

concern with the proposed route. Cynthia states when we walked the alternate route, we studied it out in the field as well.

Mr. Sessions introduces Matt Edmonds, the Applicant, to the Board.

Cynthia states there is a request on the floor to waive the Public Hearing and asks the Board whether they have any comments. Bernard states he is all for it being waived. Charlotte states she is fine with it being waived. Robert agrees. Cynthia states that usually the Board encourages Public Hearings, but in this case the one neighbor to the west is the Applicant and the one neighbor to the east is the kennel. Charlotte refers to the driveway to the kennels near property owned by the Open Land Foundation and states it was brought up at the last Meeting about possibly abandoning that driveway and having them use the Applicant's driveway. Charlotte states that maybe the Applicant had asked the Hunt Club once about abandoning the dirt road, as it is right in the wetlands. Charlotte states it is something the Hunt Club may consider doing. Mr. Edmonds states it is quite a substantial driveway and talks about the Easement on his property. Mr. Sessions states there is a pretty significant slope down to the kennel. Charlotte states not really, as there is one break in the stone wall. Charlotte states there are a lot of utilities there and she doesn't know if it would work. Cynthia states it would be nice if that could be worked out. Cynthia states it doesn't impact what we are doing tonight. Cynthia states if it were to be worked out sooner than later, it could be added to the Draft Resolution as a Finding. Cynthia talks about Mr. Edmonds starting the conversation with the Hunt Club. Mr. Edmonds asks if the suggestion is for the Hunt Club to use their driveway, and then access his. Mr. Sessions states he believes the suggestion is for the Hunt Club to use Mr. Edmonds new driveway. Charlotte states yes, to get to the barn. Charlotte states the only thing that might not work is the right hand turn off of Mr. Edmonds driveway to where the barn is. Charlotte states there is parking and it is pretty clear. Charlotte states there is an opening in the stone wall and there may be a dumpster there. Charlotte shows on the Plan where there is a break in the stone wall. Mr. Sessions states a request that this not impact the timing of this Application. Robert states this is an imposition on the landowner.

Cynthia states at least three Board Members agree to waive the Public Hearing. Cynthia states that we will ask Will to prepare a Draft Resolution of Approval for the next Meeting. Mr. Sessions states he will modify the Plans according to MDRA's final comments. Cynthia asks Will if he thinks it is necessary for Mr. Sessions to modify the Plans now, or could we make it a Condition of Approval. Will states it could be done as a Condition of Approval. Will states if Mr. Sessions decides to submit revised Plans, that should be done sooner than later so he knows not to make them a Condition of Approval in the Draft Resolution. Cynthia states the revised Plans have to be submitted quickly, or we will just make them a Condition of Approval. Mr. Sessions agrees to them being a Condition of Approval. Cynthia states she agrees as long as Mr. Sessions agrees to all the changes. Cynthia confirms with Mr. Sessions that he doesn't have any questions in regards to what Will has asked for. Mr. Sessions asks if he may call Will once he goes back and re-reads the Memo. Cynthia states that Mr. Sessions should call her.

Mr. Sessions asks when the next Meeting date is. Cynthia states December 4th. Will asks when the November Work Session will be. Cynthia states November 20th and confirms with Will that he is going to try and have it ready for the Work Session.

2. Old Salem Farm: Viktor Solarik (owner – Old Salem Farm Acquisition Corp.)
Amended Site Development Plan (location – 190 June Road)

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

Cynthia states we had a little bit of confusion, but a quick phone call and Plan changes put us back on track with what we originally understood was being proposed. Cynthia refers to the Revised Plans just received and states the Plans remove two future considerations for structures which ended up in yards. This would mean we would have to send the Applicant over to the Zoning Board of Appeals (ZBA) for variances, which would hold the current proposal before our Board up. Cynthia states it is her understanding that at some point in the future, if these items are considered, the Applicant will come back. Mr. Solarik refers to a score board which is shown on the east side of the jump ring, in the 100 foot front yard setback, as well as a bleacher in the side yard, near the gazebo. Cynthia states the bleacher in the side yard would be a concern. Mr. Solarik stated in order to expedite the process, the Owner has agreed to remove the two items so there will be no issues with the setbacks. Cynthia confirms the Owner will stick with the original Plan. Cynthia states the Plans that were submitted are in substantial compliance with everything that has been asked for this date. Cynthia states the Applicant has requested the Board to consider waiving the Public Hearing which is what we would have to do in order to take the third step, to vote on the Draft Resolution of Approval. Cynthia asks the Board how they feel about waiving the Public Hearing for these minor amendments. Charlotte states she agrees. Bernard states he has problems in regards to the number of people who are close by as it seems to him this is really growing. Bernard states that there are a lot of shows. Cynthia states that aspect is controlled by the ZBA Special Permit for which the Applicant has already received Approval and Renewal for. Bernard states he knows that. Bernard states that doesn't tell him anything about the neighbors and there are people very close to this facility. Cynthia states if we were to have a Public Hearing it would be about our Site Plan issues, not about the number of people attending the events. Cynthia states the ZBA has Public Hearings on that aspect. Bernard states the Plan is fine, but he is concerned with the neighbors. Cynthia states we all are. Cynthia states the Amendment has to do with the location of the structures. Robert states this is a fairly public facility although it is private. Robert states that Bernard's comments and concerns are legitimate. Robert states he is not against waiving the Public Hearing. Cynthia states she isn't either. Cynthia states the issues the Planning Board had to do were in regards to the location of the structures for which the ZBA has already held a Public Hearing on. Robert asks Mr. Solarik if he is the sound engineer. Mr. Solarik states no. Robert asks Mr. Solarik if he will tell the sound engineer to read the previous rulings relative to decibels when shows are going on. Mr. Solarik states yes. Robert states the sounds can be heard all the way in Croton Falls. Charlotte states it can be heard all the way across Town. Robert states that would be his recommendation. Mr. Solarik states he knows that a lot of attention was paid to the sound system initially designed and there was testing in terms of how the sound travels from the property. Robert states the shows have become bigger and may require an additional review. Robert states he can hear the shows from his house, but he knows a lot of people hear it as well. Cynthia states we need to get this information over to the Building Inspector as it is his job to oversee the sound. Cynthia asks Robert if he has communicated this to Bruce. Robert states no. Cynthia asks Dawn to remind her to send an e-mail to Bruce. Mr. Solarik states he had discussions with Bruce about the sounds being directed into the property. He is not sure what has changed since then. Cynthia states that maybe the sound needs to be directed downward.

Cynthia begins the motion for the Board to Waive the Public Hearing and Will states it is built into the Draft Resolution. Cynthia thanks Will and states the Board has a Draft Resolution to consider this evening. Cynthia confirms the Board has had a chance to read it. Cynthia asks Mr. Solarik if he has read it. Mr. Solarik states yes; it is fine.

Chairwoman motions that the Planning Board Adopt the Amended Site Development Plan Resolution for Old Salem Farm as Drafted. Charlotte Harris seconds. All in favor. No opposed.

3. New Cingular Wireless (AT&T): Anthony Morando (owner – Heziha Sulcevski)
Cond. Use/Site Dev. Plan (location – 73 Crosby Road)

- Consider Report From Planning Consultant
- Discussion Regarding Request for Exemption

Cynthia states Anthony Morando is here with us tonight. Cynthia states we have an MDRA Memo which basically states that because of the changes from a quantitated standpoint we cannot consider this as an Exemption, so we will consider this as an Amended Site Plan. Cynthia shows the Board photographs she took from Joe Bohrdrum Park which are highly zoomed in and states if she understands the photograph correctly, we are talking about the second position down on the Tower. Cynthia states the structure is all there, it is just a matter of adding one more panel. Mr. Morando states it is at the 112 foot level and the tower is 150 feet. Will refers to the guy wires and states they are at the second position. Cynthia states she thought she understood that all of the bars are already there and the Applicant is proposing to add another panel or change it out, and then add more equipment closer to the tower, within the triangle. Cynthia states a concern in regards to public spaces and states that is why she went up to Joe Bohrdrum Park to take the photographs and was able to understand the Plans much better. Cynthia states that while it appears to be a big impact from a quantitated standpoint, she doesn't think it is a big impact considering the materials are already there. Cynthia states that the boxes will be inside and will not be as massive as the others. Robert states the only engineering issue is the capacity to sustain the additional weight. Robert states as long as the structure sustains itself, he doesn't have a problem with it.

Mr. Morando states there are six antennas there now, so there will be nine; one in each corner. Cynthia confirms with Mr. Morando that the boxes on the inside will be much smaller.

Cynthia states she thinks the Board may move this forward as an Amended Site Plan and asks Will what else has to be done procedurally. Mr. Morando states if that is the route to go, he doesn't disagree with it and would request the Board to Waive the Public Hearing. Mr. Morando states they did request the Waiver in their cover letter. Will asks if this is a Conditional Use Permit. Mr. Morando states it is an existing Use. Cynthia states it is a pre-existing Use which originally received its permission from the ZBA under the prior Ordinance. Cynthia states she believes the way we have handled these subsequent Uses has simply been an Amended Site Plan. Mr. Morando states that a few years back AT&T did some work and received an Amended Site Plan. Mr. Morando refers to the Code where as it states when a Conditional Use is approved then the Use is conforming with that Lot. Cynthia asks Gary if he has any questions or concerns. Gary states he is fine with it. Cynthia asks the Board whether they are comfortable with the request to Waive the Public Hearing. Charlotte states not as much as on the two previous Applications the Board just discussed since this is visible. Mr. Morando states there will be a very insignificant visual increase. Mr. Morando states this is an existing 150 foot tower with several existing antennas. Cynthia states a year or two ago antennas were added. Will states there was a proposal, but it was never finalized. Mr. Morando states he did see that mentioned in the MDRA Memo. Mr. Morando states he asked his team about it and they know nothing about it. Will states they just didn't come back. Charlotte states she is alright with it. Cynthia talks with Will and states the consensus is to Waive the Public Hearing. Cynthia asks Will if the Board may move right into an Approval. Will states yes although he is not sure he is comfortable with the Site Development Plan/Conditional Use, but either way, it could be moved forward with a Draft Resolution. Will states he doesn't have his Code Book with him. Will refers to the Type II reference under SEQR and asks Mr. Morando if that is based on an Amendment to SEQR or on guidelines the DEC might have issued. Mr. Morando states that is based on Section 617, which is the Type II List and refers to Pages 31 to 33 in the SEQR Handbook. Mr. Morando states this is a well-accepted position. Will confirms that Section 617 did not change, just the Handbook. Will states the Handbook is not Law which he wanted to clarify.

Cynthia asks Will if he will be able to prepare the Draft Resolution for the Work Session in two weeks or for the Regular Meeting in four weeks and reminds him he will also be working on the Zoning Amendments. Mr. Morando states that two weeks would be great. Cynthia states we will let Mr. Morando know. Mr. Morando confirms the Work Session will be on November 20th. Cynthia states Mr. Morando should expect this to be on the December 4th Agenda unless he is surprised; it all depends on the Zoning Amendment work Will has to do.

4. Release of Escrow per Written Request:

- Hilltop Stables - \$2,927.48

Cynthia states we have a quick Resolution to consider tonight regarding the release of an escrow per written request.

Chairwoman motions that the Planning Board Release the Escrow in the Amount of \$2,927.48 for Hilltop Stables LLC, per Written Request. Gary Jacobi seconds. All in favor. No opposed.

5. Minutes:

- June 19, 2013
- July 3, 2013
- August 14, 2013
- September 4, 2013
- September 11, 2013
- October 2, 2013
- October 16, 2013

Chairwoman motions that the Planning Board Approve the Minutes of June 19, 2013. Robert Tompkins seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Approve the Minutes of July 3, 2013. Robert Tompkins seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Approve the Minutes of August 14, 2013. Robert Tompkins seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Approve the Minutes of September 4, 2013. Robert Tompkins seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Approve the Minutes of September 11, 2013. Robert Tompkins seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Approve the Minutes of October 2, 2013. Robert Tompkins seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Approve the Minutes of October 16, 2013. Robert Tompkins seconds. All in favor. No opposed.

6. Financial Report:

- October, 2013

Chairwoman motions that the Planning Board Approve the Financial Report for October, 2013. Robert Tompkins seconds. All in favor. No opposed.

7. Comments from the Chair:

Cynthia states at the last Meeting the Board adopted the Scoping for the Commons at Purdy's, but left out the Traffic Section to be more fully discussed with our Traffic Engineer, coordinated with Will, and the Applicant's Traffic Engineer, Tim Miller. Cynthia states during the middle of last week we received the Final re-write from our Traffic Consultant, which was sent over to Mr. Miller. Cynthia states she didn't forward it to the Board because if Mr. Miller had problems with the re-write, there would have been more back and forth. Cynthia states she confirmed yesterday that Mr. Miller did not have any problems with the re-write. Cynthia states she brought copies with her tonight and would like Will to incorporate the re-write of the Traffic Section into the Adopted Scoping Outline so that we have an official Final Scoping Document. Cynthia states there was an agreement and an understanding that the counts at the intersections could be looked at at a later date and states the more important Traffic Study that our Consultant wants is in regards to the speed and quantity at the driveway. Cynthia states the Applicant is proposing to share the driveway with the two nursing homes. Cynthia states the two nursing homes have employees and visitors. Cynthia states our Traffic Consultant re-wrote the Section to make it very clear and get all of the detail he wanted with that intersection and the interior intersection. Cynthia states we left in all the intersections in the immediate area, but have it down as something we, as Lead Agency, will take a look at after we get the focused Traffic Study for that area. Cynthia asks Will if anything should be added. Will states no. Cynthia states the Board already adopted the Scoping, this is just an instruction to Will to put this Traffic Section in so we may send it over to Mr. Miller. Will asks if this should be reflected as an Amendment. Cynthia asks Will if she should do a Motion. Will states he would like Cynthia to do that, but the Scoping has to be circulated, and he would like to know which date it should have on it. Cynthia states she believes it should have a new date, and proposes to make it today's date. Cynthia confirms the Board agrees with that.

Chairwoman motions that the Planning Board Agrees to Have the Traffic Section of the Adopted Scoping Outline Incorporated and the Final Scoping Outline with Today's Date to be Circulated to the Applicant and the Involved Agencies. Gary Jacobi seconds. All in favor. No opposed.

WORK SESSION:

8. Next Meetings:

- Work Session – November 20, 2013
- Regular Meeting – December 4, 2013
- Work Session – December 18, 2013 – discuss cancellation
- Regular Meeting – January 1, 2014 – discuss date change to January 8, 2014
- Work Session – January 15, 2014 – discuss date change to January 22, 2014

Cynthia states the next Meeting will be on November 20th, and it will be a full Work Session on the Zoning Amendments. Cynthia states December 4th is the first Wednesday of the month. Cynthia states the Work Session would be on December 18th and she will be away. Cynthia asks Robert if he would like to have the Meeting. Robert states that typically the Board doesn't have a Work Session in December. Cynthia states the

first Wednesday in January falls on January 1st. The Board has a discussion and decides to meet on January 8th for their Regular Meeting and January 22nd for their Work Session. Gary states he will not be able to attend the January 8th Meeting.

9. Discussion of Proposed Zoning Amendments

- Review of Use Tables
- Review of Definitions

Cynthia states she circulated a list which outlines the basis of our attack on the outstanding issues. Cynthia confirms that the Board has copies, and a copy is given to Don Rossi who is here tonight. Cynthia states the purpose of going through this tonight is to give Will his assignments to prepare parts and pieces for our next Work Session. Cynthia states one item we already know about is the NYSEG request for temporary storage. Cynthia states that Will has added that item to his list. Cynthia states when looking at the master list she prepared there are a lot of definitions we don't have. Cynthia states we should first look at whether some of these Uses will be kept in the Ordinance. Cynthia refers to churches and places of worship and states it makes sense to have these in areas where there are concentrations of people, but right now, we allow them in every Residential Zone. Cynthia states she isn't sure whether we want them in R-4 or R-2. Cynthia talks about allowing them where the heavily concentrated houses are. Robert refers to parking in those areas. Cynthia states the question is whether we want cathedral size churches in the Town which would take people into more rural areas. Cynthia states she likes the location of the churches we have now because they are in the Hamlets and the Communities where people are concentrated. Cynthia asks Will whether he has any thoughts about this. Will states it is a matter of policy, as there are all kinds of churches. Will states he deals with the Town of Woodstock in New York and they are becoming a haven for large churches, and now are getting a Greek Orthodox Monastery where 40 monks will be living. Will states the property is on top of a hill and will be seen for miles. Will states economically it may be good for villages. Will states the Board has to decide whether they want these Uses in the Districts. Will states that there have been issues in Chappaqua and Bedford as well. Cynthia states the Board doesn't have to make a decision tonight, but she would like them to add this to their list and think about it.

Cynthia refers to Fire Houses and states the reason she has a note there to check with Roland is because there is some confusion as to whether Fire Districts are subject to Site Plan Review by the Planning Board. Cynthia states the last Fire House in this Town was not subject to Site Plan Review, and she believes Will had a different opinion, so we need to have a conversation with Roland about this. Will states that Fire Houses will tell you they are not subject to Site Plan Review, but they are. Cynthia states we need to make a decision. Will states the Board may consider exempting them.

Cynthia refers to Recreation Grounds and Facilities and states the Board approached this from the worst case scenario, and brought it down to Passive Uses. Cynthia states the Board took out active recreation, and she isn't sure whether they took out structures. Cynthia states if the Recreational Grounds and Facilities remain as a Defined Use as all passive, we need to think about how we would deal with access and parking. Cynthia states if this isn't dealt with, it will always be on the public roads. Cynthia states she doesn't know whether someone may be denied a driveway into their property. Cynthia talks about dealing with this rather than leave it up for questions. Cynthia talks about whether the Board wants any structures at all, temporary or otherwise, and if we are going to allow temporary structures, how will they be regulated.

Cynthia states in the Ordinance right now, there is a Special Use of the Zoning Board of Appeals (ZBA) for the serving of food. Cynthia states the serving of food covers all of the temporary events such as Old Salem Farm serving food at their shows. Cynthia states she is bringing this up because now that we are writing

Standards for some of the other Uses she has always been confused by this Special Permit of the ZBA. Cynthia states if it is a Use that is going to be a Conditional Use of the Planning Board, we should deal with this, and take it out of the other category. Cynthia talks about the exemption in d whereas it refers to tax exempt, civic, and non-profit organizations sponsoring picnics, dinners, festivals or similar affairs being exempt from the permitting requirements. Charlotte refers to the Harvest Festival which used to be held each year. Cynthia states the way this is written, the Harvest Festival should have had to go before the ZBA for a Special Permit, but she doesn't think it ever did. Cynthia states the Harvest Festival was held every October in this Town. Will asks if it would fall under d. Cynthia states when it became the Lions Club it did, but the first ten years it didn't. Charlotte states because the Lions Club is civic and non-profit. Will asks who runs it. Cynthia states the Harvest Festival isn't held anymore. Cynthia states the reason she is throwing this out there is because when an event occurs once a year, she doesn't think anyone cares, but we could also have a situation such as when the Guiding Eyes for the Blind utilized the Baxter Race Track. Cynthia states thousands of people attended. Cynthia states she believes the reason it was discontinued was because the crowds were so huge. Cynthia states there is a possibility that these events could become large, and occur more frequently. Cynthia asks the Board whether they want to regulate these events, and whether this Section of the Code serves a purpose, and is it working. Cynthia states if it isn't, it should be re-written and moved to a place where it belongs. Will states he doesn't think it belongs with this Use at all. Will states the serving of food is an ancillary part of the existing facilities. Will states that Cynthia is referring to special events which are created, and a good portion of them may be food related. Will refers to having a regulation which regulates special events whether they are held for one day, or possibly a week. Cynthia states if the membership clubs and golf and country clubs are going to be Conditional Use Permits of the Planning Board, why don't we pull them out of this Section and move them. Cynthia states the ZBA should be dealing with it in regards to the equestrian, livestock, agricultural, and shows. Cynthia refers to the bed and breakfasts and states this is confusing. Cynthia suggests the Board study this more. Robert states maybe it was done and left like this on purpose so there is some fudge room in regards to some of these items, such as the events at the Orchard being held five weeks a year, or the Harvest Festival. Cynthia states the Harvest Festival would be exempt, but the reason she is bringing this up is because if we are going to have a Use which allows for Passive Use of a large property, we have to realize that these non-profit organizations may want to have events, and there is nothing stating they can't have events every weekend. Cynthia states the Board may want to think about this. Robert talks about having a permitting process so the frequency may be controlled. Will refers to farmers markets and states they could be held once a week for three or four months. Cynthia states the Board should think about whether or not to regulate these events.

Cynthia asks Will if he has a problem coming up with the list of Definitions that are missing. Will states no, but asks whether there are some items which need a Definition, as there are a lot of blanks in the Proposed Definition category. Will refers to private schools, hospitals, and digesters/composters in terms of whether or not the Board wants them to have Definitions. Cynthia refers to private schools and states she wrote a note as to whether the Board wants to consider removing them. Robert states he assumes this is something Will is going to advise the Board on. Cynthia states that Will needs direction from the Board. Cynthia refers to universities, colleges and private schools. Will states he doesn't think the Board should remove private schools. Robert agrees. The Board discusses dormitories. Cynthia states that dormitories are an Accessory Use to a university or college, so if one goes, the other goes. Cynthia refers to hospitals and states they are allowed in R-4 and R-2. Cynthia talks about taking satellite dish antennas off. Charlotte states they have a small one. Will states the dish antennas are exempt.

Cynthia asks the Board whether they want will to skip over private schools, universities, and dormitories for now so they may think about them. Robert states yes. Cynthia asks the Board whether they want hospitals to stay. Robert states he doesn't think it is an issue now, but in the future, we may be happy to have a hospital here. Will states there are Standards, so if the Board wants to keep hospitals, they should look at the

Standards. Cynthia states we have to strengthen all of our Standards. Cynthia refers to digesters and composters in terms of taking them out and states the Board had talked about not allowing someone to have a commercial-type, which could be moved from one farm to another. There is a discussion about allowing on-site composting. Cynthia states if that is what we decide, we need to make sure it is clear throughout, and then remove it as a Conditional Use of the Planning Board because the ZBA handles the instances where the farms have them as part of their Special Permits.

Cynthia refers to the serving of food and states that needs more attention.

Cynthia refers to Page 2 where there is a listing of the Commercial Use Tables and states in regards to the Building Contractor's she added in a note about receiving comments from Don Rossi and we have to consider whether we keep what is already written or whether we make any changes to it, so that is already drafted.

Cynthia refers to Restaurants and states we do not have Standards. Cynthia asks the Board whether they feel there is a need to have Standards for Restaurants. Cynthia states she isn't sure whether it is necessary. Cynthia states Will can let us know. Will talks about looking at whether there is enough of a distinction between restaurants in conjunction to not wanting take-out. The Board talks about not wanting fast food take out.

Cynthia asks the Board whether they want Will to tackle the Recreational Grounds and Facilities for the next Meeting, and if so, would they like to provide him with more direction. Gary states yes. Charlotte asks if the latest draft is July 3rd. Cynthia states yes. Cynthia talks about taking it down to Passive Use and states the Board has to decide whether any structures will be allowed, including temporary structures. Cynthia talks about exempting tents, or having a Standard. Cynthia refers to access and parking and asks Will if it has to be allowed on every parcel that has a Use. Will states if they don't have access and parking, how would they get there? Cynthia states they would park along the side of the road which is the issue with the Bedford Audubon Society piece. Will talks about having a pull off with two or three spaces. Cynthia talks about having Standards for access and parking. Will refers to Recreation Grounds and Facilities and states the Grounds would be considered land. Cynthia states she isn't sure if the name will stay the same. Will states he understands but the original intent has to be looked at. Will states that the term Facilities could be considered structures, but it could also be considered parking. Cynthia states we need to think about how the current owners are using their land, such as the Open Land Foundation and the Baxter Race Track, where every once in a while there are tents up, as well as parking in the fields. Cynthia states that porta johns are also brought in. Cynthia states there is nothing to regulate how frequent these events may occur. Cynthia states someone may have weddings. Charlotte states they are not allowed to have weddings. Will states their operation isn't under any authority. Cynthia states that Building Permits are obtained for the tents. Cynthia states that no one is sending them over under the Recreation Grounds and Facilities to talk to us. Will asks whether anyone has applied and received Approval under Recreation Grounds and Facilities. Cynthia states no one has ever done it since the Ordinance was written in 1987. Cynthia states the Audubon came to us twice in regards to having access to parking on their property. Will asks if they referenced the Recreation Grounds and Facilities. Cynthia states she isn't sure, and would have to check. Will refers to people having parking and access for the purpose of safety in order to get off the road. Will refers to Passive Recreation and asks the Board what they consider that to be. Cynthia states hiking, walking, bird watching, and cross country skiing. There is a discussion about biking, and not allowing motorized or wheeled vehicles. Will asks whether horse trails are okay. Cynthia states it seems to her that we would want to have big buffers and talks about temporary events usage. Will asks whether the Board is talking about having passive fields which could be used for sporting events, or not having sporting events or manicured fields. Will states if fields will be allowed, there will be a need for parking. Gary states we are getting so fine with this. Robert agrees and states he doesn't feel comfortable with it. Gary states we can't define everything perfectly. Cynthia states we are not trying to

define everything perfectly; we are trying to envision how someone might use their land in order to decide whether or not we want to have regulations. Will states if only Passive Recreation is listed, that doesn't say a lot. Gary states there is a line between too broad and too fine, and we are headed towards the too fine category. Cynthia states we are doing an exercise and she thinks it is important to try and be as specific as possible with our discussion. Cynthia states what we end up writing may not be so well defined, but let's go through the exercise to find out whether or not we are covering all the bases. Cynthia states what is the point of writing something that is ambiguous or that we may be sorry we weren't more specific about in a year. Gary states the purpose of writing something ambiguous is to give the Applicant and the Board reviewing the Application ample room to decide for or against it. Will states the Board actually doesn't have that authority. Gary states we do have that authority. Gary talks about having a 500 page document in order to write everything out specifically. Cynthia states if Gary doesn't want to go through this exercise he doesn't have to, but she would like to go through it so as not to be blindsided by someone who comes in and thinks they understand our Definitions. Gary asks Cynthia what she meant by the word "again". Cynthia asks Gary to give her a Definition for Recreation Grounds and Facilities. Gary states he is asking Cynthia for her Definition of the word "again". Cynthia states we already have someone who is trying to define it looking for direction, and that is what we are trying to do. Gary states that is once, who would be second, and who did it again? Cynthia states she doesn't want it to happen again, she didn't say it happened again. Robert states we should move forward; point well taken. Cynthia states if there are events or special activities, do we want to control the number, size of participants, or amount of land that could be used? Cynthia states whether we exempt people from going through a process or not is not the question, it is whether or not we want to write something such as non-profits may have fundraising activities, but not more than six a year. Robert states he doesn't really want to do that. Gary states he doesn't either. Cynthia refers to the Harvest Festival and asks Robert if one was held every month would that bother him. Robert refers to the Orchards on Hardscrabble Road and states activities are held there every week. Cynthia asks Robert if he wants more of that throughout Town. Robert states no, but he doesn't feel comfortable telling a non-profit, who may have a very good need to create a monthly or weekly fundraiser, being told no they can't do it because we said so. Cynthia states if the Board doesn't want to regulate the quantity, do they want to regulate the frequency or size. Robert states a Permit should be required, but asks what constitutes a Permit. Will asks if we are still talking about Recreation. Cynthia states yes. Cynthia states we heard tonight about the loud speakers at Old Salem Farm and states we could have a non-profit having fundraising activities on their property, without regulating them. Cynthia refers to the number of people, number of amplified sound systems, and parking and states she does want to regulate them. Cynthia asks Charlotte what she thinks. Bernard states he doesn't understand what Bob is saying. Robert talks about reviewing Applications on a case by case basis and states trying to create Standards would be difficult to do. Robert states it might work for some but would be oppressive for others. Charlotte agrees. Robert states he thinks there is too much regulation. Robert states he puts up with the activities on Hardscrabble Road because he lives there, and he thinks it is good for the Town for the most part. Robert states he believes 501C3 operations are not over-used, as no one wants to run fundraisers on a weekly basis. Charlotte talks about having activities inside existing structures. Cynthia states she is not saying it would be the same organization doing it, but the organization may lease their facilities to other organizations. Before you know it, these facilities become the grounds for all of the fundraising parties, including flea markets, especially if there is ample parking and flat land, as well as if the Town doesn't care how many people come. Charlotte states Cynthia has made a good point. Robert states when that becomes an issue, it should be looked at. Cynthia asks if Robert wants to wait until it becomes an issue and try to write something to control it while it is happening. Robert states he respectfully suggests he does not share Cynthia's opinion on this one.

Mr. Rossi refers to Recreation Grounds and Facilities and states that is something the Board is really not talking about. Mr. Rossi states that Use is really something that should be eliminated. Mr. Rossi states if the Board is going to permit Passive Recreation uses on properties owned by non-profits, such as the Audubon Society, there are a lot of checks and balances as to what can and cannot be done on the property. Mr. Rossi

refers to the Audubon Society wanting to use their property for fundraising events and states they would have to clear areas for people to park because parking wouldn't be permitted along the road. They couldn't clear those areas without coming to this Board for a Tree Slashing Permit, or Site Plan Approval for the Use because it is a non-residential Use. Mr. Rossi states there is a built-in protection system for certain aspects. Cynthia asks what if they wanted to do a scavenger hunt in the woods. Gary states there are a million examples of activities. Mr. Rossi talks about weighing the benefits of promoting the Open Land Society and Audubon Society lands then the Board could build in some general controls and not be picky in regards to each potential Use. Mr. Rossi talks about having something similar to a Special Event Site Plan Review, such as if someone wanted to come in and have something like a scavenger hunt in the woods. Mr. Rossi states there is sound reason for regulating this because we do want to know where people are going to park, and hours of operation. Mr. Rossi states if there is going to be that type of a regular use of a non-profit parcel, the Board may incorporate a Special Event Site Plan Review for Applicants to come before them. Mr. Rossi states that is something which may be built in without defining something for each and everything that could come up. Mr. Rossi refers to Nature Preserves and Passive Recreation Use and states they are similar to what is included in Conservation Easements the Board has seen over the years. Mr. Rossi states those are the type of Passive Recreation Uses the Board may decide to allow regularly without any Permits. Mr. Rossi states if there is going to be a special fundraising events having large numbers of people, perhaps they could come before the Board for a simplified Site Plan process so they may tell the Board where cars will be parked. Mr. Rossi states the Orchard is a good example as far as the intensity of the Use that may occur. Mr. Rossi states the Orchard is different because they are an Accessory to an existing Commercial/Farm Use. Mr. Rossi states with a little bit of focus the Board may retain control over special events. Mr. Rossi states he remembers when Old Salem Farm had problems years ago when they were allowed to have horse shows and all of a sudden these monster horse shows were occurring and the Town stepped in and said this has gone way beyond what was contemplated. Mr. Rossi states that ultimately a lot of the aspects were incorporated into the Code, such as Tent Permits. Cynthia states once a Site is approved for something like that, there is nothing that says that every time they want to do something they have to come back, they could just keep doing it. Cynthia states a non-profit could come to us and tell us where they want to park hundreds of cars, and where they propose to setup all their tents. Cynthia states if that is all we do, it opens the door and encourages the Use. Cynthia states she is not saying this is a bad thing, she is just throwing it out there as to whether the Board wants to regulate it or not. Cynthia states that what she is hearing is that no one wants to regulate it. Charlotte states she hasn't decided yet. Gary states he believes Cynthia is misinterpreting it. Gary states it is not that they don't want to it is that they don't know how without writing 500 pages. Cynthia talks about the Board giving guidance to Will so he may draft something. Cynthia talks about the Board letting Will know what they are and are not concerned about. Cynthia states she asked the Board whether they were concerned about frequency and their response was no. Cynthia states she asked the Board whether they were concerned about the number of people attending the events, and their response was no. Cynthia asks what the Board is concerned about. Gary states he would be concerned about anything that changes the physical terrain of the property the day after it is used, such as parking 1,000 cars. Gary states he would be concerned if trees were taken down, and paving were to occur. Gary states he would be concerned if there were 1,000 people going to the bathroom and leaving waste behind. Cynthia states the Harvest Festival did attract 1,000 people and a company came in with the porto johns which were lined up along the tree line. Cynthia states there were hundreds of cars parked in a field. Cynthia gives an example of this happening the 30th of every month and states there may not be recovery. Cynthia asks if the Board thinks there would be a neighborhood concern if these activities were to occur once every month for twelve months a year. Gary states to the point that it prevents quick recovery he believes we do what Mr. Rossi said and revisit it because we were not contemplating an hourly activity, we were contemplating an annual activity. Will states the Board cannot say that to an Applicant. Mr. Rossi states that Standards have to be provided. Gary states he doesn't have the Standards. Cynthia states she isn't asking Gary to provide the Standards. Gary states that Cynthia is asking them to tell Will what to write. Cynthia states she would like the Board to tell Will what their concerns are so

he may draft something. Gary states his concerns are that they are over-regulating every potential Use including the likely scavenger hunt. Cynthia states she is not suggesting these events be regulating, she is trying to extract whether the Board has any concerns. Gary states he doesn't. Will states if there were concerns about people going to the bathroom, and the clearing of woods, and there are no Standards as to what is acceptable, there is no way to say someone may not clear their entire property. Robert states there are existing Ordinances. Gary states he would like to try and put in language such so that the day after an event occurs the land is not irretrievably marred or damaged. Will states that is fine, but that tells him that someone may not change any of the physical characteristics of the property and states that would be restrictive. Mr. Rossi states the primary concern should be what is consistent with the character of the neighborhood in residential districts. Mr. Rossi states to permit regular events, while it might be done in a way which is respectful to the environment, would be something not consistent with the neighborhoods. Mr. Rossi states to include in a Definition of a Passive Use the ability to use it regularly for active uses defeats the purpose and it would be more of a Commercial Use. Cynthia states that is why she brought up the word frequency and states that is exactly how the ZBA addresses horse shows every time they grant a Special Permit. Cynthia states the ZBA regulates as a Standard how many horse shows they allow each year, how much land is utilized, and how many horses are allowed. Cynthia states this is important because it takes into effect the character of the neighborhood and potential impact on the neighbors. Cynthia gives Old Salem Farm as an example. Gary asks whether the ZBA looks at each and every one uniquely. Cynthia states yes, but they have a set of Standards which allow them to have controls. Mr. Rossi states there are Standards in the Town's Ordinance for Special Permits for farms which are extensive. Gary asks what more needs to be done then. Cynthia states she is trying to figure out what kind of Standards we might want to consider for recreation. Cynthia states she realizes she is taking this out of the box in terms of the basic Definition as far as how the land should be used, but she is trying to anticipate non-profits coming in who want to have events to raise money, and the more people attending, the more potential there is for raising money. Cynthia states non-profits are good and we want to see them having events, we don't want to regulate them, and make them come in for a Permit, but she does want to talk about the frequency, as there may be impacts or potential impacts to neighborhoods. Cynthia talks about non-profits having up to six events a year. Mr. Rossi talks about coming up with a Use that meets the balance while providing for passive recreation in the residential districts even though it may not be something the Board wants. Mr. Rossi states if the Board wants to have a Passive Recreation Use, there has to be regulations. Mr. Rossi states the Standards in the Real Property Tax Law for properties exempt from taxation require there be some Use, but these conservation parcels might have parking areas for six cars. Mr. Rossi states that may be the extent of the intrusion which occurs. Mr. Rossi states there is nothing wrong with trying to achieve the goal of providing for Passive Recreation Uses, but limiting them to only that. Mr. Rossi states there is no need to zone in the right to hold public events on those parcels. Mr. Rossi states the Board may accomplish the goal of having Passive Recreation Uses which are consistent with the Master Plan and good for the Town residents without opening up the possibility of these events. Will states there is also a difference between a passive property having hiking, fishing, and boating, as opposed to something more formalized such as a Nature Center having a museum with boat rentals, and rest rooms. Cynthia states that is why she brought up the temporary structures. Cynthia talks with the Board about whether they would like to allow permanent or temporary structures. Charlotte agrees to not having permanent structures for Passive Recreation. Charlotte states if someone sold a big piece of property, they may run passive events to raise money for various organizations. Charlotte states it hasn't come up yet but it could. Will states it has come up in the Town of Lewisboro with the Audubon property and the Wolf Preserve Cynthia states she is trying to get ahead of the curve and get the Board to think about while yes, we are regulating to the extent we are putting in Standards and controls, it is not as if everyone has to come in for a Permit. Cynthia talks about people having events as long as they are not held too often, and are not too large. Cynthia suggests between now and the next few weeks the Board should open up their Zoning Code or go online and take a look at the horse farm Standards. Cynthia states this triggers some of the items the Board discussed tonight such as size, frequency, noise, removal of waste, and porta johns. Cynthia states the Board should think about permanent structures

versus temporary structures and whether they want to regulate the size. Cynthia states maybe in two weeks we will be able to focus on this more.

10. Resolution:

Chairwoman motions to adjourn the Planning Board Meeting. Bernard Sweeney seconds. All in favor. No opposed.