

North Salem Planning Board Minutes

June 5, 2013

7:30 PM – Annex

PRESENT:
Cynthia Curtis, Chairwoman
Charlotte Harris, Board Member
Gary Jacobi, Board Member
Bernard Sweeney, Board Member
Robert Tompkins, Board Member
Roland A. Baroni, Town Attorney
William Agresta, AICP

ATTENDANTS:
Bridleside/Salem Hunt: Jon Dahlgren
Highgate/Woodlands: Jon Dahlgren
Purdy’s Farmer and the Fish: Viktor Solarik
Ed Taylor
Verizon Wireless: Michael Sheridan
New Cingular Wireless PCS: Anthony Morando

Chairwoman Cynthia Curtis calls the June 5, 2013 North Salem Planning Board Meeting to order.

REGULAR MEETING:

- 1. Bridleside/Salem Hunt:** (owner – June Road Properties, LLC)
Site Development Plan (location – June Road & Starlea Road)
 - Consider Draft Resolution of Approval Regarding Proposed Modifications to the Sidewalks for Accessible Routes at the Site

Cynthia states another set of small adjustments need to be made to accommodate the accessibility requirements. Cynthia asks the Board whether they had a chance to review the Draft Resolution and whether they have any questions. The Board confirms they looked at the Draft, and do not have any questions. Cynthia states she did get in touch with Bruce Thompson today and he confirmed he didn’t have any issues.

Chairwoman motions that the Planning Board Approve the Field Change as Requested in the Submission Dated May 24, 2013. Robert seconds. All in favor. No opposed.

- 2. Highgate/Woodlands: Jon Dahlgren** (owner – JoFlo of North Salem)
Site Dev. Plan and DSEIS (location – Reed Road)
 - Discussion of Timing for Review and Comments

Cynthia states the Town Board is the Lead Agency which means they are doing the SEQR. Cynthia states the Town Board is the decider on the Zoning Change. Cynthia states the Public Hearing is scheduled for June 25th. Cynthia states our role at some point in time is to give a Report on the Zoning Change although technically we haven’t had a Referral yet from the Town Board. Cynthia states the Planning Board will comment on the EIS for which ultimately we will have a Subdivision and a Site Plan to review. Cynthia states when the Planning Board is the Lead Agency, and everything is in front of us, it is rather easy for us to

understand the process, make our comments, and give our input as the Application moves forward. Cynthia states when the Town Board is the Lead Agency it is mindboggling to understand how we may coordinate getting our comments to the Town Board, as well as knowing which parts we should be commenting on under the SEQR process. Cynthia states the processing of the Subdivision and Site Plan will come later, but there are a fair number of comments this Board should be getting in sooner rather than later. Cynthia states the first procedural question she will ask both Will and Roland has to do with the Zoning Change, which will have a Public Hearing. Cynthia asks whether it falls under our Code whereas a Referral should be made to the Planning Board before the Public Hearing and we will have 60 days to respond, or because this is part of the Settlement, it doesn't need to fall under that procedure. Roland states he thought that had been done very long ago. Cynthia talks about waiting for the Application to be deemed complete and asks when the 60 days will technically kick in. Roland states he believes it has been adjourned and adjourned either expressly or implicitly just because the Application has taken so long to process. Roland states he is not sure if it has been referred, but thinks that it may have been done years ago. Cynthia states a suggestion that at their next Meeting, on June 11th, the Town Board make a formal Referral to the Planning Board, which will be before the Public Hearing. Roland states he doesn't believe there is any downside to doing it again. Roland states there may be Members of the Planning Board who were not here when the Referral was initially made. Will states the Referral should also be made to the County as it is a Required Referral. Cynthia states the County received the SEQR Referral. Will states it did not have to do with the Zoning. Cynthia states the County actually received it as part of the SEQR package. Cynthia advises Roland that she will not be at the June 11th Town Board Meeting. Cynthia states she will send an e-mail over to Marion with the specific language. Cynthia confirms Roland will be at the Meeting to provide an explanation. There is a discussion about a Referral to Somers as well. Cynthia states she will check on that.

Cynthia states there is a lot that the Planning Board will have to say about the Subdivision layout, as well as the Site Plan design. Cynthia states she believes that all of these comments should be in as part of the SEQR Review. Cynthia asks Will to walk the Board through the process and timing procedure. Will refers to the SEQR process and states although the Town Board is the Lead Agency in conducting the coordinated SEQR Review, at the end of the day, when they go through the Public Hearing process, and the Final Environmental Impact Statement's Response to the comments, they will conclude that with a Lead Agency Findings Statement. Will states that every involved agency such as this Board also has to do a Findings Statement relative to closing out SEQR on their end. Will states that each agency has to make their own findings. Will states that the EIS Draft and Final needs to include information that will assist this Board in reaching the Findings they need to make. Will states that is what the Public Hearing portion is for. The Board will ask questions, and provide comments as to what they think of the Project and if there is information, analysis, or comments about the analysis that has been done that the Board needs in order to better understand the answers in the FEIS to help them in writing their Findings Statement. Will states this could be similar to what the Town Board is looking at, or it could be more specific or different. Roland asks Will if it is true that it can't be contradictory. Will isn't sure what Roland is referring to. Roland states he is referring to the Findings by an Agency other than the Town Agency. Will states the Findings may be contradictory, they just can't be contradictory to the record of the FEIS or the DEIS because if it is not in the record, there will be no conclusion. Will states if someone has one conclusion, and someone else has another conclusion, there could be a different direction of what was concluded. It could not be the same conclusion, but about the same thing. Will states if it is similar and the same thing, it has to be based on the record. Roland states it can't be inconsistent. Roland states the Lead Agency may make one conclusion, and another Agency may make a different conclusion. Will states the reason it wouldn't contradict is because only one Agency is going to be right in the conclusion. It doesn't mean the Lead Agency is necessarily going to be the one who is right. Roland states he and Will are going to have to have this conversation off line as it is not germane to what is being discussed tonight. Cynthia asks if there is a way for the Planning Board to coordinate their comments with or to the Town Board, or does the Planning Board have to act independently. Will states the Planning

Board Findings Statement is their own based on their issues. Will states that some of the issues may be more specific than what any other Agency may have. Cynthia states the Permits the Planning Board would be involved with would be the Site Development Plan for the Town Houses, Subdivision, Wetlands, and Stormwater. Will agrees. Will states if the Health Department is looking at the septic's, water and sewer, they are not looking at the layout of the roads. Will states he suggests the Planning Board approach this the same way they would as if they were Lead Agency, and ask the questions, except put them in the format of questions that go to the Lead Agency to be put into the record so they may be responded to in the FEIS. Cynthia talks about working with MDRA since they are working with the Town Board. Will states the Planning Board still has their Permit Review Process which they are going through for the Site Development Plan and the Subdivision. Cynthia asks Will if the Board may start that conversation with him at the next Work Session. Will states yes, by approaching the review of the Permits, the Board will confirm whether there is something they need more information about, or whether the Board doesn't believe what has been presented accurately portrays their concerns, and impacts for the mitigation that would be necessary. Will states it is better to do this now, than later. Cynthia confirms with Will that the Planning Board is bound by the July 25th deadline, and states that working backwards, the Town Board would have their comments done by the second Meeting in July, which means we would have to have a reasonable Draft by the first Meeting in July, which means the Board has to talk about this at their next Work Session on June 19th. Cynthia states the Board will start their review of the Highgate EIS as it pertains to the Applications they are reviewing; Subdivision, Site Development Plan, Stormwater, Wetlands, and the Zoning Referral. Cynthia asks the Board whether everyone will be at the June 19th Meeting. Gary states he will not. Cynthia suggests Gary send his comments to Dawn. Cynthia states this will be the beginning of the process. Gary states it is going to be a long process. Cynthia states no, it is going to be a big process, but it is going to be quick because the Board only has three Meetings to talk about this.

Cynthia refers to the Town Engineer and states a lot of the review will have to do with the Subdivision in terms of the road layout, grades, curvature, and stormwater, which are all technical engineering issues. Cynthia asks the Board whether they would like Frank to attend the June 19th Meeting. Cynthia states based upon the Escrow Agreement we do not have many opportunities built in for our Consultants to come and work with us because they are primarily working with the Town Board. Cynthia states she believes it is set up for the Planning Board to have Will for one or two Meetings, and Frank for one Meeting. There is a discussion about starting to flush items out with Will first. Robert states he would recommend sooner than later in order to have time to process the information. Will states if the Board only has one Meeting with Frank, maybe he could provide them with talking points, and then from their initial review, when they discuss this with him at the first Meeting in July, it would be more productive. Will states that the Board and the Town Engineer have to be ready in order for a productive discussion to take place. Cynthia states we have to read all of the materials within the next two weeks. Will states the focus should be on the big picture of the design and the impact analysis of the design. That is what the Board should be getting into with their SEQR Review; the impact analysis, and appropriate mitigation that goes with it. Will states the Board will have their own time after the SEQR process to go over the fine details of the Plans. Will states the main items the Board should focus on is whether the road is in the right place, the location of the entrance, the location of the houses, the avoidance of impacts, and mitigation.

Cynthia talks about the Town Board and the coordination of their review and asks Will at what point he should have a Work Session with them, after the Public Hearing or before the Public Hearing. Will states either or. Cynthia states the next Town Board Meeting after the June 25th Public Hearing will be July 9th. Will states it may be best to wait until after the Public Hearing is held because the commentary would have occurred, and we will know whether the Hearing is continued or closed.

Roland states there should be confirmation as to whether the Referrals were made. Roland states that the

Town Clerk may have a record. Cynthia states she doubts Referrals would have been made if the Application was not complete.

Cynthia states she will speak with Frank and see if he could develop bullet points for us to think about. Cynthia states her initial inclination was to have Frank come to the second Meeting because there is going to be so much that Will has to go over with us which will help us define the engineering issues. Cynthia confirms with Gary that he will be at the July 3rd Meeting.

Cynthia asks Will if she is missing anything in regards to the process. Cynthia asks Will whether it is expected that the Planning Board will have comments ready for the Public Hearing. Will states no. Cynthia states she may simply say that the Board is working on their comments, which will be submitted. Will states he assumes the Board will all attend the Public Hearing. Cynthia states she would hope so. Cynthia states the Public Hearing will be held at the Croton Falls Fire Department, so it will not be recorded.

Cynthia asks Roland if he has anything else to add. Roland states no.

**3. Purdy's Farmer & the Fish: Viktor Solarik (owner – Purdy Family Trust)
Site Development Plan (location – 100 Titicus Road)**

- Consider Reports From Planning Consultant and Town Engineer

Cynthia states that Reports were circulated from Hahn and MDRA and the Applicant is getting very close. Viktor Solarik is here tonight to represent the Applicant. Mr. Solarik states the biggest challenge was getting the parking accommodated. Mr. Solarik states they did a lot of soul searching and found new areas which will not intrude with any zoning issues. Mr. Solarik states they reduced a portion of the vegetable garden and were able to add one parking spot there. Mr. Solarik states the main parking lot which was extended in accordance with the Variance received this past March gives them 47 spaces, and 8 spaces in another area. Mr. Solarik states they are sharing parking with the office during the hours when it is closed. Mr. Solarik states they were able to add employee parking on the entrance road to the farm. Mr. Solarik states they briefly talked with Tim Purdy about adding parking, but because of the potential use of the existing office he is planning on, we didn't think it was appropriate to change that area. Mr. Solarik states the comments from Hahn and MDRA will be easily addressed. Mr. Solarik states that one of the comments had to do with the lighting in the parking area which will be added to the Plan, as well as locations to be added relative to the Variance they received, as well as the labeling of the restaurant take-out service. Mr. Solarik states they would like to submit revised Plans directly to the Consultants to expedite the process. Cynthia states if the Board is satisfied with where we are, and the Applicant agrees with the changes, she doesn't see why, at the next Meeting we can't have a Draft Resolution. Cynthia states that minor Plan changes may be a Condition of the Final Approval. Cynthia asks Will if he wants to see one more submission. Will states he is fine. It is up to the Board. Cynthia asks Mr. Solarik to count the parking spaces again and states she came up with one less space. Will states there is a handicapped space.

Cynthia states she is hoping to have this on the June 19th Agenda in two weeks, even though the Board will have a heavy Agenda. Cynthia refers to people parking at field across the street and states the Town Board is anxious to not have people parking there anymore, and for them to park on the restaurant property. Cynthia confirms the Board is fine with moving forward with a Draft Resolution in two weeks.

Cynthia states that later on tonight, when the Board gets into their Zoning Amendment discussion, she will raise questions about farm stands. Cynthia is not suggesting the Applicant stay, but states he may want to tune in later and see how that discussion went because it might affect how farm stands will be handled, in terms of

the agricultural aspect for their property. Cynthia states that a lot of questions have been raised in conjunction with the PO Zone, and agricultural districts. Cynthia states for the purposes of this Site Plan, the Board wants it very clearly stated that the area the Applicant is using on the side is only what is allowed under the PO Zone. Cynthia states there is another issue going on and the Board is going to try to figure out how the Zoning comes into play. Cynthia states the Applicant may want to check out the Meeting Minutes. Mr. Solarik refers to the discussion leading to them having to make modifications later on. Cynthia states she doesn't think this will affect the modifications the Applicant is doing, the discussion will provide clarity for the Board. Cynthia states she doesn't think there will be answers tonight because there will probably have to be a discussion with the Building Inspector. Mr. Solarik asks if the Board is considering adding to the Zoning language. Cynthia states the Board is working on the Use Tables and states that right now, temporary farm stands are a Special Permit of the Board of Appeals, which somehow has survived all of the Ag. and Markets Uses. Cynthia states there are a lot of as of right farm uses. Cynthia states the Board is talking about having some farm stands be as of right, but it is starting to raise a lot of questions as how this fits in with the Ag. and Markets Law, what are the different scenarios that can happen with these farm stands/farmers markets, and whether we may have some of them as Special Use Permits, and some as of right. Cynthia states in this instance, it is complex because all 19 acres are in the Agricultural District, but the Restaurant is a Use in the PO Zone.

**4. Verizon Wireless: Michael Sheridan (owner – Rural Illusion, Inc.)
Cond. Use/Site Dev. Plan (location – Delancey Road)**

- Discussion Regarding Request for Renewal of Conditional Use and Site Development Plan Approval
- Consider Report from Town Engineer on Removal Bond

Cynthia states she prepared a Draft Resolution for consideration tonight, except there is one outstanding issue with the Removal Bond.

Michael Sheridan states he is here tonight from Snyder and Snyder, the attorneys for New York SMSA Limited Partnership D/B/A Verizon Wireless. Mr. Sheridan states he is here in connection with the Permit Renewal for Conditional Use and Final Site Development Plan Approval. Mr. Sheridan states he has been in touch with Verizon Wireless in regards to the Removal Bond and they will be providing him the information shortly. Mr. Sheridan requests the Board grant them a Conditional Approval. Cynthia states that is the way she set up the Draft Resolution. Cynthia states after she finalized the Draft Resolution and sent it out, she thought she could have written Page 3 a little bit better. Cynthia asks Roland to take a look at Page 3, where language has been added about signing not taking place until we have a report and recommendation from the Town's Consulting Engineer as to the appropriate amount of the Removal Bond. Cynthia suggests that language also be added so that acceptance is received from Verizon. Cynthia states this has to do with the signing of the Resolution. Cynthia states she didn't only want to have language from the Engineer, she also wanted an agreement from Verizon that they will increase the Removal Bond per the Engineer's Recommendation. Cynthia suggests adding language such as "a report and recommendation from the Town's Consulting Engineer and acceptance of same by Verizon". Cynthia asks if the signing of the Resolution should be held up until the Town Board accepts the Removal Bond. Roland states that is just administrative.

Cynthia asks the Board whether they have any questions. Cynthia states she wasn't on the Planning Board when all of these approvals were done, but she is pretty sure she captured it correctly by saying that the owner of the tower is Verizon and since that Approval, two Applications were added on, Singular Wireless and Nextel. Mr. Sheridan states he will have to check on that, as he doesn't have the information with him. Cynthia states she will double check as well. Cynthia refers to the renewal dates and states they probably fall independently with those two carriers. Mr. Sheridan states it is his understanding they have to renew

themselves. Cynthia states she believes so. Cynthia states everyone is subject to the 10 year renewal. Cynthia states she didn't want to misstate if there is another carrier on the tower that she missed.

Chairwoman motions that the Planning Board Adopt the Draft Resolution of Permit Renewal for Conditional Use and Site Development Plan Approval for New York SMSA Limited Partnership D/B/A Verizon Wireless Subject to the Addition of Acceptance of Same by Verizon on the Next to the Last Be It Further Resolved on Page 3. Charlotte Harris seconds. All in favor. No opposed.

After the motion Cynthia states this is a Conditional Approval, but the Resolution will not be signed until the information has been submitted and resolved. Cynthia states to Mr. Sheridan that he is beyond the renewal date and states the request has to be in earlier in the future. Cynthia asks Mr. Sheridan if his office also handles the Sprint First Purdy's Building in Croton Falls. Mr. Sheridan states yes. Cynthia states that approval expired a year ago. Cynthia confirms that Dawn has been working with Doug Warden. Cynthia asks Mr. Sheridan to remind Mr. Warden about this. Cynthia states she has notified the Building Department. Cynthia asks Roland if anything more needs to be done. Roland states no, it is now on the record. Cynthia states that Mr. Warden had communicated that he was working on it, but he should at least submit a letter. Cynthia states that Dawn has tried to follow up with Mr. Warden and is not sure whether he has replied.

**5. New Cingular Wireless PCS (AT&T): Anthony Morando (owner – Croton Falls Fire District)
Special Permit/Amended Site Dev. Plan (location – 98 Sun Valley Drive)**

- Consider Report From Planning Consultant
- Consider Draft Resolution of Approval

Cynthia states Will Agresta, our Planning Consultant, prepared a Draft Resolution for the Board to consider tonight. Anthony Morando states he is an Attorney with Cuddy & Feder here on behalf of New Cingular Wireless PCS (AT&T). Cynthia confirms with Will that everything is in order and there are no outstanding Conditions. Cynthia states the Board is currently working on Code corrections. Cynthia refers to the way the 5% is calculated and states the Board is following what the Ordinance says, but that may have not been the original intent. Cynthia states there may be a modification made for which Mr. Morando's office may want to pay attention to, as discussions will be held in the next few weeks.

Chairwoman motions that the Planning Board Adopt the Draft Resolution of Exemption Approval for Conditional Use and Site Development Plan Approvals for New Cingular Wireless PCS ("AT&T"). Robert Tompkins seconds. All in favor. No opposed.

6. Minutes:

- April 17, 2013

Chairwoman motions that the Planning Board Approve the Minutes as Amended for April 17, 2013. Bernard Sweeney seconds. All in favor. No opposed.

7. Financial Report:

- May, 2013

Chairwoman motions that the Planning Board Approve the May, 2013 Financial Report. Charlotte Harris seconds. All in favor. No opposed.

8. Next Meetings:

- Work Session – June 19, 2013
- Regular Meeting – July 3, 2013

WORK SESSION:

9. Discussion of Proposed Zoning Amendments

Cynthia states there are four items she would like to try and get through this evening. Cynthia states she mentioned farm stands earlier, and since we do have Roland and Will here tonight, we should talk about farm stands in terms of regulating them. Cynthia asks Roland if it would be best to have a conversation with Bruce as well. Cynthia confirms the Board agrees for her to have a conference call over the next couple of weeks with Roland, Will, Bruce, and Robert. Cynthia states that right now in the Ordinance we have the Zoning Board of Appeals (ZBA) regulating temporary farm stands. We were suggesting putting in as an as of right Use for farm stands in R2 and R4 as they have Farming Permits. Cynthia states the question is what happens with all the other farm stands and which we can and should regulate. Robert talks about differentiating farm stands from people who sell produce that is brought in. Charlotte asks if Ryder Farm is considered as having a temporary farm stand. Cynthia states that is exactly where she was going with this discussion. Cynthia states someone who has a permanent farm and farm stand may decide to invite their friends to come, which would be more like a farmers market. Cynthia states this is probably something that Ag. and Markets would love but from a Zoning perspective we may have the right to regulate them, because it may not be appropriate depending on where it is being suggested. Cynthia refers to them drawing in hundreds of cars. Robert states if it is indeed the produce of one farm, and the farm stand is their own, that is one thing, but if the base were to be broadened in order to bring in products from other farms, that is where we should draw the line. Cynthia talks about having the ZBA Special Permit in place, to be ahead of it. If there are requests for farmers markets, we have to decide whether they are going to be prohibited, or go through a process, but not sit back and wait for it to happen. Cynthia states that a lot of farmers markets are popping up now. Roland states that a lot of locations where public markets are located have a special Ordinance and license which is controlled by either the Planning Board or the Town Board. Roland states the Ordinance provides for all of the concerns the Board has such as parking, and traffic. Roland also mentions a requirement for insurance. Robert and Charlotte agree there is a big difference between farm stands and farmers markets. Robert states that having a Definition would be the first step. Cynthia states she will try to set up the call with Bruce.

Cynthia states there was a suggestion by Peter Kamenstein to consider restaurants in the NB District. Cynthia states the Board will also talk about Indoor Light Industry, as well as the redraft of the Standards for Recreation Grounds and Facilities. Cynthia refers to restaurants in the NB District and asks the Board if this is something they would like to consider including. Cynthia shows a copy of the Zoning Map to the Board. Cynthia states she knows restaurants are a great use, and the Board of Health will handle the septic issues, but there are parking issues to consider. Cynthia refers to 121 Market which is located in the southeast corner and states it is in the NB District. Cynthia states there is a restaurant next door. If we were to make this change, that would mean that 121 Market could become a restaurant too. Cynthia states she heard that 121 Market may already be operating as a restaurant. Cynthia states it was brought to Bruce's attention that they are doing something the Zoning doesn't allow, and it may become an enforcement issue. Cynthia refers to the location where the North Salem Post Office is and states there are major septic and water issues there. Cynthia states that would open the door for some of these businesses if the septic and water issues were resolved. Charlotte asks whether Two Meatballs is a restaurant. Cynthia states no. Cynthia states the Board of Health has limits on deli's in regards to seating, and Two Meatballs is in that lower category. Cynthia states the other NB District is down where the Swan Deli is. Cynthia states they have no parking. Cynthia talks about putting in a

Use when there is an anticipation that it will work, and states it may not work in the NB District. Robert states he likes the concept of broadening the base to include restaurants. Robert states it brings a lot to the Town, and creates community. Charlotte agrees. Bernard states a concern about the parking. Cynthia states 121 Market may have a parking issue. Cynthia states that Swan Deli would definitely have a parking issue. Cynthia talks about allowing the Use if it may be doomed to fail, or if there isn't sufficient parking. Charlotte states that by the Post Office, there wouldn't be a parking issue. Cynthia states there is a water and septic issue there. Robert states the County would have to make that determination. Cynthia asks Will if he has any words of wisdom or guidance. Will states the Board has pointed out that the locations by the bank and post office may be feasible if technology were to change. Will states that 121 Market is another story because there is not available land for additional parking. Charlotte talks about 121 Market possibly leasing the parking lot next door. Cynthia states that additional parking may be considered in the area where their septic field used to be since they do not have the septic there anymore. Cynthia asks the Board whether they want to add in restaurants in the NB District. Robert and Charlotte state they do not have a problem with it. Bernard states he would like to look at it further. Cynthia asks Bernard if he would like her to bring in a blow up of the three NB District areas we have talked about tonight. Bernard states he could look at the areas, but cannot speculate as to issues like parking and traffic. Cynthia suggests that over the next two weeks the Board take a look at the Approved Site Plan for 121 Market. Cynthia states if they don't have the Site Plan for the Post Office, they may look at that as well in the Planning Board Office. Cynthia states we are all familiar with the Swan Deli. There is a discussion about not changing the Swan Deli to be a Restaurant Use due to parking. Robert states just because the Swan Deli would not be feasible, shouldn't preclude consideration for other locations. Will states they all are on major roads. There is discussion about the establishments having to come to the Planning Board for Approval.

Cynthia states the Board will discuss the Recreation Grounds and Facilities Standards next. Cynthia states that Will has put a lot of work into this. Robert states he has to leave. Cynthia states this will be on an Agenda again in two weeks. Cynthia states that in order to help visualize this better she prepared a map which the Board should have at the end of their packets. Cynthia states she went up to take a look at Camp Hemlock. Cynthia states when we last discussed this we were talking about a 25 acre minimum. Cynthia states that she and Will started to work on some scenarios to see whether it would be feasible given the setbacks that we think would be appropriate, and we bumped it up to a 50 acre minimum parcel. Cynthia refers to the map and states when she started adding in the size of the parcels, and where these camps could actually be, she could see that there is a lot of available land. Cynthia states she is glad we are boosting it up to a 50 acre minimum parcel. Cynthia states that a lot of the parcels are over 50 acres. Gary confirms that these are single parcels. Cynthia states if we drop the minimum down to 25, it would practically be the whole Town. Cynthia talks about there being a 250 foot buffer around the edges and states for 50 acres, it would cut it in half, leaving approximately 22 acres where a camp site may be developed, which is quite a bit. Cynthia refers to a piece of property having a 75 acre parcel with a 250 buffer which would bring it down to a 48 acre parcel. Will states the 250 is the setback where no structures could be. The side setbacks are discussed. Cynthia states this exercise will help us envision how much acreage is required and how to tighten it up in order to protect the neighbors. Cynthia asks Will to take the Board through the Standard.

Will states he began with a Definition which the Board hasn't looked at before, and this is the first pass, so the Board may have some comments about it. Will states the basis of this Standard has to do with recreation, as there will be passive and active recreation. Will talks about getting into a discussion about what recreation is in terms of ecological and environmental education and stewardship. Will states this is not intended to be for golf courses. Will states the major change or additions to this Draft is a list of Permitted Uses and Prohibited Uses to give that a further Definition, as well as explaining what passive recreation is, as well as active recreation, because in some areas one may be allowed, but not in other areas. Will states the Standard gets into the areas about overnight accommodations which could be in a dormitory style building or an outdoor

campground which we will get into in more detail later on. The idea is to try to get away from the noisy activities in order to have more passive activities. Will refers to Page 2 having to do with occupation which expands on the whole overnight occupancy. Will states the Board had talked about permanent residences and refers to C1 where it states that a single all-year one-family residence not exceeding four bedrooms shall be permitted. Will states that C2 talks about not exceeding 175. Cynthia states it is good to have a cap on the short-term overnights, and inquires about the number of day campers. Will confirms the Board would like the same cap whether the campers are staying overnight or not. Gary asks whether it shouldn't depend on the size. Cynthia states this would be the maximum. Will states that by setting how many days people are allowed to be there, will set the stage for people not to be there all the time. Will talks about listing 30 days for the campers, and 90 days for the counselors. Roland refers to the staff and doesn't know how this will be enforced. Roland states if this is a year round operation, even though the bulk may be there during the summer, why would we limit the staff, as we would want experienced people to be there. Will states he agrees, but at the same time, we don't want it to be their permanent residence. Cynthia states she believes at Mt. Lakes there is one person who lives there, but the other people come and go to do their jobs. Will states the whole point is not to have 50 staff members living on the property all year round. Roland asks where the 175 limit came from. Will states the Board had discussed a lot of different caps. Will states it was the consensus of the Board to have a cap between 150 and 175. Cynthia states that some of the available parcels are huge. Roland states that 175 campers is a large number when considering the small police force there is in Town. Cynthia asks Roland to give the Board a number and states she has no problem bringing the number down. Cynthia states we already have a huge County camp which has two camp facilities so the public is taken care of. Roland asks approximately how many people are at Mt. Lakes. Cynthia states last year there were approximately 350 for the day camp, and Camp Morty is an overnight camp. Cynthia states that the County is very good at overseeing the operations. Cynthia states a cap is necessary and she doesn't have a problem bringing it down. Roland states it may be refined by requiring access from a State or County road. Cynthia states they did that, which will help. Cynthia asks the Board if they want to bring it down to 125 or 150. There is a discussion about overnights and bringing in such a high number of campers, which will cause a lot of traffic. Charlotte states there is always a lot of traffic on Hawley Road during camp season. Will states that 150 would only be 4 bus loads. Cynthia states they wouldn't come by bus. Charlotte states that 175 campers is not a lot, in terms of camps, but it might be a lot for North Salem. Will refers to a camp in Fishkill and states he will look into their requirements.

Will refers to D on Page 2 in terms of Supplemental lot area and bulk requirements, listing a minimum lot area of 50 acres under single ownership. In regards to setbacks, all buildings, structures and site facilities shall be set back no less than 250 feet from all street and property lines. In regards to buffer areas, a perimeter landscape buffer area measuring a horizontal distance of no less than 250 from all street and property lines shall be provided consisting of a mixture of evergreen and deciduous vegetation. Will refers to Page 3 where it talks about open space and states a minimum of 75% of the total lot area shall remain as passive open space, the use of which shall be limited to conservation and passive recreational land uses, and a minimum of 50% of the total lot area shall remain in an unaltered, natural vegetative state. Will refers to the map Cynthia attached to the Standards and states the red represents the setback buffer. Cynthia asks Will to help the Board define the footprint of the buildings. Will refers to E 1 through 5 on Page 3 in regards to site driveway and internal circulation. Cynthia states we will have the Town Engineer get involved with this as well.

Will states Page 4 F 1 through 7 talks about site development, buildings, structures and recreation facilities. Language is listed about layout and grading, site conditions, environmental suitability, design, maximum building size, building separation, and overnight accommodations. There is a discussion about 12,000 square feet being too big in terms of maximum building size. Charlotte refers to indoor riding rings being approximately 80 feet wide by 170 feet long. There is a discussion about waiting to see what the final amount of campers will be allowed in order to back into the maximum building size. There is a discussion about not

having a building size more than 12,000 square feet, possibly 8,000 square feet.

Will states F on Page 5 refers to sanitary waste disposal and water supply. Will states that H on Page 5 refers to accessory uses and requirements for how much recreation they will need. Will states he added in a provision that there be no retail stores except limited convenience and sundries may be sold to site occupants as an Accessory Use, provided the facilities occupy an area less than 500 square feet in gross floor area. Will states this could be for the sale of items such as candy, sunblock, or toothpaste. Will refers to off-street parking and states that no parking, loading or maneuvering incidental to parking or loading shall be permitted on any public street, within any perimeter landscape buffer area or minimum required setback area. In addition to required minimum off-street parking as set forth in the Schedule of General Bulk Regulations, suitable off-street parking for buses shall be provided as determined appropriate by the Planning Board.

Will states that Page 6 refers to exterior lighting and landscaping. There is a discussion about public address systems. The language reads that specific plans for public address systems shall be submitted to and approved by the Planning Board, which approval shall be preceded by a clear demonstration by the facility owner and/or operator that the system is both essential and will not create any adverse effects on neighboring residential properties.

Cynthia refers to the emergency services referrals and states she will speak with Tom Howley about this.

Cynthia states the Board should think about the number of campers to allow in terms of bringing the number down.

There is a discussion about the size of mess halls in terms of people being able to request a variance if they wanted something larger. Cynthia asks Roland if someone wanted more campers than what is specified whether they would be able to go to the ZBA for an Area Variance. Roland states yes.

Cynthia states the driveway grade portion will go to the Town Engineer.

Cynthia states she thinks the Board has touched on all the parts and pieces.

Bernard refers to forest fires in terms of controls. There is a discussion about whether or not to allow camp fires. Cynthia asks Will to come up with language so as camp fires are very controlled and regulated. Cynthia states she will talk to Bob Daros, of the Fire District about this.

Cynthia refers to the Indoor Light Industry Standards handed out to Board tonight and states we will continue this discussion in two weeks. Cynthia states she highlighted a sentence in the first paragraph where it states "which uses shall require the use of electric power solely". Cynthia states she is not sure why this is in there, but maybe it is supposed to come out. Will states yes, it is supposed to come out. Cynthia states maybe she didn't work from the correct version.

Cynthia refers to the two cell tower applications that were before the Board earlier and states the way the Ordinance is written, the entire tower has to be included in the calculation of the allowance for the 5% bulk. There is a discussion about Waivers and Exemptions. Cynthia states that someone may receive a Waiver or Exemption from the Board as long as they do not exceed the 5%. Cynthia states she is not sure the intent is correct. Will states that one word may come out which will change the whole intent and refers to the words "tower" and "tower facility". Will states the language in regards to the 5% includes everything. Cynthia talks with the Board about sending this one change over to the Town Board and states we will have Will make that change. Gary asks what is being proposed. Will states he would like the language to read "tower" and not

“tower facility”. Will refers to a prior Application discussion tonight and states that based on the calculation of the existing antennas, the tower and ground equipment, their percentage would be 0.5. If the tower and ground equipment were taken out, it would be 26%. Gary states he is in favor of this change, except he would raise the 5%. Cynthia states when the Ordinance was written it seems to her the intent was to look only at the exterior. Cynthia talks about clarifying the wording. Bernard and Gary state they have no problem with changing the wording. There is a discussion about applicants still being able to request Waivers. Cynthia confirms that Roland doesn't have a problem tacking this item onto the items already being sent over to the Town Board.

Chairwoman motions that the Planning Board Requests Will Agresta of MDRA to Prepare Draft Modifications to the Cell Tower Bulk Calculations for Referral to the Town Board. Gary Jacobi seconds. All in favor. No opposed.

10. Resolution:

Chairwoman motions to adjourn the Planning Board Meeting. Charlotte Harris seconds. All in favor. No opposed.