

TOWN OF GREENFIELD

PLANNING BOARD

March 27, 2012

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by T. Yasenchak at 7:02 p.m. On roll call, the following members are present: Tonya Yasenchak, Nathan Duffney, Lorna Dupouy, Michael Gyarmathy, John Streit, Stan Weeks and John Bokus, Alternate. Thomas Siragusa is absent. Charlie Baker, Town Engineer, is present.

MINUTES – March 13, 2012

MOTION: S. Weeks

SECOND: B. Duffney

RESOLVED, that the Planning Board waives the reading of and approves the minutes of March 13, 2012, with the following correction:

C. Baker states that the following statement should read: “The storm water management report has a significant amount of area identified as conservation easement.”

Omit: “The soil water management report has a significant amount of area, approximately 100 acres.”

VOTE: Ayes: Bokus, Duffney, Weeks, Yasenchak

Absent: Siragusa,

Noes: None

Abstain: Dupouy, Gyarmathy, Streit

DAVID MANDEL (EVA SARA DAVID LLC) – Minor Subdivision

Plank Road

No one is present for this application.

EQUITABLE GREENFIELD LLC – Major Subdivision

Locust Grove Road

Brett Steenburgh is present for the application and explains that this project has been before the Board previously with various concepts. He explains that the applicant would like to do a cluster subdivision. He states that in order to do a cluster development you need to determine what your maximum density would be utilizing a conventional layout. Also, there is a density calculation, which involves the entire area of the parcel. In doing the calculations for this parcel they have come up with just over 22 lots. What they looked at with the conventional layout is 25 lots, albeit some would not be buildable due to wetlands. B. Steenburgh states that he did receive a copy of C. Baker’s letter of today’s date and they will be making changes to this plan. He thinks that in looking at C. Baker’s recommendations and the code requirements, he feels that they will probably end up around 22 lots. They will look at adjustment of the road to revise the wetlands crossings, which would be more palatable to DEC and ACOE. They will also take a look at the sight distance along Locust Grove Road. He states that they are here tonight to start the process back up. R. Macchio would like to do smaller lots, preserve some of the open space and make it a

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more environmentally friendly application. They would like to cite the houses in such a way that the septic systems are in locations where they are most conducive to that type of system. T. Yasenchak states that she has some notes from G. McKenna, the Zoning Code Enforcement Officer. We have received the conventional plan and all have copies, which we will be discussing. We have requirements for a cluster and she thinks that some of those things may not adequately be addressed on this plot plan as well as some of C. Baker's notes. She states that we do need to see the frontage dimensions on this plat so that we know that the lots that they are showing actually meet the requirements of the zoning district so that way the Board members don't have to be scaling off this drawing. T. Yasenchak states that she understands their density calculation, and C. Baker dealt with this in his letter also, several of the lots that are not buildable and that cannot be calculated into the number of allowable lots. She understands that they took out the wetlands but then they are showing some lots that are just all wet. You cannot really count that as a lot for a conventional subdivision. B. Steenburgh states that actually the density calculation shown here is very different. This is just to show that if they did a conventional subdivision, how many lots it would yield. Then the density calculation takes it one step further and removes that. He reiterates that they will adjust this layout, pull out some of those lots and show some home locations. In the past in other municipalities where they have done this, they have shown significant wetland impacts on the conventional subdivision, more than you would specifically want to do, upwards of an acre of wetland impacts. This plan is based on what he has done in the past in other municipalities. He refers to the code not stating that you can only impact "X" amount of wetlands in the conventional layout. T. Yasenchak states that C. Baker gets into that in his letter about the filing for the wetlands permits. She states that when we are looking at this we do want to make sure that all of the lots are buildable, that you could fit a buildable envelope and she thinks that some of these have a lot of wetlands that would have to be disturbed even to fit that. It would be up to this Board to look at that and give an opinion, but in the past we have leaned more to the conservation side of things. So, not counting lots that do not have buildable area, you would have to disturb significant wetlands. G. McKenna's notes also refer to lot 17 in particular. While we know that the applicant is going to go back to the drawing board, but when we are looking at it, we want to make sure that all of the lots in the conventional subdivision are not just compliant but someone can actually live on it, use it properly, that there will never be a problem with where the property lines are, etc. When you look at the building envelope on lot 17, you have virtually no building envelope up that really long piece. It kind of makes us wonder why it was designed that way and would this Board even consider that a compliant lot, because how would someone ever use that big long piece up along the road if they can't build there. She states that we want the conventional subdivision to be just that, conventional and livable. T. Yasenchak states that those are some of G. McKenna's notes. The applicant has C. Baker's notes. C. Baker states that to answer the question that was raised about the wetlands, as far as the Town, we do not have a number established as to a certain amount of wetlands that could be filled. Obviously, the conservative approach is that if you are disturbing anything you are subject to an ACOE permit which is going to require some type of mitigation. If mitigation is determined to be a part of the permit, then it needs to be documented somewhere on the plan where those mitigation areas would occur. We need to know that up front, even with the conventional plan, because if those areas are going to come off of the developable area of the property then that is going to affect the outcome. C. Baker states that he is not telling B. Steenburgh how to approach this, but if they limit the wetlands impacts as much as they possibly can to develop the conventional plan, that is going to make things a lot easier. He states that a significant portion of the entrance road to the north is in a fill situation. If there is a way to shift it to get it out of the wetlands that would be best. B. Steenburgh agrees and states that they will have to take a look. C. Baker states that he understands the intent to build a cluster, but we still need to know that under conventional zoning you can get "X" number of lots, buildable, with a road structure that is in accordance with the Town standards. The plan has to be a real plan. There are some elements that are shown right now that may not work. C. Baker states that if this is the approach that is going to be taken, we need to see a calculation on there somewhere of the approximate amount of wetlands that they are looking to fill so that the Board can know what types of mitigation are going to be required. He states that it looks like the wetlands are flagged and he asks if they ever got a JD letter. B. Steenburgh states that he is trying to find out from the previous engineer. He knows that the Corp did walk the boundary and DEC walked their boundary. He does not know if JD was ever issued based upon that site walk. He is checking. C. Baker states that the

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100' buffer should also be shown on the plans. He thinks that once that is put on the plan as shown, a number of those lots will probably not look like they are developable. It will take away from the building envelope. C. Baker asks that future plan submissions be on a 100-scale. B. Steenburgh states that he did it this way so that it would all be on one sheet. He states that he will probably keep this scale for the Board but also do a 100-scale with details and a match line. C. Baker states that he understands that the intention is not to build a conventional plan, but we have to have a certain level of confidence that the road being proposed could be built if it were approved. He states that it looks like, based on the topo, there might be a section of that road that is in excess of 8%, which is the maximum desirable grade. That could make some of those lots undevelopable. C. Baker states that he drives this road everyday and he has some concerns regarding the intersection sight distances for the proposed road. He would like to see sight distance calculations. The plans do not include storm water management. C. Baker's letter refers the applicant to the Code sections for process and procedures. B. Steenburgh states that he did review the code and would like to continue under the sketch plan as outlined in the code. C. Baker states that as long as the Board has a level of confidence that the road structure as being proposed under the conventional subdivision will work, the lots look like they are buildable, etc., as well as the Board has a level of comfort that we can arrive at a reasonable lot density. B. Steenburgh states that the code did refer to submitting both the concept you want to do and the maximum density. He states that they started with the maximum density because they would like to come to a level of agreement on the number of lots before doing a lot of engineering. C. Baker states that he agrees in the sense that we should try to come up with a reasonable number before they spend a lot of time engineering something that may not be approved. T. Yasenchak states that she agrees, she does not mind not getting the cluster plan right away and we can just work out the issues. She states that there are significant issues to solve first. She reads from the cluster section of the code. She states that it is within this Board's purview whether or not to even look at the cluster. The Board is not required to approve a cluster, but when we look at it, we are looking at whether it can preserve the natural resources of Greenfield and the wetlands, etc. B. Duffney questions that this is a cluster due to the size of the lots. T. Yasenchak explains that this is just the conventional plan to see before they present the cluster plan. B. Duffney states that if this were the actual plan, he would have an issue with lots 3, 4, 5, and 10. T. Yasenchak states that we have a high water table in Greenfield, we have a lot of wetlands and a lot of rock outcroppings on this property. C. Baker mentioned it; it is something that ACOE and DEC are going to be looking at. When they give a permit, they ask why you have to do it a certain way. J. Streit asks how close to a property line a road can be and suggests that the northern entrance could be moved closer to the property line, sacrificing one lot, to get it further out of wetlands. C. Baker states that the applicant did do a series of soil borings. The areas that are not in the wetland areas were decent and as far as Greenfield goes, the soils were very good. C. Baker states that if we get to the point where the Board is willing to look at a cluster, has the applicant thought about what they are going to do with the open space. B. Steenburgh states that is something they will have to look into. T. Yasenchak states that the Code does list options that the Board will look at and review.

BRIAN NIX – Site Plan Review

Young Road

Brian Nix is present. T. Yasenchak reviews that the applicant is seeking Site Plan Review approval for an agricultural use, a farm, in the LDR. T. Yasenchak reviews G. McKenna's notes and states that this does meeting zoning requirements for size. B. Nix states that his wife grew up having horses; they now have two children and a horse; and would like to have more control over the things they eat. The chickens would be used to help control ticks and mosquitoes. That's about where they would get to this year and then eventually add on additional animals over time. They would eventually like to have goats, and then cows and pigs over several years. The numbers in the application are not exact, but they did not want to put in a smaller number and then be over at some point. C. Baker states that the manure pile location is very close to neighbor's property and suggests there may be a better location. B. Nix indicates that the reason for this location is that there is a large sinkhole with an almost 20' to 30' sheer wall and then the property line is approximately 10' to 15' past that. C. Baker also comments that the turkey coop, horse sheds, etc. are fairly

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close to the wetlands and while there is no buffer to ACOE wetlands, they seem to have a pretty decent size piece of property and should be able to find another location for those. B. Nix states that the locations were for ease of upkeep. The wetlands do not extend all the way to the road but the area from the wetlands to the road is marshy, so to get across to the other side is a little difficult. That is why a lot of those are on the house side. T. Yasenchak comments that a public hearing will be required. S. Weeks states that the size of the manure pile looks pretty big for the number of animals the applicant is talking about. It doesn't look like it is going to be quite that extensive. It would be good if the applicant could keep those animal structures a distance away from the wetland. Other than that he does not have any specific issues. B. Duffney states that regarding dumping the manure down the sinkhole, it looks like the pasture is possibly 2.5 to 3 acres. They might be able to use that as fertilizer on the pasture. L. Dupouy states that as long as it meets all the requirements necessary, she thinks this is a great idea and this is the kind of thing that we want to see here in Town. J. Streit questions which are existing structures. B. Nix indicates that the third barn, in the center, is no longer standing. J. Streit states that there is a certain danger of disease being spread from chickens to turkeys, so he states that he would think about separating them. They are actually not supposed to be raised on the same farm according to some farm journals. J. Streit states that he always did, but you have to keep them somewhat separate. M. Gyarmathy states that it is a great idea and he agrees that the manure pile is too close to the neighbor. J. Streit states that manure is valuable. If the applicant is going to throw it down a hole he is wasting it. B. Nix states that he hadn't thought about the pasture, but they are going to use some for their garden. T. Yasenchak states that she had the same question about the manure pile. She also questions that you have to cross a stream to get to the manure pile so it seems that he would need to have some kind of stream crossing rather than taking a tractor with the manure across the stream every time you want to dump it. She states that this opens up a can of worms for the applicant if he is building something over a classified stream. That will open him up to ACOE and they have certain requirements. She suggests that he might want to keep it on the other side. She states that this might also be something that, when it comes to an approval, the Board may ask the applicant to move it. T. Yasenchak states that the intent sounds like this will be just for the family, but she asks if there is any intent to have any kind of sales of products. B. Nix states that the closest they would get to that would be to have friends go in on the cost of a cow. T. Yasenchak states that then the applicants are not looking to start a farm stand, etc. Public hearing is discussed and set for April 10, 2012 at 7:00 p.m. Board consensus is that another location should be found for the manure pile that is not going to disturb the stream and will not be right next to the neighbor.

ZBA REFERRAL

Gary & Bonnie Middlebrook, Area Variance – the applicants are seeking an area variance to remove their existing home and replace it in the same location with a new home. No Planning Board issues.

Cynthia Uppling, Use Variance – T. Yasenchak reviews the application and states that the Zoning Board has very specific guidelines for the approval of a Use Variance. She states that she believes that if this were to be approved, it should come to the Planning Board for a site plan review. B. Duffney questions that this is being applied for because it is being transferred from J. Miller. R. Rowland states that it is a use variance because they are looking to do something that is not allowed in this zone and that the Special Use Permits for D. Chandler and J. Miller were for the continuation of a pre-existing use, for repair and maintenance of their equipment and not for hire. T. Yasenchak states that the Planning Board would like to have the opportunity to look at this for a site plan review, if approved.

DISCUSSION

Sarah Lieberman, Environmental Commission, states that a manure pile should definitely be 100' from any water source. She also states that the horse sheds should also be 100' from a water source because of the potential for tremendous runoff.

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T. Yasenchak suggests the Board members keep themselves apprised of the cluster regulations because we do have a couple of applications dealing with this.

Meeting adjourned, 7:54 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary