

## ZONING

### *270 Attachment 5*

#### **Town of Glenville**

#### **Dutch Meadows Lane Residential Planned Development District [Added 9-4-2019 by L.L. No. 4-2019; amended 4-6-2022 by L.L. No. 2-2022; amended 12-6-2023 by L.L. No. 9-2023]**

##### **§ A270-14. Establishment of District.**

Local Law No. 4 of 2019, entitled "Dutch Meadows Lane Residential Planned Development District," and further amending the "Zoning Ordinance for the Town of Glenville and the Zoning Map of Glenville," dated April 4, 2001, and as subsequently amended, all as set forth in the Code of the Town of Glenville be and the same is hereby amended, by changing from General Business (GB) and Professional-Residential (PR) zoning, a certain parcel or piece of land constituting approximately 24.2 +/- acres (portion of Tax Parcel 30.-1-24.411) on the southerly side of Dutch Meadows Lane, as hereinafter described in Exhibit A,<sup>1</sup> attached hereto and made a part hereof, designating and creating the boundaries of such newly described area as a Planned Unit Development District zone to be known as- "Dutch Meadows Lane Residential Planned Development District."

##### **§ A270-15. Boundaries.**

The area of said Dutch Meadows Lane Residential Planned Development District consists of approximately 24.2 +/- acres bounded on the north by Dutch Meadows Lane, to the west generally by NYS Route 50 and lands of Hartford Funding LTD, Crandall and Luberda, to the south by railroad , and to the east by the lands of the Robinson Revocable Trust, Pupil Benefits Plans Inc. and Belmonte, and bounded and described specifically on Exhibit A, attached hereto and made a part hereof. Reference herein to Dutch Meadows Lane is intended for general location purposes only and is not intended to imply that all lands along Dutch Meadows Lane are within the planned unit development district, the exact boundaries of which are set forth in the attached Exhibit A, incorporated herein by reference. The land comprising the Dutch Meadows Lane Residential Planned Development District that will be developed has been subdivided into two lots, with Lot 1A consisting of approximately 8.803 acres and Lot 1B consisting of approximately 7.628 acres. The legal description designating the boundaries of Lot 1A is attached hereto and made a part hereof as Exhibit AA, and the legal description designating the boundaries of Lot 1B is attached hereto and made a part hereof as Exhibit AB.

##### **§ A270-16. Development.**

- A. The development of the Dutch Meadows Lane Residential Planned Development District has been presented and is described according to a revised application dated June 6, 2019, and a detailed preliminary site plan filed with the Planning & Zoning Commission of the Town of Glenville (sheets 1-14, included in the application) and a revised application dated March 2, 2022. This preliminary site plan may be changed, altered or amended by

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<sup>1</sup> Editor's Note: Exhibit A is on file in the Town Clerk's office.

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approval of the Planning and Zoning Commission generally consistent with the preliminary site plan and compliant with this Local Law.

- B. The Dutch Meadows Lane Residential Planned Development will consist of the following, all as generally shown on Exhibit B:<sup>2</sup>
- (1) Two 52-unit three-story multifamily buildings with garages.
  - (2) Four 26-unit three-story multifamily buildings with garages.
  - (3) Stand-alone parking garages.
  - (4) One community center, including outdoor swimming pool.
  - (5) One ninety-one-unit multifamily building with garages.
  - (6) One nine-unit multifamily building with garages.
  - (7) Other accessory uses and features shown.
- C. The setback, density, bulk, building size and height, parking, landscaping and other site development features shall be as shown on the preliminary site plan (sheets 1-14), notwithstanding any other provisions of the Town Zoning Code, including § 270-44.
- D. Aggregate green space on the site will be at least 40%. All green space shall be owned and maintained by the developer, or the developer's successor in interest. The developer and any subsequent owner shall provide the Town with and keep in force a bond or other suitable security in the amount of \$25,000 to assure the maintenance of such space. The Town Commissioner of Public Works shall determine whether the developer or subsequent owner is in breach of its duty to maintain the space and may direct remedial measures up to and including the full amount of the bond if such breach continues for 30 days after written notice to the developer/owner.
- E. The following public benefits are to be provided in connection with the project:
- (1) Land dedication: The applicant has committed to dedicate to the Town 6 +/- acres of land located generally north of Dutch Meadows Lane as more fully described in Exhibit C<sup>3</sup> including Tax Map Parcels 30.-1-24.412, 30.13-3-43.1, 30.13-3-19.1, 30.13-3-10.1 and 30.13-3-42-.1. Such dedication is conditioned on, the applicant acquiring title to such land and the project being fully approved, including all regulatory approvals, and such approvals being no longer subject to challenge or appeal. This dedication is in lieu of any recreation impact fee for multifamily buildings (but not townhouses) and this dedication furthers the open space, park and recreational objectives of the Town's Comprehensive Plan; and

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<sup>2</sup> Editor's Note: Exhibit B is on file in the Town Clerk's office.

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- (2) Connectivity improvements: The applicant shall design and construct at no cost to the Town the following connectivity/recreational path improvements ("connectivity improvements"), which will further the connectivity and recreational opportunity objectives in the Town's Comprehensive Plan: an at-grade walk-signal striped crosswalk from the easterly project driveway across Dutch Meadows Lane, a sidewalk through the multifamily buildings component of the project on applicant-owned lands to the southern Dutch Meadows Lane right-of-way at the westerly Dutch Meadows Lane driveway, and a sidewalk along the southern edge within the Dutch Meadows Lane right-of-way to its intersection with NYS Route 50. The path of the connectivity improvements is pictorially shown in Exhibit D.<sup>4</sup> Notwithstanding any other provision of the Town Zoning Code or any requirement of the Planning and Zoning Commission, the following shall apply to the connectivity improvements:
  - (3) All portions of the connectivity improvements crossing or along Dutch Meadows Lane shall be constructed only within the existing Dutch Meadows Lane right-of-way; and
  - (4) The connectivity improvements are to be designed by the applicant in its sole discretion, provided that the width of the connectivity improvements shall not be less than four feet; and
  - (5) The applicant shall be obligated to maintain or repair only that portion of the connectivity improvements located on the lands owned by it within the multifamily building component of the project, and shall have no obligation whatsoever with respect to any other portion.
- F. Parking areas shall be provided as shown on the preliminary site plan and shall be not less than required by the Zoning regulations for the number of units constructed.
- G. On-site directional signage shall identify individual buildings as required. The size, height, lettering, style, illumination and placement of all signs shall be in accordance with the Town's signage and Zoning Code requirements.
- H. Potable water shall be provided by the Town of Glenville Water District No. 11. The sewer system is to be serviced through the Town of Glenville Sewer District No. 9.
- I. For vehicular traffic purposes, there will be three points of ingress and egress for the residential planned development on Dutch Meadows Lane and one right-in/right-out point of ingress and egress on NYS Route 50, all as shown on the preliminary site plan.

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<sup>4</sup> Editor's Note: Exhibit D is on file in the Town Clerk's office.

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### **§ A270-17. Construction regulations.**

- A. All improvements shall be designed and constructed pursuant to plans and specifications approved by a duly licensed architect and/or engineer and in compliance with the New York State Uniform Fire Prevention and Building Code. When completed, these improvements shall be certified as having been constructed in compliance with the New York State Uniform Fire Prevention and Building Code. The engineer and/or architect performing the work herein described shall be employed by and at the sole expense of the owner and/or developer. All construction shall be subject to inspection and approval by the appropriate officials of the Town of Glenville.
- B. Fees commonly associated with Planning and Economic Development services (per Town Board Resolution No. 50-2008, as the same may be amended) shall be payable, except that the recreation impact fee of \$750 per multifamily building unit (but not the \$1,000 per lot for the townhouses) is waived.

### **§ A270-18. Submission of plans.**

Prior to commencement of construction within the planned residential development district, or prior to the issuance of any building permit, final site plans shall be submitted to the Planning & Zoning Commission for its review and approval in accordance with this local law and applicable provisions of the Town Code of the Town of Glenville.

### **§ A270-19. Zoning Map.**

The Town of Glenville Zoning Ordinance and Zoning Map, adopted April 4, 2001, and as subsequently amended, such ordinance now known as the "Zoning Code of the Town of Glenville," is hereby amended by providing that said Dutch Meadows Lane Residential Planned Development District be set forth on the Town Zoning Map.

### **§ A270-20. Revocation.**

Except as provided in this § A270-220C below, this amending local law shall be automatically revoked and void, and the previous statutory regulations shall apply, unless extended by the Town Board, under the following circumstances:

- A. With respect to each of the townhouse and multifamily components of the project: Commencement of the construction of the improvements described in this article have not begun within 18 months after the date that all approvals and issuance of all required permits, including all regulatory approvals, have been obtained and are no longer subject to challenge or appeal;
- B. With respect to the multifamily component:

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- (1) Substantial progress is not being made without undue interruption after construction has commenced; or
  - (2) Construction of the final phase does not commence on or before the 5th anniversary of the issuance of the final certificate of occupancy for the immediately preceding phase.
- C. In the event this § A270-220 is triggered, this zoning law shall remain in full force and effect for lands upon which a portion of the project has been constructed or is under construction and any such construction shall be deemed to comply with the Town of Glenville Zoning Law.