

TOWN OF GREENFIELD
Planning Board

April 12, 2022

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by R. Roeckle at 7:00 p.m. On roll call the following members are present: Charlie Dake, Butch Duffney, Stephen Licciardi, and Joseph Sabanos. Chairperson T. Yasenchak and Charlie Baker Town Engineer are not present. M. Waldron, Zoning Administrator/Code Enforcement Officer is present.

Minutes will be reviewed at the next meeting.

OLD BUSINESS

Morrow, B. Case #675
TM# 99.-1-33.23

Site Plan Review
4390 Route 9N

Bruce Morrow is present. R. Roeckle asks if the applicant is looking to build a studio. It appears that this is not in compliance with zoning. R. Roeckle reads C. Baker's comments. It is suggested that the applicant has to move the driveway to the studio so that the studio does not interfere with any future dwelling on the property. He states that he is not concerned with it at this time. The Board agrees. The Board reviews SERQA.

MOTION: C. Dake
SECOND: B. Duffney

RESOLVED, that the Planning Board completes of the Short Form SEQRA. All questions are answered "no" and the second box is checked, indicating that this will not result in any significant negative environmental impacts for a Site Plan Review of Bruce Morrow for property located at 4390 Route 9N, TM# 99.-1-33.23.

VOTE: VOTE: Ayes: Dake, Duffney, S. Licciardi, J. Sabanos, and R. Roeckle,
Noes: None
Abstain: None
Absent: T. Yasenchak

MOTION: C. Dake
SECOND: B. Duffney

RESOLVED, that the Planning Board approves a Site Plan Review for Bruce Morrow, for property located at 4390 Route 9N, TM# 99.-1-33.23.

VOTE: VOTE: Ayes: Dake, Duffney, S. Licciardi, J. Sabanos, and R. Roeckle,
Noes: None
Abstain: None

Absent: T. Yasenchak

ZBA REFERRAL

355 Grange Road, LLC Case #
TM# 151.-2-58.1

Advisory Opinion & SEQRA Review
355 Grange Road

Gerry McKenna is present. R. Roeckle reads NYS DEC's letter that states that they have approved the Planning Board to be lead agency for this project. R. Roeckle asks G. McKenna if he is proposing 8 unit apartment building. G. McKenna states no, 16 units. R. Roeckle states that Zoning would only allow for one four unit apartment building. B. Duffney asks how much property is at the parcel. R. Roeckle states 6.213 acres and there are wetlands on the property. B. Duffney asks if the septic will be in the back. G. McKenna states no, the front. R. Roeckle states that the Town Engineer will have to review it. The Board reviews Part II of the SEQRA short form. B. Duffney asks how many units? R. Roeckle explains that the Applicant is proposing two eight unit apartments buildings and two eight unit car ports. The Board reviews Part III of SEQRA. J. Sabanos ask if the Planning Board is lead agency. R. Roeckle states yes, DEC sent a letter. B. Duffney asks if the Board has to check box one of Part III SEQRA. C. Dake states that he would be curious to see the water impacts, but it is not necessarily a problem for him. J. Sabanos states that technically this project is 400% over current Zoning, it is not an opinion it is what it is. B. Duffney states the letter of the law is exactly that. He asks what is allowed in this district. J. Sabanos states that he feels that is the ZBA's opinion not the Planning Board's. G. McKenna states 800 square feet are what are allowed. J. Sabanos asks how many proposed apartments? G. McKenna states two eight units one bedroom for each. J. Sabanos states that there could be anywhere from 16 individuals to 32 individuals total. G. McKenna states bear in mind this property is next to a mobile home park. R. Roeckle states that park has been there since the 1970's. J. Sabanos asks how many acres in the park? C. Dake states 17.63 acres. R. Roeckle states there is 1.4 acres of wetlands on the property and the density is four times that what is allowed. B. Duffney states that this is large and feels the Board should check the first box of SEQRA in Part III. The Board agrees. G. McKenna asks before the Board checks the box he would like to check with his business partner. He has been out of town for the last 15 months. His partner really is not involved with this project. M. Waldron states that if there is a change in relief than they will need a whole new application for the ZBA. G. McKenna asks if he can revise his application. M. Waldron states no, it is a change in relief it will need a whole new application. M. Waldron states that the ZBA referred as it stands and now the applicant wants to change the relief/number of units he will need a whole new application. J. Sabanos states that the Board is here to help the applicants and we are not going to tell you how to do anything. He states that he is trying to save the applicant time. He states that he would typically try to stay away from the ZBA. He states that he does not want to mislead the applicant. G. McKenna states maybe he can knock the project down to one eight unit or possibly split the lots. G. McKenna asks the Board not to make a motion until April 26, 2022.

MOTION: C. Dake

SECOND: B. Duffney

RESOLVED, that the Planning Board completes of the Short Form SEQRA for 355 Grange Road, LLC for Advisory Opinion and SEQRA Review for property located at 355 Grange Road, TM# 151.-2-58.1 for the Board to make a determination for this project on April 26, 2022.

VOTE: VOTE: Ayes: Dake, Duffney, S. Licciardi, J. Sabanos, and R. Roeckle,
 Noes: None
 Abstain: None
 Absent: T. Yasenachak

C. Dake states that the Board will make a determination on April 26, 2022.

NEW BUSINESS

Spiak, M. Case #676
 TM# 151.-2-59.1

Amendment of farm stand SUP
 331 Grange Road

Michael Spiak is present. He states that he is looking for an amendment his Special Use Permit. He states that they really haven't been able to do much over the last two years due to the pandemic except make wine and they have made a lot of it. He states that he is looking to do an 10' addition to the barn and add some wine racks. R. Roeckle states that he would be doubling what the Board has previously approved. He reads C. Baker's letter. R. Roeckle asks about the proposed new driveway. M. Spiak states it is a few feet to the north. He states that that he spoke with Justin Burwell (Highway Superintendent) and he is fine with it. R. Roeckle states that there has to be adequate site distance. M. Spiak states that he is looking to move the driveway north the current driveway is 30' to the south. R. Roeckle asks if M. Spiak will be using the old driveway. M. Spiak states yes for egress. R. Roeckle states that with a Special Use Permit they will need to have a public hearing. M. Spiak states that he thought that he thought this was just an amendment to his already approved Special Use Permit. J. Sabanos states that he was not on the Board at the time of his approval he asks what if any comments from the neighbors. B. Duffney states all the comments from the neighbors were all positive. J. Sabanos states that he has no objections in having a public hearing. The Board is staying consistent by having a public hearing. R. Roeckle states that he does not see anything in the Code on a different process for to have a public hearing on an amendment to a Special Use Permit. The Board sets a public hearing for April 26, 2022. B. Duffney states that this protects the Applicant. Can we ask the Code Enforcement Officer? R. Roeckle states that this is a Planning Board issue. The Town Engineer will ask for site distance. Sabanos asks if the Town Engineer will ask for the site distance to be put on the map. R. Roeckle states yes. M. Spiak states that the site distance will increase to the south. R. Roeckle states if that can be verified before next meeting. M. Spiak asks who does that. R. Roeckle states find your original plan to see how much that has changed.

Keyzer, J. Case #677
 TM# 137.-1-16.1

Minor Subdivision
 901 North Creek Road

Jim Vianna (Agent) is present on behalf of John Keyzer. J. Vianna states that this is in MDR-2 District on North Creek Road. This is a 54 acre parcel and 6 years ago the applicant did a four lot subdivision. Now they are looking to do a three lot subdivision of three acres each and have 43.5 acres left. The site has been surveyed. Site Distance is not on there, it has been

done it just hasn't been added to the map. R. Roeckle asks if J. Vianna has received C. Baker's letter. J. Vianna states yes. J. Sabanos asks when that last subdivision was done. J. Vianna states May of 2016. J. Sabanos states that he understands the keyhole lot and doesn't feel it is terrible as people think they are still keeping the lots rural. S. Licciardi states in 2019 the wetlands were added and asks if it is to the south of the property. J. Vianna states that it is the Kaydeross at the northeast corner of the property on lot one and there is a seasonal run-off. They have been classified by Army Corp. of Engineer. That is the only wetland that affects this. C. Dake states that he does have a problem with the keyhole lots. He does not like them there are already a good number of them that have been on this property in the past. He is not inclined to approve any more keyhole lots for this property. J. Vianna states that if you drive down N. Creek Road by Coy Road it is quite a bend. There are two keyhole lots that were previously approved. J. Sabanos states that the rear lot (lot number three) the general shape of it could be better use if it was squared off more like a hammer. There aren't any shared driveways and he likes that. J. Vianna states the reason why it isn't square is because lots one and two have bigger driveways. R. Roeckle states that lot three has a setback of 75'. J. Vianna states that the keyhole lot provision has 50' side and rear setbacks. R. Roeckle reads the Code for keyhole lots. R. Roeckle states that he is not fond of the keyhole lot because of the two keyhole lots that are already approved. J. Vianna states that that there is a knoll on lot two. R. Roeckle states that he has an issue with the keyhole lot and agrees with C. Dake there are already two keyholes approved. J. Sabanos feels that this project should be treated separately. C. Dake states that the Board cannot speak for future Board members. R. Roeckle states that the Board has had other issues in Town. C. Dake states that he is not opposed to them and is looking at both sides. J. Vianna states that he understands and it is not catch all, it is used as a tool. R. Roeckle asks what is the reasoning for the keyhole lot to be in the middle of the subdivision. J. Vianna states that on the west side is a hill and on the east side are wetlands. R. Roeckle states that the Board needs more information on the plan such as site distance. J. Vianna states he will put it on the maps. R. Roeckle states roads in Town are considered 55 miles per hour unless it is reduced by New York States Department of Transportation.

DISCUSSION

Ken Kwalik states that he lives at 28 Old Stone Ridge Road and the Home Owners Association has gotten new Board members and it is himself along with three other residents. They have submitted a reforested plan and are waiting on approval from the Town. They have been working with M. Waldron on this. They do have an issue with time and can only plant in the spring and the fall. They have had extreme arguments with residents in the HOA over who would be paying for this. It is not their fault that one person clear They plan on doing a lot line adjustment to cover the cost of the reforestation. They have come here tonight on good faith. R. Roeckle states that he is aware of the application that was submitted and the Board is waiting on Town Council to respond. The land that is being sold (lot line adjustment) will help pay for the reforestation. K. Kwalik states correct. The builder made the view sheds. They have residents of the HOA that have blessed this plan. They have spent a lot of time working on this. R. Roeckle asks if this would be an amendment of the original subdivision. R. Roeckle asks why the residents of the subdivision would buy the land from the HOA that they can never do anything with. Derek Demeo (a member of the HOA Board) states that he does not want his neighborhood to be left like this. An employee of Gallivant is a good friend of his and they want him to do the work because of the quality of work he does. R. Roeckle states that moving property lines to justify by giving money to plant trees. I don't know why people would agree to buy property that they can never use. Rian Green of Old Stone Ridge Road states that everyone that is coming in here would have to do it. K. Kwalik states the only other alternative

is to have no other builds. R. Roeckle states that he does not care how it is paid for he cares about how it gets done. The Board is waiting on Town Council. He asks if the Attorney General has to get involved. K. Kwalik states that they have hired attorney Joe Walsh and they will make the correct filings with the Attorney General's office. B. Duffney states that he commends them for doing this and he is sure that the Board will do whatever they can. Derek Demeo states that they have spent hours working on this. He wants to be a pillar of the community and he is willing to pay for a good portion of this reforestation. K. Kwalik states that they prior HOA Board should have provided it, obviously they didn't. C. Dake asks that they are not asking to replant trees you're asking for lot line adjustments. J. Sabanos states that the plan sounds good. C. Dake asks this is just a lot line adjustment. K. Kwalik states yes. J. Sabanos states that this is more than just replanting. R. Roeckle states that Town Council will direct the Board how to proceed and can't do that until that happens. B. Duffney states until Town Council ways in the Board can't proceed.

Meeting adjourned at 8:33 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
Planning Board
Executive Secretary