

**Town Board  
Town of East Greenbush, Rensselaer Co, New**

**York Local Law No. \_\_ of 2019**

**“Town Center Planned Development  
District”**

**Section 1 – Local Law Designation**

This local law shall be known as "No. \_\_\_\_ of 2019" and amends the Town of East Greenbush Zoning Code to provide for the creation of a Planned Development District No. \_\_\_\_, Town Center, Town of East Greenbush (the “Town Center Planned Development District”).

**Section 2 – Zoning Law Amendment**

The Town of East Greenbush, New York, Zoning Code and the Zoning Map of the Town of East Greenbush are hereby amended by changing the area set forth in Section 3 below from the B-1 and R-B Zoning District as such is now zoned, and creating within the boundaries of said newly described area a planned development district to be known and described as "Planned Development District No. \_\_\_\_, Town Center Planned Development District, Town of East Greenbush" (hereinafter referred to as “PDD”), in which shall be permitted the uses set forth in Appendix “A”.

**Section 3 – PDD Area**

A. The area of the PDD consists of approximately thirty (35) acres in the Town of East Greenbush and is further described in Appendix B which contains a map and metes and bounds description of the PDD area attached hereto and made a part hereof. The area of the PDD will include the following tax parcels: 0 Gilligan Road SBL No. 166.00-7-6.111, 576 Columbia Turnpike SBL No. 166.00-7-3.5 (A portion of), 578 Columbia Turnpike SBL No. 166-7-3.4, 0 Columbia Turnpike SBL No. 166-7-6.51, and 580 Columbia Turnpike SBL No. 166-7-5. With the exception of SBL No. 166.00-7-3.5 and SBL No. 166-7-3.4, these tax parcels will remain separate parcels for purposes of the PDD.

The parcels within Town Center PDD include:

- 580 Columbia Turnpike  
SBL # 166.-7-5
- 578 Columbia Turnpike  
SBL # 166.-7-3.5
- 576 Columbia Turnpike - A portion of  
SBL # 166.-7-3.4
- 0 Columbia Turnpike  
SBL # 166.-7-6.51
- 0 Gilligan Road - A portion of  
SBL # 166.-7-6.111

B. The zoning regulations applicable to the PDD shall be provided in this local law.

**Section 4 – Purpose**

A. The purpose of this local law is to provide for the rezoning of certain land to

mixed use commercial and residential development in accordance with certain provisions and standards set forth herein which insures compatibility with the Town's comprehensive land use plan, land uses adjacent to the PDD and fosters innovation in site planning and development and which encourages sound design practices, such as enhancing pedestrian access and designing walkable spaces, as well as promoting pedestrian activity and accessible public transportation.

B. It is the further purpose of this local law to promote flexibility and design of the PDD by creating a cohesive mixture of residential and commercial uses in a compatible and unified plan of development. In accordance with conditions and standards designed to mitigate environmental impacts to the greatest extent practicable, the development plan shall be in the interest of the general welfare of the public and will result in a more efficient and compatible use of the land within the PDD area and with the surrounding land uses.

C. This local law establishes the nature, parameters and limits of the described uses herein which are permissible within the PDD.

## **Section 5 – Development Proposal**

A. The PDD will consist of a maximum of two hundred and seventy-five (275) multi-family residential units and approximately 12,800 square feet of commercial space located in Building A on the parcel currently known as 578 and 580 Columbia Turnpike, as depicted on the General Development Plan, annexed hereto as Appendix C (the "Project"). The area labeled "Future Commercial Development Area" shall be developed for any of the following commercial or retail uses as listed in Appendix A. The square footage of Future Commercial Development Area shall be in addition to the 12,800 square feet as proposed in Building A of the General Development Plan. Size of the building shall be limited by Area and Bulk Schedule set forth in the PDD and under no circumstances exceed 25,000 square feet based on the current parcel configuration. The General Development Plan includes the conceptual layout of the project as contemplated by this legislation.

## **Section 6 –Development Requirements and Constructions Specifications**

A. Phasing. The Project may be completed in a maximum of six (6) phases. Each phase will be subject to site plan approval. The Project may be, at the developer's discretion, and subject to site plan approval, completed in fewer phases. The location of each phase of the Project may coincide with each specific tax parcel identified above.

B. Lighting:

1. Site and roadway lighting shall be determined during site plan review. All fixtures shall be full-cutoff, downward-facing and be Dark Sky compliant. Light fixtures located within the interior asphalt area of a parking lot shall not exceed 30 feet in height. Light fixtures located along the perimeter edge of a parking area within 50 feet of a property line shall not exceed 18 feet. Light fixtures located along roadways shall not exceed 25 feet in height. Light fixtures located along pedestrian walkways adjacent to parking lots shall not exceed 18 feet in height. Light fixtures located on the southern side of Building C in Area 1 shall not exceed twelve feet (12') in height. Light fixtures located along internal pedestrian walkways or paths not adjacent to a parking area shall not exceed 12 feet in height. Average 0.2 footcandle at grade level maximum 2.0

footcandles. The Planning Board will consider exterior lighting fixtures that minimize glare while reducing light trespass and skyglow.

2. All exterior building or security lighting must be full-cutoff, shielded and/or angled downward to focus the light only on the intended doorway or walkway as necessary. Building-mounted architectural "accent lights" are permitted as downward-facing only. Average 2.0 footcandles, maximum four footcandles.

C. Project landscaping shall be determined during site plan review according to Town Standards applicable at the time of site plan review

D. To the extent street trees are required by the planning board during site plan review, the location and species of trees will be determined during site plan review.

E. Signs. The final design, lighting, if any, and location of signs shall be determined during site plan review subject to the conditions and standards set forth in Appendix E.

F. Utilities. All new utilities shall be installed underground.

G. Architectural standards. Proposed architectural renderings attached as Appendix F represent proposed general standards for the buildings to be built in the PDD.

## **Section 7 – Bulk Lot Requirements**

A. General Parameters:

1. Existing Vegetation Buffer. A portion of the existing vegetation between the PDD (and located on property included in the PDD Area) and the existing residential homes (located within R-2 zone) on Parkview Drive and Jefferson Ave shall remain undisturbed and be used as a buffer ("Buffer"), with the exception of 1 Parkview Drive and 37 Jefferson Ave to the extent necessary to maintain use of an existing easement for a municipal ingress and egress and related infrastructure. The size of the Buffer and Developer's obligations hereunder shall be:

- i. For residences existing as of the effective date of this local law on Parkview Drive (excluding the parcel listed above), the Buffer shall be fifty feet (50') from the rear lot line of the homes.
- ii. For residences existing as of the effective date of this local law on Jefferson Avenue (excluding the parcel listed above), the Buffer shall be fifty feet (50') from the rear lot line of the homes. In addition to the vegetation buffer noted in this Section (ii), the installation of a six foot (6') tall white or similar colored vinyl fence along the property line of the project shall be deemed a sufficient buffer by both the Town Planning Board and Town Board. The buffer along the southerly PDD boundary with 37 Jefferson Ave shall be completed prior to the issuance of the building-related building permit for Area 1.
- iii. Developer shall ensure said Buffer is not disturbed during construction and shall preserve and maintain the Buffer. To the extent existing trees or shrubs die, the buffer shall be replanted with new trees and shrubs to create a visual separation between uses and Land Use Districts, provided however, the new trees to be planted will not be greater than six feet (6') in height. The buffer and any open space shall be protected by a deed restriction provided by Developer and

approved by the Town Board.

2. The PDD shall provide for parking in the following increments:
  - i. Subject to the credit set forth in Section 3(iii) below, total of 1.5 spaces per one bedroom units and 1.8 spaces per two bedroom units, which may include garage spaces, if applicable but not required.
  - ii. Subject to the credit set forth in Section 3(iii) below, five (5) spaces per 1,000 square feet of net usable square feet (not including mechanical, storage, etc.) in Proposed Buildings A and B.
  - iii. A credit of twenty percent (20%) of the above referenced parking requirements may be provided in area of commercial and residential mixed used development.
  - iv. During site plan review the developer may propose banked parking for the Planning Board's consideration.
3. Service areas and loading docks: Trash and recycling dumpsters or similar collection areas shall be located in the rear or to the side of buildings and screened from view from Columbia Turnpike, properties not part of the PDD and, to the extent practicable, pedestrian walkways (not including service alleys). Trash pick-up will not be allowed prior to 7:00 a.m. Screening shall be achieved with building enclosures on three sides which match or complement the exterior building materials. Required Off-Street Loading areas shall be subject to site plan approval.
4. Signage: Any signs shall be consistent with the standard set forth in Appendix E.
5. Additional Bulk Requirements for Specific Areas of PDD
  - i. Units located within Area labeled "Area 1" on the Area Summary (attached as Appendix D).
 

Lot Coverage for Area 1: eighty percent (80%), maximum  
 Building Height: 50 feet (50'), maximum  
 Setbacks:

    - a. Front yard from Columbia Turnpike: Minimum setback is zero feet (0') and maximum setback twenty-five feet (25').
    - b. Front yard from the Primary Road (as shown on the General Development Plan): Minimum setback is zero feet (0') and maximum setback is one hundred feet (100').
    - c. Side yard: 10 feet each side, minimum zero feet (0') for common walls between units), except where lands in the B-1 zone abut an existing R-2 district, in which case the minimum building side setback shall be fifty feet (50') from the rear lot lines of residences on Jefferson Ave.
    - d. Rear yard: 15 feet, minimum
    - e. The maximum number of units in Building C and D shall not exceed fifty-five (55) units per building.

- ii. Units located within Area labeled "Area 2" on the Area Summary.

Lot Coverage: seventy-five percent (75%), maximum  
 Building Height: thirty-five feet (35'), maximum

**Setbacks:**

- a. Front yard: zero foot (0) minimum from public road or the Primary Road (as shown on the General Development Plan).
  - b. Side yards: five feet (5') each side, minimum (0 feet for common walls between units) except where lands in the R-B zone abut an existing R-2 district, in which case the minimum building side setback shall be one hundred feet (100') from the rear lot lines of residences on Parkview.
  - c. Rear yard: 30 feet, minimum 0 feet from the Primary Road (as shown on the General Development Plan).
  - d. The maximum number of units in the four buildings directly adjacent to Parkview Drive shall not exceed ten (10) units per building.
- iii. The Project shall be established as an "open development area" pursuant to NYS Town Law § 280-a.
6. The location, design and layout of the outdoor amenities will be provided to and reviewed by the Planning Board and Town Board during site plan review. The amenities to be provided are set forth in Appendix G.

**Section 8 – Sanitary Sewers**

- A. Sewer will be supplied by the Town of East Greenbush General Sewer District if sufficient capacity is determined by the Town of East Greenbush to exist in the Town's Sewer Infrastructure. The developer, at its expense, will provide the connection to the existing sewer system and any necessary mitigation.
- B. All sewer facilities shall be designed and constructed in accordance with the standards of the Town of East Greenbush, in effect at the time of site plan review application being made by the developer, and are subject to approval by applicable agencies.
- C. The developer agrees to offer for dedication to the Town of East Greenbush, all completed on-site sewer facilities at no cost to the Town of East Greenbush.
- D. The developer shall provide twenty feet (20') wide permanent easements (five feet (5') additional feet during construction, repair and maintenance) for any sewer pipes crossing privately owned land or when along private roads, the entire width of a private right of way and shall offer these utility easements along with the installed infrastructure for dedication to the Town.
- E. The Town shall determine what portions of these facilities are appropriate for public ownership.

**Section 9 – Water Supply**

- A. Water will be supplied by the Town of East Greenbush General Water District if the Town of East Greenbush determines sufficient water is available for the project. The developer, at its expense, will provide the connection to the existing water distribution system and any necessary mitigation.
- B. All water facilities shall be designed and constructed in accordance with the standards of the Town of East Greenbush, in effect at the time of site plan / subdivision application being made by the developer, and are subject to approval by applicable agencies.

C. The developer agrees to provide for any and all required improvements to the existing water system that are necessary to accommodate this PDD and shall complete these improvements at no cost to the Town.

D. The developer agrees to offer for dedication to the Town of East Greenbush, all completed on-site and off-site water facilities at no cost to the Town of East Greenbush

E. The developer shall provide twenty feet (20') wide permanent easements (five feet (5') additional feet during construction, repair and maintenance) easements for any water pipes crossing privately owned land or when along private roads, the entire width of a private right of way and shall offer these utility easements along with the installed infrastructure for dedication to the Town.

F. The Town shall determine what portions of these facilities are appropriate for public ownership

G. Fire hydrants shall be installed throughout the Project by the developer pursuant to the New York State Uniform Fire Prevention and Building Code (Uniform Code) and Town of East Greenbush requirements.

## **Section 10 – Stormwater Management**

A. All stormwater management plan and associated utilities shall conform to the specifications of the Town of East Greenbush, applicable State Pollutant Discharge Elimination System (SPDES) permits, and the latest version of the NYSDEC - New York State Stormwater Management Design Manual in effect at the time of site plan review being made by the developer. If the stormwater infrastructure will be owned in whole or in part by the developer rather than the Town then an Operation and Maintenance Agreement will be provided by the developer.

## **Section 11 – Roadways and Pedestrian Facilities**

### **A. Roads:**

1. The Primary Road (as shown on the General Development Plan) shall be constructed in accordance with the Town of East Greenbush specifications and design requirements of the Department of Public Works at the time of site plan approval.
2. Any Road to be offered for dedication to the Town of East Greenbush shall include a right of way of at least sixty feet (60') and shall comply with the Town of East Greenbush specifications and design requirements of the Department of Public Works at the time of site plan approval
3. The Primary Road, upon final construction shall be offered for dedication to the Town of East Greenbush, New York.
4. Developer shall be permitted to construct all roads in phases based upon the building phased development.

### **B. Sidewalks:**

1. A five-foot (5') wide concrete sidewalk shall be constructed along a minimum one side of all public roads as depicted on the General Development Plan attached as Appendix C.
2. A five foot (5') wide concrete sidewalk shall be constructed along one side of the Primary Road as depicted on the General Development Plan attached as Appendix C. All

sidewalks to comply with the latest version of the American with Disabilities Standards for Accessible Design at the time of site plan review being made by the developer.

C. Nature trails:

1. Upon completion of the Project in Area 2 as shown on General Development Plan, the developer shall install a ten foot (10') wide paved walking trail along the existing sewer easement connecting to the paved section of Eckman Place to the rear of the Hannaford Shopping Center and terminating at the paved parking lot. The walking trail shall be open to the public and measure approximately 1,800 linear feet.
2. The walking trail shall be constructed in accordance with American with Disabilities Standards for Accessible Design at the time of site plan review being made by the developer, where feasible.
3. Upon final construction of the walking trail, the trail will be offered for dedication to the Town of East Greenbush.

## **Section 12 – Wetlands (25 foot buffer on the wetlands) and Steep Slopes**

The developer shall be required to comply with all wetland determinations and mitigation measures as prescribed by the local, state and/or federal authorities. The Town has a 25 foot buffer on all regulated wetlands in the Town. In areas of severe slopes (exceed 25 percent), land-disturbing activities are not permitted. A 25-foot buffer must be maintained between any disturbed area and the top of slopes 25 percent and greater.

## **Section 13 - Project Related Review Fees.**

The developer shall be responsible for reimbursing the Town for any and all expenses incurred for this Project as required by the Town's zoning regulations including but not limited to costs incurred for the technical review of the applications, construction observation of installed infrastructure or any other services deemed appropriate by the Town.

## **Section 14 – GEIS Impact Fees**

The developer shall be required to pay the applicable mitigation fees set forth in the then current Town Code pursuant to the payment schedule set forth therein.

## **Section 15 – Amenity Package**

A. The following amenity package shall be provided that includes provisions for on-site and/or off-site amenities beyond measures required to service the needs of the subject project and/or beyond the measures needed to mitigate the impacts of the subject project:

1. Development and construction of an approximate 1,800 linear foot 10 feet wide paved multi-use nature trail at no cost to the Town. Construction of the multi-use trail shall occur during construction of the first phase of development in Area 2.
2. Pedestrian connections to area shopping, such as the Hannaford Plaza, Sherwood Park, and Columbia Turnpike businesses.
3. Thirty foot (30') wide Sewer Easement provided to Ternan Avenue over lands of developer to allow for future connection of sewer facility to homes on Ternan Avenue.

The developer will provide the necessary easement description to the Town for review and approval.

4. Developer will provide the Town of East Greenbush with a one-time payment of \$50,000 which shall specifically be utilized for improvements to the Grant Ave Park. This fee shall be payable 50% at receipt of any building permit of Area 1, including sitework, and the remaining 50% at receipt of any building-related building permit for Area 2.

5. Developer will provide the Town of East Greenbush with a one-time payment of 100,000 which shall be specifically applied to Stormwater improvements within the Sherwood/Woodland Park Neighborhoods. This fee shall be payable 50% at receipt of building permit of Area 1, including sitework, and the remaining 50% at receipt of any building-related building permit for Area 2.

## **Section 16 – Additional Town Approvals**

Following adoption of this local law, the developer shall make application to the Town of East Greenbush for the following “planning “related approvals:

1. Subdivision Application to consolidated lots in accordance with the Town’s Land Subdivision Regulations.
2. Site Plan Application in accordance with the Town’s Comprehensive Zoning Law and site plan review requirements.

## **Section 17 – Supporting Documents**

Attached and made a part hereof as appendices are documentation, diagrams, and plans associated with the Planned Development District as follows:

1. Appendix A: List of Uses
2. Appendix B: PDD Metes and Bounds Legal Description
3. Appendix C: PDD General Development Plan
4. Appendix D: PDD Area Summary
5. Appendix E: Sign Standards
6. Appendix F: Architectural Standards
7. Appendix G: Project Specific Amenities

## **Section 18 – Zoning Map to Incorporate the Town Center PDD**

The Town of East Greenbush Zoning Map is hereby amended by providing that said Town Center Planned Development District be set forth on the Zoning Map of the Town of East Greenbush and on any supplementary map later adopted by the Town Board, all of which are hereby made a part of this local law.

## **Section 19 – Effective date**

This local law shall take effect upon filing with the Secretary of State of New York State.

## **Section 20 – Severability**

If any part of this local law is for any reason held to be unconstitutional or invalid, such decision



shall not affect the remainder of this local law.

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## **Appendix A**

### **Allowable Uses:**

The following uses as defined by Town of East Greenbush Zoning Code adopted in 2008 Local Law No. 1 of 2008:

#### **Area 1:**

Buildings with frontage directly on Columbia Turnpike shall be permitted to include the below uses.

##### **Permitted Uses:**

1. Residential: Multi family residence
2. Residential: Mixed Use with Commercial
3. Boarding; hotel
4. Civic; Religious facility
5. Civic; cultural facility
6. Civic; public facility, bank, or government office
7. Restaurant; indoor, fully enclosed
8. Restaurant; with drive-thru or curbside service
9. Restaurant; with outdoor seating
10. Retail; single tenant
11. Retail; single tenant, < 15,000 square feet
12. Retail; multi-tenant shopping center
13. Retail; with drive-thru
14. School; college or trade
15. School; nursery, day care
16. Services; personal care
17. Services; professional office

##### **Special Use Permit:**

1. Health/Medical; offices or clinic, outpatient
2. Recreation; private, veteran/fraternal or social club

##### **Accessory Uses:**

1. Parking Off Street or Garage
2. Storage: Indoors, merchandise in stock
3. Structure: Commercial garage
4. Residential Recreation facility

The remainder of Area 1 without frontage on Columbia Turnpike shall be limited to the below uses only:

Residential: Multi Family residence

**Area 2:**

The below uses shall be permitted within the land area labeled “Area 2”

Permitted Uses:

Residential: Multi family residence

Accessory Uses:

Residential recreation facility – This use shall specifically be related to the Club House which shall include amenities open to all PDD residents.

Structure; commercial garage or shed – This use shall be restricted not to exceed 2,500 square feet, specifically related to grounds maintenance of the PDD area.

**Appendix B**  
**Town Center Planned Development District**  
**Legal Description**

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**DESCRIPTION OF  
PROPOSED TOWN CENTER PDD  
TOWN OF EAST GREENBUSH, RENSSELAER COUNTY, NEW YORK**

All that piece or parcel of land situate, lying and being located in the Town of East Greenbush, County of Rensselaer and State of New York, lying generally southwesterly of Columbia Turnpike (Route 9 & 20) being more particularly bounded and described as follows:

Beginning at a point in the southwesterly 2001 highway boundary of Columbia Turnpike (U.S. Routes 9 & 20), being more fully shown on a map titled "New York State Department of Transportation Description and Map for the Acquisition of Property, Boston-Albany, S.H. No. 202, Rensselaer County, Map No. 381, Parcel No. 390, Elizabeth Gonyea Gallup & Ruth V. Wright (Reputed Owners), dated February 1, 2001 and filed in the Rensselaer County Clerk's Office by Notice of Appropriation on March 15, 2001 in Liber 244 of deeds at page 1206, at its intersection with the division line between lands now or formerly of Yogini, Inc. as described in Liber 29 of deeds at page 2025 on the northwest and lands now or formerly of Bharat Patel as described in Liber 1150 of deeds at page 87 on the southeast; thence along said southwesterly highway boundary of Columbia Turnpike, South 37°55'43" East, 97.60 feet to a point in the above referenced 2001 highway boundary of Columbia Turnpike being more fully shown on a map titled "New York State Department of Transportation Description and Map for the Acquisition of Property, Boston-Albany, S.H. No. 202, Rensselaer County, Map No. 383, Parcel No. 392, Gagner Family Limited Partnership (Reputed Owners), dated February 1, 2001 and filed in the Rensselaer County Clerk's Office by Notice of Appropriation on March 8, 2001 in Liber 243 of deeds at page 164 at its intersection with lands now or formerly of 580 Columbia Turnpike LLC as described in Liber 6643 of deeds at page 70 on the southeast and lands now or formerly of Bharat Patel on the northwest; thence along said southwesterly highway boundary of Columbia Turnpike, South 37°55'43" East, 448.14 feet to a point in the division line between lands now or formerly of Marilyn Warner, Trustee of the R&T Witbeck Irrevocable Trust as described in Liber 6964 of deeds at page 234 on the southeast and lands now or formerly of 580 Columbia Turnpike LLC on the northwest; thence along said division line, South 51°45'45" West, 186.28 feet to a point in the division line between lands now or formerly of aforementioned Marilyn Warner, Trustee of the R&T Witbeck Irrevocable Trust on the southeast and lands now or formerly of Marilyn G. Warner, Trustee of the R&T Witbeck Irrevocable Trust as described in Liber 6596 of deeds at page 304 on the northwest; thence along said division line, South 51°45'45" West, 206.00 feet to a point in the division line between lands now or formerly of C & T East Greenbush, LLC as described in Liber 8330 of deeds at page 65 on the southwest and lands now or formerly of Marilyn G. Warner, Trustee of the R&T Witbeck Irrevocable Trust on the northeast; thence along said division line the following four (4) courses and distances:

- 1) North 38°14'15" West, 335.21 feet to a point; thence
- 2) South 44°54'23" West, 223.59 feet to a point; thence
- 3) South 38°14'15" East, 258.52 feet to a point; thence
- 4) South 63°55'15" East, 112.80 feet to a point in the aforementioned division line between lands now or formerly of Marilyn Warner, Trustee of the R&T Witbeck Irrevocable Trust on the east and lands now or formerly of Marilyn G. Warner, Trustee of the R&T Witbeck Irrevocable Trust on the west; thence along said division line the following two courses and distances:
  - 1) South 21°39'45" West, 65.00 feet to a point; thence
  - 2) South 51°45'45" West, 164.71 feet to a point in the division line between lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust as described in Liber 7333 of deeds at page 45 and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The Witbeck Revocable Trust as described in Liber 8205 of deeds at page 37

on the southwest and lands now or formerly of Marilyn G. Warner, Trustee of the R&T Witbeck Irrevocable Trust on the northeast; thence South 38°14'15" East, 121.72 feet to a point in the division line between lands now or formerly of Sacco of Albany LLC as described in Liber 7708 of deeds at page 179 on the east and lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The Witbeck Revocable Trust on the west; thence along said division line the following two (2) courses and distances:

- 1) South 51°45'52" West, 100.41 feet to a point; thence
- 2) South 38°14'08" East, 1000.00 feet to a point to a point in the division line between lands now or formerly of Hoosick Enterprises, LLC as described in Liber 5546 of deeds at page 204 on the southeast and lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The Witbeck Revocable Trust on the northwest; thence along said division line the following two (2) courses and distances:

- 1) South 51°45'52" West, 100.00 feet to a point; thence
- 2) South 38°14'08" East, 175.00 feet to a point; thence through lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The Witbeck Revocable Trust, South 61°28'42" West, 633.33 feet to a point in the division line between lands now or formerly of Angelo G. Ventura, Jr. as described in Liber 7760 of deeds at page 185 on the west and lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The Witbeck Revocable Trust on the east; thence along said division and along the division line between lands now or formerly of Elden & Arlene Gray as described in Liber 1877 of deeds at page 186 on the west and south and lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The Witbeck Revocable Trust on the east and north the following two (2) courses and distances:

- 1) North 12°37'02" West, 145.00 feet to a point; thence
- 2) South 77°14'48" West, 110.00 feet to a point; thence through lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The Witbeck Revocable Trust the following five (5) courses and distances:

- 1) North 06°05'19" East, 506.22 feet to a point; thence
- 2) North 44°38'55" West, 490.00 feet to a point; thence
- 3) South 82°28'05" West, 320.38 feet to a point; thence
- 4) South 88°57'05" West, 322.62 feet to a point; thence
- 5) North 53°14'55" West, 113.49 feet to a point in the northeasterly terminus of Eckman Place; thence along the division line between lands now or formerly of Francis W. Kervan as described in Liber 1842 of deeds at page 52, lands now or formerly of Thomas J. Dailey & Rachel L. Ellis as described in Liber 5126 of deeds at page 113, lands now or formerly of Robert D. & Erin A. Plonka as described in Liber 5158 of deeds at page 179, lands now or formerly of Thomas A. White & Deborah A. Johnson as described in Liber 1893 of deeds at page 56 and in part along lands now or formerly of Lois Pfeffer as described in Liber 4876 of deeds at page 143 all on the northwest and lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The Witbeck Revocable Trust on the southeast, North 45°29'10" East, 415.82 feet to a point; thence continuing in part along said division line between lands now or formerly of Lois Pfeffer and lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-trustees of The

Witbeck Revocable Trust and along the division line between lands now or formerly of John C. Michoian as described in Liber 173 of deeds at page 747, lands now or formerly of Daniel P. Hansen as described in Liber 3269 of deeds at page 120, lands now or formerly of Georgia Calamaras as described in Liber 280 of deeds at page 1438, lands now or formerly of Donna M. & Mark H. Moran as described in Liber 8617 of deeds at page 26, lands now or formerly of Lakeview Loan Servicing LLC as described in Liber 8461 of deeds at page 321, lands now or formerly of Tyler J. Culberson as described in Liber 7551 of deeds at page 302, the easterly terminus of Jefferson Avenue and in part along lands now or formerly of Jeffrey J. & Melissa A. Lewandowski as described in Liber 8614 of deeds at page 34 all on the northwest and lands now or formerly of George H. Witbeck, Jr. & Marilyn Warner, Trustee of The R&T Witbeck Irrevocable Trust and Marilyn G. Warner & Janet L. Witbeck as Co-Trustees of The Witbeck Revocable Trust on the southeast, North 44°49'10" East, 716.09 feet to a point in the division line between lands now or formerly of Jeffrey J. & Melissa A. Lewandowski on the northwest and lands now or formerly of Marilyn G. Warner, Trustee of the R&T Witbeck Irrevocable Trust on the southeast; thence along said division line, North 44°54'23" East, 128.77 feet to a point in the division line between Jeffrey J. & Melissa A. Lewandowski on the southwest and lands now or formerly of Bharat Patel on the northeast; thence along said division line and in part along the division line between lands now or formerly of Scott R. Frament as described in Liber 7598 of deeds at page 185 on the southwest and lands now or formerly of Bharat Patel on the northeast, North 32°31'56" West, 101.07 feet to a point in the division line between lands now or formerly of Scott R. Frament on the southwest and lands now or formerly of Yogini, Inc. as described in Liber 29 of deeds at page 2025; thence along said division line and along the division line and along the division line between lands now or formerly of Daniel Kennedy as described in Liber 8759 of deeds at page 91, lands now or formerly of Jay M. & Patricia (Colvin) Reilly as described in Liber 1424 of deeds at page 323, lands now or formerly of Derek J. Edwards as described in Liber 7521 of deeds at page 1 and lands now or formerly of Romaine A. Corellis & Kathleen A. Grochan as described in Liber 1496 of deeds at page 282 all on the southwest and lands now or formerly of Yogini, Inc. on the northeast, North 32°31'56" West, 377.22 feet to a point in the division line between lands now or formerly of 4 Parcel PHE Properties, LLC as described in Liber 73 of deeds at page 1843 on the northwest and lands now or formerly of Yogini, Inc. on the southeast; thence along said division line, North 41°47'54" East, 283.70 feet to a point; thence through lands now or formerly of Yogini, Inc. the following two (2) courses and distances:

- 1) South 37°55'43" East, 265.00 feet to a point; thence
- 2) South 52°35'45" East, 122.66 feet to a point in the above referenced division line between lands now or formerly of Bharat Patel on the southeast and lands now or formerly of Yogini, Inc. on the northwest; thence along said division line, North 45°03'54" East, 307.56 feet to the point and place of beginning and containing 34.61± acres of land, more or less.

Subject to all rights, easements, covenants and restrictions of record.

**Appendix C**  
**PDD General Development Plan**

DRAFT



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STEVEN P. HART, P.E. #000039

NO.	DATE	DESCRIPTION	REV.	CHKD
1	03/11/19	ISSUED FOR FINAL PDD	DH	SPH
2	03/29/19	FINAL PDD EXHIBIT SUBMISSION	DH	SPH

**EXHIBIT D**  
**CONCEPT PLAN**  
TOWN CENTER PDD  
580 COLUMBIA TURNPIKE  
TOWN EAST GREENBURGH COUNTY/RESEDALEP State - NEW YORK

Engineer: \_\_\_\_\_  
Drawn by: \_\_\_\_\_  
Date Issued: \_\_\_\_\_  
Scale: 1" = 100'  
Drawing Number: \_\_\_\_\_  
**SITE**  
1 of 1



**Appendix D**  
**PDD Area Summary**

DRAFT



Z:\Projects\Drawings\2018.002 - Wetherans\Sheets\AREA-EXHIBIT F.dwg / HART / Wednesday, March 20, 2019 12:11:35 PM / LETTER (6.50 X 11.00 INCHES) / 15.54



Engineer: **STEVEN HART PE**  
Drawn by: **DAH**  
Date Issued: **JULY 12, 2017**  
Scale: **1" = 200'**  
Drawing Number: **PHS**

**EXHIBIT R**  
**AREA SUMMARY**  
**TOWN CENTER PDD**  
**580 COLUMBIA TURNPIKE**  
Town: EAST GREENBUSH County: FURNESSELER State: NEW YORK

NO.	DATE	DESCRIPTION	REV'D.	CKD

STEVEN P. HART, P.E. #059039  
1909 FERRIS ROAD  
CASTLETON NY, 12033

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## Appendix E

### Signage Standards

Commercial tenants shall be permitted building mounted signage on the front and rear of building not to exceed 32 square feet per tenant per side. In addition to building mounted signage tenants shall be permitted Window and Door sign not to exceed 15% of the total window and door area.

PDD shall be permitted (2) Monument / Free standing signs similar in design and construction to Kinderhook Bank Commons as pictured below. One Monument/Free Standing sign will be located on Parcel A and the other Monument/Free Standing will be on the Future Pad site. Signage shall adhere to sign standards summarized in the 2008 Zoning Local Law Section 3.3.2 Paragraph B.2

PDD shall provide for appropriate way finding signs as deemed necessary by the Planning Board at the time of site plan approval.



## Appendix F Architectural Standards:

### Area 1:

#### Multi-Family Residential Only:



#### Multi-Family Residential Only:





**Multi-Family Residential Only:**



**Commercial – Mixed Use:**



**Commercial – Mixed Use:**



**Area 2: Multi-Family Residential Only**





## **Appendix G**

### **Potential Project Specific Amenities:**

#### **General Amenities:**

- Wi-Fi Access in common areas.
- Green Space
- Interior Building Storage Units
- Electric Car Charging Station
- Security Cameras
- Solar Panels
- On Site Garages w/ Storage

#### **Area 1:**

- Interior and Exterior Lounge/Seating Area (each building)
- Interior Pet Washing Station
- Outdoor Patio
- Courtyard Entertainment Area
- Gas Fire Pits
- BBQ Grilling Stations
- Central Mail Room w/ Package Delivery Service (each building)
- Fenced Dog Park – Bark Park
- Interior Garbage/Recycling Center
- Bike Storage Area

#### **Area 2:**

- Main Club House
- Leasing/Management Staff Offices
- Co Workings Space/Business Center
- Private Event Space: Available to tenant for Birthdays and similar events.
- Fitness Center
  - Traditional Gym
  - Yoga/Dance Studio – Equipped with 24/7 Video Program
- Pet Washing Station
- Pool/Hot Tub
- Central Mail Room w/ Package Delivery Service
- Fenced Dog Park – Bark Park
- Billiard Gaming Area
- Outdoor Kitchen Area w/ Grilling Stations