 5 times higher. B. Duffney asks, in the foreseeable future, are there any plans to go away from ‘senior’ housing to something else. F. McNearly states no, everything that is being offered in this community is tailored to their work with seniors – from pickle ball to the pool to the exercise equipment. He states that if anyone wants to come down and spend an evening, the atmosphere in a senior community or adult housing community really does not lend itself to families or children. He states that the community will police itself. T. Yasenchak states that we would need to see somewhere in the language about it being senior housing. She thinks it is

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somewhere in the material, possibly the narrative. F. McNery states that it might be in the old PUD language. T. Yasenchak asks if that can be reviewed and made specific. T. Yasenchak states that she is more concerned with the units that are happening in the front of the main building. She questions the ground floor elevation on the buildings in the front and the topo is at a different elevation. L. Palleschi states that he will check that and correct it. Discussion takes place regarding this and the visual aesthetics, the possibility of a swale or berm, etc. A. McKnight asks about elevating the buffer by taking whatever is cut out in the front and planting the trees in that. F. McNery states that the only issue that he foresees is that the prevailing winds are from the west to east straight across that field where that tree line would be. B. Duffney states that the trees might not survive being up above the watertable from what they are used to. A. McKnight states that he thinks that can all be dealt with. He understands what is being said about the possible weakness of the berm and that Peckham Materials has done this on a 20' berm. F. McNery states that he is not opposed. B. Duffney states that you do not want to put a berm there that is going to change the storm water runoff. C. Baker comments that a cap has been put on the number of units. When we get to the detailed site plan review if we find out that there is no way to adequately screen those units, they might end up losing them. T. Yasenchak states that then in the PUD we don't refer to the plan at all because if we go thru PUD she thinks with adequate screening we could have them but she does not want it to go thru a PUD plan saying that you could have buildings there. She does not want to go thru the PUD process with the applicant thinking that some places are ok the way that they are if we are going to have an environmental problem with aesthetics later on. L. Palleschi states that the Part 2 of the SEQRA will deal with the aesthetics and whether there are mitigation measures. T. Yasenchak states that in the past we have mitigated before getting to the SEQRA. Discussion takes place regarding the height of the proposed buildings. T. Yasenchak asks how the Board feels, whether we want to address it now so that we know that it has proper screening or we can address it later and we are not approving this plan and something could change. T. Siragusa states that he thinks that there is enough information that we can solve the screening. C. Baker states that when you go through the SEQRA there is the opportunity to address these issues and they can be checked as small, large, etc. and at that point in time you can certainly have a whole lot more discussion as to how you are going to address that issue. A. McKnight questions that before we did the SEQRA with Skidmore, we had counsel with us and why do we not want counsel present now. Discussion takes place that that is up to the Board. T. Yasenchak states that we can start with Part 1 and then finish it at the next meeting with counsel present. L. Palleschi asks why the Town Attorney is not present. T. Yasenchak states that we did not ask for counsel and we had not gotten to this point. R. Rowland states that they are not at these meetings on a regular basis. S. Weeks asks that it would not be our expectation that we would have counsel here every time we do a SEQRA process. T. Yasenchak states no, perhaps when we do the long form to make sure that we are going thru the process correctly and answering the questions correctly. A. McKnight asks if that is because it is a PUD. J. Streit states that there is a different level of controversy. T. Yasenchak states that it is the Board's prerogative. A. McKnight states that he does not think that he has any problem with doing the first part without counsel but he does not think he wants to go on to part 2 based on the idea that that is what we did for Skidmore. Board begins review of the SEQRA. The description of action will be revised in accordance with the change to the PUD language regarding the number of units and the last phrase regarding emergency services will be removed. 'Senior Housing' is added to A 1. The applicant will review and revise, as necessary, a number of questions. A number of uses are added to C 7. The Board discusses going on to part 2. J. Streit suggests that due to the late hour, the additional information requested and the extensive amount of work needed in part 2, that we adjourn this to the next meeting. S. Weeks states that it would be helpful to have the Town Attorney present for the part 2.

ZBA REFERRAL

Gerald Ovitt & Jackie Berrigan – the applicants are seeking an area variance for a rear yard setback. No Planning Board issues.

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DISCUSSION

A. McKnight asks about the training information that was distributed. S. Weeks states that if he wants a broader overview, the County does that very well. That is the January training. Discussion takes place that if A. McKnight wants go to all the trainings offered, that is ok. We do not have the date for January yet.

C. Baker asks about the use of the new SEQRA forms. R. Rowland states that she did check with M. Hill and he confirmed that any SEQRA forms that were already submitted prior to October 7, 2013 on the old forms would be fine. Any submissions after that date will have to be on the new forms.

The meeting is adjourned at 11:00 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary