

**TOWN OF GREENFIELD**

**PLANNING BOARD**

**June 26, 2012**

**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, John Streit and Stan Weeks. John Bokus, Alternate, is absent. Charlie Baker, Town Engineer, is present.

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**MINUTES – June 12, 2012**

MOTION: B. Duffney

SECOND: T. Siragusa

RESOLVED, that the Planning Board waives the reading of and approves the minutes of June 12, 2012, as submitted.

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

Noes: None

Abstain: Weeks

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**PLANNING BOARD CASES**

**BRIAN NIX – Site Plan Review**

Young Road

T. Yasenchak explains that the applicant is not present but that information was received regarding his contingency to submit a manure management plan. The Board reviews the information submitted regarding the suggested plan.

**RESOLUTION – B. Nix, Site Plan Review**

MOTION: S. Weeks

SECOND: J. Streit

RESOLVED, that the Planning Board approves the manure management plan submitted for the Site Plan Review of Brian Nix for property located at 244 Young Road, TM#161.-1-17, per the June 12, 2012 e-mail from John Hamilton.

VOTE: Ayes: Duffney, Dupouy, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak

Noes: None

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**SARCOM LAND DEVELOPMENT – Lot Line Adjustments**

Greenfield Estates

Michael Hannah, Attorney, is present for Sarcom. T. Yasenchak states that we do have a letter from W. Barss, Highway Superintendent regarding the proposed turnaround at Nat Hill. M. Hannah states that he had Thompson and Fleming revise the map to show T. Hill's driveway as it currently exists. This will require an adjustment in the proposed lot line adjustment to 67+/- feet for T. Hill's portion and 52.65' for T. Clemmey's portion. He states that he spoke with the LA Group about the easement for the catch basin on lot

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2 and whether that would be an issue with ACOE. He was told that it would not be an issue and that the applicant can easily give the Town an easement. M. Hannah proposes that the easement be for the entire lot, lot 2, so that the Town can have access to the basin. T. Yasenchak questions that lot 2 was proposed to be given to one of the residents and how this would impact it. M. Hannah states that he would not transfer the parcel until all items required by ACOE were accomplished. He may execute the deed and then hold it in escrow until all requirements are completed, and this deed would include the easement for the basin. T. Yasenchak states that usually this type of easement is shown on the map. C. Baker states that usually the easement is only for a specific amount of property and not the entire lot. Also, this is not a 'catch basin' per se, it is storm water basin. M. Hannah states that the area is quite large and he would be granting access to several acres. C. Baker states that it should be for whatever area encompasses the basin. M. Hannah states that he will have it located. He has also discussed the turn around area with W. Barss. Sarcom will be deeding a 60 x 60 parcel to the Town. The estate will pay for the paving and the Town Highway Department will take care of doing the work. T. Yasenchak states that this also needs to be on the map. M. Hannah states that he spoke with his environmental attorney, Teresa Bakner, who contacted George Casey regarding an extension to August 1. G. Casey gave verbal approval and a copy of an e-mail is provided. T. Yasenchak asks if there has been any additional conversation with the property owners involved. M. Hannah states that he has spoken to T. Hill who is not happy with any of the possible solutions; he does not want the lot to the rear of his parcel developed; he does not want anyone else using his driveway; he states that it is Sarcom's responsibility to maintain that easement. T. Yasenchak questions that any agreement has been reached. M. Hannah states there has not. T. Yasenchak states that she has spoken to the Town Attorney, Mark Schachner, who has stated that an owner cannot be forced to take additional land and that it may come to a civil action. M. Hannah states that he would ask for approval for the other lot line adjustments as he needs to proceed with ACOE. He states that the property owners of the other lots involved have been present for the meetings and are in agreement with the changes.

A public hearing is reopened at 7:15 p.m. Cathy McCabe, prospective owner of Lot 7, states that she has a letter from G. McKenna that this is an already approved lot and is there any reason that they cannot go ahead with their plans to develop this lot. T. Yasenchak states that C. McCabe should discuss this with G. McKenna as that would be his decision. T. Clemmey, Ericson Drive, asks if the change to 53 feet will be sufficient for a driveway for his property. T. Yasenchak states that the minimum is 40. Josh Mulder, Heritage Way, Wilton, states that he is interested in lot 6 and would love to be able to build there. T. Yasenchak reiterates that all information regarding this application is available for review. R. Cobello questions where this information is. T. Yasenchak states that it is available at the Planning Department at Town Hall. There being no further public comments, this public hearing is closed at 7:18 p.m.

T. Yasenchak states that she has spoken with Mark Schachner about the ability to look at and segment the lot line adjustments by phasing. The Planning Board is obligated to make a decision. The Board cannot let this go indefinitely, it must make a decision within a certain amount of time. SEQRA must be reviewed for the whole project. We will need to get that date from the Town Attorney. T. Siragusa questions what will happen to the first decision when the time comes for the Planning Board to make a decision on the second phase. T. Yasenchak states that the first decision would remain. She states that we need the Town Attorney to help determine the second phase. She states that the Board can give a lot line adjustment to T. Clemmey and the remaining portion would stay as is until a civil decision is made. B. Duffney questions that there is in agreement with lot 27. M. Hannah states that there is, they are aware of the lot line adjustment and are happy with it. C. Baker states that he has no engineering issues. He states that we should get M. Schachner's advise on all of this including the release of control over what were to be Town Roads. If a resolution cannot be reached, he is concerned that the onus could fall back on the Town. T. Yasenchak states that she did speak with M. Schachner, that everyone has property rights, that the Board cannot force anyone to take additional land. She states that we can review the SEQRA; we need the turn around and easement language and we need these depicted on the plans. We can have the Town Attorney present at the next meeting to help make these decisions. J. Streit states that he does not see why the

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Planning Board can't approve this contingent on the Chair being satisfied with the map showing the easements, in conference with C. Baker. T. Yasenchak states that she is not comfortable making a decision on the easement language without the Town Attorney reviewing it, but she reiterates that we could look at SEQRA tonight. C. Baker states that we should have the revised map and easement language. M. Hannah states that the area at Nat Hill would not be an easement, it would be deeded to the Town. T. Yasenchak questions that the short form SEQRA is ok for a lot line adjustment. C. Baker states that he is not sure that it is even necessary to do SEQRA, but if we have it, the short form should be sufficient. T. Yasenchak states that there are ACOE permits involved that have standards that must be met over the next several years. She explains that the SEQRA is just looking at the environment and how the lot line adjustments impact the environment. T. Yasenchak asks C. Baker if there is coordinated review on this application as ACOE is involved in the approval process for these lot line adjustments. C. Baker states that the original SEQRA was reviewed by ACOE. T. Yasenchak states that we will hold off on reviewing the SEQRA at this time. M. Hannah states that he is going to have a real problem with ACOE if he does not proceed with this soon. T. Yasenchak reviews that the process is that some things need to be brought to the Town Attorney by the Planning Board and not by the applicant. M. Hannah states that he was not asked to locate the stormwater easement or the turnaround on the plans. T. Yasenchak states that we are still waiting for the easement language also. T. Hill asks to speak. T. Yasenchak states that the public hearing was reopened and closed. T. Hill states that he would like to present some additional information for the Board's review. T. Yasenchak states that T. Hill can submit the information and it will be distributed to the Board. She states that the Board will not be making a decision about the driveway tonight and reiterates that the public hearing was closed.

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**REBECCA KEYZER – Minor Subdivision**

North Creek Road

Rebecca Keyzer is present for this application. She explains that they would like to subdivide their land so that their children can build homes. T. Yasenchak asks why this configuration of the lots. R. Keyzer explains that it was to get the required frontage and acreage. T. Yasenchak states that the Board will need a better survey map. The Board can give opinions on this plan but cannot vote without additional information so that dimensions, etc. can be reviewed. J. Streit asks for clarification that the applicant is looking to subdivide 4 lots out of 65 acres. M. Gyarmathy questions that, per the application, this was approved in 1990. R. Keyzer states that a subdivision of 3 lots was approved however it was never filed. It was also a different configuration. B. Duffney questions if there is a brook that runs behind the proposed 3.55 acre lot. R. Keyzer states that she believes that it runs across a small portion of that lot. S. Weeks states that he is intrigued by the shape of the lots and asks why. R. Keyzer states that there is a steep slope running parallel with the road and the lots were configured this way to get the best location for a home. T. Siragusa questions whether this is a 4 lot or 5 lot subdivision. Discussion takes place. R. Rowland will check with G. McKenna. T. Yasenchak explains that we are on the right track, she understands the applicant's explanation of the reason for the unusual lot configuration and that keyhole lots can be approved for unusual circumstances. A survey map is needed to show topography, proposed house locations, setbacks, etc.

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**DAVID CORSON – Site Plan Review**

Ridge Road

No one is present for the application. T. Yasenchak explains that the applicant is looking to build a garage over 1200 square feet in the KROD and that is why he is before the Planning Board. The applicant is also before the ZBA for an area variance.

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**JAY ELLSWORTH – Site Plan Review**

Barney Road

No one is present for the application. The applicant would like to build an in-law apartment. They are before the ZBA for an area variance as 6 acres are required and the applicant has 5.77 acres.

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**G. DAVID EVANS – Lot Line Adjustment**

Plank Road

The application is not on the agenda, however, G. McKenna would like the Board to review it. T. Yasenachak reads from the applicant's letter stating that the lot line adjustment is being done because of a utility easement. She explains that lot line adjustments are usually very simple and can be approved administratively after review by the Planning Board Chair and the Code Enforcement Officer. She states that she would like more information on this – is the easement being granted to the power company? L. Dupouy asks if that makes a difference. T. Yasenachak states that the lot line adjustment is for 40', that would be enough for the applicant to come back for further subdivision of the rear lot, which is within the applicant's rights. Utility easements typically do not have frontage. She states that this area has some steep topography and that there are some strange driveways. As the Board has a number of questions and the applicant is not present, the Board would like the applicant to be contacted to attend the next meeting for clarification.

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Meeting adjourned 7:57 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland  
Secretary