

TOWN OF GREENFIELD
PLANNING BOARD

July 8, 2025

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak Chair at 7:00 p.m. On roll call the following members are present. Charlie Dake, Steve Licciardi, Beth Podhajecki, Joe Sabanos, Robert Roeckle, Tonya Yasenchak, and Clyde Ronk, alternate. Justin Reckner, Zoning Administrator/Code Enforcement Officer is present. Butch Duffney is absent.

Minutes

June 10, 2025

MOTION: C. Dake

SECOND: R. Roeckle

RESOLVED, The Planning Board waives the reading of and accepts the June 10, 2025, Minutes with minor corrections.

VOTE: Ayes: C. Dake, B. Duffney, S. Licciardi, B. Podhajecki, J. Sabanos, T. Yasenchak, and C. Ronk

Noes: None

Abstain: None

Absent: B. Duffney

New Business

Tupelo Community Forest Case #PB 25-002
TM# 113.-1-35.1 and 113.-1-35.2

Amendment to SPR/SUP
250 & 280 Greene Road

Charles Gottlieb, Esq. Aaron Vera, and Jordan Conway are present. T. Yasenchak states that she is a Licensed Engineer with Engineering America and owner of Y Engineering Company along with her father George Yasenchak who runs his office out of Glens Falls. She states that her father had a client Mr. Richard Burnstein, Senior Counsel at Whiteman, Osterman, & Hanna LLP upon receiving the design Mr. Burnstein, requested his full retainer back, and a portion of said retainer was returned via their attorney. At that point Mr. Burnstein forwarded an Intent to file a lawsuit against her company at the expense of twenty times the amount of the retainer and noting that Whiteman, Osterman, & Hanna LLP represented Mr. Burnstein. To her knowledge the lawsuit has not been filed. Since then, Mr. Burnstein has taken her company to a small claims court for two times the amount of used portion of the retainer. She states that she has attended many of Whiteman, Osterman, & Hanna's seminars throughout Saratoga County and she has learned from them. She does not believe at this time that Whiteman, Osterman, and Hanna are Mr. Burnstein's attorney. Due to the fact that she has been involved with the Tupelo project for quite a while and feels that she can view this project fairly without prejudice. She asks if Mr. Gottlieb can do some research to see if Mr. Burnstein is in fact a client of Whiteman Osterman, & Hanna LLP, at that point she will recuse

herself. Otherwise, she will treat this project fairly as she has done in the past without any prejudice. Charles Gottlieb, land use attorney, with Whiteman, Osterman, & Hanna, LLP is present on behalf of William and Jennifer Aldrich Trust. For the record he has no idea about any of that situation. He states that he is often referred to as a "dirt attorney". He does not deal with any litigation. They are present to discuss the Tupelo Community Forest project. He states that he understands that this is not a public hearing and there are some people at the meeting that are in support of this project. On May 14, 2025, this Board did issue a site plan review and SEQRA for recreational use. One of the conditions of approval was that they needed a Wetlands Disturbance Permit to expand the parking area. NYS DEC has buttoned down the hatchet when it comes to wetlands disturbance. He states that it is very difficult to get a Wetlands Disturbance Permit. On April 23, 2025, DEC denied their permit. They weren't actually disturbing the wetlands themselves, just the 100' buffer that is required. DEC asked them to re-design the basins that were in the wetlands buffer that needed to facilitate a 14-space parking area. Over 10 spaces for recreational use triggers the need for wetland control measures. They reduced the size of the parking lot from the originally approved 14 space parking area and no stormwater permit is required. They are providing less impervious surfaces which will lessen the impact of this recreational project. This Board did evaluate two parking studies. One parking study was done by Buyer Planning stating that 10.2 parking space would be sufficient. The second parking study was done by Crighton Manning parking study stating 3 parking spaces were needed. They are requesting to go from 14 parking spaces to 10 parking spaces. He understands that no one wants to park on the road. They feel that they can provide signage that states "if the parking lot is full, they can move on." Once everything is constructed and they open that facility they can come back in front of the Board to make any other adjustment after possibly a year after opening. A. Vera states that with the original approval they have provided a letter from DEC stating wetlands disturbance during construction received a General SPDES Permit. Upon gearing up for construction DEC provided a carve out for projects like this, however it is limited to 10 parking spaces. If they provide any turnarounds they will not qualify for that. They still have the screening on Greene Road. T. Yasenchak asks where do they stand with the crossings? A. Vera states that the crossings have been constructed. He walked the trails with DEC, and the crossings were there and they had no comment. T. Yasenchak asks if DEC does any kind of sign off. A. Vera states that he would have to check his records, but he does not believe there was. To his knowledge Article 15 has been closed out. He can get that documentation. R. Roeckle states that the stormwater retention basins that were required for the parking were also required by DEC. A. Vera states it was the only requirement from DEC. R. Roeckle asks if the parking area is similar to what is already there. A. Vera states that it is nearly identical. They just removed 4 parking spots from the end. They did have to remove the trailer parking spot. R. Roeckle asks if the DEC stating that it is based on the number of parking spaces. A. Vera states it is. R. Roeckle asks if the turn around a parking space. A. Vera states that they may be able to do that provided that they use signage stating "this is not a parking spot it is only for turn arounds. In the original plan it was labeled as a turn around. J. Sabanos asks if there will be any other stormwater in another location. A. Vera states that they would not be proposing it if they did not feel it, was adequate parking. B. Podhajecki asks what kind of enforcement they have in place. C. Gottlieb states that with the signage then Code Enforcement can go in and do their job. J. Reckner states that he will not be doing that. T. Yasenchak states no, Code Enforcement cannot enforce something on the road. He can only enforce what is on the site. C. Ronk asks if there are any stormwater problems on the site now. A. Vera states no. S. Licciardi states that he does not completely follow with the two parking studies. They contradict themselves. Creighton Manning required 10.2 even though they are over 10. Even if they did relabel the parking spots how is it not increasing the parking size. A. Vera states that they eliminated the trailer parking spot. They did not feel that there was a need for the trailer parking space, because they are not allowed to

have events there. As far as DEC is concerned, they have not reached out to him personally. He is not sure how DEC arrived at 10 parking spaces. S. Licciardi states that he is not following the exemption. Is it the number of spaces or the level of disturbance to the parking lot. A. Vera states the reason this project is taking a step back is subjected to stormwater is the disturbance for the trail combined with the parking lot exceeding the parking threshold. Even though everything is completed it still exceeds the over acre. This plan does reduce the disturbance by about half. The disturbance is just over an acre in a half. R. Roeckle asks if DEC has any regulation on how big each parking space is to be? That would impact on the disturbance. A. Vera states not to his knowledge. He does believe they can revise this parking area to include a turnaround. T. Yasenchak states that she is glad to see less disturbance. They need to find a way to not have people parking on the road. She did not like the stormwater basins, because they had to remove trees and it was more disturbing. She likes the parking spaces less. People will find other spaces to park. The Town of Wilton has added a new trail system, and she is not sure how big it is, and they have a very large parking lot and they don't have any stormwater. She would like to know how many spots are being used on a daily basis. The Board wants to see people out enjoying nature. R. Roeckle states that Lake Benita has a 3-mile trail system and it has 13 parking spots. T. Yasenchak states that she feels that there is room at the north of the parcel. Code Enforcement is not going out and counting cars every day. The Board sets a public hearing for July 29, 2025. A. Vera states that he walked through the trail system with 3 DEC employees and they never said anything to him. T. Yasenchak states talk to their client to see how enforcement can be handled. C. Gottlieb states that he will look at the trails in Wilton. B. Podhajecki asks if someone comes with a trailer where it will be parked. T. Yasenchak states that is the question. C. Gottlieb states they will look at other mitigation. T. Yasenchak states that this community encourages people to be out in the nature. C. Gottlieb asks when would they need to have everything in by? T. Yasenchak states 10 days before July 29, 2025. That will be July 18, 2025. The Board does need 9 copies plus a digital file. C. Gottlieb states that they may not have anything back from DEC by then, but they will certainly press them.

Miller, W. & K. Case #PB 25-001
TM# 123.-3-11

SPR
361 Plank Road

No one is present for this project. R. Roeckle states they got approval for the office not a garage apartment. J. Reckner states that he was there for an inspection and they said it is not a garage when in fact it was a garage apartment.

Old Business

Cartier, Construction Case# 730
TM# 150.-3-40, 150.-3-99, 163.-2-22.1, and 163.-2-22.2

Major Subdivision
1 Sand Hill Road

T. Yasenchak states that this was not sent to the County because this project's back corner is within the 500's of a County Road. It did go to the County, and they provided a letter stating that there are no significant County wide or inter community impacts. There are no changes to the subdivision. No additional materials to be reviewed.

MOTION: C. Dake
 SECOND: S. Licciardi

RESOLVED, that the Planning Board, hereby grants a re-approval for a Major Subdivision for Cartier Construction Company, LLC, for property located at 1 Sand Hill Road, TM# 150.-3-40, 150.-3-99, 163.-2-22.1, and 163.-2-22.2 noting:

- There are no changes to this project, the Board does not need to redo SEQRA.
- The County provided a letter stating that there are no County wide or inter community impacts.

T. Yasenchak states that in their packets they had a 1 sheet application for a PUD. J. Reckner states that he had a meeting with them last week and they are looking to sell the property. T. Yasenchak states maybe this should be sketch plan. J. Reckner states that this is in our Code. T. Yasenchak states maybe they can provide a narrative.

DISCUSSION

Vince Walsh asks how long someone has to submit something to be on an agenda. T. Yasenchak states if they have been in front of the Board previously, they have 10 days, which will be July 18, 2025. V. Walsh states there is no way they can get anything from DEC in time. T. Yasenchak states that he said that he probably would not get it in time to submit. It does not mean that the Board will make a decision at their next meeting. The Board sets a public hearing to get information. Even if the Board does not receive any information, they will still hold a public hearing. V. Walsh asks about the delineation. T. Yasenchak states that they are not going to get into that now. They did have a delineation. They can talk about general process but that is it. V. Walsh asks why C. Dake recuses himself from this project. T. Yasenchak states anyone on this Board can recuse themselves and they do not have to mention why. C. Dake states that before any trees were cut or any work was done he walked to property with W. Aldrich and in his capacity of being a Board member of Saratoga Plan even though some of his advice was not taken he felt that there was a clear possibility of the appearance of impropriety on this project. V. Walsh asks when the minutes of this meeting will be out? K. McMahon states 2 weeks. T. Yasenchak states that they do their minutes within the time allowed. V. Walsh states that he knows K. Downen is the FOIL Officer, and I FOIL something every month I can't get my FOILs in time because someone can't get the information to K. Downen. T. Yasenchak states that we can't comment on any FOIL information.

Meeting adjourned at 8:01 p.m. All members are in favor.

Respectfully submitted by,

Kimberley McMahon
 Planning Board Executive Secretary

DRAFT