

LOCAL LAW NO. 1 OF THE YEAR 2005

A local law amending the Town Zoning Law to ~~amend~~ establish Planned Unit Development District No. 3

Enacted by: Town Board of the Town of Greenfield

SECTION I — ~~THE ESTATES AT SARATOGA POLO RETREAT~~ PUD

This Local Law shall be known as ~~Local Law No. 1 of 2005~~ and Local Law No. ___ of 2026, and amends the Town of Greenfield, New York, Zoning Law, specifically Local Law No. 1 of 2005, to provide for the amendment creation of a "Planned Unit Development District No. 3, ~~The Estates at Saratoga Polo Retreat~~ Planned Unit Development District, Town of Greenfield," by ~~Paddock View Green Fields~~ Development, LLC (the "Project Sponsor").

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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, ~~The Estates at Saratoga Polo Retreat~~ Planned Unit Development District, Town of Greenfield." Such amendment to the Map occurred by Virtue of Local Law 1 of 2005, and no further map amendment is required as part of Local Law No. --- of 2026.

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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 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

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

Direction	Owner
North	Lands of William Drake-Orthwein, and Dow Ventures LLC Lands of Adolphus Busch Orthwein Trust
East	Dow Ventures LLC 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, 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.

Community Gardens – outdoor garden space available to residents of the multi-family dwellings to plant and grow flowers, fruits and vegetables for individual use and not for commercial purposes.

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 B~~building(s) to be used for restroom facilities for polo spectators, Team Rooms, storage and repair of equipment used to maintain the fields, paddocks, buildings, and grounds, dry storage and office space.

Multi-Family Dwellings – a building or group of buildings designed for occupancy by three or more families, with the number of families in residence not exceeding the number of dwelling units provided. Such use can be operated as apartments for lease by a single owner or as condominiums with dwelling units being owned separately and common areas being owned by a Condominium Association.

Open Space –land or an area of water or a combination of land and water designed and intended for the private or public use or enjoyment of the space. Open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the spot.

Polo and Polo Related Activities – use of land for the game of polo, which involves horses and human participants, and the activities associated therewith including but not limited to trailering, temporary stabling and tents for participants and spectators.

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

Stable and Paddock – building, or portion of a building, and land on which no more than eight (8) horses are kept on a permanent basis.

Residential Amenities and Ancillary Uses — leasing or condominium business office, fitness center, golf simulators, outdoor pool, hot tub, community fire pit, private hosting facilities, community office, dog park, playgrounds, walking trails, pickle ball courts, meeting rooms and other similar recreational and community uses for the benefit of the residential users of the Property.

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~~
- ~~2.1. Banquet Hall~~
- ~~3.2. Catering Facilities~~
- ~~4.3. Ceremonial, Cultural, Educational and Recreational Uses~~
- ~~5. Clubhouse~~
- ~~6.4. Multi-Family Dwellings Condominiums~~
- ~~7.5. Food Concessions~~
- ~~8. Fractional Residences~~
- ~~9.6. Homeowner's Association Condominium Association~~
- ~~10. Lodge (Retreat and Conference Center)~~
- ~~11.7. Maintenance Facility~~
- ~~12.8. Open Space~~
- ~~13. Open Space Recreational Use~~
- ~~14.9. Parking Area and Parking Lot~~
- ~~15.10. 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)~~
- ~~11. Public Utility Use~~
- ~~16.12. Stable and Paddock~~
- ~~17.13. Recreational Facilities Residential Amenities and Ancillary Uses~~
- ~~18.14. Retail Store and/or Convenience Store~~
- ~~19.15. Sculpture and Other Artwork Display and Sale~~
- ~~20.16. Spa~~
- ~~21. Swimming Pools~~
- ~~22.17. Tavern/Restaurant~~
- ~~23. 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, 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 may be 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 superseded 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 — All New Buildings	300,284,000 sq. ft. excluding basement space ¹
Maximum Square Footage — Single Building	80,000 sq. ft. 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 and Ppolo-Rrelated Activities, Paddock and Stable, Residential Amenities and Ancillary Uses, and Ceremonial, Cultural, Educational and Recreational Uses including, but not limited to, arts and crafts shows, antique auto shows, ethnic festivals, 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 a service agreement with the City of Saratoga Springs, ~~on-site wells with on-site backup supply. However, should municipal water~~

¹This change is a net zero increase over the 2005 PUD. The 2005 PUD proposed to retain approximately 16,000 sf of buildings that were currently placed on site at the time, resulting in a total of 300,000 sf of buildings on site. The current proposal is removing what remains of those buildings as they are in serious disrepair. The result is the same total building square footage, just that the current proposal has it all in primarily new structures.

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~~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 Estates at Saratoga Polo ~~Project Description and Objectives attached hereto as Appendix B and as shown on a concept sketch plan entitled "The Estates at Saratoga Polo, Bloomfield Road, Retreat-Town of Greenfield, Saratoga County, New York, Sketch Plan Preliminary PUD Development" dated July 1, 16, 202605~~ (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 of Paddock View Development, Bloomfield Road, Saratoga Polo Club Redevelopment, Town of Greenfield, Saratoga County New York, dated July 17, 202605", 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.

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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 this 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.