

**Nadler Planned Unit Development- Exit 27
Sketch Plan Review
Town of Florida-Montgomery County, NY
Planning Board Meeting September 12, 2022**

**Comments Regarding Planned Unit Developments Section 6.1-5 Applications and zoning approvals-
Valarie Ferro, AICP**

Based on the technical information submitted to the Planning Board, and in consideration of the comments heard during the 11 July 2022 Public Hearing, the issuance of a Favorable report can be supported by the Planning Board as follows:

(a) That the proposal meets the intent and objectives of planned unit development.

The applicant has thoroughly addressed the intent and objectives of the proposed planned unit development specified in Section 6.1-1(B) and detailed in the attached document entitled, *Planned Unit Development- Exit 27, Sketch Plan Review' Town of Florida-Montgomery County, N Y- Planning Board Decision Objectives Section 6.1-1(B)*. This document was electronically transmitted to Emily Staley and Deb Slezak on 6 July 6 2022.

(b) That the proposal meets all the general requirements in this article.

Section 6.1-2 outlines the General Requirements of a PUD which the proposed Nadler meets as follows:

Ownership.

- The land included in the proposed Project area may be owned, leased or controlled either by a single person or corporation, or by a group of individuals or corporations.

The Nadler PUD project area includes six parcels owned individually by two owners.

- An application must be filed by the owner or jointly by owners of all property included in a project.

The request for the Nadler PUD was submitted on behalf of the owners (represented by Mullins Realty and Winstanley Enterprises).

Minimum area. The minimum area for a PUD shall be 25 contiguous acres of land.

The proposed PUD project Area includes 508 acres although a large portion will remain in its natural state or be landscaped as part of the development to provide buffers from adjacent properties.

(c) That the proposal is conceptually sound in that it meets a community need and it conforms to accepted design principles in the proposed functional roadway system, land use configuration, open space system, drainage system and scale of the elements, both absolutely and to one another.

The proposed Nadler PUD meets a continuing need for commercial and industrial sites to provide tax revenue and potential jobs. Available sites are becoming scarce, and the location adjacent to the NYS Thruway directs development where it can be supported by infrastructure rather than within the town on local roads that weave through neighborhoods. The current tax base is dominated by single family homes that continue to increase the number of school-aged children, thereby necessitating an increase in school taxes which Florida residents pay directly. Measured development such as this PUD will help lessen this burden.

The development arising from this zone change will be carried out with all the necessary utilities, stormwater handling, and roadway improvements required under the Town's Zoning regulations. The concept as originally proposed depicts a functional system of building and site improvements but these will be further defined through the Town's site plan approval process. Furthermore, site plan review allows refinement of the design plans as the review process unfolds; and as specified Section 6.16 of PUD regulations, the Planning Board also has the authority to review the site plan in relation to the original sketch plan.

(d) That there are adequate services and utilities available or proposed to be made available in the construction of the development.

For development to occur, the existing utilities must be extended. This is why coordination with the City and Montgomery County was initiated early. In March 2021, City of Amsterdam officials were given an overview of the project, and the City indicated that there was adequate capacity in the City of Amsterdam's water and sewer system to support the proposed development. And would welcome an expansion.

Interest in the expansion of utilities was recognized years before the idea of this PUD was conceived. In January 2006, John M. McDonald Engineering P. C. completed an engineering study for the City of Amsterdam entitled, "Water and Sewer Expansion to the South". In January 2019 Prime AE (who acquired McDonald in 2015) on behalf of the City of Amsterdam, completed an analysis of routing of water and sewer to the south side of Exit 27 via a directional bore under the NYS Thruway. With renewed interest in Exit 27 development, Prime updated it analysis in March 2021.

The site plan application for each proposed development site within the PUD will require a thorough examination of water and sewer service and capacity analyses. Development cannot proceed without the extension of utilities.

(e) That the proposal is in accordance with the Comprehensive Plan and furthers the policies, goals and/ or objectives of the Comprehensive Plan.

The original application narrative outlines the Proposed Nadler PUD's consistency with the Comprehensive Plan. Consistency was also summarized in the Applicant's response to public comment.

The Comprehensive Plan sets forth recommendations to retain the rural character of town by preserving farming and agriculturally used lands. In examining the Town's land use and development trends over the last 25 years, the amount of land remaining in agricultural use has remained the same or has slightly increased despite the addition of several industrial/manufacturing facilities properties. This fact is based on a GIS analysis carried out by the Montgomery County Planning Department.

The Town's rural character has been preserved because the Planning Board has followed the Comprehensive Plan to achieve a balance of agriculturally-zoned land, which does allow development, and commercial/industrial development. Page 63 of the 1996 Comprehensive Plan directly acknowledges the need for this balance.

The percentage of agricultural land in town has not changed since the Comprehensive Plan amendments despite the addition of several industrial developments. The town is approximately 60% now as it was in 2011. Though only 2% of Florida residents are employed in agriculturally-related work, the Town has retained its agricultural character and will likely do so because there are only very specific areas that industrial and commercial end-users have interest—that is along Route 5s, because that is where the original business park zone was established, and around Exit 27. There is based on specific siting criteria for not only warehousing/distribution but also industrial.

The proposed Nadler PUC does not conflict with the 2011 Amendments as some vocal opponents have suggested. Chapter 8. Future Zoning Issues presents considerations for future amendments to the zoning ordinance. *Issue #7 Future Commercial/Industrial Development in Town*, references industrial growth would continue to be concentrated in the IBP District. There is no mention of restricting development elsewhere but throughout the Plan and its amendments, preserving the agricultural character of the town was a major goal, as was the need to continue to attract business, grow the tax base, and provide new (and now emerging) employment opportunities for residents.

Issue #7 also addresses the desire to create a “downtown” or an area of concentrated commercial activity at the Route 30/Route 161 split by creating a “Mixed Use Hamlet District”. Presently, the area is designated as C-1 Commercial. No mixed use is specified in the C-1 Zone. The proposed Nadler PUD would not prohibit or interfere with the rezoning of this area or its subsequent development if there was a market for a 30 to 40-foot structure at that intersection and there was adequate site distance and utilities to support it.