

**Special Meeting of the Town Board
Town of Glenville
June 1, 2022
At The Glenville Municipal Center
18 Glenridge Road, Glenville, NY**

Supervisor Koetzle Calls the meeting to order at 7:02 PM

Invocation

Pledge of Allegiance

Roll Call: Town Clerk Julie Davenport

Present: Supervisor Koetzle, Councilwoman Wierzbowski, Councilmen Godlewski and Martin

Absent: Councilman Ramotar

Also present: Courtney Heinel - Attorney for the Town, Vicki Hillis Director of Human Services.

Presentation by Scott Lansing with Lansing Engineering, who represents New York Development Group Saratoga Road, LLC.:

We are here to ask the Boards consideration for approval of this Mixed-Use PDD.

As far as the location, we are located by Swaggertown Road and Route 50 on approximately 11 acres. As far as the proposed conditions, we are proposing a Mixed-Use Planned Development, per Town Code Section 270-44 does outline the maximum 10, not audible, per acre. These next few words are not audible. Maximum number of units we are proposing 60. As far as the development itself, we are proposing a mix of commercial and residential by Route 50 in this area, right here there are two buildings that are proposed. Each building is approximately 3000 square feet with three apartments above each one, so six apartments as well as the 6000 square feet of commercial space. The balance of the project includes the 60 condominium units. We do have 44 units on the east side of Swaggertown Road. Swaggertown Road goes through the middle and on the West side, about 16 units.

As far as access we are proposing 2 access points for the east side, on Swaggertown Rd, one for the West side and the commercial on Rt.50 will have its own access to Rt. 50. All of the roadways are supposed to be privately owned, operated, maintained so they would not be dedicated to the town for any sort of ownership operation or run across town. Partly we do exceed the challenge requirements for parking required approximately 125 or providing approximately 275 green space mixed use plan development requires 35% green space overall in the project were approximately 61% green space, so we start seeing the green space. Sidewalks, we have sidewalks throughout the project, as well as connecting both sides of the product as well as connecting the residential to the commercial Route 50. Public water would be water district #11 and sanitary sewer district #9, so water is managed on site. The outfits have submitted plan ordinance or the board to consider. They have worked with planning with the town attorneys, attorneys and with the comments from the planning department as well. That's essentially it.

Here tonight for public hearing, requested board consideration for approval so we go back to the Planning Board and work out a lot.

Public Hearing to hear all persons interested in the proposed zoning change for addition to the zoning code and zoning map for a PDD for construction of a Mixed-Use Planned Development District, at Horstman Farm of the Code of the Town of Glenville.

Public Hearing open 7:05 PM

Christine A. Cameron of 603 Wagner Road: Christine states that she and her husband are opposed to this. They have 70 acres, its farm land and wood land and will always stay that way. Their farm is called Blue Moonlighting Farming Conservancy. She feels that agricultural land is really important that's where we get our food from. She said I'm sure you're all aware of what's happening in Ukraine and I'm sure, you're all aware of what happened in our Midwest. The Midwest is a bread basket for the country and they're going through tornadoes, our corn fields are being taken down, every single inch. We need corn or squash or beans or anything that the Native Americans grew. She stated not wanting cardboard boxes coming up in the middle of agricultural land. She came to this area in 1975 to Union, so did many men and women, got her masters there and taught 30 years of chemistry but has always been a farmer. She shared she is 64 years old and for 61 years went through the woods with her dogs and horses and wants other people to be able to do that. She said there's nothing good about this. We want our kids to grow up strong and healthy. Covid has taught us we need green spaces we don't need this, ever.

John Torelli 14 Horstman Drive: Mr. Torelli asked if he could ask questions. The Supervisor explained Public Hearings are for interested people to make comments and it is not a questions and answers session. If you'd like to ask some questions, perhaps the Board will come back and address it after their discussion. Board members usually take notes of comments and if there is something pressing will consider it.

John Torelli addresses the Board. I have lived on 14 Horstman Drive, for 44 years, 48 years, sorry about that one. Part of my property, the very front part of my property is designated flood zone from the monstrous Horstman Creek. I'm very concerned about water level rising. I'm very concerned about septic systems and how they're going to be affected by the water that's going to be used in these 60 units, or how ever many units there is going to be, and I'm wondering if there's going to be a sewer hookup in this unit, or if it's going to a septic system. Which is impacting the water even further. If there's going to be sewers and we were unable to get sewers when they ran Judson meadows down our front yards and we couldn't hook up to them had no cost because we were there. We're very upset by that, so I'm concerned about what the overall environment is going to do, what kind of changes are going to affect us?

Supervisor: The sewers are part of the problem, to be connected to public sewers.

Attorney Courtney Heinel: I will make a note that the Planning Board did also consider the fact of the Horstman Creek floodplain and flood zone, and that was incorporated into the proposed ordinance for the local law to ensure that none of the buildings will have any livable space that will be affected by any floodplain in that.

Mr. Torelli: I'm not worried about the floodplain affecting them, I'm worried about us being affected by the flood plain and rising the creek and where the extra water will go?

Supervisor: Understood.

Mr. Torelli: I didn't read that there was going to be public sewer, I thought it was a big septic system they were going to use.

Supervisor: No, they're going to be on public sewer.

Mr. Torelli: That's even more concerning now.

Alright, thank you

Kelli Terrelli, 14 Horstman Drive:

Good evening, if you're looking for my legal name it's Naomi Torelli and I live at 14 Horstman Drive and I've been there 48 years. I don't know where he's been. My basic concern is, well, I'm concerned about the water. I'm concerned about traffic, but you mentioned commercial buildings underneath 6 apartments. Which sounds good for the residents there. This commercial space available just north of there on Rt. 50. There's commercial space available on Freemans. Bridge Rd. I don't see any need for more commercial space because it's empty folks. Businesses are not coming in at the moment. They're going under. I would. Love to say, let's push it for business because John and I had a business at one time. But I just think at this point that's not a good planning for the neighborhood. Thank you.

Tom Bodden, 25 Horstman Drive: You should not pass this resolution tonight. You do not have adequate information upon which to make such an important decision. So, let's not get the cart before the horse. The Planning and Zoning Council sent this to you with a host of concerns and caveats. And those promoting the project say that the site plan review process will address all of this. But this process only comes into play after the resolution is passed. Then it looks at the land only in respect to this specific pre conceived plan. We do not want this proposal to become the agenda for review. It's nothing more than an attempt at joining 3 distinct separate land use proposals under one umbrella to exploit a loophole in our zoning law. According to Supervisor Koetzle, you've been concerned about studying the zoning in this part of the town for a while. Yet now suddenly you feel the need to change the zoning on an environmentally sensitive lot, that has been dormant for most of the past decade, why? Who wants this? Who needs it? How does this benefit the Town? It was only nine years ago that the Judson Meadows development began on the upper part of the farm and we asked back then why didn't they include the lower part and we were told oh don't worry it's too wet, it'll never be developed. Well, never seems to be now, nine years. Meanwhile, the full impact of Judson Meadows is yet to be felt, as it's still only in its initial stage of development. How can any potential new development be considered when we haven't seen the effects of the first one? You should not jump ahead without due diligence; you need to hear us and then take the time to get the information to address our concerns before considering this proposal. What about our water? There are about 30 homes in the neighborhood, that are on wells. What will this do to our drinking water? What about drainage? Many of us are accustomed to seasonally wet basements, but since the farm has been out of production and not using water for irrigation, we have much more water. Remember when Horstman Creek used to be pumped dry in the summer. Not anymore. The water table has been risen dramatically in the past few years. The lower lot of Horstman Farm is being overburdened with the drainage from Judson

Meadows and the lack of water absorbing crops. This proposal will pave half the lot and make it worse. There are hundreds of septic tanks, septic systems, upstream that drain into the Horstman Creek drainage area. Are you aware that there are 36 apartments adjacent to the farm that are all on a single septic system? Where will this additional runoff and sewage go? Talking about managing the stormwater on site. How is that even possible? What about traffic? Can you imagine what the intersection of Swaggertown Road and 50 will be like, with at least two more outlets feeding in? What will people do to avoid this? They'll use Horstman drive as a cut through. What about the master plan? What about the open space plan? The Freemans Bridge and Dutch meadows plans? How does this fit into all of that? This concerns the quality of our lives and the value of our property. Please don't rush to judgment to benefit a single nonresident landowner and his private out of town developers at our cost. Your decision should be simple. Just say no to the resolution.

Thank you.

Paul Kenny, 48 Swaggertown Road:

My name is Paul Kenny. I live at 48 Swaggertown Road.

For this plan, I've seen the plan the gentleman explained what it was. I've been to at least one of the Planning and Zoning Commission Meetings. Also, for this, let me go look at the zoning, zoning is a law for what you have to adhere to. You know 270-152 in the appropriate parts, and then it also went to the comprehensive plan, provides a rather comprehensive plan for the town for its development. I know that a number of people on board had a significant role in that plan, so I'm not about to tell you anything new about the plan, but I do want to point out parts of it that I see are relevant to this particular application.

I came away with three columns, I'll limit myself to three. One is the location, you know in the comprehensive plan it addressed housing, housing in the community, character and talked about single-family homes, Glenville strongly desires to maintain this community. This section is not audible. At the end of the section what were some of the goals or planning initiatives as far as multiple family housing goals? One of the goals says, allow for multifamily development in both the Town Center and select segments of Freemans Bridge corridor. This is needed. This is plan zone 6. So, a multiple family housing, not audible, people you know work from that, you know much more than I the effort that went into that. The conclusion was allow multiple family development in both the Town Center and the Freemans Bridge corridor.

Now when you go to, when I go to the zoning code it says, you know, here are some factors. Well, what are the factors that you have to consider if you're going to make a zoning change and one of them is the change compatible with the comprehensive plan. The answer to that is no, it is not, because comprehensive plan says the multifamily homes should be in other areas.

Secondly, my second comment is on the density. This plan here we have 66 units, how do I relate these 66 units to the neighborhood. So, here's what I did, in the neighborhood we have, you know, Horstman Drive, Swaggertown Road. Alright, let me first start with Horstman Drive and I will start at Rt. 50 and I started counting single family homes. When I do that, of course, as we go along, I pass Swaggertown Road, then you head up the hill, Cornell Blvd, Marson Ave, Wildwood, you go round the bend to Glenview Dr and shortly after that I get to 66. That distance was about .8 miles, that's what I got. Do the same exercise for Swaggertown Rd. So, I started at the lower end of Swaggertown Road and started going up I count and of course now when I start there, I'll go pass Horstman Drive, Gould Drive, Worden Road, Cherokee Drive you go around that bend and you are approaching Harlow Gardens. One of the entrances is Weiss Road and once you get a little passed there, that's when we got to 66. That distance I got towards 1.1/1.2 miles. Now the numerical value of the distance isn't a key factor, the point is, it takes about almost a mile of 66 single family residences and now you're going to put them all in one spot. That has got to change the character of the neighborhood. Just to have that kind of

density, it's just ally with you know everything that's around. When you look at, going back to the comprehensive plan, pauses to get papers in order. This section is not audible. Stated something about Rt. 50 corridor dividing it right in half. What they came away with in looking at plan zone 6 is to preserve existing residential neighborhoods from the intrusion of incompatible residential density. This is the intrusion of incompatible residential density, and feels this will change the compatibility of the neighborhood.

To summarize his final comments, he feels there will be traffic congestion and the Judson Meadows project, nursing home, cottages and commercial plans that is not complete and is concerned about continued development there. In the end he feels due to especially the location and density the project is not appropriate, is inconsistent with the zoning code. He would support the single-family residents but asks for a vote no on this.

Charles Eacy Jr., 50 Swaggertown Road: Other speakers said every concern he has and he cannot add anything to that. Thank you.

Gina Dean, 58 Swaggertown Road: Is worried there will not be enough firefighters. She is also worried about traffic especially traffic going north., feels Worden Road by the school and Senior Center will have a lot of traffic. She is very concerned about that. She is also worried about Judson Meadows and worried about continued development, Is worried about what and water table. She brought a list of 13 things that are concerns about the project and feels they should be answered before moving forward.

David Civalo 1 Swaggertown Road: Stated he lived here most of my life. One of the reasons when he moved back to the area about 25 years ago was for the character from the area. He established my business here and could have gone to Clifton Park or someplace like that, but wanted a place that character, houses, green spaces. His main concern, traffic was a major concern, he witnessed accidents, probably at least once a month at the yield sign between at Swagger Town 50, the traffic there in the morning pretty lengthy. Adding 66 units to that area, will create a lot more traffic. He has another concern, losing more green spaces in the town. He feels the Town had done a good job in the past at developing areas that are able to be developed by the Freemans Bridge Road Corridor and feels that's where there should be developing, not this area. He talked about Judson Meadows how they ran out of money, cut the woods behind my house and then they ran out of money. Expressed concern about projects starting and not finishing, cutting down trees, disturbing wetlands and now that's not going forward. He just asked the Town to be careful and try to really think this out before you approve something like this and in this location, feels it should be kept more residential, with houses and more green spaces.

Thank you

Christine Cameron spoke again and brought up planting trees.

Public Hearing closed at 7:33 PM

Supervisor: Thanked the residents who came in to speak, thinks its wonderful people care about their community. Also wanted to note that the Town worked very hard to make this project to a place that made the best sense possible. The town made concessions, the developer made concessions and wants everyone to know the Town takes this all very seriously. There was some conversation back and forth regarding the process.

Councilman Martin started discussion and asked the Attorney what was the recommendation from the PZC after their review was complete and wanted to know what their opinion is.

Courtney Heinel: They did that the one of the members held up the 13 items that the PZC had recommended to the Town Board when they recommended approval of this. As part of that approval process, we did take into consideration many of the items that the PZC suggests that including giving the PZC greater control during the final site plan review to address many of the items that PZC brought up. PZC even mentioned that many of the items that they mentioned in their recommendation are more appropriately handled during final site plan review rather than by the Town Board during a PDD review process.

Councilman Martin: And the ultimate recommendation was?

Courtney Heinel: To approve this.

Councilman Martin: OK, I just want to make sure that's clear. I'll be quite forthright about this. I was a no on this through about 60-70% of this process because I thought it was in its initial iteration, it was too much density. I see where it came down by a third, which is, I think, a significant shift. But that said, I continued my review, the one thing I want to say to the applicant I don't appreciate that we weren't approached first and the Town Board who ultimately had to make this decision. This first time I ever seen this done I looked at the code it is permissible, but every PUD I've been associated with and I've been associated with about 15 in my career has always started with the town board first, went out of the Planning Board for recommendation, then come back here. I feel a little bit circumvented away. But that's OK, it was permissible. and if I have anything to say about it, we will change the code. That's not going to happen again.

Supervisor responded; Councilman I just want to just say and I'm not defending anybody it. It wasn't the developer's course of action it was advised by staff.

Councilman Martin: I just think that's highly unusual because.

Supervisor added, Just said it was done that way, because to defend that decision, because that's how the code is.

Councilman Martin: Yeah, I get it.

Supervisor added: Everybody followed the code.

Councilman Martin: If I have, hopefully a say in it, I will make sure that loophole is closed and for future applicants. But that said, as many of you know I do Planning for career. I do Zoning revisions. I write zoning ordinances for a career. But anyhow, I did work extensively on this plan, I even wrote parts of it. I was at all the public meetings for the for the plan we have and I went through it in detail, as did one of the people who spoke. I really appreciate that effort. I applaud that kind of seriousness of approach to matters that affect your home and in your living condition. But I tried to pick out the relevant sections of the plan and for those who don't know the town. 's comprehensive plan. It's basically split up into two parts. It deals with things on a categorical tactical basis and then the second part of it is dedicated to things that basically a geographic consideration, and it's divided up into what's called plan areas. So, in the first half of that document, looking at the categorical or the topics, housing obviously comes up and I'll go

through those short and short term and ongoing maintain. These are goals maintain the diversity of the town's housing stock. That's certainly a consideration here. Preserve existing single family home neighborhoods from the intrusion of incompatible land uses and more residential density, and that point was rightly emphasized in one of the prior remarks. Promote the affordability housing in both the Town of Glenville and the Village of Scotia. Periodically amend existing codes to accommodate a changing marketplace and desirable housing trends. Target certain areas of expanded multifamily housing in areas convenient to existing commercial uses. Don't do the short term and ongoing goals for housing. Long term, ensures the stability in the single-family home marketplace. Analyze future single family housing growth potential via future expansion of the town's water and sewer systems. Ensure flexibility, adaptability to provide for future affordable housing options.

So, in reviewing that, there's several things here that are meant by this project, and there are several things that are that are called into question.

Moving on, bicycle and pedestrian needs, short term and ongoing to establish sidewalk networks within major commercial areas. I'm going to speak to that as one member of this board, and I hope if this does proceed through to approval that there is much more emphasis on connectivity for the pedestrian and the bicycle and multimodal transit stops and all that. It's very important in terms of healthy living condition and the ability of our residents to find alternative forms of transportation so we don't have so much traffic and congestion in the vehicular category.

So, under short term and ongoing, established sidewalk network within major commercial areas, expand the existing Town Center sidewalk network outwards to connect to residential neighborhoods. Improve wayfinding and association with Glenville Scotia segment of the Mohawk Hudson Bike Hike Trail. Long term, consider the construction of new multi-use paths in Eastern Glenville, and that's where I think this project can play a role. As we've been attempting to do as a Township, where we can, we've been providing with links of pedestrian connectivity. We need to have our private developer's partner in that effort and help us fill in those links. This is a gap in our system. This parcel, this area, you could help fill that gap and I would encourage the Planning and Zoning Commission to fulfill that goal and help meet the gap in this immediate area of the town, should this be approved.

One other point of emphasis in that regard, extend sidewalks and more pedestrian paths in the residential neighborhoods that abut Town Center. The other one I thought was of a consideration from a topical concern. There were goals for Route 50 corridor under Land Use and Zoning, amend the zoning along Route 50 between Town Center and Thomas Corners in order to promote additional commercial development and redevelopment. Guard against commercial creep and new multifamily development along Route 50 north of Town Center. Again, under Pedestrian-Bike, seek funding for and develop and develop multi use trails within Town Center and surrounding neighborhoods extending existing sidewalk network out from Town Center. Again, this project can help in that regard.

Now, under the geographic concern, I have to part company a little bit with one of the prior speakers and I saw this as being in plan Area 2, not 6. From what I saw the boundary and where this project area fell. In that regard, the relevant goals or initiatives under for plan area two was, amend the zoning along Route 50 between Town Center and Thomas Corners in order to promote additional commercial development redevelopment. Guard against commercial creep and new family development along Route 50 north of Town Center and implement access management strategies throughout the core.

So that was my review of the comp plan, it's not a black and white issue. I think in my mind some of these objectives and goals and initiatives are fulfilled or can be fulfilled by proper design of this project. Which I think we're part of the way there. The other thing I will note, I went through the zoning code within a 2000 mile or I'm sorry 2000-foot distance, which basically constitutes this project area in the surrounding area. There are 1, 2, 3, 4, 5 different zoning districts, none of them permit agricultural use, if I'm not mistaken. Freeman Bridge Rd Corridor, which is a relatively new district that we developed a couple of years ago. General business, plan development, in the form of Judson Meadows, professional residential district and suburban residential district, which is the zoning over this the largest parcels within this development area, and I believe the small one is in the professional residential district, if I have that correct.

So that's where we're coming from.

Councilwoman Wierzbowski: I just I think it's important to mention when you're talking about zoning, what would be possible uses by right? Besides from project like this.

Councilman Martin: Well, I don't have it right here in for this front of me. I tried to call up on my phone earlier for suburban residential, that's not the primary district.

Supervisor Koetzle and Council members discuss zoning uses.

Councilman Martin: So, then the other thing I looked through the tax mapping for the each of the respective areas that involved these parcels, section 30.09 and section 30.10 and the other thing I noted is, it's a pretty dense area in terms of the residential lot layout. You know we have 100-foot-wide lots in many instances. It's almost like an urban village like you know, setting among the residential neighborhood, then it's very pleasant. This is a tough call. I'm not saying it's not, there's a lot going on here. But I really, I feel when I look across the breadth of this information, the comprehensive plan, existing zoning, and that this really is a mixed-use area. There certain things you can emphasize if you want to support a certain you want to support a certain point or emphasize a certain outlook. But it really is mixed use. We have a convenience store. We have a large multifamily high density senior housing project. We have apartments. We have an auto dealership, we have single family housing and we have some residual agricultural use, which technically speaking. It's not permitted use. So, I mean, it's a tough call I have to come on the side with the reason reduction in density to say this is a yes, but I would ask that the Planning and Zoning Commission review these minutes, these minutes of both the public hearing comments provided and the Minutes of this discussion need to be passed on to them. Because I say that predicated on those recommendations, I agree with each and every one that came from the Planning and Zoning Commission and their opinion back to us. The other thing I would point out here, there is some subdivision required for I think for this to occur. If I'm not mistaken. Are you keeping the lot layout, the way it is?

Developer answers: Some lot line adjustment needs to occur.

Councilman Martin continues: OK, that then that that would be needed to be dealt with during your review with the Planning and Zoning Commission. I would like to see what the phasing plan is going to be, if any. What's going to happen with this? I do know the high degree of pervious area or open space so called, I would like to see if we could, I always like to see buildings pushed to the front and parking to the side or the rear. I'm not a big fan of parking lots on the roadside. So, if the mixed-use buildings there on Route 50 could be you know, positioned

more to the front, of the front yard and their parking to the side in the rear. I would like the Planning and Zoning Commission to consider that in their site plan review if that could be.

But other than that? I just want the residents to know, I took this very seriously, I did a lot of work on this I did a lot of research I tracked this project. I'm not saying this was easy or necessarily popular but that's where I fall. Through with the findings analysis.

Supervisor Koetzle: As part of the discussion, I think you know we had some very good comments here tonight. As I said in some very real concerns and we need to address those. I think we owe residents an explanation on and I think Councilman is a very good job on explaining yourself very comprehensive. You know? One of the things, I want I don't know if it came up tonight, but I know that one of the questions have been about why? Why a PDD and you know I can speak for myself as to why I like the use of a PDD over just changing the zoning. I think councilman even touched on the fact that that field really is nonconforming, current uses as much as we do love open space and that there is a strong commitment in Glenville to open space. I'll have to tell you that I think we could all say here tonight that we can be proud that we've put a lot of open space into play in our tenure here. New parks, a variety of new parks, we made sure there was some open space that was in this project, it wasn't originally in there. We do have that that concern for that. But a PDD in my mind helps the town have a lot more control and gives the town more of a negotiation position than if we were just to say, well, as we point out, there's five different zones that come together there. How do we, what would we zone it as? It's one of those rare spots that doesn't have a distinct, what should it be zoned as? You can argue single family because it kind of rolls into single family, but as you pointed out there's general business there. There are two multifamily developments. One is a planned development, Judson Meadows. One is an older development right next to it. On Route 50. You have the Freemans Bridge Rd Special District. You have Suburban Residential, as you mentioned. You have so many things going on. There that really a PDD, is a perfect answer for bringing a comprehensive, well thought out, well negotiated with public benefit a project to it? So that's I think just to set the table on why a PDD which is important to acknowledge is that it gives us a lot more control. All these things we're talking about, and all these things that the Planning Board is going to be talking about all came about because there was a process in which we were able to negotiate that.

On Judson Meadows, because let's talk about that for just a moment. Judson Meadows is obviously, as was pointed out, approved for more than what it is today. The only reason why Justin Meadows isn't more than what it is today is, it was said earlier, is because they ran out of money. The business model didn't make sense, doesn't work for them. For us to forever sit here and say, well, we can't do anything until they figure out what they're doing in their in their project, I think would be unreasonable and I think would be sitting here a long, long, long time. Because there doesn't seem to be any movement there going forward anytime soon. I'm not sure if that PDD has a sunset in it. We probably have to look at that.

Courtney Heinel: We would have to look at it.

Supervisor Koetzle: Does this PDD have a sun in it?

Courtney Heinel: This PDD does have Sunset Provisions, it does carry with it revocation provisions involving whether or not the applicant moves quickly enough to get it through the PZC process. And on the other front to make sure that they are making substantial progress on the project throughout, with a 3-year completion timeline with provisions of course, for them to ask for waivers in the event of extenuating circumstance, which they would have to come before the Town Board to request.

Supervisor Koetzle: So, to address one of the concerns and is a very good concern about projects that start and don't finish because we have too many of those. This has a Sunset Provision in it to protect against that so it's not going to end up being an Amador project or what's happening at Judson Meadows currently. We do have to check the Judson Meadows PDD just to see what their time frame. I know, remember. I don't remember either it was 09 I think as we talked about. But their business model does not have anything going forward anytime soon. The flooding, the Horstman Creek, the water levels, the traffic, those are very real concerns. Those are concerns that we hear aren't the experts in, that going to go to the Planning Board and we have a SEQR process, which is a State Environmental Review process that reviews all of that. Someone sent me an e-mail about archaeological issue, perhaps on the farm, that is part of the SEQR. There's an archaeological component, SHPO, which is the State Historic Preservation Office will be involved in that as well, so there are agencies; DEC, New York State DOT. There are agencies that this is their profession that the deal with that isn't just us sitting here saying OK, let's go and not take those concerns into consideration. Obviously, an engineer is working on the project and obviously it be reviewed also by an engineer so those are issues that I can't, and I don't think anyone on this board can speak to tonight. But certainly, again we're considering a zone change for this to go forward for those issues to be worked out going forward. Anybody have anything they like to say?

Councilwoman Wierzbowski: Yes, Mr. Supervisor just a few comments.

I'd like to thank every resident that took the time out of their evening to come and speak with us tonight. I've been on this board for 12 years now. I was an original board; I was a board member when we considered the Judson Meadows project and I still look back on that time. It was one of the first major decisions that we as the board had to make that I was a part of and I lost sleep over that. It was a very hard decision because there's a lot to consider. This type of project with a PDD it kind of puts us in a catch 22 because a lot of the concerns that get raised during this process, we have to trust the Planning and Zoning Board and Planning Zoning Commission to do their job. So, the concerns that you all have raised are absolutely valid ones. I mean I share some of the same concerns myself. I live in Harlow Gardens, so I don't live that far from the project. I drive through that area several times a week, and I understand the nature and the character of that beautiful little corner, where there used to be a farm, you know. Unfortunately, due to circumstances they can't farm it anymore, they're not farming it. So, you know it's hard because, how do you tell a property owner you can't do what you can't sell it to somebody who maybe wants to make a change? You know that's hard, I think about that, I absolutely think about that, you know, because the property owner you know it was just when we considered the whole, the only thing we considered actually with the Amador project was the road width, but all of the considerations that the residents had there that were brought to our attention with water table and runoff and drainage. There was a huge hurdle for them to overcome with flood zones and that type of protection.

Supervisor Koetzle: Councilwoman, can I just add? The Town Board never saw the Amador that was not a Town Board action, that was by right. That went right to the Planning Board by right. That's exactly the point I'm making about making this particular zone that would bypass all this and go by right. This is a PDD, so we never saw the Amador project.

Councilwoman Wierzbowski: I don't want to get too deep in the weeds with the Amador project but in connection with this particular project, the process I'm a big process person. I'd like to see the process play out and sometimes you have to take a step and vote for something that to allow the rest of that process to play out. Because, you know, we could all vote no tonight and then it would just it would just go away. But it's kind of in my mind I kind of

think like well, if we do let it go forward and it goes to PZC, I actually have a great deal of trust in them. They're a completely independent body from this Town Board, we appoint the members, but I've long felt that I don't go to the Planning/Zoning Commission meetings because I don't want my presence to influence them one way or another. You either have to go to every meeting or I don't go to them because I don't want them to think that my presence is there because I want them to vote a certain way and consider a project a certain way, it's a completely independent body. I know the chairman fairly well, he, they as a group do an excellent job of taking all of the things that you all expressed tonight and the questions that have come up and when they tell us as a body, their recommendation is for us to allow them to take the project back and for us to say yes. I have to take that very seriously. They're the experts, I am not. I'm not an expert, I'm a paramedic. I can save your life, but I can't build a house so. I have to trust them and over the years they have won that trust from me, partly because of concerns that have been raised with projects just like this. So, you know I have always kind of deferred to Councilman Martin this is what he does for a living and we've had discussions about this about this project that's been going along with quite some time. I am pleased to see the 1/3 reduction in density. Had it come before us with the original, my vote absolutely would have been no. I felt I heard about it when it first came through. I thought, oh my goodness but that's too much for that that area to bear. So, I'm pleased to see that. So that's kind of, you know, as I sit and I listen to all of you and I appreciate your time and your effort and your well thought out comments and they do give me pause. So just I just want you to know that I do appreciate that.

Supervisor Koetzle: Councilwoman can I ask you and I don't want to put you on the spot. One of the issues is there's a good issue was about Thomas Corners and they do have an opportunity in the SEQR process to be part of this. They get to respond to Planning Board concerns. You are part of Thomas Corners?

Councilwoman Wierzbowski: Well, I'm in the ladies auxiliary. My husband is in Thomas Corners, Fire Department and yes, they are, every Volunteer Fire Department in this town is experiencing it. I was a volunteer firefighter for 16 years on Glenville Hill. So, we always experience shortages and fortunately recently it's kind of come more visible because the State has actually start providing funding for fire departments to try to drive membership. They have different recruitment things that they can do, and they're actually providing funding for them to try to advertise to get members and I can't speak for the fire department, but I do know that if there is a structure, fire, it's not just Thomas Corners Fire Department that would be responding to that area. They have mutual aid plans in place so there's several different departments within the town that Thomas Corners works with regularly and they call even on the fire alarm drop at Judson Meadows they have several different companies that all kind of come together in every fire department in this town does that even Scotia fire department. so. I presume the buildings sprinkler as well, which actually do go very far and containing for code containing a fire to a smaller much smaller area and extinguishing it quicker so I can't speak for the fire department, but I can speak generally with my experience over the many years being in emergency services that. It's not just that fire department that would be responding.

I guess I did actually have a question for the developers. What about 6000 Commercial Square feet, do you have without, without trying to tie you down to it, do you have a General idea of what type of business you would be looking to businesses you'd be looking for tenants.

Developer: We did include in the in the meeting legislation working with the Board and Courtney. It's mostly general business and we put some restrictions in there as well, so not vape shops and tobacco and things like that. So, we do have some restrictions in there. We wanted

to keep it as broad as possible to attract fixed opportunity for commercial businesses.

Supervisor Koetzle: And if I can jump in there, I'm trying to address all different notes I took. So first let's go to the housing for a moment, I think Councilman Martin talked about this, but I can tell you there there's an urgent need for this type of housing. It's no secret, and the developers will tell you this. I'm not a big proponent of multifamily. We are a single-family community and we need to protect that and you're absolutely right about that and we need to keep that character. But what we're starting to see, believe it or not, is the urgent need for this type of housing stock, particularly for our aging who are looking for a lot less maintenance. They don't have it here; they go to different communities for that we like to try to keep them here. Anybody will tell you and I know you see it, single family housing is very, very expensive. It's priced out of anybody's ability right now. Homes it used to cost \$300,000. 15 years ago, are starting at 500,000 today, to start for basic a house. So, the single-family market is really starting to dry up now that's not going to hopefully last forever, but right now this is a housing stock that does have a need in our town for particularly the folks who are aging in the town and want to stay in the town.

On the commercial component one of the reasons why we are interested in commercial is because there is really a big need. It's been noted that there are some empty spaces in town. The empty spaces in town generally are empty because there's a problem. Problem by Wendy's the access is horrible. I can't get anybody interested in those storefronts there because you have to turn on Warden and find your way back in around advance. Nobody wants those because everyone points to those and say well those are empty. Freemans Bridge Rd is a problem right now, and I could be here a week talking about all the problems of Freemans Bridge Rd. We market it and market it, we talked to developers nobody wants Freemans right now. Part of it is the zoning issue, part of it is the contamination, part of it's the fact that it's a two-lane highway and it can't be expanded. There's a whole bunch of problems with why Freeman has some empty store fronts. I do get calls from people who look for this type of space, smaller kind of more boutique, a lot of small businesses are looking to start up after this pandemic. For whatever reason there's a lot of gyms right now looking for space. We have probably a handful of people who are looking for this exact commercial set up but we don't have it in the town, we don't have any space for them. Over here in Town Center they're basically sold out and they're still jamming things in there. We have a Mexican restaurant coming by the way, a new one that's news tonight, so, there's something new. You have Bare coming there and they're coming back behind the plaza because there's nowhere for these people to go, they're trying to find space. There is a demand for this and I think what the board's interested in, I know I am, and I know I've had many conversations with Jim on it, is that smaller profile that smaller business. Trying to make it more for people who are here in the community trying to start their business. I think these are the type of commercial spaces which we did down at Glen Esk. Glen Esk is a perfect example you know we did this down by the high school and you know, there's a nice little gym, there's a nice little restaurant there's a nice little store. They're all locally owned, that's what we want in this town. I'm going to take responsibility for I pushed and I know the board pushed for that small commercial component to not just have a multifamily, but they have something beneficial for the town.

Councilman Godlewski: Just briefly, I would start by echoing Deputy Supervisor Wierzbowski's comments thanking everyone for coming out. In addition to you folks tonight I've had people pull me aside, share their thoughts about this project. Obviously, this project kind of first came out over social media and I would echo Councilman Martin's initial sentiments that just from perception standpoint it is certainly a positive for a developer to come kind of to the board first, to kind of layout, I'm a lawyer in law we talk about laying a foundation. I understand

the way that this process follows. To folks in the audience, I just want to say I've sat in your shoes before. When my wife and I first bought our house that was right on the cusp of a proposed development right next to our neighborhood. And I've been in your shoes at these board meetings, before I was a board member and I understand where you're coming from. I can tell you that this vote for me has been a difficult one. It's been difficult considering all of the aspects and I think part of it is just because really, the location of this proposal, it's a unique spot in town. Councilman Martin speaks and in very strong technical language about zoning and different zoning districts, because he's very familiar with those terms from his profession. But essentially, the way I look at it is you have a wide space a former farmland buffered by a convenience store, buffered by obviously Judson Meadows and then buffered by some single-family homes. The question becomes what to do with it and where does it fit, as far as the character and looking at the comp plan overall. To say that we haven't thought deeply about this decision or this vote would be a mischaracterization. I probably thought the most about this vote I've made being on this board. Because it's not an easy vote and they even I saw Supervisor Koetzle at the gym this morning and I asked him about this and we've talked about it. I also, to that note, would thank Supervisor Koetzle because he's been very open about answering questions I had and sharing information. Obviously to looking at other things that I've considered in reaching my conclusion, are the developer willing to work with the town, willing to reduce the density, willing to listen to some of the concerns, some of the concerns that were out there after that initial kind of Facebook burst that that happened with this project?

Also, the PDD process, reading through the proposed legislation and the revocation clause that's in there. Kind of putting an added bonus on the developer holding their feet to the fire, so to speak. Ultimately, look and also to another consideration I have in addition to considering what the PZC said, I actually reached out to one of the members, I'm close with and talked to her specifically about this project and her thoughts. Because again, we do consult with others who are more knowledgeable in certain subject matters, and in this case, I thought that was necessary. It was all of those considerations that has led me to where I presently stand, which is to vote yes on this project.

Supervisor Koetzle: I'm just I was trying to go through my notes and make sure I addressed at least the major concerns that weren't already addressed by anyone else.

There are two questions that came out and I'm sorry we're taking our time with this, but I do think we owe you this very a comprehensive discussion on it, so you at least have the positions of the board and it's in the record.

There are two questions that were asked I thought were very good that I think deserve an answer.

One is how do you factor Judson Meadows into your decision?

I touched on it a little bit earlier. For me, Judson Meadows is not going forward.

It's not going forward for a very, very long time. So, for me it was a non-factor even though there is zoning through the PDD legislation that was approved in 09, that can allow it to go forward.

It isn't something that's viable. Isn't something viable anytime soon. So, for me, Judson Meadows didn't factor into this decision at all. I know they have, so I know if you can see it they started building some foundations and they abandon it because they ran out of money. And that's not an inexpensive proposition to continue the proposal that they brought forward in 09 and in today's inflated environment I just don't see that happening.

The second question I thought was very good that deserves an answer is how does it benefit the Town or how do we at least or how do I at least perceive that it benefits the Town.

That's a difficult one you know it was insinuated that there was maybe the Town needed money, or at least the question was does the Town need the money. This isn't going to bring the Town

any revenue too to really speak of, I mean in the grand scheme of things. I think this benefits the Town at least from my perspective because it takes an area of the town that was discussed a lot going, it starts with a commercial property and transitions ultimately into single family. It allows that transition but it also helps with the transition. It also brings a housing stock that is needed for the community, particularly for the older, and you know, let's not forget the younger professional. The Supervisor was interrupted by a member of the audience and they discussed the why's the project can't be moved to Judson Meadows. It was explained that the owner wants to sell this property and the Supervisor said, I do not say this in a sarcastic way at all, but if somebody wants it for open space and they should buy it and keep it open space. I'm not saying that to be sarcastic. I am saying that the owner has at least a right to do something with the property, that's what I'm trying to convey, and if someone wanted to keep it then that's what they should try to do is try to buy it.

The Town has worked hard on trying to put green space in the places that there isn't normally green space. Down on Dutch Meadows, we made sure there was a park that was part of that so that we can keep that forever six-acre park we're adding to that park, we're buying more property for that there. There are other areas where we've done that, believe in green space. More discussion with the member of the audience. The Supervisor states it may not be the best solution but it is certainly not the worst and refers to Councilman Martin regarding the uses of professional residential, stating there are significant buildings that can be put there right now by right, if these people wanted to, by right. The developers could do that by right. This almost protects at least that part. So, I believe it does benefit the town tangentially anyway, for the residents, not necessarily the town like finances or anything like that, but it certainly gives people, I think, an opportunity to transition into housing. I think it's a good buffer to a single-family neighborhood from some of the commercial area. I think that the planning board discussed it's going to take all these factors into consideration. There is a traffic study already. I took a look at it I didn't bring it with me but the traffic study indicated a fairly insignificant impact to the area. Now I know when we say the traffic study. I know I see the reaction when you say traffic study was done and people question the premise and all that I understand that. But the traffic study is a public document, you can look at and if you have concerns you can take it to the Planning Board.

Courtney Heinel:

As you know many of the residents did bring up their concerns about drainage from the project. Drainage will be addressed with the PZC during final site plan review. This project will require stormwater pollution prevention plan that will update these maps which will show where the drainage will be going. Into what type of retention ponds or detention ponds, or infiltration. Basins, catch basins. You name it will be considered very fully as part of this project to ensure that there isn't an impact on the neighboring properties receiving more drainage than they should be receiving and altering the natural course of the water flow as a result of this project.

Councilman Martin: I want to emphasize the need for the pedestrian connectivity. I want to make sure that you know we're providing those linkages to the neighboring properties so we can continue on the connections that are emphasized in the comp plan. The one thing I didn't speak to is the need for an onsite buffer and when I speak of a buffer I don't mean just dimensionally, I mean the quality of that buffer, in terms of the vegetation and screening that's provided within it. I would like to emphasize that to the Planning and Zoning Commission as they review these minutes to have a robust buffer around the perimeter of this project, particularly on those edges that are joined to the existing residential neighborhood.

Courtney Heinel: I will note that the buffering was a very particular concern of the PZC's during preliminary site plan review.

Councilman Martin: So, I think the quality of that buffer in terms of its size, location and what's within it, is going to be key. And then again, the parking layout for those buildings on Route 50. Then my final remarks are going to be and I said this to Chris in the past, you know I see a lot of development going out in this region and in this town, and then I travel out of state and I gotta say I think places like South Carolina, Tennessee, Georgia they are eating our lunch. There's good design out there, there's quality projects that bring architectural quality to a community and improve it. I hope that's what we can achieve with this, rather than just seeing the same standard fare, you know, vinyl sided wood framed, double hung windows. I think there's a need for those projects that do quality design and build in some architectural interests and integrity and pay attention to those details. Those are the ones that fill up, and those are the ones that are an amenity and a benefit to the community, not just in terms of dollars and cents, but in terms of the quality of life and how they blend in a neighborhood. So, I hope that's what can be achieved here, and I really start like to start seeing that in this community and let's start setting ourselves apart, holding ourselves, developers included, to a higher standard. For that quality I really hope that happens with this.
Thank you

Any other questions or comments?

Councilwoman Wierzbowski just reminder resident to sign up on our website for public hearing and meeting notices from the Town.

One resident asked just to be clear all you are doing tonight is just saying yes to the Zoning change? Supervisor, answered yes. Also reminding resident is still needs to go to the Planning Board. That is what Councilwoman Wierzbowski was talking about by signing up for meeting reminders so you can stay informed.

Supervisor apologized for getting upset and wanted to apologize for the record.

Sponsored by: James Martin, Councilman
Submitted by: Melissa Cherubino, Community Development Director

RESOLUTION NO. 135-2022

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville received a zoning map amendment application for a “Mixed-Use Planned Development” (“MUPD”) creating the “Horstman Farms Mixed-Use Planned Development District” changing the zoning of approximately 11 acres of assembled parcels of vacant land, of which the real property is located on Ballston and Swaggertown Roads identified by Tax Map # 30.10-1-27.1, 30.9-2-22, 30.9-2-23, and a portion of 30.9-2-21.1; and

WHEREAS, New York Development Group / Saratoga Road, LLC (“NYDG”) has proposed the MUPD to construct eleven (11) four-unit condominium buildings and eight (8) two-unit condominium

buildings of two stories with surface and above ground garage parking (the "Condominium Complex") on Parcel No. 1; mixed residential and or /commercial development consistent with the uses permitted in the General Business District on Parcel No. 2, not to exceed 3,500 square feet of building area of ground floor commercial space, per building, and additional commercial space or up to three apartments in the second floor space, per building, in no more than two buildings of two stories each, or less, with surface parking; and

WHEREAS, the Town Board previously adopted a Negative Declaration pursuant to 6 NYCRR Part 617 State Environmental Quality Review Act in connection with the MUPD; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville, require that the Town Board hold a public hearing on the proposed the MUPD; and

WHEREAS, the Town Board of the Town of Glenville held a public hearing with respect to the proposed MUPD creating the "Horstman Farms Mixed-Use Planned Development District" and enactment of a new local law on Wednesday, June 1, 2022 at 7:00 pm, at which time and place all persons interested in such proposed change were given the opportunity to submit comments.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby determines that, for the reasons set forth in the Town Board's prior Negative Declaration and the individual Town Board Members own knowledge and experience, there are no significant adverse environmental impacts resulting from the proposed change to the MUPD, including the Project; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville does hereby enact a local law to adopt the MUPD creating the "Horstman Farms Mixed-Use Planned Development District" as set forth in Local Law #5 of 2022 attached; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file Local Law #5 of 2022 with the Secretary of State.

Ayes: Councilwoman Wierzbowski, Councilmen Godlewski, Martin and Supervisor Koetzle

Noes: None

Absent: Councilman Ramotar

Abstention: None

Motion Carried

Town Board Decision on June 1, 2022

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 136-2022

Moved by: Councilman Godlewski
Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on May 18, 2022 are hereby approved and accepted as entered.

Ayes: Councilman Godlewski, Martin and Supervisor Koetzle
Noes: None
Absent: Councilman Ramotar
Abstention: Councilwoman Wierzbowski

Motion Carried

Town Board decision on June 1, 2022

Sponsored by: Gina Wierzbowski, Deputy Supervisor
Submitted by: Melissa Cherubino, Director of Community Development

RESOLUTION NO. 137

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Godlewski

WHEREAS, there currently exists a vacant Code Enforcement Officer (part-time) position in Building & Codes Department; and

WHEREAS, funding for this position for a maximum of 12 hours per week is included in the 2022 adopted budget; and

WHEREAS, David Massaro, a professional firefighter who has state certification as a Code Enforcement Official, held the position of Code Enforcement Officer (part-time) for the Town of Glenville from December 2019 until his resignation in November 2021; and

WHEREAS, Mr. Massaro performed his duties very ably during his employment; and

WHEREAS, the Town wishes to fill the vacant position and Mr. Massaro is amenable to returning to the position; and

WHEREAS, the Director of Community Development and Town Supervisor recommend that David Massaro be re-appointed to the position due to his prior employment with the Town, his background as a professional firefighter, and his state certification as a Code Enforcement Official;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby appoints David Massaro, 29 Marion Boulevard, Glenville, New York to the position of Code Enforcement Officer (part-time), effective June 2, 2022, at a starting rate for such title of \$27.44 per hour.

Ayes: Councilwoman Wierzbowski, Councilmen Godlewski, Martin and Supervisor Koetzle

Noes: None

Absent: Councilman Ramotar

Abstention: None

Motion Carried

Town Board decision on June 1, 2022.

Sponsored by: Gina Wierzbowski, Town Councilwoman

Submitted by: Jason Cuthbert, Town Comptroller

Supervisor Koetzle wanted to make a note for the record that this year the Water Warrant dropped \$120, 000, from previous years. We will have to adjust our water budget due to this drop in revenue.

RESOLUTION NO. 138-2022

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Godlewski

WHEREAS, the Water and Sewer User Fee Roll of the Town of Glenville has been approved for collection as of June 1, 2022; and

WHEREAS, such warrant for Water District #11 totals \$1,459,067.60 including water rents receivables, Special Contracts and Sewer;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby accepts such roll.

Ayes: Councilwoman Wierzbowski, Councilmen Godlewski, Martin and Supervisor Koetzle

Noes: None

Absent: Councilman Ramotar
Abstentions: None

Motion Carried

Town Board decision on June 1, 2022.

Supervisor Koetzle: I will take a motion to adjourn the Town Board Meeting

Moved: Councilman Martin

Seconded: Councilman Godlewski

Absent: Councilman Ramotar

Vote passed to adjourn.

Meeting is adjourned at 8:33 PM.

ATTEST

Julie Davenport

Julie Davenport
Town Clerk

