



TOWN OF WILTON
22 TRAVER ROAD
WILTON, NY 12831-9127

(518) 587-1939
FAX (518) 587-2837
Website: www.townofwilton.com

RYAN K. RIPER, P.E.
Director of Planning &
Engineering

MARK SCHACHNER
Planning Board Attorney

LUCY B. HARLOW
Secretary

PLANNING BOARD
MAY 17, 2017

PLANNING BOARD

MICHAEL G. DOBIS,
Chairman

HAROLD VAN EARDEN,
Vice Chairman

WILLIAM RICE

ERINN KOLLIGIAN

RON SLONE

DAVID GABAY

BRETT HEBNER

RICHARD FISH, Alternate

A meeting of the Wilton Planning Board (“the Board”) occurred on May 17, 2017 at the Wilton Town Hall, 22 Traver Road, Wilton, New York.

PLEDGE OF ALLEGIANCE

I. PUBLIC HEARING:

The following Notice of Public Hearing was advertised in the Daily Gazette, The Post Star and the Saratogian Newspapers:

PLEASE TAKE NOTICE that the Planning Board for the Town of Wilton will hold a PUBLIC HEARING to consider a site plan and special permit application by Saratoga Sports Club, Inc., to convert a residence to a sports club and indoor batting practice. Property located at 4252/54 NYS Route 50 on 1.29 acres, zoned RB-1, SBL 141.-2-83.

SAID PUBLIC HEARING will be held on Wednesday, May 17, 2017 at 6:30 PM at the Wilton Town Hall, 22 Traver Road, Wilton, New York. At that time, all persons will be given a chance to be heard.

By Resolution of the Planning Board for the Town Of Wilton, Saratoga County, State of New York.

Erin Kolligian recuses herself from review of these applications.

SARATOGA SPORTS CLUB, INC.: Bret McArthur, the applicant, and Ernie Gailor, P.E., his representative, are present. Mr. Gailor has responded to Mr. Riper’s comment letter dated April 20, 2017 and a fence has been added along the property line; the 28’ municipal easement is clearly marked on the site plan. Should anything happen to the adjoining parcels a rear cross-connection will be noted on the plan. The building is being modified and added on to. The carport at the front will be enclosed and used for an entry waiting area. Off the back, there will be an addition that will house a kitchen area, a meeting room and a handicapped accessible bathroom. He describes the

additions to the existing building at the front 357 SF, and the back is 745 SF: there are 15 parking spaces; the dumpster location has been moved. He has contacted NYSDOT about the driveway connection to NYS Route 50 and NYSDOT's requirements will be noted on the site plan. Chairman Dobis asks for questions from the audience.

Barbara Latzco, 4247 NYS Route 50, who lives across the street, asks about the lights that will be used at the proposed site, what hours the facility will be open, and the parking availability. She has concerns about the traffic on the highway.

Mr. Gailor responds that the lights are on the building itself, one at the front door facing the parking lot, another one to illuminate the stairs and one at the rear entrance. None of the lights face NYS Route 50 and the lighting is similar to any residential use. No parking lot lights.

Mr. McArthur addresses the hours of operation: November is the beginning of training season and it get busier. There is an after-school program where the children are picked up from school. The facility will be open until 9 PM. All use is strictly indoors. At the weekends, it depends on the season – if there are little league games going on, the facility will be busy and the hours would be 9 AM to 6 PM. When school is in session, it will not be used much.

Scott Keller, 4245 B NYS Route 50: asks if the kids are being bused in for the after school program. Mr. McArthur will be picking up the kids for the after-school program and the parents pick them up after work from 5 PM to 6 PM. The others will be transported by their parents or someone else.

Ms. Latzco asks about the second floor living space. Mr. McArthur states the space will be opened up for pitching development area because it has a longer span. Normal pitching distance is 60 feet and the existing building length is 64 feet, allowing the kids to do a "long toss".

Scott Keller recalls when applicant was before the zoning board that the use was going to be seasonal, now the applicant is indicating it will go year round. Mr. McArthur responds the use will be during the school year, with some activity in the summer. There will be no outside use.

Mr. Keller describes the highway [NYS Route 50] as being like a "dragstrip." His biggest concern is the speed the cars are going, other neighbors have witnessed where a vehicle has its turn signal on and the car behind is not paying attention resulting in rear-end car accidents. He puts his turn signal to enter his driveway and people going around him in the left lane at high speeds. He doesn't know how you mitigate that on the highway. If you're talking 4:30, 5:00, 5:30 PM when everyone is in a rush to get home – that's a miserable time. We have trouble getting out of our driveway sometimes. He is concerned about a van full of kids coming out onto the highway.

Barbara Latzco says even though the speed limit is 55 mph, cars are going much faster than that. It is dangerous to get in and out of the driveways. No matter which side of the highway you are entering, it is a concern. Where the speed limit increases from 45 mph to 55 mph, drivers floor it.

Mr. McArthur says in the area where the mall is and to the north caution has to be taken. The majority of his clientele is coming from the Saratoga and the local Wilton area so the van would be taking a right out of the driveway. The sight line is going to improve with the changes to the site and

the clearing of the berm. He has asked Ernie what is the process to go before DOT. He would be willing to join in with others to advocate for a decrease in the speed limit.

James Tuller, 4245 Route 50: This is purely an indoor facility? There are no plans for activity outside? Mr. Gailor responds there is no outside instruction.

Curtis Latzco, 4247 Route 50: asks if it will be possible to turn around in the parking lot. Mr. McArthur states there is plenty of room to turn around – no need to back out. Mr. Latzco asks when Mr. McArthur plans to start the program. The after-school program will begin in September. There are people lined up to begin the renovations as soon as he gets the building permit. He has been saying that by the end of July he hopes to have it open. But he will take his time to do it right. He won't be rushed. This has been a vision for him for a long time so he wants to get it right. He will be on site for the renovation which will be done by professionals.

Chairman Dobis asks for any questions/comments: there being none, he asks for a motion to close the public hearing. On a motion introduced by William Rice and seconded by David Gabay the board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, the Public Hearing is closed at 6:45 PM. Ayes: Dobis, Gabay, Fish, VanEarden and Rice. Kolligian recused.

II. REGULAR MEETING: Chairman Dobis calls the regular meeting to order at 6:46 PM. He requests a motion to address the April 26, 2017 Planning Board minutes.

MINUTES APPROVAL: William Rice moves, seconded by Harold VanEarden, for the approval of the meeting minutes of April 26, 2017 as written. Ayes: Dobis, Gabay, Kolligian, Fish, Van Earden and Rice. Opposed: None.

CORRESPONDENCE: Transmittal from EDP re: 360-370 Ruggles Road Subdivision dated 5/2/17; transmittal from LA Group re: Harran Lane Subdivision Conceptual dated 5/2/17; map transmittal from Saratoga County Clerk's Office re: Sonoma Grove dated 5/1/17.

IN ATTENDANCE: Those present at the May 17, 2017 Planning Board ("the Board") meeting are: Chairman Michael Dobis, David Gabay, Erinn Kolligian, Harold VanEarden, William Rice and Richard Fish, Alternate Ryan K. Riper, P.E., Director of Planning and Engineering and Mark Schachner, Planning Board Attorney. Absent: Brett Hebner, Ron Slone. Also present are: Ernest Gailor, Bret McArthur, Tom Roohan, Matt Steves, Frank Parillo, Brandon Ferguson, Eric Rice, David Baker, Patricia Tuz, Nancy Dwyer, Matthew Gabryshak, Dave Masseroni, Doug Heller, Barbara and Curtis Latzco, Scott Keller and James Tuller.

III. APPLICATIONS:

A. SARATOGA SPORTS CLUB, INC.: Chairman Dobis states this is a site plan application and special permit review relative to converting a residential space into a sports club and indoor batting practice facility. Property located at 4252/54 NYS Route 50 on 1.29 acres, zoned RB-1, Tax Map

No. 141.-2-83. Mr. Riper reviews the comments from his May 10, 2017 letter: the Board will need to take action on the application for a special permitted use in the RB-1 zone. The Board will need to determine in its judgement the seven items under Town Code §129-175 D. Additionally the applicant and the Board should discuss the buffering of the landscape between the residential neighbors to the north and south. A special use permit is required to have a 30 foot buffer and the RB-1 zone requires a 50 foot wide landscape buffer. The Board may require fencing in addition to the landscaping. He asks that the applicant's representative to explain what has been added to the plans. Mr. Gailor says that plantings have been added along both property lines. In addition a 6' fence has been added to go along both property lines. The width of the buffering is not going to be 30' due to the configuration of the parking lot. The existing trees will be maintained. The Board needs to determine whether to waive the requirement or choose some other plantings. The dumpster pad has been moved off to the side. No site lighting shall be cast on the neighboring parcels. The approved permit from DOT needs to be sent to the Town. Signage permits are separate.

Chairman Dobis reviews the landscape buffering requirements for the RB-1 zone: 50' wide buffer adjacent to the residential uses. A special use permit requires a 30' buffer for visual and sound mitigation. He inquires about the adjacent property to the north and what the distance is from the subject building to that property line. Mr. Gailor responds it is 47'. A fence is being installed set 2 feet into the applicant's property line with some additional plantings indicated on the site plan. There is currently a fence on the adjacent property owned by Mr. Scerra. The applicant and Mr. Scerra have talked about some large pines that will be taken down. There will be a single staggered row of arbor vitae. Some other trees will be added that will help buffer the noise from the parking lot. There is not room to put a 50' buffer. Mr. VanEarden asks about the existing fence and is told that additional 6 foot high stockade fencing will be added on the applicant's side of the property all the way down to the property line along with some additional plantings. The Biss family owns the property on the southern side. There are some existing trees that will remain. There is a 9 foot berm that acts as a buffer as well. Mr. Gabay asks about the density of the existing foliage. Mr. Gailor says it is moderately dense. Mr. VanEarden asks about the van for the after school program. It holds 15 people and it is owned by Mr. McArthur.

Mr. Riper states the RB-1 requires the sidewalk, lighting and street trees which has been discussed by the Board and it was decided to waive that requirement. That waiver will have to be included in the motion if the Board so chooses. Mr. Riper adds that item #4 of his letter refers to Town Code requirement for club use to have one tree per eight parking spaces in the lot itself. This parking lot layout does not lend itself to additional trees. Perhaps a shade tree could be put to the side of the parking lot and Mr. Gailor concurs. Mr. Rice asks about any discussion with NYSDOT about the speed on NYS Route 50. The speed increases from 45 mph to 55 mph where AIM Services is located. He asks about any accidents north of Perry Road. Mr. Riper hasn't heard about as many, at the Edie Road intersection, there have been a few. Any state highway will have accidents and DOT keeps track of the data. When they do their studies they look at the rate of accidents. Ms. Latzko states there have been accidents right at the end of her driveway. She describes other accidents in this section of Route 50, one at Edie Road when the highway was shut down. The Stewart's intersection is terrible, there are accidents there all the time, she says.

Chairman Dobis moves to the SEQRA review. Mark Schachner, the Planning Board attorney, refers to the Short Form EAF that was initially completed and submitted by applicant, signed by Bret

McArthur on January 3, 2017. He reads the questions from Part II of the EAF. The Board has copies of the Short Form EAF Part II so that the impacts may be assessed. The Board, with the assistance of Mr. Schachner, reviews the EAF Part II, which is a list of eleven questions. The choice of answers is “no, or small impact may occur or, moderate to large impact may occur.” The Board responds to all questions by the answer in column one: “no or small impact.” The SEQRA review having been completed, Chairman Dobis asks for a motion for negative declaration on SEQRA. On a motion introduced by William Rice, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Planning Board for the Town of Wilton moves for a negative declaration for SEQRA in connection with the proposed site plan application and special permit review relative to converting a residential space into a sports club and indoor batting practice facility. Property located at 4252/54 NYS Route 50 on 1.29 acres, zoned RB-1, Tax Map No. 141.-2-83. The motion is seconded by Harold VanEarden and duly adopted on this day, 17th day of May, 2017 by the following vote.

Ayes: Michael Dobis, William Rice, Harold VanEarden, David Gabay, Richard Fish, Alternate.

Noes: None

Recused: Erin Kolligian

Absent: Ron Slone and Brett Hebner.

The Chairman moves on to the Board’s review of the Special Use Permit criteria under §129-175 D. Mr. Schachner reads the following:

For each special use permit, the Zoning Board of Appeals, Town or Planning Board shall determine, in its judgment, that:

(1)

It is reasonably necessary for the public health or general interest or welfare. *The Board answers yes.*

(2)

It is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities. *The Board answers yes.*

(3)

The off-street parking space required under § 129-161 of this chapter or where not specified is adequate to handle expected parking demands. *The Board answers yes.*

(4)

The neighborhood character and surrounding property values are reasonably safeguarded. *The Board answers yes.*

(5)

Undue traffic congestion or creation of a traffic hazard will not result. *The Board answers yes.*

(6) Any other conditions or standards specified in this chapter and especially those listed for specific uses in § 129-176 of this article are fulfilled.

Mr. Riper reiterates the requirements for the club use. Mr. Schachner clarifies: Are the conditions or standards as required for club use fulfilled? *The Board answers yes.* Mr. Schachner adds that the tree is not on the existing plan. If the Board ultimately has a motion to approve, it would be important that the motion would include the requirement for that tree.

(7) All governmental authorities having jurisdiction have given the necessary approval. *The Board answers yes.*

The tree is on Mr. Riper's letter as item #4. The motion could reference the Town Engineer's review letter of May 10, 2017 that will now encompass a number of things you [the Board] should be including as conditions if you are inclined to make a motion for approval. Mr. Gailor comments, bearing mind the conditions already waived about the sidewalks and other requirements relating to the Town's legislations. Mr. Schachner says those have not been waived, that would be if this Board makes a motion to approve, it has to consider those waivers. Mr. Rice asks if a separate motion on the waivers should be made. Chairman Dobis states that there needs to be motion to approve or deny the special permit before moving on to preliminary or final. Mr. Schachner clarifies the question: should that motion on waivers be separate or should the motion include the waivers. It would be more appropriate for the motion to include the waivers. Mr. Schachner asks what is the motion for special permit about if not preliminary or final. These are requirements of both, including site plan application. The waivers can be mentioned as part of the motion for the special permit. Mr. Schachner suggests making the motion for the special permit include the waivers required by the special permit section.

On a motion introduced by David Gabay, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Board approve the special permit including the waivers of landscape buffering at the side yard, waive the RB-1 requirements for sidewalks, street trees and lighting and require the planting of the tree requirement for the parking lot as outlined in Mr. Riper's letter item #4 dated May 10, 2017. Property located at 4252/54 NYS Route 50 on 1.29 acres, zoned RB-1, Tax Map No. 141.-2-83. The motion is seconded by Richard Fish, Alternate, and duly adopted this day May 17, 2017, by the following vote:

Ayes: Michael Dobis, William Rice, Harold VanEarden, David Gabay, Richard Fish, Alternate.

Noes: None

Recused: Erin Kolligian

Absent: Ron Slone and Brett Hebner.

Chairman Dobis mentions the motions for preliminary and final approval being next. He asks for a motion for preliminary. On a motion introduced by Harold VanEarden, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Board approve the preliminary site plan application by Saratoga Sports, Inc., to convert a residential space into a sports club and indoor

batting practice facility, property located at 4252/54 NYS Route 50 on 1.29 acres, zoned RB-1, Tax Map No. 141.-2-83. The motion is seconded by David Gabay, and duly adopted on this day May 17, 2017 by the following vote:

Ayes: Michael Dobis, William Rice, Harold VanEarden, David Gabay, Richard Fish, Alternate.

Noes: None

Recused: Erin Kolligian

Absent: Ron Slone and Brett Hebner.

Chairman Dobis asks for a motion for final. On a motion introduced by David Gabay, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Board approve the final site plan application by Saratoga Sports, Inc., to convert a residential space into a sports club and indoor batting practice facility conditioned upon applicant's compliance with Ryan Riper's letter dated May 10, 2017. The property is located at 4252/54 NYS Route 50 on 1.29 acres, zoned RB-1, Tax Map No. 141.-2-83. The motion is seconded by Harold VanEarden, and duly adopted on this day May 17, 2017 by the following vote:

Ayes: Michael Dobis, William Rice, Harold VanEarden, David Gabay, Richard Fish, Alternate.

Noes: None

Recused: Erin Kolligian

Absent: Ron Slone and Brett Hebner.

B. CAHILL'S FOREST 15 LOT CONSERVATION SUBDIVISION: Ms. Kolligian is recusing herself from review of this project.

Applicant, Thomas Roohan is present with his representative, Doug Heller of the LA Group for conceptual review. Mr. Heller indicates the location of the subdivision which is near to where Jones Road goes over the Northway, the Wilton Emergency Service and Harran Lane. Mr. Heller reviews the history of this project. Ultimately applicant went before the Town Board to request the abandonment of a portion of Harran Lane with the intention of realigning the road. The abandonment of Harran by the Town was approved. Also discussed was the proposed open space to be provided to the Town as a part of a conservation easement. That provided the applicant with a 10% density bonus thus increasing the number of lots to 15. WWSA has discussed bring sewer and water from the subdivision to the west underneath the Northway which would service Harran Lane and out to Jones where larger subdivisions being are proposed. The goal of applicant is to have a public hearing scheduled and go through SEQRA review.

Mr. Riper concurs this project has been looked at before; it is here again at the conceptual level due to the change in the number of lots. This is SEQRA Type I action. Many of his comments in the May 10, 2017 review letter have been addressed. Most of the items left are administrative and should be taken care of as the project moves forward. One is his items, #7 regarding storm water

practices along the roadway and ensuring the side slopes are 1:4 or less, and that the water depths are not excessive. If any hardscapes can be provided to deter any errant vehicles from going off road, such as large boulders along the property line or where the storm water practice lies with the right-of-way line, that should be considered. There will need to be a storm water maintenance agreement. Mr. Heller states that 75% of the ponds are inside the ROW, there will need to be some maintenance easements along the frontage. Mr. Riper mentions item #10 regarding a note on the plans that paving is only allowed April 1 to November 1. The infiltration basins are described as being 3-4 feet deep and roadside ditches will be provided instead of curbing along edges of road. As you are getting closer to the infiltration basins, the ditches will get a little deeper. There are dry wells in each basin which is below grade and will have stone around.

Chairman Dobis asks for comments from the Board. Mr. Rice asks how far it is from the entrance to Knollwood Drive to the proposed subdivision entrance. It is over 50 feet. Due to the low number of lots, traffic problems are not being anticipated. Harran Lane is going to be redone, but the intersection is not being changed. The Board seeks lead agency status due to the change in the number of lots per the recommendation of Board counsel. On a motion introduced by Harold VanEarden:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board for the Town of Wilton, seeks lead agency status for the purpose of a coordinated SEQRA review of the Cahill's Forest 15 Lot Conservation Subdivision application, property located off Harran Lane on 30.27 acres, zoned R-2, Tax Map No. 140.-2-48.41. The motion is seconded by David Gabay, and duly adopted on this day May 17, 2017, by the following vote:

Ayes: Michael Dobis, William Rice, Harold VanEarden, David Gabay, Richard Fish, Alternate.

Noes: None

Recused: Erin Kolligian

Absent: Ron Slone and Brett Hebner.

It is not the recommended practice to make a motion on conceptual before the coordinated review has been completed. The involved agencies have 30 days from receipt of the request by the Planning Board to be lead agency to lodge any objection. Mr. Riper asks if NYS Department of Health responded to the last request for coordinated review. Ms. Harlow states she had a response from NYS Department of Environmental Conservation. There was no response from DOH. Chairman Dobis sees no issue with going ahead with a conceptual motion. On a motion introduced by William Rice, the Board adopted the following motion:

NOW, THEREFORE, BE IT RESOLVED that the Planning Board for the Town of Wilton gives conceptual approval for J. Thomas Roohan's application for Cahill's Forest 15-lot Conservation Subdivision. The property is located off Harran Lane on 30.27 acres, zoned R-2, Tax Map No. 140.-2-48.41. The motion is seconded by Richard Fish, Alternate, and duly adopted on this day May 17, 2017 by the following vote:

Ayes: Michael Dobis, William Rice, Harold VanEarden, David Gabay, Richard Fish, Alternate.

Noes: None

Recused: Erin Kolligian

Absent: Ron Slone and Brett Hebner.

** Ms. Kolligian returns to the Board for the duration of the meeting.

C. 360-370 RUGGLES ROAD 4-LOT SUBDIVISION: Application for conceptual review of a 4-lot conservation subdivision. Property located at 360-370 Ruggles Road, on 10.72 acres, zoned R-2, Tax Map No. 129.-1-63. Brandon Ferguson, of Environmental Design Partnership is here with Eric Rice of ER Design Build for the 4-lot conservation subdivision. He describes the project site as being on the western side of Ruggles Road about 900 feet south of Ballard Road. There are no constrained lands and he proceeds to describe the density calculation based on 9 acres which allows 4 lots at 80,000 SF. 3.7 acres of open space will be privately owned and deed-restricted meeting the 35% requirement for open space. Setbacks of 50 feet front and rear, side yard setbacks reduced to 25 feet. The subdivision will have on site wells and septic; storm water management will be handled on-site. Two shared driveways are being proposed, one to serve lots 1 and 2 to the south, and the other to serve lots 3 and 4 to the north. A traffic engineer analyzed the proposed driveway locations for sight distance. The speed limit on Ruggles Road is 55 mph. The data collected in the field shows that the 85 percentile speed limit is about 43 mph. Using 43 mph, he looked at what the sight distances were: for the northern driveway the required standards were met; for the southern driveway there were some sight distance issues. There is brush and vegetation to the south and to the north there is a crest right off the curve. As mitigation, it was suggested to clear out the brush to the south and install driveway intersection warning signs.

Chairman Dobis ascertains that the Sight Distance Evaluation dated May 10, 2017 only meets the requirements for 45 mph and he doesn't recall the Board considering a traffic study or sight distance on anything other than the posted speed limit. Mr. Riper spoke to Joe Dannible at EDP stating that the speed limit is 55 mph and since the traffic engineer had questioned that, he had Kirclin Woodcock, the Highway Superintendent write a memo stating the speed limit is 55 mph. There are roads in Wilton that do not have a posted speed limit and 55 mph is the legal speed limit for those. At 45 mph the southern driveway does not meet the sight distance requirements and that is a concern because there is a vertical and horizontal curve right at this location. Even the northern driveway may be close to the limit for the recommended sight distance. Since the lots are deep, Mr. Riper suggests a shared driveway on the northern end for all 4 lots. When asked, Mr. Riper responds that the sight distances for 55 mph would vary with each turning movement. In the summary by the engineer, the southern entrance did not make it at 45 mph. From the southern driveway, the available sight distance is 350 feet and the recommended sight distance is 500 feet. Mr. Riper states there is a significant difference between what is recommended and the actual sight distance. There follows a discussion of the shared driveways and whether they can be reconfigured by using reciprocal easements. The conclusion is that there is a safety concern about the sight distances and the Board requests a revised evaluation of sight distance based on the 55 mph speed limit on Ruggles Road. More information is needed.

D. RIDGEVIEW TERRACE MIXED USE: Matthew Gabryshak and Dave Masseroni are present on behalf of Ridgeview Commons Townhomes regarding Ridgeview Terrace, a mixed use development consisting of 36 apartment units and 15,000 ± square feet of commercial space on Ballard Road zoned PUDD. This proposed development is on 3.86 acres in Zone 1 of the Ridgeview Commons PUDD. Mr. Gabryshak is starting the process of getting site plan approval for this last commercial property. The original PUDD was in three zones, single family homes, apartments, and commercial. There are some questions about what density is allowed for Zone 1. In Zone 1 mixed use is allowed and that is where the residential component comes in. Mr. Gabryshak is proposing 36 units. §129-115 D (2) describes the base allowable residential density for apartment houses, multi-family dwellings as 8 units per one acre of buildable land minus 20%. In the PUDD legislation, all buildings shall comply with the design guidelines in §129-49.4 which is the Hamlet zone.

Mr. Schachner does not understand why the Board is wrestling at figuring out whether the proposed density is or is not in compliance with the underlying PUDD zoning, the underlying Hamlet zoning and with the 5 or so revisions of the PUDD since it was initially adopted. It is not up to the Board to decide whether what is being applied for is allowed or not. That's a threshold determination that has to be made by staff if it's allowed; if it's not allowed it has to go through some kind of variance, or they could seek to modify their PUDD legislation. If it is allowed then it would be appropriate to commence the Planning Board review. Based on the information so far, there is not have enough information for staff to make a determination as to whether the application is clearly, in density and in proposed uses, compliant with the underlying zoning. It is not a Planning Board call to figure that out – it is not a Planning Board issue. More information is needed from the applicant about the application and then some combination of the staff, Mark Mykins, Ryan Riper and the Planning Board attorney, can review and figure out whether what the applicant is proposing does or does not comply with the zoning requirements including the PUDD. If it doesn't the applicant will have to go a different route or seek amendment of their PUDD. Mr. Gabryshak asks the Board to table this application until he has a chance to review the Code, sit down with the engineers and obtain the missing information so that a determination about the density can be made. He thanks the Board.

E. ALPIN HAUS AMENDED SITE PLAN: Amended site plan application by Alpin Haus, Inc. for a 3600 SF addition to an existing building. The property is located on Gordon Lane on 21.69 acres, zoned C-3, Tax Map No. 1151-1-39.2. Matt Steves, applicant's representative, presents the site plan to build a new 40' x 90' sales office building relocated next to the repair building. The existing office building will be removed once the new one is built and has a C.O. Ryan asks about what the building materials/façade will be. The building will have a metal vertical seam siding, consistent in color and design as the current parts building. Applicant is enhancing the internal traffic movement on site and the parking area will be improved. The building addition presents no new or significant different environmental impacts than were previously analyzed in the original site plan. On a motion introduced by Harold VanEarden, the Board adopts the following resolution:

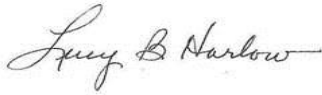
NOW, THEREFORE, BE IT RESOLVED that the amended site plan application by Alpin Haus, Inc. for a 3600 SF addition to an existing building is approved. There are no new or different environmental impacts under SEQRA. The property is located on Gordon Lane on 21.69 acres, zoned C-3, Tax Map No. 115.-1-39.2. The motion is seconded by David

Gabay and duly put to vote, all in favor on this day May 17, 2017.

V. ADJOURNMENT: Chairman Dobis asks for a motion to adjourn. On a motion introduced by Harold VanEarden, the Board adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the meeting of the Planning Board be adjourned at 8:08 p.m. The motion is seconded by David Gabay and duly put to vote, all in favor on this day May 17, 2017.

Date Approved: June 21, 2017

A handwritten signature in cursive script that reads "Lucy B. Harlow".

Lucy B. Harlow, Executive Secretary