

**TOWN OF GREENFIELD  
PLANNING BOARD**

**January 10, 2017**

**REGULAR MEETING**

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

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**MINUTES - November 29, 2016**

MOTION: T. Siragusa

SECOND: M. Gyarmathy

RESOLVED, that the Planning Board waives the reading of and approves the minutes of November 29, 2016, with no corrections.

VOTE: Ayes: Bokus, Duffney, Gyarmathy, Roeckle, Siragusa, Streit, Weeks, Yasenchak

Noes: None

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**PLANNING BOARD CASE**

**Brittany Chase –Major Subdivision**

Case # 531

Mike Brooks, Martin Engineering, states there are several changes to the plans. Originally they had 21 lots and have reduced it to 9 lots; it was submitted to the ACOE and they did validate the wetlands. They are true and accurate and there have not been any changes since 2015. The original 21 lots did have a through road which is in the general place where the cul-de-sac is shown now, but it went all the way through the subdivision. They did eliminate that and they did 2 cul-de-sacs. They do understand that the Town has a 210' outside pavement radius and they are showing 198' from the outside. They will be asking for a waiver. M. Brooks states that there are septic and wells on the lots and they meet all the setbacks with them. They still have to continue working with ACOE, on wetland mitigation that has to be built into the phases. In phases 1 and 2 the disturbances were 2.3 acres and in the new subdivision we have .24 acres of disturbance as far as the wetlands. The total is 2.78 acres. They are showing the potential mitigation areas on parts of lots 5 and lot 6. They still have to go through the studies with them as to storm water He discusses storm water areas and that they are utilizing these areas for phase 3. T. Yasenchak explains the process of this workshop meeting. Hopefully the Board has had a little bit of time to review this and we will give you our comments. We don't have an official review from our town engineer and he may have some additional questions. T. Yasenchak states that this board can grant this kind of variance and that is something we would have to speak to W. Barss, Highway Superintendent about. T. Yasenchak states that some of these lots do have lengthy driveways, and asks what is the length of the driveways. M. Brooks explains they rationale and that lot 2 has a pull out on it. He believes that is over 200' and lot 1 is 150'. T. Yasenchak states there is another one, lot 7. M. Brooks explains that right in front of lot 7 is a shaded area indicating there is actually rock on that lot plus the grade of the lot. They are trying to avoid a steep driveway and keep everything under 10% for a short distance - it's really to bring it up a bit more gradually. T. Yasenchak explains that the Fire Department is requesting markings on the longer driveways by way of posts. She asks about the amount of clearing on lot 7 and it looks like that clearing is there to accommodate the road and the cul-de-sac, but it seems that there is a lot of clearing towards the road. Was it just for the cul-de-sac? M. Brooks states that it is the grading and trying to keep the grade down. They may be able to reduce that once they get into the grading work. T. Yasenchak states that it just seems kind of excessive for the clearing. M. Brooks

January 10, 2017

states that he cannot avoid it. They are trying to do the most cost effective way. T. Yasenchak states we often will ask as part of the review for potential limits of clearing on the lots so any future home owner knows they are not looking to clear maybe 6 acres of the lot. That is something that may come up as we continue with our discussion. S. Weeks states that the Town Engineer had quite a few comments on it in 2015 so he is waiting to see C. Baker's comments on this revised design before making any other comments himself. B. Duffney states the only question is to the management back when the project was originally started why are you changing it now rules do change with the state and you are going to have file a greive infrastructure when you refer to your narrative. R. Roeckle states it's more of a comment than anything- on C3 the applicant referenced on the frontage of the lot in very fine, small print. Is it possible to do that on the blow up sections because it's hard to see the frontages of the properties and the dimensions? He questions that under the test pit data when they stated bottom of the hole does that mean that we have hit ledge? K. Martin states in some cases it was, but not in all cases. R. Roeckle asks for a clarification on this. M. Gyarmathy asks them to restate the reason for the smaller cul-de-sac size. K. Martin states some of it was due to the outcropping. If they took this cul-de-sac and made it bigger, there would be much more wetlands impacted and they are trying to minimize that. M. Gyarmathy asks how much more wetlands do they think there is. K. Martin states he is not sure. M. Gyarmathy asks if it still has to be mitigated. K. Martin states yes, it still has to be created. J. Streit states that there is a very complex engineering issue so that's his concern and he going to use the town engineer as his lead. T. Yasenchak asks C. Baker if he has any questions at this time. C. Baker states that he has not completed a detailed review of this set of plans. We did have a meeting, probably a year or so ago, with Mr. Martin and the Highway Superintendent, W. Barss, and we talked about cul-de-sacs and some of the issues. He was under the impression that the applicant was going to try to make this cul-de-sac conform. He understands the dilemma but, still thinks that we are going to need something from W. Barss. C. Baker is not sure if W. Barss will approve something smaller. C. Baker mentioned that the applicant is still responsible for the green infrastructure techniques that are in place, but are still going to have to comply with the current regulations. The thicknesses of the pavements have changed and he will get those for the applicant. He thinks that the layout is an improvement. His concern at this time is the diameter of the cul-de-sacs. T. Yasenchak states that we recommend that this go to W. Barss and have W. Barss speak with C. Baker and perhaps set up a meeting to discuss the cul-de-sac size. That is something that is out of our control and obviously it's a pointed issue for the subdivision. In general the Planning Board always likes to see something less dense with less impact to the wetlands. She asks if they have updated the SEQRA yet. M. Brooks states no. T. Yasenchak states that the number that they come up with between W. Barss and C. Baker and the infrastructure will affect the SEQRA. As a Board, we need to have some of these are issues addressed before we can actually go into a meeting to make a determination. C. Baker states that he would like to see a written response to the review letter from March 31, 2015. T. Yasenchak states that it may be a lot for you to do in 2 weeks so I don't think that we can put them on the agenda for the end of the month. If the applicant can get us that information we can look at it at the next workshop and we can make a determination of completeness and possibly put this on the regular meeting for the end of February. B. Duffney questions if there are turn arounds for emergency vehicles on lots 2 and 7. T. Yasenchak suggests checking the code for those regulations which we have worked with the Fire Department on for markings and pull offs. M. Brooks asks what kind of turnaround is required. B. Duffney states it could be a "T" or if the firetruck could pull up to the buildings, then around and out. T. Yasenchak states it was good to have the applicant here again and we look forward to receiving your information.

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### **KASSELMAN SOLAR - Special Use Permit**

Lake Desolation Rd.

Lindsey Halse, Kasselmann Solar, states that they will be mounting 20 ground mount solar panels. T. Yasenchak asks if it is located at the back of the property. L. Halse explains the location and states that they really don't have a site plan. T. Yasenchak asks the distance from the property line. L. Halse states the setback is 50' and this is beyond 50', on both sides, but it gets a little tricky because of all the trees to distinguish the property lines. They did measure the 50' and it is well beyond where the 50' line is. This is an 8.24 acre lot so they ample ground. T. Yasenchak states it's a long piece of property and narrows so it's

January 10, 2017

hard to tell and asks if the property is already cleared. T. Yasenchak asks what the colors of the units and the supports are. L. Halse states that the units are black panels. T. Yasenchak asks which picture is correct. L. Halse explains which picture to refer to. T. Yasenchak asks what color the supports are that are holding it up. L. Halse states that they are silver steel and she can provide pictures of other units. T. Yasenchak asks if we can ask for different/darker color supports so that they are not so noticeable like black, or brown. Throughout the new Zoning code for solar it states that the supports are to be a dark color so it doesn't have much of a visual impact. The colors should be dark - either black, brown, or a dark gray and non-reflective. She suggests that the applicant look through our Zoning code for the solar so that you know what we will be looking for. T. Yasenchak states that in the pictures we are looking at it looks like the panels are laying on their sides, how are they spaced? L. Halse states they actually don't create that diagram. It's actually done completely by the software that they use. She could create one for the Board. T. Yasenchak states that when she does the calculation, it is significantly bigger than 349.9 sq. ft. that you are saying the coverage is. L. Halse states that this has a 38 degree tilt; that it has the square footage of the aerial from the tilt. L. Halse states she will look into that. T. Yasenchak states that L. Halse should check the consistency; she thinks they have too many piers and she understands the about the angels. S. Weeks asks if the Town Board has approved the new code for solar. T. Yasenchak states yes and we have definitions and requirements for ground mount solar energy systems for different levels whether they be for single family residences or for larger scale projects. There was a slight oversight with approval of the tables for what the setbacks would be in this particular district, however, the oversight did not include the definitions and requirements that will have to be given to us for a special use permit for ground mount solar. S. Weeks asks if the Planning Board is going to get a copy of that. T. Yasenchak states that we should. B. Duffney asks how high the panels are at the highest point, what the size of the panels are and how many panels. L. Halse states they will be 8'; that they are 3.5 x 3.5 x 5.5' and there will be 20 panels. R. Roeckle asks if we know if they are asking for a variance through the Zoning Board. L. Halse states yes and says they are on the agenda for February 7, 2017. M. Gyarmathy states that all of his questions have been answered at this time. J. Streit asks how this would impact the neighbors. It doesn't appear to have much disruption, but he would like to hear from the neighbors. T. Yasenchak states it's hard to tell from the information that we have received if the adjacent property is at a higher elevation than the subject property or lower. L. Halse states from what we can tell it's all the same elevation. Not much is flat out there. T. Yasenchak states that she thinks that is J. Streit's concern and asks if L. Halse can get us that information. C. Baker states that he does have a question about the structure and finds it interesting that it is zero for snow build load. Is that an assumption that there is never any snow build up on these panels? He would be more concerned if it was house mount solar panels and in the letter from the engineer it states that there is a zero percentage for snow build up. L. Halse states that she will have to look into that. C. Baker states that in looking at the numbers the applicant said that this is 500 kW. L. Halse states no, 5.8. C. Baker states that makes more sense. T. Yasenchak asks who owns the panels. Does the solar company own them? L. Halse states that the customer owns them. T. Yasenchak asks there is no leasing them, the customer buys them outright and you install them? L. Halse states yes, other companies do lease them however, Kasselman Solar sells them. J. Streit asks if they sell back the energy. L. Halse states we do not, the customer owns the energy. J. Streit states that sometimes you can sell back the energy to the local power grid; does anyone know anything about this? B. Duffney states that his niece actually owns solar panels and anything that they produce extra runs backwards and it goes into the grid. J. Streit asks is it a battery system to store this energy for lifetime use? L. Halse states that it is not a battery system; it connects to their meter. J. Streit states that he means a battery unit in the sense of storing excess power and use during the night? L. Halse states that she will have to look into that. J. Streit states he was just curious. T. Yasenchak asks how does the Board feel but, we will not be able to act on this by our next meeting because it needs a variance so we can ask the applicant to bring back the information that we are asking for to the next workshop meeting. S. Weeks asks why this needs a variance? T. Yasenchak states that they don't have the correct frontage that's required for the lot. T. Yasenchak asks if the applicant could get the information to us as soon as possible and to check the code for the requirements. There is a list of all the things we would like to see and if you don't think that its relevant, if you could just write a little narrative on how the project meets those items.

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January 10, 2017

**SARATOGA POLO - PUD Amendment Adjustment**  
Bloomfield Rd.

T. Yasenchak states that the applicant provided the applications for subdivision and for site plan review. The applicant has provided us with new revised plans including some of our questions and concerns. This is a workshop meeting so we won't be making any determinations at this point but we will be able to give the applicant feed-back on what they have provided and we can go from there. P. Loyola, CLA Site, D. Zee, attorney for the project, and Luke Michaels from the Michaels Group are present. P. Loyola states that they have been very busy since November 8, 2016. They submitted an application to the Town Board for the PUD and they have been meeting with them; went through the entire presentation with them in terms of what they want to do. There are many questions on the water district. There is a resolution that the town passed in 2014 on the water district. They went through the PUD language to discuss whether they need an amendment and they are working through that with M. Schachner; we meet again on the 12<sup>th</sup> and he thinks they are going to make a determination on the way they want to proceed with the PUD. In the discussions on November 8<sup>th</sup> with the Saratoga County Water Authority they just want a letter from the Town requesting that Saratoga County Water Authority will supply them with 45,000 gallons per day. T. Yasenchak states that is something that has not been communicated directly to the Planning Board. They actually submitted an application to revise the PUD. P. Loyola states they were asked to submit a PUD application to the Town to make a determination whether or not there even needs to be an amendment. D. Zee states that he is the attorney for the applicants, at the Town Board meeting he presented a statement to the Board saying that they do not believe that they need an amendment to the PUD as the PUD is currently drafted. Their application conforms to the thresholds and the language of the PUD. The 2 major aspects of it which people may raise is in the language of the PUD they talk about the fractional interests and we are talking about some of the town homes but, if you look at the definition of fractional residences it specifically says that they are selling you this with 1 and up to 52 weeks of residence each year. They are selling 52 weeks to individuals so we are complying with the language of the PUD with regard to the town home style of units that they are proposing to market and sell. The second aspect is the subdivision, and under section 6, it says in the first full paragraph that 'financing, phasing, and or operational purposes the buildings, the respective support elements and the commons areas within the PUD may be owned and/or operated by business entities other than the project sponsor and the PUD may be subdivided for such purposes pursuant to approval granted by the Planning Board'. L. Michaels is talking to various lenders that are interested in financing this project not only from a construction stand point, as well as for long time purchasers for financing purposes. They are looking to subdivide which is permitted under the language of the PUD. The Town Board said they understood the applicant's position on this project, liked the fact of the subdivision and were going to ask M. Schachner to confirm the changes being made. D. Zee understands that places the Planning Board in a unique situation tonight because they need to find out how M. Schachner will decide. He wants to point out that if there is any ambiguity in the language of the statute, ambiguity goes to the favor of the property owner and it's just the matter of law in the State of NY. T. Yasenchak questions that there is no application. D. Zee states there is not. T. Yasenchak states that she knows it's redundant but, this is the process so. D. Zee states that they have an amendment to the PUD to allow for this specific use, so they don't need to amend the PUD language. T. Yasenchak states that typically the way the process works is when an application is given to a municipality for site plan review or subdivision it's the code enforcement officer or the town planner who will look at that application for conformance and consistency with the Zoning Law, which would be the PUD in this instance, which at that point we didn't have so we don't have that review. We may have questions along the way as to how this application conforms and many of those cannot be answered until we hear from M. Schachner. It is very unique because typically once the code enforcement official reviews the project for conformance, if he feels it doesn't conform he will suggest the applicant go to the Town Board for a revised PUD. We don't normally see this level of detail until we know that question. P. Loyola states that he did talk with G. McKenna in regard to subdivision. In his mind the subdivision conforms to Greenfield law. They were ended up with 3 lots, they all have frontage, one is more of a keyhole lot, but with regard to the subdivision they are in conformance based on what G. McKenna was saying. In regard to the housing, they are proposing a Home Owners' Association. So they have a subdivision of 3 lots - 1 lot is the Polo Field including the condo buildings; the second lot will be the residential land, which incorporates all of the Home

January 10, 2017

Owners' Association; and the 3<sup>rd</sup> lot, which is considered the commercial. Lot 2 will have 3 separate lots with each individual building being considered its own lot. Everything inside the homes will be the home owner's responsibility and outside the home would be maintained by the Home Owners' Association, including roads. They need to talk to C. Baker in terms of how we want to handle the water and the sewer in terms of ownership and the maintenance. They are proposing to build it all, install it all, and maintain it all, whatever is legal with the water system and the fire suppression. It is primarily visual and character of the neighborhood that you will see a change in use. Single family residences will reduce the impacts of this project. If you go to 72 fractional units there is a lot of back and forth of individual owners versus single family residences making for a quieter neighborhood. The scale of this has gone down significantly. The visual impact will be much lower with single family residences. Commercial development has the same impact and there is a slight reduction. The banquet facility will have 300 person capacity and the restaurant will have 100 person, which are down from 200 and 400. We are proposing 87 parking spaces in front of the retreat lodge and a little bit of a reconfiguration to the commercial area. In the previous site plan we had parking behind and also parking in front and we have consolidated it all to the front. We are taking a look at some employee parking below the lower deck of the building. There is plenty of parking for the condos, 29 parking spaces for 16 units and we have the tail gate parking for the Polo Field. There is a tremendous amount of space for valet parking during special events. This Polo Field could fit 5 or 6 football fields on it and we can use that for parking for special events. They know they have to work with DOH, DEC and Saratoga County Water Authority. C. Baker asks when the applicant talks to the Town Board, are you asking the Town of Greenfield to purchase the water or are you going to do it as private company? P. Loyola states that it is his understanding from Ed Hernandez that they would like the municipality to buy the water as they cannot sell the water to a project corporation. C. Baker asks when you met with them for the PUD did you discuss the water with them. P. Loyola states yes. C. Baker asks what was their response. P. Loyola states that they want to take a look at the process because last time Stewart's was going to pay for all the infrastructure. We are not abandoning the water district, that water district is still in place. How does it get metered, how does it get built, and who maintains it? We are working through those. C. Baker asks if they are working with the Town Board. D. Zee states yes, we had indicated that we were working with the Town Board and they have a lot of the same questions as the Planning Board is raising right now. P. Loyola states that with the previous application and the previous approval they have well water and on site water, and it just doesn't make sense with so much water available right at our door. With regard to sanitary, they are in sewer district 1 and have been in touch with Grant Newton, and he explains their plans. C. Baker asks ownership within the property would be? P. Loyola states Saratoga Polo. C. Baker states that the south side of Denton Road is actually owned by the city of Saratoga Springs so you are going to have to work with them. P. Loyola states that they are getting ready to coordinate with them. C. Baker states the Town's concern is any disruption to that road at this point. They spent a substantial amount of money rebuilding that road so there will be concern from the Highway Department. R. Roeckle asks if Saratoga Polo is going to install the sewer line and the city of Saratoga is going to end up maintain it? P. Loyola explains who owns what. S. Weeks asks why wouldn't Saratoga Polo do the same with the water line. C. Baker states that they are not allowed to and after speaking with Ed Hernandez there are 2 ways you can purchase water from them - through a municipality or through a transportation corporation. D. Zee states that it's a Town Board issue and they plan on utilizing the water district. C. Baker states that they didn't talk to the water district when there were a number of players involved. D. Zee states they are waiting to hear from the Town attorney to address this. He understands this Board may have concerns, but it's really outside the scope of their review. P. Loyola states with regard to traffic you have the letter from Creighton Manning and he explains the traffic reports. They plan to continue with the previous approval. They have cut some of the vegetation on both sides for visibility; they have started doing the drainage and the profiles. They are going to be significantly improving the grades into Bloomfield Road. Even though they are not required to go with Town road spec they do want to make the horizontal alignments and then some vertical alignments close to Town roads. There is going to be a significant improvement up into the site when we are finished. S. Weeks asks what is the surface of the roads. P. Loyola states they will be pavement. They are proposing grass for the overflow parking and the tailgate parking. T. Yasenchak states that she wants to know when they updated the traffic report and did they keep that Prestwick Chase was an approved project with a significant number of residential units. That particular project does not have any other access or egress except for on to Denton

January 10, 2017

Road. P. Loyola states that Greg Manning was involved in the Skidmore study for the solar panels so they were very familiar with that, so he is pretty sure they took that into account. This was prepared December 8, 2016. T. Yasenchak states she does not know if this new updated traffic study includes the increased traffic that would be coming from Prestwick Chase? At one point both of the projects were before the Planning Board at the same time, and the Board was teetering on the edge of having a combined SEQRA. P. Loyola will check on that and states that the applicant has put together a report on community educational impacts and a list of projects that have recently been completed that are very similar in terms of size of building and type of community in other municipalities. D. Zee states that they went on the website for the NYS Education Department for the information with regard to the student population at Saratoga School System and what they found was that in 2007 and 2008, there were 6910 children in the Saratoga City School District. The last year that is available on the website is 2014/2015 and in that year they had 6416, a reduction of just under 500 students in the school system. He states that there was an article in the Times Union talking about the median age in the community and the median age in Greenfield is listed as 46.6 years of age. If you look at the Town of Ballston there is over a 3 year difference, the Town of Clifton Park there is almost a 4 year age difference – much younger. The reason L. Michaels likes it is because the product that he is marketing is really for seniors. You have a large senior population in the Town so it is easier to market and because of its proximity to the city, because they can travel at different hours but they like the proximity of being downtown. He states that this should be attractive to the Town in and of itself because it is a maintenance free community and when you have maintenance free community you have a lot of young professionals who like living in these communities because they don't want to mow the lawn, don't want to be responsible for snow removal, etc. You want a certain number of young professionals to move in because they are the ones who will buy senior homes and give certain youth to the community. He states that several of the Board members had a concern about the look of the community and the integration of the residential with the commercial operation. He refers to a floor plan of the first floor of the commercial building and indicates an area where there is a fitness facility and a pool. The fitness facility wants to offer memberships and integration with the residential development so that the people living here can use the facility. That is where the integration between the two takes place; it is all part of the amenities. M. Rossi has been involved with polo throughout the United States and has gone to visit a number of polo operations and the housing around them. P. Loyola refers to a marketing rendering of what the neighborhood is really going to look like. He states that you will not see a lot of this. He indicates the rendering of what was approved in 2007 and you can see the difference with the single family homes. They are lower in scale, there is still going to be a lot of vegetation around all the buildings. He states that Shelden Hills in Guilderland is a good example of what this is going to look like. They are not going to be removing any trees, just planting. D. Zee states that there is an additional benefit to the Town with regard to the subdivision and single family homes and that is taxes. If they were condos, you tax them as if they are apartments, whereas if they are homes you tax them on their sales price. T. Yasenchak states that obviously we have to wait to hear from M. Schachner. Once we have that determination then we will know the correct process that needs to be followed as far as the potential amendment to the PUD and how detailed or whatever amount of change is required for that. If it is determined that the applicant needs an amendment to the PUD it needs to go to the Town Board who refers it back to the Planning Board to discuss those amendments and do a referral back to the Town Board who will do a public hearing and decision. If they feel that there is no need to change the PUD, then we would be able to continue our process for site plan review and subdivision review. S. Weeks states that he was intrigued with the title of fractional housing and he does not have that in our code book. The idea that it would mean anywhere from 1 to 52 weeks of occupancy, was intriguing to him. He asks to what standard the road is to be built. C. Baker states that it would be a private road. S. Weeks states that then he would have some concern. P. Loyola states that the horizontal alignment would be to Town specs and the vertical, with the exception of a little bit of the entrance. He explains the infrastructure practices. C. Baker questions that they are not anticipating that the Town is going to be responsible for maintaining the roadways. P. Loyola states not at all, they are not going to dedicate this at all. R. Roeckle states that fee simple was mentioned for the residences. He sees them in clusters of three and two. Are those each single family attached residences separated with a firewall? He questions that the owners would be responsible for the maintenance of the exterior of the homes. He questions that this does not meet the requirements of a single family based on the statement, "single family furnished residential unit". That is his big concern but that

January 10, 2017

would be up to the Town Attorney. Regarding fire suppression, he questions that the condo units will be fully sprinkled. If the Town creates a water district, if there is a problem with the distribution system, is that going to be owned by the Town and the Town is then going to have to repair the water lines and hydrants. D. Zee states that that would have to be worked out with the Town Board. R. Roeckle states if the Town creates the water district, then the Town is buying it; if the Town owns the lines, it's going to be the Town's responsibility to maintain water brakes. R. Roeckle asks about the meters for the commercial buildings. D. Zee states that they will be working that out with the Town Board as we come in with the building plans. R. Roeckle states that he was curious if that had been a discussion at the meeting and how that would work. D. Zee states that is part of what is holding us up regarding construction and discusses interest rates, etc. R. Roeckle states that he knows they are marketing to the home owners who may not have children, but the question comes if there are children, are they going to have to walk to Bloomfield Road or will a school bus be able to go on that private road. D. Zee states that school buses have made their way onto private roads and had no problem. D. Zee states that the only thing that may not go through there is a post office they may want us to put some mail boxes outside. B. Duffney states that regarding the buses going on private roads, he believes that was last year we had a development that wasn't taken over yet and the buses wouldn't go in until the road was taken over by the Town. All the parents had to bring the children to the road. D. Zee states that may be a negative for families but, L. Michaels does not anticipate marketing to a lot of people. B. Duffney asks who actually owns the properties from lots 4 to 19. D. Zee states that the Home Owners' Association and everything in the green spaces is owned by the Home Owners Association. The individual buildings are owned by the home owner; they own the footprints of the building. B. Duffney state that the Home Owners Association owns the property and maintains the property. D. Zee states that is correct. B. Duffney states that the PUD was granted in 2007 originally? P. Loyola states yes it was. B. Duffney asks how many bedrooms each of these units have. L. Michaels states minimum of 2, some have 3 or 4 bedroom options. B. Duffney asks if he didn't anticipate school age children why would there be 3 and or 4 bedrooms. L. Michael's states that they always like to have an option for guest bedrooms. It's actually a bedroom/office. A lot of older buyers like to have enough room have their kids back home. A lot of times people like to have a few extra bedrooms to use them for utility rooms or sewing rooms. They don't necessarily have to be bedrooms. B. Duffney states that most people don't have 4 bedrooms in a home unless you plan on having kids. B. Duffney states that there were issues years back when they were having Polo matches in that area and Skidmore had some stuff going on. Where is the parking going to be? P. Loyola states we have a lot of parking available throughout. The parking is explained for spectators and horse trailers. We don't have any street parking at all so we actually have security at the gates. C. Baker asks if they could get us the number of parking spaces on the valet side. P. Loyola states that in his narrative, he thinks he counted 300+ that would be for the valet. T. Yasenach states that is exactly her question, she knows it's valet when they have larger events, but it would be important to see where the excess cars would be parked and if there are any other areas you intend to put parking on regular basis. P. Loyola states consider the Polo field a multi-use field for additional parking as in done on every polo field in the United States. B. Duffney asks in looking down the road do they at any point in time think the Polo field may become more town houses. D. Zee states that L. Michales specifically divides that in marketing. The Polo field is integral to both the commercial uses as well as the residential so we put that in our contract. M. Gyarmathy states most of his questions have been answered, he looks forward to a little bit more explanation on the parking as far as the trucks and the trailers and whatever else you need to have for an event. The main thing here is the egress and ingress of the residents on the other side of the polo field and people walking on their way to their homes. T. Siragusa asks what are the home owners expecting when you are having events in terms of traffic. D. Zee states they will be preparing and presenting information with regard to other residential developments they are predominantly seasonal residents, second homes, and they are there because of Saratoga and Polo. T. Siragusa asks what else are they changing for landscaping. D. Zee states that if you look at the area there are virtually no trees on the site. P. Loyola states that it is all lawn area now so we are going to come up with a landscaping plan that is going to be beautiful. T. Siagusa states he appreciates the long narrative and the plans that were shown here tonight. He likes the pictures that were provided tonight. T. Yasenach asks what the overall height of the lodge is. We are seeing the houses but, would we be able to see the lodge because it's obviously taller than the homes? P. Loyola states they didn't have the architecture on that but, there is a little bit of a view from the back . He explains the location on the

January 10, 2017

renderings. D. Zee states that a two story town home is, give or take, 30' and the maximum height they are permitted is 38'. P. Loyola states that he does not think that they are planning to change the architecture on that building at all. So whatever was approved in 2007 we can take those architectural out we can change on the inside but, the architectural on the outside will be identical. J. Streit states that adding to T. Siragusa's comment; he just wants to express his appreciation for the diligence on which the applicant did their homework to prepare their presentation. T. Yasenchak questions the amount of acreage stated and does it incorporate the easement. P. Loyola states that it's the easement from the adjacent property that is going to be picked up and he included it in the calculations. The easement incorporates the parking area; T. Yasenchak asks it's not owned by you its easement? P. Loyola states that it is easement. T. Yasenchak states that it is not part of the tax parcel; it is part of Skidmore's? P. Loyola states, yes that is correct. They want to use the easement in their impervious area calculations. C. Baker states that if it becomes an issue and you want to go strictly with the 42.7 that's just strictly on the property line, we can break it either way. D. Zee states that is what we will do. T. Yasenchak states that she is mentioning that because the Town Board will refer it back to us so it is something that you will see come back to the Planning Board. The PUD is specific about the numbers of square footage. D. Zee asks if that is new spaces and there are some existing buildings. T. Yasenchak states that is for all new buildings. T. Yasenchak suggests looking at that and we will talk to M. Schachner. T. Yasenchak has a question about that 40' setback. When we were reviewing this originally we had the residential buildings pulled away from the property line and we did have parking and some parking buildings that were closer to the property line as a way of kind of buffering residential neighbors from a more dense area. This particular zoning is a 50' rear setback for the underlying zoning. The PUD doesn't set any standards for zoning but, it says that if it's not stated in here it would go back to the zoning law. It says that in all instances not specifically addressed in the PUD the zoning law should apply. We need to kind of tighten that up so we know exactly what we are looking for at the rear setback. The Board talked about emergency services areas. We could have either turn arounds or access ways that the emergency services could be safe and that is something when we get to site plan we will be looking at. We will refer this to the fire department for their comments at some point. D. Zee states that they will be presenting their plans to the fire department. T. Yasenchak states that usually it's not the applicant that goes to talk to them. We refer it to them, they review it and they give us their comments. D. Zee states his concern is timing of it all. He has have been before municipalities and waited 4-6 months in other towns. He understands that the Planning Board will refer to them, but I prefer to have his clients meet with the commissioner or chiefs so that we have something. T. Yasenchak states that we can talk about that as we go on. Here our fire department is typically quicker. We talked about school bus access and T. Yasenchak thinks that is something that should be addressed because we have other developments of different nature that have required the school to have a specific place near the road. As we continue on the actual buildings the PUD does talk about use of natural materials, stone and wood things of that character. What are exterior finishes of the taller units and so forth it looked like vinyl siding. L. Michaels states yes with some natural materials up along the front such as stone or brick; a lot of wood trim used as well for character, but yes, vinyl siding would be purposed for the siding for the buildings as it is maintenance free. T. Yasenchak states that she is not trying to be argumentative I'm just talking about things that were outlined and I was on the Board at that time, I was not the chair but, we were very specific about a certain character of the neighborhood. The PUD talks about that it's being more of a luxury level, that's it's the look of an Adirondack retreat and so forth, and her concern is that having a lower profile on these homes it would just look like any other subdivision D. Zee states that he has concerns with the timing of it all, he has concerns with regard to the pricing and obviously the owners of Saratoga Polo have had this project and this property for 11-12 years. This is the first builder that has come forward. He understands what the Board may want to see but, L. Michaels has some concerns as to what is marketable. This was potentially lost as an asset for this community. The only way it was saved was because of the Michaels Group stepping up and doing something with the finances. It's a matter of public record and the concern that D. Zee has is that there is a certain appearance that he wants to provide. T. Yasenchak states that she agrees and that there is a certain balance going forward that we can work with. She knows that there are certain things that you can add to a home that is not expensive that can be made to look a certain way, a certain character, to achieve a certain aesthetic. We should work on something like that to come up with a balance. Ultimately if this were not to be developed in this way, we have an underlying zoning of 2 acres, so we're seeing a density that we allowed from before. We need to



January 10, 2017

have that balance to ensure a certain character and again being consistent with the PUD appendixes that talk about a certain level of luxury and materials and things like that so there is a good balance that we can achieve. She asks if the office space that's on the right hand side, is that for use of that property or is it something that would be rented out. P. Loyola states that they are car ports. T. Yasenchak asks if they are proposing an easement for the driveway because the driveway will be going over another parcel. P. Loyola states yes. B. Duffney asks about the lighting? L. Michaels states as far as units go we would purpose individual post lamps in front of each unit all on a sensor switch so they all come on at the same time and that's a nice community feel. B. Duffney asks if the infrastructure for the septic system will be run on this side or will it run on the other side, because there is a nice little trout stream there and he does not to see it contaminated. P. Loyola states that they are going to propose crossing the stream. D. Zee states that they have a Town Board meeting on Thursday 12<sup>th</sup> and then in terms of if M. Schachner states to go ahead, what's the next step. T. Yasenchak states you would just be following the process for site plan and subdivision review. We typically review the plans at our workshop until we feel that the application is complete. Once we feel the application is complete at that point we schedule our own public hearing, then we can make a determination and take action on. D. Zee reviews the items requested. T. Yasenchak states that the Town Board will only be looking at the subdivision as to how it is consistent with the PUD. The Town Board has asked M. Schachner to look at this for consistency. There may be other planning issues that come up here that the Town Board doesn't deal with that they don't know to even ask M. Schachner about, so that's why she apologized at the very beginning because typically there is a more coordinated effort to ask our town attorney to review something not just from things that are under Town Board purview, but also things that are under Planning Board preview.

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### **THOMAS MERRILLS JR. - Special Use Site Plan**

Middle Grove Rd.

Rand Brown and K. Famulare from Reality USA are present. R. Brown asks is there a reason why T. Merrills has to be here. We did sign something stating that we could speak on his behalf. T. Yasenchak thinks the reasoning is that there wasn't an original signature; he is actually listed as the applicant so that would be the reason. T. Merrills is present. R. Brown states that he has 8.27 acres left and it's zoned for MDR1. The prospective buyer has a miniature horse and 3 goats. Her plan is to buy the 8 acres and build a 1200 sq. ft. house with a 2 car garage. In the back it's going to have a little shed attached. She will have a manure shed that will be emptied twice a month. She will not be clearing any trees. The shed in the back will have a motion detector light. We are good with setbacks. M. Gyarmathy questions that they just need a special use permit? R. Brown states a special use and a site plan. T. Yasenchak states that it is all under special use. The Town tried to revamp our code when it came to personal small hobby farms and it wasn't addressed properly. Unfortunately you got caught in the middle of it. T. Yasenchak states that typically we do have listed in our zoning regulations and that is something that you can go online and look up what's required on the site plan and what needs to be addressed for special use permit. We review the site plan as part of the special use permit. We do ask for those items to be shown on your survey and typically what works best for smaller projects is even writing up a small narrative of how your project addresses all those issues. R. Brown states that we went over this with R. Rowland. He was a little confused on some of the regulations. T. Yasenchak explains that for a special use permit we have been told as a Board that we should address all of those items. It makes our job easier when the applicant can come in and address all the items. T. Merrills asks if they can use the survey he had done. T. Yasenchak states that is what I'm saying. T. Merrills states all they have to do is locate a barn. K. Famulare states that the barn is actually going to be attached to the garage. This is the final floor plan. T. Yasenchak states that should be shown on here correctly and usually when it is a farm we ask the applicant to show us where the manure pile will be. R. Brown states that it is a dumpster. T. Yasenchak states that it needs to be on the site plan as to where it will be located. We usually ask for it to be covered so that the rain doesn't get into it, we ask if you are going to

January 10, 2017

have any lighting and where is that going to be. T. Merrills asks how many copies will they need. T. Yasenchak states that she doesn't know how many you gave us, however they need to draw on them. T. Merrills states that they can go down to Kinko's and get it all done. T. Merrills asks what the time span to get it approved is. T. Yasenchak states are there any variances with this? Really if this would have come in as a complete application then we could have put it onto our next meeting. We are here to review for completeness and when people make that application it's really their responsibility as an applicant to look it up with our codes to make sure it's all on there. There are obviously things that are not on here and not provided. It really is self-explanatory from a design professional stand point. M. Gyarmathy states that it might be easier to go to the surveyor and have him do it. All the codes are online so you can review those items. T. Merrills asks we are a month in a half out? T. Yasenchak explains that is our process. Discussion takes place as to the procedures for a special use permit and whether or not the Board feels there is enough information. The Board discusses the fact that the hobby farming regulations are one of the items that the zoning change committee has to look at and make changes to. That will be looked at in the next round of meetings. After further discussion the Board states that if the application can get the additional information and corrections made to the application indicating the prospective purchaser as the applicant in to the Board by January 13, and if they do, a public hearing can be scheduled for the January 31<sup>st</sup> meeting.

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### **ZBA REFERRALS**

#### **ROYAL RHINO OWNER, LLC**

Royal Rhino Owner LLC is seeking area variances on NYS Rt 9N. They want to have 2 signs. They are only allowed to have 1. They have 1 sign at each of the entrances. They have renamed from Royal Rhino to Saratoga Greens. Planning Board has no issues with the variance as long as the sight distance is not impeded by the location of the signs.

#### **PATRICIA FORD**

T. Yasenchak reviews that the applicant is seeking an area variance to convert an existing residence to a medical office. This is a survey of how the house is now. The applicant will have to come back for site plan as far as parking; we need to see some buffers. J. Streit states that he doesn't feel that there would be any planning issues inside the house but, she must conform with all the regulations of the site plan. T. Yasenchak states that we will have to do site plan review but, we don't know if she will need a variance for parking, she may need a variance for handicap access. We don't have any planning issues with the use of this existing building for the proposed use on this site however, we cannot comment on potential site plan issues because we don't have a site plan and we are concerned that there maybe be additional variances required.

#### **KASSELMAN SOLAR**

T. Yasenchak reviews that this is a request for an area variance for Lake Desolation Rd. They need a variance because of the width of the lot at the frontage. R. Roeckle states that G. McKenna mentioned that this is a pre-existing, non-conforming lot, but that lot was subdivided and the original tax map conformed in 1974 the same year the Zoning went into effect. So how can that not be nonconforming lot since it did not exist in 1974? T. Yasenchak states that since it has already been built on he's saying it's pre-existing, non-conforming as of now for the proposed use of the new solar. R. Roeckle states that pre-existing starts when the zoning law was first adopted. T. Yasenchak states that all we can say is that it doesn't have enough frontages and there are no any planning issues.

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January 10, 2017

Meeting adjourned at 10:05 all members in favor.

Respectfully submitted,

Kimberley McMahan  
Secretary

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