

TOWN OF GREENFIELD

PLANNING BOARD

November 26, 2013

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:00 p.m. On roll call, the following members are present: Tonya Yasenchak, Nathan Duffney, Andrew McKnight, Thomas Siragusa, John Streit, Stan Weeks and John Bokus, Alternate. Michael Gyarmathy and Charlie Baker, Town Engineer, are absent. Mike Hill, Town Attorney, is also present.

MINUTES – November 12, 2013

MOTION: S. Weeks

SECOND: A. McKnight

RESOLVED, that the Planning Board waives the reading of and approves the minutes of November 12, 2013, with a minor correction.

Discussion: M. Hill states that it should be noted, but that no correction is required to the minutes, that in discussing the report from the Town Environmental Commission it was stated that the Planning Board did not require that report but that the Town Board does. He states that, per the PUD regulations, the Planning Board does need to receive that report and incorporate references about that report into its referral to the Town Board.

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

Noes: None

Abstain: Siragusa

PLANNING BOARD CASES

BRITTANY CHASE – Sketch Plan, Major Subdivision

Brittany Chase

Jason Tommell, Dave Aaronson, Al Kasin and Ken Martin are present for the application. J. Tommell states that they were here in concept several months ago and are here tonight to let the Board know the progress they have made and what their thoughts are. He states that since that meeting they have taken a little bit harder look at the information that was available. This has been going on since the late 1980's and he reviews part of the history. He states that at the time part of that the road that was put in caused some wetland disturbance and other disturbances through the years. The ACOE has recently contacted Brittany Chase and said that there has to be mitigation done. They have come up with 2.3 acres that were disturbed. They sat down with the Corp about a year ago who said that they would take 1-to-1 mitigation, so they have to create 2.3 acres of wetland. They are considering that as part of the infrastructure and when they started looking at the layout on this, they had to make up the cost of the 2.3 acres, at least, and then the 1-to-1 mitigation and any additional disturbances that they have as part of the infrastructure. The way that they are trying to balance that is by getting rid of some roads that were in the original subdivision. He explains on the plans. They wanted to talk about the shared driveways, the keyhole lot and the Planning Board's overall impression of the subdivision so that the applicant has some guidance. J. Tommell states that he does not want to go ahead and do all the test pits, the perc tests, do all the engineering – only to come back and have the Board not like the keyhole lots. They are looking for some general feedback knowing that they are not at the preliminary phase with the engineering so that they can go back and provide the Board with the data and

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the information that is needed for full review. He indicates the areas for wetland mitigation on the plans. He explains that there is one shared driveway at lots 1 and 2 due to wetlands and one at lots 7 & 8 due to bedrock. This will minimize disturbance. He states that they do understand the issues that can arise from shared driveways. He states that they did try to search out the old mounds. There was fill brought in years ago for alternative systems. He states that they found about 2/3's of those and it looks like they think they are going to be able to use them, but because of the shifting of the lot lines they may not be able to use some of the others. K. Martin reiterates that the lot sizes have changed and in order to get around the wetland mitigation, this is the configuration that they have arrived at. B. Duffney states that the only issue he has is with the shared driveways. He understands what they are going through with the wetlands and mitigation. He is familiar with the area and he thinks he knows the outcropping that is being discussed at lots 7 & 8. J. Tommell states that then B. Duffney is not necessarily opposed, but has the typical concerns with shared driveways. B. Duffney asks what the distance is of the driveway to lot 7 from the main road. K. Martin states that he thinks it is about 250' for 7 & 8 and about 200' for 1 & 2. A. McKnight states that he believes it is more like 400 to 500' in looking at the scale. J. Tommell states that K. Martin was stating that it was 200-250' beyond the first house. B. Duffney comments on the concerns for emergency vehicles on long shared driveways also. S. Weeks states that he also has a concern with the shared driveways and wherever possible he would prefer to not have one. He understands that the 6-acre zoning makes things difficult here. T. Siragusa asks if the shared driveway on lots 1 & 2, is that new wetlands disturbance that would then have to be added to the mitigation. J. Tommell states that it looks like they are able to squeak the driveway through. They may be able to avoid additional disturbance, but they won't know until they do the full grading. T. Siragusa states that this is a really difficult area to build in. This project started a long time ago, but as Greenfield continues to get developed, we are just going to see more and more of this where we are trying to skirt around water and ledge rock, and use any devices like shared driveways. We have additional problems to the normal shared driveway concepts that we have talked about. Using it to get around really difficult areas, he is uncomfortable with it. In looking at lots 7 & 8, that shared driveway goes right across lot 8's property. He states that sometimes it makes sense and the Board has approved shared driveways where they might go up a lot line or something, but this is going right through someone else's lot and most of the distance is going across someone's lot. Whether they like it or not is up to the buyer but we don't know about the next buyer. It just adds to the complications of potential future problems. He generally does not like it and has some reservations. J. Bokus states that he understands the applicant's dilemma and he is also not in favor of shared driveways. He states that you can never prevent all problems. His choice would be to shift the lot lines so that you do not have to have shared driveways. J. Tommell states that it is about 64 acres and about 4 acres of roads, they need 250' of frontage. He states that they can take another look, but this is the land that is there. A. McKnight states that it looks like, on lot 2, if you were able to sneak the driveway over towards lot 3, then maybe you are only crossing about 25' of wetlands. T. Yasenchak states that that may be a vehicle to help with frontage to maybe enable them to move things around a little bit. She asks about the original layout and where the roadways were in relation to these lots. J. Tommell explains. K. Martin states that the lots are very tight as far as the 6 acres goes, and in shifting lot lines, they may lose a lot. J. Tommell states that they have to look at that – the cost of putting a driveway through the wetlands versus the cost of losing a lot. S. Weeks states that a keyhole lot driveway has to be an extremely well built driveway built to a different standard. T. Yasenchak states that the Board is typically more comfortable with keyhole lots vs. shared driveways. The Town Code does define the fact that we can use a keyhole in unique circumstances. She does not like shared driveways as much either because we have seen it come back to the Town. She is not so concerned with lots 1 & 2 because of the configuration of the driveway, but on lots 7 & 8 it seems a little more excessive that someone's whole front yard is going to be a driveway. She is concerned about the size of the building envelopes on some of the lots. J. Tommell states that the building envelopes are tight with the setbacks, the 100' buffers, and the well/septic separations needed. They can provide those dimensions; they are not saying it is going to be easy. They are trying to take baby steps; they are trying to be very deliberate in their approach because a lot of time and money has been spent on this over the course of the entire project. B. Duffney questions the possibility of moving the driveway for lot 7 to the other side of the outcropping, closer to lot 6, by giving the lot a different configuration. T. Yasenchak asks if this subdivision was originally approved as a cluster development, was there any area that was supposed to

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remain green. A. Kasin states that it was all to be developed further. M. Hill asks if there is a homeowner's association with this subdivision. J. Tommell states no. A. Kasin asks where they go from here. T. Yasenchak states that the applicant has heard the Board's comments so they have a couple of options. If they want to continue the review process with this particular plan, they could provide more details as were discussed, and then they run the risk of the Board asking for additional changes. The applicant could also try to make some modifications and bring it back. J. Tommell states that they will look at the shared driveways and see if they can come up with some alternatives. T. Yasenchak states that the Town Engineer is not here tonight and we don't have a review from him. If the applicant would like C. Baker to look at it this way and give the Board feedback or if the applicant is going to give the Board another option for the Board and C. Baker to comment on. J. Tommell reiterates that he wants to look at alternatives for the shared driveways, make sure of the keyholes and see if they can push the lot lines around. He does not think that those are going to be substantive changes at this point in moving septic systems around, etc. He would like to keep an open dialog with C. Baker and come back with updates on what they find. A. McKnight states that one of the things that helps the Board to move forward is when they have concrete reasons to move forward. He states that the Board dealt with a question of underground power as opposed to overhead power and the applicant provided actual numbers as to what the cost was between the two options. T. Yasenchak states that the fire department should also be contacted for suggestions.

PRESTWICK CHASE – PUD Amendment

Denton Road

Luigi Palleschi is present and states that he had submitted information on the blasting in addition to a map indicating the areas that may need blasting. He feels that the amount of blasting that will be needed is a lot less than they originally assumed. The first couple feet of rock may be able to be scraped away because it is not as hard vs. blasting it. Once they get to solid rock, they can also pin the footings and not have to blast. The Board goes back to question 1 on page 11 of the long form and small to moderate is checked as the response based on the information provided. T. Siragusa questions that the Board would feel the same if there was more blasting needed, which we are not sure of at this time. A. McKnight states that he works for a quarry and they blast 100,000 tons a week in some of the quarries and he would consider that to be major blasting. That is 20' thick, 30' deep and 300' long. This to him is more or less a one-time event in either location; part of construction, a nuisance, but moderate is where he would put it. B. Duffney states that when the water line was put in along Daniels Road, it was blasted all the way almost from Route 9 almost to the Skidmore stables, 100's of tons of stone and he has not heard of any wells being disrupted, etc. T. Siragusa asks if we have any idea of whether this would take a day, a week, a month – 2 to 3 feet of bedrock. A. McKnight states that he would say 2 to 3 days maybe and 1 to 2 charges. L. Palleschi agrees with that estimation and states that it would be more cost effective for the blaster to be there with his equipment and do it at one time. The Board also had a question regarding whether construction would last more than one year or involve more than one phase. Discussion takes place. Phasing is discussed in that the applicant is not asking for portions of the project to be approved under different phases. They are asking for one approval for the entire project and construction will take place in steps. L. Palleschi states that they would like to build the first section of road, behind the existing building, first, and then they would begin the construction of those units. As market demands, they would begin construction of additional units. M. Hill states that generally when you are looking at phases it is because the applicant has specifically proposed to do the project in certain phases. Sometimes that is because the applicant either does not have a final design in mind or doesn't want to incur final design costs at the outset of the project. Here we are hearing the applicant say that they are going to propose that they are submitting a fully developed plan for the proposed entire project. The Board is not going to get an exact answer as to how long this project will take, as part of it is market driven. The only thing the Board can do is use a best estimate and based on this conversation, using a total of 3 years or so, and that assumes that the market would justify the investment and expenditures. He states that he thinks that that is all that the Board can reasonably do. The blasting sounds like it is going to be relatively confined in time. He asks if all the blasting for the entire project will be done at one time. L.

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Palleschi states that he thinks so, that would be the most cost-effective way because they would have their equipment there. The area is pretty open; there are fields and trails. S. Weeks states that the impact on the people who are currently living there would be a lot less if the applicant constructed the road out to Daniels and have a lot of construction traffic coming in from that direction. L. Palleschi states that he believes that the construction entrance would be off of Denton Road and that you would not want the heavy trucks on Daniels Road in that residential area. L. Palleschi reiterates that they are proposing a single phase and up to 36 months possibly up to 60 months. The response to question 6 on page 6 is changed to 36 months to 60 months. Discussion takes place that the Town Code has regulations regarding hours of construction. Question 5 page 13, regarding storage of petroleum or chemical products greater than 1100 gallons - L. Palleschi states that the pump station is run by natural gas and the water plant has a 500 gallon diesel generator. Question 15, regarding traffic impacts - L. Palleschi states that he looked at the information that was provided by the Town. The report states that there were 1000 school buses a day and he felt that that was a little odd. He looked at the population of kids K-12 and there are only 6600 kids enrolled. He did the calculation and something does not make sense. T. Yasenachak states that the traffic report for Prestwick was done in August and it did not include any of the school traffic – buses and other traffic involved with school. L. Palleschi states that the report does address that in the month of August the traffic is on the higher end and no adjustment factors were made because DOT has a standard. He states that he did talk to the traffic engineer who travels that road and felt that the number in the Town's report was odd. The traffic engineer stated that they would have factored in buses. T. Siragusa states that this should not be about the Town's report. T. Yasenachak states that she would like to see something in writing since there is such a difference between what the Town says and what the engineer says. S. Weeks states that he reads the question as to how much is the project going to change whatever is there now or add to it. L. Palleschi states that in his professional opinion, it is minimal, because of the amount of traffic that is going to exit and enter off of Daniels Road on that curb cut. He will get something from the traffic engineer. A. McKnight reads from the traffic report stating that there would be 58 additional trips in the a.m. peak hour and 72 additional trips in the p.m. peak hour. L. Palleschi reads from the report that there would be 5% of the to/from the Northwest via Daniels Road and 20% to/from the east via Daniels Road. These are the percentages of the total numbers of trips in peak hours.

The Board reopens a public hearing at 8:42 p.m. Paul Bouchard, Denton Road, states that at least 2 to 3 times per day 10 to 12 buses, traveling together, sometimes empty, come from some where and go somewhere plus whatever school bus is carrying kids. He states that if there is a high school bus count it could be because these caravans of empty buses travel those roads. There being no further public comments, this public hearing is closed at 8:45 p.m.

Discussion takes place regarding question 17 and the operating noise exceeding local ambient noise levels. L. Palleschi states that all the air conditioning units are interior units in the existing structures and will be the same in the new buildings. T. Yasenachak states that she would like something to quantify the amount of noise created. She states that there will be 56 units at the Daniels Road entrance, which could be a lot of noise. Question 19, Mike Hill was asked to look into the question of density and how to measure it. He states that they were unable to find any definitions or guidance from DEC with regard to this question about change in density. He states that the Board could use the existing PUD as a frame of reference and what was allowed under the PUD that has not been constructed yet. The previous SEQRA review that was done found that there was not an important or significant adverse affect from the change in density of the land use. A. McKnight states that the previous SEQRA did not necessarily say that this impact was not potentially large, but that it was not important. M. Hill states that that is correct. They could have checked potentially large and noted that there were factors of mitigation, and because of those mitigation measures it would reduce the potentially large impact. The number of approved units is discussed versus the number proposed with a difference of 262 additional units or possibly 404 additional people. J. Streit states that the new PUD also includes additional land, an additional number of acres. T. Yasenachak states that in the zoning code density is by acreage so when you look at the MDR1 a multi family dwelling requires 1 acre per dwelling unit and in MDR2 it is 2 acres per dwelling unit. The proposal would break down to 4 units per

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acre. L. Palleschi states that in the original PUD there was to be a 20,000 square foot clubhouse, which adds more people and more cars and was to be open to the public. Under the PUD amendment, everything is being offered only to the Prestwick Chase residents. T. Yasenchak reads from the original PUD SEQRA and the questions of density. The Board consensus is that this will be a potentially large impact and that it can be mitigated by project change. A. McKnight states that Part 3 takes any impact that is potentially large and evaluates whether or not the impact is important. He states that one of his reasons on the side of saying that it is not important is based on the public response, which has been fairly muted. B. Duffney states that he feels that one of the big issues with density and acreage is septic systems. This project has its own sewer system that goes into the County system. T. Yasenchak states that this question is dealing with the impact on the growth and character of the community. J. Streit states that another argument that can be made is that you can barely see it. There is still going to be forested areas maintained and there are mitigating measures proposed for trees, berms, etc. He states that the potentially large impact could also be because it is creating housing for senior people and that can be interpreted as an asset with a view to the future for what the community needs. Density is not necessarily a bad thing. Regarding demand for additional community services, a letter was received from the Town Board stating that they did take this project into consideration in their current emergency services contracts. T. Yasenchak states that this does not discuss whether or not the fire department feels that they can adequately service the buildings and she would still like to see something in writing from the fire department as the Town Board letter only addresses ambulance service. L. Palleschi states that the Board is looking for a letter from the traffic engineer, the fire department and information on the air conditioning units. T. Yasenchak asks that from the original PUD, the impact on the neighborhood, in the EAF that was done, they used the 25 acre green buffer, as that would lessen the impact on the neighborhood. Her question is that now we are building within that, how does that affect anything? Do we nullify what was used before for that original determination? It also stated that the berm to the southwest was going to be a buffer to the neighborhood. She states that now they are building on that berm, with landscaping. M. Hill states that it has no affect on the original SEQRA, but the potential effects as a result of the amended PUD, the 25 acres and the buffer of the berm are no longer going to be applicable. So this Board cannot cite those features as a mitigation to the aesthetic impacts. In recalling the Board's discussion, there has been a lot of discussion about buffering, relocating three story buildings and replacing them with 2-story buildings to minimize visibility, etc. There are a number of other factors that this Board has been considering so that when it comes time to consider potential aesthetic impacts or visual impacts, they can be used as a basis for deciding whether potential visual impacts or aesthetic impacts have been reduced to small to moderate. T. Yasenchak states that her question is that something that was used as a green easement in the original PUD and now all of a sudden it seems like a drastic change to the PUD that we are building now in an area that the last SEQRA used as a green buffer. A. McKnight questions the location of the 25 acre green buffer. The 8 three story units on Daniels Road are smaller than the green that is left in one area. L. Palleschi points out that the blue line on the plans indicates the existing PUD and they are asking to amend it out further. A. McKnight states that the applicant is gaining green area on the one side of the dotted line and losing green area in another. He states that you might still have 25 acres. M. Hill asks if the 25 acres was set aside as a conservation easement or a dedicated green space, or if it was just an open area that the applicant didn't propose to build in and the previous Board was able to say that that area was not going to be developed and would provide a buffer space. M. Hill states that he recalls some pretty intense conversations about leaving vegetative screening and adding more. T. Yasenchak asks if there are any ramifications with a previous SEQRA review and a previous approval for a PUD that now we are looking at differently. M. Hill states that it is ok. There is a change in circumstances; a change in what is being proposed and the Planning Board is looking at it with fresh eyes with different factors. It is perfectly legitimate for the previous Board to have said that there were 25 acres in between there. T. Siragusa reads that 'the PUD was revised in 1996 to reflect a prior green space agreement of 25 acres with the adjacent Country Squires Estates subdivision. As a result of this green space agreement there is an increase in total PUD green space ...' He states that there is an actual easement. J. Streit states that all the neighbors who raised issues had a corresponding mitigation put in. The people most affected have had their rights protected. L. Palleschi will look into whether or not there was a formal green space or easement. He indicates on the plan where it is believed that these 25 acres are and states that they do not anticipate building in that area and

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are planning on leaving it wooded. M. Hill states that he suggests checking whether there is some type of a written agreement anywhere, whether it is recorded and whether or not there is a map somewhere that shows that it was approved by the Planning Board in previous years, showing the 25 acres and if there is an easement. L. Palleschi asks if M. Hill had the opportunity to go thru the PUD legislation and if he had any comments regarding that. M. Hill states that anything that they would have would be of a non-substantive nature. They might suggest different phrasing, etc. Discussion takes place that the next meeting is December 10th and we generally meet on the last Tuesday of the month. We will not meet on December 31st and the week before would be Christmas Eve. T. Yasenchak states that she believes that we will probably only be meeting once in December. The only other option would be to meet on December 17th. The Environmental Commission forwarded an e-mail stating that they do not meet again until December 19th but would give the Board a letter ahead of that if asked to.

The meeting is adjourned at 9:45 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary