



anyone would see the concrete wall and how high it might be. Cynthia states it appears it will mainly be behind the building and there is opportunity for screening at either end of the building. Cynthia states if there is any exposure it may be dealt with by plantings. Cynthia states the ARB was consulted in regards to the Northern end of the building which right now has exposed cinder block. Cynthia states the ARB didn't have the Plans with them to answer our question and will get back to us as to whether there are plans for a brick covering or painting them to blend in with the brick. Cynthia states if this doesn't happen we may want to consider taller plantings in the Northern end of the building to help screen the look of the cinder block. Cynthia states in the next Phase we hope to see the Stormwater and Landscaping Plan.

Cynthia asks the Board whether they have any questions they would like to have relayed to Jim. Cynthia suggests questions be e-mailed to her and states the Planning Board is trying to expedite this for the Town Board as the Plan is to have the building occupied this Fall. Roland states yes, that was the plan.

Cynthia refers to procedures and states she asked Jim if he planned to do the SEQR or if he needed Will to do it. Cynthia states that Jim mentioned that he thought it would entail a simple Short Form. Cynthia asks Will if he has an opinion on this. Will states he talked with Jim about this today. Will states that Jim could not provide him with all of the facts needed, but it sounds as if it could be done with a Short Form. Will states that Jim didn't have the quantities. Will states the building itself is approximately 845 square feet so it may be considered as a Type II. There is a discussion as to who would prepare the Short Form. Cynthia states she will talk with Warren, as it would be a Town Board decision. Cynthia states the Town Board will be meeting next Tuesday.

## **2. Financial Report:**

- July, 2014

**Chairwoman motions that the North Salem Planning Board Approve the July, 2014 Financial Report. Christopher Brockmeyer seconds. All in favor. No opposed.**

## **3. Minutes:**

- July 2, 2014
- July 16, 2014

**Chairwoman motions that the Planning Board Approve the Minutes for July 2, 2014. Christopher Brockmeyer seconds. All in favor. No opposed.**

**Chairwoman motions that the Planning Board Approve the Minutes for July 16, 2014. Christopher Brockmeyer seconds. All in favor. No opposed.**

## **4. Next Meetings:**

- Work Session – August 20, 2014 – if needed
- Regular Meeting – September 3, 2014

Cynthia talks about the August 20<sup>th</sup> Work Session and states that right now we do not have any Applicants on the Agenda. Cynthia states it will depend on whether or not we receive another Referral from the Town Board as to whether we will need to meet. Cynthia states she will let the Board know. Cynthia states other than that the next Meeting will be September 3<sup>rd</sup>. Will states he is not available on August 20<sup>th</sup>. Cynthia refers to the

Zoning Amendments and states the Town Board is hoping to be on schedule next Tuesday to set their Public Hearing and move forward.

## **WORK SESSION:**

### **5. Zoning Amendments:**

- Zoning Amendments Referred by the Town Board

Cynthia states we had a couple items referred to us, mainly the Standards for Private Schools and Churches. Cynthia states that Will has a laundry list of small edits that was sent to the Board. Cynthia states the list shows what Will is being directed to do by the Town Board. Cynthia states for those items which affect the Standards we have already written, the Board has a Draft of changes in front of them to look at tonight. Cynthia states what the Board is looking at tonight is not all of the changes. Cynthia states that some of the changes Will is going to Draft and hand directly to the Town Board for their Meeting next Tuesday. Cynthia states she will circulate a copy to the Board. Cynthia states as was discussed at the last Meeting those other minor changes do not need any research or input from our Board at this stage. Cynthia states when the Town Board does have the Public Hearing that will give us another opportunity to weigh in. Cynthia states Will has put together two documents, one being the Definitions and Standards for items such as Membership Clubs, and Churches and Schools. Cynthia states the other document is a whole Section related to Private Schools. Cynthia states the Town Board is dealing with the Use Table and they will make their decision next Tuesday on Public Schools, Private Schools, and Churches. Cynthia states at the last Meeting when she discussed Churches she wasn't certain that there was a good basis for Standards that would push them over into the Special Permit category. Cynthia states that she and Will have come up with some ideas. Cynthia states that it was the original recommendation from the Town Attorney to handle Churches and Private Schools as Special Permits.

Cynthia suggests the Board start with the Draft Document entitled "Addendum Amendments", and refers to the first item, Ambulance Station. Cynthia states there was a request of the Town Board to make sure we are allowing those ambulance services that are particularly here to serve our Town and not to serve the region at large. Cynthia asks the Board if they had a chance to glance at the Draft and apologizes for circulating it so late this afternoon. Christopher asks what is meant by the highlighted text on the first page and further on throughout the Draft. Will states some of the items were part of the Draft beforehand. Will refers to the Membership Club item and states the highlighted portion shows where changes have occurred since the last time the Board looked at it. Will states there are new items on Page 1, such as Ambulance Stations, Dormitories, and Fire Stations. Will states that dormitories were taken out and have been added back in. Will states the items on Page 2 are all brand new. Cynthia states that everything double-underlined is new and the highlighted information is new to the new the Board had previously discussed. Will states when the Planning Board made their Referral to the Town Board there was a Definition for Membership Clubs and the changes he made to it since the Planning Board saw it last are highlighted. Will states he tried to focus on what changed. Cynthia refers to the Ambulance Station Definition and states this is a Definition the Town Board asked for so it is new to us. Cynthia refers to dormitories and states they are an Accessory Use to Private Schools and states the Definition that had been taken out has been put back in. Cynthia states the double-underlined text and crossed out text refer to changes in the existing Code. Roland refers to the Ambulance Station Definition and states he has a recollection which will need to be verified. Roland refers to the New York State Electric and Gas (NYSEG) territory and states it goes slightly outside of the Town. Roland states he forgets whether it is Somers or Southeast. Roland states that the NYSEG service territory is not exactly within the boundaries of North Salem. Roland states that maybe after the word "services" in the fourth line, the word "primarily" should be added. Cynthia states yes. Will asks whether this means they would be serving mostly North

Salem. Will states he wrote it so that it would cover anybody, even people outside of the Town. Will asks whether adding the word “primarily” would mean that the majority of the service has to be to North Salem as opposed to another small piece served by the Town. Roland states maybe he is reading it wrong. Will states he understands what Roland is saying and states how he intended it to read. Gary and Charlotte read it the way Roland did. Roland states the wording “or a portion” would be less than, not more than. Will states the word “primarily” to him would mean the entity would be mostly serving North Salem. Charlotte states that is the idea. Will confirms we are talking about the location of the station. Cynthia confirms the word “primarily” will be added. The wording “all or a portion of” will stay in. Cynthia states that Will and Roland will work this out. Cynthia states that dormitories were already in the code except we are taking out the wording “administrative staff, faculty or” and keeping dormitories that are designed for students. Cynthia states that later on when we get into the Standards for Private Schools there is a provision there for one house. Christopher asks why dormitories were removed originally. Cynthia states because Private Schools were taken out, but they are going back in. Christopher refers to why the Town Board wanted dormitories put back in and asks if it has to do with adding the Private Schools back in. Cynthia states that dormitories cannot be excluded from Private Schools. Roland states we thought maybe they could but they can’t. Cynthia states that Roland has done extensive research on that subject. Christopher confirms this has to do with Dormitory Use related specifically to a Permitted Private School Use. Cynthia states there was a question from a Town Board Member about a dormitory being part of a horse farm boarding operation. Cynthia states that would be covered differently with different terminology. Cynthia states this is just in regards to school dormitories. Gary states a Private School could be a Golf or Tennis School. Cynthia states not the way we have identified it. Cynthia states it has to be educational related. Gary refers to kids being taught how to play tennis. Will states there has to be a registration through the Board of Regents. Charlotte refers to the Standards and states there is reference to the Board of Regents. Charlotte states the Standards also reference the curriculum degree programs having to be registered with the New York State Education Department. Cynthia refers to Fire Stations and states the Town Board wanted it to be clear that they would be servicing our Town. Cynthia states this is worded a little differently than the Ambulance Station Definition because we have a fire station that is owned by the Fire District and we have a fire station that is owned by a 501(c)(3) company, so we made it both. Gary asks what the word “due” means. Will states that is their charge and purpose and they are the primary entity to do it. Gary states if that is the way it is the spelling of the word should be “do”. Cynthia states it is a term. Gary asks if the wording “for all or a portion” should be taken out. Cynthia states that Roland just ruled that we don’t have to in this case. Cynthia states that firefighters do go out of Town periodically. Roland states they are not the first responders when they go out of Town, they are providing mutual aid. Cynthia states their District does cover a little bit of Somers and Carmel due to the location of the District line. Roland states he still thinks it is alright without adding the word “primarily”. There is discussion about ending the sentence after the word “response” and taking out the wording “for all or a portion of the Town of North Salem”. Roland asks what the company is and asks if it is a Fire Protection District. Cynthia states it is the entity that owns the Croton Falls Fire House. Roland states the District has Commissioners. Cynthia states the ownership of the building happens to be a 501(c)(3). Cynthia states she believes the new building will be a District building. Will states we don’t have to worry about this because the whole key is the language “designated by the Town of North Salem”.

Cynthia refers to the Definition for Membership Club, Active Athletic or Recreation and states this bothers her and she isn’t happy with what happened at the Town Board level. Cynthia states the Planning Board originally had the language listed as “social, recreational, and athletic”, and we changed it to be “active athletic” and took out the words “recreational” and “social” because we were concerned about motorcycle clubs, riding clubs, and gun clubs. Cynthia states when the Town Board saw that they were concerned about social clubs such as the Lion’s Club and other local Clubs, and that is why the new Membership Club Definition was drafted. Cynthia states the Town Board also asked that the term “recreational” be put back into the Membership Club Definition. Cynthia states if we simply do that we do not have an exclusion now for all of the items we talked

about not wanting to see in there. Cynthia states she doesn't want to see the term "recreational" be put back in. Cynthia asks the Board what they think and states maybe we need to be a little more explicit in terms of why we took the term "recreational" out. Cynthia states that Roland had previously mentioned automobile clubs where cars are stored and serviced and asks if those would be considered Recreational Clubs. Roland states the problem with that is they are trying to consider them as Membership Clubs. Cynthia states the Planning Board terminology was listed as "active recreation". Roland states that is right. Christopher states his initial reaction is that the Planning Board talked this through and talked about it a lot and had very specific reasons. Christopher states he was at the particular Town Board Meeting where this was updated. Christopher states he likes the language the Planning Board came up with before and thinks they should stick with it. Christopher states the Town Board nearly instructed us to go back and redo this. Cynthia states the Planning Board is preparing their Recommendation back to the Town Board. Christopher talks about providing very clear explanations as to why the Planning Board would like it to be left the way they had it. Roland states the Planning Board should give the Town Board the language they requested but also make it clear, for the specific reasons they have, that they are opposing it. Christopher states this is a process question. Emily Naughton states the Planning Board is making a Recommendation to the Town Board and it doesn't have to be exactly what the Town Board wants. Cynthia tells Emily thank you and states the Planning Board will debate this. Roland states the Planning Board can make it clear that they are not suggesting the Town Board do this, but they did ask the Planning Board to provide the language, which Will did. Cynthia states the Town Board asked Will to do it and it wasn't necessarily a Referral back to the Planning Board because we are not looking at the whole list they are doing. Cynthia states this is before us because of the Definition of Membership Club, Charitable, Fraternal or Social that is new, so we are seeing the language the Town Board wanted to have changed in the Membership Club, Active Athletic or Recreation Definition. Roland states the Planning Board is free to oppose it, but doesn't think the request should be ignored. Will states he has to give the Town Board what they requested. Cynthia refers to the cover Memo from the Planning Board and states if we don't want to see the term "recreational" put back in, we can make a strong recommendation to not do that. Cynthia states this still has to go through a Public Hearing process and some of the public may speak up about the potential of motorcycle or gun clubs. Cynthia refers to the Definition for Membership Clubs, Charitable, Fraternal or Social on Page 2 and states we are not quite sure where these items would be put. Cynthia states she assumes they will be put back in all of the Districts where we find Membership Clubs for active athletics. Cynthia asks what type of door this will open. Cynthia states she believes the Town Board was trying to do something nice and small so that the Lions Club would have a place, but it could open the door to something huge and undefined as well. Cynthia refers to the items listed on Page 8 in terms of what we could get. Will states he didn't assign any Use Groups or Districts because he wasn't given instructions from the Town Board. Christopher states he appreciates the need to make sure the Lions Club can be where they are, in addition to the Historical Society at the White Elephant. Christopher states those Clubs are different, for example from an antique car collector. Cynthia states that social clubs could have huge lodges with dining facilities. Christopher states it is an issue of degree and how to effectively legislate it. Will states social clubs will provide a big open gap in his opinion. Roland refers to a prior organization called the Horse & Hounds in terms of them being able to exist if there wasn't a Definition. Roland states he believes they were some type of membership organization. Cynthia states Roland is referring to the Golden's Bridge Hounds and they received a Special Permit for the facility that they use. Cynthia states that would be considered active recreation. Will states the Standards could be changed in order to be more specific and reduced in scope in terms of what would be prohibited in terms of lodging and dining. Will states the Board should think of what they do want in addition to what they don't want. Cynthia states at a minimum this meets the same Standards as the Definition on Page 1 and talks about keeping them together. Cynthia talks about keeping them together and listing the types of Uses not wanted, as well as listing the Uses to be excluded. Will states it is better to not do it through a specific Use, but to understand what the Board wants and how big it could be. Will talks about restricting lodging and dining. Cynthia states the social clubs and dining aspects are nice, but there is the potential for having something huge. Will refers to the retail being limited by size. Cynthia asks if that

could be done here. Will states yes, but he would need some direction as to what is acceptable. Christopher states he believes the size of the facility would be the main issue. Christopher states he doesn't know if someone would want to have a gun club and shooting range right next door to their house and talks about the noise. Will states gun clubs could be prohibited. Cynthia talks about the Board providing guidelines to Will and states he has to have something written by next Tuesday. Cynthia states if we look at the Membership Club Definition that we have would we want to repeat most of what we have already done for the Athletic Membership Club and just tighten it up. Will states the Board may not want all of that as it would be a sizable club. Will states if that is the case, why separate them out? Cynthia refers to the building size and asks whether it should be limited to 3,000 square feet. Will talks about a different approach in terms of figuring out what District the Board would feel this type of a Use would be wanted and what District the Board would not want this type of a Use to be in. Cynthia states that is the hard part. Will asks whether the Board would want this Use in the R-4 or R-2 Districts. Cynthia states she wouldn't, but she suspects the Town Board might. Cynthia states that the Historical Society had been previously mentioned and that would be considered as a gallery or a museum. Cynthia states that the Open Land Foundation has a lot of maps and items on display so they could possibly fall under that category. Cynthia states that Will mentioned museums would be the category for historical-type facilities. Cynthia refers to Social Clubs and states some of them just get together to eat, such as Italian American and Polish Clubs. Cynthia states she remembers these types of Clubs from her home Town. Cynthia states they mainly had a bar and dining facility and met once a month. Cynthia states some Clubs could be small and some could be big. Cynthia states that some of the Clubs in Town go to local restaurants, but if they are going to have their own facility, they will want to have big parties. Will refers to the VFW and states they would most likely want to be able to have a parking lot large enough to park 50 cars. Christopher talks about the serving of food and restricting facilities to the R-1 District as a first step. The Board discusses allowing the Use in all of the Commercial Zones. Cynthia talks about not allowing lodging facilities. Will talks about keeping the building size down. Roland asks Will if he is thinking about 3,000 square feet. Will states retail allows for 3,500 square feet. Christopher states he is not comfortable trying to legislate the type of Club to allow and mentions the VFW Club. Cynthia states the Board has agreed not to do that. Christopher states it is all about the size. Christopher states it may be simple enough to allow from the R-1 District down, plus the Commercial Zones, and asks if that will regulate it given what we already have in our Zoning. Will asks what Zone the Lions Club building is in. Cynthia states she believes they are in the R-1 Zone. Cynthia looks on the Map to confirm and states they are in the NB District. Charlotte states they are close to the Swan Deli. Christopher states the building is on DOT property, not Town property. Roland states it would still be in a Zone. Cynthia states that Christopher's house and the house next door are in the R1/2 District. Cynthia states it is either in the R1/2 District or the NB District. Will states we can clarify this tomorrow. Will states the R1/2 District is not the greatest Zone to allow a facility in. Will states allowing facilities in Commercial Districts would be fine. Will states if the building is in a Commercial District we should stick with that. Christopher refers to the Membership Club language Will drafted and asks if it came from somewhere. Will states it is bits and pieces from different places and his adaptation. Charlotte inquires about the building size. The Board talks about 3,500 square feet. Cynthia states she looked at the Definitions for Clubs in other Zoning Codes and one mentioned that it would not be construed to be offering services. Cynthia states she thought that was good and mentions Roland's point about Automobile Clubs and the storage and servicing of cars. Cynthia states this would eliminate the servicing of antique cars such as having a garage. Cynthia states if it is not intended to provide services for the public whether it offend something else. Will states it wouldn't be not for profit then and may not receive their status. Will states a Club cannot offer services to the general public. Cynthia states this had to do with servicing the membership. Christopher states a not for profit can offer services. Will states yes, but he believes to be a Social Club they would have to be a 501(c)(7). Will states they have to be membership based and cannot be open to the general public. Will states someone has to be a member even though they may be a guest of a member. Will states the general public cannot be invited to come. Will states the people running it cannot be making money singular to them. Cynthia confirms a not for profit can have people who make a salary. Will states they can have a management

structure. Will states a Club cannot be created to make money. Cynthia refers to Title of the Membership Club Definition where the language “Active Athletic” has been added and asks the Board what their opinion is with the addition of the word “Recreation”, for recreational purposes. Cynthia states she would like to strongly recommend that the Town Board does not go down that road for all of the reasons the Planning Board stated back when they debated this extensively. Christopher states the discussion was held a while ago, and if he remembers it correctly, one of the points made was whether a Golf Club would be considered in the Active Athletic category. Christopher states that was one reason given for adding the term recreation. Christopher states if that is the logic, he thinks it is silly to add the term recreation for that reason and feels that there are other ways to do it. Will states that Golf Clubs are defined in the Ordinance with a reference to Membership Clubs. Christopher states that is right. Will states he believes the Town Board feels that the Active Athletic category is too specific. Cynthia talks about just listing the term “athletic”. Will states that is where the Planning Board started and then brought in the term “active”. Will refers to the Town Board reasoning and thinks they considered the term athletic to be people who are dedicated to a sport, as opposed to recreation being more general. Roland states that golfers love to believe they are athletic. Roland states he doesn’t remember this discussion at the Town Board level in terms of why they felt strongly to have the term recreation added. Cynthia states that unfortunately the camera did not work that night and she had to listen to the tape. Christopher reads the highlighted portion on Page 1 and talks about taking out the language “and recreational”. Cynthia states that is the language the Town Board would like to have in. Christopher states the word principally adds a qualifier which provides more flexibility in terms of addressing the questions about Golf Clubs or other similarly less Active Athletic activities fall within the Definition. Cynthia states if the Board takes the position of taking out the word “recreational”, do we need to point out to the Town Board some of the Uses we are concerned about. Will talks about doing something a little more subtle and suggests taking the term “Recreation” out of the Title, and change the body of the Definition to read “Active Athletic recreation purposes”, so athletic and recreation are tied together. Roland states the term “and” would be taken out which makes it seem as if there is something else. Cynthia states she likes that. Christopher agrees. Cynthia states the word “or” would come out in the next sentence. Cynthia states this will take care of the Definition and for Charitable, Fraternal or Social, as the Definition is okay, but we should beef up the Standards which we will do when we get to that Page.

Cynthia states she had interrupted Gary when he mentioned wanting to hear what Mrs. Naughton had to say and asks her if there is anything she would like to quickly add at this point. Mrs. Naughton states she just wanted to have clarification regarding what exactly is going on with Membership Clubs. Mrs. Naughton states it seems as if they will be divided into two separate Uses. Cynthia states yes. Mrs. Naughton asks if there will be further discussions in terms of which Districts Membership Clubs will be proposed in. Cynthia states the Planning Board will recommend Districts, but she doesn’t know what the Town Board will do next Tuesday. Mrs. Naughton states that generally the Planning Board has talked about having the Social and Membership Clubs allowed in all of the Commercial Districts. Roland states unless the Lion’s Club turns out to be in a Residential Zone, in which case R1/2 might be included.

Cynthia refers to the Nursery School Definition on Page 2 and asks Will if this is a new Definition. Will states it is new and he should have highlighted it. Cynthia states yes, this is new because there is no longer a licensing requirement because we have learned that some of the nursery schools are not. Cynthia reads the Definition. Will states the portion of the Definition is almost verbatim of what a registered nursery school is under the State Regulations. Gary asks whether the North Salem Nursery School has to be registered. Will states no. Charlotte states the previous Definition had a registering requirement. Cynthia states that Karen Weinstein is here with us tonight and asks if she agrees with the Definition. Mrs. Weinstein states it is very much like the volunteer registration guidelines. Mrs. Weinstein states she has one issue as following the public school year schedule would exclude a summer program. Cynthia states the word “generally” is in there. Cynthia asks whether there is a Standard and confirms that the Standard is listed under Public Schools.

Cynthia suggests checking there to see whether the language will present a problem. Gary states if the facility is not registered, who determines if it is adequate. Cynthia states she doesn't know, but believes it may fall through the cracks. Will states the Town is going to be regulating it, and the Standards for registration would be the barometer to look under. Cynthia states when we get to the Standards we will see that we are deviating from what we would do with other Private Schools in that we are touching upon a teacher to student ratio. Cynthia states we will speak with Roland when we get to that portion. Gary refers to the term "adequate" and states he doesn't want to be in charge of that requirement. Cynthia states that Parochial Schools, Private Schools, and Nursery Schools have been defined. Roland talks about going back to the Nursery School Definition and adding in language such as "which may include a Summer Session"? Gary agrees. Cynthia states she is fine with that. Charlotte agrees. Will states what else would the term "generally" mean. Roland states we would be avoiding the issue of someone raising it. Will states it may not be necessary to have the language "generally following a public school year schedule" if the Board agrees that the schedule could primarily be for the entire year. Roland states someone might have a September through June schedule. Cynthia states Will means if we don't mind there being a Summer Session, why make the statement at all. Charlotte talks about taking the sentence out. Gary states we don't want it to be 365 days a year. Cynthia states why not? Gary states he doesn't particularly care, but doesn't think we want kids getting dropped off on Thanksgiving Day. Cynthia states it would have more to do with whether the schedule would run all year round as opposed to September to June. Will states that everything points to day care regulations anyway. The Board decides to take the language "generally following a public school year schedule" out.

Will has a question for Roland and refers to the Definitions in terms of putting Schools back in. Will refers to Parochial Schools specifically being lumped into the Standards for Private Schools and states we do currently have in the original Draft of the Use Tables an Accessory Use by Right which was termed "Religious Education in Conjunction with Permitted Churches or Other Places of Worship". Will states this was never intended to be for Parochial Schools, it was intended to be for Sunday-type Schools. Will talks about changing this so there won't be a confusion or conflict. Roland asks Will if he is referring to religious instruction for kids going to a Public School. Will states the intent was that religious education could be done at a Church. Charlotte states that is what St. James does. Will states it would foster the Sunday School aspect. Roland states he doesn't believe that would be considered a Parochial School as it would give religious instruction, and for example, not teach math and science. Will states that is true. Cynthia talks about the Churches and Accessory Uses being restored. Cynthia states there is one item she would like to add regarding Private Schools and talks about putting Charter Schools in with them so people know where they will land. Roland states that is what he thinks, because they are Private, but may qualify for some funding so as to make them Public. Cynthia states that is what we will do unless we hear something prior to the Public Hearing. Will states he believes they are covered without saying it. Cynthia asks if they are Public Schools so as they would talk to the School Board and the SED and not come to us, or Private. Will states they are Public and this Board has no say. Cynthia states she understands that. Will states if they are not Public they are Private. Will states if they are Private, the grades they are teaching are listed. Mrs. Naughton states the Education Law actually provides for this and there is a Section which she could submit. Mrs. Naughton states that they are treated as non-public schools for local zoning purposes. Cynthia states she found that too. Roland states that Will's point is that they are covered under the words "private educational facilities". Will states that is correct. Will states that Charter Schools may be added in there if the Board would like. Cynthia states she would like that because the average person will not know where they land unless the Board does their homework. Cynthia refers to the Standard Section and states it is labeled as Private Schools and we state that they shall be permitted. Cynthia refers to Page 1, Item A1 and states we include Parochial Schools there and then later on we talk about all Parochial and Private Schools in A2 on Page 1. Cynthia states that later on we only talk about Private Schools. Cynthia talks about landing it in the Definition and use the term Private everywhere else so that we know that we are always talking about all of them collectively, unless Will meant to separate them. Will states he made the Parochial distinction because he didn't want someone to start

making arguments about religion somehow being a separate entity and the Standards not meaning anything. Cynthia talks about doing the same thing with Private Schools so as to state “which include Parochial and Charter Schools” and for the rest of it we can just talk about Private Schools. Will states there are other schools he didn’t deal with such as Vocational and Trade Schools. Roland suggests using language such as “including but not limited to”. Cynthia states we want to say that there are Public Schools and there are Private Schools. Will states in the Definition for Private Schools we will have language such as “including Public, Independent, Vocational and similar”, and then when we get into the Standards we don’t need to have language except for Public and Private. Cynthia states that is correct. Mrs. Naughton states that by using the word “similar” are you not opening up the door for anything and going back to prior language. Cynthia states no, not when we get to the Standards and we land them as having a comprehensive curriculum of academic instruction in accordance with the compulsory education requirements of the Education Law of the State of New York. Cynthia states we are not opening the door to teaching something like fencing. Cynthia states when we get to this part it will look solid, but we can tweak it if we have to. Will refers to Charter Schools for special education and asks if they would be considered Vocational. Will asks if someone would receive a degree when they go to a Vocational School. The Board responds yes. Cynthia asks whether the Definition is strong enough as it has language in regards to being licensed by the State of New York, which is not operated by a public agency or public school district. Will states that is okay, but the important thing is when looking at the Standards, it is necessary to furnish a comprehensive curriculum of academic instruction in accordance with the compulsory education requirements so satisfaction has to be given for the legal reason going to school.

Cynthia refers to Page 3 entitled Active Athletic or Recreation Membership Clubs. Will states the Board had discussed some of this and he cleaned up the recreation parts. Cynthia states that Will added language in B on Page 1 regarding club dining and bar rooms. Cynthia states she thought that the term “kitchen” covered that, but this clarifies that we are acknowledging that there are all of those dining facilities. Cynthia refers to C on Page 1 and states the Town Board didn’t want people having to come back before the Planning Board every time they needed a tent. Cynthia states that Will added in duration of time and wonders if that will satisfy the Town Board. Cynthia states that first the Town Board didn’t realize that every time someone wants to put a tent up they have to obtain a Building Permit. Cynthia states that St. James, the Historical Society, and the Library all obtain Building Permits for their tents. Roland states he thinks that is a State Building Code Requirement. There is a discussion about the duration of time. Will states the time could be extended. Cynthia states if the Town Board wants it changed to five consecutive days she wouldn’t argue with them. Christopher asks whether the event has to last longer than three consecutive days, or is it the tent duration that cannot last longer than three consecutive days. Cynthia states that is a good question and suggests everyone read it again. Cynthia states she believes it is the event that has to last longer than three consecutive days. Christopher states that is how it seems to read and asks if that is the intent. Cynthia states she believes there is the assumption that if the event will be that long than the structure will be there that long. Cynthia refers to the Building Permit and states she will ask the Building Inspector if the Permit covers a timeframe. Christopher states the point is not to have a tent sitting there four months out of the year when someone has events not lasting more than three consecutive days. Cynthia states if a tent will be up for an entire Summer, the Planning Board should be consulted. Cynthia states that stormwater would be affected. Charlotte refers to the double-decker tent at Old Salem Farm. Cynthia asks why it is still up. Charlotte states the World Gold Cup will be held there in September. Charlotte states it is her guess that the tent will probably come down after that. Cynthia states it will not last through the snow.

Cynthia refers to E on Page 3 and states this was added because we also did this with Churches, and Places of Assembly. Cynthia states it is her general understanding that if conditions are placed on Churches, and Places of Assembly, they also have to be put in with Membership Clubs. Cynthia states she listed 10,000 square feet because she did a quick calculation using Salem Golf Club as an example. Cynthia states she went on Google

Earth to do a quick calculation, and it is just less than 10,000 square feet. Cynthia states that is why she thought 10,000 square feet would be a good number to use. Cynthia talks with the Board to see if they would like the number changed. Gary states it is fine. Charlotte agrees. Christopher inquires as to whether the Bloomerside Pavilion is also 10,000 square feet. Cynthia states she wondered where Bloomerside Pavilion would fit in and talks about it being pre-existing. Cynthia states it came about as part of a community which brought Bridleside to mind. Cynthia states that Bridleside has a community house. Cynthia states she thinks in the future, community houses may be handled by our Board as part of residential developments otherwise they would fall under the Membership Clubs. Will states after he wrote this he had concerns with the connection between gross floor areas and building footprints. Will asks if it may be better to take the word “gross” out. The Board agrees to take it out.

Christopher refers to Page 4, Items H through K and asks if this is new language. Cynthia states that these items are presently in the Code. Will states that H through K are items the Board had previously suggested. Cynthia states that H through K should have been highlighted in yellow. Will states there is a change in Item K that he didn't highlight having to do with “LEED”. Will states he isn't sure whether Warren really wants this. Cynthia states that Will should highlight this in yellow so as to bring it to the attention of the Town Board.

Cynthia refers to Nursery Schools on Page 5 and states they will be a Conditional Use Permit of the Planning Board, as well as Private Schools when they go in. Cynthia states that is why we have a small set of Standards. Will states there actually is a big set of Standards. Cynthia states that is right because there are referrals to existing Standards. Cynthia asks Will to explain. Will refers to Nursery Schools and states they are not much different than Child Day Care Centers which is where we started. Will states he looked at the Day Care Center Standards and decided to point to them. Will states there were a few items he thought would be good to get into since we do not talk about ratios in regards to Child Day Care Centers because they are handled by Social Services. Will refers to B3 on Page 5 and states that ratio is for younger children. Will states there are two other ratios for five and six year olds whereas the ratio could be greater. Cynthia tells Roland the reason this was put in is because there was an understanding that Nursery Schools fall through the cracks. Cynthia states in reading all of the Case Law she came to understand that we do not have any authority in how people teach and set up Public and Private Schools. Cynthia refers to Nursery Schools and states if they do not land in the Public or Private School category then no one is suggesting how they should be regulated. Cynthia confirms with Roland that it is safe to suggest something. Cynthia asks Mrs. Weinstein the ratio she uses at North Salem Nursery School. Mrs. Weinstein states they have had a one to six ratio with three year olds and a one to eight ratio with four year olds. Cynthia confirms that requiring no more than eight children will not change that practice. Mrs. Weinstein states they have never had a greater than one to eight ratio. Cynthia asks Mrs. Weinstein whether she thinks that Will has put enough language in. Charlotte asks why Item B1 is needed. Cynthia states that is a State Regulation. Mrs. Weinstein refers to the Standards applicable to Day Care Centers mentioned on Page 5. Cynthia states she has a previous Draft for Mrs. Weinstein to look at while she is here, and she will e-mail her a copy. Will states those would only affect new or expanded facilities.

Cynthia refers to Churches and Other Places of Worship on Page 6 and states the Board should bear in mind that there is an understanding through Case Law that these are Places of Assembly so if we do a restriction here it should be similarly addressed in Other Places of Assembly. Cynthia states she doesn't know whether it has to be specifically the same. Cynthia states that Roland is here in case the Board has questions. Charlotte talks about the word “gross” being taken out under Item D1. Cynthia refers to the maximum building and development coverage and asks if that language will stay in this area or be moved to the Bulk Table. Will states they are similar to others whereas language has been written specific to this Use. Cynthia asks Will how he is going to handle the Bulk Table assignment and talks about having a footnote. Will states it had been

listed as b and asks Cynthia if she has a copy of the Use Table. Will takes a look at the Use Table. Cynthia States that b has a 20% development coverage requirement. Will states that Item D, No's 2 and 3 could be taken out since it is lower in the Code. Cynthia asks whether the Board would have to do the same with Membership Clubs. Will states no, there is a Standard and this will not change the Standard that is in the Use Table. Cynthia states she will double check Membership Clubs. Cynthia states that they are listed as a in the Use Table. Cynthia refers to athletic fields being built and asks if the huge spaces would be considered as development coverage. Will states no. Will states that Membership Clubs do not have those Standards in them and they rely on the Use Table. Cynthia confirms a Polo Field would not be considered as part of development coverage. Will states they are not stated in the Supplemental Standards, they are only listed in the Use Table so in that vein taking Item D, No's 2 and 3 out on Page 6 would be consistent with Membership Clubs. Will states that the Standards for development coverage for Churches and Other Places of Worship would be 20% and would not include a field, and the maximum building coverage would be 10%. Cynthia states at least in the R-4 Zone it will be listed as b. Cynthia states b is listed in all of the Zones. Will states there is a four acre requirement. Will talks about the other Uses the Board isn't discussing tonight and states he and Cynthia should go over them. There is a discussion about not amending the Use Table. Cynthia confirms that Churches have to be on a State or County Road. Cynthia states there is a simple statement about the access driveways. Gary asks what the difference is between a County Highway and a County Road. Cynthia states there isn't a difference. Will states the language should be "County Highway". Gary states he wondered if there was a difference from a Definition standpoint. Cynthia states there isn't a difference. Cynthia talks about the language being consistent. Cynthia states we should call them roads. Cynthia states for State and County Roads we have Route 22, June Road, Route 121, Hardscrabble Road, Bloomer Road, and Titicus Road. Cynthia asks if there are any issues with driveways, entrances, exits, parking or Supplemental Standards. Cynthia refers to Item 4a on Page 7 in regards to minimum setbacks and states this language is typical in a lot of different Towns. Will states Item 4a may not be needed. Will states he would like to keep b and c. Christopher asks whether c is something that needs to be stated and refers to people seeking variances. Cynthia talks about wanting to give the Permitting Agency the ability to not have to refer someone over. Cynthia states the Planning Board has the power to cluster so as to have the ability. The Board talks about buffers. Cynthia states that steeples are an exception in regards to height. Gary states that steeples are good places to hide cell tower facilities. Cynthia states it would be a good source of income also.

Will refers to Page 3 in the Private Schools Draft and states the Board should revisit this in regards to Use Groups. Cynthia states that Private and Secondary Schools were listed as d in the R-4 Zone requiring 10 acres. Will states they would require a minimum of 10 acres and there are exceptions whereas they could have higher acreage. Cynthia states that Colleges and Universities were probably the same. Cynthia states that Universities were listed as d also. Cynthia states she had been looking at the 10 acre requirement. Will states that Universities, Seminaries, and Colleges were d, as well as Private, Secondary and Elementary Schools. Will states that if we look at d, the minimum acreage would be 10, the lot width is not relevant, and the frontage is 200 feet which may be increased depending on the type of school. Will states the building coverage in the Use Table is 20% and the development coverage is 40%. Will asks if there is any other Use having a d. Cynthia states hospitals, which we took out. Cynthia states multi-family dwellings for the elderly and handicapped, and conversant homes appear to be the only others having a d. Cynthia talks about adding in a footnote due to the restrictions. Will states he has added footnotes in the headers on each sheet. Cynthia states that is fine. Will refers to the setbacks for d and states the front back in the Use Table is 75 feet and we are changing that. Charlotte asks if the word "gross" will be taken out and refers to Page 3. Cynthia goes back to Page 1 and states the Board talked about redefining them so that in this document we will only see the word Private School, not Parochial. Will refers the Board to the Table on Page 3 and asks them where the Charter Schools would fit in. Will states these are more like grade levels. Cynthia states that Charter Schools would either fit into the first or second school type depending on whether they are at the elementary or high school level. Roland asks if the Definition of Parochial Schools is being eliminated. Will states no, and asks why

would we do that. Roland states because it will not be referred to any place. Cynthia states it is there for clarity. Will states it will be listed under Private Schools. Will talks about adding the wording “see Private Schools” so there will be a connection. Cynthia refers to Item B(1) on Page 1 and asks if that would be for all Private Schools, grades K through 12, or everybody. Will states that is for everybody. Mrs. Naughton states wouldn’t that be established for Public Schools by the New York State Education Department. Will states that Private Schools have to be registered and their curriculums have to be approved by the Board of Regents. Mrs. Naughton states they are not necessarily regulating the Site area and dimensions. Will asks Mrs. Naughton if she is sure. Cynthia refers to Item B(1) and asks if Universities and Colleges are included in the Private School Definition or is it just for K through 12. Will states that Private School covers every school you could imagine. Cynthia refers to the Use Table and confirms Private Schools will be listed. Christopher states he believes what has caused some confusion is why there is a need to break out Items A(1) and A(2) referencing both Private Educational Facilities, and Private Colleges and Universities. Cynthia states they are broken out because the curriculum is separate. Will states Colleges and Universities are not compulsory, and we are trying to get that part in. Cynthia talks about later on in the Definition where the schools are listed in terms of adding language such as “Colleges” and “Universities”. Gary talks about only allowing Schools who comply with the Education Laws of the State and not allowing Trade Schools or Driving Schools. Cynthia states those may be Accessory Uses for a School. Will states that Driving Schools would be considered retail operations. Gary asks if they would be allowed. Will states they are not allowed in the Residential Districts. Will states they may fall into the NB or GB District category. Gary refers to Trade Schools such as for welding. Will asks if they would be protected under the envelope that schools are protected under. Roland states he didn’t see the Case that refers to Trade Schools, but he will look at it. Gary refers to Motorcycle Schools. Roland states we have established that would be considered a retail operation, not a school. Personal Service Uses are discussed. Will states those would be considered retail. Cynthia refers to Item C on Page 2 and states there isn’t language in regards to regulations, we are just asking for specific information. Cynthia refers to Item D on Page 2 in terms of Site location and talks about being consistent with the terminology. Cynthia states she requested the last sentence be added whereas it states “No secondary driveways or access ways shall be off any local or connecting roads except for emergency purposes as may be approved by the approving agency”. Christopher states this makes sense. Cynthia states an exception may be needed in case of emergencies. Cynthia states our roads are classified on the Official Map as State and County, connecting, and local. Mrs. Naughton refers to the Site location and asks whether there will be a requirement in terms of this Use for a secondary access road. Mrs. Naughton states it seems to her that there would need to be more than one access point for emergency vehicles, especially if there could be 100 children. Cynthia states the language does not say that there cannot be a secondary access, but they are all supposed to be off of State or County Highways. Mrs. Naughton states she wonders whether there would be a Site requirement as a basic Standard. Mrs. Naughton states she understands it would be Site specific but was thinking as a general rule you might want to consider having a secondary access. Roland states the language reads “except for emergency purposes”. Will states a school may be small and only require one driveway. Cynthia states that a school could have two or three secondary access roads. Will states Mrs. Naughton is talking about requiring secondary access roads in a Site Plan. Mrs. Naughton talks about trying to drive to the Meeting tonight in terms of trees being down. Will states the Town Hall Campus has one driveway serving all four buildings. Mrs. Naughton talks about the extent to regulate. Roland states that Mrs. Naughton’s point is well taken and talks about school improvements. Roland states that Public Schools are all putting in a secondary access for evacuation purposes. Cynthia states the Board is not saying that there cannot be one. Will states that an evacuation would be an emergency. Cynthia talks about this applying more to the Section on Design. Christopher states the point is well taken and talks about the location of an appropriate Section. Cynthia refers to Item F4 on Page 4 whereas it reads “Adequate emergency vehicular access shall be demonstrated”, and states language such as “that may require a secondary access” may be considered. Will states the Board has the liberty to have a requirement through the process, but to mandate it isn’t necessary. Cynthia states someone may have a very tiny 50 foot access and a huge loop road or a secondary loop road and she isn’t sure whether there should be a requirement

for a second access. Will states it depends on the property size, as it may become mandatory anyway. Gary states he doesn't think it should be mandatory. Cynthia states she doesn't think it should be mandatory and through the Site Plan process it will all be figured out. Will states if the Board does this, they will have to do it for other Uses as well. Roland refers to the school shootings and states if a policeman is asked, they will say they want a secondary way into the building because the primary access could be blocked. Will states that wanting it and requiring it are two different things. Roland states even North Salem High School built a second access, as well as Fox Lane, off of Route 172. Will states they are emergency access roads, not primary access roads. Roland states the North Salem High School access is used for the buses but it is available for police and emergency vehicles if the primary access road is blocked. Will states that would be for emergency situations, not for regular traffic flow. Will states those are all secondary, for emergency purposes. Cynthia refers to the suggestion of Private Schools having two direct access roads to a State and/or County Highway and states what if it is a small Private School that only services 90 students, such as Westchester Exceptional Children's School (WEC). Gary states he would not want to make it mandatory. Charlotte refers to Page 4, Item F(4) and states that language may be sufficient. Cynthia states Item F(4) does require that adequate emergency vehicular access has to be demonstrated. Roland talks about having a requirement based on the number of students. Cynthia states she doesn't mind saying that but what if the Board picks 200 students and should have picked 100 students. Cynthia states she doesn't want the liability to fall on the Town. Roland states maybe the Police Chief should be consulted. There is a discussion about also consulting with the Fire Chief. Christopher states he thinks it is reasonable to have a second emergency access road for schools. Cynthia states we are not talking about emergency access as schools may have as many emergency accesses as they need and they can be on any road. Cynthia is talking about regular access. Roland states he has noticed that schools seem to be putting in secondary access points. Roland states he doesn't know whether they are strictly labeled for emergencies. Roland refers to the Fox Lane Campus and states they went to great lengths to put in a second access point which he believes is open in the morning to get in and out, or at least in. Roland states he believes other schools have done this as well. Will states that they may have restricted the other access to the buses only. Cynthia asks whether Item F(4) covers this and states we could change the language to read "Emergency vehicle access separate from the main access must be provided". Christopher agrees. Charlotte states maybe the word "secondary" needs to be in there. Cynthia states that secondary access is different than emergency access. Cynthia states a second secondary access should be on a State or County Highway. Will states the schools do not utilize the multiple driveways all day long, they restrict it down to one driveway to separate the buses from the parents for safety. Will states the separate bus entrances are closed after the buses arrive and depart. Cynthia states in North Salem the buses utilize their own separate driveway and everyone else is not supposed to use it. Will states having language built in regarding the need for emergency access may be needed and wanted. Will states the new Sandy Hook School in Newtown was designed to have one primary access and an emergency access which they didn't have before. Christopher states that is fine and in his mind it should be required. The Board agrees with strengthening the language. Cynthia confirms the Board is not talking about a second normal access, they are talking about a second access for emergencies. Cynthia states that Andy Brown, a School Board Member and a Policeman is here with us tonight. Cynthia asks Mr. Brown if he has anything to add to the discussion. Mr. Brown refers to the comments from Roland and clarifies that in North Salem and Fox Lane, the reason for the secondary access had to do with the expansion of buildings. Mr. Brown states in light of recent tragedies there has been the closing down of campuses. Mr. Brown suggests language be added in regards to Fire Department approval. Will states that would also be part of a referral. Cynthia talks about Site Plans being referred to the Fire Department from the Planning Board. Cynthia talks about new Site Plans as a way of having an opportunity to ask for certain provisions.

Cynthia refers to Page 3 and states the Board touched upon the chart at the top which lists the minimum acreage requirements for each level of school, and minimum public street frontage. Cynthia asks the Board how they feel about the numbers. Christopher refers to the formulation listed for Junior High Schools and

High Schools and asks if there is a Standard that exists. Will states there are Standards that he pulled from other places where these types of schools are located and he increased the numbers due to the rural community aspect of North Salem. Mrs. Naughton states she is curious as to why the minimum public street frontage would be different for each school type, as she would think it should be 1,000 feet for all of the school types. Mrs. Naughton refers to comments from Mr. Brown in terms of there being an emergency and states that some of these lots are on steep slopes with minimum street frontage. Mrs. Naughton states to the extent that there is only 300 feet of minimum public street frontage, a fire truck may not be able to get in. Cynthia states that PQ School is a good example and it relates to what she mentioned earlier. Cynthia states that PQ School has a short single entranceway with a loop. Cynthia states if a tree falls, there is another travel way available around the loop. Cynthia states there doesn't always have to be two separate cuts. Cynthia states if the cut is very short and immediately loops it is almost like having two cuts off of a road. Mrs. Naughton states in that case there is a greater amount of street frontage, so they have the ability to go around the loop. Mrs. Naughton states her point is that the street frontage should be greater than 300 or 500 feet. Will states that 300 feet is fairly large in terms of having emergency access through a boulevard that only takes up 65 feet. Cynthia states the required lot width in whatever zone we pick is 400 in some cases. Cynthia talks about choosing a Use Group where the lot width is 400 and confirms the Use Group in this instance would be d which would be 400. Cynthia suggests making the minimum public street frontage 400 instead of 300 for Pre-K/Kindergarten and Elementary Schools. Cynthia refers to Item 2 on Page 3 in terms of keeping the 10,000 square footage figure. There is a discussion about taking the word "gross" out. Cynthia states the only hardship this might represent would be for indoor gymnasiums, and the Board might want to make an exception for them. Charlotte states the language refers to a single building and asks how large a gym would be. Cynthia states the PQ School gym is 10,000 square feet. Cynthia states she doesn't think a regulation high school game may be held there because there are no bleachers. Cynthia states the square footage may have to be 15,000 square feet. Cynthia asks Mr. Brown if the new gym is 15,000 square feet. Mr. Brown states he believes the PQ School gym is 11,000 square feet and they use folding chairs. Cynthia states she likes keeping the 10,000 square foot requirement, but points out it might be an automatic hardship for high schools needing an indoor gym. Cynthia states the Board may want to consider an exception in that case. Roland asks whether indoor gymnasiums would be excluded. Cynthia states why not just change the square footage to 15,000. Cynthia states she will work with Will to get a number. Gary talks about what the stopping point would be and refers to schools having pools. Cynthia states there always is the variance route and she believes the Board is being reasonable to think about gymnasiums in terms of accommodating them. Cynthia asks the Board whether they are leaving in Items 3 and 4 on Page 3. Charlotte states Will mentioned that these items are more restrictive than the Use Table. Charlotte states the lot area in the Use Table was 40% with a higher building coverage. Cynthia refers to athletic fields and asks whether they are part of development coverage or not. Will states they are not; development coverage would be impervious surface. Charlotte refers to turf fields. Will states he wouldn't consider artificial turf fields when calculating development coverage. Will asks the Board whether they want to make that distinction. Cynthia confirms with Will that polo fields are not part of development coverage. Will refers to parts of a polo field such as walkways and stands in terms of development coverage. Cynthia states a ball field cannot go on top of a septic due to the pounding. Cynthia refers to Item 5 on Page 3 and asks the Board if they are happy with the additional setbacks. Gary states he is. Cynthia confirms that Item 4 on Page 3 will be beefed up. Cynthia refers to housing and states one onsite dwelling will be allowed and limited exclusively for the immediate family of the school caretaker or headmaster. Cynthia refers to Page 5, Item I regarding dormitories and states this is an exception to the square footage discussed on the previous page. Will states this language is in the current Standard. Cynthia states she would like to discuss Item I(3). Will states the Board may want to consider taking Item I(2) out. Christopher refers to the table on Page 3 and states there is already a requirement for a minimum of 15 acres, plus 2 acres for each 10 students. The Board talks about taking Item I(2) out. Cynthia states if there are 75 students, plus dormitories, the extra acreage will be lost and she wants to point this out to the Board. Mrs. Naughton asks whether the number of students will be capped. Cynthia states she believes the number of students cannot be capped. Will asks Cynthia if she is

sure about that. Cynthia states she doesn't know and asks Roland. Roland states he believes the number of students may be capped if it is in relation to the use of the land. Will asks how to do that. Cynthia states it would be done in terms of building coverage. Roland states it is being done, but just in a different way. Will states that the Regulations in Mount Pleasant have a cap. Cynthia asks Roland if he will look into caps. Roland states he thought it could be done provided it is related to the use of the land. Roland states he believes the number of students may be decreased provided that limited infrastructure is listed as being the reason for it. Mrs. Naughton states that Fire and Building Codes would also interrelate with this because occupancy would be capped. There is a discussion about limiting the number of buildings. Christopher refers to the table on Page 3 and states that an Elementary School would need to have 20 acres in order to have 175 students. Christopher asks how large the PQ School is. Mr. Brown states that PQ is a large Elementary School. Christopher refers to the minimum lot area under Item E(1) for Pre-K/Kindergarten and Elementary Schools and asks the Board whether they think it is sufficiently restrictive. Gary states he thinks it is. Cynthia refers to having a 100 acre parcel and being able to build on 40 of those acres and asks how large of a school she could have. Charlotte confirms the calculation would be on the 100 acres, not the 40 acres. Christopher states a college could have approximately 800 or 900 students. Will states that isn't many; his High School had that many students. The Board talks about whether they like the numbers listed in the table. Gary states he agrees with the numbers. Cynthia states for High Schools there could be a few more students because there is an extra 10 acres to play with for a 100 acre parcel. Cynthia refers to Item I(3) on Page 5 and asks Will what he is trying to say. Cynthia states 35 feet is the maximum height in the Town. Cynthia states she is trying to find out what the intent was. Will states it was to have dormitories sit a little lower. Cynthia states she is fine with that; it just doesn't read that way. Roland asks if you could realistically have two stories with a 25 foot maximum. Will states sure. Cynthia states the way we measure the building height yes because you go up to the average roof line. Cynthia states at 35 feet there could be a 42 foot building because of the peak. Will states that dormitory floors are like hotels which are approximately 12 feet tall. Cynthia confirms the intent is to not have more than two stories, and no higher than 25 feet tall. Cynthia asks the Board if the language is clear. The Board agrees. Will asks whether any changes were made. Cynthia states no, we just wanted to confirm Will's intent.

Cynthia refers to Page 6 and states she likes the grades. The Board discusses off street parking. Cynthia asks Will whether he used other Standards in North Salem in regards to off street parking, or other schools. Will states we do not have Standards. There is a discussion about students also driving to school. Roland asks whether there should be limits so that only seniors drive. Cynthia asks whether that could be done. Roland talks about relating it to the use of the land, impervious coverage, parking, and traffic and states there would be a lot of benefits. Christopher asks what the High School does now in terms of parking limitations. Mr. Brown states that seniors are allowed to park and if there are extra spots they are raffled off to the juniors. Christopher confirms it is not unusual to have limitations. Roland states absolutely not and refers to his son going to Kennedy where there were parking limitations. The Board discusses limiting parking to seniors. Cynthia states in addition to having a minimum we would also have a maximum or way of achieving a maximum. Mrs. Naughton states wouldn't this change from year to year. Mr. Brown states it should be up to the school to manage the spots. Mrs. Naughton talks about having a maximum number of spaces. Will states we list the minimum amount and if someone wants more parking they will have to make a case for it. Christopher confirms the Site Plan will have limitations in terms of parking but if someone has a sufficiently large space they could have a gigantic parking lot. Roland states yes, and a lot of traffic. Christopher asks if that is what the Board wants. Will states that a justification would need to be made for going beyond the minimum. Cynthia refers to the first table on Page 7 whereas it refers to auditoriums, gymnasiums, grandstands and other gathering places and talks about the double asterisk being changed so people must rely on the parking they already have unless the need for additional parking is demonstrated. Cynthia states student and teachers parking should be utilized. Gary asks if Will meant that in addition to the one space for each five students at the high school they also need to have one space for four sets in the gym. Cynthia states yes, but

that is why the footnote gives the Applicant the option of counting the spaces. Cynthia talks about having the spaces counted first and then the Applicant can demonstrate whether more spaces are needed. Gary talks about changing the word from “may” to “must”. Cynthia talks about keeping the parking down. Will states that would put it up. Cynthia refers to auditoriums, gymnasiums, grandstands and other gathering places and states these activities usually take place when school is not in session. Christopher states these are minimum requirements. Cynthia states they may be in the wrong place. Gary states if there are 1,000 students, they would need 200 parking spots. Gary states if the gym seats 1,000 people, we don’t want to have another 250 spots. The Board talks about taking language out and adding language in so as to demonstrate if more parking is needed. Will clarifies that there will be a requirement for parking spaces, but the spaces for auditoriums, gymnasiums, grandstands and other gathering places will be counted with the student and teachers parking unless it is demonstrated that more spaces are needed. Gary agrees. Will talks about changing the language. Cynthia talks about taking the referral to Auditoriums, gymnasiums, grandstands and other gathering places out of the chart and put an asterisk next to Minimum off-street parking spaces and then in the footnote state “the parking spaces for auditoriums, gymnasiums, grandstands and other gathering places must be utilized first”. Will states the only problem with that is there could be a big auditorium and not enough regular parking. Will states there is no Standard for that. Cynthia states Will is right, and language could be made as part of the footnote. Will states he thinks there should be a requirement and refers to the suggestion from Gary in terms of the parking being counted jointly unless someone demonstrates a need. Will states in the first footnote there could be language such as “these Standards are cumulative”. Will states we could also say that anything beyond them requires the demonstration of a need for more spaces. Cynthia asks if a certain percent of the parking spaces could be pervious. Cynthia refers to Item 12 on Page 7 and talks about changing the word “Permit” to “Require”. Christopher refers to Item K(1) and states he didn’t know that Colleges and Universities have playgrounds. Cynthia states she was going to ask about that as well. There is a discussion about the need for open space. Gary states he doesn’t believe Westchester Community College has any open space. Cynthia states yes, but they should. Gary states that is another issue. The Board talks about requesting it to start fresh with new schools. Cynthia states that playgrounds may not be the correct term; we may want to call it open space. Christopher refers to Item K(1) in terms of needing to have a 0.25 acre requirement per 10 students for Pre-K/Kindergarten and Elementary Schools plus 1 acre for 10 students for playfields. Will states they are two different categories. The Board discusses the acreage requirements. Will is going to re-work the table. Mr. Brown states that three acres is the size of a football field. Gary asks how many students are at North Salem High School. Mr. Brown states approximately 400. Gary states that 120 acres would be needed today. Will talks about having a minimum Standard.

Cynthia refers to Page 8, Item K(5) and states she added that and hopes the Board will agree. Cynthia talks about taking out the language “or the like” and changing it to “pesticides and herbicides”. Cynthia asks if herbicides are allowed. Cynthia states it reflects with the Town policy is as they do not use pesticides. Will states that pesticides, insecticides, and herbicides are the three substances. Mr. Brown refers to organic herbicides. Cynthia states she believes there are organic herbicides. Cynthia states she will pull the Town policy and send it over to Will to see. Gary refers to Item 5 above in terms of an outdoor playground and playfield areas to be free from any condition which is known to be hazardous. Gary talks about monkey bars not being allowed. Cynthia states this forces the Applicant to present something that, in their opinion, is safe. It is their burden and their liability. Gary asks if it is the Planning Board’s job to look at everything being done and point out whether something may be hazardous. Cynthia states she thinks the burden would be on the Applicant. Cynthia states these are all covered under the State Education Department and they need to have Standards. Will states these Standards not only apply to when the Planning Board grants an Approval, but afterwards if the Applicant does something that creates a dangerous condition, such as to a playing field. Gary states if something happens subsequent to our Approval that would be hard to control. Will states that gives the power to the Building Inspector to step in. Gary states he does not like the language “known to be hazardous”. Will suggests changing the language to be “which is hazardous”. Gary states that is fine.

Cynthia states the Planning Board has to do a Referral over to the Town Board and she will draft a cover note.

Mrs. Naughton states she is curious as to where the Board is proposing to put the Private School Use. Cynthia states the Planning Board is going to see what the Town Board presents and have an opportunity to weigh in at the Public Hearing. Mrs. Naughton asks if the Planning Board is amending the Use Table that they previously referred over to the Town Board. Cynthia states that Will is going to do that for the Town Board. Will confirms that he will be amending the Use Table to put Private Schools everywhere. Oliver Brahmst asks if there will be any Planning Board discussion since they didn't have Private Schools as being allowed everywhere and now they will be allowed everywhere. Mr. Brahmst refers to the Clubs and states the Planning Board discussed not liking the lighting. Mr. Brahmst states the Board is glossing over the fact that Private Schools will go everywhere. Mr. Brahmst states that restrictions were talked about, but the Board didn't lay down what the Town wants in regards to Private Schools. Cynthia states she thinks this conversation should take place at the Town Board level. Cynthia states the Town Board will deal with this issue directly. Cynthia states the Planning Board will have an opportunity at the Public Hearing to comment on what the Town Board did, if they so desire. Christopher states the Town Board clearly understands what the Planning Board wanted in this area and the Town Board instructed Will to do something else. Christopher states the Planning Board can attend the next Town Board Meeting and express their views. Christopher states the question is as to whether we want to have some pro-active statement as part of this resubmission. Mr. Brahmst states the Planning Board is going back with an opinion on the Clubs that is different than what the Town Board wanted, but not doing the same for Private Schools. Cynthia states the Planning Board was asked to deal with the changes to Churches and Private Schools which is basically what they are doing. Roland states the Planning Board is not going back with a different opinion regarding Clubs because the modified language was worked out. Cynthia states that is right and it only came into play because there was a whole section of Standards being written. Cynthia states Roland is absolutely right and the Planning Board had to touch upon the Standard of the Clubs because they did a Standard for the Churches and Places of Assembly. Cynthia refers to Indoor Recreation and asks whether that will be considered as Places of Assembly. Cynthia states it is much more restrictive than what was done for the Churches.

Mr. Brown asks the Board to comment on the status of the new Section for Public Schools. Cynthia states the Planning Board is not commenting on that or making a recommendation one way or another. Mr. Brown confirms that will be up to the Town Board to put Public Schools in. Cynthia states it is her understanding that the Town Board is going to put Public Schools back in. Christopher asks if the intent is to include Public Schools in all Zones. Roland states yes. Mrs. Naughton states even though it is currently in the current in-acted Table, and it is not in every District. Roland states yes. Cynthia states we will find out Tuesday, as we will be at the Town Board Meeting. Christopher states the question is whether the Planning Board as a body should say anything to the affirmative by stating that they don't agree with the Town Board's point of view and whether there is value in it. Cynthia states she thinks the Board agrees in principal that the Schools are regulated by their own set of Agencies. Cynthia states there is nothing we do in the Zoning to regulate the Schools. Cynthia talks about the Schools being all in or all out with some kind of a caveat and states the Planning Board didn't have the time to work on that and she believes the Town Board should take the lead and we can still comment later if we want to.

Roland suggests the Board go into an Executive Session for a few minutes at the end of the Meeting. Cynthia states sure. Cynthia states that is the end of the Regular Meeting.

Mr. Brahmst states it should be anticipated that at the Public Hearing people are going to want to know what the Planning Board's view is and what their position is on this point and it is a little odd procedurally that the Planning Board would make a recommendation for which the Town Board wants something different and the Planning Board doesn't state their position, that is unless they agree with them. Cynthia states at this point

she doesn't know what the Town Board is going to do next Tuesday and she was just pointing out that the Planning Board does not have to make all of their Recommendations this evening; they will have one more opportunity. Cynthia states the Planning Board could either cover all their bases now or cover some of the bases later in terms of their comments at the Public Hearing. Will states that some of the other changes the Town Board has directed to be made are substantive in nature which are not part of the Referral Recommendation, and the Planning Board hasn't seen them yet. Will states when the Town Board agrees and publishes the documentation he has written, the Planning Board will have to go back to the referral aspect. Cynthia states that there are a few items that are border line such as changing the NB District Uses to add restaurants. Cynthia states the Planning Board didn't have time to go over this as they had to focus on getting the information the Town Board needed over to them. Will refers to the statutory requirement and states the Planning Board has a required referral role and they have done 98% and have to complete the 2% and whether this issue is revisited then is up to them. Cynthia states she wishes the Planning Board had more time, but they didn't. Cynthia states the Town Board is trying to get this done before the Moratorium deadline. Cynthia states she thinks the better route is for the Town Board to take the lead on Tuesday and for the Planning Board to provide further comments. Christopher states he knows it is not the Planning Board's decision. Christopher states that the Planning Board has not rushed this. Christopher states the Planning Board should not rush in the end and screw up just because we are trying to hit the Moratorium deadline. Christopher states the Moratorium should be extended. Charlotte states she agrees. Cynthia talks to Roland and states instead of having to deal with every issue tonight, the Planning Board will have an opportunity at the Public Hearing, and that will give us time, not only to think more on this, but we will know better what the intention of the Town Board is as well. Mr. Brahmst asks whether the Planning Board will be speaking as a Board at the Public Hearing. Cynthia states she thinks the Planning Board will be doing one more Memo at the Public Hearing because there is a summary sheet of all the changes that Will is going to do at the request of the Town Board and the Planning Board has not commented on every one of those items. Cynthia states that some are minor and some are substantial. Cynthia states the Planning Board should comment. Will states the Planning Board is not required to verbally or in writing say anything, but they are required to do a review and decide whether they will respond or not. Cynthia states the Planning Board's response may be that they have no comment. Will states the Planning Board has to review it under the referral aspect. Will states whether the Planning Board responds verbally or in writing is totally up to them. Christopher talks about there being a Joint Planning Board/Town Board Meeting and states it would be up to the Town Board. Cynthia encourages everyone to come next Tuesday. Charlotte states she will be out of Town. Cynthia states she could request a Joint Meeting, but thinks it would be important to get everything to Public Hearing. Roland states probably if that were to happen the Town Board would adjourn into an Executive Session and the Planning Board would be invited. Mrs. Naughton asks what the grounds for going into an Executive Session would be. Roland states to seek guidance from their Legal Counsel. Cynthia states this happened many times in 1987 when they were writing the Ordinance.

## **6. Executive Session:**

**Chairwoman motions to go into Executive Session With the Town Attorney and the Planner. Gary Jacobi seconds. All in favor. No opposed.**

**Chairwoman motions to go back into the Work Session. Gary Jacobi seconds. All in favor. No opposed.**

## **7. Resolution:**

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