

November 17, 2023

Town of Florida
214 Ft. Hunter Rd
Amsterdam, NY 12010

Attention: Eric Mead
Town Supervisor

**Re: Nadler PUD
Response to Comments**

Dear Supervisor Mead,

This correspondence is in response to the various comments we received in an October 19, 2023 from Matthew Gogis, Town Councilman. Our responses are in italics.

1. A map showing the actual intended uses (not a listing of districts) and the location of these uses on the sketch plan.

A plan showing the potential development of the PUD was included with our May 6th, 2022 Sketch Plan Application to the Town. The plan has been revised multiple times in response to public/board comments, with latest revision dated June 16th, 2023.

2. An accurate listing of the acreage for the following items:
 - Buildings
 - Parking lots
 - Retention ponds
 - The solar facilities currently within the boundaries of the proposed PUD
 - Per stated use

All of these features are illustrated Conceptual Master Plan dated September 16, 2023 (refer to attached). A breakdown of the Master Plan is as follows:

<i>Buildings</i>	<i>2,700,000 sf (60+/- acres)</i>
<i>Parking/Driveways Lots</i>	<i>60+/- acres</i>
<i>Stormwater Areas</i>	<i>50+/- acres</i>
<i>Solar Facilities</i>	<i>45+/- acres</i>
<i>Greenspace</i>	<i>293+/- acres</i>

3. A staging/phase plan. The application states that the development will be completed in phases and according to Section 6.1-5 (A)(2)(c) states “a general indication of how the staging is to proceed.”

The Conceptual Master Plan illustrated potential development locations. The pace of development and the order that each portion of the site would be developed would ultimately driven by market conditions over perhaps a 10-year period

4. Questions regarding portions of Attachment G of the application; the draft local law for the PUD Ordinance:

This group of questions is in regard to the proposed PUD law and will be further addressed by the Applicant's legal counsel. An initial response is as follows:

- a. Regarding Section IV item (B), why does this not directly state the uses that are the focus of this Planned Unit Development? All other sections of Article V of the zoning code list the uses that are either permitted or permitted by special use permit for the associated zoning district.

The uses can be added to Item B.

- b. Regarding Section IV item (C), why is this required? It appears Section IV item E would be adding a section to Schedule A that would accomplish this.

This can be added to Section A.

- c. Regarding Section IV item (E)(3), this item is in direct contradiction of our PUD Ordinance Section 6.1-5 (D) which states "The procedure for such approvals shall be as specified in Article VII, Site Plan Review, for site plan approvals." Why would this be included?

It was intended to clarify and confirm that all future projects within the PUD would be subject to Site Plan Review by the Town of Florida Planning Board.

- d. Regarding Section IV item (4), what is the Conceptual District Map? Why would this section be needed as it has been stated that the sketch plan is the maximum amount of development that will be happening?

The Conceptual Master Plan / Sketch Plan is intended to provide a general illustration of potential development within the PUD and provide a maximum square footage limit for overall development, which will be an important component of the SEQR review.

- e. Regarding Section IV item (5), why would the district require an expiration date regarding construction of the development? The PUD Ordinance Section 6.1-10 details how an approval for extension could be granted for the phasing plan.

The pace of all future development within the PUD is dictated in a large part to market forces. Market demand for light industrial space/commercial space varies based on multiple factors (e.g., interest rates, consumer activity and preferences, etc). While full development of the PUD could be realized within 10 years, it could take longer.

5. I would like an explanation as to why the proposed hiking trail is planned for an area that is identified for potential erosion, as seen in Attachment B of the application.

The hiking trail is located in the existing forested area adjacent to the Chuctanunda Creek to take advantage its natural features and views of the creek. Trail design would be required to minimize removal of vegetation along with working with and respecting existing grades.

6. I would like a map showing the contour and slope of the land without the colored areas for erosion and flooding to be able to see the slope of the area for the proposed hiking trail.

Topographic survey of the area where the trail is proposed is attached.

7. What organization would oversee maintaining the hiking trail?

Developed/owner of the site on the west side of Route 30 would be responsible for constructing/maintaining the trail along with a public trail head.

8. At the September 18th Town Board meeting, it was stated that there is no intention of building more than these three buildings. Why would the current sited solar facilities need to be included within the limits of the PUD?

The current solar facilities and lands around them are included to serve as a buffer area between potential light industrial/commercial uses with the PUD and surrounding land uses. The intent is to limit any further light industrial/commercial development from occurring further away from the Thruway and ensure a reduced lot coverage relative to the entire PUD area.

9. Besides the lack of zoned land, how is this development being made possible by being zoned using the PUD regulations? What interpretation of our current districts, site requirements, and setbacks would be limiting the development of these buildings without the PUD regulations? How is the development of 2.7 million square feet of business space focusing on commercial and industrial uses providing a more flexible diverse use of this land?

The Town has quickly diminishing supply of land that can support light industrial and commercial development, particularly with access to the Thruway. The PUD offers the Town the ability to maintain a diverse mix of land use types while concentrating the development around the Exit 27 area, where access and infrastructure is available.

The access is attractive to a range of uses—not those solely confined to the definitions of one single zone as outlined in the regulations. As an economic development strategy, providing a unified development zone while affording the regulatory ability to attract uses across multiple zones puts the Town of Florida in a strategic advantage.

Should you have any questions, or any additional needs please do not hesitate to contact us at (518) 438-9900 or at steven.wilson@bohlereng.com.

Sincerely,

BOHLER

A handwritten signature in black ink, appearing to read "Steven R. Wilson", with a long horizontal flourish extending to the right.

Steven R. Wilson, LEED AP
Project Manager