

presented their Memos to them. Cynthia states we had a Joint Meeting with the Town Board. Cynthia states she went through the Memos line by line and looked at some of our bullet points we discussed at the last two Meetings and it appears to her that just about everything we brought up was covered in one way or another. Cynthia states she wrapped that up in a shortened Memo to highlight five or six of the areas which are of most concern. Cynthia states the Board has had this Draft for a few days and asks them if they have any comments or questions. Cynthia asks Robert if he has anything to add. Robert states it is a difficult Site and whatever happens up there will be difficult. Robert states the Memo Cynthia prepared is well summarized. Cynthia asks the Board whether they want to move this Memo and get it over to the Town Board. The Board agrees.

Chairwoman motions that the Planning Board Send their Substantive Comment Memo in regards to the Highgate/Woodlands Project to the Town Board. Charlotte seconds. All in favor. No opposed.

After the motion Cynthia lets Michael Plottel know that the Memo will be emailed to him in the morning when it goes to the Town Board. Cynthia confirms with Will that he has finalized his Memo by taking the word Draft off, and Frank did as well. Will states he emailed his Memo to Cynthia and the Town Clerk. Cynthia states she will check to see whether the Chazen and Maser Memos are in final form. Cynthia asks Mr. Plottel if he would like the final Memos to go to him, or Tim Miller. Mr. Plottel confirms they should be emailed to both.

3. **Commons at Purdys:** Jeff Contelmo (owner – Seven Springs Farm I, LLC)
Site Development Plan, Subdivision (location – 537 Route 22)
Wetlands and Stormwater Permit

- Consider Adopting Draft Scoping Outline

Cynthia states the Board would like to wrap up the Draft Scope. Cynthia states we went through the entire Draft at the last Meeting with the exception of Traffic, as we had two questions on the engineering aspects of it.

Cynthia states we received from Tim Miller's Office an incorporation of basically all of the comments from Fitzgerald & Halliday. Cynthia states she did a clarification on some of the intersections, especially since the names were different. Cynthia states one of the main reasons why the traffic part of this is so important is because that area in Purdys is very congested in the morning; in fact, sometimes it is backed up right to the proposed driveway to this Project. Cynthia refers to another Project coming down the pike and states the MTA will be putting in a raised parking facility at the Purdys Train Station, so they are commencing a Traffic Study themselves. Cynthia states this could bring more cars into Purdys which will make those intersections even more of a concern. Cynthia states Fitzgerald & Halliday are aware of this parking facility. Cynthia states even if this Project doesn't add a lot to it, it will bring people out onto the same areas and roadways which have existing issues. Cynthia states just yesterday we received a Memo from Tim Miller raising a question about doing any kind of information on the trip generation. Cynthia states that Mr. Miller called her today and said the one item they are specifically asking for relief on is doing the a.m. weekday numbers. Cynthia states she told Mr. Miller she would have to forward his Memo to Drew Draper, our Traffic Consultant and it may take a few weeks to hear back from him, but she didn't want to drag this out any longer. Cynthia states she was able to speak with Mr. Draper today and he sent her an email which she forwarded to the Board, Will, and Roland. Cynthia asks Will if he had a chance to go through it. Will states he read it briefly. Cynthia passes out extra copies of the e-mail to the Board. Cynthia states Mr. Draper mentioned that we could consider removing the initial traffic impact assessment for the a.m., so long as there will be one for the p.m., but we should bear in mind that it should be specified in the Scope that if the daily traffic profiles indicate greater volume during the a.m. peak hour or project level impacts occur during the p.m. peak that could reasonably be assumed to occur during the a.m. peak, a focused traffic analysis should be conducted during the a.m. peak hour at that time. Cynthia states we could do this as a footnote tonight, or we could just ask the Applicant if he wants to do the

a.m., and be done with it. Cynthia asks if someone is here tonight for this Project and confirms no one has arrived yet. Gary asks why we think the impact will be different in the a.m. versus the p.m. Cynthia states she forwarded the numbers Mr. Miller provided to the Board and states he took the latest transportation engineers numbers and did an analysis for the seniors and the assisted living. Cynthia states there is a difference between the a.m. and the p.m. Gary asks why. Will states that is pretty typical. Will states that p.m. is usually more concentrated and a.m. is usually spread out a little bit more, which is why the p.m. counts are higher. Gary states that will not result in higher counts, it will result in the same number of people coming in as going out. Will states yes, but not at the peak periods. Gary asks what the peak periods are. Cynthia states they are defined in the manual which she couldn't download without spending \$400.00. Cynthia states it is basically the morning and evening rush hour and there is a specific timeframe that everyone uses. Will states there is spread time, but there are different p.m. peaks for different roads. Will states that will be created when the Applicant does the analysis for the Scope. Will states it has not been defined yet. Will states the p.m. peak is typically higher because more people are concentrated during the p.m. peak. Will states that going to work is spread out more than coming home. Will states that more people leave work at similar times in the p.m., whereas in the a.m. it is more spread out. Robert asks whether the Applicant can make statistical assumptions based on the p.m. traffic for the a.m., as far as percentages. Will states he doesn't know how they are going to figure out what Mr. Draper has suggested. Robert states he knows a lot of people are concerned about the traffic on Route 22, as he has been hearing about it for 20 years. Robert states the issue of not requesting a morning study doesn't seem logical to him. Robert asks what would trip the study to be done later on in the practice. Cynthia states this will just cause confusion, and talks about having all the numbers up front in order to move forward. Charlotte states the direction where the stoplight is and Route 116 is more of an issue in the morning than it is going home. Charlotte states in the morning people can't get out of Route 116 onto Route 22, and then Route 22 gets backed up to the nursing home. Charlotte states it is worse in the morning. Gary asks why there is no exit on I684 going south, and states IBM was going to pay for it. Cynthia states no. Gary states yes. Cynthia asks Gary when they were going to do that. Gary states he doesn't know but he knows people who have offices there. Cynthia states nothing was received in writing. Gary states regardless, why wasn't it done? Cynthia states the basic reason why it wasn't done is if an exit ramp is in Purdys you are not alleviating all of the traffic problems on the rest of Route 22 down through the Town. Cynthia states there are a lot of developments and a lot of side roads and it would do nothing for them. Cynthia states Golden's Bridge had proposed a huge office complex, so the argument was that the exit ramp should be there. Cynthia states we already have an exit in Croton Falls. Cynthia refers to the Federal Standard and states the exits should be spaced a certain distance apart. Cynthia states we didn't need the exit in Purdys based on the Federal Standard, the only reason that one is there is because of the ease of going down and the people wanted it at that time.

Cynthia refers to the e-mail from Mr. Draper and asks if we can confirm that the daily roadway counts are in the Scope. Cynthia states she believes they are, but she couldn't find them. Mr. Miller states they are being required to count and update or locate counts less than three years old at the intersections that are listed. Cynthia states that b had to do with the peak hour volume counts. Mr. Miller states that a identifies the intersection and b identifies the time periods and the counts. Cynthia states she doesn't see how taking out the a.m. is going to help the Board or the Applicant if it has to be done at a later point in time. Mr. Miller asks why it would have to be done at a later point in time. Will states Mr. Miller doesn't have the email from Mr. Draper. Cynthia states Mr. Miller wasn't hear earlier when she read the e-mail from the Traffic Consultant whereas it states that the a.m. peak hour analysis can be removed from the initial traffic impact assessment due to higher p.m. peak hour trips anticipated to be generated by the proposed development (Re: Review of SEQRA thresholds, EIS Scope, the Commons at Purdys, dated October 15, 2013). This is not uncommon once the trip generation assumptions are completed. However, it should be specified within the Scope that if the daily traffic profiles indicate greater volume during the a.m. peak hour or project level impacts occur during the p.m. peak that could reasonably be assumed to occur during the a.m. peak, a focused traffic analysis

should be conducted during the a.m. peak hour at that time. To note, it is our understanding all other elements of the scope will remain intact including daily roadway counts near the Project entrance. These counts are critical for developing speed and volume profiles over the course of a typical weekday. Cynthia states her question to Will is whether we have daily roadway counts on the nearby Project entrance. Cynthia states she thought we were just doing a.m. and p.m. counts. Mr. Miller states it isn't in the Scope that there should be 24 hour counts on any of the roads. Cynthia states we will not get a feeling whether the p.m. levels will trigger the a.m. levels. Mr. Miller states they could do turning movement counts for the a.m. Mr. Miller states the point of his letter is when there are 38 trips being generated during a peak hour period, that is about one trip every two minutes, on average over the course of an hour. Mr. Miller states that is not going to be enough to change level of service at any intersection because the variation from one day or week to the next will far exceed that one trip that will occur during a two minute period. Mr. Miller states that intersection analysis is done based on delays and the maximum delay is one minute, so it is just not going to show up. Gary asks where the 38 figure came from. Mr. Miller states they submitted a Trip Generation Memo which showed the number of peak hour trips that would be generated during the morning and afternoon period from this Project. Mr. Miller states for assisted living projects and senior housing projects the trip generating characteristics are very low, so the total number of trips that will be generated during the morning peak hour based on the Institute of Transportation Engineers Trip Generation Manual is 38. Mr. Miller states that would be 38 trips in an hour and we will be adding less than one trip per minute to an intersection. Gary asks how many employees will there be in the assisted living facility. Mr. Miller states he doesn't know but this is based on average assisted living projects across the country. Mr. Miller states that assisted living facilities with a certain number of beds generates a certain amount of traffic. Will asks what kind of senior housing projects were evaluated and states the Applicant is proposing this to be 55 and older, and those will be able-bodied working people. Mr. Miller states even if it doubled, that would be one trip a minute. Mr. Miller states you are not going to experience that in any intersection in this network in terms of an added delay. Mr. Miller states that is the point he is making. Mr. Miller states they are supposed to be doing an impact statement on the likely hood of potentially significant adverse impacts, not looking at everything just for the fun of it. Cynthia states we don't look at everything just for the fun of it. Cynthia states she received Mr. Miller's letter yesterday and spent a better part of today trying to track down our Traffic Consultant in order to engage him in this discussion. Cynthia states that Mr. Draper wrote back giving us his best opinion based on how quickly he looked at this. Cynthia states one of the items she spoke with Mr. Draper about is that Mr. Miller chose 252 and 254. Cynthia states there is a community care retirement count he could have used, and she doesn't know it was the right senior one he chose. Cynthia states she mentioned to council that she could send this over and we could wait another two weeks until we have a formal Report from him, all because of one count in the morning, which he thinks is important based on everything that is going on in that area, the potential cumulative impact of other things going on in that area and the way he is trying to access the data for us. Robert states in terms of when the analysis is done he doesn't have a concern as to whether it is done now or later. Robert refers to the quotation for figuring out the analysis and states it is going to come later anyway. Cynthia states yes, but what good is it if the data is submitted later on when we are trying to get everything up front so we can review this now. Robert states that is why he suggests it be done now as opposed to later, but he does see Mr. Miller's point. Mr. Miller states doing a traffic study on an intersection costs about \$3,000 per intersection. Mr. Miller states if we lose the a.m. peak hour, we lose half of the study. Mr. Miller states this is not little; we are talking about thousands of dollars and a lot of paper and work. Mr. Miller states in a situation where there is a community facility there will not be enough volume to make a difference in the operating capacity of these intersections. Mr. Miller states he is happy to take the counts in the morning, but to run level of service on that under these circumstances just doesn't meet the test of a significant adverse impact. Mr. Miller refers to the triangle intersection and states two of them are right hand turns. Mr. Miller states there are no conflicts with a right hand turn situation. Robert states the one left hand turn is the killer. Robert states he goes down there every morning, and we even have Town Police there. Mr. Miller states that intersection potentially bears looking at, but adding one or two trips a minute to that intersection isn't going to change anybody's experience

of delay, and that is the point he is trying to make. Mr. Miller states he knows his request came at the last minute. Mr. Miller states he was on vacation last week and it is what it is. Mr. Miller states we are talking threshold here. Mr. Miller refers to a comment in his letter in regards to dropping traffic altogether. Mr. Miller states he is looking for ways to try and make this work. Cynthia states she appreciates that. Cynthia refers to the triangle Mr. Miller just spoke about, as well as there being several left hand turns which are serious. Mr. Miller refers to the one way right hand turn onto Route 22 and states there is not going to be a big capacity or conflict. Cynthia states that is the only one; there are not two, only one with the issue. Robert states when coming down Route 116, he could sit for 5 minutes trying to get on Route 22 south there. Robert states when he does that, the cars are backed up already to Westchester Children's Exceptional School (WEC). Mr. Miller states they will be adding two cars to that in a minute and asks whether this intersection should be signalized. Cynthia states this adds to our analysis of the safety issue when coming out of the driveway. Cynthia states that she has been in traffic on Route 22 many times when it has backed up right to that driveway. Robert states there are a lot of other projects currently being worked on which will affect the traffic on Route 22 south. Robert states it is a cumulative affect which he is concerned about. Cynthia states, speaking of cumulative, the Applicant is proposing to use the same driveway as the two nursing homes. Cynthia states the number of vehicles coming out will be from this proposed Project plus the nursing homes. Will states that is existing traffic and it is in the count. Mr. Miller states the reason he suggested the a.m. be dropped out is because it is a low trip generator in the morning; much lower than in the evening. Mr. Miller talks about collecting the morning counts, and if those counts when added to the volumes are less than the afternoon counts, they won't do level of service analysis, and if they are, they will. Mr. Miller states then there will not be a need to come back and do it later. Mr. Miller states they will submit the analysis to the Town's Traffic Consultant for a consensus. Mr. Miller states this is a really big threshold issue and he didn't think it through when originally looking at the Scope, which is his fault. Cynthia states the Board is at a disadvantage because their Traffic Consultant is not here tonight. Cynthia asks the Board whether they want to leave this part out to be discussed later. Bernard states he wants to hear from the Town's Consultant first. Cynthia states to the best that he could do, on a very limited timeframe, he wrote an e-mail. Cynthia states if the Board wants his input and have him here to answer questions, we could set it up to be done at a separate Meeting or at our Meeting in two weeks. Cynthia states she knows everyone wants to move this Scope tonight and she is conflicted. Robert states that Mr. Draper indicated that he didn't have a problem moving forward now. Robert states he understood Mr. Draper to say that if there were issues they could be dealt with later on. Mr. Miller states if there are issues, they will deal with them. Mr. Miller states they will be able to determine whether the a.m. peak is a problem and if it is they will take a look at it. Cynthia states her biggest problem is that Mr. Draper said it was his understanding that there will be daily roadway counts and she didn't recall seeing that. Mr. Miller states that is not in the Scope. Cynthia states that Mr. Draper is basing his comments on something that is not in the Scope even though he wrote that Section of the Scope. Mr. Miller states they are assuming the peak hours would be 7:00 a.m. to 9:00 a.m. in the morning and 4:30 p.m. to 6:30 p.m. in the afternoon. Mr. Miller states they will be able to determine that from the DOT volumes on the ramps, and on Route 22. We will be able to see where the peaks are from that data. Gary refers to the train station in terms of people going in and out and states that is probably the only exception. Cynthia states we will leave this for a moment and move onto the other part of it.

Cynthia states the only other issues were in regards to engineering. Cynthia asks Will if in the Final Draft he did put Frank's concerns back in. Will states he thinks it was just the one item on Page 10. Cynthia confirms that Will fixed Page 9 and Page 10 stays.

Cynthia asks the Board whether they want to leave the Scope as is, or allow a continued discussion with their Traffic Consultant. Gary asks if those are the only two alternatives. Cynthia asks Gary what else he would suggest. Gary states the rest of the Scope is fine, and everyone wants to move it forward, but if do we might be hurting ourselves. Cynthia states that right now we haven't changed anything. There is a request from Mr.

Miller to drop the a.m. peak hours, and we haven't said we would do that. Cynthia states the advice is if we drop it, it is contingent upon daily counts which she just confirmed are not in the Scope. Cynthia states the Board doesn't have an agreement from their Traffic Consultant to drop the a.m. peak hour analysis. Will asks when Mr. Draper uses the word "daily", is he referring to anything different than the concentrated two peak areas. Mr. Miller states he doesn't know because it doesn't state "24 hours". Will states the peaks are what is important. Mr. Miller states he doesn't think they would object to putting a tube counter out on Route 22 for two mid-week days to determine what the volumes are and states that will be revealing. Mr. Miller states if the tube counter reveals that the peak in the afternoon is the peak on the road that will give us reason to proceed with just p.m. analysis. Mr. Miller asks if that would be a reasonable approach. Cynthia states that is a suggestion which their Traffic Consultant has to comment on. Charlotte states the backups are in the morning, they are not in the evening. Charlotte states there are no backups in the evening. Cynthia states it is the opposite of what Will said. Mr. Miller states the problem is that in the morning they would be generating hardly any traffic. Mr. Miller states they are adding one trip a minute. Cynthia states that is assuming the Applicant is using the correct factors from the Manual. Mr. Miller states if you were to do counts out there for a month, on any given day, you would see the variation in volumes from one day to the next is going to mask the one trip per minute from this Project. Mr. Miller states that is just how traffic works; there is a 5 to 10 percent variation from one day to the next based on life, so it becomes statistically non-significant. Mr. Miller states we could collect the counts, but it is not going to change. Mr. Miller states it would make sense if this were a big Project with geometric and signalization issues. Mr. Miller states this is not that type of a Project. Mr. Miller states they are not going to be adding signals or adding geometry on a State Highway as a result of a 38 vehicle generated job. Gary states he is alright with that if the 38 count is actually appropriate, and states for the moment, he has to take Mr. Miller's word. Mr. Miller suggests setting the threshold at 60 vehicles. Cynthia talks about leaving the document as is, and move the Scope with one condition, that the Board allows a conference call between Mr. Miller's Office, Drew Draper, and Will. Cynthia states let them develop a protocol in regards to how the counts will be handled during the a.m. Charlotte agrees. Gary states for the a.m. and p.m. as appropriate. Cynthia states the p.m. is already in there and the question is about the a.m. peak hours. Cynthia states the Board will be putting their faith in the Town's Consultant so as whatever he decides as protocol is appropriate. The Board agrees.

Mr. Kearney states he doesn't want the Board to misinterpret the flexibility to the collaboration he eluded to a few weeks ago. Mr. Kearney states this one issue got away from them and he apologizes and appreciates the Board taking the time to resolve this. Mr. Kearney states he has built 10 of these communities and dealt with traffic in the past. Mr. Kearney states he doesn't take it lightly. Mr. Kearney states he agrees with Mr. Miller in terms of doubling the 38 number. Mr. Kearney asks what will happen if nothing is resolved during this conference call. Mr. Miller states one of two things, either they agree to drop the a.m., or some variation of that based on 24 hour counts, or the Scope stays the same. Mr. Kearney asks what their comments were to the Scope when they originally met and talked about this with Will. Mr. Miller states we were talking about which days of the week and what hours of the day should be counted. Mr. Miller states he wasn't focusing at all on the question of trip generation. Mr. Miller states that subsequent to that Meeting, additional intersections were added and then the Traffic Consultant came back with a lot of words in terms of doing a Traffic Study and adding additional items such as a speed study and an accident study. Mr. Miller states the Workbook came out October 7th and he looked at it and it basically gave guidance. Mr. Miller states the State has thought about it and given numerical guidance to the traffic issue and it is stated in the Workbook that if a project generates less than 100 trips per hour it generally is not likely to rise to a place of significant adverse impact. Mr. Miller states they did a trip generation assessment and are not even close to 100 which made him wonder why they were even doing a Traffic Study. Mr. Miller states he recognizes they are a little too far down the road to toss out the Traffic Study. Cynthia states it is just a guidance tool and if the Applicant wants to look and see how North Salem handles it, they usually go for the a.m. and p.m. on all the Projects at all the intersections as it is common practice. Cynthia states we are not using the newly adopted regulations short

form. We have already decided this is a Type 1 action. Cynthia states we already decided we are going to do an EIS and she would like to move forward, gather the information, and be done with it. Cynthia states she is willing to say that if the Applicant can come up with a protocol with the Town's Traffic Consultant, we are willing to modify it based on his recommendation. Cynthia states otherwise, it would stay the way it is. Cynthia states the Applicant is not going to convince the Board without their Traffic Consultant here or with a full Report from him to change this at this time. Cynthia talks with the Applicant about waiting two more weeks. Mr. Miller states they don't want to do that. They would like to try to find a way to address this. Cynthia states that Mr. Miller's Office did incorporate all of the suggestions from the Town's Traffic Consultant, returned the document to us, and we moved forward on that basis. Mr. Miller states it was his mistake because he was away and didn't have a chance to look at it. Gary states it seems pretty reasonable to have a conference call. Mr. Miller talks about adding language in so as the Scope will be subject to a conference call and a consensus as to the appropriateness of the a.m. traffic analysis. Cynthia states the Board will give the Applicant two weeks to resolve this because if the Scope will change, this matter will be on our November 6th Agenda. Cynthia states if our Traffic Consultant comes back and tells us yes the Scope may be modified, she would like the Board to act upon that at their next Meeting. Mr. Spolzino confirms the Scope will be adopted tonight with that Condition. Will states he does want to see the Scope adopted, but functionally asks what that will do tonight, versus resolving this issue and then adopting it. Mr. Spolzino states there are other issues regarding to the Settlement that are depending upon the adoption of the Scope. Mr. Spolzino states they have mitigation timeframes to meet and it could always be modified. Will states in the end he just wants to have one Scope; not two. Will talks about adopting it in terms of the language. Cynthia states she wants it resolved in two weeks as the Scope has to be circulated and it has to go up on the Website. Cynthia states she doesn't want to put it up with a Condition. Will states that is what he is saying. He wants one Scope put up, not two. Will states he has no problem if the Board adopts everything except the one Traffic piece to be adopted at another time.

Cynthia asks Will if there is anything else he would like to point out in this Draft Scope dated October 9th. Will states he doesn't think so.

Chairwoman motions that the Planning Board Adopt the Draft Scoping Document dated October 9, 2013 with the allowance of a conference call on the issue of the collection of the a.m. peak traffic counts to be reviewed by the Traffic Consultant for the Town within a two week period, in collaboration with the Applicant's Traffic Consultant. Robert Tompkins seconds. All in favor. No opposed.

After the motion, Cynthia states the Board will be doing an Executive Session after the Zoning Discussion unless we can ask Mr. Rossi and Mr. Bromst as well as everyone else with us to step out of the room so the Board may have a moment with their council. Dawn confirms she will pause the video.

4. Executive Session:

- Discuss Pending Litigation

Chairwoman motions the Board go into Executive Session to discuss pending litigation. Gary Jacobi seconds. All in favor. No opposed.

Chairwoman motions that the Board to out of Executive Session and open up the Work Session portion of the Meeting. Charlotte Harris seconds. All in favor. No opposed.

WORK SESSION:

5. Discussion of Proposed Zoning Amendments

- Review of Use Tables
- Review of Definitions

Cynthia asks the Board to take out their Use Tables and states that basically R-4 has been covered. Cynthia states we are going to identify where we still need to do work and identify where we are going to augment our Definitions. Cynthia refers to the R-4 Table and states it is interesting to note that of the first five Uses which all relate to farming, only one is defined and that is the word fowl. Cynthia states she cannot imagine why we would need a Definition for anything else spelled out in one through five, but if the Board doesn't agree, please let her know. Cynthia states there is also that caveat about Definitions where we would go to the dictionary. Cynthia states that Item 6 is part of the agricultural also. Cynthia refers to Item 7 which is churches or other places of worship and states she was trying to figure out how one would actually define that in terms of anyone being able to establish themselves as a place of worship. Cynthia states she thought, as a starting point, she would speak with Karen Futia, our Tax Assessor, to see how it is defined for our assessment purposes. Cynthia states that churches are 5013C's or some equivalent and are off the tax roll. Will states there are a lot of court cases on this and he doesn't know whether it has ever come down to a single Definition. Will states that is where he would look instead of with the Assessor. Cynthia confirms Will is suggesting she check with Roland. Gary states one reason why the assessment won't work is because someone may rent a store front and call it a house of worship which has been done in many places. Cynthia states she has highlighted this item and will check with Roland. Cynthia refers to Item 8, fire or ambulance stations and states she doesn't think we need to define them, and asks the Board whether they disagree. The Board agrees. Cynthia refers to No. 10, single-family detached dwellings and states we do a good job in defining our dwellings. Cynthia states she is not saying that we shouldn't look at our Definitions to see whether we want to tweak any of them. Cynthia states we did cross out public schools and we will talk about public schools when we get over to private schools. Cynthia refers to Item 1 in the second column and states that multi-family dwellings are defined. Cynthia states that we know that Item 2, for recreational grounds and facilities operated by nonprofit organizations needs a Definition. Will refers to Item 1 and states we should be able to get a Definition for handicapped, and asks if elderly is defined anywhere. Will states it may be defined in the Supplemental Regulations. Cynthia states there is a Definition under Dwelling for Senior Citizens or Disabled Persons, as well as Multi-Family, but we don't have one for Handicapped or Elderly Persons. Will states we should double check, but those terms may be intertwined. Cynthia confirms we need to match the Definition to the terminology in the Use Table. Cynthia refers to Item 3 in terms of membership clubs and states she believes we have membership clubs back in so there is a need to define them. Will states yes. Cynthia states she is creating a list and so far has churches or other places of worship, recreational grounds and facilities, and membership clubs. Cynthia states on the side we are going to do a rematch of elderly, handicapped, and disabled. Cynthia asks if there is a need to define golf and country clubs. The Board states no. Cynthia talks about membership clubs versus country clubs and asks the Board if they dropped country clubs and decided to call them golf clubs. Cynthia states maybe we should add that to the list just to double check. Cynthia refers to Item 5, libraries, museums and art studios or galleries and confirms with the Board it is not necessary to define them. Cynthia refers to Item 6, single-family attached dwellings and states it is defined. Cynthia refers to Item 7, public utility buildings, water supply reservoirs, wells, sewage treatment plants, water treatment facilities and transmission lines and utility poles for electric power telephones or gas and states she doesn't think we need Definitions. The Board agrees. Cynthia refers to Item 7, bed-and-breakfast establishments and states they are defined. Cynthia refers to Item 7 and states communication towers are defined, and communication towers and facilities are defined separately, as well as the word co-location. Cynthia states we may want to look at this in more detail. Cynthia refers to Item 10 and states we do not have private secondary,

elementary schools defined, but we do have nursery schools defined and what is missing from this equation are charter schools. Cynthia states she doesn't know whether they fall in Column A as public schools or Column B as private schools. Cynthia states she will add them to her list for further work. Cynthia states she actually started looking at this, and for certain purposes, charter schools are public schools. Cynthia states from a Zoning point of view it is unclear and she hasn't found the answer so we need to do more research on that. Gary asks why public schools are crossed out. Cynthia states we crossed out public schools because we do not regulate, and there are no Zoning provisions or oversight for public schools. Gary asks if that is true for community colleges and universities. Cynthia states no, because they are listed in Column B. Will states any public school is not under the Town's jurisdiction, and any County or State run school is also not under the Town's jurisdiction. Gary inquires about Boces. Will states that Boces is part of the regional jurisdiction. Will states a private university, such as Pace, would be subject to for review. Cynthia states that private, secondary or elementary schools are not defined, and nursery schools are. Cynthia states what is missing between the two are charter schools. Will asks how a charter school is any different than a private, elementary or secondary school. Robert states that the majority of charter schools are public. Cynthia states that charter schools are public not in the same ways public schools are public because they are not under the jurisdiction of the local school board. Cynthia states we know they are public schools by the way they are treated as educational places, we don't know if they are public schools for the way they are treated under SEQR or Local Zoning; which are the questions we have to answer. Cynthia states the SEQR used to be done by the State Education Department and then it became delegated down to the School Boards. Will states that is how they handled it, but they are subject to SEQR. Will states that never changed. Cynthia states if they don't fall under the Local School Board and if the State Agencies are not doing it, does that mean we can do it under Local Zoning. Will states the Zoning and SEQR are two totally different things. Will states if the Town has no jurisdiction under Local Law, SEQR is irrelevant. No matter what, they are subject to SEQR, it is just a matter of whether the Town has Zoning jurisdiction. Will states if the Town has Zoning jurisdiction, they have SEQR jurisdiction. Cynthia states if the State Board of Education does the SEQR for charter schools that doesn't mean we couldn't still treat them as a private school under Zoning and the State Board would have to say something else to put them in the full category of a public school. Will states the question is whether charter schools are subject to Zoning. Cynthia refers to Item 12 and states that universities or colleges are not defined right now, but dormitories are. Cynthia asks the Board whether they feel the need to define either universities or colleges. They do not. Cynthia refers to No. 13 and states that hospitals are not defined. Cynthia asks the Board whether they feel the need to define them. They do not.

Cynthia refers to Column E, Item 13 and states she added in, with a question mark, noncommercial digesters and composters of manure incidental to the permitted keeping of customary farm animals, no importing permitted as accessory uses by right. Cynthia refers to Column D, Item 10 where it used to list digesters, composters or transfers stations for manure as Uses by Special Permit of the Town Board. Cynthia states we took part of that and moved it over as an accessory use by right, noncommercial digesters and composters of manure incidental to the keeping of the farm animals and states the question is whether we want someone to have a commercial digester anywhere in Town. Cynthia states she doesn't know whether we answered that question, as she has it penciled in with a question mark. Will states he thought the Board resolved this. Charlotte states she thought the Board didn't want them. Cynthia states she will take them out. Robert states a private digester is impractical in an R4 Zone.

Cynthia states she is not going to go down the Town Board items because we have already either nixed them or moved them over to the Planning Board. Cynthia refers to the Zoning Board of Appeals (ZBA) and states the accessory apartments are all defined. Cynthia refers to riding academies, boarding stables and breeding farms and states at least two of them are defined, or they might all be. Cynthia states she will double check them. Cynthia refers to the roadside stands and states the serving of food is defined by the use.

Cynthia states that is all she had in R4 and asks if any of the Board Members had a chance to look and pick up anything else. Robert states no. Cynthia states if that is the case, then the R2 Table does not have any additional Uses. If anything there are fewer Uses. Will asks whether home and professional offices are defined. Cynthia states yes both of those Uses are defined. Cynthia states that home professional office and home occupation both have Definitions. Cynthia states we are going to revisit the Definitions, but we are confirming which Definitions we have and should re-read them and make sure we like them.

Cynthia refers to parish houses, parish halls or rectories. Cynthia states we are learning that these parish halls may be used for a lot of different functions and asks the Board whether they want a Definition. Gary states no. Charlotte states she would say the only issue would be living there which is not allowed. Cynthia asks the Board to think about this.

Cynthia refers to the R1 Table and states convalescent or nursing homes are listed there. Cynthia confirms with Will these Uses are only in R1.

Cynthia states we will jump over to the Commercial and refers to the RO Table and states we are adding a Definition for medical and dental offices or clinics. Cynthia refers to personal service businesses and states we already have a Definition. Cynthia states that we are adding a Definition for business offices or professional offices and banks. Cynthia refers to laboratory and research facilities and states we have a Definition. Cynthia refers to tradesman offices and states we have a Definition. Cynthia refers to communication towers and states they are already defined. Cynthia states that indoor recreation, child and adult day care centers, apartments accessory to commercial establishments, indoor light industry and veterinary offices were done. Charlotte asks where we left off in terms of veterinary offices being allowed to board. Gary states we left it up in the air. Cynthia states we only let them keep the animals they are caring for. Gary states that is right, they wouldn't be able to board animals if people were going on vacation. Charlotte state a lot of veterinary offices board animals when their owners go on vacation. Cynthia refers to Column E, customary storage of goods and materials and states we actually defined what that was, but we should take another look at that. Cynthia refers to outdoor recreation and states she is fairly sure the Board defined that.

Cynthia refers to the PO Table and states she doesn't think the Board defined restaurants. Cynthia states we had this whole discussion about take-out versus full-service. Cynthia states we do have a Definition for restaurants, but we have to look at it more carefully. Cynthia states now the Definition doesn't match the little tweaking we did.

Cynthia states she thinks we are good on the NB and the GB Tables.

Cynthia asks everyone to go back to the RO Table and make a footnote to add a new item under Column C, No. 10 for the emergency staging area for utilities as a standalone Use.

Charlotte states this is a good start. Cynthia states this is a very good start. She thinks we have identified everything that needs Standards. Cynthia asks if Standards may be done for as of right uses. Will states absolutely. Cynthia states that some of the as of right uses which don't have Standards are churches and other places of worship. Will suggests being careful in regards to the churches. There is a discussion about having an acreage requirement. Cynthia states we have the same acreage requirement as the single-family homes and what the Zoning District is, R4.

Cynthia refers to fire and ambulance stations and asks why we put the Ambulance Corp. through Site Plan, but not the Fire Department. Cynthia states we should speak with Roland about this to understand it better as we don't have Standards for either and if they are subject to Site Plan maybe we want to add Standards. Will

states there are Standards except they are not specific to that use. Cynthia will mark it as something that should be looked at. Cynthia refers to Column C and states we are working on the recreational grounds. Cynthia states we have membership clubs and golf and country clubs, but need to revisit them. Cynthia states we do not have Definitions for libraries, museums and art studios and galleries and we will look to see whether it is necessary. Cynthia states we have Definitions for bed-and-breakfasts and communication towers. Cynthia refers to private schools and states we do not have a Definition. Will states we developed Definitions for day care and adult day care centers. Cynthia states we do not have a Definition for private schools, universities, colleges, or hospitals. Cynthia asks if we want to keep hospitals and states we need to talk about whether we want all of these Uses.

Cynthia refers to the RO and states she doesn't think there is anything we haven't hit. Robert talks about taking out all the 5013C's in the RO Zone.

Will states he thinks hospitals are covered with nursing home standards. Cynthia asks if we should separate them. Will states we should look at it.

Cynthia states we are done identifying and asks the Board how they would like Will to tackle this. Cynthia asks the Board whether Will should do the Definitions first. Charlotte states yes. Cynthia states we will ask Will to look at new Definitions for those that are missing them. Cynthia asks the Board to read all of the Definitions and if they do not like any of them, highlight them so we may talk about how to improve them.

Don Rossi states that Will has some interesting work ahead of him. Mr. Rossi states he would like to find out whether the Board is still agreeable that the camp use would not be included in the Ordinance. Will states there have been discussions and he thinks the Board agreed in their view that it should not be included. Cynthia states that will be looked at again, but the Board cannot give Mr. Rossi an answer tonight. Cynthia states it definitely will be looked at again. Cynthia states the way it stands right now is the last direction the Board gave Will was to remove it, but that was put on hold. Cynthia states when the Board revisits it that may be the direction they will go in. Cynthia states that no work is being done right now until we get to it. Cynthia states that the Board did receive a Memo from Mr. Rossi in regards to another Definition which will be added to the pile of Definitions to be worked on.

6. Comments from the Chair:

- Hawley Woods Subdivision – Consider Applicant's Request for a Meeting

Cynthia states Dawn received a call from the Applicant's Representative and they would like to have another meeting with Frank Annunziata about stormwater. They would also like to have their wetlands person attend. Cynthia states the last time we met with them they wanted to walk through some of the changes they are making with Frank and get his general consensus before they put time and money into generating final plans to submit. Cynthia states since it has been a long time since this matter was talked about, she wanted to talk with the Board and obtain their authorization to set up such a meeting. Cynthia states she also thinks it might be beneficial, depending on their questions, for Will to sit in as well. Cynthia states if the Applicant is going to deviate from engineering questions at all, it may be helpful for Will to attend. Cynthia states she will call the Applicant's Representative back and find out what all of their questions are, and if they go into wetlands or non-engineering items, she would like to have the Board's permission to have Will attend. Cynthia states another option would be to have the Applicant come and talk before the full Board. Gary states Cynthia has his permission. Bernard and Charlotte agree.

Will asks for clarity in regards to the recreation in terms of pulling out the overnight aspect. Cynthia mentions

pulling out the camp portion.

7. Next Meetings:

- Regular Meeting - November 6, 2013
- Work Session – November 20, 2013

8. Resolution:

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