



are the same size. Mr. Warden states yes, about the same. Mr. Warden states they used to have six antennas and came before the Board a year ago requesting to only have three antennas, and now they would like to go back to the original six. Cynthia confirms that Mr. Warden does not have any questions for Will regarding his Report, and will resubmit based on it. Cynthia states Mr. Warden will need to confirm whether the Removal Bond needs to be increased. Mr. Warden states they have worked with Roland on that in the past. Cynthia states that the numbers should come to the Board first to be forwarded to the Town Engineer for his review first. Mr. Warden states they are familiar with the process as they have done it before. Mr. Warden states the changes are fairly straight forward and wonder if they could be made Conditions of Approval in the event that the Board considers an Approval at the next Meeting. Cynthia asks Will his thoughts as to whether the changes are minor enough that the Board could move to a Resolution on the assumption that they will be supplied with the additional information. Will states he would rather not make them Conditions; he would rather have the information submitted so that he could work on the Approval. Will asks Mr. Warden whether the additional information would come in tandem, as the Removal Bond information may take a little longer. Mr. Warden states the request for an RF Report was also a Condition in the last Approval. Cynthia asks Mr. Warden whether there will be any structural or visible change in regards to the equipment on the ground. Mr. Warden states no. Cynthia states she knows battery change outs will take place. Cynthia confirms the boxes will stay the same. Mr. Warden states they will open up the cabinets to put new batteries in, as well as change the equipment in the equipment cabinets. Christopher and Charlotte state this is fairly straight forward. Mr. Warden confirms they will not submit a Bulk Calculation, but they will submit all the other materials that have been requested. Mr. Warden asks what the process will be. Will states the Conditional Use Permit will be amended. Mr. Warden states yes, and the Site Plan. Will refers to the Public Hearing. Mr. Warden states he has the last Approval and believes the Public Hearing was waived. Will states he thought that Approval was for an Exemption. Mr. Warden states he believes it was an Amendment. Will states the last Approval was for a Site Plan modification. Mr. Warden asks if this proposal may be done the same way. Cynthia states the User is there, and the equipment is being modified. Roland states he believes it could be done as a waiver of the Public Hearing. Mr. Warden asks when they would come back. Cynthia states yes the first Wednesday in May. Mr. Warden states they will try to get the ball rolling with revisions. Cynthia states she will confirm the RF Report. Christopher states the Meeting date is May 6<sup>th</sup>.

- 2. Salem Hills Healthcare Center: Daniel Gallagher** (owner – Mokray Acquisition I, LLC)  
**Amended Site Development Plan** (location – 537 Route 22)
- Discuss Proposed Site Plan Amendment
  - Consider Report From Planning Consultant

Cynthia states most of the Board should be familiar with the background information. Cynthia states there are some items on an Approved Site Plan that were not completed, some items that were done differently, and a parking lot that sprung up. Cynthia states this is a bit of de ja vu because the current owners had to deal with a previous parking lot that sprung up. Cynthia states unfortunately the latest parking lot was done in a setback area which is not allowed under the Code. Cynthia states in order to receive a Variance from the Zoning Board of Appeals (ZBA); they have to demonstrate that they absolutely couldn't have the parking lot anywhere else. Cynthia states this is a 10 acre site which also needs to be talked about. Cynthia states she did not send this proposal over to the Town Engineer as she did not see the point in having him work on it not knowing whether the parking lot would actually stay where it has been built because of all of the issues associated with it. Cynthia refers to a comment on Page 2 of the Memo from Will regarding the Applicant's request to take the previously approved deck for the rear of the building off the prior Plan. Cynthia states she does not have a problem with taking the deck out if the Applicant has chosen not to build it. Cynthia states the handicapped parking spaces in the front were changed. Cynthia refers to the prior Approved Plan and shows where the handicapped parking spaces were actually built. Cynthia states the spaces are nice and they

function so she does not have a problem with their location. Cynthia states there are a few parking spaces that were supposed to be taken out. Cynthia states the Board needs to understand first why so many parking spaces are needed and then work with the Applicant to try and figure out how to achieve them. Cynthia states the parking was based on a Standard in the Code that was written back in 1987, it may not work if standards have changed over the years with respect to how these healthcare facilities are used in terms of having more employees.

Cynthia states Dan Gallagher is here with us tonight to represent the Applicant. Cynthia asks Mr. Gallagher who else is here with him tonight. Mr. Gallagher states Mark Halliday is with him tonight. Cynthia confirms Mr. Halliday is the Director of the Facility. Cynthia asks Mr. Gallagher to begin with the parking issue in terms of what happened between 2009 and today that prompted the need for so many additional long-term parking spaces, not just for the temporary construction period. Mr. Gallagher refers to why the lot was paved during construction and states Bruce Thompson approved the need for more lay down area and parking during construction because the visitors parking out front just below the handicapped spaces had to be closed down three times during construction when the pump trucks came. Mr. Gallagher states the temporary parking was gravel, and it was only for contractors and a lay down area. Cynthia asks why the temporary parking wasn't done in an area that was already flat and accessible and states she has seen trucks there. Mr. Gallagher states they had parking there, as well as the job site trailer. Cynthia asks whether that was enough. Mr. Gallagher states no, it wasn't enough. Mr. Gallagher refers to the area at the end of the existing parking lot where the road goes up and states it was flat and cleared and all it needed was gravel. Cynthia states it wasn't cleared completely. Mr. Gallagher states all it needed was some clearing and gravel. Mr. Gallagher states the contractors were using the area, but there wasn't enough parking for staff and visitors in that lot and it was an unsafe condition. Mr. Gallagher states the owner paved the lot to make it safe. Cynthia states when Bruce talked to her about this and sent an e-mail over, he told her the temporary parking would be in a specific location, but it turned out to be in a different area and it was quite a big difference. Cynthia states this is an issue. Cynthia states there is a lot of land at the Site. Cynthia asks Mr. Gallagher how many employees come for the first shift. Mr. Gallagher states there are 136 employees at Salem Hills. Cynthia asks how many are there for the larger shift. Mr. Gallagher states he does not have that information. Mr. Halliday states there are three shifts, and not as many for the night shift. Cynthia asks Mr. Halliday to get that number for the Board. Mr. Halliday states he can get that information. Christopher states that may not be reflective to the number of vehicles because a lot of the employees on staff take the train. Cynthia asks what time the shifts are. Mr. Halliday states the first shift is 7 a.m. to 3:00 p.m., the second shift is 3:00 p.m. to 11:00 p.m., and the third shift is 11:00 p.m. to 7:00 a.m. Mr. Halliday states he has been there since 1996 and the biggest problem he has seen is that there are a large number of visitors that usually come between 2:00 p.m. and 5:00 p.m., in addition to an overlap during the shift change. Mr. Halliday states between 2:45 p.m. and 3:15 p.m. people are parking in fire lanes. Mr. Halliday states when the construction lot was done there were instances where they told people to stay away from that area and wanted employees not to park near the area, and wanted to keep the area closest to the buildings available for visitors. Mr. Halliday states the employees got in the habit of parking in this area and after the construction was done they kept parking there. Mr. Halliday states the one thing he noticed was that during the shift change people were no longer parking in the fire lanes or fighting over parking spaces. Cynthia asks whether Waterview Hills has a shift change at the same time. Mr. Halliday states yes. Cynthia asks whether anyone from Waterview Hills parks up in the spaces near Salem Hills. Mr. Halliday states no, Waterview Hills has 102 parking spaces between 3 parking lots. Cynthia states she didn't realize there is a connecting road there. Mr. Halliday states that is an emergency access in case there is a snow storm. Cynthia asks Mr. Halliday if he is sure that no one from Waterview Hills parks at Salem Hills. Mr. Halliday states he is sure. Cynthia asks whether both facilities have the same owners. Mr. Halliday states yes. Mr. Halliday states that Waterview Hills has 130 beds and Salem Hills has 126 beds, so there are the same number of employees basically in the two buildings. Mr. Halliday states the parking at Waterview Hills is fairly adequate. Mr. Halliday states before the newest lot and the two handicapped spaces were built at Salem

Hills they had 60 spaces. Mr. Halliday states the additional lot gives them another 20 spaces for a total of 82 including the two handicapped spaces. Charlotte asks if the parking works. Mr. Halliday states yes. Mr. Halliday states that one facility has 102 spaces, and the other has 82 spaces. Mr. Halliday states in addition to the employees they also have doctors, nurses, nurse practitioners, per diem employees, a foot doctor, a dentist, and an eye doctor who come in at all different times. Mr. Halliday states that visitors have to sign a register when they come into the building and usually between 2:00 p.m. and 4:00 p.m. when the parking lots are the most crowded; they usually have 8 to 10 visitors during that time also. Mr. Halliday states he can provide the Board with exact numbers if they need them. Cynthia refers to the parking space analysis which states there are 48 spaces and they are looking to have 74. Cynthia asks whether the analysis includes the handicapped spaces. Mr. Gallagher states yes, it does. Mr. Gallagher states there are parking spaces that are on the Waterview Hills property in the upper lot that are not in the calculation. Mr. Halliday states the spaces are used on a daily basis by all the Salem Hills employees. Cynthia states those were the spaces she wondered about. Cynthia confirms those spots were not included in the calculation. Mr. Gallagher states they did not include the spaces in the calculation because they are on the other lot. Mr. Gallagher states they are for Salem Hills employees and the lot received a Variance. Mr. Gallagher states if those spaces were added in, the total would be 82. Will states there is an Easement on the Plan, so those spaces should be included in the calculation. Mr. Gallagher states he will add them in. Cynthia states there is a very big difference between our Zoning, which calls for 42 spaces, and the proposal to have twice that amount. Mr. Gallagher states yes that is true. Cynthia asks if this is due to a change in the industry. Mr. Gallagher states this is a parking requirement from the Department of Health. Mr. Gallagher states that under nursing homes the requirement is to have one space for every three beds, which is what the Town Zoning Ordinance states. Mr. Gallagher states there is also a requirement to have one space for every four employees. Christopher confirms one space for every three beds plus one space for every four employees. Christopher asks whether it is for every four employees on a specific shift or total employees. Mr. Gallagher states total employees and it would have to take an overlap into account. Mr. Gallagher states that would bring them up to 76 spaces. Christopher asks if this is a Westchester Health Department regulation. Mr. Gallagher states it is a New York State Department of Health regulation. Cynthia confirms the total number of employees is 136 over three shifts. Cynthia refers to the parking lot and states she knows it is being used. Cynthia states she went up there to try it and it is not an easy lot. Cynthia states it is undersized. Mr. Halliday states it is not easy being on the side of a mountain. Cynthia states she didn't find it safe she had to go back and forth four times to get out of a parking space because it is too narrow. Mr. Halliday states if you look at the overall layout of the property there are rock outcroppings. Cynthia states there are some areas that should at least be considered and if it is not feasible that will be the response. Cynthia talks about alternatives and refers to a Plan that shows the whole property and states she is not an engineer, and just looked at the slopes. Cynthia refers to a specific portion of land and states the Applicant needs to show whether or not they could put parking there. Cynthia also refers to another area on the Plan in terms of an alternative. Cynthia states she knows there is a side yard too. Cynthia states right now where the lot is built it goes right smack up against the edge of the property. Cynthia states Barry Reisler had previously told the Board that he has an Easement to get to another parcel and she doesn't see how driveways or roads onto another property can work if it is going through the middle of a parking lot. Cynthia states she does not know whether this interferes with the Easement or not. Mr. Gallagher states that Mr. Reisler has a Water Service Easement. Cynthia states she believes he mentioned having an Easement for possible access. Mr. Gallagher states he is not sure and it is not on the Plan. Will asks if Cynthia is referring to access to the parking lot. Cynthia states access to the 10 acres that used to be part of the property before it was shifted to Seven Springs. Will states there is a trail along the water line. Mr. Halliday states there is a trail that goes up into the clearing. Mr. Halliday states there is a roadway that goes up to Mr. Reisler's property near the water tank. Christopher asks how many spaces the Board is talking about in total. Cynthia states 21 and a couple that we had said we didn't want to see continue, but we could revisit that. Cynthia points out where extra spaces were added. Christopher asks how many spaces are within the setback. Mr. Gallagher states approximately 10. Cynthia refers to the road going up and states it is very narrow and has a

funny bump. Cynthia asks if that is because of drainage and states maybe underground drainage is needed there. Mr. Halliday states that may have been from drainage. Cynthia states that drainage is a whole different issue. Cynthia asks whether any other areas have been looked at in terms of parking. Mr. Halliday refers to the right hand side of the building and states there is a gazebo area with a rock out-cropping that ends at a small strip of lawn near a stone wall that is the property line. Mr. Halliday states it is probably 75 feet from the property line to the gazebo. Cynthia asks whether that area could be used in order to have parking behind the building. Mr. Halliday states there is a small strip of grass behind the building and there is a rock out-cropping. Mr. Gallagher states it also slopes out. Cynthia refers to the rock out-cropping. Mr. Halliday states that is a sloped hill. Christopher states the topo makes it look steep. Mr. Halliday states that is the whole issue with this property. Cynthia points to a different area and states if parking were to be put there all the grass would be utilized. Mr. Halliday states that people go out to the gazebo to see lawn and trees. Cynthia points out an area on the Plan to Mr. Halliday as a possible alternative for parking. Mr. Halliday states the area is all rock out-cropping and buried. Mr. Halliday states it goes up hill, but they will investigate it. Cynthia talks about to what extent the ZBA will weigh in about what the Applicant has already done in terms of what the Applicant will need to prove. Roland states in order to secure an Area Variance the Applicant will need to show that there is no other suitable parking lot location on the property. Roland states the Applicant will not just get a leg up because the parking lot is already built. Mr. Halliday states he understands that. Mr. Halliday states there was another person in charge of the project by the name of Charlie Zuckerman and at one point he decided to have the parking lot paved while I was on vacation. Mr. Zuckerman states when he came back the parking lot was paved and shortly thereafter he was no longer in charge of the project, and I was put in charge of the project to work with the general contractor. Cynthia states that the Board is hearing tonight that the Facility has an issue anyway with parking. Mr. Halliday states yes they do and he does apologize for the work being done without Town approval as he knows it was not the right thing to do. Mr. Halliday states at the time there were a lot of safety concerns. Cynthia states it would have facilitated things if the Town had known about it, even when the temporary parking was being done, because that should have gone through the Planning Board. Cynthia states the Applicant would have been much further along and the Board will try to work with him as best as they can. Cynthia confirms that no other alternative possibilities have been looked at. Charlotte refers to an area on the Plan and asks if people walk on the road after they park. Mr. Halliday states there is a walkway that goes up to the building. Mr. Halliday states the main entrance is in the center of the building, and the lobby is around the corner for visitors. Mr. Halliday states employees come in towards the corner where the new construction ends.

Cynthia refers to the plantings and asks for an update. Mr. Gallagher states they had issues with the plantings that had been proposed due to the deer. Mr. Gallagher states that a decision was made to transplant plants that had been down at Waterview Hills up to Salem Hills to keep both of the Sites similar. Cynthia confirms the plantings are already in, and asks what type of plants were transplanted. Mr. Gallagher states they are all low-lying bushes. Mr. Gallagher states they had proposed to plant trees and that was also an issue because there wasn't enough space between the building and the parking to sustain them. Mr. Gallagher states there are perennials, junipers, azaleas, burning bush plants, and rhododendrons. Cynthia states the area is beautifully kept, but very barren, and mostly mulch. Mr. Halliday states a lot of the area of driveway has mulch due to the rock which makes it very difficult to grow anything. Will asks if the rock is what is limiting the trees, or the size of the area. Mr. Gallagher states it is the width from the building to the parking area. Mr. Halliday states the foundation was moved out. Will talks about vertical plants that are shrubs as a possibility. Christopher states there may be less than a foot of soil. Mr. Gallagher states there are quite a few plants in that area and construction just ended in April and the plants went in right before the fall.

Cynthia states the Board needs to see parking lot alternatives and once they agree where the parking lot needs to be they will get the Town Engineer involved with the stormwater. Will states even if the parking lot stays where it is now it still has issues with dimensions. Cynthia states on the downside there is a little bit of a berm

and asks if a cut could be made on the upside to widen the lot. Mr. Halliday states if looking at it towards the right he believes there is rock there. Cynthia states you have to go one way or the other. Will states you either have to cut the rock or build a retaining wall. Will asks how much pavement was put down. Mr. Halliday states he knows it is binder, but wasn't there the day it was done. Cynthia states that underground electricity was also run because there are lights. Mr. Halliday states yes, because that is a safety issue. Mr. Halliday states that employee's park there and they do not want someone to slip and fall. Cynthia states she understands, and eventually the lighting will need to be addressed.

Cynthia asks Will what else the Board would need to get to a comfort level in regards to the number of parking spaces. Will states an analysis should be submitted based on the employees, their shifts, and the overlap, as well as records of visitors. Will states he has been perusing different codes to view different standards and the one space per three beds is an old standard. Christopher asks Mr. Halliday if they need the number of spots they have now and no fewer. Cynthia asks if the 80 spots will work. Mr. Halliday states yes. Will states he would like to see something in terms of an as-built and an overlay in order to see what has changed, in addition to more information about the plantings as there may be other places trees could go to make up for the loss. Will refers to his Memo and states he pointed out areas where he didn't think parking spaces should be, and maybe those areas could be considered for trees. Cynthia asks Will if this is about safety or about landscaping. Will states it is both. Will states that safety could be achieved through the islands and the control of traffic patterns which will not open up opportunities for illegal parking. Will refers to the lot on the left and states it is wide open so people park two or three across. Cynthia states if 21 spaces will be obtained, is it possible to take away the other spaces that should have been taken away, or will they need to be accommodated for. Mr. Halliday asks how many spaces we are talking about. Cynthia states Mr. Halliday will help the Board come up with a number that works, and then they will see how it can be achieved while accomplishing some of the items Will just mentioned. Will asks what is in between the connector. Cynthia states trees. Cynthia states there is a shed on the Plan for hazardous material and asks what the vehicle is near it. Mr. Halliday states there is a pickup truck there. Mr. Halliday states there is a Health Department Code requiring the material to be so many feet away from the building and accessible to a truck. Cynthia refers to turning around and states the second time she drove to the upper lot all of the spaces were filled and she could not turn around and had to back out. Cynthia asks Will how to achieve safe turn around space without needing a big cul-de-sac in a parking lot that has a dead end. Will states there has to be at least a five foot end space for maneuvering. Mr. Gallagher states he understands what Will is talking about. Cynthia states that the area has to be pulled back in order to have plantings to define the end edge. Cynthia states right now it looks as if people are driving through to the next lot. Cynthia states she thought about going in there to turn around and realized that if it was muddy she may not be able to get out. Will states he hasn't been up there to see the rock, but from the pictures it looks like it was mostly scraped. Will asks whether the rock is loose or whether it may be scraped instead of blasting.

Cynthia suggests the Applicant come in with conceptual ideas so they may be placed on an Agenda to talk about what they have discovered in terms of parking in the back or anyplace else, as well as if it stayed where it is now how they would handle it. Cynthia talks about a two-step process and states that right now the Applicant has to prove to the Board that keeping the lot is their only option. Cynthia states there is a lot of land and there may be some opportunities.

### **3. Minutes:**

- February 4, 2015
- February 18, 2015
- March 11, 2015

**Chairwoman motions that the Planning Board Approve the Minutes of February 4, 2015. Christopher Brockmeyer seconds. All in favor. No opposed.**

**Chairwoman motions that the Planning Board Approve the Minutes of February 18, 2015. Christopher Brockmeyer seconds. All in favor. No opposed.**

**Chairwoman motions that the Planning Board Approve the Minutes of March 11, 2015. Christopher Brockmeyer seconds. All in favor. No opposed.**

## **WORK SESSION:**

### **4. Discussion of Proposed Zoning Amendments:**

Cynthia states she would really like to get this small batch of Amendments moving and over to the Town Board. Cynthia states the Board has gone over a summary of them a couple of times. Cynthia states that Will has provided us with an up to date Draft dated March 31, 2015. Cynthia refers to the Definition of Tradesmans Office on Page 1 and asks if the Board is comfortable with the changes. The Board agrees. Cynthia refers to the next Section on Page 1 and tells Roland the Board has talked about recommending the removal of the Planned Development District altogether. Cynthia states it is incomplete, and has never been used or looked at. Cynthia states it would require a lot of work to make it happen. Cynthia states the Board talked about taking it out for the moment because it is a little bit scary without having a real Definition in the Standards. Roland asks whether it was mapped anywhere. Cynthia states no. Cynthia states it had the potential to be a very flexible overlay-type district.

Cynthia refers to multifamily dwellings on Page 2 and states in addition to having our R-MF/4 and R-MF/6 Districts we still have multifamily dwellings in two Zoning Districts; R1/4 and GB. Cynthia states in the GB District it wasn't defined as to how many units per acre, but it was defined in the R1/4. Cynthia states that was part of the problem because we thought it was somewhere in the text so that when we talked about multifamily it was four units to the acre, but because someone wrote it on the District Sheet it didn't get carried over onto the District Sheet for GB, so we are fixing that and leaving it all at four units to the acre. Cynthia states that Will is just putting the correct verbiage in the right places in the Ordinance. Cynthia refers to Page 2 and states the fourth bullet is for Accessory Seasonal Outdoor Restaurant Seating which the Board has talked about. Will states this wasn't listed in the NB District. Will confirms this is about restaurant outdoor seasonal seating which is an Amendment that was done several years ago. Will states the Town Board added restaurants into the NB District during their process and in doing so we didn't think about the accessory outdoor seating that went with that and it didn't end up in the Code. Will states this is just a cleanup having to do with restaurant seating. Cynthia refers to the last bullet on Page 2 and states this is to have a food type Use in the Retail Section so it works for what exists, as well as a new facility being proposed. Cynthia states the Board agreed to 16 seats at the last Meeting. Cynthia states that Will has pointed to the Standards that were already written. Cynthia states there are slightly different parking requirements which is one space for every four seats.

Cynthia refers to the second bullet on Page 3 in regards to the GB District for multifamily dwellings with all affordable housing units. Will states this is referencing one particular section. Cynthia refers to B on Page 3 and asks Will what this is. Will states not all the Uses in Column B require Site Plan Approval but some of them do, and it was never stated anywhere. Cynthia confirms Column B is the as of right Use Permitted by Right. Will states that in the Residential Districts a house doesn't need Site Plan Approval, but a school or a church does. Cynthia refers to the last bullet on Page 3 in terms of the Bulk Table and states when looking at the GB District it was very confusing in terms of how to achieve the number of units for multifamily housing.

Cynthia states in the GB District as a Conditional Use of the Planning Board we have multifamily dwellings and we have multifamily dwellings containing all affordable housing. Cynthia states the multifamily dwellings have a Use Group n and the all affordable have a Use Group o. Cynthia states she has a copy of the Bulk Table to pass around. Cynthia states that in Use Group n, 160,000 square feet is the required lot area, and in Use Group o, 5,000 square feet is the required lot area. Cynthia states if someone is in the GB District and want to build multifamily housing they would need at least 160,000 square feet unless they want to build all affordable multifamily housing then they would only need 5,000 square feet. Cynthia states she recommended to put a cap on Use Group o since when someone hits 160,000 square feet they are actually in the same category that is permitted as of right in multifamily. Cynthia states why not cap the all affordable at 160,000 square feet. Cynthia states she doesn't think we want a big parcel in the GB District to be all affordable and would much rather see a mix or the potential for a mix. Christopher states that sounds logical.

Cynthia refers to Page 4 and states this is where we are treating multifamily housing in the GB and the R1/4 Districts the way the Ordinance was originally intended, as it now has its own designation, and line in the maximum density factor which is where we nail down the four units to the acre. Cynthia states it is already there in the R1/4 District but the GB line was missing. Cynthia states she is not sure why PO was listed and maybe it was supposed to be PD, but since we took PD out, it will be deleted.

Will states they should talk with the folks at General Code in regards to errors. Will refers to the PO District and apartment's accessory to commercial establishments and states it is listed twice. Cynthia asks if Will pulled his copy online. Will states he uses E-Code. Charlotte states the E-Code should be up to date.

Cynthia refers to Page 5 and states if someone is going to have all affordable it is a reason for triggering the bonus density factor on the previous page.

Cynthia asks Will where the Amendment is regarding the 20% change in percentage for all affordable in multifamily. Will states it is later on in the Draft.

Cynthia refers to C on Page 6 and states when the Ordinance was first written, when doing a subdivision, a lot count had to be proven out, and if someone wanted to cluster it, the Planning Board had the ability to let them build on smaller size lots. Cynthia states when the Ordinance was first written there was a shortcut. Cynthia states there was a chart where someone could work out and deduct for slopes, wetlands, and other environmental features in order to end up with a lot count. Cynthia states because C appears to look very much like average density, she is fairly sure it was written because it went hand in hand with the old way of doing it, which was removed under the Continental Decision. Cynthia states we were highly criticized for giving people the shortcut. Cynthia states when she spoke with the County she had proven out that the shortcut worked on many of the subdivisions. Cynthia states that C will be taken out because it is a drop down to R-4 to R-2, R-2 to R-1, R-1 to R1/2 and is all about layout. Cynthia states that D covers the clustering.

Cynthia refers to Page 6, for Planned Development Districts and states the Board has talked about taking it out. Charlotte asks why the word "Reserved" is left there. Will states the paragraph number will be reserved.

Cynthia refers to Page 7 for R-FM/4 and R-FM/6 and states there was a sentence that pointed here to the multifamily dwellings in the R1/4 and GB District. Cynthia states she and Will decided it would be better to do a standalone write up for them. Cynthia states 250-19.1 was specifically written for the Zones that were chosen as a result of the Continental Decision.

Christopher refers to Page 8 in regards to noise under (c)(1) where the times are listed and states the word should be “and” instead of “to”. Cynthia refers to M on Page 8 and states the start time was changed to 7:00 a.m.

Cynthia refers to Page 9 and states this is the page that got lost last time and the one item we need to revisit is J(1) for commercial vehicles. Cynthia states she circulated pictures to the Board and visited Ward to see the Town trucks. Cynthia states there are terms that she hadn't heard before. Cynthia states that a CDL is a licensing term and basically what it comes down to is that everyone who has a regular license can get behind any one of the vehicles listed on the attachment that is up to 26,000 pounds. Cynthia states that is why tradesmen have bigger vehicles because they don't have to make their employees go out and get the next step up which would be a commercial license. Cynthia states she suggests having the types of vehicles such as vans and pickup trucks be automatic, and the larger vehicles that we don't want to see, and the vehicles in between. Cynthia talks about people being able to provide adequate parking and screening so the Board could consider them. Cynthia states to just give them a pass could lead to fleets of very large vehicles. Cynthia states it is not only the idea of having large vehicles on lots, it is the constant use of Fields Lane. Cynthia states that is her suggested approach and is not sure how the Board feels about it. Cynthia states some of the smaller trucks can have three tons if they are built correctly. Cynthia states the Board has to look at it in terms of both size and capacity. Christopher states that the first three classes of trucks shouldn't be too much of an issue. Cynthia states she agrees. Christopher states that class 7 and 8 would be vehicles we wouldn't want anywhere, and maybe class 6. Cynthia states she thinks the Board agrees that class 7 and 8 are out and classes 1 through 3 could be as of right. Cynthia refers to classes 4 through 6 and asks the Board if they have any comments. Cynthia states she is not saying they should be excluded if there was adequate parking and screening. Cynthia asks Will if it makes sense to approach it that way. Charlotte states that class 3 and class 4 are not that different. Will states that class 1 through 3 could be considered as personal vehicles. Will states that people may even have class 4 vehicles. Will states he wouldn't be concerned with class 1 through 3. Charlotte states maybe not class 4 either. Roland states class 4 could be pickup trucks. Cynthia confirms that classes 1 through 4 will receive a pass. Charlotte states she cannot visualize a large walk-in. Cynthia asks what UPS trucks are considered to be. Will states they would either be a box truck or van. Cynthia states it looks like a class 4. Cynthia states the Board can figure that out another day. Cynthia states if we agree to have breaking points, how do we handle class 5 and 6, and asks whether it should be broken down by the amount of vehicles that people have. Cynthia states she doesn't think the Board should regulate the amount for class 1 because some of these companies could have 12 delivery vans. Will states if they have the space and can screen the lot it should be fine. Roland states the Ford F-550 is the vehicle the Highway Department is getting. Roland states those are small dump trucks. Christopher states they would be class 5. Roland states once you get up to class 5 you are talking about small dump trucks. Will refers to the ratings and states that relates to their size. Will states the SU30 trucks are your basic trucks that need to be accommodated everywhere for deliveries, and that may be the cutoff. Will states he will look into it more. Will states this is based on vehicle weight, so there are some vehicles that are smaller and heavier. Cynthia states that is what Ward told her today. Charlotte asks if this is just for Tradesman Offices. Cynthia states we are going to do it in the RO Zone also because even in Indoor Light Industry we do not have a truck regulation. Will states he looked at the RO Zone and there are is language about trucks in terms of traffic conditions. Will states we are talking about resident trucks as opposed to delivery trucks. Will states we cannot stop commerce. Charlotte states these would be trucks parked on the premises owned and used by the businesses that would need to be screened. Christopher talks about not permitting class 7 and 8. Cynthia states she does not believe the Town permits Uses that would warrant trucks that size and weight. Cynthia states if an Applicant really needed them, they could go for a Variance. Bernard refers to businesses in Town such as Heritage Fuel. Cynthia states that Heritage Fuel got into a Professional Office Zone as an office with no regard for the business. Christopher asks what class of trucks they have. Will states they are in the upper range. Charlotte states probably class 7. Cynthia states that is an Industrial Use. The Gil Shot property is discussed. Cynthia states that the Gil Shot

property has its own Use and specification. Roland states the property has its own Zone. Cynthia states the landscapers that do exist are using rack trucks. Charlotte states yes, and dump trucks. Cynthia states that Ward showed her one of the highway dump trucks and told her it was a little over a ton, and the other dump trucks were in the medium duty category. Christopher suggests going back to Ward with the idea of prohibiting class 7 and 8 trucks as he would know whether or not there are businesses in Town that would be affected. Cynthia talks about looking at the Uses that are permitted to see whether there would be any obstacles. Christopher states he does not know what a class 7 truck necessarily is, and there may already be businesses using them within their rights. Will states they are not on Fields Lane. Cynthia refers to bringing back Industrial Uses and states that is where we would be headed. Cynthia states she doesn't think anybody wants big trucks. Christopher states that is true. Cynthia states we do not want garbage haulers. Will states when he talked about making this more generic, in looking at the contractors use, it doesn't talk about trucks. Will states there is a Section called Commercial Vehicles, and the Board may want to list the information there, but we will still need to list the Districts. Will states this will centralize the information in one place. Cynthia states we will not list the R-2 District. Will states that is correct, we would list the RO, and GB District. Will refers to J on Page 11 and states should probably be listed as well. Will refers to Section 33 in the Code which is called Commercial Vehicles. Will states it is called Commercial Vehicles but it is mostly about residential parking on the street. Will talks about making it a new sub-section. Cynthia talks about renaming 250-33 to be Commercial Vehicles in Residential Zones. Will states we are going to talk about more than that. Will talks about adding in a (d) and states that (c) has nothing to do with Residential Districts. Roland asks if this just pertains to the RO District. Will states it is for all the Commercial Districts. Roland asks if this will cause the Town Board to do a study to find out what types of vehicles are all over Town in the Commercial Districts. Roland states this all started out to control the Fields Lane Zones and now it is morphing into something more. Cynthia talks about putting it in the RO Zone and mention to the Town Board that we want to take a look at it to see whether or not it would be appropriate for all the other Commercial Districts. Will states there are not any Permitted Uses in those Districts that generate those trucks. Cynthia states you never know. Will states there may be existing Uses, but they are already non-conforming.

Will refers to No. 7 on Page 9 and states he believes something is missing. Cynthia states it is all about storage and not worded very well. Cynthia suggests the language be changed to "or other containers used for storage". Will agrees.

Cynthia refers to Page 10 and states this is the new Section written for the R-1/4 and GB District. Christopher refers to F and asks if a building is 30 feet tall whether the distance should be 45 feet. Cynthia states yes, this is fairly standard. Christopher suggests changing the language to be "1 1/2 times the height of the taller building". Will agrees. Cynthia refers to C and asks the Board if they are comfortable with requiring 20% which is the same percentage in the R-FM/4 and 6. Christopher states it is logically consistent. Charlotte asks if this Section is brand new. Will states it is brand new but a lot of the information comes from other portions. Cynthia refers to D in terms of the bedroom counts and asks the Board if they are comfortable with 10%. The Board talks about including the three bedrooms included in the 10%. Cynthia states the language should be "three or more". Cynthia states that Will has asked whether the Board wants to limit the number of bedrooms by having efficiencies, one bedroom, two bedrooms, and three bedrooms, so there won't be four bedrooms. Cynthia asks Roland if the Board is being too restrictive. Charlotte asks what is wrong with having four bedrooms. Cynthia states this has to do with multifamily. Charlotte states she understands. Cynthia asks if there are any questions with the rest of the Section. Christopher states no. Will refers to G on Page 10 and states he isn't sure if the first sentence is needed. Will talks about changing the word "functional" to "operational". Cynthia states she doesn't have a problem with taking out G. Will states he would just take out the first sentence. Will is going to reword G to state "screened and buffered with fencing, walls, and/or landscaping".

Cynthia refers to Pages 12 and 13 and states that initially Roland seemed to think it looked okay. Will states he is fine with it, but doesn't know if that will be the policy with the Town Board. Roland states to him a nonconforming use is intended to expire and by having this provision which was never used in the last 25 years, which breeds new life into something still nonconforming, just a little less intense. Roland states to him it never achieved what people spent so much time writing the Comprehensive Plan about if you never get to the point where everything conforms. Will states it also condones a change in Use that is not permitted. Roland states it allows the ZBA to do something without meeting any of the dictates in the State Law for granting a Use Variance. Cynthia states and not going through SEQR. Christopher refers to Page 13 and states the numbering of the paragraphs goes from 2 to 4. Christopher refers to paragraph 4 and asks Roland how this is proven out and how does it come to one's attention that the nonconforming Use has ceased. Christopher gives an example of someone going on vacation for a week who shuts down their business. Will states this is when a nonconforming Use is changed to a conforming Use, and doesn't go back. Will states there should be a mechanism in the Building Department so they know the change has occurred. Charlotte asks whether the time period is six months. Roland states either six months or a year. Cynthia states she believes it is a year.

Cynthia asks the Board whether they are comfortable enough to go with the changes discussed tonight and do a Referral to the Town Board. Charlotte states yes, she is. Christopher states he believes so. Cynthia states the Board will begin to review another whole set of Amendments from the big list. Cynthia states the Amendments discussed tonight were the quick ones, and the Board has a lot of work ahead of them with the rest. Cynthia states when Will finishes the re-draft, it will be sent to the Board to re-read it. Cynthia states it might take a few weeks to get it over to the Town Board. Charlotte inquires about the trucks. Christopher states he believes the Board worked that out. Cynthia states the Board agreed to do the three-part category and Will is going to make a recommendation that will go to the Town Board. Charlotte states that is fine. Will states the revisions will be circulated and if anyone has a red flag, there may need to be further discussion. Roland states he thought the Board agreed to go up to 16,000 lbs. which takes you into the class 4 category. Cynthia states classes 1 through 4 are fine, class 7 and 8 no way, and class 5 and 6 only if there is sufficient space and screening.

**Chairwoman motions that the Planning Board Adopt the Draft Resolution to Refer the 2015 Zoning Text Amendments as Amended this Evening to the Town Board for their Consideration. Christopher seconds. All in favor. No opposed.**

**5. Next Meetings:**

- Work Session – April 15, 2015
- Regular Meeting – May 6, 2015

**6. Resolution:**

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