

Salem Golf Club which hosts a lot of our charitable organizations events and stand on the high point to test it from there. Cynthia states she may be wrong regarding her location of some of the numbers, but she wanted everyone to work together to figure out where the best places would be along these roads. Cynthia states the Board will be meeting once more before March 22nd so it would be helpful for Mr. Gaudioso to review the list and provide feedback. Mr. Gaudioso states the list looks good, and as long as they are able to get on the Salem Golf Club property, they will test from there. Mr. Gaudioso refers to Site No. 12 which is listed at 680 feet and states he is not familiar with that exact point. Charlotte states that is the North Salem Open Land Foundation property. Mr. Gaudioso states he doesn't know if that is a trail or a utility line. Cynthia states there is a big clearing there for the utility company. Mr. Gaudioso asks whether there is access to get in there. Cynthia states there is a road going in and there are trails. Cynthia suggests Mr. Gaudioso contact Gloria Stein with the Open Land Foundation. Mr. Gaudioso states that is his only concern about physically getting to that spot and everything else looks good because they all seem to be on or along roads. Mr. Gaudioso states the schools were discussed, as well as the park. Cynthia states she added the elementary school. Mr. Gaudioso states that the Chair has added the Hammond Museum and they will take some photographs from there even though he is fairly confident there will be no visibility. Mr. Gaudioso refers to Site No. 6 off to the right also at 680 feet. Cynthia states that is a Site Mr. Gaudioso had listed. Mr. Gaudioso states he just wanted to make sure. Cynthia confirms Site No. 6 is Finch Road. Cynthia states she doesn't know if the person who put the dots on the map Mr. Gaudioso submitted was careful and put them in the right place. Cynthia states she tried to interpret where the dots were and pointed out that nearby there may be slightly better vantage points. Mr. Gaudioso states they may adjust while they are out there as well. Mr. Gaudioso states that the List the Chair provided will be very helpful to them. Cynthia encourages Mr. Gaudioso to utilize Google Earth, as when the curser is put down, the elevation is shown right away. Cynthia states while utilizing the Program, she noticed high points.

Cynthia asks the Board Members whether she missed any public Sites to consider, and states this may be put on the next Agenda for any additions. Cynthia states we have a very cooperative Applicant here who wants to do a good job on this visual impact. Will states the only adjustment he would suggest is in regards to Site No. 13. Will states the fields are key areas, but also talks about having the testing done at the bottom of the driveway entrance and exit. Cynthia states that one item the Board will be looking at as they are driving around is the duration of the visual impact. Cynthia states if someone is driving down the road and the balloon is seen for a split second that is very different than seeing it for a long period of time. Mr. Gaudioso states he appreciates the Chair mentioning this because visual impact is not visibility, it is visibility. Mr. Gaudioso states the list looks very self-explanatory. If something else comes to light at the next Meeting he would like to receive an email so he may add or change something so they have the information a few days prior to the test as their technician will be doing a lot of computer work ahead of time. Cynthia asks if it is safe to assume that most of the points Mr. Gaudioso submitted were along the roads. Mr. Gaudioso states they were from publicly assessable areas. Will refers to Site No's 2 through 4 and confirms they are by the shoreline.

Christopher asks what day the visual test will be held. Cynthia states March 22nd. Mr. Gaudioso states the notice was sent to approximately 250 people. Mr. Gaudioso states if the weather is bad, such as windy, foggy, or rainy, the test will rollover to Sunday and every weekend date thereafter until the test is accomplished. Mr. Gaudioso states they do not want to put the balloon up and have it float all over the place and not be able to have a good visual analysis performed. Mr. Gaudioso states they will know the Friday before the test whether it will be held based on the weather. Mr. Gaudioso states they will contact Dawn. Cynthia states the general public will call into the Planning Board Office and Dawn will post a message so that if there is a change everyone will know. Cynthia state that the Board Members will receive an email. Cynthia states if there are any questions, people should call Dawn's Number which is 669-5661 and the recording will tell everyone whether the test is on or off.

2. **Sprint Nextel Corp.** (owner – 4 West Cross Street, Realty, LLC)
Cond. Use/Site Dev. Plan (location – 4 West Cross Street)

- Consider Draft Resolution Regarding Extension

Cynthia states there was a slight misunderstanding concerning one of the Conditions of the Approval as the Applicant's Attorney was supposed to check with the Applicant's Engineer to find out whether the Removal Bond that was just modified when the Special Permit was renewed is still adequate considering the Amendment done recently. Cynthia states the Removal Bond Cost Estimate was not submitted and the 60-day time frame will be up this coming Monday. Cynthia states a Draft Resolution was prepared for the Board to consider tonight which will give the Applicant another sixty days to deal with the Removal Bond. Cynthia reads the Draft Resolution.

Chairwoman motions the Planning Board Grant Sprint Nextel Corp. a Sixty-day Extension of their Amended Site Development Plan Approval from March 10, 2014 to May 7 2014, per Written Request from Adam Moss of Snyder and Snyder. Charlotte Harris seconds. All in favor. No opposed except Christopher Brockmeyer abstains as he was not on the Board for this Application.

3. **Financial Report:**

- February, 2014

Chairwoman motions that the Planning Board approve the Financial Report for February, 2014. Bernard Sweeney seconds. All in favor. No opposed.

4. **Next Meetings:**

- Work Session – March 19, 2014
- Regular Meeting – April 2, 2014

WORK SESSION:

5. **Discussion of Proposed Zoning Amendments**

- Review of Standards
- Review of Use Tables

Cynthia states there isn't any new material, but she did bring copies of the old material. Cynthia states she copied her personal notes from the last Meeting so as to highlight some of the areas. Cynthia refers to the following documents; the Draft Definitions dated December 9th, the Supplemental Standards dated July 3rd, and the Use Tables dated December 9th. Cynthia states if the Board needs extra copies, she has them with her tonight. Cynthia states some of the Board Members have been over these again and again, but because we have Christopher here with us tonight it will be a good exercise to walk everybody through everything once again. Cynthia states the Board will have the added benefit of questions from Christopher as they go through the Drafts. Cynthia states this all began when we had an update of the Comprehensive Plan which generated a need to look at some of the Zoning Amendments, as well as several requests from property owners along Fields Lane, and input from the Town Board so as to see more flexibility in the Uses which was also identified as part of the Comprehensive Plan. Cynthia states the Planning Board received an Application on a property a few years ago for a kennel Use which raised a lot of questions in regards to some of the Uses we have that

have been sitting idle for years in terms of why they are still there, do we really want these Uses, and how intense we would like some of these Uses to be. Cynthia states those concerns also came from the Town Board and Supervisor. Cynthia states that not only kennels were asked about; Churches and Schools were also asked about. Cynthia states the Board started by working with the Use Tables. Cynthia states the other question we had for the Town Attorney who is here tonight is the fact that we have a lot of Uses by Special Permit of the Town Board and we are trying to figure out whether there is a real advantage to having the Town Board handle them as opposed to the Planning Board. Cynthia asks Roland if it really means anything and whether the Town Board has more power to say no than the Planning Board. Cynthia states it is her general understanding that so long as the Use meets all the criteria of the Standards, there is no difference having Applicants come before the Town Board versus the Planning Board. Cynthia asks whether we should be burdening our Town Board with this task since the Planning Board will be involved with Site Plan part of it, as well as the SEQR in terms of who will be Lead Agency. Cynthia states the Board discussed taking all of the Uses which were originally assigned to the Town Board and revisit them, and the Uses we want to keep should be shifted over to the Planning Board so it will be a one stop for the Applicant instead of having to bounce back between the two Boards. Cynthia states she believes the Town Board is happy with this change and we haven't seen the Town Attorney raising any red flags.

Roland states this is something that is happening in many communities where there has been a realization as to why this is all bifurcated among the Boards. Roland states if Mr. Gaudio were still here he would have told us he used to appear before the Somers Zoning Board of Appeals for Special Use Permits in relation to cell towers, and now they are all being handled by the Somers Planning Board. Roland states this change has happened for the same reasons Cynthia described, as the SEQR was too messy to deal with among all of the Boards. Roland states it makes a lot of sense.

Cynthia refers to the Drafts of the Use Tables which show very important items such as some Uses being dropped, Uses being shifted to the Planning Board, Uses which were not clearly defined needing Definitions, which gave us an opportunity to look at some of the Accessory Uses which include minimum off street parking. Cynthia states the Board exhausted the R-4 District except for those items highlighted. Cynthia states there is a Map in her office which highlights all of the large parcels. Cynthia states the reason why Churches and Schools are highlighted on the Use Tables is because in keeping with some of the parameters of the Comprehensive Plan we started looking at the development potential of the undeveloped parcels in Town or the excess acres for some of the developed parcels in Town and realized that there is a lot of development potential for a lot of Uses particularly in the R-4 and R-2 Districts which may not be appropriate. Cynthia states that Churches and School are highlighted because the last time we discussed this we were thinking of removing those Uses from R-4 and R-2, but leaving them in R-1, R1/2, R1/4 and all the other Residential Districts because that is where the higher concentration of people live. Cynthia states it makes the most sense to have facilities that serve people closest to where they live. Cynthia asks the Board whether there is general consensus to do this with the R-4 and R-2 Districts. Charlotte states yes. Will refers to the analysis Cynthia just provided and asks whether there are any Churches in either the R-4 or R-2 Districts. Cynthia states there is one Church in an R-4 District which has already closed. Charlotte states yes, that is St. John's Chapel. Cynthia states that Purdy's Methodist Church is in the PO District. Cynthia states that there are two Churches in Croton Falls which are both in the R-1 District.

Christopher states the same question would apply to the Schools. Will states this would apply to Private Schools. Cynthia states the Nursery Schools affiliated with Churches would stay since they are an Accessory Use. Will states if it is existing and we make it non-conforming, it would be existing non-conforming. Cynthia states there wouldn't be an issue unless someone wants to expand. Will states there are provisions for that depending on the level of expansion.

Christopher states he wants to make sure he knows what he is looking at and refers to the black-lined Draft which shows current information from the Use Tables, as well as the Definitions which show current information which has been black-lined. Cynthia states yes, that is correct.

Cynthia refers to the R-4 and R-2 Districts and states they are fairly much the same as far as Uses and what we are doing to them. Cynthia states when looking at the R-1, R1/2 and R1/4 Districts, a couple of items added were the ability to have animals. Cynthia states there have been requests for the keeping of chickens and small farm animals so they have been added as Accessory Uses by Right. Cynthia states as we discussed the smaller Districts, roosters were the biggest issue, so we left that as something the Zoning Board of Appeals (ZBA) would deal with. Cynthia states that hens are very different to deal with, so they received a pass. Cynthia refers to the other farm animals in the Districts and states everything is controlled by the numbers allowed and the Board heavily debated over how many to allow. Cynthia states if Christopher goes back and reads the Minutes he will see where this has been discussed.

Cynthia refers to R-MF/4 and R-MF/6 and asks Will if Column C needs a clarification. Will states that is just a shift from the Town Board to the Planning Board.

Cynthia refers to the Commercial Sites and suggests the Board should start with the RO District on Fields Lane where we were asked to provide a lot more flexibility. Cynthia states that the Board came up with some interesting uses. Cynthia states initially when this was written we had a portion of the Definition in the Use Table, and a portion in the Standard. Cynthia states the way this will be formatted is that the Use Table is going to have a short header description of the Use, and each one will have a Definition where it is clearly defined. Cynthia states there will not be a Definition in the Standards. Cynthia refers to Column B and states that Personal Service Businesses are being added which we thought would be nice Uses such as art, dance, martial arts, and yoga. Cynthia states that Indoor Recreation is being added as well as Standards for it. Cynthia states that Child and Adult Day Care Centers, Indoor Light Industry, are being added as well as Tradesman Offices. Cynthia refers to Tradesman Offices and states those are the contractors such as electricians and plumbers. Cynthia states that some of them were pre-existing in a PO Zone, but our PO Zone is supposed to be merely offices where people come to work in cars; it is not for contractors with vans and extra equipment. Cynthia states for the new Uses coming in they have to be located wherever Tradesman Offices are allowed, in the RO Zone. Will states this will not be for hard core excavating companies; it would be for businesses such as plumbers, electricians, painters, and carpenters. Will states it will not be for landscaping businesses. Cynthia states the Board took a hard look at what the people living in Town were doing for a living and there are a lot of single plumbers and electricians who are allowed to work out of their homes if they had one vehicle such as a van. Cynthia states some of these businesses have grown, having two or three employees, as well as more vehicles. Cynthia states these businesses need a place to stay in Town and this will work well on Fields Lane if the land presents an opportunity. Christopher refers to the RO Zone Accessory Uses by Right Column E, No. 2 in regards to outdoor recreation facilities and accessory to an indoor recreation use and asks if that relates to someone opening a gym, wanting to have an outdoor accessory to it. Will states yes, but it would be something on a small scale. Cynthia states possibly a putting green.

Cynthia refers to the PO District and states during the last discussion she suggested considering Personal Service Businesses such as little studios for exercise, art, dance, martial arts, and yoga. Cynthia refers to someone who has a pre-existing home, and talks with the Board about considering to bring that Use into this. Cynthia states she hasn't received feedback from the Board yet about this. Cynthia states this would provide more flexibility in the PO District. Charlotte states why not, it would be harmless. Bernard states he has no objection. Cynthia states she will pencil it in for now and when the Board looks at the Standards they will confirm whether it will work in this District. Cynthia refers to the Standards and states that is where we will get a sense of just how big this could be and what kind of impacts there could be on the neighborhood. Will

asks Cynthia which category this would fall in. Cynthia asks Will what he would recommend. Will states in the other Districts it is all being routed by Site Plan, which is Column B. There is a discussion about it being a Use Permitted by Right. Cynthia states all of the activities would take place inside buildings, and it isn't as if there would be anything outside. Will states someone may have an office building with two suites whereas one could be an office and one could be a yoga studio.

Cynthia refers to the NB and GB Districts and states we already added in the Personal Service Businesses.

Cynthia states she believes they have all been covered. Cynthia states that Will is working with us to fine tune, better define, and clean items up.

Bernard refers to the R-2 and R-4 Districts in relation to the Churches. Cynthia confirms that the Board is taking Churches out of both the R-2 and the R-4 Districts.

Will states one comment from the Town Board was for the Planning Board to also look at the Use Group Standards. Cynthia states that is correct; the Planning Board has not gone there yet. Cynthia states the very last page in the packet is the Bulk Table. Cynthia states she started to put the acreage sizes in red ink but that will be an exercise that should be done in conjunction with looking at Columns B1, C1, and D1 to make sure, especially on the new Uses we are introducing, that we are putting in an acreage size that makes sense. Cynthia states that some of these are recommendations from Will which we haven't fully discussed. Cynthia states the Board should discuss this at the next Work Session. Christopher asks whether there have been any changes of any kind yet regarding the Use Groups in any of these various zoned areas or are all of them to-be-done. Cynthia states they are all to-be-done. Christopher states this is a large task. Will refers to the several new Uses being introduced in RO and states there was an initial discussion, and we assigned an existing Use Group to it, but it hasn't been all thought out, so we have to go back and look at how well the Use Groups and the Standards that go with each Use Group go with the actual Use. Will states there is some belief that some of the Use Group Standards are partly the reason why development is not taking place. Christopher asks if the view is that the existing Use Group areas should be changed. Will refers to either assigning a different Use Group which makes more sense for the Use, create another one, or change the Standards related to a particular Use Group. Will states the Board hasn't looked at the comparison of the Uses in the Use Groups. Cynthia states she does not believe Will has recommended changes at this point.

Cynthia states she will forward an email to Christopher of a Map she had circulated of the Field's Lane area. Cynthia states that the sizes of the existing lots should be looked at because as the Board is looking at the Use Group's minimum lot requirements it is helpful to look at what the existing lots are to see whether or not what we are doing is practical and makes sense. Cynthia states that Gary has pointed out several times that someone could come along and buy two or three lots in a row so as to have a larger lot. Cynthia states the size of the existing lots is not the concern. Cynthia states it is important to understand Uses and lot sizes so as we go through the Standards we will review the limitations that are in place to see whether they make sense. Cynthia refers to the Standards and the bulk in terms of side yard, front yard and back yard requirements in terms of not leaving someone with a postage stamp piece of property they may not have room to build on.

Cynthia gives an overview of the Standards to Christopher and states the Board believes they are done with four of them and may revisit the fifth Standard one more time. Cynthia refers to the Adult Day Care Standard and states that Will gave the Board quite an education on what is out there and what the practices are. Cynthia states there is a combined Standard for both Adult Day Care and Child Day Care that the rest of the Board is happy with. Cynthia states the Board is pretty satisfied with the Standard for Tradesman Offices, but welcome more discussion at the next Meeting if Christopher would like to raise anything. Cynthia refers to the Standard for Indoor Recreation and states the Board is pretty much done with that. Cynthia states the Board took these

through several Meetings and is fairly satisfied with them. Will states he has a few handwritten notes on his copy that he hasn't implemented yet. Will refers to Tradesman Offices and states in G, the first sentence will be taken out, and in the second sentence we took out "existing or new, shall retain or be designed to". Will states we also took out the words "of the rural residential and farm". Will states the Standard will read "All buildings and structures shall be consistent and compatible with the architectural style, design and scale of buildings and structures found prevalent in the Town of North Salem". Will refers to the Standard for Indoor Recreation and states at the beginning he has two notes, one being the placement of Definitions, and the other to list what can and cannot be done with Indoor Light Industry. Will states he also has a note to make edits in the first paragraph of A in regards to adding language about structures. Will refers to the Standard for Adult Day Care Center, Item A and states he has a note to go back and double check the New York State Standards in regards to the period of time being less than 24 hours per day. Will refers to the Standard for Indoor Light Industry. Cynthia states that is the Standard we still have highlights on. Will refers to moving and storage offices and warehousing, excluding self-storage facilities, as well as apparel and other textile products and states he has those listed to be kept. Will states he has furniture and fixtures listed to be taken out, and the balance of the items to be kept. Cynthia refers to moving and storage offices and warehousing, excluding self-storage facilities and asks Will whether that is being kept. Will states that is what he has noted. Cynthia states that is one she isn't sure the Board wants and would like to revisit it. Christopher asks where Indoor Light Industry exists. Cynthia states it is new, but it will only be in the RO Zone on Fields Lane. Will states he has one other note in the last bullet in B to add the word "or" after the word "boat". Cynthia refers to the moving and storage bullet and states it seems to her that this would bring in very large trucks. Christopher asks if this will allow a U-Haul type company with 50 trucks parked in the back if there is room for them. Cynthia states that is the part that bothers her. Cynthia states there is already a moving facility on Fields Lane and in the neighboring Town which have a lot of big trucks. Cynthia suggests the Board re-think this. Will refers to mail order distribution centers and states they could do the same thing. Cynthia states the Board will finish this in two weeks.

Cynthia states there are a couple of Standards Will has not written yet. Cynthia refers to the Draft Definitions and states they do not only define the new Uses, she and Will have gone back through the Zoning Code and pulled out a lot of other terms we felt needed Definitions. Cynthia refers to the Building Contractor's Business and Storage Yard Settlement and states to Roland this Standard came to the Town Board from a Settlement. Cynthia states the Board added words for clarity and she was asked to run the Draft by him. Cynthia asks Roland if he would take a look at it. Roland states he will. Will states he looked at this the other day and there were two edits. Will refers to B and states he understands the point of vehicles being registered and in operable condition and active use and states people use construction equipment that isn't necessarily registered, so we may want to rethink that item. Cynthia refers to the Definition Pages and states Business Office/Professional Office already exists, but it was never defined. Cynthia states the Board felt it was very important because of the pre-existing items that were actually for Tradesman's Office, we thought it was a good idea to have this Definition so as to distinguish one from the other. Will states to Christopher that the Board started off with separate Definitions and through the course of reviewing both of them decided to melt them together into one Definition. Cynthia refers to the Definition for Day Care Center, Child or Adult and states again that the Board is comfortable with the recommendations from Will. Christopher asks if the numbers in the Definition are consistent. Cynthia states yes. Cynthia states that Indoor Light Industry and Indoor Recreation are new Uses. Christopher asks whether every item listed on the Draft Definition Sheet will eventually take the form of a Standard. Cynthia states the Board will get to that, as they have a chart of which Definitions need Standards and which do not. Cynthia states there is not a Standard for Business Office/Professional Office, as those are Uses Permitted by Right. Cynthia states the Board did write Standards for Day-Care Center, both Adult and Child, and Indoor Light Industry, and Indoor Recreation. Will states when there is a Use Permitted by Right, it is usually permitted by a Site Plan and then there are the other Uses listed by Conditional Use Permits. Will states the Conditional Use Permits would all have some type of

Standards related to them because there are other items which have to be factored in to make them compatible. Will states that some of the Uses requiring Site Plans may or may not have Uses depending on what they are which may be less involved than the Conditional Use type Uses which would have more Standards. Cynthia states there are also a set of General Standards which apply to all Uses, so we are writing specific Standards when we think we need to go beyond the General Standards. Cynthia states in two weeks the Board should have their Zoning Code assessable or she will bring in hard copies. Cynthia asks Will whether the Board talked about revisiting the General Standards as well. Will states he doesn't believe the Board got that far yet. Cynthia states it may be good for all of us to re-read the General Standards. Cynthia states she believes they were beefed up somewhat. Cynthia refers to the Definition for Laboratory and Research Facilities and states they do not have Standards. Cynthia states the Board will defer to Will as to whether or not they are needed beyond the General Standards. Cynthia states she prepared a chart which she will forward to Christopher which shows all of the Uses and lists whether there are existing or proposed Standards or Definitions. Cynthia states she will update it as she has written a few notes on it. Cynthia refers to Medical and Dental Offices. Christopher refers to the elimination of Hospitals as a Use in all of the Zones and asks if there is a clear distinction or Definition between a Hospital and a Medical or Dental Office and asks if that is clear somehow or does there need to be a specific Definition stating that Medical or Dental Offices are not Hospitals. Cynthia states that is a good question. Will states as it is defined it is related to the office, but Christopher is right. Cynthia states there are facilities which are in between Doctor's Offices and Hospitals where they perform minor surgical procedures. Gary states the difference is that people may stay overnight at Hospitals, and not at Doctor's Offices. Gary states that people may go in for minor surgery, but on an outpatient basis. They do not serve meals, have beds, or overnight accommodations. Christopher asks whether it should be defined here. Will states that would be a good example of Site Plan Uses and states we may want to consider specifying language in the Standards. Cynthia asks if we would allow out-patient procedures. Will states we talked about allowing clinics for which people could have out-patient procedures. Cynthia states Gary hit the nail on the head as there would be no overnight stays. Cynthia asks Will to work on this for the next Meeting. Will states we could make an argument in the Definition that we all know what a Hospital is, which is not an Office. Cynthia talks about making it clear that Hospitals are excluded, as well as overnight stays. Cynthia states that some of these Definitions might be here simply because the Use excludes them. It is not that it is a Permitted Use, but it is referenced somehow.

Cynthia states she has crossed off Recreation Grounds and Facilities Definition as the Board talked about taking that out since it is no longer needed because it is covered somewhere else.

Cynthia refers to Veterinary Office/Hospital and states the word "Hospital" has been added. Will states we added the word Hospital and will be working on Standards. Charlotte states she did a little bit of research and certain Towns that don't allow kennels do allow boarding at Veterinary Offices. Charlotte states they do not have outdoor kennels so if someone were to board their dog, the staff would have to walk the dog three or four times a day on a leash so they are not outside barking. Charlotte states it is important to allow boarding in a Veterinarian's Office, with no outdoor enclosures. Cynthia states she doesn't know whether it should be worded as such that the animals are kept indoors all day except for walking, in addition to not allowing outdoor kennels. Cynthia states the Definition may be short, with a Standard which is longer and clearer. Will asks whether Veterinarian's Offices will require Conditional Use Permits. Will states they will only be allowed in the RO Zone. Cynthia refers to the Wholesale Business Definition. Will states he has a note to research for usage in the Code. Christopher asks whether there are any wholesale businesses permitted. Will states he hasn't done his research yet. Christopher states there is at least one wholesale nursery, and refers to Hardscrabble Farms. Cynthia states that is permitted by a Use Variance, it is not a Permitted Use.

Cynthia refers to Golf Courses, Golf Clubs, Country Clubs, and Membership Clubs and states that Will is working on those to decide which we need and don't need. Will states he will revisit those. Cynthia states there are some existing Standards and Will identified additional Standards or modifications to existing Standards. Christopher asks if the items in bullets are existing Standards. Cynthia states no, those are notes from Will regarding items to consider amending. Christopher talks about the Board considering to allow sleeping rooms to a maximum of five people. Cynthia states it would be to a maximum of five rooms. Cynthia states some of this language may already be there. Cynthia states that what happens with some of these Uses is they are homes which have been converted to be club houses, so there may be a locker room with showers downstairs, and a big public facility with a bar, as well as some of the upstairs rooms allowed for overnight guests. There is a discussion about having a maximum of five rooms being nominal. There is a discussion about the overnight guests not necessarily being members. Cynthia talks about concerns being addressed through the Standards. Christopher refers to the Draft Definition for Membership Clubs and states there is a referral to the Use devoted to recreational, social and/or athletic purposes. Christopher refers to athletic purposes in terms of someone having an athletic club such as a Sawmill Club and asks if this would be permitted under this Use. Christopher refers to the social Use and states we are talking about recreational Use for the most part and talks about, for social and athletic purposes, expanding the Definition beyond strictly recreational. Cynthia asks Christopher if he wants to suggest Uses he doesn't want so they will be discussed in terms of excluding them. Cynthia states that otherwise it opens the door for any group calling themselves a Membership Club for athletic purposes, such as a Riffle Club. Christopher states he did read somewhere that type of a Club would be excluded. Cynthia states yes that is right. Charlotte states it is under Outdoor Recreation. Cynthia states now we are talking about Membership Clubs and they are not excluded there. Will states these are meant to be fairly active physical improvement type facilities, not passive. Will states there is another Use for Passive Recreation. Will states the reason we had a maximum of five rooms is because in the current Code there is no limit. Christopher states it is a combination of trying to write language which accommodates existing Uses. Cynthia states an asterisk should be placed next to the first bullet to consider whether we want to not allow some Uses because right now we are not pulling back on any. Cynthia asks the Board whether they have any suggestions as far as what to exclude. Charlotte refers to riffle ranges. Cynthia states they are excluded in a different category. The Board talks about adding it under Membership Clubs also. Gary asks whether there is a discharge firearms prohibition for this in the Town. Cynthia states she doesn't know. There is a discussion about riffles. Gary states in New York State people are not allowed to shoot with high-powered rifles, but they may shoot with shot guns. Charlotte states that may not be true in Westchester County. Gary states that Westchester County has a park where shot guns may be used to shoot trap and skeet ranges. Will asks about indoor ranges. Gary states there is one in Port Chester, but it is mostly a handgun range. Cynthia asks if this would be considered a club, or a practice range for public officials such as policemen. Gary states he believes someone may belong as a club member. Cynthia refers to indoor Uses and asks the Board whether they have an opinion as to whether riffle ranges should be permitted. Gary states in general he doesn't think we want a lot of people running around with firearms. Cynthia talks about excluding riffle and range clubs both indoor and outdoor. Gary states he wouldn't use the word riffle; he would use the word firearms. Christopher refers to the first bullet having language about recreational sports facilities and then provides definitions. Gary states he wouldn't use the word definitions; he would use the word examples. Christopher refers to the fourth bullet where it reads "The private membership corporation shall service and cater exclusively to its members and guests, and its premises and buildings shall be devoted to recreational, social and athletic purposes conducted on a nonprofit basis, not for pecuniary gain" and asks if it should be expended beyond what the first bullet is suggesting. Gary states it does. Christopher states he doesn't know whether it should. Gary refers to tennis clubs being allowed to serve lunch. Cynthia states the fourth bullet references how it will be set up. It is not a business where someone is making money; it is a private membership. Will states that someone will make money. Cynthia states the club will make money to serve the purpose for the club, but it's not individuals making money. Will states yes, it would not be considered retail. Cynthia states it goes back to the maintenance and upkeep for the club, which is why we allow the

hosting of weddings. Roland states that leaseholds are set up back and forth so money does come out to the owners of the facility. Roland refers to Salem Golf Club and states the money goes to the owners, as it is owned by three or four people, not the members. Roland states money goes to the owners in the form of management fees and landlord tenant fees for rent. Christopher asks if the fourth bullet needs to be changed because we talk about pecuniary gain. Roland states the club doesn't make the profit, it is the club entity and the owners behind the club. Roland states if it is membership-owned it works better, but if it is Salem Golf Club, owned by individuals, if there is a profit, it comes out to the owners in various ways. Cynthia asks Roland if the Board should be concerned with this structure and how it is defined. Roland states no, this is very similar to the way the Definitions are in all municipalities and it works great where you have membership-owned clubs. Roland states when there are clubs owned by individuals, there are mechanisms to get the money out even though they are structured as a membership club, it is owned by individuals. Will states making money isn't so much the concern. Will refers to the New York Sports Club and states that is a retail business which we are trying to get around. Cynthia states the Draft Definition would not allow that type of a facility. Cynthia refers to the Uses and asks if there is anything else they want to consider excluding. Will states the short list feeds off a longer list that already exists in the Code which the Board hasn't edited yet. Will states the bullets are items the Board had been talking about and there may be other items as well. Gary states there will be other items but he doesn't know whether everything has to be listed. Gary refers to cross country ski trails and bike trails and states the list could be endless. Will states what he meant is that there are other aspects in the existing Code which may need attention. Roland asks whether the Board wants to add the word "active" before the word "recreation" and states he has seen Applications elsewhere, for instance, where automobile/classic car membership clubs have become a popular and are formed under the heading of a Membership Club and asks the Board whether that is something they would like to see. Roland states it isn't really active recreation, it is more like guys who get together with their cars on Sundays. Roland states it shows up as a Membership Club because people have to belong, and they keep their cars there. Roland states they also have their cars serviced there. Cynthia talks about taking out the word "social". Roland states he was thinking to add the word "active" in front of "sports facilities". Cynthia refers to the last sentence in the Membership Club Definition where it states "members and their guests for recreational, social and/or athletic purposes". Cynthia states if we have the word "social" in there then all those other clubs may say they are a social club. Christopher talks about just saying "recreational purposes" and talks about the word "athletic" being defined or having examples somewhere else. Roland states all three items are listed, not "and/or". Cynthia states it says "and/or" now. Roland states he was reading the bullets down below, not the Definition. Roland states he thinks the word "or" should come out. Cynthia talks about the language being "active recreational, social and athletic purposes". Charlotte states she thought the word "social" was coming out. Roland states that all clubs have a social aspect to them. Cynthia states she understands that but if we took it out and just list "active recreational for athletic purposes" then it isn't giving people the impression that a non-active use can somehow sneak in. Cynthia states she doesn't think there is any harm in taking out the word social. Cynthia states it is noted in the Standards that these social activities may be done. Cynthia talks about tightening it up. Roland states that most clubs have a social class of membership. Cynthia states that is not the primary purpose. Roland states there are members who may not be active, but still want to socialize. Cynthia states that would be as a member, but the club itself is set up as an active recreational club. Cynthia states she agrees that members may become in-active. Cynthia states she is trying to avoid a non-recreational club. Will states that athletic is more specific than recreational. Cynthia asks if the word should be athletic. Will states he likes using the word athletic better than recreational because recreational is kind of broad. Cynthia states we also have to think about all the different clubs that might come in and see if they will fit in with the Definition. Will asks what other clubs there are in Town besides the Golf Clubs. Cynthia states swimming and tennis. Will asks if there are any others. Cynthia states as a Club, nothing else she is aware of.

Cynthia refers to Recreation Grounds and Facilities – not for profit and states brief perimeters are listed and Will is going to work on this for the next Meeting. Charlotte talks about the potential constraints on open land

which the Board has discussed. Cynthia reads the Definition for Passive Recreation which states “Activities involving relatively inactive or less environmentally intrusive use of land, such as walking, hiking, cross-country skiing, ice skating on natural frozen water bodies, sitting, fishing, horseback riding; nature of ecological study; bird or nature watching; non-motorized boating; or similar social and leisure activities”. Cynthia refers to the exclusions and states the Board is recognizing the formal aspects they don’t want but recognizing that some semi-enclosed structures should be allowed, for instance, bathroom facilities, or open gazebos to get in out of the rain. Cynthia states the Board hasn’t tested the waters in regards to how big individual structures should be and all together how much total square footage should be allowed. Cynthia states that Will should take a shot at this first for the next Meeting. Cynthia asks Will what kind of feedback he would like from the Board at this point in order to prepare a first draft. Will states only if there are any new thoughts. Will states the Board has talked about this several times, so if something else comes to mind, that information should be provided to him. Cynthia states to some extent, the Board should talk about the possibility of something organized being built and how many people it would accommodate in terms of there being limits. Cynthia states that by determining the size of the structure, the number of people may be satisfied. Cynthia states as Will writes it, he will determine whether any other controls are triggered. Christopher confirms the Board is talking about Recreation Grounds and Facilities – not for profit and asks if there are a separate set of Standards for profit. Christopher states he cannot envision what type of for profit recreation there would be. Cynthia states we don’t have for profit recreation unless someone is on Field’s Lane where Indoor Recreation or Membership Clubs will be allowed. There is a discussion about polo clubs. Will states the Indoor Recreation is the only for profit recreation Use. Charlotte refers to Hardscrabble Club. Cynthia refers to exercise/yoga facilities and states those are covered under the service businesses. Cynthia refers to the Bedford Audubon and states they have a huge parcel. Cynthia refers to the Open Land Foundation and states they have a lot of open parcels. Cynthia states about 20 years ago the YMCA was looking into opening up a facility and at that time we didn’t have the Use. Cynthia states this is not being done for active recreation. We are leaving the active recreation and the fields for the Town to decide under its recreation program what to build on their lands. Will states we are recognizing the County facilities. Cynthia states there is a huge County Park which allows overnight camping, weddings, and all types of activities. Cynthia states there are 900 acres at the County Park.

Cynthia states there is a Definition for Camp or Campground because it is excluded in the Definition up above. Christopher talks about this being an exclusionary Definition. Cynthia states the Board has learned while reviewing these documents is that as Will develops the Standards we still have to go back and fix the Definitions.

Cynthia states there is a Definition for Libraries.

Cynthia states that Hospitals were taken out but based on the comments we recognize that we have to make sure “clinics” cover whether or not we need a Definition for Hospitals.

Cynthia refers to Animal Hospitals and states that is covered under Veterinarian Offices.

Cynthia refers to Hotels and Motels and states she wishes the Use could be taken out, and that is her personal opinion. Cynthia states if Hotels stay, they have to be better defined. Will states that Motels have been taken out. Cynthia states that right now they may only exist in the GB Zone.

Cynthia refers to Roadside Stands and states they were left as a Temporary Use under the ZBA. Christopher asks which type of Zone they would be permitted. Cynthia states they would be farmers markets as a Permitted Use. Will states they would be mainly in Residential Zones.

There is a discussion about Household Pets in terms of excluding pigs. Will states there was a discussion and he isn't sure what the decision was.

Cynthia refers to what remains to be done and how much the Board may accomplish over the next month or two as well as what the Board would like Will to have ready for the next Meeting. Cynthia asks the Board whether Will should just concentrate on the Standards for now. Cynthia asks Will whether it is possible for him to have Definitions and Standards ready for the next Meeting. Cynthia states there are still a few miscellaneous items which she isn't sure have been captured. Cynthia states she will come in with a list of those items which may need additional attention. Cynthia states the Town Board would like us to do as much as we can in one set of Amendments. Cynthia states what isn't being done with these Amendments is that we are not changing the boundaries of any Zoning Districts. We are working within the current boundaries of the current Zoning, and augmenting the Uses therein.

Will states the Definitions are fairly far along so that may not be the best use of the Board's time in terms of feedback. Will states two Standards he sees needing more discussion and work on are Recreational Grounds and Facilities and Membership Clubs. Will states there are others but he can't promise he will have all of the Standards ready.

Christopher asks what the timeframe is that the Board is working with in terms of dates. Cynthia states there is a one year moratorium, but the Draft has to go over to the Town Board and they have to do SEQR and Public Hearings, at which point it may or may not come back to us. Cynthia states she was hoping the Board would have their job done in six months. Christopher asks if it has been three months so far. Cynthia states she thinks it has been more than that. There is a discussion about when the moratorium started. It is determined the moratorium started last October. Cynthia states the Board has to start moving along quickly as the Town Board has a lot of work to do. Will states that referrals also have to be done. Will talks about the possibility of extending the moratorium. Roland states it could be done, but that would be a process as well. Cynthia states she believes the Board will be able to do this within the timeframe and talks about getting Draft over to the Town Board so they have a reasonable amount of time to move forward with it. Cynthia states if there has to be an extension, hopefully it will be after the Town Board Public Hearing. Cynthia states Amendments will continue to be discussed on every Agenda in order to move this along. Cynthia states in two weeks Will will do his best to provide us with some of the Standards. Cynthia asks the Board to revisit the Code. Cynthia states she will do one more review of her file in order to pick up any other items.

Christopher refers to the Use Group Tables. Cynthia states that is another task. Christopher asks if those have to be done before the information goes over to the Town Board so they have a complete package. Cynthia states absolutely; the Board will be receiving re-writes from Will. Will suggests the Board focus individually on the Use Group Tables between now and when he provides them with something new. Cynthia states if Will works on the Standards she may tackle the Bulk Table and come in with some suggestions for the next Meeting.

Cynthia asks Roland to remind the Board why when the Fire District did their expansion why they didn't go through a Site Plan process. Cynthia states that Will was of the opinion that they should have. Roland states that different communities handle this differently. Roland states if it is a municipal purpose, as a firehouse is, a municipality may make the determination that it doesn't need to go through a local municipal process. Roland states the Commissioners would do their own SEQR and receive approval via a Permit for the building, but would avoid coming before the Planning Board. Cynthia asks who made that determination when the Firehouse did their expansion. Roland states he was never asked so he isn't sure how that determination was made. Cynthia states the Ambulance Corp. did go through Site Plan. Roland states they are not a District or a creature of government, they operate pursuant to a contract. Roland states he suspects

the Fire District may have made an assumption since they didn't come in for approval when the one up the street was redone. Will states that it is the opinion of some of the attorneys who work for area districts that they are exempt. Cynthia asks if the Commissioners are responsible for SEQR, would the Town Board or the Planning Board be considered as interested or involved agencies. Will states they would be considered interested agencies. Cynthia states she doesn't remember seeing any SEQR circulation. Cynthia states maybe they should be reminded that they should be doing their SEQR. Roland states that when a Bond Resolution is done that is usually one of the questions as far as what has been done in terms of SEQR. Cynthia states that would be done on the borrowing, but would it also be done on the Site. Roland states it isn't on the Bond itself. Roland states in the first paragraph of the boiler plate Bond Resolution it talks about compliance with SEQR Regulations for the project. Roland states that a confirmation has to be done before the passing of a Bond Resolution that all of the SEQR Regulations have been complied with. Cynthia states the Bond Resolution was already done. Cynthia asks how SEQR could have been done on what they are building. Roland states they must have had Plans. Christopher asks whether the Town Board has a say over any of this or just the Commissioners of the District. Cynthia states it would be the Commissioners of the District. Roland states that Commissioners are elected, they are their own body and they have to comply with State Law. Cynthia refers to the Water and Sewer Districts. Roland states the Commissioners of those Districts are the Town Board. Cynthia states they have been moved out of the Conditional Use Column over to a Use as of Right. Roland states they are not exempt from Permits such as Wetland Permits. Cynthia states that is correct, in addition to Stormwater.

Cynthia refers to outdoor emergency staging and states Will prepared a Definition, but a Standard needs to be done.

Cynthia states she doesn't think the Board decided definitively about outdoor displays when it comes to Libraries and Museums in terms of whether or not to regulate temporary or permanent items such as sculptures.

6. Resolution:

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