

TOWN OF WAWARSING
LOCAL LAW NO. 2 OF 2023

A Local Law to enact certain amendments to Chapter 112, Zoning, of the Code of the Town of Wawarsing, to make zoning revisions that update and supplement Planned Unit Development Districts. Text amendments to Section 112-5 Enumeration of Districts and 112-45 Planned Unit Development Districts to add Planned Resort Development Somerset. Establishment of the Planned Resort Development Somerset creating new section 112-48 and designation of tax parcel as PRDS and associated Zoning Map change.

BE IT ENACTED, by the Town Board of the Town of Wawarsing as follows:

SECTION I. TITLE.

This Local Law shall be known as "A Local Law Enacting Certain Zoning Amendments to Chapter 112, Zoning, Code of the Town of Wawarsing regulation of Planned Resort Development Somerset".

SECTION II. AUTHORITY.

This Local Law is enacted pursuant to the authority of Municipal Home Rule Law 10, the New York State Town Law, and in accordance with Chapter 112, Article XIX, Amendments, of the Code of the Town of Wawarsing. To the extent that the provisions of this Local Law are in conflict with Section 278 of the New York State Town Law, the Town Board hereby asserts its intent to supersede Section 278 pursuant to Home Rule Law.

SECTION III. REVISIONS TO CHAPTER 112, ZONING.

§ 112-5. Enumeration of districts.

A. The Town of Wawarsing is hereby divided into the following types of zoning districts:

- AD Agriculture Development District
- RP Ridge Protection District*
- VP Viewshed Protection District
- RU Rural District
- RH Ridge Hamlet District*
- RS-1 Low Density Residential Settlement District
- RMH Residential Manufactured Housing District
- MU Mixed Use District*
- NS Neighborhood Settlement District
- BH Business Highway District
- PCIM Planned Commercial, Industrial & Mixed Uses District*

RED Resort and Economic Development District*

PRDS – Planned Resort Development Somerset *

* See Appendices for development standards and design guidelines

§ 112-45. Planned unit development districts.

A. Purposes and types of planned unit developments (PUD).(1) The Town hereby establishes four types of planned unit developments (PUDs) which are floating zones, and which may be established through application to the Town Board. The Town Board, in its discretion, may approve a zone petition for a Planned Industrial Development (PID) District, a Planned Resort and Recreation Development (PRRD) District, a Planned Resort Development-Somerset (PRDS) or a Planned Senior Development (PSD).

B. Procedures. The Town Board, in its discretion, may establish planned unit development districts in the following manner:

- (1) An applicant shall submit a zone petition and application to the Town of Wawarsing Town Board to establish a PID, PRRD, PRDS or PSD District. The application shall be in writing and include a concept plan drawn to scale. The application and concept plan shall include the following information:

§ 112-48 Planned Resort Development -Somerset

A. Purpose and development objectives.

- (1) Purpose. It is the purpose of this Planned Resort Development-Somerset (PRDS) to allow the establishment of a planned and integrated resort development on the site of the former Nevele Resort, subject to Site Plan and Subdivision review by the Town of Wawarsing Planning Board. The Town of Wawarsing Comprehensive Plan recognizes the importance of maintaining and revitalizing major existing and historical resort facilities in the Town; the former Nevele Resort is a primary example.
- (2) Planned resort district developments permit establishment of appropriate areas within the Town in which recreational uses may be brought together with residential and commercial uses in a compatible and unified plan of development, which shall be in the interest of the general welfare of the public, and the community at large. This article specifically encourages innovation in resort development so that market demands for recreational activities, commercial resort uses and resort housing at all economic levels may be met by innovative design and by the conservation and more efficient use of land in such developments.
- (3) This article recognizes that the standard zoning function may not be practical in resort developments due to the large tracts of land involved and the need for a fully integrated plan of development and operation. Further, this article recognizes that a rigid set of space requirements, along with bulk and use specifications, would frustrate the application of this concept. Thus, where planned unit development

techniques are deemed appropriate through the rezoning of land for uses set forth within a Planned Unit Development District by the Town Board, the set of use and dimensional specifications elsewhere in this chapter are herein replaced with an approval process in which an approved plan becomes the basis for continuing land use controls.

- (4) All PRDS developments shall comply with the provisions of the New York State Environmental Quality Review Act [SEQRA] in all manner and respects [See 6 NYCRR Part 617, et. seq.]

B. Zoning objectives.

The objectives of this PRDS are as follows:

- (1) Innovation and variety in the type and design of commercial resort development and the establishment of new structures as well as the renovation of existing structures;
- (2) Provide adequate utilities and infrastructure including accessways, stormwater management facilities, water distribution and sewage collection facilities;
- (3) Preservation of significant natural resources, such as wetlands and water bodies, and other areas of scenic and ecological value, as well as pre-existing open space areas and recreational amenities;
- (4) Preservation of long-standing land uses consistent with community character and adjoining or nearby uses;
- (5) Significant enhancement of tourism activity and related support services;
- (6) Creation of diverse employment opportunities for residents in the Town and Ulster County; and
- (7) Inducement of private investment in the Town, county and region, including reinvestment in existing businesses, and the attraction of new seasonal and year-round businesses.

C. General requirements.

- (1) Ownership. The tract of land for a project may be owned, leased or controlled either by a single person or corporation, company, partnership or other business entity or by a group of individuals, companies, partnerships, or other business entities. An application must be filed by the owner or jointly by owners of all property included in a project. In the case of multiple ownership, the approved plan shall be binding on all owners.
- (2) All common areas and amenities shall be owned and operated by an appropriate legal entity that will exist in perpetuity. The conveyance of individual parcels within a PRDS shall be acceptable, provided provision is made for continuity of restrictions and controls in the form of any applicable deed covenants, restrictions and easements.
- (3) The post-development ownership and maintenance plan shall be part of the application and approval process. Said post-development plan shall include a

mechanism that will provide unified control and authority over the operations of the development so that there is one entity or individual that is responsible for enforcing the terms and conditions of the PRDS approval for all tenants, homeowners, business owners and other users of the PRDS.

- (4) The buildings and structures shall be compatible with the character exhibited within the surrounding environs and the natural surroundings. The Town Board shall approve general design guidelines for the development. Design guidelines are provided as Appendix X
- (5) The applicant shall demonstrate that adequate emergency service facilities are provided for the proposed uses. The applicant shall demonstrate that adequate emergency access is provided to the site. Police, fire, ambulance and other agencies that are required to service the proposed development shall be provided with a copy of the application for review and comment, and the Town Board shall take any comments into consideration in its deliberations.
- (6) In order to minimize visual and noise impacts on adjoining parcels, any new building or parking area shall only be permitted in accordance with the setbacks set forth below. The exception to this rule may occur where a building or roadway already exists. The developer shall work to exceed this minimum and provide adequate screening. A combination of fencing, natural, undisturbed areas, supplemental plantings or landscaping shall be provided to create a visual buffer and separation between surrounding existing and prospective uses and the proposed development.
- (7) On-site lighting shall be designed and installed in a manner that minimizes visual impacts to the night sky. All lighting shall be glare shielded and downward directed. A lighting plan depicting the level and intensity of illumination within the site and at the property boundary shall be submitted to the Planning Board as part of the site plan and/or subdivision review. Decorative lighting fixtures appropriate to a rural and rustic setting shall be incorporated into the overall design of the development.
- (8) A landscaping plan shall be submitted.
- (9) Utilities. The resort shall be serviced by central (community) water and sewer systems and/or municipal water and sewer systems. All water, sewer and gas lines and all other lines providing power and communications service shall be installed underground, to whenever practicable.
- (10) Development projects within the PRDS will pledge to continue reasonable access for connectivity to the Regional Rail Trail Network to the extent connectivity is within the control of the project sponsor.

D. Allowed uses.

- (1) Any type of nonresidential and residential use may be permitted within an area designated as a PRDS, subject to the provisions of this article and the conditions of approval of the PRDS, provided that the resort recreational use is the predominant use with at least 50% of all the land area devoted to uses for recreation and provided

that the nonresidential uses are appropriate for a resort-type community and function.

(2) Resort/Hospitality uses.

- i. The use allowed in the PRDS shall be a resort as defined in this Zoning chapter. The following uses shall be allowed in connection with a resort:
- ii. Hotels; amenities;
- iii. Convention and conference centers;
- iv. Wedding and catering venues and related facilities;
- v. Seasonal or year-round, indoor and outdoor commercial, private and/or public recreational, sports and amusement uses, including, but not limited to, golf courses and related facilities; skiing and related facilities; sledding and related facilities; rock climbing; zip lines and alpineslides; snowmobiling trails and facilities; ice skating; boating and related facilities; fishing and related facilities; court sports and related facilities; swimming pools and other aquatic facilities and amusements, including water slides and water features; equestrian facilities; mountain biking trails; bowling facilities; rail trails; hiking and walking trails; and, other recreational uses deemed acceptable by the Town Board, which Board can limit the use of motorized recreation uses based on noise and other environmental impacts;
- vi. Tourism-related brewery, distillery, winery or food production use
- vii. Theaters, including, but not limited to, live and recorded performance venues, movie theaters, indoor performance theaters, outdoor performance amphitheaters and dinner theaters and other entertainment type uses deemed acceptable by the Town Board;
- viii. Retail uses subordinate to and integrated into the overall resort;
- ix. Personal service and business offices commonly associated with a resort;
- x. Restaurants and catering facilities, including bars and taverns;
- xi. Health spas and fitness services commonly associated with a resort;
- xii. Agricultural uses and operations.
- xiii. Cultural Facilities.

(3) Residential Uses

- (4) Residential development including but not limited to single family, two-family and multifamily dwelling units.

E. Accessory uses

- (1) Utility structures and utility facilities serving the resort;
- (2) Other uses and facilities customarily accessory to such a resort and deemed appropriate by the Town Board.

F. Overall Development Program

(1) Development of a PRDS shall preserve no less than 50 percent of the property as open space of land. Areas used for public or private recreational purposes, including, but not limited to, golf courses, skiing, walking trails and the like, exclusive of any areas covered by structures associated with such outdoor uses, shall be considered open space. The open space lands may include important ecological, aesthetic and recreational characteristics.

(2) Development Program

i. The Development Program shall be depicted on the Project Master Plan. The Master Plan presented at the time of the request for PRDS designation shall identify the unit count, type of use for residential and nonresidential/resort uses. The following development program shall serve as the foundation for the Master Plan and shall be established by the Town Board. Subsequent changes in the allowable unit count may occur during the Site Plan review phase as reviewed/accepted by the Planning Board to address site uses, changes in market or other conditions. Increases to the total unit count shall be subject to SEQRA review and review/approval by the Town Board. Variations to the unit count shall be subject to the review/approval by the Town Board and provided the total unit count is not increased, SEQRA review shall not be required in such instances.

ii. Residential Development

- | | |
|------------------------------------|--------------------|
| 1. Single Family Dwellings | 46 Dwellings |
| 2. Single Family Attached Dwelling | 44 Dwellings |
| 3. Multi-Family Dwellings | 136 Dwelling Units |

iii. Hospitality/Hotel Accommodations

- | | |
|--|---------------|
| 1. A total of 138 Keys or dwelling units are proposed | |
| 2. Hotel/ Main Lodge & Cottages | 78 Keys/Units |
| 3. Hotel/Condominium | 60 Keys/Units |
| 4. Hospitality/hotel accommodations will be managed by central entity and the term/length of stay, ownership, and occupancy will vary given the target market/users and as described in Section 3 above. | |
| 5. Workforce Housing | 100 Units |

(3) Developers Agreement

i. The Applicant, Town Board and Planning Board may mutually determine to implement a Development Agreement in association with site plan and subdivision review and as part of any associated Approvals.

- ii. The development agreement may address issues such as phasing, construction schedule, timing of certain site improvements, performance measures, target income levels and unit counts to address housing affordability, The Developer's Agreement shall be approved in a form by the Town's counsel, and signed by the involved parties..

G. Dimensional Standard

(1) Single Family Dwelling Lots

- i. Minimum Lot Area 0.75 Acres
- ii. Minimum Lot Width/Frontage 100 Feet
- iii. Minimum Lot Depth 100 feet
- iv. Setbacks
 - Front 10 Feet
 - Side 10 Feet
 - Rear 10 Feet
- v. Maximum Height 35 Feet

(2) Multi- Family Dwelling Type I

- i. Maximum Height 75 Feet

(3) Multi-Family Dwelling Type II 35 Feet

(4) Hotel/Hotel Condominium

- i. Maximum Height 75 Feet

(5) The Planning Board during the site plan review and subdivision process may waive any dimensional standard upon good cause.

H. Prohibited uses.

(1) Adult uses, as defined in this Zoning chapter, shall be prohibited in a PRDS.

I. Common property.

(1) Common property in a planned resort development is a parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the individual building sites. Common property shall be allowed within a PRDS and may include private streets, drives, services, parking areas, and recreational and open space areas.

(2) The ownership of land dedicated for park, recreation or open space use shall be determined by the property owner or applicant. The person or entity having the right of ownership shall be responsible for its proper maintenance and continued upkeep.

(3) Ownership shall be with one of the following: a private, nonprofit organization

incorporated with a purpose consistent with the use and management requirements of the dedicated land; shared, common interest by all property owners in a subdivision; a homeowners', condominium or cooperative association or organization; or private ownership encumbered by deed restrictions, negative easements and/or a conservation easement pursuant to § 247 of the General Municipal Law or §§ 49-0301 through 49-0311 of the Environmental Conservation Law. When common property exists in private ownership, satisfactory arrangements shall be made for the improvement, operation and maintenance of such common property and facilities, including private streets, drives, services, and parking areas and recreational and open space areas.

J. Other zoning regulations.

- (1) It is the intent of the Town's PDD Provisions and this PRDS to allow flexibility in design. Development within the PRDS Zoning District shall be governed by this section and to the exclusion of any inconsistent provision of the Code of the Town of Wawarsing. This exclusive applicability shall not operate to nullify the requirement of the Applicant to comply with all appropriate land use, zoning and environmental controls as may be applicable to the specific PRDS project under review. Rather, the PRDS provisions shall be applied in a flexible manner which recognizes that other specified zoning code provisions are not generally adaptable to PRDS review.
- (2) Streams and Wetlands. Notwithstanding and other section of the Town of Wawarsing Zoning Law, including Section 112-21, the stream, waterbodies and wetlands standards, including any required buffering, as regulated by the United States Department of the Army Corps of Engineers and the New York State Department of Environmental Conservation shall be wholly controlling withing the PRDS.
- (3) The provisions of Chapter 70 of the Code of the Town of Wawarsing to the contrary notwithstanding, The Town Board shall serve as the Historic Preservation Commission within the meaning of such chapter with respect to properties in the PRRD Zoning District and shall have allthe authority with respect thereto as provided in that chapter.

K. Development phasing.

- (1) If the applicant wishes to develop the PRDS in phases, or if the Town Board wishes to require that development be phased, the applicant may then submit only those phases for site plan review and/or subdivision approval per the approved staging plan.
- (2) A phasing plan shall be submitted to the Town Board as part of the PRDS application materials if development phasing is contemplated by the applicant. The Town Board shall have the authority to approve, with or without modifications and/or conditions, or deny the phasing plan based on the following standards:
 - i. Each phase must be related to surrounding areas and available public

facilities in such a manner that failure to proceed to subsequent phases will not adversely affect those areas or facilities.

- ii. Each phase, when Substantially Completed, must be able to function on its own or in conjunction with prior phases without substantial dependence on subsequent phases substantially. Construction of subsequent phases shall not occur until completion of the previous phase. For the purposes of this Section Substantial Completion shall mean the point by which a minimum of 80% of the Project infrastructure is completed for the Project phase being constructed.
- iii. The infrastructure, as installed, shall be sufficient to accommodate each planned phase of development.

L. Construction schedule.

- (1) The applicant shall propose, and the Town Board shall review and approve a construction schedule for the development of an approved PRDS. Generally, commencement of development of the PRDS, or the first phase if a phased PRDS is approved, must occur within two years of the date that the final site plan of the PRDS is approved. However, it is recognized that, depending on the scale and complexity of the development, and overall market conditions, consideration may be made with respect to the reasonable time necessary for the applicant to obtain construction financing, insurance and bonds, executing construction contracts, and other such aspects involved in a development project. Thus, the Town Board may extend the time period allowed for commencement of construction depending on the circumstances.

M. Financial security.

- (1) The Town Board may require the posting of financial security in the form of a bond, letter of credit or other sufficient security in order to ensure that all public improvements are carried out as specified in the plans and approvals. Private improvements shall not require that Financial Security be posted. The Boards shall follow the procedures in the New York State Town Law § 277(9) for such financial security.

N. Expiration of approval.

Unless otherwise specified or extended by the Town Board, any PRDS approval shall expire if the applicant fails to commence the proposed action or project within five years from the filing date of such decision thereof.

SECTION IV. EDITS AND ADDITIONS.

Existing §112-5A is repealed in total and in its place is § 112-5A set forth herein. Existing §112-25 A and B are repealed in total and in its place is §112-25 A and B set forth herein. §112-48 is an addition to the Zoning Code. The Zoning Map is amended to reflect and include PRDS District.

SECTION V. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

SECTION VI. CONFLICT WITH OTHER LAWS.

Where this Law differs or conflicts with other Laws, rules and regulations, unless the right to do so is pre-empted or prohibited by the County, State or federal government, the more restrictive or protective of the Town and the public shall apply.

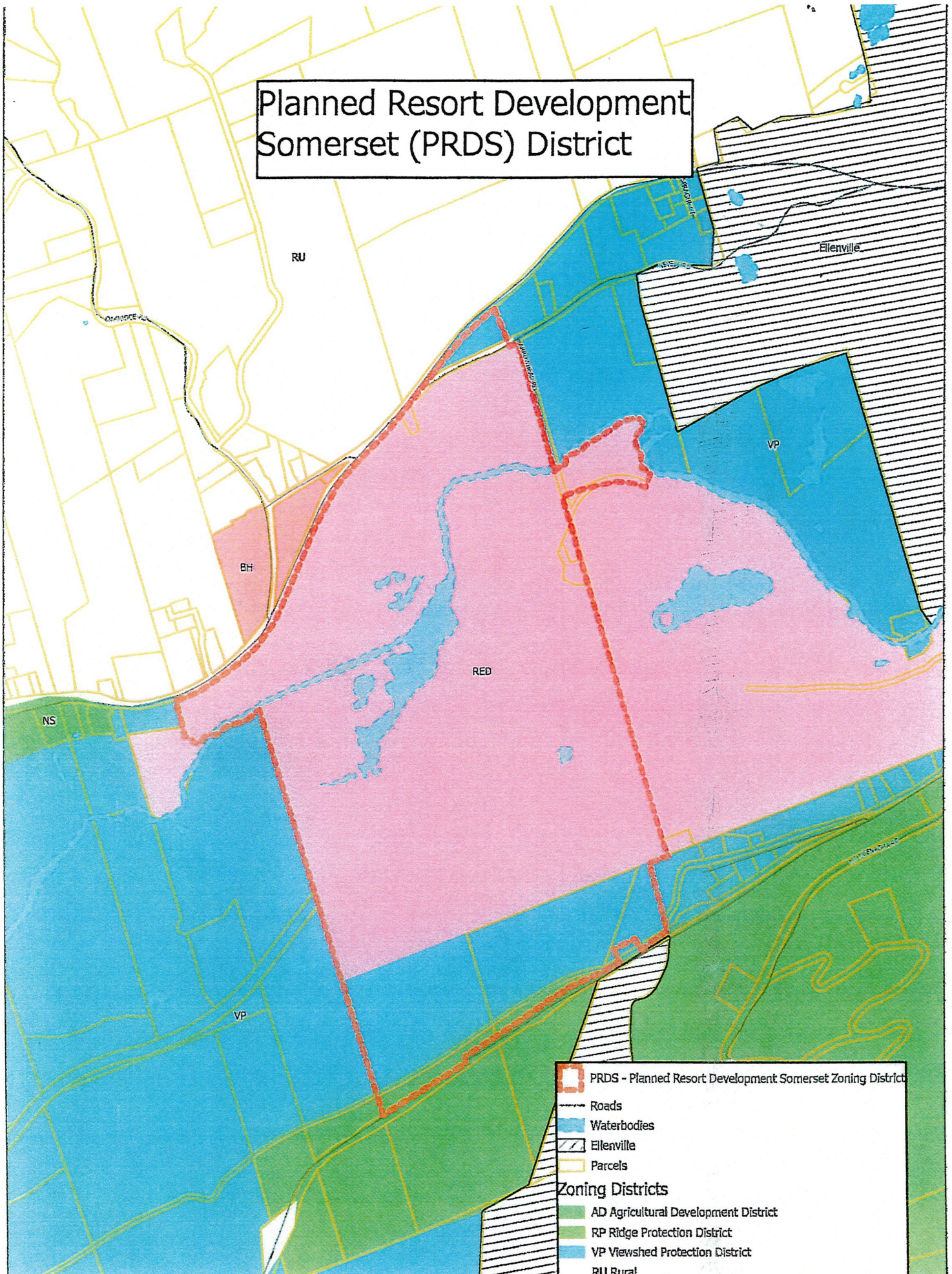
SECTION VII. EFFECTIVE DATE.

This Law shall become effective upon filing with the New York State Secretary of State.

SECTION VIII. AUTHORITY.

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local law shall supersede the provisions of the Town Law to the extent it is inconsistent with same, and the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

Planned Resort Development Somerset (PRDS) District



APPENDIX X

PLANNED RESORT DISTRICT SOMERSET (PRDS) DESIGN GUIDELINES

A Purpose and Intent

These Design Guidelines are intended as a companion document to 112-48 Planned Resort District – Somerset (PRDS) zoning code which will serve to outlining the basis for redevelopment of the former Nevele Resort located at Arrowhead Road, Wawarsing, NY.

These guidelines are provided to the Town Board and Planning Board to address the physical design criteria and development within the PRDS. They provide design criteria related to site organization, architecture, landscape, parking, site design, and circulation in support of Design Development and Site Plan Approval process. These design guidelines are intended to serve as a 'living document' and actual design may be further refined as the Site Plan Approval Process advances.

A). General Building and Site Design Parameters

All development within the PRDS zone shall be in accordance with the parameters set forth below:

1. Building Placement and Site Development

- a. Shall prioritize the avoidance of steep slopes, dense vegetation, existing contiguous ecological communities, and mature existing trees.
- b. Shall prioritize safe and adequate fire and emergency access. Where forest cover and slope are prohibitive for fire truck routing access to be provided by dedicated carts equipped for emergency medical support.
- c. Shall prioritize open space between structures as otherwise allowable, and maximize variation and scale of such spaces.
- d. Shall prioritize the relationship to and work in harmony with existing site features, particularly any notable features which define the natural character of the site.

2. Building Massing

- a. Shall be of a cohesive and complimentary height, bulk, scale, and style of the overall resort design.
- b. Shall prioritize the reduction of scale and minimize adjacencies to other structures.
- c. Shall avoid long monotonous uninterrupted surfaces.

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3. Building Materials

- a. Buildings, fencing, and onsite open air structures shall prioritize the use of natural materials, colors, and textures.
- b. Shall be of high quality and appropriate to the building type
- c. Shall be installed in manner inherent to their properties and consistent with best practices, in order to maintain longevity.
- d. Shall be treated and finished in a manner to accentuate their natural character
- e. Usage and sourcing of common local building materials shall be prioritized in the design, where possible.

4. Building Features

- a. Building facades shall prioritize the visual reduction of scale, and utilize material articulation, texture, and depth to animate surfaces.
 - b. Windows shall not be limited in size or type, but shall be configured to prioritize privacy between buildings.
 - c. Roofs shall be permitted to be flat or sloped; roofs shall be clad in high quality materials appropriate to the building design, including flat roofs where prominently visible.
 - d. Accessory equipment such as heating and cooling units, trash receptacles, maintenance equipment, etc., when installed outside, shall be hidden from view by fencing or landscape screening, including all equipment installed on roofs.
5. A companion document of elevations and material palettes to be submitted during site plan approval.

B). General landscape parameters

- 1) Trees above 12" in DBH will be surveyed by a certified arborist in a compiled tree survey noting species, dripline/canopy spread, health, estimated height. This information will serve as the basis for the sitewide soil and tree protection plan. Roadway and pathway alignments and building location will prioritize preservation of native or botanically significant species of good health and character.
- 2) Tree protection specifications will be provided outlining fencing requirements, minimum offsets, signage, and maintenance during construction activities. Drive aisles, haul roads, and lay down areas will be prohibited within the dripline of existing trees.
- 3) Plant selection will prioritize low maintenance, low water demand, native species, with a minimum of 75% plants and trees being native to the Catskills mixed forest landscape. The exception being the culinary garden due to the experimental nature of the garden's edible theme.
- 4) Existing topsoil on site will be prioritized to remain, be protected from compaction through construction, and be amended in situ post construction.

Planned Resort District Somerset (PRDS) Design Guidelines

- 5) Plant selection and landscape design shall consider site program, sightlines, seasonality, and adjacencies to maintain a cohesive naturalistic landscape character in keeping with the overall resort themes of ecological sustainability.
- 6) Visual screening onsite will prioritize vegetated solutions with a mix of deciduous and coniferous trees and shrubs to allow year round visual interest and foster pollinator species.
- 7) Delineated waterbodies with adjacent construction will have a planted buffer of a minimum 10' of wetland species to filter run-off and dilute potential contaminants from surface water. The frontage of all water bodies will avoid the use of lawn due to the potential for pesticide use and high maintenance regimes.
- 8) Priority will be given to connect significant isolated vegetated patches to allow passage and movement of animal and reptile communities.

C). Site access and Sidewalks

- 1) Alignment of all pedestrian trails or pathways subject to field layout and to prioritize existing alignments and routes. Pedestrian pathways and trails to avoid removal of healthy existing trees over 12" caliper and intact plant communities of ecological importance except when deemed necessary by ADA and accessibility requirements or when avoidance of existing trees would require retaining and or grading.
- 2) Driveway, sidewalk/walkway and curb material (if used) shall be functional and compatible with the style, material, colors and details of the onsite resort and residential buildings. The selection and use of pavement and curb materials shall consist of stable material. Modular masonry materials such as brick blocks, slate/stone, dimensional stone, or cast in place materials such as exposed aggregate concrete slabs shall be used whenever possible on or to define the limits of pedestrian pathways. Priority will be for permeable, and natural materials on trails with low foot traffic and low visibility areas of a compatible slope.
- 3) Garden pathways are not subject to the same restrictions of primary pedestrian and/or driveways and will be designed in keeping with the overall resort material palette and character established by the Resort Landscape Architect. In keeping with the overall resort theme of environmental stewardship pathways will prioritize natural and noble materials with porosity.
- 4) An overall material palette for all onsite dwelling pathways and drive aisles will be adhered to by all residential properties except with special written permission by the HOA.
- 5) Site Access is required to be located at the point closest to the side property line to provide for a shared entrance at Arrowhead Road. Supplementary access points are to be provided with clear signage and supported by traffic impact analysis study(s).

Planned Resort District Somerset (PRDS) Design Guidelines

6) For all properties within the PRDS zone sidewalks with a minimum of 5 feet shall be provided except when in conflict with an existing tree (with caliper greater than 12") or natural feature requiring a smaller dimension to avoid disturbance.

D). Parking and Loading

This section applies to onsite parking lots for individual cars and trucks. Single detached residential units parking areas within the district may be unpaved partially or wholly except for accessible parking areas and travelways, but shall be of an appropriate material as set forth therein.

- 1) Off street parking and loading facilities shall only be placed to the rear and/or on one side and shall not be located between the front lot line and the buildings, except for necessary access drives, or when significant natural site features are in conflict (eg. wetlands, existing mature tree driplines, riparian slopes, or significant vegetation). Corner packing lots shall not be permitted.
- 2) At the time of change of use, or expansion, alteration or renovation of an existing use, existing parking at the front of a property of pre-existing buildings shall require, at minimum, a 10' wide landscape buffer consisting of an existing vegetated area (may include wetland, existing trees, or shrubbery), a hedgerow, shrub planting, berm, or combination to screen the parking area from the adjacent road or property.
- 3) Parking lot layout, landscaping, buffering, and screening shall to the greatest extent possible prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise or exhaust fumes onto adjacent properties in particular adjacent to residential properties.
- 4) Parking areas shall be accessed by means of shared or common driveways, preferably from side streets or lanes. Off-street parking areas of less than 25 spaces for common resort buildings or multifamily dwellings shall, wherever possible, be interconnected with parking areas.
- 5) Parking areas shall be landscaped to provide shade and visual relief, shade, and passive stormwater management; and shall include planting islands of herbaceous material and/or new and existing trees. Wherever possible shade for parking is to be from mature existing trees either perimeter or within the parking area that are deemed healthy and will not be adversely affected by necessary changes to hydrology or topography to facilitate accessible routes. Planting shall constitute a minimum of 10% within the total parking area except when 60% of lot perimeter is vegetated, and a minimum of one deciduous or coniferous shade tree for every 10 parking spaces. This does not apply to cart parking/charging stations or parking lots less than 10 cars. Striping, vegetated islands, and wheel stops will primarily be used to organize parking areas.
- 6) No parking is to be on internal site roadways except with special permission by HOA. Single family detached and attached parking to be within individual garages, dedicated parking spaces, or on dedicated individual driveways. A maximum of 2

Planned Resort District Somerset (PRDS) Design Guidelines

cars are to be parked within the individual driveway without special permission by HOA.

- 7) Valet or Resort operations parking may determine specific vehicles for parking in areas not defined as parking lots.

E) Buffers and screens

- 1) Buffer Zone: A minimum buffer zone of 10 feet in width shall be provided on any commercial site, use or building which is located adjacent to a public right of way or residential use. Buffer zones will be planted with a mix of deciduous and coniferous trees, shrubs, and/or perennials to provide adequate screening.
- 2) All loading docks shall be oriented to avoid direct view from the street and guest experience except when adjusting building orientation would be in conflict with preservation of natural site features or require extensive grading and/or infrastructure. Loading docks concealed from view by vegetated or screens in an architectural style in keeping with the overall development. Screens shall be a minimum 4' high.
- 3) All air conditioning units, HVAC systems, exhaust pipes or stacks and/or miscellaneous mechanical facilities to be thoroughly screened from the public right of way and adjacent properties using walls, fences, roof elements, berms, or vegetation.

F) Outdoor Storage

1) Resort Buildings

- i) Outdoor storage of goods and materials will be screened by designed screens of a minimum 4' height in keeping with the Architectural language of the resort. Where objects are not visible from the public right of way or guest experience cmu or masonry materials may be used. Priority will be for vegetated screening.

2) Residential Buildings

- i) Outdoor storage of any kind visible to the public right of way is strictly prohibited. Residents may petition the HOA board for special exceptions. This may include but is not limited to:

- Recreational vehicles
- building or plant materials
- structures (such as a tree fort or children's play equipment)

- iii) A standard screen detail will be included for all residences who wish to add any outdoor supplemental storage. All construction of outdoor storage structures must be built by an approved contractor and built under the guidelines set for the residence and resort.

G) Lighting

- 1) Site lighting will be dark sky and wildlife compliant and prioritize absolute minimum light levels for safety and wayfinding.

Planned Resort District Somerset (PRDS) Design Guidelines

2) Luminaires, poles, and/or bollard material to be muted and in keeping with the surrounding resort and landscape color and material palette except when incorporated into an art piece. Foundations to be flush with or concealed below grade.

3) The majority of site lighting will be pedestrian in nature with a maximum overhead height of 16' if not mounted on a building, with the exception being primary vehicular routes and the dedicated sports area. Priority will be given to reducing site poles and infrastructure, where possible lighting will be mounted on buildings.

3) Lighting will avoid offsite glare and light pollution or spillover into the public right of way.

H) Signage

1) New and Renovations to existing signage visible from the perimeter of the property and highway will be submitted to the Planning Board for Review and Approval. Design will adhere to the following minimum requirements:

- I. A maximum of 1 sign will be permitted for each entrance and exit and building.
- II. Freestanding internally lit signs and billboard style signage is prohibited on this property.
- III. Window signage will be limited to 15% of the total window size.
- IV. Directional and regulatory signage will be reviewed by appropriate agencies and incorporated into design features and resort/residence materials where possible.
- V. Signs mounted on a building or structure will be a maximum of 25% wall square footage and where facing public right of way be submitted to the Town Board for review and approval.
- VI. Signage will be incorporated into the landscape.
- VII. Signage mounted on a natural feature (rock) will be designed to the scale appropriate to the individual substrate and natural variations. Signage on natural features will not obscure more than 25% of the feature.
- VIII. Signage lighting to be dark sky compliant.

I) Utilities

- 1) Onsite utilities to be buried unless existing conditions prove prohibitive.
- 2) Utility transformers or control rooms to be subsurface or screened by vegetation and/or Architecturally design structures should subsurface location be prohibitive.

J) Stormwater Management

1) Stormwater management for the Project will be designed in compliance with the NY State Pollution Discharge Elimination System (SPDES) permit program. Coverage under SPDES General Permit GP-0-20-001, Stormwater Discharges from Construction Activities will be obtained. Project stormwater design will meet the criteria established by NYSDEC for quality and quantity controls as specified in the NY State Stormwater

Planned Resort District Somerset (PRDS) Design Guidelines

Management Design Manual, 2015 (or latest edition), and the NY State Standards and Specifications for Erosion and Sediment Control, 2016 (or latest edition).

Stormwater management to prioritize passive systems of planted swales for surface conveyance, onsite detention, biofiltration and infiltration for treatment, and controlled release.

2) Soft systems of stormwater treatment to be prioritized over direct release hard subsurface infrastructure and structures. Stormwater treatment criteria will be established per the SPDES general permit requirements.

4) Oil and grit separators will be provided at outlets adjacent roadways, parking lots, or sources of oil pollution.

5) Stormwater structures (if needed) will be screened from view with plant material.

K) Site Operations and Management

1) Site operations and maintenance to prioritize seasonal upkeep of landscapes and grounds to remove dead or dying plant material and keep site and perimeter free from litter.