

TOWN OF GREENFIELD

PLANNING BOARD

August 13, 2013

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:01 p.m. On roll call, the following members are present: Tonya Yasenchak, Nathan Duffney, Michael Gyarmathy, Andrew McKnight, Thomas Siragusa, John Streit, and Stan Weeks. John Bokus, Alternate, is absent. Charlie Baker, Town Engineer, is present. Mike Hill, representing the Town Attorney's office, is also present.

MINUTES – July 30, 2013

MOTION: T. Siragusa

SECOND: S. Weeks

RESOLVED, that the Planning Board waives the reading of and approves the minutes of July 30, 2013, as submitted.

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

Noes: None

PLANNING BOARD CASES

WILLIAM DENNISON – Special Use Permit

Brigham Road

Will Dennison is present. B. Duffney recuses himself. The applicant explains that he would like to establish a dog day care at his property on Brigham Road, it will be private, there will be an application process. He would like to have a nice place. T. Yasenchak reviews that there is an existing barn and any dogs will be inside in the evening and supervised. The applicant has stated that he will be picking up the dogs so there will be little traffic. W. Dennison states that he will only have room for 10. A public hearing is opened at 7:06 p.m. There being no public comments, this public hearing is closed at 7:07 p.m. A public hearing was also held by the Zoning Board of Appeals and there were no public comments. T. Yasenchak states that the Planning Board did not ask the applicant for any additional information. This has been an existing horse farm and farm for several generations. The applicant is not changing anything with the site. Board has no questions.

RESOLUTION – William A. Dennison, SEQRA

MOTION: J. Streit

SECOND: A. McKnight

RESOLVED, that the Planning Board completes Part II 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 the Special Use Permit of William A. Dennison for property located at 364 Brigham Road Road, TM#126.-1-47.21

VOTE: Ayes: Gyarmathy, McKnight, Siragusa, Streit, Weeks, Yasenchak

Noes: None

Abstain: Duffney

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RESOLUTION – William A. Dennison, Special Use Permit

MOTION: J. Streit

SECOND: T. Siragusa

RESOLVED, that the Planning Board grants the application of William A. Dennison for a Special Use Permit for a Home Occupation, Type 2 for a Dog Day Care for property located at 364 Brigham Road, TM#126.-1-47.21.

VOTE: Ayes: Gyarmathy, McKnight, Siragusa, Streit, Weeks, Yasenchak

Noes: None

Abstain: Duffney

BALLSTON MOURNINGKILL ASSOCIATES LLC – Site Plan Review

NYS Route 9 (Maple Avenue)

The applicant has asked to postpone.

CASEY CORNELL – Major Subdivision

Humes Road

Gary Robinson is present for the applicant. He reviews that Casey Cornell purchased 95 acres on Humes Road, in the LDR zone, 6-acre minimum. The applicant would like to subdivide the property into 13 lots, meeting all zoning regulations. The existing road is approximately 2,800-feet long. Originally Humes Road came out onto Coy at a 60-degree angle. They have worked with W. Barss, Highway Superintendent and have gotten a permit to make it a 90-degree angle. They have adjusted the property lines of lots 9 and 10 due to this change. Perk tests have been done and all lots are suitable for on-site sewer systems. There is plenty of room to meet separation requirements. They are also working with W. Barss on the storm water infrastructure. G. Robinson explains the location of infiltration basins, the existing culvert, etc. A draft SWPPP has been submitted, they have done all the calculations. There is a large part of the property that is not being touched. There are two streams that run through the property at the back of the lots on the east side of the property. There will be rain gardens on site. A. McKnight asks what the rain garden is. G. Robinson states that there are many tools with which to meet storm water requirements to treat water quality volume in green infrastructure. This is basically like an infiltration basin with plantings and the plantings take up some of the water, some gets infiltrated into the ground. They are located on each site and it is a way to prevent storm water from running off the site. A. McKnight asks about gutters from the roofs. G. Robinson states that could be part of it, the landscaping will be sloped towards the rain gardens. Gutters may work, probably not. J. Streit asks if Humes is a dirt road. G. Robinson indicates where Humes currently stops and then there is a trail that ties into another trail that runs along the north side of the property. The trail will remain and the surveyor has informed him that there are some easement issues where people have use of that road as well as the one in the back. Off the back of the cul-de-sac there will be an extension. J. Streit asks that, since W. Barss has been out to the site, has he reviewed the plan for the cul-de-sac. G. Robinson states that C. Baker gave them this as an acceptable layout. J. Streit asks if the fire department has seen the plans. G. Robinson states that he will take care of that. M. Gyarmathy states that it looks like the wetlands take up a large portion of lot 10, asks if there will be a driveway out on to Coy Road and if that has been discussed with W. Barss. G. Robinson states that they have spoken to W. Barss. Before they started anything on the project they got approvals from ACOE and DEC. He discusses the layout of the lot and the buildable area is 250' x 100'. The final driveway location will have to be approved by W. Barss at the time of building. T. Siragusa questions the easement for the trail. G. Robinson states that apparently there is some easement language in this deed that allows access up to Ridge Road. They are both dirt roads and it appears that there is 4-wheeler traffic that goes up through there. There is a wooden bridge that is in disrepair. He believes that the property line is the center of that trail. T. Siragusa asks who would repair the bridge. G. Robinson states he does not

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know. He does not believe that any of this was ever town road. B. Duffney states that this was a town road at one time. T. Siragusa asks about the stream crossing on lot 5. G. Robinson states that they are only showing it, but it would be determined by where a prospective buyer would want to put their house. G. Robinson explains that someone, years ago put a pipeline in with a dam that feeds a pond along the edge of the road. He indicates where that pond overflows. It is an 8" pipe, carries a little flow and can be turned off. T. Siragusa asks if they know why it is there. G. Robinson states that they think that someone wanted the pond in this location. T. Yasenchak has a concern for the pipe being on one parcel and yet the pond is on another. She asks how that was taken into consideration with the storm water management, and someone's property rights. G. Robinson states that he spoke to C. Cornell about this. C. Cornell indicated that he did not want to do anything with it and wanted to leave it up to the property owners. G. Robinson states that he has no doubt that the owner of lot 4 could decide to cut the pipe, turn the valve off, etc. T. Yasenchak states that there is another stream that comes out of it and is that the only pond that feeds that outlet stream. G. Robinson states that it is. T. Yasenchak asks if they have used that pond for any other accumulation of storm water. G. Robinson states that there is thought of maybe putting in an overflow, but doesn't know that that will work. T. Yasenchak states that she would like to see a little bit more. It seems that there is a nice feature on one lot of a pond that someone may buy the lot because of it, but it is being fed by a pipe that cuts someone's property in half and it seems like it may become a problem at some point. She would like to see how that would be addressed. She asks what kind of pipe it is. G. Robinson believes it is cast iron. J. Streit asks if it is above or underground. G. Robinson states that it is buried, 2 1/2 to 3 feet deep. S. Weeks states that he is glad that they are moving away from ponds for storm water management and he thinks it is a move in the right direction. He states that the plans show an overhead electric line to be removed and overhead telephone line, and asks that all those utilities are going to be underground. G. Robinson states that he does not know the answer to that but that C. Cornell wants them to be underground. T. Yasenchak states that it is a requirement in the code that they be buried. G. Robinson states that then they will and that C. Cornell wants this to be a very nice looking subdivision. The existing lines are just service lines to the house that was there. B. Duffney states that he did log this property about 10 years ago and knew the owner, Jake Smero. Humes Road used to go straight up through to the continuation of Ridge Road, which continued out to Coy Road. This was the direct road into the graphite mines. J. Smero put the pipe in back in the early 1960's and there is a shut off at the dam. He believes that it is about an 8" pipe but that it is not cast iron but a heavy steel pipe. G. Robinson states that it is a cast iron piece where it comes out. B. Duffney states that in the middle of the pond there is a drainage pipe so that the water level can only come up a certain height. The runoff that comes off, dries up when we have a dry season before it gets down to the other end. He states that there is not a whole lot of extra runoff because the ground is quite sandy so it absorbs it. The only issue that there was, was that the trail that comes down from Ridge Road, had a washout. Kids went through on 4-wheelers and knocked the water bar out. A. McKnight questions the proposed right-of-way between lots 12 and 13. G. Robinson states that there is a neighbor to the west who is interested in buying a right-of-way so that he can get access to that lot which G. Robinson believes is landlocked. He believes that they are near a deal to do that. It is essentially a right-of-way for a driveway. T. Yasenchak comments that the right-of-way is split between the two lots and would require a right-of-way from two people. She asks if there is a reason for that. G. Robinson states that he does not know the answer to that. The surveyor located that easement and believes that they thought that was where it made most sense to put it. G. Robinson states that he does not think it is a good thing to have it split by the property line. T. Yasenchak states that she would be more comfortable if that was moved to one lot or perhaps there is a way to actually deed the land to the neighbor. She would like to see some options for another way that that could be resolved rather than it being on two different properties. S. Weeks questions the other right of way and that the property line goes down the center of that also. He would agree with T. Yasenchak. It is sort of like shared driveways in his mind and that can always add to some confusion. T. Yasenchak asks if the applicant has done research about that road and whether or not it has been abandoned, etc. G. Robinson states that he was told that it was never part of the town road. B. Duffney states that when the graphite mines were open it was. G. Robinson states that they have determined that there is a requirement that you can go from Humes Road to Ridge Road, and that is why they left that. M. Hill asks if the cul-de-sac itself is on property that belongs to the Town or is it going to be dedicated later. G. Robinson states that right now it is private, but it will be turned over to the

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Town at a later date. He states that right now Humes Road does not have a 60' right-of-way and that would also be part of the dedication. M. Hill asks if there have been any discussions with the Town Board about those ideas. G. Robinson states that there has been. W. Barss has told him that he has spoken to the Town Board about it. M. Hill states that in regards to the ponds and water that is going to be diverted to those ponds to assist with the drainage for the roads, does G. Robinson foresee the need for any ongoing maintenance. G. Robinson states that they have discussed this with W. Barss and the plan is to grant an easement to the Town for maintenance. M. Hill questions if this has been discussed with the Town Board. G. Robinson states that he has been told that it has. M. Hill comments on the road abandonment. G. Robinson states that per the Highway Superintendent, that is not currently part of the Town Road. M. Hill asks is all owners of lots within the subdivision will have the right to use that easement, or only the adjoining lots. G. Robinson states that he thinks that it has to be all the owners because right now the whole piece has access. B. Duffney states that just north of this property is all owned by the Pompa Stone Quarry. Who the easement will be granted to is unclear at this time. G. Robinson will discuss this with the surveyor and try to have some answers for the next meeting. M. Hill asks if Ridge Road is currently an active town road. T. Siragusa states that there is a Ridge Road, but not at this location. Further discussion takes place as to the easement and who previously owned it, etc. T. Yasenchak states, just supposition, that C. Cornell may feel that that has to remain because people have used it in the past and that he is not disturbing how it has been used. G. Robinson states that he believes that in conversations with the surveyor, C. Cornell feels that he has to leave it. C. Cornell does not want it there. T. Yasenchak asks that G. Robinson research this. She asks if discussions have taken place with W. Barss about the road improvements. G. Robinson states that conversations have taken place and no final decisions have been made, they are still planning and discussing. T. Yasenchak states that this needs to be worked out during this process, as the Board needs that information. C. Baker states that he has been involved with the discussions, C. Cornell was going to pay for the blacktop and the Town is going to do the work. That was his last conversation. There would obviously be bonds, etc. and once the road is completed to the satisfaction of the Town it would be dedicated. S. Weeks asks whose decision this really is. T. Yasenchak states that other applicants have been told that they have to be responsible for the upgrades to roads. C. Baker states that we will have to have that all worked out before final approval. The bond will be enough to cover whatever work has to be done until the road is completed. W. Barss had this road scheduled to be worked on this year, he had planned on re-grading this roadway anyway, prior to the applicant's subdivision request. He had not planned on widening it. We are not talking about a huge expense because there is already a pretty good gravel subbase. All the work associated with the cul-de-sac will be paid for by the applicant. If W. Barss has the time to do the work, the applicant may pay and the Town will do the work. That is all stuff that W. Barss will ultimately have the final decision on because it will depend on his work schedule. C. Baker has not done a complete review on the most recently submitted material. They have been in conversation, he has been on the site, he knows the general plan and now has detailed plans to look at. A public hearing is discussed and scheduled for August 27, 2013 at 7:00 p.m.

DAVE EVANS – Subdivision Amendment; Minor Subdivision; Lot Line Adjustment
Plank Road

Dave Evans is present. A. McKnight recuses himself. T. Yasenchak states that the applicant was to supply the Board with some additional information and he has. She asks that he explain that to the Board. D. Evans states that we were discussing whether or not the power lines could go overhead or underground through various lots. National Grid wants to put in overhead lines along Plank Road and is allowed to do that. Because only a portion of this project is going to be visible to the public, he thinks that it makes sense to get that right for it to go overhead. He has submitted two plans showing where the lines would run. On page 9 he has provided the cost information showing that there would be a price difference of \$111,900, plus or minus, between going overhead vs. underground. He has also provided a letter from his engineer agreeing with his analysis. He has also submitted an application to further subdivide lot 3, a 60+ acre lot into two lots – one being 38 acres and the other 24 acres, with a shared driveway. In addition, he would like to do a lot

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line adjustment to lot 5 in an attempt to improve the frontage. He has the lots for sale and has gotten feed back from potential customers who have commented that they would like to have more frontage and land available to lot 5. T. Yasenchak states that we will look at the amendment first. J. Streit states that it would be nice to bury all the lines that you possibly can, but given the fact that this is not going to be seen, the line leading into it is overhead, and the tremendous cost difference. Therefore, he would be in favor of the waiver. M. Gyarmathy agrees and feels that these numbers are relatively low. He thinks that things have increased as far as cost for wire, trenching, etc. He does not have a problem with this going overhead. T. Siragusa states that he has looked at the numbers, he does not have a problem with overhead. As far as what is on the road, which is a completely different subject, the power company is asking for the line to be overhead as well, and W. Barss also wants those to be overhead with no road cuts. He feels that both in the subdivision and on the road, overhead lines seem to be the way to go. S. Weeks asks if the applicant would consider going underground from the pole to the house rather than overhead. D. Evans states that he has a buyer for lot 1 and a potential for lot 5, it is a short distance for those and he thinks that makes sense. In talking with G. McKenna, he thought that the applicant ought to get the waiver for the whole subdivision. He would leave it up to the property owner about going overhead or underground from the local pole. S. Weeks states that he would think that a lot of homeowners would want that. He states that as long as that option existed, beyond that he does not have any other issues. B. Duffney agrees with the other Board members about the lines going overhead. This is a unique area where there is some tough ground out there. C. Baker agrees, this is a very difficult area and there are a number of reasons that would suggest putting the power overhead. T. Yasenchak states that the code does allow a waiver. She asks M. Hill, when you have three lots that share a driveway and the power poles all go on that driveway, how do the utilities get split. Discussion takes place regarding the different scenarios possible. D. Evans states that should one of the rear lots be built on first, he would be willing to contribute towards the cost if necessary. Power easements are discussed. M. Hill states that typically there is language in deeds spelling out the rights to access for utilities. T. Yasenchak states that she believes that we can act on the waiver, as there are three different applications. She reads from Section 90-26 regarding the waiver. M. Hill questions that there may be a public hearing required for the other applications. T. Yasenchak states that a minor subdivision does not require a public hearing, nor does a lot line adjustment. M. Hill states that this appears to be the amendment of a major subdivision. R. Rowland states that it was a minor subdivision. D. Evans states that the property was subdivided in two parts and that it was a minor subdivision. The fact that there is no longer a 5-year rule is discussed. We are past the 5 years on this subdivision anyway. D. Evans questions that the further subdivision would not be covered by the waiver. T. Yasenchak states that that can be addressed in a motion when acting on that.

RESOLUTION – G. David Evans, Waiver

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board grants a waiver to G. David Evans from Section 90-26 requiring utilities to be underground as related to the original subdivision located at Plank Road, Lots 1 – 9, per the information submitted.

VOTE: Ayes: Duffney, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak
Noes: None Abstain: McKnight

Regarding the lot line adjustment for lot 5, T. Yasenchak states that D. Evans has already commented that this is due to the size, shape and frontage. T. Siragusa asks what happens to lot 4, it then has no frontage. D. Evans states that lot 4 becomes a keyhole lot. T. Siragusa questions that then it would be less desirable. He does not see how this is necessary. D. Evans states the building envelope of lot 4 will remain the same as it is in the northwestern corner. It still has access on the existing road. Discussion takes place regarding the changes and the frontage. Discussion takes place regarding the frontage for the proposed lot 3.1. T. Yasenchak states that there was recently an approved lot line adjustment for a utility easement, which in turn provided frontage. B. Duffney states that then if this is an easement for utilities, then there is

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actually no right-of-way to get into the lot for a driveway. D. Evans states that there is nothing in the discussion about an electrical easement along that road. He states that about a year ago he asked for a lot line adjustment that created this strip connecting proposed lot 3.1 to Plank Road. M. Gyarmathy states it was for an electrical easement. D. Evans states yes, it was a lot line adjustment for a power line going to proposed lot 3.1. T. Yasenchak reads from the keyhole lot definition and when keyholes may or may not be allowed. She states that it is not necessarily a right to have a keyhole lot. C. Baker questions that the lot line change for 5 is over the keyhole portion of lot 6. T. Yasenchak states that she thinks that the problem is if we could have a survey of this that would show the details for the Board to get a better idea of these changes. D. Evans asks if the Board is asking for a new survey or a map with a larger scale. T. Yasenchak states that a larger scale showing the new property line would be beneficial. The applicant will eventually need to have this surveyed. D. Evans states that he could make a larger map himself. S. Weeks states that he would like to see some very, very specific language about the shared driveway. It is pointed out that there is language with the submittal. B. Duffney questions the electrical easement. T. Yasenchak states that what D. Evans is stating now is that when the Board approved it it was with the intent that it would be an electrical easement, but because it has frontage, now he would like to use that as the frontage requirement for proposed lot 3.1. T. Siragusa states that that was ok when it was just lot 3. T. Yasenchak states that no, when it was just lot 3, it was itself a keyhole and it was a shared driveway with lot 4. Proposed lot 3.1 would technically not be a keyhole because it has that extra extension of a foot. It is deeded property to lot 3, so if the subdivision were approved it would be the technical frontage for lot 3.1. When we granted that lot line adjustment, the applicant came in saying it was because he wanted it for a utility easement. M. Gyarmathy states that he does not see the sense in the lot line adjustment for lot 5 or creating another keyhole lot. He does not think that he was on the Board when this was approved, but he thought that we were limiting shared driveways to a small distance from the road so that we don't have problems with the landowners. T. Yasenchak states that we don't actually have a distance but we do require shared driveway agreement language to be provided and reviewed by the Town Attorney. M. Gyarmathy feels that we need a better drawing with topo, etc. C. Baker states that this subdivision has been around for a very long time. We have seen many iterations of D. Evans trying to maximize the number of lots that he can get up there without building a town road. He thinks what we are seeing now is just another extension of that. He states that now we are talking about 3 lots on a shared driveway. D. Evans states that lots 6, 7 & 8 share a driveway. C. Baker states that the Town got away from private roads years ago because of the numerous problems that arose from those and he thinks that what we are looking at here is a way to develop this property that may not be the most ideal. It all goes back to whether or not the Board feels comfortable with keyhole lots and comfortable with the number of lots on shared driveways. T. Siragusa states that he would like to make sure that if we are going to ask the applicant to have detailed drawings that we give him some indication of how we are leaning. D. Evans states that there will be no cost to him if the Board will accept his drawings. T. Yasenchak states that we can use that for discussion purposes but that we would need a survey for decision-making. S. Weeks states that he is very uneasy with 3 lots on a shared driveway. He is uneasy enough about 2 and he does not know where this ends. Are we going to be talking about 4? T. Siragusa states that he would suggest, as we have clearly set a precedent with lots 6, 7 and 8, language that states that none of these lots can be further subdivided. Anything off of that shared driveway cannot ever be subdivided again without a Town Road. B. Duffney agrees with T. Siragusa because you are looking at a 38-acre lot on one side and 24 on the other. The applicant could potentially put 6 more lots in there due to the zoning. T. Yasenchak states that we have talked about the lot line adjustment making lot 4, which is not currently a keyhole into a keyhole lot. T. Siragusa states that he does not have a problem in this case at this location on Plank Road, it is already part of a shared driveway anyway, it is not removing a driveway that was there before. B. Duffney states that there is already a shared driveway with lots 6, 7 & 8, three lots on the same driveway. You really can't say one can do it and another can't, he does not believe. T. Yasenchak states that we can because they could be different situations. R. Rowland is asked to look up the approval for that. T. Yasenchak reiterates that we need additional information, meets and bounds, frontages, etc. She does not like the 3 lots sharing a driveway and she does not like the fact that when the applicant came in previously, he was specifically asked about that lot line adjustment and he specifically said that it was for utilities, and now it is being used as

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frontage. D. Evans states that he was warned that just because it was there it did not mean that he would necessarily be approved for anything further. T. Yasenchak states that he still runs that risk.

SKIDMORE COLLEGE – PUD – Referral

Denton Road

Stephanie Ferradino is present for the application. She thanks the Board for all the time and attention given to this matter. She states that this is their tenth meeting, their 5th before the Planning Board. When they were here for the last meeting, the main issue that came out of that was the traffic study. They have submitted that and have Wendy Holsberger here to talk about it and answer any questions. S. Ferradino states that one of the issues that she heard in between meetings and she wanted to clarify with the Board, because she thinks that there is some significant confusion about this. We keep hearing the issue of the solar panels being for profit and Skidmore selling excess energy off the Grid. She states that all of the energy generated by these solar panels is getting credited back to Skidmore College. It only will be 12% of their usage; it is not 120% so that they would have 20% to sell. Everything that is generated on site is being used for the benefit of Skidmore College; it is delivered to National Grid and credited back to the College. They have revised the PUD in response to the questions that were asked by the Board as well as some of the issues raised by the public. There are 3 significant changes. The first is the annual temporary special use permit for large events and that is in response to a comment from the last meeting about the mass gathering laws within the Town. She states that the Town of Greenfield mass gathering laws have a set attendance of 150 individuals. The discussion was for 100 individuals and they have tailored the legislation to be consistent with the discussion here, so the legislation is for 100. She worked with the Town Counsel in order to kind of massage that language but it pretty much tracks the Town law. When she read the Town law, she was shocked at how stringent the requirements are for mass gatherings, which she thinks is great because it provides a significant benefit to the surrounding neighbors. The second issue was the development agreement, which we talked about at the last meeting. The PUD language is the mechanism for requiring the applicant to enter into a development agreement with the Town so that provision has been added. There would be an initial lump sum payment and then annual payments over the 20-year life. The last issue added into the PUD restricts future development on the site. They have added language that as long as Skidmore owns the site, future development would only be agricultural. It is the existing ball field, the existing polo practice fields, the solar array and agriculture. T. Yasenchak states that we just got some of this information yesterday so the Board has not had a chance to look it over, but the last comment about no more additional fields and the agricultural portion, where is that located. S. Ferradino states that it is on page 6, Section 18 (XBIII). She states that 2 meetings ago they had stated that there was nothing else that they wanted to do here and after talking to Mark Schachner they made some changes because the PUD goes with the land. T. Yasenchak states that is why we had asked for the traffic study to look at how all that is affected by the future uses of that site. She asks how we can put the sentence in there regarding this being during the time that Skidmore owns this because a new owner would have to abide by this. S. Ferradino states that any new owner would have to amend the PUD or revert back to the zoning of the site. T. Yasenchak states that it could not revert to the zoning because that would be the PUD language. M. Hill states that the PUD language could specify that. It could state that there would be no expansion of any existing use or any other uses by any new owner without modification of the PUD approved by the Planning Board. T. Yasenchak states that she did not expect to see the statement about agriculture either. T. Siragusa states that after the conversation of the last meeting about not mattering or worrying about who the owner is, he does not understand why that needs to be specific here. S. Ferradino states that the Town Counsel stated, no expansion of any additional use without modification of the PUD, then it kind of pulls Skidmore out of it and restricts everyone. Wendy Holsberger, Creighton Manning, states that they did the traffic study and reviews the information provided. The site itself, the solar fields, will not have on-site staff, the traffic associated with it will be 4 trips a year, so from a traffic type standpoint, there is really no traffic impact associated with the operation or maintenance of the solar arrays. Construction is relatively minimal. There is expected to be between 7 and 20 persons on site during a typical workday with the construction period being about 2

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months, which would be limited to any Town codes or regulations regarding construction. They also looked at some of the cumulative land uses in the area. The peak for the baseball fields is typically in April and May. Looking at last year's schedule there are about 8 games at that field, most of which were held during the middle of the day so off peak in traffic terms. There are up to about 50 vehicles that may attend those games. Polo does have practices at the site. Polo itself is, which operates with matches on Fridays and Sunday evenings at 5:30 with the gates opening at 4:00. There is a little bit of traffic during the p.m. peak. This does not coincide with the peak of baseball and they don't have matches and practices on the same time period. The other large non-seasonal use in the area is Prestwick Chase, who is also before the Board for an expansion, and the 300-unit expansion could be about 60 to 70 trips during the peak periods. Senior housing developments tend to have a lower generator than a typical single family or apartment land use. Overall, the larger uses in the area are relatively complimentary between the seasons they operate, the schedules they operate on and the characteristics. In general it does create an overall lower volume on Denton Road. They did some actual counts out there – one on a Wednesday evening and one on a Friday during a Polo event. They found that volume to the east was a little bit higher; a lot of the polo attendees were coming in from the east and not necessarily passing by the site. W. Holsberger states that the local capacity on a street such as Denton Road is about 625 vehicles per direction and the counts that they obtained on that road with and without the polo event were about 200 overall vehicles, meaning about 100 in each direction. The actual purpose of the study was to look at the impact of this site itself; it does have a lot of additional capacity. T. Siragusa asks if this is a cursory study or a complete study. W. Holsberger states that for the level of development and what this site is generating, it is a complete study. They did more than typical for a site that generates 4 trips per year. Most of what they presented is kind of an existing condition. T. Siragusa states that one of the uses is if the fields for polo practice are actually used for a game. Was that taken into consideration? W. Holsberger states that that is not a direct impact of this site. She states that it was not detailed in the study, but based on the information that they collected and the additional capacity that was found on Denton Road, the surrounding network could handle that. Right now it does handle the traffic from Saratoga Polo. T. Siragusa states that the traffic would change if people had to go to a different location to watch the match. W. Holsberger states that is right, but the capacity that they counted on Denton Road at the site. T. Siragusa states that was at that intersection and would that change if people were coming to the polo match not to practice, to a different location, etc. He does not know how that affects parking, etc. this is a traffic study. W. Holsberger states that the capacity that they looked at was right in front of the site. They did do counts at the intersection but also at the site itself. She states that Creighton Manning did a study for Saratoga Polo back in 2005, which was for a substantial expansion of that site, which included analysis of another 400 cars coming to and from the polo property. Those cars are not happening and that existing roadway network was determined that it could handle the additional 400 cars if they had expanded. Her understanding is that if they are playing a match on this field it is because they are not playing it at the regular field. You are taking the traffic that was already in the area and moving it to this site. S. Ferradino asks if the night of the traffic count was the largest event. W. Holsberger states that she believes it was the night of the Whitney. T. Siragusa states that with the new language for the mass gatherings and the permitting, based on a hypothetical, how does that enter into a traffic study when there is a possible mass gathering of over 100 people. W. Holsberger states that a polo match is somewhat of a mass gathering. If you are getting a permit, that could be something that could be addressed individually as part of a specific event. If you go back to the previous traffic studies and this one, and look at the capacity on the roadway network, it can certainly handle much more traffic. You have 100 cars in each direction and you can handle 625 cars in each direction, there is a substantial amount of extra capacity that could be utilized during a mass event. T. Siragusa asks what month the polo season starts. W. Holsberger states the matches are in July and August and practices start in late June with baseball being over in May. T. Yasenchak questions that the study is based on ASHTO standards. W. Holsberger states that it is actually the Capital District Transportation Committee, their local road thresholds. T. Yasenchak states that it is saying that because of the size of the road, the sight distances on the road, and the speed on the road, you can have 600 cars in each direction per hour. S. Weeks states that this seems pretty straightforward, it looks like fairly small impact when you look at the capacity of the road. C. Baker agrees with S. Weeks. Based on the projected counts and what the road is capable of handling, it certainly seems to be a minor impact. T. Yasenchak asks if the

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Board feels they need more time to review the information that was provided. S. Ferradino states that she is not sure that anything that they submitted yesterday was anything other than for the record. D. Carr states that there are a few changes with the site. He indicates the area on the plans and states that the PUD states that the College would have to come back for site plan approval for the expansion of the parking for the baseball fields. They have added that into the PUD so they went ahead and designed a 55-car parking lot with a bus turnaround, meeting Town standards. There are about 35 to 37 spaces there now. Presently it is not a great situation. They designed it so that the buses will actually turn into the site, unload their passengers and then turn around and leave the site. They have also added the amount of the additional impervious surface into the EAF for the additional pavement or gravel. There were some questions about the acreages and those were addressed. S. Weeks asks why the buses leave there. D. Carr states that he thinks they leave now because they don't want to park on the side of the road. He would prefer that they leave, because just adding impervious area for a bus to sit there does not make any sense. If they don't end up needing the 55 spaces, the bus could sit there comfortably. He states that it is a pretty nice green area with a pavilion and it seems like a waste of green to have a bus sit there for three hours when the College isn't that far away. If it is important to the Board, then in site plan it obviously can be accommodated. There has been a lot of discussion about wetlands so the College decided to hire Copeland Environmental to go back out to the site, reaffirm and re-flag the wetland delineation that she did. This was done yesterday so there is some new flagging. They have not had the opportunity to survey those flags, but they are having that done and will submit it to the Board. A couple of the isolated areas now seem to be connected; however it has not impacted the plan. They still contend that they do not need a wetland permit. They also pulled the conduit location out a little bit. They had previously indicated areas where they were going to add vegetation. This is a 900' long cedar fence and even though it is 900 to 1000 feet away, they thought that it would be helpful to break it up so they are introducing a staggered row of red maples and he indicates the area. Karen Kellogg, Associate Dean for Infrastructure, Sustainability, and Civil Engagement, states that before this she was a faculty member. She thought that it would be helpful for the Board to hear a perspective from a faculty member. This is an energy project, but it is also an educational tool. She is also an engineer who is also an environmental scientist. She discusses solar and wind energy and how they fit in with our energy future. Energy generated from photovoltaic – there is no air pollution, no water pollution, and no noise – so it is a really clean source of energy. This is an energy project, but it is much more to the students, the faculty and hopefully to the larger community. In one of their strategic goals they really work hard to engage each of their students in civic related projects. They turn every sustainability project on the campus into educational opportunities for the entire community. They have partnered with lots of groups like the Intermunicipal Stormwater Management Office, Greenfield organizations such as Friends of the Kayaderosseras, the Historical Society. She is really hoping that this project moves forward and we see it as another partnership. She really sees it as a project that we can demonstrate leadership on and also it sort of symbolizes the sort of progressive nature of the whole community, not just Skidmore. S. Ferradino states that with regard to whether they can use an alternate site, she requested and received a letter from NYSERDA, which she reads into the record and provides the Board with a copy. It states that the timeframe for bringing forth an alternative site expired on May 13, 2013. If an alternative site were proposed now, NYSERDA would terminate the current award and they would have to reapply for the grant. T. Siragusa asks for clarification on the last date that they could have proposed an alternate site and for moving the location from one side of the property to the other. S. Ferradino states that the whole parcel is considered one site. D. Deutsch states that it is based on the meter, as long as they connect to the same meter. T. Yasenchak reopens the public hearing at 9:34 p.m. Paul Bouchard, Denton Road, states that he did not receive a notification of the public hearings. He states that we are dealing with an institution that previously demonstrated a low concern for ethics so he wanted to make certain that, based on the light project, that it was going to be on the same location. He really wants to make certain, since it is in flux. He was told that there was talk of 6 fields and now there are not going to be 6 fields. He states that public hearings need to be on whatever the concrete PUD is. He is hoping for all of the Board to have the Wisdom of Solomon to make the right decision. Andy Gilchrist, of Tuczinski, Cavalier & Gilchrist, is present. He states that we have learned a few new things tonight. Presumably now the PUD legislation proposed has no additional athletic fields. He states that he is new to this project. Some of the Planning Board members were present Thursday

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evening at the Town Board meeting when they were considering a potential moratorium to adopt some zoning legislation on the appropriate location for these types of facilities. The Town Board clearly did not adopt that. What the Town Board did say was that they have the utmost confidence in this Board to review the project under SEQRA. Through the vehicle of SEQRA, not through zoning legislation, that this project would be fully reviewed and an informed decision made. He states that he has not been able to take a look at a revised EAF that apparently went in yesterday, but the most recent EAF indicated that the project site was 120 +/- acres and he is presuming it is the same even though no additional athletic fields are being proposed. This is a Type I action and as such there needs to be formal lead agency coordination so he will presume for the moment that the Board has done lead agency coordination and established itself as SEQRA lead agency. He states that they have commented and heard some updated information about the wetlands on the site. He urges the Board to consider all involved agencies on this project. They think that DEC should be considered an involved agency because they have heard that an updated wetlands field delineation has been done and they have commented previously that they think that that should not only be submitted to this Board, but reviewed by the ACOE. There are Federal and State wetlands on the project site. There has been an updated field delineation and that map should go to ACOE first for a formal jurisdictional determination and DEC Region 5 to confirm that the field delineation was done accurately. In the event that there are any issues surrounding wetland impacts, DEC becomes involved. Given that there is an updated field delineation, he thinks that it is incumbent on the Board as a lead agency to send that information both to DEC and ACOE and get a JD letter confirming the wetland delineations, and confirm from DEC Region 5 that a wetland permit is not required. The record does show a 7/2 letter from DEC Region 5, but he notes that it is a little curious because the letter is dated 7/2 and the body of the letter indicates that the materials were submitted to DEC in July. The applicant is not proposing any structures, fill or construction in the stream bank itself. A. Gilchrist states that if he understood the applicant's counsel correctly, NYSERDA is saying that for purposes of the grant, we are out of time to look at alternative sites. The Board is not in the grant business. From a SEQRA perspective, looking at alternatives is an appropriate planning tool, an appropriate environmental impact tool. It is irrespective of a grant issue. Is this the appropriate site available to Skidmore to cite this particular solar installation, not whether the grant is in danger or not. It is important information for this Board in terms of timeline, but in terms of the SEQRA review as lead agency and recommendation on the zone change, the grant is irrelevant. A. Gilchrist states that the only way this Board really takes a look at alternatives from a SEQRA perspective is through a pos dec. The Town Counsel will tell the Board that when you are making the initial determination of environmental significance under SEQRA, whether to pos dec or neg dec the project, alternatives is not listed in those criteria. Where the alternatives come up is through doing an EIS. They would urge the Board to consider a pos dec to make sure that the record is complete on this issue of alternatives. He asks the Board to consider keeping the public hearing open to allow the new information to be reviewed. There was a SWPPP prepared and Sterling Environmental Engineering did have a chance to review that and he has a copy. He will get a copy to the applicant. He states that the applicant was proposing, for the solar array to remove 8 acres of the existing vegetation, install the solar array and to reseed with what now appears to be a mixture of grass types. The EAF also indicates that it is a single-phase project to be completed within two months. Under the State's storm water program, you cannot disturb more than 5 acres at one time under the State's General Storm Water Construction permit. This is another reason they think that DEC is an involved agency. If they are going to be stripping 8 acres of the existing vegetation to install 7000 panels and reseed, they are going to need a waiver from the DEC. He states that they are right on the perimeter of the 100' buffer. The other issue was the temperature of the water coming off the site. He states that their consultants have reviewed the SWPPP. There was a report submitted regarding whether this is going to affect the temperature of that creek. This is a regulated trout stream and temperature is absolutely critical to trout spawning. He states that the report was done by a registered professional geologist in Pennsylvania, on one single panel for 40 minutes. He reviews the information in the report. He states that his question for the Board is that the heat went somewhere. Heat transfers to something, it transfers to the water. He states that there is poor drainage here and it is going to run off. The slope is leading to the creek so the heated water will be going into the creek. He does not believe that the question has been adequately answered. The EAF says that there are no cultural resources on the project site and they reference the Office of Parks, Recreation and Historic Preservation website. As the

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Board is aware there is a water district proposal in this area and Stewart's has come in with their report dated July 30, 2013. Chazen did the report and it states there is a potential for cultural resources being present within a small portion of the project area. He feels that coordination with SHPO should be required as well. Regarding traffic, this Board was talking about coordinating the traffic studies and he is of the understanding that there was no coordination with the next applicant. This Board also discussed hiring an independent traffic engineer to review the cumulative traffic issues on Denton Road. That is something that the Board should consider doing. Regarding the issue of special events of up to 100 people. He states that he has not read the traffic report, but got the sense that that is not specifically addressed in the traffic report. It should be because that is part of the PUD legislation. He has a question of how they are going to keep the vegetation down between these panels. We have heard that they are going to scrape off the existing vegetation, but the question becomes how do you know that that is going to stay below the panels. We need a clear answer of whether it is going to be mowed and where that equipment is going to be stored. Is that more than 4 trips to the site per year and if not are they going to use herbicides and with the proximity to the wetlands and the creek, the Board should consider that issue as well. He states that, despite the Town Board not approving a moratorium, this is an issue that is important to the whole community and he understands that some petitions are being circulated. He states that the Board should have the benefit of seeing and considering those before making any recommendations. A. Gilchrist asks the Board to keep the public hearing open. He would implore the Board, to fulfill their duty as lead agency in a Type 1 action, coordinate with DEC Region 5, get their input and then he thinks a pos dec would be appropriate here so that the Board has the tools in one document. By neg dec'ing, he states that you eliminate the ability to review all these issues in one document. Most importantly you eliminate the ability to review alternatives and citing of these facilities is critical. He states that he knows that this application has been here for a few meetings; to review of a project of this magnitude in just a couple of months is actually quick. Jane Bouchard, Denton Road, states that they are the ones who have the other solar panels on Denton Road. They definitely approve of solar, they even have geothermal. When they heard about the project they thought it was great. Now they have heard all these other things. She states that we have to realize that they tried to shove lights down our throats a number of years ago without notifying anyone. If we are weary, there is good reason. This group of people was not involved in that particular episode. One thing that hasn't come up is what about lights. She wants to be assured that, although they are only keeping these fields, that we are not getting those lights. She would like the Board to keep the hearing open so that all the neighbors can see the new changes. She asks the Board to make sure that there are no stadium lights. John Jayco, Denton Road, states that he has no ill will to Skidmore, they have been great neighbors. He is very disappointed that they have taken the ball fields off the map. He would rather see 20 ball fields than one solar panel on this piece of property. As long as they put bathrooms and take care of the cars in the road, put 100 ball fields out there. This does not belong in this neighborhood. If the Board decides that it does, he respectfully asks, that the Board gets proof that there will not be glare. He states that when this company came before the Town at one of the earlier meetings and was asked if there were any other facilities that we could look at. There is one just a little over an hour from here and they had no idea it was there. It is not Skidmore, this company is leasing this property from Skidmore to put these in. He respectfully submits that this needs to be investigated a little more before we allow them to put this in. This is a little more important than a grant that he is sure that if they reapply, the State will re-up their grant. If they have to move it, the State has a tendency to work with people, they want these things. We are not in a big hurry just because they put a timeframe on it. T. Yasnchak asks the Board their feelings on the public hearing. S. Weeks states that he thinks that it is appropriate to keep it open. T. Siragusa states that he always says to keep it open, but his feeling is that public hearings are to gain insight of things that we should consider. We haven't heard anything new. We do have new information but he has a hard time thinking that there is something that hasn't been brought up before. He is ok either way. J. Streit states that he does not think that we have heard anything tonight that we haven't heard. The attorney spoke very well, but he was at a considerable disadvantage of not having attended the meetings and almost every issue that he raised has been adequately answered before. J. Streit states that he does not think we have any wetland issues or heated water issues, those have all been resolved by appropriate professional engineering firms. He trusts the reports that have been presented. He feels that it is a stalling action in a sense. No questions were raised tonight that haven't been dealt with ad nauseam. M. Gyarmathy thinks it

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would be a good idea to keep it open. A. McKnight states that there was a new question tonight about the 5 acres disturbed vegetation being the DEC maximum. T. Yasenchak states that keeping the public hearing open is at the discretion of the Board. M. Hill states that it is at the Board's discretion; typically when new information is submitted there is the opportunity to allow for anyone interested to comment on it. He states that the Board could also close the oral public hearing and set a time frame for written public comments to be received. T. Siragusa states that if the applicant came in with new information, which is totally possible, we would have the same situation again. B. Duffney states that he also thinks that we have addressed all the concerns except for the 5-acre disturbance. He would like to hear comments from Skidmore, before we go any further, on that. J. Streit agrees that we should hear what the applicant has to say on this before deciding about the public hearing. T. Yasenchak states that we will also be getting the information on the wetlands delineation. Public hearing is adjourned at 10:12 p.m. T. Yasenchak asks the applicant to get that information to the Board as soon as possible so that we can get it into the public record as soon as possible. A. Gilchrist states that it would seem to make sense to him, and many Board's do this, if there are going to be additional submissions, if the Board establishes, based on what the applicant thinks is a reasonable time period to get that done – set a date by which all the submissions by the applicant are required, so that you are not getting submissions the day before a meeting. T. Yasenchak states that in the development world, it is not always possible for the professionals involved to get something by a certain date. The applicant is fully aware that if they get something to the Board the day before a meeting that it will be put off. T. Yasenchak asks the secretary that when we notify the public, we do have a specific radius or distance from a project site that we send it out to and what that distance is. R. Rowland states that is true and the distance is 500'. T. Yasenchak states that for the record, there probably are some people on that road who have not been notified personally. M. Hill comments that there is also an advertisement that goes into the newspaper so that the general public can be notified. T. Yasenchak asks about the 5-acre disturbance. D. Carr states that this is addressed in the draft SWPPP, because the SWPPP is a tool for construction. It is a construction permit. What was submitted to C. Baker, and DEC does have a copy, is a draft. He states that it is a draft for a lot of reasons - one being that they do not have a project yet. Until you have zoning you don't have a project and more importantly on this project because of the soil and the construction time, it is going to be important as to when they are going to start and when finish. The very first question he asked the Dynamic Solar guys when they started this project was about the 5-acre rule. He states is it completely detailed to the finite degree, no. The MS4 is the Town of Greenfield that we have to deal with and DEC Region 5 has oversight over the MS4, so there will be added detail through the site plan process when we get there. The SWPPP does address the 5-acre rule and they do understand that they cannot open more than 5 acres at one time. C. Baker asks for clarification. Are they actually talking about stripping topsoil? D. Carr states that they are not removing any topsoil. They are stripping vegetation and there is the possibility that they will not have to strip some of the vegetation. C. Baker questions that they are talking about the scrub brush, weeds, etc. D. Carr states that is correct. They are not doing any grading; they are not removing any topsoil. The actual soil disturbance involved with the array is actually pounding the posts and removing vegetation. There are some trees that have to be taken down, so there is some soil disturbance with that. The grading out there is what the end product will be. T. Siragusa asks about the grass, will it be stripped away like sod. D. Carr states that they are assuming that it will and will be reseeded right away. T. Siragusa asks if they can just pound the posts into the ground. B. Duffney asks about trenching. D. Carr states that there will be no trenching; the wires will be on top of the ground. The only trenching is for the conduit from the actual array to the transformer. Greg Boyer states they are going to take off the scrub brush and the trees. The remaining grass that is there they will cut real low before they start and then seed over the top of that. They are not going to take off all of the existing cover. B. Duffney states that then there will be very little sod disturbance. G. Boyer concurs. T. Siragusa asks what that means. G. Boyer states that the sod will probably get disturbed as they are driving machinery over the area, pounding the posts in, etc., but they are not scraping it off. S. Weeks states that the neighbor has spoken about the glare issue a couple of times. He has been to the array in Leominster and he couldn't see much glare. The Board received a very nice detailed report with all sorts of characteristics of these collectors but nothing about reflectivity. He states that it is a very real concern about the solar panels. G. Boyer states that he can talk to the manufacturer of the solar panels and get a letter from them if that would alleviate the concerns. Additionally, they are adding

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additional vegetation in the field to block the visual impact, which would cover any other concerns. M. Gyarmathy states that he has been doing a little research himself. He thinks that glare has to do with the angle that the panels are on, where the sun is at certain times of the day, etc. That is what he got out of the information. D. Deutsch states that there is a study that they submitted. M. Gyarmathy states that they are on a different angle than we are because they are on a different longitude. D. Deutsch states that the panels are going to be tilted at basically the same angle. It really does not change the reflectivity too much. He states that they also have an FAA report, which is abundantly clear; that there are absolutely no glare issues related to solar photovoltaic, they have been installed in many airports and they can submit that tomorrow. T. Siragusa states that one thing that keeps coming up is that there is no glare, but that there are mitigating actions being taken. So it is conflicting to him. G. Boyer states that the mitigation actions are not for glare, they are for the visual impact. S. Weeks states that he is asking for something that addresses the reflectivity of these panels. D. Duetsch states that the panels that they are installing do have an anti-reflective coating. B. Duffney states that on Sunday he went to the solar array at the racetrack in Vermont. He states that he was there at around 10:00 a.m. for about an hour. He went all the way around them, in full sunshine. He tried to find glare and could not. He also went to Cheshire, Massachusetts on Route 116, Hoosak Valley Middle School where they have a solar array. Once again, no glare and this was about 11:00 or 12:00 noon. Regarding the noise of the inverter, he states that he was standing within 20' of it and 100 yards away, the air conditioning unit was on top of the school and he could hear that over the inverter. As he moved further away from the inverter, he could not hear the inverter. He states that you could hear a cricket over the top of the inverter humming. Yes, it did make noise, about as much as an air conditioning unit in someone's window. He did talk to some neighbors, asked if they had problems with glare and they said no. He went into this with an open mind and that no matter which way it went he was going to come back and tell the Board what he found out. There were no issues with property values. The neighbors were closer than any of the neighbors at the Skidmore project. No complaints about glare, no issues with thunder storms drawing lightning. B. Duffney asks for clarification on the polo games and practices, number of baseball fields, numbers of games, and lighting. S. Ferradino explains. There are no lights in this proposal for any of the fields. There will be a light inside the inverter shed. T. Yasenchak states that she likes the idea that they added trees, it makes it look more rural. It was a good idea.

PRESTWICK CHASE – PUD Amendment
Denton Road

Fred McNeary, Jr., and Luigi Palleschi, ABD Engineers, are present. F. McNeary states that he made a mistake, he had previously done the long form with supplementals, not the EIS. He provides copies of that long form. He states that they did the expanded environmental for a couple of reasons. There was historical and that was addressed, they did an archaeological study. The other thing was traffic, there is a 1996 traffic study and he provides a copy of a new traffic study that they just had done. He states that it was mentioned previously that since Skidmore and Prestwick Chase are on at the same time, it could possibly be an issue for the greater community, that the Board would like both applicants to take things into consideration. He states that he is hoping that, by going thru this process, that he is not going to be changing his PUD every two weeks when he comes in to see the Board. This is pretty much what they have studied for 2 years, they have come up with, they lost one building because of sight distance at the far end, but this is it. He is not planning on changing, he is not trying to throw any gauntlet down, he is just letting the Board know. They have done their research and this is what they want to do. T. Yasenchak states that if the Board asks him to change the PUD, he probably will change it. That is the way the process works. F. McNeary states that what he would like to mention is that with the other applicant changing this constantly, it was impossible for Prestwick to quantify what would be going on down the road. This traffic study is probably a little more involved; they did all 4 corners – Locust Grove, Daniels Road, Denton Road and Bloomfield Road. He states that this traffic study was done by the same people who did the traffic study in 1996. The gentleman worked for Clough Harbor at the time and is now on his own. L. Palleschi states that he had mentioned at the last meeting that the traffic for what they are proposing vs. what the existing PUD was

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approved for is going to be very similar. He was on the conservative side and said that they might increase based on the general trip generation; he thinks he said about 13 vehicles. The study shows a 25% reduction in the traffic. Basically the report states that there are no changes needed at any of the intersections, the level of service all stayed the same, it is a senior facility and they are not traveling at the peak hours. They wait until the peak hours are over before they go out. T. Siragusa asks what the peak hours are. L. Palleschi states 7:45 a.m. to 8:45 a.m. That is for this project, they looked at the existing facility that is there now and the residents are less mobile seniors, and they took into account that the proposed 293 apartment units will be the more mobile 55 and older residents who will be more mobile and still working. The p.m. peak hours are 4:15 to 5:15 p.m. F. McNearly states that the morning peak hours sound correct because in all honesty when they do their transportation, most of the bookings are first thing in the morning and mostly for testing such as blood draws. B. Duffney questions that the study was done from all 4 corners. F. McNearly states that he witnessed it on all 4 corners and they were also at the front entrance with Denton Road. B. Duffney asks if this is for traffic in and out of Prestwick or all traffic in the area. F. McNearly states that he believes it is all the traffic in the area. If they were down the street, they wouldn't know if the traffic was coming from Prestwick or elsewhere. B. Duffney asks if anyone has taken school buses into consideration now that the road has been redone. L. Palleschi states that that was taken into consideration and in the month of August the traffic is 10% higher. F. McNearly states that he gets a fair amount of bus traffic going by his house on Daniels Road. L. Palleschi states that at the last meeting they were asked what the approved PUD looked like vs. what they are proposing. He displays a plan showing what was proposed and what is existing. He explains 50 cottages, 120 bedroom nursing facility, a clubhouse with additional parking, along Denton Road there were 5 single-family residential homes and the 9-hole golf course. 12 cottages were constructed. T. Yasenachak states that she would like to have a copy of this as part of the public record. She asks about the amount of property. F. McNearly states that originally there were two big parcels and they were going to subdivide. For financing purposes it would have gone from a minor to a major subdivision so the lots were dropped. When they purchased the property it was two separate parcels owned by two different people and they were acquired at different times. S. Weeks asks about the golf course. F. McNearly states that he would like to do a golf course, his father doesn't care to put the expenditure out for a golf course and now the Town has a golf course. Originally they had a study done and it was feasible. Now there are so many golf courses in the area and a lot of them are having trouble making ends meet. They do not want to go into competition with the Town. If it were up to him, he would still be planning the golf course and be regretting it down the road. F. McNearly states that the Board had asked for photos of how this would impact the neighbors. He states that this is heavily wooded on three sides, explains the photos and where they were taken from. They have added over 300 trees from the time they built. T. Yasenachak asks what the distance is between the building and the property line. F. McNearly states 50-feet but that the trees won't come down. The boulevard is lined with 120 hemlocks, which are up to about 20-feet tall right now. T. Yasenachak asks the height of the main center building. F. McNearly states at the peak it is 34 or 35' tall. S. Weeks asks about the width of the power line right-of-way. F. McNearly states that it is about 50 to 60-feet. T. Yasenachak states that she feels that the Board needs to do a site visit, as was previously discussed. She asks where the bed and breakfast is in relation to Prestwick and where the most recent subdivision is. F. McNearly is not sure. He states that he owns the property under the power lines and National Grid has an easement across it. On either side of Prestwick, National Grid owns the land where the power lines are. If the subdivision was coming off of Liberty or the other street, they wouldn't be able to make it under the power lines because National Grid owns it. T. Yasenachak asks if the poles on his property are going to be modified. F. McNearly states that they fly them twice a year with a helicopter and he does not think that is so much because of the power lines but because there is also a transmission gas line in there, too. B. Duffney states that the new power poles go from Spier Falls to Rotterdam. T. Yasenachak asks about storm water, sanitary and water. F. McNearly states that they have a pump station, indicates where it is, and states that it is the largest in the county, 28 feet deep, and it is at the lowest point in the area. He explains where and how the lines were run. He states that the pump station does not run that often. They are using about 6000 gallons of water and only discharging maybe a bit more than that. Originally they were going to run a sewer line across through to the corner of Country Squire and there wouldn't have been any hook ups along the way. It was a waste of a lot of footage on the sewer line. Now that they are running through to Daniels Road, they are planning to run the sewer all

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the way to Daniels. He explains how this would enable people along Locust Grove Road and people along Daniels to be able to hook up to the sewer if their septic systems began to fail. He states that the capacity of the pumping station is huge. They have their own water system - pump house and water tank. The water tank is a 124,000-gallon water tank, which gives them 2 hours of fire protection. He is not really interested in the water line that is running down Denton Road right now. For planning purposes he explains where the water line would be and that his will go through to Daniels Road. It actually spans the whole block. They have also brought natural gas from 9N into the Prestwick property and it runs up to their water tank and it will continue out to Daniels Road. He explains that there are two different grids where Prestwick Chase lies. They are on the main trunk line for Saratoga Hospital. Any time the power goes out they usually have power back within ½ hour. On the Daniels Road side is a totally separate grid. He has talked to National Grid, and not gotten a straight answer, about connecting the two grids together. T. Yasenchak asks that they are planning to use the same well system and that we will need a letter regarding capacity. L. Palleschi states that they have prepared a water distribution report and given it to C. Baker. F. McNearly states that they have 3 wells and are using 2 that they cycle back and forth between. The third well is drilled, capped and just sitting there. T. Yasenchak asks if they have a site plan that shows where the buffers are, where the ponds are, wetlands, etc. L. Palleschi provides a copy of a wetland delineation by Ingalls and states that C. Baker already has a copy. He explains the locations and drainage; states that they laid the site out so that they disturb only 1/10th of an acre and the original plan was at a 1-acre disturbance. They are proposing 2 storm water basins and no gutters on the buildings. F. McNearly refers to the plans and states that they are planning to leave as much vegetation as possible, anything that is cleared they have to mow. He states that they dug the ponds that are on the property now because they thought there would be less maintenance, less to mow, and what they found was that the ponds are just as much if not more work than mowing. So they are trying to keep it more natural with just native trees and wooded areas. S. Weeks asks if they are leaving the ponds. F. McNearly states that they are. B. Duffney asks about the road that dead ends at the water tower. F. McNearly states that it was their original plan and it goes up to the water plant because they have to check the chlorine every day and do a water reading everyday. T. Yasenchak asks C. Baker if we need the applicant to provide a letter of their discussions with DEC and ACOE. C. Baker states that is part of the report we have been given. A. McKnight questions that the cottages were not part of the original plan as they are not on the plat shown. F. McNearly states that the drawing changed at some point and he is not sure when. R. Rowland indicates that the Town does have a map showing the original locations of the cottages and building permits. F. McNearly states that he has been having difficulties finding his original copies. T. Yasenchak questions that the road connecting to Daniels Road, is it just going to be used as an emergency exit or are people going to be allowed to come and go on that. L. Palleschi explains that it is addressed in the traffic report and that C. Baker had had some concerns with the sight distance. They moved the entrance and it will be a full entrance in and out. It will be gated so that it does not become a cut thru. T. Yasenchak asks if the Board feels we have enough information to set a public hearing to get comments before the applicant goes too far. C. Baker states that he believes that enough information has been submitted for the purpose of the PUD legislation. He believes that the task before the Planning Board right now is similar to what they are looking at for Skidmore. The Planning Board is to make a referral back to the Town Board for the amendment of this PUD. Once that is done, it is going to come back to the Planning Board for detailed site plan review. At that time is when the Board should look real hard at the storm water management, the sanitary sewer, and the water. He believes that there is enough information that has been submitted right now to justify what they are looking for and for the Board to consider the PUD legislation. One thing that he would suggest is for the applicant to show the production wells, those require a 200' protection zone around them. T. Yasenchak asks if, as we go through this process of reviewing the additional buildings for the PUD, because there are wetlands on the property, if the Board makes a decision that it is ok to amend the PUD for a specific maximum number of units, because she does not want the applicant to feel that if we make a decision on a specific number and then we go through the site plan process they may or may not be able to fit that many because of the wetlands, etc. She asks the Board to look at Section 105-129 for this project also. Other involved agencies are discussed as being DEC, ACOE, DOH and Saratoga County, for lead agency letters. A public hearing is scheduled for August 27, 2013 at 7:00 p.m.

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ZBA REFERRAL

Michael Rayburn – Temporary Use Variance. T. Yasenchak recuses herself. J. Streit states that there are three mobile homes on the site now. The applicant plans to remove two, live in one and build his home. No Planning Board issues.

CORRESPONDENCE

The Town of Wilton has forwarded an application that will be before their Planning and Zoning Boards for Saratoga Health and Wellness for a fitness center across the street from the Maple Avenue Middle School. The Board consensus is that the Town of Wilton should require a traffic study.

The meeting is adjourned at 11:53 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary