



- Site consists of 4.08 acres with two single family homes on two parcels
- Existing residential homes to the west, multi-family units to the north, and commercial properties to the south
- Currently zoned C-1 and R-90A, requesting entire site be rezoned C-1(S) with a special permit and are seeking the Planning Boards consideration and recommendation to the Town Board for rezoning

Mr. Frick made the following comments and questions:

- Per the site plan, there is not much room for detention unless fully underground
- Converting a permeable site to impervious
- Will require a significant amount of screening along the residential properties
- Does not see proper circulation for fire trucks

Mr. Barniak stated the storm water will be held in underground retention chambers and the water quality will be surface biofiltration around the building perimeters and green space. Further, an abundant number of evergreen trees will be provided for screening and the fire circulation will be reevaluated. Mr. Frick questioned if the applicant would consider reducing the density of 55-units. Mr. Barniak stated the project would not work with less units.

Mr. Hayes stated in his opinion a variance for parking would also be required and noted 130 parking spaces was stated and listed in the short EAF, but the site plan concept requires 229 parking spaces, and 234 are provided; what is the correct number. Mr. Barniak stated he believes the numbers in front of the Planning Board are incorrect, but the short EAF indicating 130 parking spaces is correct. Mr. Barniak stated the mix-up may have been a typographic error.

Mr. Hayes referred to question 9 on the short EAF and stated the applicant indicated the project will meet or exceed the state's proposed energy requirements, but no details about the design features and technologies were provided. Mr. Barniak stated they have not gotten that far. Mr. Hayes advised the applicant to attend to these details.

Mr. Sherman requested the applicant expound on why the project would not work if the number of units was decreased. Mr. Young stated the cost of the property prohibits this and the plan can be tweaked to better accommodate firetrucks. Mr. Sherman questioned what the applicant's plan would be if the proper ingress and regress could not be met. Mr. Young stated they would return with a plan for possibly 3-story buildings.

Don and Debra Powers, 345 Schultz Road, questioned what sufficient screening means. Mr. Young stated 6' -7' evergreens are typically used and is willing to work with the Powers.

Ms. Powers expressed concerns over the parking, potential tree removal, and the proximity of the project from her property line. Mr. Young referred to the drawing and stated all units have their own garage. The existing trees are indicated in the drawing and only trees that need to be removed will be. Code Enforcement Officer Jeffrey Schieber stated setbacks are approximately 75'.

Trace George of VSP Associates, 10, 30 and 50 Dyke Road and 2850 Transit Road, stated he is concerned about measures to deter access to his property for security reasons and drainage. Mr. Barniak stated the drainage ditch and the outlet pipe onto Mr. Young's property will be piped from Mr. George's property to Schultz Road. Mr. George reiterated his business' need for security and privacy. Chairperson Bebak encouraged Mr. George to return to future site plan review hearings.

Motion by Frick, seconded by Bebak, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Bebak, seconded by Hayes, to recommend approval of the rezone and special use permit for property located at 391 Schultz Road and 2852 Transit Road, changing its classification from R-90A and C-1 to C-1(S) for construction of a multi-unit residential development.

On the question, Mr. Sherman stated he would like to include a contingency on the Planning Board's recommendation to include the change in zoning be only for this project; if this project were to fail, the zoning would remain as is.

Motion by Bebak, seconded by Hayes, to recommend approval of the rezone and special use permit for property located at 391 Schultz Road and 2852 Transit Road, changing its classification from R-90A and C-1 to C-1(S) for construction of a multi-unit residential development with the following condition: the change in zoning be only for this project; if this project were to fail, the zoning would remain as is.

Ayes: All

Noes: None

Motion Carried

Mr. McCabe returned to the meeting.

### **ADJOURNMENT**

Motion by Bebak, seconded by Frick, to adjourn the meeting at 6:20 P.M.

Ayes: All

Noes: None

Motion Carried

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**AMY M. KOBLER**  
**TOWN CLERK/PLANNING BOARD SECRETARY**