

**Planning Board Meeting  
October 10, 2012**

**Present:**

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

**Absent:**

Fred Sievers

**Guests:**

Scott Lansing  
Richard Miller, Jr.  
Patricia Saunders  
Florence Cruz  
Kathleen Crandall  
Sean Rigney  
Bob Sweet  
Mary Jo Lanahan  
Pati Lu  
Andrew Lu  
Scott Rigney

**Agenda: October Monthly Meeting**

- Hillman Estates PDD Review
- Village Board PDD Guidelines
- Open Discussion

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At 7:05 PM, Mr. Spallholz called the meeting to order. He expects Ms. Hewitt to arrive shortly; Mr. Ryan is sitting in for Mr. Sievers who cannot attend this meeting.

**Hillman Estates PDD Review**

Mr. Spallholz indicated that Mr. Dailey would not be able to attend the meeting; however, Mr. Lansing is here to present and discuss a new map. Mr. Spallholz indicated that there was a motion made at the September meeting to extend the review to November.

Ms. Hewitt arrived at 7:06 PM. Mr. Spallholz asked for a list of items addressed since the August meeting. Mr. Lansing said that he was planning to address the changes and then give direction to the project. Mr. Lansing provided a list of community features, attached.

Changes to the plan include a mixture of four different types of units, with mixed size lots – 40', 50', 60', and pointed out the five darkest green that are 40', on the cul-de-sac. Medium green represents 50' and the lighter is 60'. There are suggested home types for each size lot. The style emulates the village with sidewalks along the whole development going to the walking path, a central mailbox and bulletin board. They opened the center space of the development for a gathering area and there is a link to the Zim Smith trail in two locations. Finally, there is public land, with a conceptual library and parking estimate, and library parking at a separate village entrance.

Mr. Spallholz enquired if the changes resulted in a reduction of houses. Mr. Lansing said no, there are 52 lots with another six lots for public space with a primary intention to build a new library. Mr. Peterson asked would the builder be required to build the library. Mr. Lansing responded no, the builder would just provide the land donation, with the parking lot up for discussion.

Mr. Spallholz asked how many houses could be built without a PDD based on the amount of land. Mr. Lansing said 38; Mr. Roets said he believed it would be 35, so they settled at a number between 35 and 38. Mr. Roets asked about the red buffer on the map, is it a flood plain? Mr. Lansing is consulting with an expert who is doing a study to assess how far up it would extend, leaving a 100' buffer. The access road from Route 9 would have culverts for drainage.

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For the access road to the library, gated at the end, the builder would make the connection to the development. It has to be there for emergency access supporting a 50,000-pound vehicle; it does not need to be paved, but has to support the weight. The developer would pay for the road, including a bridge over the creek.

Mr. Spallholz indicated the first ten pages of a 21 page EAF are filled out, Mr. Lansing clarified the next 11 pages are the ones the municipality fills out and is intentionally left blank. On page two, the affected area is 14.76 acres, but later on page five, question 1B states 16.3 acres. Is there a reason for the discrepancy? Mr. Lansing will review and correct if needed. Question 1J, the linear feet of frontage is 200'; should public roads be included? Mr. Lansing believes that is a typo and will review.

On page two there is proposal of lot size, and on bottom of page nine, there is a reference to a much larger lot size. That is leftover from the original plan; Mr. Lansing will have that adjusted. Mr. Ryan asked about the different size houses, is there a rendering of what the different houses will look like? Mr. Lansing responded not at this time, but they will follow architectural standards.

Mr. Roets clarified that on page three, question six; the answer should be yes, because it abuts a national historic district. Mr. Spallholz recommended reviewing whether hunting opportunities exist.

Mr. Spallholz then opened the meeting for audience questions. Mr. Sweet questioned why there was earth-moving equipment on-site already, and recommended that the Village should find out why.

Mr. Peterson asked one more question, what is the acreage of the trapezoidal common space? Mr. Lansing answered roughly an acre, forested. He asked if was incorporated for question four, page five, for how many acres of vegetation will be removed currently at 16.4 acres. Mr. Lansing indicated that they will leave as much of that area intact as possible. The open area will be across the street from the proposed library. The typical home will face the street and if they faced inward, it would leave no private area. They tried to balance the plan with the privacy and frontage concerns.

Mr. Sweet was concerned that the road connecting the Village to the development is back on the plan, because he believed that the Village Board had said not to send it to the Planning Board with it. He felt this puts the Planning Board in a position of having to make a decision.

Mr. Spallholz responded that Mr. Dailey and Mr. Lansing represent the owner, who has requested a PDD, which provides a 60-day period for the Planning Board to give the developer ideas of what may work. Then the Planning Board needs to give a recommendation whether they should continue with the PDD. If Planning Board sends it to Village Board with approval, then it only requires a Village Board three to two vote to approve the PDD. If Planning Board votes against the PDD, then it has to be a super-majority to pass the Village Board, with a vote of at least four to one.

Mr. Lansing responded that when they first presented it to the Village Board there were 60+ lots, and the Village Board did not approve plan. They modified the plan and the Village Board passed it to the Planning Board. He addressed Mr. Sweet, due to the size of the development, that there has always been a secondary access, they could have a parallel road, but still suggests the pathway. Mr. Sweet indicated that he would object to the current idea for a road within the Village, or to a path with conversion potential, to the Village Board.

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Mr. Spallholz indicated that the one of the concerns about people moving into the Village is how to integrate them with the Village, and the Planning Board understands the concern that they have. If we do not have a way for people to become comfortable to accessing the Village, they will not be inclined to work their way into the Village.

Ms. Crandall has agricultural land and wants to continue to have Prospect Road as a dead-end road. She asked if they would have to take additional land to build a road and if it would be public land. Regular zoning requires secondary access for any development over 18 – 20 units and discussion over whether a fire truck could go over a sewer line ensued.

Ms. Saunders stated that she feels strongly that the development is too dense, she objects to a HOA and objects to any road from Prospect Road. She suggested that secondary access could come from Wood Road or perhaps through the Robichaud property.

Mr. Miller stated that he felt a walkway would have a sense of connection, but would not want more than a gravel path. He felt a boulevard access would work best. Mr. Lansing reiterated this would require additional wetland disturbance.

Mr. Sweet asked if there were any wetlands impacted at the proposed library site, there would only be potential near the proposed parking area.

Mr. Roets recommend Mr. Dailey and Mr. Lansing have an alternative plan at the next Planning Board meeting regarding secondary access as there will be noise when the proposed PDD goes back to the Village Board.

An independent engineering study of the drainage is in process, which will go to Village Board and the DEC, but will not be ready before the next Planning Board meeting.

The Planning Board weighed in on some of the concerns raised during the meeting. In regards to privacy, Mr. Sheridan stated that Round Lake does not have a lot of privacy in yards. Ms. Hewitt had no comment at this time.

Mr. Ryan said that the parallel boulevard would resolve concern regarding access, but we have to anticipate issues of Village access to the library. Mr. Lansing felt a boulevard would increase the environmental impact with additional impervious surfaces; personally, he does not feel that a boulevard architecturally fits the development.

Mr. Sean Rigney asked if the PDD legislation indicates for five or more acres, a developer can go outside of the legislation if there is something beneficial for the community, if land for development of a new library met that requirement. Mr. Sheridan clarified that a PDD could apply on a smaller lot for clustered cottages.

Mr. Spallholz summarized the direction of the proposal, clarifying the number of units has been set at 52 buildable, with between six and eight lots that are reserved for donation, based on direction to reducing the number of units. As far as the access road, if the project happens there will be people on both sides of the street, literally. New residents must have a connection, and that has to be a physical connection. A footpath designed to accommodate emergency access would be a compromise position.

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Mr. Peterson requested Mr. Lansing add the six library lots back on the map, with a pop out to show them clearly.

Mr. Lu asked if 16 +/- acres are cleared what the impact to wetlands is. Mr. Lansing responded that the only wetland impact is the access road; the development is outside of the wetlands, for the stormwater there has to be a plan that addresses how to handle pre-development and post-development. Mr. Spallholz pointed out the stormwater retention ponds on the map, designed to satisfy the criteria. Mr. Lansing added stormwater retention and mitigation factors are built in each lot.

Mr. Lu asked what the HOA would do; Mr. Lansing said it is an option to the residents for lawn care and plowing. The Planning Board clarified that Victorian Landings has a HOA and Cluster Development legislation encourages HOA's.

Mr. Scott Rigney wondered if a developer came to the outlying area if could they link developments on the Clifton Park/Round Lake boundary.

Mr. Lu asked how the development benefits the village. Will it reduce the tax base and water/sewer bills? They will pay HOA fees and Village taxes, but the latter is under the purview of the Village Board. The water/sewer would see a reduction based on the number of units offsetting the cost of the loan and maintenance. Per Mr. Peterson, residential property takes more taxes than a business to maintain from a municipal perspective and the HOA will be responsible for the stormwater management. The HOA has to be bonded.

Mr. Sean Rigney asked how much it would cost to build a new library. At 10,000 square feet, at \$100 to \$150 per square foot, it would be an estimated \$1 to \$1.5 million.

Mr. Ryan requested confirmation regarding secondary access. Mr. Peterson will confirm it.

Mr. Spallholz closed the discussion, and indicated at the next meeting, November 14<sup>th</sup>, the Planning Board will either vote on the PDD or choose to extend the review. Mr. Lansing will come back and incorporate more changes. Ms. Hewitt asked for additional information from the DOT for the conceptual boulevard change.

**Open Discussion**

In the interest of time, the Planning Board agreed to review the September minutes and the Village Board recommended PDD guidelines at the next meeting.

Mr. Ryan made a motion to adjourn at 8:35 PM. All were in favor.

Respectfully submitted,

*Heather K. Elford*

Heather Elford  
Planning Board Secretary