

**TOWN OF GREENFIELD**

**PLANNING BOARD**

**March 8, 2011**

**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, Nathan Duffney, Lorna Dupouy, Michael Gyarmathy, Thomas Siragusa, and John Bokus, Alternate. John Streit is absent. Charlie Baker, Town Engineer, is present.

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**MINUTES – February 22, 2011**

MOTION: B. Duffney

SECOND: L. Dupouy

RESOLVED, that the Planning Board waives the reading of and approves the minutes of February 22, 2011, with a minor addition.

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

Noes: None

Absent: Streit

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**PLANNING BOARD CASES**

**THOMAS DiPAOLA – Minor Subdivision**

Braim Road

Gerry Magoolaghan is present for this application and reviews that T. DiPaola wants to subdivide the existing lot into a 13+-acre keyhole lot and a 24+-acre lot with 250' of frontage. The lots are proposed to have a shared driveway and the common driveway language will be provided. G. Magoolaghan states that the applicant asks that the issues in C. Baker's review letter be made contingencies to be handled at the time of the permitting process. T. DiPaola would like to be able to list this property for sale as either one or two lots. There will be no change to the appearance of the frontage. A public hearing is opened at 7:03 p.m. Jim Staffield, Braim Road, states that his driveway is directly across from this property and he asks for some clarifications of the map. Elliot Glansberg, Braim Road, asks what the possibility is of there being more than two residences on this property. T. Yasenchak states that, as it is being proposed, it would be two lots with one residence on each. C. Baker states that they would not be able to further subdivide as there would not be enough frontage. T. Yasenchak states that the 40' is allowable for a keyhole lot, but not for a road. J. Staffield states that there are currently issues with the drainage from the higher elevations and that it does take a toll on the road. He questions that there will be monitoring of runoff. T. Yasenchak states that the Board will discuss this. There being no further public comment, this public hearing is closed at 7:09 p.m.

C. Baker addresses the question of drainage and explains the process of submitting a plot plan, SWPPP and inspections that would occur during the building process. T. Yasenchak states that the applicant has asked if some of the items in C. Baker's review letter can be addressed later and she asks C. Baker if there is any item that is on here that we have allowed approval based on contingencies. C. Baker states that the only question he has is if we sent a copy of the plans to Emergency Services. R. Rowland states that she sent an e-mail to Mike Chandler and mailed him a copy of the map. C. Baker states that as far as the rest of the comments in his letter, he does not see why they cannot be made contingent upon the final approval. He

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states that as part of the building process they will have to do the individual plot plans; they will have to do the verification of the wetlands, etc. T. Yasenchak states that there can also be a contingency that any approvals need to be received from DEC. C. Baker states that there is plenty of building envelope on that lot to be able to make everything happen. T. Siragusa questions that with the contingencies are we agreeing that there is nothing there that when getting a building permit they can come back and we have approval for a two lot subdivision and one of them is not a buildable lot. He asks if that is possible at all with these contingencies or are we saying that there is so much land there that that is a small risk. T. Yasenchak states that was her question for C. Baker because in the one area where the driveway would be coming in, there are two areas where the wetlands seem kind of close. G. Magoolaghan states that the driveway is already in place. The owner does not have a permit as they did not disturb more than ½ acre, which was the requirement at the time. C. Baker states that he believes that is correct, it was up to ½ acre. G. Magoolaghan states that on the aerial you can see that the driveway base is already there and goes back to a proposed house location. If the wetlands have gotten bigger, they may have to move the house but the driveway base is quite substantial. T. Siragusa states that this is a good example of a flag lot. He states that in the past we have had lots of discussions on flag lots and shared driveways. He thinks that with the limits that are in place it shows that the applicant saw that you can only do this once. There is a lot of land in the back that someone gets to live on without any visual impact on the road. He states that he is in favor of flag lots and this is a good example. B. Duffney states that he believes there is plenty of room for two homes. You may have to go further in because of the wetlands. T. Siragusa asks about the markers for the fire department. T. Yasenchak states that we have not heard back from Emergency Services.

**The Board completes Part II of the Short Form SEQRA. All questions are answered “no”.**

**L. Dupouy makes a motion to check Box B, indicating that this will not result in any significant negative environmental impacts. T. Siragusa seconds the motion. All present in favor.**

**RESOLUTION – T. DiPaola, Minor Subdivision**

MOTION: L. Dupouy

SECOND: B. Duffney

RESOLVED, that the Planning Board grants a minor subdivision to Thomas DiPaola for property located at 540 Braim Road, TM#139.-1-82, per the map submitted and contingent upon:

- **Satisfying the comments C. Baker’s engineering review letter of January 25, 2011**
- **Note to be added to plans regarding farm animals on adjacent property**

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

Noes: None

Absent: Streit

T. Yasenchak states that we will need a complete map and the shared driveway language.

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**LORNA DUPOUY – PUD**

South Greenfield Road

Lorna Dupouy recuses herself from the Board as she is the applicant. John and Terry Gay, Northeast Land Survey are present. J. Gay states that this is a low density plan. Usually developers want a little more than they can get out of zoning so they go with a PUD. This is not the case here; this is a case where we have an exceptional piece of property that we propose to develop in a very orderly and nice fashion. J. Gay describes the piece of property. T. Gay reads Douglas and Lorna Dupouy’s letter dated February 18, 2011. J. Gay points out on the plans and states that there is a garage in a state of usage, and there is a barn that may not still be standing with the snow load. He states that they are not part of the project. He states that he had

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always been impressed with the grounds and that this is an architectural treasure. A survey of the property has been done along with a topo survey and sight distances for traffic, speed and compliance at the three locations. Due to the tight sight distance, they will not use the center driveway for any of these ventures unless the speed limit was dropped down to, preferably 30, but 35 mph would make the ASHTO requirements for sight distance. He strongly suggests to the Town, whether this project was going or not, with the fire house there and the hill situation that they really should consider dropping the speed limit down for the section from Route 9N to Cornell's garage to 30 to 35 mph, not the 45 mph that is presently posted in this area. In connection with that they looked at internal circulation. J. Gay points out on the plans where parking currently is done and possible tent locations if there are events. In discussing this with D. Dupouy, it was decided that they would improve the road system which is along the eastern property line and continue it around the western property line continuing it out to South Greenfield Road. From the western entrance there would be a one-way road, which would loop around to the eastern roadway. There is a section of existing roadway, which will be kept more private for the family (depicted in white on the plans). J. Gay states that the house is historically magnificent and he comments on the work that D. Dupouy has done in repainting the exterior. He comments that there are no parking issues with the School of Etiquette, but he thinks that the Tea Room concept is outstanding, it is something that people in this area would just eat up especially during track season. The Bed & Breakfast, it is an enormous house and they will use 4 bedrooms, if approved, and he believes that there are 8 bedrooms and 10 bathrooms. He states that some of these areas could be used for small conventions, people wanting to get together, having a staff meeting somewhere to just get away. The house really works for the things that L. Dupouy would like to do within the house area. Spurred on by friends asking to use the grounds for birthday parties or weddings, and setting up a tent, they have looked at various locations for these activities. J. Gay points out the area for the pool and pool house that they feel will work with other parts of the project. He states that some of these functions are of limited time such as the Bed and Breakfast which might be much more active during racing season as opposed to during the Christmas season. There was a very nice fenced in tennis court which has kind of been let go and that will be restored. The proposed vineyard area is one of the most unique ones, that could be an interesting venture that is associated with the project that would bring people in just to see a vineyard, perhaps have a wedding ceremony in the vineyard, etc. They have discussed rebuilding the barn in an architectural style similar to the photos on the plan. The existing barn is two levels. The side closest to the proposed vineyard is lower by about 8 or 10 feet and there are entrances in that section. Building on the same location, that would be the ideal area to put the kitchen for food preparation for a conference center, meetings, etc. This would be a place where an industrial type kitchen would be installed; a place where chairs and tables could be stored; have a dumb-waiter going up to the main floor which you would be able to enter from the opposite side of the building. J. Gay describes the views and the reason for placement of buildings. He states that they have incorporated some guest cottages that he feels fit with various activities that can go on at the site. If you were holding a wedding, it is a place for the bride and groom to stay overnight; it could be a dressing area; it could be a place for someone to stay overnight for a conference, etc. It is nestled in an area that has the optimum view of the mountains out to the northwest and the proposed roadway will be low enough that the view is over that. J. Gay states that we have a new DEC Stormwater Management Design manual effective March 1, 2011, and it changes stormwater management from running everything to a pond at the bottom of a hill to let's take care of it right on the site. They have an opportunity with this to minimize the amount of pavement that they put in, maybe even limit it to handicapped parking areas and start to use some porous pavement, pavement blocks or other various things that are coming on the market to let the water drain through a parking area and in through the ground versus letting it run off. Consequently, you don't have to treat the water that way, it treats itself. That is one of the factors that they would like to incorporate in this, they would like to limit blacktop on this site. Being a green project, they feel that they have the opportunity to do a lot of things in a project like this that gets into the "green" theme of saving energy and saving the environment. They are using only 15-16 acres of the 61+ acres for the entire project. He states that the remainder of the site, he is sure, will develop into walking trails and that type of thing so that guests can enjoy the beautiful forests in that area down to the wetlands by the Vly Creek. He feels that this is an excellent use of a piece of land. He states that there are virtually no impacts so far as the Town is concerned. From the school district standpoint, you are doing something that brings in tax revenues but doesn't produce

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any school-aged children. Regarding traffic, these are things that mostly will be happening on weekends and the people will come at one time, stay for a period of time and then will leave so there will not be a constant use of the roads. He states that this is in keeping with what Greenfield is, at least what rural Greenfield is, and what most of the people in Town want it to stay. J. Gay states that he thinks that we have a great project; they will be looking forward to public hearing on it at the Planning Board level and then on to the Town Board for public hearing and consideration for approval of the project. T. Yasenchak states that we just got this and will need some time to review and digest it a little bit, and to look at the Code requirements. She states that as we go through the review, it will get very detailed and the Board will be asking some very specific questions and getting into more specific site plans. J. Gay states that this is a flexible enough project that they don't have all the issues, he does not know how big a parking lot they are going to have to have, he does not know what the flow is out of a building for septic system purposes. He states that each of these venues that he described is going to have to come back individually to the Planning Board for site plan approval, so what they are looking for at this point is to get the zoning change that will allow them to move towards site plan. C. Baker asks if the applicant has gone to the Town Board. L. Dupouy states that she has and that the Town Board was comfortable with her proposal and told her to go forward with her plans. Most of this was going to be that as each part is done there would be review for each specific part. C. Baker states that if the Town Board is comfortable with the uses that the applicant is proposing, he needs to look at the regs as well to see what is required at this point. We have had similar projects in Town, Polo for example. There is going to come a point in time when we are going to ask for very specific items. C. Baker states that the first thing that comes to mind is the water system. He assumes that they are going to have to develop a private water system to serve all these uses. He will need details on that; the anticipated flows from all the uses; sanitary sewer is going to be a big one and stormwater drainage, that is not an easy thing to deal with these days. He states that the green concept sounds great but when you start getting into the nuts and bolts and trying to make things work, it is not easy. C. Baker states that sight distance was mentioned and J. Gay commented earlier about having the speed limit reduced. Unfortunately that is not something that is very easy to do in this Town or any other town. That requires a decision from DOT and they don't give those out very easily. If the applicant is looking at a speed limit reduction to make the sight distances work, that could be a hurdle that is going to be hard to get over. M. Gyarmathy states that he likes the concept; he likes the fact that we have such a grand house and that we are going to try to keep it that way. He states that he has seen many houses over the years where people turn this big wonderful house into a bunch of apartments and he thinks that this is a much better use. He states that there are going to be many issues throughout this process and we have to see how that goes. C. Baker states that he likes the concept as well, he thinks the use is great and it certainly would be an asset to the Town. J. Bokus states that it would seem that you have to develop this road system along with the first phase. L. Dupouy states that she disagrees, because for her the first phase would be the Bed and Breakfast and the Tea Room, so she does not need the road that goes behind the property. She has to earn the money with the Tea Room and B&B to build the road, but as long as she has the right entrance and exit in the front, structurally she is set for that. She states that she would need the road all the way around if she were going to put the cabins in first or the vineyard. J. Bokus states that any additional business is additional traffic. L. Dupouy states that she has no intention of having anyone use the front driveway. T. Siragusa states that he likes the ambition, he thinks it would be a good asset to the community and it is a nice collection of businesses. Let's say that the first projects are the B&B and the Tea Room, he thinks that was pretty well answered in terms of mostly summer use. So he is trying to get a sense of traffic, not really cars. For the future weddings and receptions, he asks what kind of frequency the applicant would expect. L. Dupouy states that she has no intention of having more than one event per day, they would be busier in the summer. It is not her objective to work every day. T. Siragusa asks if the applicant has reached out to neighbors. L. Dupouy states that before a public hearing is held she intends to invite neighbors over and talk. T. Siragusa asks, business wise, if the B&B will be separate from the cottages. L. Dupouy states that she views that as an extension. The cottages will be a growth of that. She states that when people have gotten married at the house, it is nice to be able to give each side of the family a place. B. Duffney states that for disclosure purposes, he has worked for L. Dupouy in the past. The only issue other than the engineering and stormwater items would be the sight distance. He states that one possibility would be shaving the bank back on the lower driveway. L. Dupouy states that she had some of

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that done when she first moved in and it made it better, but it does not mitigate it. She states that she was wondering if a concave mirror would be beneficial there. J. Bokus questions making it a right turn only. C. Baker cautions the Board, stating that these comments are really the applicant's responsibility and that the Board should not be making suggestions. It is the applicant's responsibility to prove to the Board how they are going to mitigate that issue, if it is in fact an issue. T. Siragusa states that on the southeast side of the property near the road is a well. He questions that that is the well for the house. J. Gay states that it is and that other wells are located on the property. T. Yasenchak states that the Board should review Section 105-129 for the Planned Unit Development requirements. She states that we understand that the applicant is going to be doing this in phases. L. Dupouy states that when you start this project, they tell you to list every single thing you possibly think you could ever want to do and get it all down on paper at once. She states that the plan is not that all of these things will be done within the next three years. She will be doing things in nice little steps, keeping within every regulation. D. Cochran states that the PUD can be phased. He suggests stating that phase 1 will include this item; phase 2, this item; etc. C. Baker states that way the engineering narrative can go along with that – show how you are going to stage the water system, how they are going to stage the septic design, etc. Kind of like a master plan approach. T. Yasenchak states that we can have the applicant on the next agenda if they can have some of those things. L. Dupouy states that she cannot be here for the last meeting in March so if they can make it the first or second meeting in April.

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### **ZBA REFERRAL**

**David Pratt** – No Planning Board issues

**John and Hetal Herzog** – T. Yasenchak reviews that the applicants are seeking an area variance for height because of the style of the home they would like to build. L. Dupouy states that for reference her house is 38' high. T. Yasenchak states that she feels that this is a bit high and that things can be done architecturally to make it seem regal. We saw this with Polo and asked them to keep to the height restriction and that was for commercial buildings. L. Dupouy states that this is something that we should confer with Fire Department on based on how high the ladders can go. B. Duffney states that they have no ladder truck in that area. C. Baker suggests that the applicants be requested to do a visualization.

**REFERRAL** – The Planning Board has concerns on the height due to the possible limits of the Fire Department. It may not match the existing characteristic of the neighborhood. The Planning Board suggests some kind of visualization on the site for the height.

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### **DISCUSSION**

T. Yasenchak states that D. Cochran is present regarding the proposed code changes. T. Siragusa states that he does not have the language he was asked to prepare. C. Baker provides language for minor subdivisions from the Towns of Providence and Charlton.

D. Cochran states that having been on the Planning Board he saw the subdivision on Braim Road take place. He thinks that this is a good application of a flag lot to allow people to utilize back acreage.

D. Cochran states that the reason he is here tonight is that Gary Dake did approach him with his resignation after the last meeting. G. Dake explained that after a little over 22 years he felt that it was time to retire. He had stated that he had full faith in T. Yasenchak and the whole Board.

D. Cochran states that he likes L. Dupouy's presentation and suggests phasing it.

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L. Dupouy asks what the process for replacing G. Dake is. D. Cochran states that he intends to recommend to the Town Board that T. Yasenchak be offered the position as Chair. He states that it is his feeling that he likes the Board to make their own decisions about what they do on the Board. If the Town Board decides to bring in another candidate, he will ask T. Yasenchak to be involved, as was done with G. Dake, to sit in on the interviews and make a recommendation to the Town Board. L. Dupouy states that typically as these things go, it is done by seniority, but if the time comes and her name were put up, she would prefer not to. She states that when she thinks about how the Board works together, she feels that it works great with T. Yasenchak running things and that T. Siragusa, if he would take it, would be an excellent vice chair.

D. Cochran states that regarding the Code changes; he did speak with the Zoning Board also and got some input from them. He states that he will be sending draft language to everyone via e-mail.

T. Yasenchak asks that the Planning Board members contact her if they have any recommendations or suggestions for a new member. L. Dupouy states that from last year's planning conference there was a really great class on the make up of Planning Boards and other boards. We should try to have a variety of gender, age, etc. Here is an opportunity for us to look to any young, responsible people, who could be interested. B. Duffney comments that there are several young people in this Town who he has a lot of respect for because they do take the initiative and they are involved. He states that if there are any older residents, some seniors, he would love to have some of them involved.

T. Yasenchak states that she is going to a meeting on Thursday. It is an analysis of the County Planning Conference and she asks if anyone has any comments or ideas they would like her to take to the meeting to please get them to her.

C. Baker apologizes and states that he didn't mean to offend anyone earlier about the sight distance suggestions. One of the things that the Board needs to keep in mind is that when we start making recommendations for engineering issues, that can put the Board in a compromising position.

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Meeting adjourned 8:29 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland  
Secretary