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May 10, 2023

Town of Florida Town Board
214 Fort Hunter Road
Amsterdam, NY 12010

A **MOTION** was made by Nicholas Armour and seconded by Charles Saul to forward the following unfavorable report to the Town of Florida Town Board:

The Planning Board sends the following unfavorable report to the Town Board regarding the Planned Unit Development (PUD) Application dated May 6, 2022.

Whereas an application dated May 6, 2022 was sent to the Town of Florida Planning Board for review and recommendation, by the Town of Florida Town Board by Resolution on May 16, 2022, and

Whereas the Town of Florida Planning Board received and reviewed such application and supporting documentation and held a Public Hearing for said PUD Application on July 11, 2022; and

Whereas the Public Hearing was properly noticed in the Amsterdam Recorder Newspaper and on the Town of Florida website, and the public comment was heard and accepted and due deliberation was had; thereon; and

Be it resolved that the Town of Florida Planning Board has determined that an unfavorable report be given to the Town of Florida Town Board regarding the PUD Application based on the following factors:

- I. *Does the project provide a choice in the types of environment, occupancy tenure (e.g., individual ownership, condominium leasing), types of housing and sizes and community facilities available to existing and potential residents at all economic levels?* The Planning Board determined that **no**, the sketch plan does not provide for housing, community facilities or any kind of living accommodations. The Planning Board as a whole agreed that this question is geared toward the development of housing. Attorney Crowe explained the differences between rent, own and license to use the property. Steve Viele verified that yes or no answers have to be given for each question; they cannot be non-applicable.
- II. *Does the project provide more usable open space and recreation and the linkage of open space areas?* The Planning Board determined that **yes**, the sketch plan does provide for more usable open space as there is no public usable open space at the proposed site now. The Planning Board questioned how people would access the walking trails proposed to be placed along and by the Chuctanunda Creek; will there be parking? There will be parking and accessibility for anyone who would want to access that part.
- III. *Does the project provide more convenience to residents in the location of manufacturing, commercial and service areas, if applicable?* The Planning Board determined that the

answer to this question is **no**, this will not provide convenient employment for local residents. Discussion regarding where the workforce comes from currently for the distribution warehouses on Route 5s. There are already multiple distribution warehouses along Route 5s that are continually looking for workers. The Planning Board did ask for employment statistics regarding how far away are people driving to work at the current warehouses along Route 5s.

- IV. *Does the project provide for the preservation of trees, outstanding natural topographic and geological features and prevention of soil erosion?* The Planning Board determined that the answer to this question is **yes**. There are large parcels of woodland and grassland that will not be developed. There is also a landscape plan included in the sketch application.
- V. *Does the project provide for a creative use of the land and related physical development which allows an orderly transition of land?* Attorney Mike Crowe explained how to define orderly transition of land; does the zone flow from IBP to C1 to C2 either to or from the Residential area? This does not just refer to a creative use of the building materials and blending, but is there a buffer and transition of land between the zones. The Planning Board determined that the answer to this question is **yes**. There is a “natural” flow from neighboring parcels.
- VI. *Does the project provide for an efficient use of land resulting in smaller networks of utilities and services, thereby lowering housing costs?* The Planning Board determined, through discussion, and referring back to question number one (1), regarding housing, that the answer to this question is **no**. There is no housing proposed for the area and those who currently live in the area have septic and wells and do not have to pay for water and sewer service, so offering water and sewer for a price is not lowering those costs for residents. The Planning Board asked where are the utilities going to come from and what is the cost analysis for bringing utilities across the Thruway from the City of Amsterdam, if that is where water and sewer services will come from. The Planning Board agreed that housing is a necessary component for this question to be answered positively.
- VII. *Does the project provide a development pattern in harmony with the objectives of the Comprehensive Plan?* The Planning Board determined that the answer to this question is **no**, based on their interpretation of the Town’s Amendments to the Comprehensive Plan that references a “hamlet style” development. A hamlet style development would include some form of housing on upper floors of taller buildings with retail/commercial development on the ground floors. Using the PUD to create only an Industrial Business Park does not fit with a “hamlet” style of development as referenced.
- VIII. *Does the project provide a more desirable environment than would be possible through the strict application of other articles of this chapter?* Attorney Mike Crowe explained that this questions means that if the applicant could only put uses that were allowed in the current zone is what they want to put in the area more desirable than would be allowed as either a permitted or special permitted use. The area is currently zoned Agricultural. After much discussion and requests to Attorney Crowe for explanation the Planning Board determined that the answer to this question is **no**. Putting in a business park using the PUD regulations is not more desirable than what the permitted and special permitted uses are for the Agricultural Zone the parcels are currently designated. The Planning Board, based on how the PUD reads, believes that a PUD is for a mixed use in a single use zone and the sketch plan only provides a single use which is Industrial Business Development and that is not more desirable than using the strict interpretation for the current zone from the zoning ordinance. Another use should be added from the C1, C2 and R1.
- IX. *Does the project provide scenic vistas, historic sites, and prevents disruption of natural drainage patterns?* The Planning Board determined that the answer to this question is **no**. The Planning Board discussed the visual impact of such a large warehouse type building along Route 30 and the fact that it cannot be hidden. It would be very out of character for the landscape currently in that area. The Board also thinks that putting any large building on

site will disrupt the natural drainage on the land and any scenic vistas that are currently available will no longer be available.

- X. *Does the project utilize landscaping and building design to present a sense of community, of integrated color schemes, architectural styles and layout?* The Planning Board determined after much discussion that the answer to this question is **yes**. There is reference to a farmer's market to be incorporated in the site, walking paths to the Chuctanunda Creek and through the forest that will be left undeveloped. Much of this question can be worked through during the site plan phase of the project as well.

MOTION by Nicholas Armour and seconded by Charles Saul to send an unfavorable recommendation/report to the Town of Florida Town Board based on the answers summarized in the above report and the recommendations to make the "no" answers "yes".

Roll Call Vote:

Steven Viele	Aye	John Hutchison	Aye
Dan Roth	Aye	Charles Saul	Aye
Nicholas Armour	Aye	Peter Rea	Aye