

**Planning Board Meeting  
August 8, 2012**

**Present:**

Lance Spallholz, Chairman  
Fred Sievers  
Peter Sheridan  
Michael Roets  
William Ryan, Alternate  
Thomas Peterson, Planning Board Attorney

**Absent:**

Virginia Hewitt

**Guests:**

Kevin Dailey  
Scott Lansing  
Mary Jo Lanahan  
Sandy Debus  
Dixie Lee Sacks, Mayor  
Laura Zampino  
Glen Zampino

**Agenda: August Monthly Meeting**

- Hillman Estates PDD Initial Review
  - Open Discussion
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At 7:05 PM, Mr. Spallholz called the meeting to order. Mr. Spallholz indicated that he was expecting Ms. Hewitt, but verified Mr. Ryan (Alternate) is in attendance. After a few minutes wait, Mr. Spallholz invited Mr. Ryan to the table.

**Hillman Estates PDD Initial Review**

Mr. Spallholz indicated that Mr. Dailey is here again with some new paperwork covering issues from the July meeting. Mr. Dailey and Mr. Lansing introduced the new map with 53 lots, with added lots at the corner of proposed Ordelia Avenue and Village Circle. Their understanding of the process is they are looking for recommendations from the Planning Board to give the Village Board for technical specifications. Then the Village Board will vote to approve or disapprove of the PDD, which will ultimately return to Planning Board for subdivision, site plan, trails, etc.

Mr. Lansing addressed the seven items outstanding from July:

1. **Wetland Delineations:** There is a mix of Army Corp of Engineers (ACOE) and New York State Department of Environmental Conservation (NYSDEC) wetlands, which are delineated on the new map. The NYSDEC did provide a letter to verify the delineation; however, the ACOE will not move ahead without an actual application.
2. **Architectural Variation Choices:** Cottage House, Rural Cottage, Mini Cottage and Cottage House Duplex (Stacked)
3. **Soil/Bedrock Confirmation:** Sourced from the USDA National Web Soil Survey for Saratoga County, there were eight test pits conducted, with a range of 50" to 84", which can be used for grading and utilities.
4. **Fees:** Have been paid
5. **Parcels and Contour Maps:** A flood plain map from the Federal Emergency Management Agency (FEMA), overlaid with red on the large map and contour maps were submitted.
6. **Archaeological Investigation:** They are in process of obtaining the application. Mr. Peterson asked if this should be done prior to the submitting the PDD as it could potentially stop the application. A negative declaration must be declared on SEQR, which include

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archaeological and other ecologically sensitive matters, but will be completed before approaching the Village Board.

7. **PDD Exhibits:** Renderings of mailboxes, bulletin board, sidewalks, etc. were provided

Mr. Sheridan asked how much of the 27 acres are developable, Mr. Dailey said it looked like it was about 2/3. He then enquired about the extra parcels, which Mr. Dailey indicated that this is part of the land deeded to the Village to give to the Round Lake Library. The value of the land will affect the total gross value of the library assets, which changes the level of applicable grants. The deed is designated to the Library and the Library can do what it wants with the land including developing the six parcels.

Mr. Spallholz asked for clarification on page 2 of the Environmental Assessment Form (EAF), of the project parcels that will affect 14.76 acres, how much of that space will be developed? The light green area on the map represents the 14.76 acres. In the EAF the minimum lot sizes are 4800 square feet, but it is 6000 on the map; Mr. Dailey clarified it is 59 single-family parcels on 4800 square feet, where before it was 53 lots on 6000 square feet. Mr. Spallholz remarked that there are two additional lots from the original map presented in July, in addition to the six lots designated for the library.

Mr. Dailey clarified for the record that he is the applicant, not the owner, and is acting in contract, and in deed, on behalf of the owner.

Regarding the wetlands, the wetlands do meet qualifications for NYSDEC wetlands, detailed in correspondence given to the Planning Board, which is valid for three years. He stated that until submittal of an application, the ACOE would not review, as it does not want to provide jurisdiction to ideas. Mr. Spallholz asked what is the trigger, the application after the PDD? Yes, then the ACOE would approve or disapprove, which would require an adjustment to the lines if disapproved. It is not a denial, just changes to the plan.

Mr. Sievers indicated that this stage is more of a philosophical review, and asked how this development will be part of the village. Mr. Dailey feels that is a marketing strategy, requiring the right builder, marketer, consultant and HOA.

From the audience Ms. Sacks agreed that Mr. Sievers has a valid and serious concern, but rather than an urban planner, the suggestions should come from people who live in the village. Mr. Spallholz indicated the residents should come to these meetings and offer their suggestions. Ms. Debus feels a library will connect the two areas together. She also suggested an interactive walkway (nature walk or exercise path) between the two areas.

Mr. Sheridan asked about alleys and rear entrances to the houses. Mr. Lansing and Mr. Dailey have had debates about the addition of more blacktop and impermeable surfaces. Mr. Sheridan said that the houses could face inward to a common green space and the parking areas would be behind the houses. He referenced Oak Bluffs, MA and Ithaca, NY where they are using this model.

Mr. Peterson said that the layout ideas suggested previously are not in this plan and alleys could be gravel to allow for permeable surfaces. The two proposed layouts of wheel and spoke, or grids within smaller boxed areas, neither of these match the current plan layout. Mr. Dailey replied that they are trying to go with smart growth, with wider streets for snow removal.

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Mr. Spallholz stated the lots have gone 65 to 51 lots, now to 59 total lots including the library lands. If the library land is a donation, then there are no public lands.

Mr. Spallholz agrees with Mr. Dailey's interpretation of the review process. He then asked the Planning Board if the proposed PDD could conceptually support the number of houses? Can 53 lots meet the criteria, first with stormwater concerns? Second, for architectural variations, are there five or four types with a discrepancy in the letter? The variances in architecture provides for variances in the setbacks depending on the number of lots and positioning of the lots. Does the Planning Board accept the number with no public space because the land is going to a not-for-profit organization?

If this were just a subdivision request, it would be 35 lots, so there are 18 more than subdivision with this proposal. Mr. Sheridan feels that it would be 27 based on 1/3 acre, over 9 acres, with 40% green space. Mr. Peterson added that the equation is based on developable land. For public purposes, a cluster development is 40% green space, and for a subdivision per Village Code 158-41, all shall be cluster. Therefore, if it is a subdivision, then it is cluster development with 40% green space. Mr. Peterson is going to scan and circulate the two pages to the Village Board.

Mr. Dailey stated the Village Board sent this map to the Planning Board to review and his perception is that the Planning Board is making it difficult. Mr. Spallholz responded that a PDD is based on public benefit, and while having a new local library is a public benefit, there is not a requirement for public space in PDD legislation. What is law in a subdivision is law, but it has to be determined if there is a better benefit to warrant a PDD.

Mr. Ryan wants to know how to be more compatible with the Board's concerns. Mr. Dailey said that they are willing to redesign to incorporate alleyways. Mr. Sheridan feels that it needs to be compatible with Round Lake. There cannot be another Round Lake; the houses will only be replicas on the outside. Mr. Peterson feels that having the houses close enough to the road to converse would improve the plan. Having garage doors recessed or some alleyways will also improve the design. The road could go around the back and face in, with alleys in between the houses.

Mr. Dailey felt if forced to go to a subdivision that the people who will buy that style of property would not be interested in interacting with Round Lake residents. Ms. Lanahan indicated that having a Community Room in the new library would allow usage by the Planning Board, Village Board, Library Board and WRLIS.

The Zampinos' feel the onus is on Round Lake to try to bring people together. They have lived in Clifton Park and Halfmoon, but find what Round Lake has to offer more appealing. The only connection they have had to events in the village was through family, and more recently, the village newsletter.

The connection to the new development via Cleveland Avenue is a not a possibility. Mr. Lansing and Mr. Peterson suggested adding more post office boxes to the Village Hall. Ms. Sacks indicated they could not do so for Victorian Landings, so they probably would not be able to because the new development would also be a rural route.

Last month the Planning Board did not consider the application complete, and now has the missing components. If the Planning Board now considers the application complete, there is a 60-day clock, with an extension to October 10, for two more meetings between now and then to make a final

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decision. This proposal, for 53 houses and 6 additional lots, is up to Planning Board to report to the Village Board whether they think it should go forward. Mr. Spallholz asked the Planning Board if they are in a position tonight to declare the proposal complete and opened the idea to discussion.

Mr. Sievers feels mixed over his concerns; perhaps a deadline will force the changes, as he would vote against the proposal as it is now. Mr. Ryan is in agreement with Mr. Sievers. Mr. Sheridan and Mr. Roets agree. Mr. Sievers raised a motion to declare the application complete with 62 days to address all concerns, which Mr. Ryan seconded. With no further discussion, the Planning Board voted: Mr. Sheridan – aye, Mr. Sievers – aye, Mr. Ryan – aye, Mr. Roets – aye and Mr. Spallholz – aye.

Mr. Spallholz said he feels that Mr. Dailey and Mr. Lansing have the tenor of the Planning Board and stated that they will see them at the September meeting.

**Open Discussion**

The July 11<sup>th</sup> minutes were then reviewed. Mr. Sheridan moved to approve the minutes as amended, which Mr. Sievers seconded. Mr. Spallholz polled the Board: Mr. Sievers – aye, Mr. Sheridan – aye, Mr. Roets – aye, Mr. Ryan – aye and Mr. Spallholz – aye.

Mr. Sievers made a motion to adjourn at 8:24 PM. All were in favor.

Respectfully submitted,

*Heather K. Elford*

Heather Elford  
Planning Board Secretary