

**Green Infrastructure Site Plan Review
A Planning Board Role Play**

FINAL "SCRIPT"

Scenario, Scene, Roles, Goals, Handouts, Visual Aides, Sequence

Scenario:

This 10 acre site is located in Dreamsville, population 10,000. The municipality is about 3/4 built out, as are adjacent municipalities, with vacant buildings scattered here and there. This site is in the built out portion of the municipality. The site has an abandoned warehouse, with vacant land in the back, adjacent to a stream with steep slopes. The stream is partially piped, and the site straddles both sides of the stream, with 1 acre on one side of the stream; 9 acres on the other. The warehouse is located on the 9 acres. On and near the stream bank is a dump site which contains minor construction, non-hazardous debris. On the 9 acres, there are Army Corp of Engineer wetlands (~1/2 acre) near the stream corridor and the soils are a mix of well drained Type B soils and urban, unmapped soils, which contain debris.

The Dreamsville Middle School is next door to the property and students have started to congregate around the warehouse using it as a hang out after school and at night. The warehouse built in the 1930's, does have historic architectural elements beneficial to the existing streetscape of the community, but is not listed on the National Register of Historic Places, nor is it eligible for listing. It's location near a bus line, roads, and a commercial strip makes this an attractive site and the school district has a solid reputation. Currently the property is considered an eye sore. Like many municipalities, Dreamsville is facing budget cuts, yet despite the economy, there has been steady, if limited development activity.

The original proposal, called Happy Acres I consisted of 20 single family homes. Now the proposal, currently called Happy Acres II, is to reuse and renovate the warehouse, with neighborhood retail on the ground floor (café, cleaners, small variety store, and professional offices) and 4 apartments on the second floor. Architectural elements of the warehouse will be preserved. One company will own the warehouse building. Towards the back of the property, closer to the stream, the plan calls for 8 owner-occupied town houses (2 units per building) with the common areas to be managed by the Happy Acres II Homeowner's Association.

Various green infrastructure practices will be proposed for Happy Acres II, as follows:

- 1) Green roof on a small utility shed used to store landscaping equipment and road salt for the warehouse building owner
- 2) Tree planters which are below grade and collect runoff from the warehouse parking lot
- 3) Porous asphalt on Type B soils which straddle both the warehouse and Townhouse parking lot
- 4) Rain garden which collects runoff from the warehouse roof
- 5) Rain garden for each Townhouse
- 6) Disconnected downspouts with lot swales graded to the rear.
- 7) Conservation of natural areas at three locations, each with a conservation easement administered by the municipality
 - a. Small tree stand in front of warehouse
 - b. Stream buffers along both sides of the stream
 - c. Community garden on the other side of the stream (1 acre portion)

- 8) Stream daylighting of some of the piped portion of stream, with the intention of restoring the natural hydrology of the stream and creating a small footpath bridge which connects the 9 acre portion of the site to the 1 acre site, providing access as well to the community garden.

Scene:

This is a routine Planning Board meeting. The developer, Good Brothers, LLC owns the property and the current site plan, Happy Acres II, has been looked at by municipal staff, engineers, and planning staff. It is thought to be ready for preliminary approval by the Planning Board. The plan complies with existing zoning code and SEQR has been addressed (unlisted). It is submitted as a Planned Unit Development/rezone (PUD), also known as a Planned Development District (PDD). Planning Board members recently attended a day long Green Infrastructure Workshop and they are familiar with the stormwater regulations and these practices.

Goal of Meeting:

To discuss the most recent changes to the site plan submitted by the applicant's engineer; discuss green infrastructure practices, as required by the updated NYSDEC Stormwater Management Design Manual; and decide if the project is sufficient and ready for final site plan approval.

Handouts (GILLAC Players):

- 1) FINAL "Script" (this document!)
- 2) 3 -11 x 17 Site Plans
 - a. Existing Conditions
 - b. Concept Subdivision (Happy Acres I; 20 single family homes)
 - c. Preliminary Plan (Happy Acres II PDD; mixed use; some new development; some redevelopment; green infrastructure practices noted)
- 3) Green Infrastructure Practices from NYSDEC Stormwater Management Design Manual 2010 (powerpoint handout with images)

Handouts (June 20 Workshop Audience):

- 1) Scenario Description; Roles Described
- 2) 3 -11 x 17 Site Plans (see above)
- 3) Green Infrastructure Practices powerpoint handout (see above)

Visual Aides; Equipment; Set Up

- 1) Green Infrastructure Practices powerpoint, includes 3 Site Plan drawings
- 2) Equipment for powerpoint (projector; laptop; screen; table; extension cords)
- 3) 1 or 2 tables for Planning Bd members (five seats); Stormwater/Code Officer (1 seat); Planning Bd Attorney (1 seat)
- 4) Easel with Site Plan drawings for Applicant Engineer (standing)
- 5) Name tags on Planning Board table to help audience identify Planning Members and their roles

DREAMSVILLE PLANNING BOARD/COMMISSION ROLES

1) Planning Board Chairman

Name: Ace Lowe aka Mike Lyons

Profile:

Ace has been a Planning Board member for 10 years and chair for 3 years. He is a local business owner, environmentally aware, a member of the Chamber of Commerce, and owns the local hardware store. He is also a volunteer firefighter. He got involved with planning when Smart Growth first was introduced to NY government as part of their Quality Communities initiative. He understands the “business bottom-line” and is a father of 5.

Priority Questions and/or Comments:

General

- 1) Runs the meeting in a way typical of Planning Board procedures
- 2) Introduces himself as Chair, then has each of us introduce ourselves
- 3) Provides background information; reiterates the scenario text (assume that no one in the audience will have read this)
- 4) Each Planning Board members asks a question; applicant’s engineer and/or municipal attorney responds
- 5) Chair solicits comments from the public
- 6) Chair summarizes the specific areas of agreement

Specific

- 1) Roadway width drops from 40’ to 30’ to 22’; clustering allows for greater density (8 townhouses, each 2 units; 4 apartments in retail space on 2nd floor; plus neighborhood retail); in exchange porous asphalt on the road
- 2) No residential rain gardens, instead downspout disconnect to lot swales in back of house
- 3) Recessed planter areas instead of green roof on warehouse building
- 4) Green roof on utility shed
- 5) Native plants in communal areas (info from Cornell Cooperative Extension, plant list, and sources)
- 6) Move path to address snow pile problems
- 7) Stormwater pond (Does this have a fence or not? Or gradual slopes, plus vegetation barriers?)
- 8) Stream culvert will be removed and the stream daylighted
- 9) Utility easement for stormwater pond access

Notes and Reminders (Post 3/20 CDRPC Session):

- 1) Note that on the site plan sheet “Happy Acres II - Preliminary Plan” there are 16 townhouse units even though the numbering goes up to 20 (based on address). Audience might get confused. This is to keep the property street address numbering consistent. Even house numbers on one side; odd on the other
- 2) Might need to clarify the hammerhead requirements based on actual Uniform Fire Code Specs sent to Nancy Heinzen from Glenn Hebert (attached)

- 3) Does the stormwater pond have a fence? Or will well designed benches and vegetative barriers be adequate? Wood rail fence?

2) PB Member #1

Name: Winnie Gekko aka Leslie Lombardo

Profile:

Winnie has been Planning Board member for 3 years. She has 3 kids and 2 are enrolled in the middle school next door. She's a real estate broker and volunteers with the school and the senior citizen center. She has a degree in marketing and is generally indifferent to environmental concerns, but very aware of local markets and needs of business community. She is married to a computer programmer, who is well known among local software businesses.

Priority Questions and/or Comments:

-Likes the new cluster plan that provides for townhouses because there is a housing market need for them (new homebuyers and empty nesters who typically don't have children to add to schools i.e. tax "drain")

-Likes the pricing scenario (concern for property values) (I can ask this question of Mary or react to it if she volunteers the pricing information in her presentation)

-Will ask about tenants for the retail building (concern about school next door and compatibility)

-Will comment that moving SW basin to the rear of the property instead of in front yard is better (concern is for aesthetics and school/neighborhood safety). The SW basin was proposed for the tree stand area in the front of the site and discussed with developer's engineer at previous meeting, although not included on concept plan drawing

-Recent training in G.I. taught me awareness in conservation of natural areas, so likes the plan to maintain the natural area buffering along property line with school, also my job as a real estate broker makes me aware of the impact of homeowners association fees to potential buyers so I'm in favor of keeping maintenance costs down. Avoid big open grass lawns and high maintenance landscaping areas, leave areas of site in natural state as much as possible.

-Basically in favor of the new plan as is

Notes and Reminders (Post 3/20 CDRPC Session): None

3) PB Member #2

Name: Teresa Huggert aka Maggie Alix

Profile:

Teresa has been a Planning Board member for 6 months. She lives in neighborhood, near the proposed site. She is a member of the Sierra Club and author of "Hiking in Dreamsville", which is selling well at Barnes and Noble. She is self employed as a private consultant in communications technology.

Priority Questions and/or Comments:

We should protect the stream from further development. Instead of 16 new residential units spread out we should focus on constructing another building along the street rather than the creation of more infrastructure - streets, water and sewer lines, and utilities - that close to our natural resources. Otherwise, the municipality loses a valuable natural resource: an undeveloped piece of land abutting a stream that provides a natural respite for wildlife.

I also don't want the sight of eight new buildings, accompanying new streets and a row of mailboxes lining the street in my backyard. It's a waste of the land and a burden to the existing residents. We purchased our homes in reliance of a forever wild backyard.

In addition, as a neighbor of this proposed development I have serious concerns about the impact an increase in impervious surfaces will have on those of us who live downstream. As it is we are flooded regularly during rain events. Increased runoff will exacerbate this existing runoff problem. How does the developer propose mitigating this nuisance?

Has the developer considered green roofs, porous pavement and cisterns? If the City agrees to a narrower street width would that offset any costs associated with porous pavement?

Furthermore, the proposal destroys a stopping ground for the endangered Spruce Grouse, a short necked bird native to the Adirondacks whose habitats are protected by NYSDEC. Although this is not a habitat the Spruce Grouse relies on the site for resting during migration to its breeding ground between February and May. It needs a forested area chock full of berries, pine needles and insects as its food sources. Can you install a tree stand and rain gardens to preserve its stopping ground?

Finally, as author of Hiking in Dreamsville I wonder whether the walking path material will be impervious.

Notes and Reminders (Post 3/20 CDRPC Session):

- Asked for a green roof on the warehouse, Mary pushed back with a no, but maybe on the shed
- Asked about the path in the development wants more hiking trails in community
- Likes the idea of rain gardens
- Asked for a pocket park, no response

4) PB Member #3

Name: Elizabeth Moule aka Nancy Heinzen

Profile:

Elizabeth recently relocated from Portland, Oregon where she served for 3 terms as the Region representative to the Metro Council, an elected regional government which serves more than 1.5 million residents in 3 counties and 25 cities in Portland, Oregon metropolitan area. As Councilor she was instrumental in having

Metro adopt a Green Building Policy for new construction, major renovations, and the operations/maintenance of existing buildings owned and operated by Metro, as prioritized in their Sustainability Plan. Her region included 5 cities, and a portion of the City of Portland. Prior to her elected position, she served on the Metro Water Resources Policy Advisory Committee.

Based on this experience she was invited by a well-regarded agency here in New York State to research the applicability and plausibility of a similar regional form of government. She is an employee of this agency, working for the Special Task Force on Sustainability and Governance. She is an attorney by training, and having grown up in the New York area and attended Law School at Fordham University, is qualified to practice law in both New York State and Oregon.

She has served on the Dreamsville Planning Board for two years.

Priority Questions and/or Comments:

-Generally likes the plan

-Explains that in Portland, they have extensive experience designing and building green roofs, using porous pavement, rain gardens, and cisterns, it can be done. Same amount of annual rainfall. Design and maintenance is important.

Q: How and who will address maintenance of these practices (green roof, rain garden)?

-Mentions that in Oregon, extensive planning related to land use and more recently, sustainability, in particular. Very important, helpful when money is scarce, priorities are clearer.

Q: How does this project fit in with Dreamsville Comprehensive Plan?

Q: Is this project part of a comprehensive watershed plan? Identified for retrofits of this kind?

Q: Was/is this site plan incorporated into an overall Sustainability Plan regarding greenhouse gas emissions?

-The regulatory status of this particular stream is important. That can drive what is suitable for the site.

Q: What is the stream classification? Is it listed as impaired? Trout stream?

-Stream buffers and protecting the tree stand is a good idea. Some concerns.

Q: How will the stream buffers be protected in perpetuity? Is there a conservation easement? How and who will manage the easement? Land trust?

Q: Was there any compensation to the landowners for the stream buffer protection? Tree protection?

Q: What happens if the conservation easement is violated? Who takes enforcement action? What are the consequences?

Notes and Reminders (Post 3/20 CDRPC Session): Elizabeth's questions were answered by the Planning Board attorney and the Applicant Engineer

5) PB Member/Staff #4

Name: Michelle Mulligan, PE aka Monika King

Profile:

Michelle has been a Planning Board member for 6 years. She works for a design/build construction company as a PE. She is a third generation community member and has one child in elementary school and a preschooler.

Priority Questions and/or Comments:

-Generally likes the plan, but has some technical questions.

- 1) How do you plan to grade the area around the stream to be daylighted?
- 2) Are there going to be slope stability issues? Is a Geo-Report going to be prepared?
- 3) How are the rooftops of the other buildings going to be addressed?
- 4) There appears to be enough space between the house and property lines to have all rooftops disconnected.
- 5) Since the site has Type B soils, will porous pavement be used on Town road, in addition to parking lot areas?
- 6) Has the site achieved the 100% reduction in runoff reduction volume (RRv), as established in the NYSDEC design regulations? If not has the developer considered using infiltration practices, in conjunction with the porous pavement being used reduce the post-development runoff from the site?

Notes and Reminders (Post 3/20 CDRPC Session): None

6) Planning Board Attorney

Name: Scout Finch aka Melissa Ashline-Heil

Profile:

Scout is a partner in a private local law firm which represents both developers and municipalities, with a specialty in commercial real estate. Several of her private clients are local developers, known for their LEED certified projects. She has been the Planning Board attorney for 8 years and lives and practices in the community. She has two children, one in middle school, and the other in high school. She also teaches yoga.

Priority Questions and/or Comments:

None in particular, other than what is noted below. The Planning Board attorney responded to requests from the Chair, or questions from the Planning Board.

Notes and Reminders (Post 3/20 CDRPC Session):

-Responded to questions from Elizabeth Moule (Nancy's role). Clarified easement issues, pointed out the difference between a utility easement for access to the stormwater pond vs. an easement for the conservation areas.

-Respond to the issues brought up by Elizabeth (Nancy's role); the Comprehensive Plan (yes), Watershed plan (yes or no?)

-Responded Harry Callahan (Glenn's role)-- the fencing of the SW basin

-Had a back and forth with Ace (Mike's role as Chairman) on the issue of the density and the road going from private at 30' cul-de-sac to Village ownership at 22' with a hammerhead.

-Noted that all utilities will be owned and managed by the Village

7) Stormwater Management Officer and/or Code Enforcement Officer

Name: Harry Callahan aka Glenn Hebert

Profile:

Harry was assigned to represent the Engineering Dept (Water, Sewer, Highway) at Planning Board meetings. He has 25 years of experience as a code enforcement officer, and was recently assigned additional duties as the stormwater management officer to enforce local stormwater laws. He has extensive training in stormwater management and is an active member of the local fire department. He has grandchildren in local schools.

Priority Questions and/or Comments:

-Fencing issues on the SW basin (maintenance issue). Something is needed and consider access.

-Street length issue/fire safety concern - concept plan (single family homes) had a 900' long street, the newer plan (cluster) has a 650' long street

-Explained placement of hydrant and what was allowable given Uniform Code Fire Code Specs for Hammerheads

-Asked to change the location of the path to the community garden so that it is off the hammerhead maintenance issue again

Notes and Reminders (Post 3/20 CDRPC Session): None

8) Applicant Engineer and Presenter of Happy Acres II

Name: Bobbie Johnson aka Maryella Bell

Profile:

Bobbie is a seasoned presenter. She is LEED certified and has extensive experience in both design and construction and her firm is a well-respected engineering-build company. They have designed and built several successful projects in the community. Her firm was recently hired by the Good Brothers, LLC, the developer and brought in to salvage the project. The firm's goal is to balance green infrastructure with a reasonable return on the investment and the developer is very interested in getting approval, quick. The developer is in the middle of difficult negotiations with the bank and their investment is on the line.

Content of Presentation:

Bobbie explains Happy Acres II in some detail. The audience will have a copy of all Site Plan drawings. Green infrastructure practices referenced during Bobbie’s overview will be displayed as a powerpoint, and the audience will have a handout of the powerpoint slides.

Notes and Reminders (Post 3/20 CDRPC Session):

-Bobbie talked about buffers being 50’ and 100’ for steep slopes and streams but that doesn’t match up with the site plan’s scale. So avoid giving specific numbers.

-There is no SW basin drawn on the concept plan because developer did not want to spend the money on stormwater plan until he got the concept approval for number of units and layout etc. but developer’s engineer told Board it would be located up front near the street.

9) Interested Resident #1

Name: Steven Young aka Dave Dressel

Profile:

Steve lives across the street from the project. He’s a student at the local community college in Building Systems Technology and works part time, 4pm to 10pm at Wendy’s. His parent’s moved to Nevada, and left him the house. He rents 2 rooms out to students, mostly to cover the taxes. He’s been looking at the vacant lot for most of his life and wonders if the neighborhood is getting better or worse. Many of his friends have left town. He has heard a little bit about green infrastructure at school, but doesn’t know much, and just found out about this project. He came to the meeting because his aging uncle couldn’t get out of the house due to a recent hospitalization and he wanted Steve to tell him what’s going on.

Priority Questions and/or Comments:

-I live next door and have looked at the vacant building for a long time. It’s getting worse.

-Nice to see something happening

-What’s green infrastructure?

-Will there be a lot of traffic? more noise?

-Will it make my taxes go up?

Notes and Reminders (Post 3/20 CDRPC Session): None

SEQUENCE of ROLE PLAY DISCUSSION:

Planning Bd Chair (Ace Lowe aka Mike Lyons):

I’m chair, Ace Lowe. Ace asks Planning Board members to introduce themselves.

All of Us (PB #1, #2, #3, PB Attorney, Code/SW Officer):

We each introduce ourselves.

Planning Bd Chair (Ace Lowe aka Mike Lyons):

Name of project, why it's before us, describes format of the meeting.

Applicant Engineer/Presenter (Bobbie Johnson aka Maryella Bell):

Here's what we want to do; shows and describes plans (existing, concept, preliminary plan). Focus is on Happy Acres II and green infrastructure practices.

Planning Bd Chair (Ace Lowe aka Mike Lyons):

Chair has each Planning Board member make comments and ask questions. Order: Winnie Gecko (Leslie Lombardo); Michelle Mulligan (Monika King); Teresa Huggert (Maggie Alix); Elizabeth Moule (Nancy Heinzen)

Planning Board Member Comments/Questions

See notes for each Planning Board member.

Planning Bd Chair (Ace Lowe):

Depending on comments of the Planning Board, Chair directs questions to either the Planning Board attorney or the Stormwater Management Officer.

Stormwater Management Officer Comments (Harry Callahan):

Comments interspersed, generally after the Planning Board members have asked questions.

Municipal Attorney Comments (Scout Finch):

Comments generally in response to Elizabeth Moule (Planning Board aka Nancy Heinzen) questions and Harry Callahan (SMO aka Glenn Hebert) concerns regarding access and road width and Fire Code.

Planning Bd Chair (Ace Lowe aka Mike Lyons):

Chair invites comments from the public

Public Comments (Steven Young aka Dave Dressel):

See notes for Steve

Close of Meeting:

Chair summarizes areas of agreement regarding Happy Acres II and notes items to research or clarify. Meeting is adjourned.