

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~XXXXXX~~
County

~~NY~~
City

Town

~~Village~~

of GREENFIELD

Local Law No. 1 of the year 2005

A local law amending the Town Zoning Law to establish Planned Unit Development
(Insert Title)

District No. 3

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~XXXXXX~~
County

~~NY~~
City

Town

~~Village~~

of Greenfield as follows:

SECTION I SARATOGA POLO RETREAT PUD

This Local Law shall be known as Local Law No. 1 of 2005 and amends the Town of Greenfield, New York, Zoning Law to provide for the creation of a "Planned Unit Development District No. 3, Saratoga Polo Retreat Planned Unit Development District, Town of Greenfield," by Green Fields Development, LLC (the "Project Sponsor").

SECTION II AMENDMENT TO ZONING MAP

The Town of Greenfield, New York Zoning Law and the Town of Greenfield Zoning Map be and the same are hereby amended by changing the following described area as set forth below from the existing Agricultural/Residential-4 Zone to a Planned Unit Development District to be known and described as "Planned Unit Development District No.3, Saratoga Polo Retreat Planned Unit Development District, Town of Greenfield."

SECTION III PUD BOUNDARIES

The area of the Planned Unit Development District consists of approximately 42.7 acres plus or minus in the Town of Greenfield, Saratoga County, New York, bounded and described as set forth in the property description attached hereto as Appendix "A", as shown on a survey entitled "Topographic Survey Map for Saratoga Polo Situated at

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Bloomfield Road," dated June 1, 2005, as described in the Project Description and Objectives for the Planned Unit Development ("PUD"), which map and project description have been filed in the Town Clerk's Office, and which are incorporated herein by reference and made part hereof.

The PUD is bounded by the following parcels or public rights of way:

DIRECTION	OWNER
North	Lands of William Drake Orthwein, and Lands of Adolphus Busch Orthwein Trust
East	William Drake Orthwein, Gary C. Priest and Lori Carter
South	Bloomfield Road
West	Skidmore College

SECTION IV DEFINITIONS

Unless a definition is expressly provided below, terms appearing throughout this local law are defined as per §105-7 of the Town of Greenfield Zoning Law ("Zoning Law"), as adopted by the Town Board on December 9, 1976, as revised through the effective date hereof, or through their ordinary usage.

Associated Lodging – use of Fractional Residences for temporary lodging for events associated with Polo activities and the Banquet Hall and Lodge usage.

Banquet Hall – commercial facility designed to host receptions, dinners, and other commercial uses including, but not limited to, weddings and reunions, and in which food and beverage will be prepared and served, and entertainment provided.

Catering Facilities – commercial kitchen and related facilities designed to meet food and beverage sales on and off-site.

Ceremonial, Cultural, Educational and Recreational Uses - uses of enclosed and open space areas including, but not limited to, instructional classes and seminars, arts and crafts shows, antique auto shows, ethnic festivals, religious services (i.e., weddings), and seasonal festivals such as "Octoberfests", "Winterfests" and the like.

Clubhouse – recreational/commercial facility that will house a bar, a pub-style restaurant, commercial kitchen, and retail shop.

Food Concessions – sale of food for outdoor consumption during polo events and Ceremonial, Cultural, Educational and Recreational Uses and commercial uses.

Fractional Residences - deeded ownerships of residential units entitling owners to between one and 52 weeks of a residence each calendar year.

Lodge (retreat and conference center) – a building to be used for residential, spa, recreational and fitness purposes, retail/ convenience store, meeting rooms, prep/ convenience kitchen.

Maintenance Facility – a multi-functional building to be used for restroom facilities for polo spectators, Team Rooms, storage and repair of equipment used to maintain the fields and grounds, dry storage and office space.

Spa - a commercial establishment providing personal fitness and restorative services including but not limited to massages, manicures, pedicures, and facials.

Team Rooms - facilities for polo players including, but not limited to, meeting rooms, restrooms, showers, and changing areas.

SECTION V PERMITTED USES WITHIN PUD

The following are permitted uses within the Planned Unit Development District.

1. Associated Lodging
2. Banquet Hall
3. Catering Facilities
4. Ceremonial, Cultural, Educational and Recreational Uses
5. Clubhouse
6. Condominiums
7. Essential Services, including, but not limited to Private Sewer and a Private Water Supply System
8. Food Concessions
9. Fractional Residences
10. Homeowner's Association
11. Lodge (retreat and conference center)
12. Maintenance Facility
13. Office Use
14. Open Space
15. Open Space Recreational Use
16. Parking Area and Parking Lot
17. Polo and Polo-Related Activities, which shall not include maintaining a "Private Stable" or "Public Stable" as defined by section 105-7 of the Zoning Law.
18. Public Utility Use
19. Recreational Facilities

20. Retail Store and/ or Convenience Store
21. Sculpture and Other Artwork Display and Sale
22. Spa
23. Swimming Pools
24. Tavern/Restaurant
25. Team Rooms

Together with Accessory Uses thereto and Accessory Buildings therefore.

SECTION VI CONSTRUCTION AND APPLICABLE LEGISLATION

At the election of the Project Sponsor, the PUD may be constructed in phases as dictated by the sponsor's financial models and/or the requirements of its lending institution(s). Infrastructure improvements will be phased accordingly, and pursuant to approvals granted by the Town of Greenfield Planning Board (the "Planning Board"). For financing, phasing and/or operational purposes, the buildings, their respective support elements, and/or the common areas within the PUD maybe owned and/or operated by business entities other than the Project Sponsor and the PUD may be subdivided for such purposes pursuant to approvals granted by the Planning Board.

All land uses, development, construction and operation of facilities within the PUD shall be conducted in accordance with all applicable local, state, and federal laws, rules and regulations, including, but not limited to the following:

- a. This legislation;
- b. The environmental thresholds and conditions contained in the State Environmental Quality Review Act ("SEQRA");
- c. The uses and site plans as approved by the Town Board and the Planning Board;
- d. All relevant requirements of federal, state and county laws and permits issued thereunder, including, but not limited to, Part 36 of the Americans With Disabilities Act, Standards for Accessible Design; and
- e. All relevant requirements of Town laws and ordinances not superceded by this legislation, and permits issued thereunder, including, but not limited to, any noise ordinance enacted by the Town Board after the effective date hereof.

The development and use restrictions contained within this PUD and any specific conditions to approvals issued hereunder shall be interpreted so as to bring about the intent of SEQRA and the Zoning Law to protect the public from adverse environmental impacts to the maximum extent reasonably practicable.

In any instances where specific permitted uses, area or height standards, development guidelines and/or review procedures specifically set forth in this PUD, as the same are specifically applicable to the PUD, conflict with other general provisions or requirements of the Zoning Law, the particular provisions set forth herein shall take precedence. In all

instances not specifically addressed in this PUD, the Zoning Law shall apply. The following figures reflect PUD standards:

Height	38 feet maximum
Lot Coverage (Impervious/Pervious Surface)	Impervious: 20% maximum Permeable: 80% minimum
Maximum Square Footage for All New Buildings	284,000 square feet excluding basement space
Maximum Square Footage for a Single Building	80,000 square feet excluding basement space

All setbacks and other specific development standards will be established at site plan review.

SECTION VII OPEN SPACE

Open space will be found throughout the PUD, and will be used for polo-related activities and Ceremonial, Cultural, Educational and Recreational Uses including, but not limited to, arts and crafts shows, antique auto shows, ethnic festivals, and seasonal festivals such as "Octoberfests", "Winterfests" and the like.

SECTION VIII INFRASTRUCTURE

Infrastructure will be staged according to the phase-specific development plans.

All water and sanitary sewer facilities will be privately owned and shall be designed and installed in accordance with the requirements of the New York State and Saratoga County Departments of Health, the Department of Environmental Conservation and Saratoga County Sewer District No. 1, as applicable.

Other than as specified herein, the adequacy of public and/or private potable water and sanitary sewer supplied to the proposed use and the requirements thereof shall be determined at site plan review in conjunction with the input of the engineer for the Town of Greenfield.

Potable water shall be provided by the Project Sponsor through on-site wells with on-site backup supply. However, should municipal water service become available in sufficient quantity to service the PUD, then water shall be obtained by the Project Sponsor through such system at standard rates therefore. The Project Sponsor shall comply with all state and federal requirements for provision of water service.

A new on-site sanitary collection system shall be installed and connected to the system of the Putnam Brook Transportation Corporation, or such other appropriate entity, and/ or

the Saratoga County Sewer District No. 1. The new sanitary disposal system shall be designed to meet all local, county, and state requirements.

Subject to the Town of Greenfield acquiring/ granting necessary rights-of-way for the construction thereof, the Project Sponsor agrees to dedicate to the Saratoga County Sewer District No. 1, or other appropriate entity, sewer facilities necessary to meet the needs of the PUD.

A stormwater management plan ("SWPPP") shall be developed in accordance with applicable state and federal laws. The SWPPP will describe temporary and permanent measures that shall be implemented to mitigate, attenuate and reduce pollutants in stormwater runoff.

Landscaping will be incorporated throughout the PUD. The final landscaping shall be determined during site plan review.

Utilities including electrical, telephone, cable, and gas service shall be provided in accordance with the Town of Greenfield Zoning Law and shown on a plan during site plan review.

SECTION IX SITE PLAN REVIEW

In accordance with Article IX of the Zoning Law, prior to the issuance of a building permit for the construction of a building or phase of buildings within the PUD (each, a "Building Permit"), the Project Sponsor shall submit for approval by the Planning Board a site plan for the entire PUD showing all buildings and infrastructure to be constructed on the site. Such site plan shall set forth any phasing of the project chosen by the Project Sponsor. The Planning Board may, in its discretion, authorize the Town of Greenfield Building Department (the "Building Department") to issue a Building Permit for a given phase of construction before completion of the entire site plan review process or final approval of the site plan. No Building Permit shall be issued without final approval of that portion of the site plan corresponding to the building or phase of buildings for which a Building Permit is sought by the Project Sponsor. Specific details concerning the work to be allowed pursuant to such permits shall be established by the Planning Board during the site plan review process.

The Project Sponsor shall generally construct the facilities as described in the Saratoga Polo Retreat Project Description and Objectives attached hereto as Appendix B and as shown on a concept sketch plan entitled "Saratoga Polo Retreat Town of Greenfield, Saratoga County, New York, Preliminary PUD Development" dated June 1, 2005 (the "Sketch Plan"), which plan has been filed in the Town Clerk's Office, and which is incorporated herein by reference and made part hereof. However, the exact location, design, configuration, and size of items including but not limited to the buildings, location of parking areas, green areas, pedestrian walkways and other related matters may be changed, altered or amended during the Planning Board site plan review process. The

Sketch Plan is not intended to limit the Project Sponsor to the exact location of buildings, infrastructure, or other items customarily related to the site plan review process.

A certificate of occupancy must be obtained from the Building Department prior to occupying all or any portion of any newly constructed building within the PUD. A certificate of occupancy will be granted by the Building Department for occupancy of the completed portion of any building as permitted by the New York State Fire Prevention and Building Code (the "Building Code").

SECTION X TRAFFIC CONTROL

Off-site traffic control signs for this project and all off-site road markings associated with the project shall conform with findings of the report entitled "Draft Traffic Impact Study, Saratoga Polo Club Redevelopment, Town of Greenfield, dated June I, 2005, prepared by Creighton Manning Engineering, LLP and referred to in Appendix B, and shall comply with standards of the American Association of State Highway and Transportation Officials.

SECTION XI SIGNAGE

All signage for the PUD will be determined during site plan review.

SECTION XII PERFORMANCE BONDS

Prior to the issuance of a Building Permit for construction within the PUD, the Project Sponsor shall file a performance bond or letter of credit (a "Surety") in an amount and for a duration required by the Planning Board so as to guarantee completion of the work to be performed pursuant to such Building Permit. The amount of such Surety will be determined during the site plan review process by the Planning Board in consultation with the Town Engineer and must be acceptable in form to Town's attorney.

SECTION XIII CONSTRUCTION

Construction shall be in accordance with the site plan approved by the Planning Board, financial models of the Project Sponsor, and seasonality (e.g. as weather permits), and will take place after final approval of the site plan and issuance of all required permits required for the given phase of the project. All buildings shall be constructed in accordance with the Building Code. All drawings and building specifications shall be approved and stamped by a duly licensed engineer, architect, or landscape architect. All construction shall be subject to inspection, approval and issuance of Certificates of Occupancy by the Town Building Inspector and the Town Engineer.

SECTION XIV
PRIVATE DRIVES AND RELATED RIGHTS-OF-WAY

All private drives and drainage easements shall be constructed and/or located by the Project Sponsor in accordance with the site plans as approved by the Planning Board, and as approved by the Town Engineer. Such drives and easements shall be owned and maintained by the Project Sponsor and/or its successors or assigns.

SECTION XV
SEQRA

Pursuant to SEQRA, the Planning Board has acted as lead agency for environmental review of this action. The Project Sponsor agrees to comply with any mitigating measures which may be a part of the Planning Board's SEQRA approval. No Certificate of Occupancy shall be issued until such mitigating measures, if any, are complete. Any necessary mitigation measures will be completed according to the relevant phase of the project to which they correlate, or completion shall be scheduled for a future date in accordance with the schedules allocated by the Planning Board pursuant to site plan review.

The Planning Board shall retain continuing jurisdiction as Lead Agency for the project for SEQRA purposes, including but not limited to the purposes set forth under 6 NYCRR Part 617.7(e) and (f), as the same may be amended from time to time. If during the site plan approval process it shall be appropriate under 6 NYCRR Part 617.7(e) or (f), as the same may be amended from time to time, for the Planning Board to reconsider its initial determination of significance with respect to the project, the Planning Board as Lead Agency may either amend or rescind its initial SEQRA Negative Declaration in accordance with 6 NYCRR Part 617.7(e) or (f), as the same may be amended from time to time, which are set forth in their entirety as currently written:

(e) Amendment of a negative declaration.

(1) At any time prior to its decision to undertake, fund or approve an action, a lead agency, at its discretion, may amend a negative declaration when substantive:

(i) changes are proposed for the project; or

(ii) new information is discovered; or

(iii) changes in circumstances related to the project arise; that were not previously considered and the lead agency determines that no significant adverse environmental impacts will occur.

(2) The lead agency must prepare, file and publish the amended negative declaration in accordance with section 617.12 of this Part. The amended negative

declaration must contain reference to the original negative declaration and discuss the reasons supporting the amended determination.

(f) Rescission of negative declarations.

(1) At any time prior to its decision to undertake, fund or approve an action, a lead agency must rescind a negative declaration when substantive:

(i) changes are proposed for the project; or

(ii) new information is discovered; or

(iii) changes in circumstances related to the project arise; that were not previously considered and the lead agency determines that a significant adverse environmental impact may result.

(2) Prior to any rescission, the lead agency must inform other involved agencies and the project sponsor and must provide a reasonable opportunity for the project sponsor to respond.

(3) If, following reasonable notice to the project sponsor, its determination is the same, the lead agency must prepare, file and publish a positive declaration in accordance with section 617.12 of this Part.

SECTION XVI VIOLATIONS

Any violations of the provisions of the law shall be deemed a violation of the Zoning Law, and the provisions hereof shall be enforceable pursuant to the enforcement provisions of the said Zoning Law. The Town may also seek any other remedies as allowed under law.

SECTION XVII EFFECTIVE DATE

This Local Law shall take effect upon filing with the New York State Secretary of State.

APPENDIX A

PROPERTY DESCRIPTION

All that tract or parcel of land situate in the Town of Greenfield, Saratoga County NY, bounded and described as follows:

Beginning at a point located on the northerly line of Bloomfield Road, being the southeasterly corner of lands of Skidmore College as recorded in the Saratoga County Clerk's Office in Liber 1223 of Deeds, page 288. Thence along the easterly line of lands of said Skidmore College the following seven courses:

N37°00'28"W, 280.39 feet to a 1" iron pipe found
N64°52'18"W, 165.83 feet to a 1" iron pipe found
N23°25'58"W, 474.91 feet to a point
N54°32'28"W, 258.50 feet to a 1" iron pipe found
S83°04'52"W, 443.00 feet to a 1" iron pipe found
N08°45'08"W, 532.70 feet to a point
N00°55'08"W, 266.70 feet to a 5/8" iron rod found.

Thence along the southerly line of lands of William Drake Orthwein as recorded in Liber 1521 of Deeds, page 538, N85°26'52"E, 179.40 feet to a point. Thence along the southerly line of lands of Orthwein and then the southerly line of lands of The Adolphus Busch Orthwein Trust as recorded in Liber 1636 of Deeds, page 261 N82°50'17"E, 1190.95 feet to a point. Thence along the westerly line of lands of William Drake Orthwein as recorded in Liber 1521 of Deeds, page 538 the following nine courses:

S05°18'44"W, 121.09 feet to a point
S42°55'56"E, 161.65 feet to a point
S09°45'56"E, 298.95 feet to a point
S70°59'46"E, 123.13 feet to a point
S20°09'16"E, 198.93 feet to a point
S64°59'04"W, 94.16 feet to a point
S02°45'56"E, 103.04 feet to a point
S71°24'56"E, 93.83 feet to a point
N80°03'44"E, 45.33 feet to a 5/8" iron rod found.

Thence along the westerly line of lands of Gary C. Priest and Lori Carter as recorded in Liber 1264 of Deeds, page 602, S09°44'56"W, 308.09 feet to a point and S15°08'28"E, 98.99 feet to a 1/4" iron rod found. Thence along the northerly line of said Bloomfield Road the following three courses:

S44°28'02"W, 160.30 feet to a point
N45°25'12"W, 15.07 feet to a point
S45°05'21"W, 501.96 feet to the point of beginning.

Containing 42.738 acres of land.

All distances are level and all bearings are based on True North.

APPENDIX B SARATOGA POLO RETREAT PROJECT DESCRIPTION AND OBJECTIVES

The following section is intended to provide information as requested under §105-129 Planned Unit Development in the Town's Zoning Law. Specifically, the information contained herein is in response to a request for information under §105-129 C. (2) (a) of the Town's Zoning Code.

I. General Project Description

Pursuant to §105-129 of the Town of Greenfield Zoning Code, Green Fields Development, LLC (the "Project Sponsor") proposes creation of a Mixed-use Planned Unit Development ("PUD") to be called the "Saratoga Polo Retreat" (the "Retreat" or the "Community") to preserve, enhance, and sustain the proud heritage of Saratoga Polo and the Whitney Field through the creation of a year-round community.

The relevant property consists of approximately 43 acres within the Town of Greenfield, Saratoga County, New York.

The Project Sponsor envisions the Retreat as a creative and viable means of preserving an important community asset: the historic Whitney Polo Field established in 1898 and operated continuously until the late 1930s. This field is one of the four oldest polo fields within the United States. The Community will be home to residences, including condominiums and/or fractional residences, and an array of service and recreational amenities, in addition to polo activities.

Conceptually, the facilities will be designed to celebrate the polo community in general. The project sponsors anticipate utilizing a combination of shingle-style, Adirondack-style and Kentucky horse stable architecture. The intent of the design approach will be to create a relaxing retreat and spa atmosphere. Natural materials, including natural wood, stone and tiles, will be incorporated in the building designs.

For purposes of this legislation, and ease of description, the Retreat may be broken down into its various elements or components. These are set forth and more fully described in concept below.

Clubhouse

The existing Clubhouse will be updated to include a pub-style restaurant, bar, and a retail shop for polo-related merchandise in addition to its commercial kitchen.

Banquet Hall

This two-story building will complement the functions proposed for the existing clubhouse, and will house:

- a first-floor banquet facility, designed to accommodate up to 400 patrons
- a spacious lobby, stairway and elevator that will lead to the second floor

- a second-floor restaurant and lounge that will overlook the polo field, as will exterior skyboxes to view polo matches
- office space for Retreat and polo operations on the second floor.

The Lodge

The Lodge is the Retreat's centerpiece. Its design focuses on the Polo field and will serve a variety of functions:

- the first level will include meeting space, a spa and exercise facilities, indoor and outdoor pools, retail/ convenience store, and prep/ convenience kitchen
- the upper floor(s) will be comprised of residential units, some of which may be fractional residences, but which are intended to support the other uses of the Retreat
- the basement level will act as a service area.

Residences

The residential buildings are designed as permanent residences and/or residences for owners who will spend time at their "homes away from home." Fractional ownership communities are a rapidly expanding and a popular alternative to second home ownership. Most of these communities are built around a central amenity such as a golf or ski resort. The Saratoga Polo Retreat will be the first of its kind to be centered on a Polo Club – which is well-positioned given the equestrian nature of the region.

The centerpiece of the residential buildings is an open space looking over the outdoor views, reminiscent of the great room of an Adirondack lodge. More specifically:

- individual residential buildings each housing several residential units, are proposed, with residences also incorporated into the Lodge
- basement service and storage areas will be incorporated into each building
- fractional owners will purchase a deeded interest in a share of a fully-furnished residential unit (typically one to 52 weeks)
- all residences will be fully maintained at a scale and luxury level not otherwise offered in the area, with access to an exclusive array of amenities.

Maintenance building

This building is designed to be multi-functional.

The first floor includes:

- restroom facilities for the polo spectators
- polo team rooms, including a meeting space, changing room and showers
- storage of equipment used to maintain the fields and the grounds

The second floor will be used for

- dry storage and
- office space.

Open space

Significant amounts of open space will be preserved. Artwork (i.e., modern sculptures) will be interspersed throughout the grounds. Gardens and other open areas will be located throughout the Community and can be utilized for various functions.

II. Project goals

In general, the PUD will preserve, enhance and sustain the proud heritage of Saratoga Polo and the Whitney Field through the creation of a year-round retreat. As a product of careful consideration and extensive research, the Saratoga Polo Retreat represents an attractive alternative to residential development options available under existing zoning. More specific project goals include:

- maintaining polo operations on the historic Whitney Field as a vital attraction in the Saratoga region
- preserving and protecting the historic Whitney Field as open space consistent with the bucolic setting of the site
- establishing a sustainable business model that will ensure the long-term viability of these objectives.

III. Desirability and Impact on Area

The Project Sponsor has identified three components that comprise the highest and best use of the site in conjunction with ongoing polo operations. They are:

- residences, e.g. condominiums and/or fractional residences
- expanded amenities and services
- year-round banquet and food services.

Each of these three components will be desirable in and of themselves, and in terms of the positive ancillary benefits they each produce, and which are further discussed herein.

Like other PUDs, this one will:

- allow for flexibility in design in order to meet the project goals of preserving special features and open space
- provide for the efficient use of land through creative design.

IV. Relationship to the Town's Comprehensive Land Use Plan:

The following goals and objectives were taken from the Town's adopted Comprehensive Plan as they relate to this project.

- Goal 1: Future Land Use: "Instead of having many residential districts with varying densities, the Town should consider rezoning the residential lands into just a few areas of moderate density residential and low density residential." Objectives of this goal that relate specifically to the PUD include:

- “[P]rovide for diverse opportunities while retaining the identity of the community.”
 - “The densest development is expected to occur in the southern part of Town adjacent to the Saratoga Springs – Greenfield Town boundary. Denser development is possible there because the soils are better able to accommodate development And either the possibility or reality of infrastructure exists.”
 - “Create one moderate density residential district in the southern center of the Town.” The PUD will be located in one of two areas designated by the Town’s Comprehensive Plan for medium density residential development. It will be close in proximity to Saratoga Springs and other areas of development on Route 9N.
- **Goal 2: Environmental Quality:** “The Town will continue to be comprised primarily of large tracts of land providing privacy and quiet to the Town’s residents,” and “[n]atural resources will continue to be treasured and respected.” Objectives of this goal that relate specifically to the PUD include:
 - The PUD will offer protection for the wetlands located within its boundaries.
 - The PUD will also offer protection of a historical resource, Whitney Field.
- **Goal 3: Recreation:** “Recreational expansion should be allowed whenever appropriate lands and funding sources can be identified.” Objectives of this goal that relate specifically to the PUD include:
 - “Continued efforts to develop recreational activities should be allowed throughout the Town.”
 - The PUD will offer an array of recreational amenities and open space.
- **Goal 4: Infrastructure and Community Facilities:** “The Town of Greenfield does not have any municipal sewer infrastructure,” and “[t]here are opportunities for both the Town and ... private entities to develop additional sewer lines and connect to the [Saratoga County Sewer District No. 1] sewer line.” Objectives of this goal that relate specifically to the PUD include:
 - Extend public sewer facilities along Locust Grove Road to Daniels Road.” The PUD is in this general vicinity and will offer extended sewer lines.
 - “The lack of ... sewer infrastructure is clearly viewed by many as a weakness.” The PUD will serve to ameliorate that flaw through providing new infrastructure.

V. Purpose of the Planned Unit Development

Section 105-129 of the Town’s Zoning Law allows for the creation of a Planned Unit Development to “encourage innovations in development and the most efficient use of land by enabling greater flexibility in siting, design, and type of structures permitted...” The Town Board also sets forth certain objectives, such as the creation and preservation of more usable open space and recreational areas, the preservation of trees, topography, water resources and the efficient use of land so that an economical network of utilities and streets are provided. This project will meet each of these objectives.

Changing the zoning from Agricultural/Residential 4 to a Mixed-use PUD will not significantly change the current use of the property. At present, polo fields and a clubhouse, tent pads, office trailers, and restroom facilities occupy the property. The Project Sponsor is proposing recreational, residential and commercial uses, all of which are related to and/or are supportive of the current uses.

As described above in Section III herein, a PUD will permit comprehensive development and the predictable and flexible management of the facilities as they mature.

VI. Projected Effect on Town

A. Schools

The Project Sponsor anticipates that the majority of full-time or non-fractional residence buyers will be older, e.g. with non-school aged children. It is anticipated that those units will cause little to no influx of children into the Town's school system.

B. Traffic

According to analysis provided by Creighton Manning Engineering in the report entitled Draft Traffic Impact Study, Saratoga Polo Club Redevelopment, Town of Greenfield and dated June 1, 2005, redevelopment of the Retreat will not have a significant impact on the operation of the study area intersections and existing roadway network. The full report is included as part of the SEQR documentation.

C. Population

With many of the units being fractional residences, the Project Sponsor does not anticipate that the PUD will have an adverse impact on population.

D. Utilities

A feasibility analysis was conducted by BL Companies, of Meriden, Connecticut, on the availability of sanitary sewer, potable water, and stormwater systems. A summary report of that analysis is included as part of the SEQR documentation.

In summary, all water and sanitary sewer facilities will be privately owned and shall be designed and installed in accordance with the requirements of the Department of Health, the Department of Environmental Conservation and Saratoga County Sewer District No. 1.

Regarding stormwater, the proposed collection system and detention basins as depicted on the Saratoga Polo Retreat, Town of Greenfield, Saratoga County, New York, Preliminary PUD Development Concept Sketch Plan in Appendix "C" would meet or exceed the Department of Environmental Conservation requirements for stormwater and erosion control measures. A full stormwater management plan, or SWPPP, will be completed at site plan review.

E. Community Services

Again, since many of the units will be fractional residences, the Project Sponsor does not anticipate that the PUD will have an adverse impact on community services. To the contrary, the PUD will have a positive impact through extension of the sewer system. The PUD will not impact water resources, as water will be provided via on-site sources with all required permits and approvals. Furthermore, the PUD will provide opportunities for community recreation and public dining.

F. Aesthetics and Recreation

As stated in Section I herein, one of the Project Sponsor's goals for this PUD is to design a bucolic and relaxed, retreat-like setting that provides previously unavailable housing opportunities as well as significant amounts of open space that preserve the historical element of the Whitney Field.

G. Taxes

The Project Sponsor expects the PUD to have a positive tax flow to the Town as it will have minimal impact on community services such as schools, road maintenance, fire and police.

H. Compatibility with neighborhood character

The intent of the design approach is to create a relaxed and natural setting, in keeping with the site's history, and to combine the attributes of the current setting, current polo-related uses of the site, and the PUD goals in order to preserve and enhance the neighborhood character.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2005 of the ~~(County)~~(City)(Town)(~~Village~~) of Greenfield was duly passed by the Town Board on Dec. 8th 2005, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

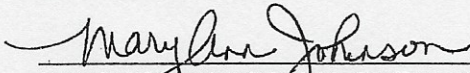
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.


Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

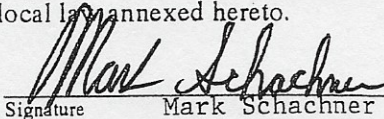
(Seal)

Date: December 9th, 2005

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Warren

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


Signature Mark Schachner

Town Counsel

Title

~~County~~
~~City~~ of Greenfield
~~Town~~
~~Village~~

Date: December 12, 2005