

TOWN OF GREENFIELD

PLANNING BOARD

February 8, 2011

REGULAR MEETING

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

MINUTES – January 25, 2011

MOTION: B. Duffney

SECOND: T. Yasenchak

RESOLVED, that the Planning Board waives the reading of and approves the minutes of January 25, 2011, as submitted.

VOTE: Ayes: Dake, Bokus, Duffney, Dupouy, Gyarmathy, Siragusa, Yasenchak

Noes: None

Absent: Streit

PLANNING BOARD CASES

THOMAS DiPAOLA – Minor Subdivision

Braim Road

No one is present for this application.

MIKE REMILLARD – Minor Subdivision

Wilton Road

Mike Remillard is present and explains that this property is directly across from the cell tower on Wilton Road. Five years ago he did a minor subdivision. He would now like to subdivide out 1 additional 6-acre lot from the 148-150 acres. C. Baker states that in the original subdivision there were issues with stream buffers, no build lines, etc. and states that this lot should be delineated. M. Remillard states that there are two places on that lot that can be built on. You can access the rear of the lot or the right front side of the lot. He has a potential buyer who would like to build in the front. G. Dake states that from looking at the map, M. Remillard owns frontage on either side of the Tookers' property. M. Remillard states that is correct. G. Dake states that then it would just be creating another lot that looks like the existing lots and asks if there is a house on the lot. M. Remillard states that there is a cabin on the Wilton end of the property. G. Dake asks if it is a residence. M. Remillard states no, a cabin. L. Dupouy asks if it has running water and electricity. M. Remillard states that it has electricity. G. Dake states that as long as the piece he is subdividing off doesn't have anything on it, it is not germane. T. Yasenchak asks if the lot that is being subdivided will be even with the back line of Gardner's. It will be more in line with Tookers' back property line. T. Yasenchak states that she does not see any issue with this. She agrees with C. Baker that we would need to see some kind of delineation showing where the wetlands are, if there is a buildable area in the front and if not where access

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can be gained to the rear. M. Remillard asks what the delineation is as far as footage. T. Yasenchak states that it is 100' from wetlands, not just the stream. B. Duffney states that he believes that there is adequate area to build a home in the front, he cannot say positively because it has been a few years since he has been there. M. Remillard states that the front would be the best. There is an area in the rear but it would make more sense in the front. T. Yasenchak states that it would just be a matter of getting the setbacks to work. L. Dupouy states that she has no issues. She states that the septic should be shown on the map with the delineation. G. Dake states that the Board would need to see a map showing that everything can work. M. Remillard questions that they need to show a possible location for a house to go. G. Dake states that he does not know what the engineer might have from the original subdivision and then the lot line adjustment as to what was set up and what information they may have. Obviously, for the Tookers we did something because we did not delineate for that lot. M. Remillard states that he might have that from the original subdivision. G. Dake states that this time of year it is impossible to determine where the edge of a wetland is so that is going to hold the applicant up. Whatever he has in the files from when it was done last would be helpful. Until we have that information, we don't have enough to even hold a public hearing, but certainly everything conceptually is fine. It is just going to be a matter of making sure that the engineering will work. Once the applicant can provide that information and a good map, we can schedule a public hearing if the Board feels it is necessary, and proceed from there.

ROLLAND HOAG – Site Plan Review

Maple Avenue

Rolland Hoag is present and states that he did find out that the property is hooked up to Saratoga City sewers and that the State has issued paperwork to him. He has taken photos of the existing lighting. C. Baker asks if there is going to be any modification to the existing parking. R. Hoag states there will not be initially. If he needs to make any changes in the future he will come back to the Board to change that. C. Baker explains that storm water management in New York State has become a huge issue and that if the applicant were to make changes the existing storm water management system would need to be looked at. R. Hoag states that he intends to speak with the Elks to work out something for overflow parking. M. Gyarmathy states that he has some experience with lighting requirements for New York State for ATM's, which are outrageous. He asks if the applicant has any plans for that area. R. Hoag states that he may put a door there, but he wants to get in and take a look at how it works out first. He would like that as an entrance but it opens into the wrong part of the building. His lights will all be off at night. T. Siragusa asks if the existing parking is sufficient. R. Hoag explains how he would use the driveway and parking. He would eventually like to box in the drive thru area for a garage. T. Yasenchak states that she checked the code because she had a concern with the parking. The applicant meets the requirements for a funeral home in that zone. R. Hoag reiterates that he is working out of a building now that has no parking and has been looking for a site like this one with parking and where they can have services at the location. T. Yasenchak states that she thinks this is a great re-use for the building. G. Dake states that he would encourage the applicant to contact the Elks Lodge to discuss the parking, as he would hate to see people parking along Maple Avenue. T. Yasenchak states that sometimes the Elks have large dinners and their overflow parking would go into the bank. R. Hoag states that his building would be open to the community. Public hearing is discussed. T. Yasenchak states that she is comfortable waiving a public hearing because it is an approved use in a location and meets the regulations for parking. G. Dake states that it strikes him as less offensive than a bank. The Board concurs.

RESOLUTION – R. Hoag, Site Plan Review

MOTION: L. Dupouy

SECOND: B. Duffney

RESOLVED, that the Planning Board waives a public hearing and grants the application of Rolland Hoag for a Site Plan Review for property located at 402 NYS Route 9 (Maple Avenue), Tax Map #153.17-2-22.2, per the application submitted.

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VOTE: Ayes: Dake, Bokus, Duffney, Dupouy, Gyarmathy, Siragusa, Yasenchak
Noes: None
Absent: Streit

ZBA REFFERAL

Robert and Karan Rhoades, Area Variance – No Planning Board issues.

ANIMAL KEEPING RIGHTS

T. Yasenchak states that she and T. Siragusa stopped by the Cornell booth at the Planning Conference and has received information, which has been copied for the Board members regarding keeping of chickens. She states that Dave Leggett did a lot of research for us on what is being called Urban Farming and it is interesting reading. She states that what is really interesting is that in New York City chickens are considered pets under the Health Code; unlimited number of hens are allowed; no rooster or other types of poultry. G. Dake states that he has received an e-mail from Jason Kemper but has not opened it yet. He will forward copies of that to everyone. He suggests that the Planning Board write a summary of what they think and send it to the Town Board for their input. Until the Town Board agrees with the concept, there is no point in re-writing the law. What we have to do is write a coherent, brief statement of what we think in a specific zone you should be allowed to do, with this amount of acreage, this is what needs a permit or not, etc. The Town Board reads the Planning Board and ZBA minutes, so they know this has come up and that we are talking about it.

DISCUSSION

C. Baker states that we have been struggling for some time on the 5-year rule and he is wondering if it might make sense to ask Mark Schachner to take a look at that for us. He states that he has talked to a few people in his office and Greenfield is one of the only towns that has this rule. He is now questioning whether or not it is a State rule. G. Dake states that he will call M. Schachner. He states that we may be able to get it clarified or removed. Regardless, he suggests that the Board should think about how they have seen the 5-year rule in practice – where it has been an asset to the Board and where it has been a liability, when have we struggled with it, what are the things we would like to see or has it just been a rule that because it is a rule it is there, how much have we seen creep, have we seen people trying to sneak through. Right now in such a low development period is not a good time to judge it. T. Yasenchak states that it may be with people being more aware of storm water and because there are fewer lots out there, is the 5 year rule instead of being something outdated something that is up and coming because you have to look at how a subdivision is affected in the long run. It is not necessarily that someone is trying to get by. She gives the example of Washington Street in Saratoga near the intersection of West Avenue. She states that we are looking at something that could happen in the long run and conserving the environment rather than trying to limit someone's profit. G. Dake states that we end up controlling that through the SEQRA process if we are doing our jobs correctly. On the Collura subdivision on Locust Grove Road, the Board was concerned about both sides of the road even though he initially only presented plans for the east side.

L. Dupouy comments that she does not think that the speakers for this year's Planning Conference were good this year at all. The worst way to keep someone's attention and have them retain any information is to lecture at people and show a matching power point presentation. Last time she went she found the conference very good, engaging. G. Dake suggests that L. Dupouy send her comments to Tom Lewis.

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T. Yasenchak states that she wants to comment on two things from the conference also. She states that in some other municipalities Planning, Zoning and Town Boards hold meetings together. R. Rowland states that the ZBA had also discussed this and it is in their minutes from the February 1, 2011 meeting. T. Yasenchak states that there were also a lot of comments about representatives/liaisons from their Town Boards attending their Planning and Zoning meetings and vice versa. She states that if we have a Town Board liaison, they should be here more often. G. Dake states that he does occasionally get calls from D. Cochran. T. Yasenchak states that she thinks it is important that they see how the Board as a whole works and interacts as individuals. She thinks that it is important as we represent the Town. G. Dake states that we also used to never have a Planning Board meeting without a representative from the Environmental Commission present.

Meeting adjourned 7:43 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary