



## Set Public Hearing

### **Mountainside Woods Site Plan Amendment for Bulk Table Modifications**

The applicant of the Mountainside Woods development would like to discuss the following:

1. Modifications to the Bulk Table
  - A. Lot Width and B. Lot Depth and C. Deck surface Area
2. Language Added to Deed Restrictions
  - A. Flood Plains and B. Dam Failure

The Planning Board anticipates setting the public hearing for January 26, 2017.

The Board reviewed the applicant's request at the workshop last week and had no additional comments.

The Board reviewed the Environmental Assessment Form, issuing a negative declaration.

A **Motion** to accept the resolution of negative declaration and to set the public hearing for January 26, 2017 at 7:00 was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes.

## Old Business

### **Tremont Hall Corp., Vineyard Ave, Site Plan, SBL#88.17-9-48 & 54.200, in R1/4 zone.**

The applicant would like to convert an existing vacant 9,600 square foot lumber storage building into a multi-family residential structure with 20 apartments, with associated parking and amenities.

Lawrence Hammond, Bill Ogden, and Peter Brooks did a site visit to look at the building. Peter Brooks had pictures of the inside of the building. They informed the rest of the Board that it looks larger inside of the building than the outside of the building and that the building seems to be in better shape on the inside than the outside. While on the site visit they found drains that appeared to run into the Twaalfskill Creek.

Dave B informed the Board that how the law reads is that they cannot have any more water discharge off of the site than pre-construction. When they increase the impervious surface they need to treat and hold that water.

Dave P: I am interested to see how their engineering comes back.

The Board discussed the possibility of safety issues with the driveway being so close to the building and the sight and safety of people coming and going from the driveway. They anticipate comments from the Fire Department, bridge engineering comments and drainage comments.

Larry: They will need to show the mailboxes on the map.

Peter: Do we have any latitude on how many units they have?

Dave B: Of course you do.

Peter: I like the way the building looks, it all makes sense it just seems like too many units.

Dave B: Any decision you make has to have a rationale.

Peter: One rationale could be that the existing zoning allows about seven units.

Dave B: The adaptive reuse waives that.

Dave: You may need to answer before a judge someday so whatever your decision is you need to be reasonable enough to someone who hears arguments for a living.

Peter: In this case the code says it needs to be an adaptive re-use of the building. At the rate that they are going I do not think this counts as an adaptive re-use of the building, they are using so little of it.

Dave B: I did speak with Terresa about this and she says there is no minimum limit in the code of how much is to be used.

Peter: If you were looking to create a rationale basis for slimming down the units you could say that this does not really qualify as an adaptive re-use as defined.

Dave B: As long as you could argue it well, you can decide. They are following the standards that are in the code as far as the size of the units.

The Board discussed the proposed elevator. Dave B informed the Board that an elevator is not required; there are enough first floor apartments to satisfy ADA requirements.

The Board anticipates map revisions, engineering study and Andy Learn's input on the project.

The Board continued discussion on Adaptive Re-Use.

Dave B: This project will be a conforming use and in the future the code should include that once a use has stopped the Board cannot make something non-conforming based on the adaptive re-use. You can use the adaptive re-use to reconfigure the building in some way but you cannot do anything but what is in the code.

## **Extended Public Hearings**

### **Hudson Summit LLC 2016 (3 lot subdivision), 52 Mayer Dr, SBL#95.12-2-7, in R ½ & R1 zone.**

The applicant would like a three lot subdivision. Two of the lots are for single family homes and the third the applicant would like to be dedicated to the Town.

The Board is waiting on the new map based on the location of the manhole the applicant needed to put in.

The Board discussed closing the public hearing in the new year. This project opened its public hearing in May of 2016. The applicant will be given notice of the board intent.

A **Motion** to extend the public hearing was made by Lawrence Hammond, seconded by William Ogden. All ayes.

A **Motion** was made to direct the Building Department to notice the applicant of the Board's intent to close the public hearing next month by William Ogden, seconded by Fred Pizzuto. All ayes.

## **Administrative Business**

### **Minutes to Approve**

A **Motion** to approve the minutes from the October 20, 2016 Planning Board Workshop, as edited, was made by William Ogden, seconded by Fred Pizzuto. All ayes with Brad Scott abstaining.

A **Motion** to approve the minutes from the October 27, 2016 Planning Board Meeting, as edited, was made by Lawrence Hammond, seconded by William Ogden. All ayes.

### **Adaptive Re-Use**

Nicki and Dave P. have been working on a new draft to clarify the code for Adaptive Re-Use properties. A draft was distributed to the Board. (See attached)

The Board discussed and would like further discussion on regulating the density of adaptive re-use properties. Should there be minimum apartment square footage or a minimum / maximum number of bedrooms in apartments?

Dave P: I think in some way the siteplan is going to have to dictate the density, even with a minimum square footage.

Dave B: The parking or engineering may drive it.

Jeff: Then again I think the purpose of the adaptive re-use is to re-purpose versus re-use.

Peter: It might be helpful to think of each of the adaptive re-use buildings individually and think about what they could theoretically be.

Dave B: When we first discussed this and changed the zoning they figured about 80% of the entire use would be residential.

The Board discussed brownfield sites; the site

The Board will read through the draft, do some research, and give some ideas to Dave P and Nicki who will try to incorporate into the draft.

Dave P. thanked Nicki for initiating the adaptive re-use draft.

A Tri-Board meeting is being held next Wed. December 7, 2016 at 6:00pm.

Another training seminar is scheduled for Dec. 8, 2016.

A **Motion** to adjourn was made by Lawrence Hammond, seconded by Fred Pizzuto. All ayes. 7:56pm

After the meeting:

Brad Scott informed the Board of his resignation from the Planning Board.