

**TOWN OF GREENFIELD
PLANNING BOARD**

September 27, 2016

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by T. Yasenchak at 7:00 p.m. On roll call, the following members are present: Tonya Yasenchak, John Bokus, Nathan Duffney, Michael Gyarmathy, Thomas Siragusa, John Streit, Stan Weeks, and Robert Roeckle, Alternate. Charlie Baker, Town Engineer is present.

MINUTES – September 13, 2016

MOTION: T. Siragusa

SECOND: B. Duffney

RESOLVED, that the Planning Board waives the reading of and approves the minutes of September 13, 2016, as presented.

VOTE: Ayes: Bokus, Duffney, Gyarmathy, Roeckle, Siragusa, Weeks, Yasenchak
Noes: None
Abstain: Streit

PLANNING BOARD CASE

TOM MERRILLS, Jr. – Minor Subdivision

Middle Grove Road

Tom Merrills, Jr. is present, states that he has purchased 342 Middle Grove Road and is attempting to do a minor subdivision. He will be creating 2 building lots of approximately 4 acres each and the existing house will be on 5 acres. B. Duffney states that this appears to be straightforward. S. Weeks states that sight distance may be an issue. T. Yasenchak states that we often require sight distance studies and driveway locations. J. Bokus questions fire truck access due to the length of the driveway. T. Yasenchak explains the issues with driveways over 500' long and that the applicant is requested to have pull off areas of 12' x 32' for the fire trucks and also possibly markers at the end of the driveway indicating the length. B. Duffney explains what he has been working on with M. Chandler. This property would not need any pull offs as the house location is just a short distance beyond the 500'. C. Baker states that sight distance should be measured based on the topo shown on the map and the typical notes should be added to the plans. T. Merrills states that he plans to just sell the lots, he will not be building on these. C. Baker states that as they are 4 acre lots, he would not ask for proposed house locations due to the size, but he would like to see some kind of erosion control mapped for the keyhole lot driveway because of the topo that is shown. T. Yasenchak states that is listed within the submission requirements. T. Siragusa states that they should place proposed driveways in order to do the sight distance.

TOM ROOHAN for 519 BROADWAY LLC – Site Plan Review

Maple Avenue

Tom Roohan and Doug Heller, LA Group, are present. D. Heller reviews the site map; states that this is a .3 acre lot with 50' of frontage; the house is in poor condition and their plan is to remove the house and construct 14 storage units, approximately 4000 square feet. They have received an area variance and use variance from the ZBA. One of the things that was discussed at the ZBA was eliminating any sort of access on Maple Avenue and they will be coming in from the commercial lot to the north. They are proposing some

September 27, 2016

trees as screening on the Maple Avenue side and a stockade fence. There is no water, no sewer, and no electricity needed for this lot. Storm water is being handled with drywells, very sandy soil out there. M. Gyarmathy questions that there will be no electricity – no site lighting at all? D. Heller states there will not be. That is one of the things that in speaking to the neighbors that was requested. M. Gyarmathy states that he thinks that from a safety aspect, he would think that they would need something. He questions that the areas around the front of the building and the end are turn arounds spots, and that they will have access from the other parking. D. Heller concurs and states that they will have easements for cross lots. T. Siragusa states that he agrees with M. Gyarmathy about lighting just for security reasons. What would the hours be? D. Heller states that he does not think that there are going to be any real set hours. T. Roohan states that the neighboring property to the north is more like mall type lighting, so the lighting is very high and it pours all over. That was one of the concerns of the Stephens to the south and the Rileys to the north – that there was already too much light there and they didn't want to have any more light. T. Siragusa questions that it will be open all the time, it is not gated, etc. D. Heller concurs. T. Siragusa questions what is on the south side, the symbols on the map. D. Heller states that those are the drywells for storm water. J. Bokus questions that there will be no lights inside the units, yet they will be open 24 hours. D. Heller states there will not be. T. Roohan states that they could certainly limit the hours. T. Siragusa states that one of the questions that will come up is signage. D. Heller states that they are not proposing any signage at this time. S. Weeks states that he has questions regarding the planting and the buffers between the building and the street. How did they decide where those should be located, how close to the street, etc.? D. Heller states that they set it back in relation to the house that is just to the south as they also have a fence and a little bit of a buffer, so they lined it up with that. T. Yasenchak states that she did not understand why they did not take the fence all the way across the driveway and the landscaping. D. Heller states that it is more for snow removal so that they have a little extra room. T. Yasenchak questions that there is a way to put in some additional screening because as you drive by you would be looking down this big, long, what looks to be a road. She understands the need for space for snow clearing, but if there could be maybe additional screening in that corner that would then screen also a large pile of snow. T. Roohan states that this does not show the existing vegetation. There is a very large Maple tree in that area. They just wanted to sort of frame the opening rather than have it look like a wall. T. Yasenchak states that it can be staggered plantings. S. Weeks states that was his immediate question. He needs to go out and look again or the Board needs to make a site visit to figure out how that is going to look with what is existing out there. His concern is what is going on along the road. B. Duffney states that the applicant has stated that there is a lot of lighting from the surrounding areas and does that overcast into this parking lot. T. Roohan states that it overcasts enough that the neighbors don't want them to add any more lighting. B. Duffney states that as the Board members have stated the concern for lighting for safety reasons, but if there is enough from next door that would put him a little more at ease. T. Roohan states that they have a sprinkler system on the grounds and King Enterprises across the street takes care of everything – there are flowers, etc. and the tenants want their places to look nice. He wants this to look nice also and that is why they went with a variety of trees. T. Yasenchak states that the Board likes to see a variety, especially in different heights and how they will mature over time. It just seemed like there was a space where the driveway is now that was just left blank with nothing there. If they could just follow thru with that, that would be wonderful. R. Roeckle asks what the use is of the exiting one-story building. T. Roohan states that it is a dental office. R. Roeckle questions that we don't have any requirement for pavement from property lines. T. Yasenchak states that we do have requirements for buffers and landscaping along pavement and property lines, but the way that it reads that is something that the Board has within our purview to waive or modify dependent on the landscaping plan that we are reviewing. R. Roeckle states that is why he is concerned because the property line runs right through the middle of the pavement. T. Yasenchak states that what they are discussing is in the Code under landscaping requirements for parking areas and it does list that all loading areas are to be landscaped and screened sufficiently to obscure the view of parked vehicles and there is a notation about landscaping along the edge of pavement when it is against a property line. What we have here is obviously different because the property line goes thru the pavement and there is no way to have landscaping between the driveway and the property line. She states that it may be that where the applicant can't have it on the property line, it may be something that we require to be along the side of the pavement. D. Heller indicates that they did not do any landscaping behind the dentist office because that is actually the septic. That is why they did not propose any kind of planting or disturbance

September 27, 2016

along there. T. Yasenchak states that we may need to see something because the reasoning behind it is that we soften the visual appearance of that harsh element, a long area of pavement. There are also buffers that are required and she questions that it is a residence to the south. D. Heller states that T. Roohan has been talking to the neighbor to the south to make sure that they are happy, that is their main concern, to make sure that the neighbors are happy with whatever is being provided for any kind of screening. T. Yasenchak reiterates that we do have requirements in the code and those buffers are not "may". It is a buffer that is required between retail or commercial and single family residences. For commercial it is a "C" buffer and then the code does specify what needs to be in that "C" buffer as far as the tree planting. If an applicant wants to go beyond that to make a neighbor happy, we are all for that, but it does have minimum requirements for screening and the buffers. S. Weeks states that would be on the South and the East also, so if someone does pull in at night and they do swing along that road, those lights will shine out to the east. T. Roohan states that there is a fence on the east side of the property. D. Heller states that it is 6' high and it is not showing up on the survey as it was just recently extended on that side. T. Yasenchak states that it should be added to the plan because that does count as far as the balance between screening and buffer. R. Roeckle asks if we are using a "C" or "B" buffer, retail vs. commercial. He is assuming that this is considered commercial and asks if the ZBA stipulated if we are considering this commercial. T. Yasenchak states that she believes that it would be commercial as it is not retail with someone coming in to purchase anything. So then it would be a "C" buffer. Discussion takes place as to how much area the applicant actually has to plant a buffer. It could possibly be a fence instead. No variance was granted for the buffers and the ZBA did highly recommend that the Planning Board look at buffers. T. Yasenchak states that we should have G. McKenna take a look at that and determine whether that is something that the Planning Board can look at or if it is something that needs to be included in a variance. She asks if the applicant is not proposing a sign, how will someone know what it is, who do they call in case of an emergency, etc. T. Roohan states that they do have signs stating who the Property Management company is with a phone number and they are the size of a sheet of paper. T. Yasenchak states that we will have to have something in place for easement language as we go forward. She understands that it is all under one ownership, but since it is separate parcels, she believes we will have to see easement language so that we know that it can be accessed. D. Heller questions that that would be prior to approval. T. Yasenchak states that it could be a contingency, but it is something that would have to be done as part of the approval process. We need to get an interpretation from the Code Enforcement Official about the code for landscaping along the pavement. Public hearing is discussed. C. Baker states that the applicant submitted a detailed storm water report, which he has not reviewed in detail yet, because he wanted to see what the Board's reaction was. He is concerned about utilizing the adjacent property for the storm water management because he does not know if that area has been reserved for that property for their storm water. That is something that the applicant is going to have to show, that that area has not already been utilized or set aside for their storm water management. He states that if he can find the site plan that was approved for Dorsey, we can see if that area was set aside for storm water, if it was, then they are going to have to look at some alternatives. D. Heller states that currently there are two existing drywells there so they are adding an additional one. C. Baker asks if that is addressed in the storm water report. D. Heller states that it is. C. Baker states that the other concern he has is the pavement that goes over the property line in the area that they mentioned there being an existing septic system, his concern is that if that septic system fails, are they going to need that area for their replacement. D. Heller states that basically if you do a 10' offset from the property line like it is supposed to be for a septic, it is not really usable anyway – in the area that they are looking to put the pavement, so likely they would just have to replace in kind in that location. C. Baker states that they are going to have to provide a little bit more detail as to where that system is, how big it is and if they do have to replace it if there is going to be adequate area for them to do that. D. Heller states that they can definitely do that. C. Baker states that the other issue he has is with the two drywells that are shown to the south, they look like they are awfully close to the property line. If those have to be excavated and replaced in the future, they are probably going to be encroaching on the neighbor's property. He also suggests looking at a shallow infiltration trench or something, but that is a concern he has along with any screening that is going to be required along that side is going to have to work. R. Roeckle questions that since this property access is through the other approved site plan, are we going to have to look at the traffic flows from the original site plan. T. Yasenchak states that is a good question. C. Baker states that he does not see that as a big issue because you might be talking one or two cars a week maybe. D.

September 27, 2016

Heller states that the traffic count for this type of use is very, very low. R. Roeckle states that he agrees, but didn't know if we needed to address that as we are actually amending the original site plan for the other property for this new site plan. That area may have been designated as green space, etc., on the original site plan. T. Yasenchak states that we can ask G. McKenna what his thoughts are. Typically any change to an approved site plan needs to come before the Planning Board for an amended site plan and then there is obviously a site plan for the other lot. She states that we will ask how we can best address all of that at the same time. C. Baker states that that does piggy back along with the storm water management issue. T. Yasenchak states that regarding the traffic, even if it is just a letter that states what the general traffic is for a self-storage unit facility, so that way it is at least addressed. T. Roohan states that it is in the minutes of the ZBA meeting, they talked about the fact that the residence would have a certain level of traffic and this is a small percentage. T. Yasenchak states that if that could be something in writing that would be part of the record for the Planning Board. It is something for site plan review that we have within our purview to ask about traffic and then that becomes part of the application rather than just meeting minutes from another board. Discussion takes place regarding the upcoming changes in the meeting schedule and that at the workshop meeting after reviewing for completeness; we could schedule the public hearing and then take action at the next regular meeting.

MANSFIELD CUSTOM HOMES LLC – Minor Subdivision

Sand Hill Road

Dave Barrass, Surveyor, is present and reviews that they are proposing a 4 acre keyhole lot from the Quiet Run Farm with access from Sand Hill Road. There is an easement to serve the existing lot and they have submitted a revised plan showing the easement in a shaded area along with draft deed language. R. Rowland states that this is the application that the public received a notice for and that the correct address for this parcel is 379 Middle Grove Road with frontage also on Sand Hill Road. D. Barrass explains on the map and states that it will be one lot, for one home.

A public hearing is opened at 7:49 p.m. Richard Menshausen, Middle Grove Road, states that he just came to make sure that access from the property didn't come out at the same place that the farm's traffic comes out onto Middle Grove Road because it is quite a dangerous spot. T. Yasenchak states that because we are very concerned as a Board about sight distance and making sure that any new driveways are safe, we did ask the applicant to do a study about where that driveway is coming out and that they had the adequate sight distance to meet the NYS Department of Transportation requirements. That is on the map. Ann Marie Pratt, Pine Ridge Court, questions that the driveway comes out on Sand Hill Road. T. Yasenchak concurs. A. Pratt states that she drives down there every single day, the curve right before there that you come from Middle Grove – extremely dangerous. She states that she cannot tell you how many times during the course of a week traveling to and from work that she encounters someone on her side of the road because they are cutting that curve and doing probably about 60 coming down the hill. It is not a great spot. She questions where this backs up to the cul-de-sacs that come off of South West Pass. This is explained. A. Pratt reiterates that her main concern would be access from Sand Hill and the speed limit there is 40 but on a daily basis 8 out of 10 cars don't go 40. T. Yasenchak states that we have from an engineer showing that the sight distance meets the DOT requirements, and that is what the Board has to base our decision on. We cannot base our decision on people breaking the law, unfortunately. We usually do say to neighbors that if you find a road that has been traveled improperly, you can petition the Town Board for some additional signage, to reduce the speed limit, etc. David Schineller, Pine Ridge Court, asks if wetlands are involved with this. D. Barrass states that there are wetlands on the farm property and not the property to be subdivided. D. Schineller states that he sees the wetlands vegetation across Sand Hill Road and it looks like it goes near there in the woods. He states that it is currently all wooded and are all the woods going to come down for this. T. Yasenchak states that there is currently no limit of clearing on there but it is something that the Board can consider. There are certain requirements that the State holds on limiting owners to clearing 1 acre. They can clear more than 1 acre but there is a different process. D. Schineller questions that this is going to

September 27, 2016

be for one house only. T. Yasenchak states just one house. There being no further public comments, this public hearing is closed at 7:57 p.m.

T. Yasenchak states that it is a really long driveway and typically when someone knows that they have to clear that far, they don't go the furthest back, obviously someone could, but realistically people usually don't. It would cost more for utilities, be more expensive, so she is really not concerned with someone clearing, but if the Board is concerned, that might be something that we can put on here. B. Duffney questions how far back the house is going to be from the road. D. Barrass indicates about 500' from the road and he has shown a turnaround. C. Baker states that the applicant has addressed everything. Discussion takes place that there could be a contingency to have the easement language reviewed by the Town Attorney.

RESOLUTION – MANSFIELD CUSTOM HOMES LLC, SEQRA

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Planning Board completes Part II of the Short Form SEQRA. All questions are answered and the second box is checked, indicating that this will not result in any significant negative environmental impacts for the Minor Subdivision of Mansfield Custom Homes LLC for property located at 379 Middle Grove Road, TM#163.-2-8.11.

VOTE: Ayes: Bokus, Duffney, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak
Noes: None

RESOLUTION – MANSFIELD CUSTOM HOMES LLC, Minor Subdivision

MOTION: J. Streit

SECOND: T. Siragusa

RESOLVED, that the Planning Board approves the application of Mansfield Custom Homes LLC and Quiet Run Ltd for a minor subdivision for property located at 379 Middle Grove Road, TM#163.-2-8.11, per the plan submitted with the contingency:

- **Easement language to be reviewed and approved by Town Attorney prior to Planning Board Chair signing plans**

VOTE: Ayes: Bokus, Duffney, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak
Noes: None

464 MAPLE AVENUE – Site Plan Review
(formerly Ballston Mourningkill) Maple Avenue

Eric Carlson is present. T. Yasenchak states that this application was before the Board previously and the Town Engineer has reviewed revised plans, there are a few changes that were made and we have a letter dated September 19, 2016 from C. Baker. E. Carlson states that his intent here tonight is to get the Board's direction on getting this to final approval as they would like to get started on construction this year if possible. They have had a number of meetings, a number of concerns were brought up, he believes they were all resolved and as of the last meeting, he believes that they left off with engineering issues. He has been working with his engineer and C. Baker for the last few months resolving those issues which included a revision to the septic system, he might have reduced a couple of parking spots but they are still over the required number of parking spots for the square footage of the space that they are proposing. T. Yasenchak states that C. Baker had a different plan submitted to him. C. Baker states that he assumed the applicant would provide that for tonight. T. Yasenchak states that we don't have a copy that shows the changes that were made with the engineer. That is something that we would need. She states that we had looked at parking and there was some question of overlap with the parking. E. Carlson states that there was early on

September 27, 2016

and at this stage they are actually one spot greater than the Town's requirements. He believes that 27 spaces are required and they are at 28, in that neighborhood. T. Yasenchak states that we also haven't received the new SEQRA form and since there have been changes to the information that needs to be updated. The Board also needs the revised application and site plan that shows the revision for the Board to be able to take action or ask for additional information. We did have some conversation about landscaping, she thinks it had been resolved, but we need to see the final plans to make sure that that was something that was addressed. There was discussion about DOT and that is something that we typically do require for our final review. It is something that if we have a set of plans that we feel confident to take action, we can take action with a contingency that you get us the proper documentation from the DOT. E. Carlson states that Chad accepted the drawing the way it was, is looking at it as a work permit, and will not give a full approval until the Town does. He apologizes for not bringing any plans and states that his intention, if the Board remembers the last time he was actually here, the ZBA hadn't acted yet. He reiterates that the Board needs the SEQRA form and application form corrected and revised. T. Yasenchak states that if we can get that information the week before a meeting to get this back on an agenda and then the Board could schedule a public hearing and proceed. She explains the new meeting schedule. C. Baker states that he is satisfied with the engineering, but he cannot speak to planning issues.

GALARNEAU BUILDERS – Site Plan Review
Copperfield Road

Dave Barrass, Surveyor; Ed Lewis for Galarneau Builders and Dennis Perpetua, owner, are present. D. Barrass states that at the last meeting there was discussion as to the septic system being too close to the federally regulated wetlands and the applicant was asked to bring back a plan showing the septic system the proper 100' from the wetlands. Since that time there has been some discussion between Galarneau Builders, the DOH and G. McKenna that this is a federally protected area that does not require the 100' setback for a septic system. They did not, for that reason, submit revised plans, however they have decided to move the septic system across the driveway because it is a better, more spacious area for it and it is a little further away from the federally regulated area. The garage is staying in the same location. T. Yasenchak states that there is a question as to when that area was last flagged and if there has been any changes to those wetlands since that time. E. Lewis states that they found the notations on the original subdivision plans which noted that there were Federal wetlands that could not be disturbed. There is an existing septic system for the existing home and it is far clear from those wetlands. The question was also brought up that it was a raised septic and it is not, it is a conventional septic system. The new septic would not be a raised system. The only reason they are moving it across the driveway is to bring it to a different grade, it is down-grade from the house and to a clearing that already exists so that no more trees have to be taken down. T. Yasenchak states that our Code Enforcement has some concern that the original map was done in 1999 so there are 16 or 17 years that we don't know if that wetland has changed. Sometimes wetlands do creep or sometimes they can be reduced. E. Lewis states that there are a couple of lots at the end of the street and how would that affect them if someone were to propose building on those properties. T. Yasenchak states that they are still bound by having to not disturb those, if they are not reflagged, and someone is trying to build a residence, they are still bound by not disturbing those. E. Lewis asks why his client's property would have different requirements. T. Yasenchak states that this property is going through site plan review. E. Lewis states that this has been a tough one for the client to perceive and we have gotten this far with it. There is a buffer zone that is marked on the property and we are nowhere near that. C. Baker states that he cannot speak to something that he does not know, he does not know what the property at the end of the street looks like. T. Yasenchak asks if there is a standard, G. McKenna noted to the Board that he had a concern that it hasn't been re-delineated for 16 years, if there has been a change, etc. C. Baker states that the ACOE has certainly changed their criteria for identifying wetlands since 1999. They have gone through a number of iterations since then. Is it possible that the wetlands may change – it is possible, but to be honest he does not know. They are moving the septic to a bigger area; he certainly doesn't see the harm in having the edge re-delineated to confirm it. These wetlands were documented and shown on a final subdivision map. He assumes that there were house locations shown on those lots on the filed subdivision map. If there is deviation from those locations and if

September 27, 2016

someone wants to put the house in a different location, then there certainly is justification to ask the applicant to re-delineate and get a Jurisdictional Determination from the ACOE. On this particular project, they are proposing a brand new building and septic system. Is there justification, yes, he believes there is justification. The safe thing to do would be to have them delineate the edge. M. Gyarmathy asks that the Federal wetlands don't have any buffer requirements. C. Baker states that there is no requirement for a buffer for septic systems from Federal wetlands. He states that was his concern when he looked at this the first time, as we did not know whether they were Federal or State DEC. State DEC does have a 100' requirement. The applicant has since verified with the original subdivision map that the wetlands are in fact Federal wetlands, so there is no buffer requirement. T. Yasenchak states that knowing that if the applicant does build into the wetlands, if by some chance the wetlands have crept and the delineation is different, and if they disturb that, then it is the applicant's responsibility to not build within any wetlands, whether it is the ones that were delineated in 1999 or the ones that may have crept. C. Baker states that it makes sense, but who is going to enforce that. E. Lewis asks if there would be a chance that the Board could make that a contingency that they have it re-delineated prior to a building permit being obtained, because they would have to have the septic system along with the building permit. C. Baker states that he kind of agrees with that because once the septic system is designed, they may find that they are 100' away anyway depending on where their final location is. He states that they stated that they were looking at a conventional system and he would question that just knowing the area and he is sure that the applicant is aware that Greenfield requires a 4' separation to water table, so they might not be able to achieve that. E. Lewis states that it is the same area, elevation wise, as they are with the existing system for the house. He states that it is hard to show exactly where they are going to be because they might have to move a little bit, but it will all be determined prior to the permit. T. Yasenchak states that the Board cannot limit what the Building Department does; we can only place contingencies on our site plan approval so it is something that would have to almost be done at the same time. We would be able to take action with the contingency that it would get re-delineated in the area where the septic and the garage would be placed and then she would not sign off on the site plan until that is done. Which also goes hand-in-hand with the Building Inspector cannot give you a building permit unless the site plan is officially approved. We can't say that the building permit is contingent upon something because that is not within our purview. E. Lewis states that he is just concerned about how long it is going to take to get that delineation done. T. Yasenchak states that they could also hire a professional. B. Duffney asks if test pits have been done in the area for the new septic system. E. Lewis states that that they will have those next week. They are pretty confident that it will be ok because they are in the same elevation where they have done numerous test pits – within 200'. E. Lewis states that they also have a buried propane tank for the existing home and a normal, conventional septic tank.

A public hearing is opened at 8:31 p.m. Theresa Ellsworth, Braim Road, states that she had not planned on speaking this evening because it was her understanding that before the public hearing was to be held, the public was going to be able to review the location of the septic and if there was to be more clearing, etc. She believes that was stated at the previous meeting. She assumed that the Board was going to open the public hearing, but because the information had not been presented before the September 20th, then the public hearing would be closed and postponed until the next time. T. Yasenchak states that the plan that we have in front of us shows the septic behind the garage, it does not show it on the other side. T. Ellsworth states that she does not want to be difficult or delay the project to the point where the applicant cannot put a septic in. She had given D. Perpetua some information about alternative septic systems and she wanted him to have a chance to review that and maybe see that it might be a better alternative. T. Ellsworth asks if we are going to postpone the public hearing until we have the location on paper. She states that she realizes that with the new schedule, it would be another month. T. Yasenchak states that the way that we are transitioning is that we are doing that for new projects that are coming before us. A septic system will have to be designed by a PE, it would have to meet the guidelines for the Town of Greenfield and so it would be up to the Board whether we feel that we would need additional information from neighbors or if public comment on the location of the septic system would be needed. J. Streit questions that would not adjourning this public hearing until the next time satisfy everyone. T. Yasenchak states that the public hearing is open now, so we will listen to the public and then discuss and decide. T. Ellsworth states that she has a mental picture of where this septic will go. She states that she attended a meeting recently where there was a presentation on

September 27, 2016

alternative septic systems and she has given that information to D. Perpetua tonight in hopes that he might review it and this might be something that he could use. When the septic system was discussed before, there was the possibility of cutting more trees, more vegetation, but she thinks that it was stated tonight that that will not happen. She discusses the presentation she attended which was for a small system for smaller sites and will have less impact on water sources. There is a concern by the neighbors that there would be a lot more clearing and the look of the neighborhood would change in nature. She states that D. Perpetua has been very nice in coming to the neighbors and speaking to them about what he wants to do and he has written a letter to all of them explaining his purpose of moving there and what he wants to do with the property. She would like for the Planning Board, because that was the understanding, to adjourn the public hearing as per the minutes if all the information had not been available by September 20th for the neighbors to review.

Archie Quarrier, Copperfield Road, states that his concerns have been voiced already and with the proposed new location for the septic system that care is taken not to impact the wetlands. He thinks the reflagging and confirmed demarcation of the wetlands is an appropriate step and pit testing. He thinks that an alternative solution for a septic is certainly a possibility, too. He is also concerned with the impact to the neighborhood, the ecosystem, but also he would like to state that D. Perpetua has done a great job of reaching out, sharing and proposing natural barriers, which he applauds him for. There is still a concern for the impact and that they are taking careful considerations as this project moves along because it is a very delicate piece and they are concerned about their neighborhood. Dennis Perpetua states that he wanted to state on record what T. Ellsworth and A. Quarrier said, his goal is to improve the area and make it as beautiful as possible. His goal is to minimize the impact, plant new trees and try to make it better than it is today. He will continue to work with the neighbors. T. Yasenchak states that we did mention at the last meeting that we did want to see exactly where that septic was going to go and that we were concerned with the location of the septic, the limits of clearing, etc. Discussion takes place as to whether or not to adjourn the meeting until we receive the additional information seeing that we had asked for it and did not receive it in time for the Board or the public to review, or whether the discussion we have had is adequate and we can close the public hearing. Board consensus is to adjourn. E. Lewis states that on the plan that the Board has, if they were to put that septic system in that location where it was originally proposed, it is legal. He states that they don't have to move it; it was their choice to move it to make it even a better location and not take any trees down. The location as shown on the map is actually a legitimate location where it could go. His point is that they could go ahead and get the site approval. He questions how it works if they run into a problem where it was proposed and they have to move it, would they have to come back to the Planning Board or would it just go to the Building Inspector. T. Yasenchak states that it is usually G. McKenna's call of whether he feels that it is a significant change or whether he feels it is a minor change. If he feels it is a significant change of the intent of the original site plan, he would ask for it to come back as an amended site plan. E. Lewis states that what he is trying to get at is that what was brought up at the last meeting was that it was a thought that it was DEC wetlands, which would require the 100' setback. He researched it and showed the information to G. McKenna, that it was Federal wetlands. Being Federal wetlands, the proposed septic that is on that plan is valid and they would actually have to take a couple of trees down to put it there. He states that he guesses he could stand on this, leave it where it is and get the approval tonight, because all the Board is asking him to do is put that septic on the cleared area. At this time it is more of a technical thing. Really this all came up because the Planning Board thought it was DEC. T. Yasenchak states what she would ask is that the plan when they went to the ZBA, was that discussion based on this. She states that this is Site Plan Review so we do ask that the different site elements are shown adequately or appropriately on the plan on how they are going to be actually constructed. If the applicant wanted to keep this as it is, that would definitely be their choice but we already know that the applicant is moving it. E. Lewis states that the only reason they were going to move it was the concern about taking trees down and the wetlands. He states that the whole purpose of putting this building up and getting that residence in there is for the owner's mother-in-law, and getting it done within this season. He questions that they are being required to do the delineation. T. Yasenchak states that that is something that would be important to know and making that a contingency. C. Baker states that if the applicant leaves this in the area that is shown, he would be more inclined to say – do the delineation now because they are right on top of it. E. Lewis states that he met with the engineer on the site, looked at it again and decided that the tank would be on the side where the house is, go under the driveway just to the other side which is totally clear, no trees to be taken down and it was also downhill. They felt that it would be a

September 27, 2016

more proper location. It is minimal distance from where it was going to be. He states that they will try to push this and get everything done in two weeks. M. Gyarmathy states that the Board tries really hard to treat everyone exactly the same, so that is a big part of this. We are helping the applicant by giving him more time to do the delineation; it has been 15 years. At the next meeting we can go through this and hopefully get the applicant on their way. C. Baker states that the test pit information is important in this particular situation. T. Yasenchak reviews that the Board could take action at the next meeting with a complete, accurate map and that the delineation could be a contingency. There being no further public comments, this public hearing is adjourned at 8:55 p.m.

DISCUSSION

Discussion takes place regarding the process for the new schedule and what if something is brought up at a public hearing that the Board had not considered in deeming the application complete. T. Yasenchak states that when we review an application and deem it complete, she does not know that we have discussed if someone brings up something that might be a change. It would then be up to this Board to decide if we feel the need to push it off for another month. M. Gyarmathy states that the ZBA accepts an application and then it is a month before the next meeting at which time they generally make a decision. A site plan review is way more involved than a Zoning issue. He thinks that they would expect to have to come back. T. Yasenchak states that deeming the application complete does not put a restriction on the Board to have to take action at the next meeting if we feel that there is additional information. If we feel that we have to put it off, we will have to put that into the record stating that there is new information that needs to be added to the application and therefore we are almost setting the clock again. R. Roeckle states that any time an applicant agrees to provide additional information, that starts the clock again. C. Baker states that what the Board is saying at the workshop meeting is that it is ready to be on the agenda. You do not know if it is complete until you have the public hearing and public input. R. Roeckle states that the application is technically not complete until you have done SEQRA. T. Yasenchak states that if you ask the Town Attorney, they say we should always do SEQRA before the public hearing, because that makes it complete. She states that her thought was going to be that at the workshop if we deemed an application complete, then it would be on the next meeting and that is when we would have the public hearing and take action on anything. If at the first meeting we thought we needed more information, the applicant would be coming to the next workshop at the next month with the same option of being deemed complete and having a public hearing. C. Baker states that if you deem the application complete, have the public hearing and then the public brings up an issue that needs more information, then the application is not complete. T. Yasenchak states that if we need more information, then the clock starts again. She reads from the Code.

Meeting adjourned 9:08 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary

September 27, 2016

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Meeting adjourned 9:08 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary

**TOWN OF GREENFIELD
PLANNING BOARD**

October 11, 2016

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by T. Yasenchak at 7:01 p.m. On roll call, the following members are present: Tonya Yasenchak, John Bokus, Nathan Duffney, Michael Gyarmathy, Thomas Siragusa, Stan Weeks, and Robert Roeckle, Alternate. John Streit is absent. Charlie Baker, Town Engineer is present.

MINUTES – September 27, 2016

Due to an error in the copying of the minutes, the approval will be tabled to the next meeting.

PLANNING BOARD CASE

G. DAVID EVANS – Subdivision Amendment

Plank Road

G. David Evans and David Engel, Attorney, are present. D. Engel states that when D. Evans was here last, his understanding is that the Board had requested that plans be submitted showing 2 configurations for lot 4 – one with the keyhole arrangement and one without the keyhole arrangement – and he believes that those plans have been provided. T. Yasenchak states that the Board asked for an amendment. We did not ask for 2 plans, we asked for one. It was D. Evans choice to provide the 2. D. Engel states that as he understands it right now in terms of considering this matter and hopefully bringing it to a resolution, the Board is considering whether or not to require that lot 4 be keyholed, as opposed to what D. Evans has proposed which is an approach without that keyhole arrangement that remains D. Evans preference. They understand what the Board's request is and they also understand that this was brought on by, and he wasn't here that evening, as the Board was going through the environmental assessment form and was particularly considering question 17. T. Yasenchak states that from her understanding, there were 2 issues. One was that they felt that it wasn't fully consistent with the Comprehensive Plan stating to limit the number of shared driveways and easements within the Town of Greenfield. The second item that all the members felt was important for that particular lot 5 was that lot 5 was never part of that easement language to begin with in the original approved subdivision. It always had that foot, they were keyhole lots. Lot 5 never had an easement going across it. The lots in the back always had shared driveways and the Board felt that incorporating lot 5 and burdening it with an easement when there really was no reason for that, was going along with the inconsistency with the Comprehensive Plan. When this was approved for Open Development it was with the understanding that none of the other lots would change. Lot 5 was never part of that whole driveway situation and the Board felt that it made it more complicated bringing a lot into the easements and then you now have a parcel that is paying for someone else's driveway to go through it and could never use that property. The Board felt very strongly that they wanted to see lot 5 back to its original configuration, as close as possible. D. Engel asks, as this particular matter has been through a lot of process over the several months, the Board has the plan with lot 4 now keyholed, which addresses the Board's concern about lot 5 because it takes that portion of the road out of lot 5 and puts it in lot 4. If the Board sees that as acceptable, that gets this done and prompts the Board then to approve this, is that where the Board is going with this? T. Yasenchak states that we didn't vote on it, we did have an indirect poll of the members giving their opinions and said that if we would have gone forward, it may not have been a favorable result. We suggested that perhaps he look at another option and that is why he came in with the new plan. D. Engel states that he understands that, his question is now having made an effort to satisfy the concerns raised by this Board, does that get this done? T. Yasenchak states that is what we are here to discuss. D. Engel states that the