

**TOWN OF GREENFIELD
PLANNING BOARD**

January 30, 2018

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by T. Yasenchak at 7:00 p.m. On roll call, the following members are present: Tonya Yasenchak, John Bokus, Michael Gyarmathy, Stanley Weeks, Nathan Duffney, Thomas Siragusa, and Charlie Dake, Alternate. Robert Roeckle is absent. Gerry McKenna Building Inspector Code Administrator is present. Charlie Baker, Town Engineer, is present. Justin Grassi is present representing the Town Attorney.

MINUTES – January 30, 2018

MOTION: S. Weeks

SECOND: J. Bokus

RESOLVED that the Planning Board waives the reading of and approves the minutes of January 9, 2018 with corrections.

VOTE: Ayes: Bokus, Gyarmathy, Weeks, And Yasenchak

Noes: None

Abstain: Siragusa, Duffney, Conway

Absent: Roeckle

Stewart's Shop's – Site Plan Review

Case# 611, 461 Route 9N TM# 164.-1-44

John Barnes and John Moran are present for the applicant. B. Duffney and C. Dake recuse themselves. T. Yasenchak states that this project is on for a Public Hearing. T. Yasenchak states that the Board had a site visit for this project and the Board was able to see where the grading will be changed and how that will be accomplished. T. Yasenchak asks J. Barnes to explain the project to the public and opens the Public Hearing at 7:13 p.m. James Van Dyk, Daniels Road, wand is wondering if this project would be a Type 1 or Type 2 for the SEQRA. T. Yasenchak states she thinks the Board would require the long form. J. Van Dyk states that he came to the Town Hall, looked through the proposal and did not see a Type 1 SEQRA in the file. T. Yasenchak states that the Board was provided a Type 2. T. Yasenchak asks J. Grassi if the Board will have to review Type 1 or Type 2 form. J. Grassi states yes. J. Van Dyk states the removal of 30,000 cubic yards of fill will possibly weaken the pond or cutting into two foot ground water does not meet the threshold for Type 1. The Geotechnical Report states the ground water is two feet below grade; Stewart's will be taking out 30,000 cubic square yards of fill; cutting into it so it will be eight feet below the water table he and is curious why that would not be a Type 1 SEQRA? T. Yasenchak states she is not sure if the Board has a comment, at this point the Board is reviewing all the material. J. Van Dyk asks if Type 2 is not significantly impact the environment? It seems that this project would significantly impact the environment when cutting below the water table and possibly weakening the dam. If the soil is proven to be permeable water will be flooding out of the pond. How will Stewart's mitigate through the remaining material around the pond? T. Yasenchak states they have provided the Board with reports and have our Town Engineer has begun a review on this. J.

Van Dyk states that he has read the report and it says that they may have to keep an engineer on site through the entire excavation. Once the Type 1 form is provided J. Van Dyk would like to see it. Will the public be able to comment on the Type 1 form once it becomes available? T. Yasenchak states that the Board will note J. Van Dyk's comments. Stewart's is J. Van Dyk's neighbor and he likes them as a neighbor, but he does have issues with the constant noise, back up alarms from the trucks, humming from the refrigerator's, light pollution and why can't Stewart's use permeable pavement instead of asphalt pavement so that water seeps through it. His main concern is for what the SEQRA is going to say. Jeffery Brown, Locust Grove Road, states that he is concerned about the traffic, the noise, the littering and the water discharge. Karen Wadsworth, Locust Grove Road; states she is also speaking on behalf of her family's property on Daniels Road. Her concerns are light pollution, noise, and stormwater. She would like to start a dialog with Stewart's and the neighbor's to come up with some solutions and is also wondering if Stewart's would consider putting up a wall to block the noise and light pollution? T. Yasenchak asks the public if there is anyone else from the public that would like to speak regarding this project? Pat TaShannon, Locust Grove Road, her concerns is the noise and if the water quality from the holding ponds is monitored regularly? Also, does the Town of Greenfield have a time restriction for noise and can that be looked into? (Robert Roeckle arrives.) Paul Bouchard, Denton Road, his concern is the foundation to the proposed building cutting into the aquafer. He is concerned about the drinking water and he also has geothermal heating and is wondering if that could be protected by a bond if there are any damages to the aquafer? The pond and the berm will have more water from the roof flowing into it, it could breach it. Peter Goutos, Denton Road, has looked at the application extensively and has spoken with Stewart's. A 61,000 square foot extension is similar to what Stewart's has done in the past and feels that there will be more tandem truck traffic, but not more additional small truck traffic, in his opinion. The residents do have transportation issues on Locust Grove Road, Denton Road, and the intersection of Milky Way Lane. That is inevitable when you have traffic coming out of the plant. Hopefully Stewart's can look into that. J. Grassi states to answer the initial question, it appears that as an existing nonresidential facility, if the expansion results in 50,000 square feet of gross floor area, then that threshold does raise the level from an unlisted action to a Type 1. Presumably that 61,000 square feet of building will equal 50,000 addition square feet of floor area. If that is the case, it would elevate into a Type 1 and the Board would need to do a full Environmental Assessment Form. C. Baker states that he believes back when the Board did the master plan in 2003 the Board did do a Type 1 review at that point in time and he agrees that the Board does need to revisit that master plan. J. Van Dyk states that if the Board is going to revisit would the Board take in to account just the new construction or the entire facility? T. Yasenchak states that the Board would be looking at what Stewart's is proposing now. J. Grassi states that the action before the Board would be the modification. Of course the Board is able to take in cumulative effects- for instance the existing traffic vs. what may increase resulting from this action. T. Yasenchak states that since the Board has only the short form, the Board will need Type 1 (long form) as discussed by Town Counsel and since the Board is waiting on it, it would be a good idea to adjourn the Public Hearing. Does the Board feel comfortable with that? The Board agrees.

RESOLUTION -- Public Hearing

MOTION: S. Weeks

SECOND: M. Gyarmathy

RESOLVED, that the Town of Greenfield Planning Board has adjourned the Public Hearing for Stewart's Shops, 461 Route 9N, TM# 164.-1-44.

VOTE Ayes: Yasenchak, Weeks, Bokus, Gyarmathy, Roeckle, Siragusa

Noes: None

S. Weeks states that the Board did not receive any notes from the Code Enforcement Officer since he attends the Planning Board meetings now, and asks G. McKenna if he has any comments or questions? G. McKenna states not at this time. T. Yasenchak asks the Board members if they have questions for the applicant? S. Weeks states at the site visit there was some discussion about back up beepers and it is the Board's impression that the beepers are not on Stewart's regular vehicles and asks J. Barnes to discuss that. J. Barnes states that he spoke with Stewart's Transportation Manager and they do have back up alarms for safety reasons on all of their freight trucks whether it is a straight truck, refrigerated truck, or tractor trailer. S. Weeks asks if the back-up alarms can be turned off. J. Barnes states could it be done yes, but do we do it no, it is a safety issue. J. Moran states that Stewart's can certainly look into that to see if they can lower the noise, but obviously they were built for safety issues and we certainly have the safety of our partners in mind working around, in and on our vehicles. S. Weeks asks if it is an OSHA issue, do you know for sure? J. Moran states that he does not, but they will be looking into it. He thinks that it is not an OSHA issue more of a safety issue. S. Weeks states that he would be interested in what OSHA says. J. Moran states that he believes it would be more of a transportation regulation than an OSHA issue, but they will check on everything. J. Bokus states in the construction industry it would be an OSHA issue. T. Yasenchak asks Stewart's if they would give the Board documentation that they have reviewed NYS regulations that state what is required of Stewart's or this is what the exceptions are or how it can be mitigated. S. Weeks asks if J. Barnes discuss the lighting. J. Barnes states that what Stewart's is proposing the view would be if your back was to Locust Grove Road looking to the West, there will be a canopy over the solar, the lighting will be below the canopy, no light pollution from these lights. They are low lights to give the driver something to spot his trailer to as he is backing up. The only lights that would be above the canopy would be three and this building will be facing the existing building. Possibly two facing the berm and three facing the pond. T. Yasenchak asks could J. Barnes discuss the type of light fixtures that Stewart's is proposing? J. Barnes states that because Stewart's is a manufacturing facility that generates food products they don't want to attract bugs so they use high pressure sodium lights that have a yellow color to them so they don't attract bugs. K. Wadsworth asks if she can ask a question? T. Yasenchak states yes. K. Wadsworth asks what is the next step? If I have questions now regarding what J. Barnes just shared what is the process for folks that have additional questions? T. Yasenchak states that the public is always welcome to go to the Building Department/Planning Department and ask to see the application or have a discussion with the staff there. We don't discuss things as a Board with individuals outside of this public forum. If you have additional comments you are always welcome to address a letter to the Board, and the Board would read it in the public forum at the next meeting. Also, because the Board has adjourned the Public Hearing the Board would be reopening the Public Hearing. K. Wadsworth states that as my neighbors also stated, the residents can also meet with Stewart's to see what currently exists in the plant now. T. Yasenchak states that anything that the public would like to do outside of this you are certainly welcome to. J. Bokus asks about the concerns about the culvert and the run offs on Locust Grove Road? J. Barnes states that he believes what J. Bokus is referring to is the run off that leaves Stewart's retention pond. There really is one storm water retention pond, there was some indication that there were two. The whole purpose of the retention pond is to retain the water there so it can acclimate to natural temperatures before they discharge that to the stream. That run off runs to Locust Grove Road along the ditch and Stewart's coordinated a Remediation Program several years ago, where they funded, with the Town of Greenfield and the city of Saratoga Springs. It was a collaborated effort to deepen that ditch all the way down to bedrock and that was completed several years ago. J. Bokus asks is it adequate for the run off now. J. Barnes states yes it. It was mentioned that the Storm Water Prevention Plan and the Storm Water Management Report that were done in 2003 it were done taking into consideration as if we were to develop the site as it is now. Since then the new Storm water requirements have come into effect that you integrate initiative into the program, that was addressed. The Storm Water Management Report whereby we are going to reduce run off from the facility or run off retention, we will actually have a swale that will take some runoff from the building on the asphalt collected will permeate back to the ground vs. off site. T. Siragusa restates

that after these modifications there should be a reduction of water leaving the site? J. Barnes states that he did not do the calculation himself so he is unable to tell the Board the reduction. The ponds should see less than the maximum that was forecasted in 2003. T. Yasenchak states for the record and the public, in that proposal in 2003 that square footage of area that the retention pond was designed for was for an area that was not paved. It was already designed more or less. The new system (2003 system) was designed larger than required because it took into consideration additional pavement and another building that had actually not been built yet? J. Barnes states correct. T. Yasenchak states with the additional buildings and revisions to the Storm Water including the green infrastructure that will be the net reduction. C. Baker states that at the last meeting he asked for a downstream capacity analysis to be done on the ditch as well as a sign off from the city of Saratoga. G. McKenna states that this has already been sent to the city of Saratoga. T. Yasenchak asks the applicant to address the additional noise. It is proposed to be dry storage and how will it be conditioned. J. Barnes states that it will be dry storage, it will not be air conditioned so there will not be additional building refrigerators. As a result of this there will not be additional mobile equipment. The building itself is not generating any traffic, possibly a reduction, because Stewart's will be bringing in fewer trucks from the outside. It won't change the operation outside of the building whether that is in the parking lot or traffic going off site to their shops. There won't be any additional refrigerated trucks, again strictly dry storage. J. Moran states that the only effect on the outside of the operation will be loading at the loading dock on the left side. That's the only outside change from an operation standpoint. T. Yasenchak asks is that because of the retaining wall that is being put in? If you could tell the Board and the public how far below grade that will be as far the existing grade and if that will attenuate any. J. Barnes states that the existing building on the left side of the warehouse is actually about one foot above grade with the warehouse floor. That grade will maintain throughout this building. The elevation will remain the same along the western side. On the eastern side the elevation of the floor is roughly four feet above grade and that allows the trucks to back up to the doors to the existing and the new building. T. Yasenchak asks what is the difference between the pavement where the trucks will be backing in and the grade you will be cutting back into? J. Barnes states that the existing high point is roughly 164, the low point roughly 150 so that is 14'. T. Yasenchak asks if Stewart's feels that would itinerate any noise from the trucks? What will the retaining wall be made of? Is it something that could be made to help soften the noise of anything that would be driving through there? J. Barnes states for clarification there isn't going to be a retaining wall perse there is going to be a silt bank of grass. T. Yasenchak asks if all trucks access 9N? J. Barnes states whether it be Stewart's trucks or their vendor's trucks, they all access Route 9N. The Locust Grove access is no through traffic, they have posted signs so people leaving don't accidentally leave through there. T. Yasenchak asks what time does Stewart's receive deliveries? J. Barnes states that Stewart's receiving hours are 7-3, Monday through Friday. For the most part they try to channel the deliveries 7 a.m. and 2 p.m. to get all the deliveries in so they can start using that same receiving dock for a loading dock to start picking operations around 1 p.m. and start staging on the same dock that they receive and that will be staged by 11 p.m. J. Van Dyk states that the trucks never run after 11 p.m. J. Barnes states that is not true if it is a milk tanker leaving the facility to go to a farm. It could leave at 3 a.m. or 5 a.m. to make it to stores that are off in the distance. Very rarely does Stewart's receive anything on the weekend. J. Van Dyk asks what about deliveries? T. Yasenchak states this is the Boards time to ask questions. The Public Hearing has been adjourned. J. Van Dyk states that he is aware of this. T. Yasenchak asks if the trucks that are coming along the interior, are those just receiving or they will have staging and trucks will be leaving as well? J. Barnes states that trucks that are bringing products to Stewart's will enter the Route 9N entrance and stop at the receiving office to get directions where to go. Once the receiver in the office lets the appropriate warehouse operator know that it is going to door 47 or 46 it will back up to a couple different docks or if it is a refrigerator frozen truck it will go to another dock. T. Yasenchak questions J that the Stewart's trucks actually leave from the other side? J. Barnes states correct. The Stewart's trucks that are delivering product will also pick up their loads from either one of the dry docks or the frozen or refrigerated dock when they leave. They will leave out the Route 9N entrance S. Weeks asks you probably have meetings with your employees from time to time, will you be talking to them regarding the

noise, speed, and the garbage? J. Moran states they will be based on the comments made tonight. J. Barnes states that twice a year Stewart's has crew of volunteers who do roadside clean up from Route 9N all the way to Brigham Road on both sides of the road. J. Moran states that at the Stewart's plant they do not have a kitchen or a commissary for employees to go in and purchase items. When employees leave they really should be taking things that they brought for their lunches and he would be surprised if their partners were taking donut boxes or coffee cups and leave the plant dissuading them they typically would not leave the premises with those items, but they will look into everything. T. Yasenchak asks J. Barnes to explain the gate. J. Barnes states that the gate was installed as a deterrent for drive through traffic. It was placed where it is so traffic wouldn't back up onto Locust Grove Road. The issue is the gate was operated with a card. If someone pulled in and didn't have their card or there was a malfunction with their card now, you have a potential problem. The entrance is single lane, it is not two lane, you can fit two cars through there, but we don't want to make it any wider than it needs to be because we don't want to encourage people to try to avoid the traffic light on Locust Grove Road by cutting through the facility and heading North on Route 9N. We have gone back and forth about reinstating the gate. The solution we have come up with is to continue to talk with their partners about asking people to be cautious and slow down. M. Gyarmathy asks if Stewart's would be opposed to limiting egress for an entrance for emergency vehicles only and have everyone at the plant go out the main entrance? J. Moran states that is an excellent question and thinking about that before. The reality is a lot of Stewart's partners come down from the South Glens Falls area and Daniels Road is a main corridor for them. If Stewart's shuts down that lane, which they could entertain, they would go out the main entrance and take a left Locust Grove Road, it would not affect the traffic pattern, in fact the speed may increase least they have to slow down pulling out of the intersection now. If you are funneling all the people could increase the speed. Stewart's is certainly open to any suggestions. T. Siragusa states there was a comment in the beginning of the meeting about removing 30,000 cubic yards of fill and possible impact on a dam that is nearby and could you talk about that? J. Barnes states that Stewart's did a number of geotechnical assessments over the last 18 months and what they discovered is that what Stewart's is doing so far is working well. There doesn't appear to be any concern based on the test wells drilled that the pond will leach out. However, the engineer that did the geotechnical report stated that he would be more comfortable being there while they are doing the excavating and if there does appear to be an issue they could stop the process. If you look at the pond now the parking lot is the same elevation as what is proposed. The pond is only five feet deep. There are built up stones that were the original reservoir for the city of Saratoga. The pond is at 365 feet, the parking lot is at 355. The parking lot is 10 feet below the pond. The pond does have an out flow, it is spring fed. T. Yasenchak asks that if Stewart's could get the Board the additional information that has been requested. The board requires all information to be turned in two weeks before the next meeting. If we receive everything Stewart's will be on the agenda for February 27, 2018. J. Barnes asks if there will be a the continuance of the public Hearing? T. Yasenchak states correct. Right now we are two weeks out from our February 13th meeting.

Prestwick Chase—PUD Amendment

Case# 595, 100 Saratoga Blvd. TM# 152.-109.1, 111, & 115

Luigi Palleschi and David Pentkowski are present for the applicant. T. Yasenchak states that at the Board's last meeting the Public Hearing was reopened and thinks the Board adjourned it. S. Weeks states correct. T. Yasenchak states the Board will reopen the Public Hearing at 8:13 p.m. The revisions made are of the number of units. S. Weeks states from 221 down to 213. Prestwick Chase actually started at 236, revised to 221 and at the Boards last meeting it was agreed on 213. Does Prestwick Chase have a drawing that they could post? Rose Mary Jenson, Locust Grove Road, states that she is assuming that the buildings are in the same place. T. Yasenchak states the maps has not changed. L. Palleschi states that he does not have a copy. T. Yasenchak states that L. Palleschi can borrow hers to hang on the bulletin board.

The applicant did not make any changes to the map it was souly that in the Board's review of SEQRA. The original PUD Amendment that came before the Board did have the number of units as 236. In the PUD, the applicant came to the Board for 221 units and when the Board counted the units and the buildings 213. The Board made that revision. The Board reopened the Public Hearing to be consistent with the map. Is there anyone from the public that would like to comment regarding this project? Jeffery Brown, Locust Grove Road, is concerned about the size of each unit and the traffic. He is also wondering how many bedrooms Prestwick plans to have with each building? Rose Mary Jenson, Locust Grove Road, states her concern is that F. McNeary gave one explanation of what the second floor of these units would be, basically basement space because the homes were not going to have basements. L. Palleschi said the upstairs rooms were bedrooms. R. Jensen asks how many people will be in these units, is it for a couple? Another concern is, is if they are taking the water out of the aquafer and shipping sewage elsewhere and it will reduce the ground water levels. Susan Celia, Daniels Road, states the traffic in this part of town is very noisy. Seems like the neighbors are always under a PUD attack. What was the date of the original PUD for Prestwick Chase? T. Yasenchak states that she is not sure but, all of this has been on record and does S. Celia have comments to address to the Board regarding the revisions in front of the Board. This is a revision that was approved in 2015. S. Celia asks if there is a time limit on a PUD? T. Yasenchak states no. S. Celia states this revision seems to be completely out of context with the Town of Greenfield's comprehensive Plan. When you read the Comprehensive Plan it is filled with goals of preservation of rural resources and feels that people move here for that rural atmosphere and seem this like a significant human density. Not sure if the Board measures density by footage or units, but when people are living in individual homes 10' apart from each other it looks like a city to her. Has there been an engineer report on the status of the water? John Jayko, Denton Road, apologizes for his behavior at the last meeting. He is confused and feels that there are major issues at this point that should be addressed and during SEQRA review is where they should be addressed. Storm Water is his biggest issue; it runs across his property and floods it. It has never been addressed. Even though it is less units, it is way more dense; a lot more houses; a lot more building. The community building is going to be 8,000 square feet plus the parking lot in front of it. It is about 20,000 square feet of impermeable surface. Traffic and water aquafer is also a concern and he would like this addressed at this stage. Paul Bouchard, Denton Road, states half the Board seems to be for Positive Declaration and the other half of the Board for the Negative Declaration and asks if the Board can get this taken care of? T. Yasenchak states that is why the Board is here tonight. Peter Goutes, Denton Road, states one tangible item he would like to point out with the site plan and it has changed and there is section of undeveloped land that is exhibited on it. In SEQRA there are basic tenants to what the Board is to review. It is incumbent upon the applicant, for their benefit as well as the public, to give the information that is requested by the Board and if that information is not given then the Board is not adequately prepared to render a decision. It is a disservice to the neighborhood and to the applicant. There is information that is basic to going through a SEQRA process. When the Board has an application that has a fundamental change that could affect traffic, aquafer, storm water runoff, or waste water and wetlands, the Board can't go off the original application. Wetlands change. The Board should address the applicant's needs and desires. This is a change to the Zoning T. Yasenchak asks the public if there are any additional comments? T. Yasenchak there being no further comments, the Board closes the Public Hearing at 8:32 p.m.

RESOLUTION – Prestwick Chase Public Hearing

MOTION: B. Duffney

SECOND: M. Gyarmathy

RESOLVED, that the Town of Greenfield Planning Board closes the Public Hearing for Prestwick Chase, 100 Saratoga Blvd., TM# 152-1-109.1, 111, & 115.

VOTE Ayes: Yasenchak, Weeks, Bokus, Gyarmathy, Roeckle, Siragusa, Duffney
Noes: None

T. Yasenchak states that at the Board's last meeting S. Weeks brought a Negative Declaration and it did not pass and asks the Board if they want to discuss anything regarding this case, and the SEQRA and the Board's determination of whether or not the proposed amendments would produce a significant affect or not. The Board has an opportunity to make a motion for Positive a Declaration and a Negative Declaration for SEQRA.

RESOLUTION – Prestwick Chase SEQRA

MOTION: B. Duffney

SECOND: M. Gyarmathy

S. Weeks ask J. Grassi it was brought up at the last meeting that the Board did not read the Declaration before acting on it, is there a requirement that the Board read the entire Declaration? J. Grassi states that if a Negative Declaration draft had been produced and if all the Board members have been had an opportunity to review it and are willing to make a motion regarding it, then there is no need to read the entire motion into the minutes. As he recalls, S. Weeks did read a significance portion the if the Board would like to reiterate the motion that S. Weeks previously made you can do so. S. Weeks states that the main issue is consistency with Community Plans and reads the significant one more time for everyone's understanding. T. Siragusa agrees and feels it is a large reduction. A couple of comments that were made tonight including human density and it is significantly less, the idea of there being couples living there, traffic has already been addressed and the comments the Board is hearing tonight heard months ago and he didn't hear anything new. This project fits with the Comprehensive Plan. The way the plan did, except it is an improvement, a reduction of units. There are more buildings, but fewer people. Human density is down and the Board has already looked at in terms of Storm water runoff. The important thing comes down to, and the chair stated at the last meeting, it's not so much a contention of the project it's a contention of process whether the Board members feel that there is room in Site Plan Review for modifying some of the issues the Board has such as 10' minimum distance. Looking over the PUD language and reviewing the suggestion S. Weeks has provided the Board members with, he feels the Board has considerable room for adjustments during site plan review. Reading the PUD language that talks about this stage being a preliminary, that the final plan generated here all have been discussed plus the precedent that was distributed tonight looking at another case study in a local nearby town for making modifications during site plan review. He feels that the Board has plenty of information to move forward. On two things, 1. Thinking that this is accounted for a Negative Declaration and 2. The matter of process, whether the Board has room to make changes later and he feels the Board does. B. Duffney states that a lot of the questions that were asked tonight have been asked since the beginning of this project and have all been covered. S. Weeks asks C. Baker to comment on the aquafer that seems to come up consistently. C. Baker states that the PUD for Prestwick Chase's water is a private water company. The private water company is regulated by the State of New York and the amount of water that they draw from the aquafer is permitted by the State of New York. Aquafer studies were done, permits were issued and in order for Prestwick chase to draw any more water, Prestwick Chase would have to go through a whole new set of studies. Right now Prestwick Chase is permitted to draw from the aquafer. They have demonstrated for the amount of units that are proposed and obviously if this project moves forward into site plan review, Prestwick Chase will have to go back before the New York State Department of Health and New York State DEC with a new application and demonstrate that Prestwick Chase is working within permit limits. S. Weeks states that he is not a registered engineer but, he did the math and in this area we get 45" of rainfall a year. If you take that 45" and you spread it over 115 acres, which is the total site, 140 million gallons a year. The site has 30,000 gallons a day, about 10 million gallons, the 45' of rain fall is a significant issue. T. Yasenchak states that the Board will be taking a vote for the Negative Declaration and she has gone on record that she does have some disagreement with the Negative Declaration due to

her opinion that the PUD Amendment as it proposed is not consistent with the Town of Greenfield's Comprehensive Plan and not consistent with itself and she feels that there were items that were not addressed in the PUD Amendment. Items that the Board may not have the ability to look at later in site plan review. The article that was provided to the Board members tonight does not provide that PUD language so she feels that she is unable to comment on included setbacks and coverage, and that is something the Board does not have in this PUD Amendment. There are inconsistencies in the square footage of the houses that are shown on the site plan.

VOTE: Ayes: Bokus, Weeks, Siragusa, Duffney
Noes: Roeckle, Gyarmathy, Yasenchak

T. Yasenchak states that the motion has been carried. Also, the Board will be including the Negative Declaration. S. Weeks states that a few of the Board members have drawn up a draft and they have put together some suggestions for the Town Board regarding this project. He reads the suggestion list from the Planning Board with the corrections for the Town Board. T. Yasenchak asks if that the 213 housing units would be including the 10 duplexes S. Weeks states it changes the duplexes to be consistent with the map. S. Weeks continues reading the suggested list. S. Weeks states the map that is included becomes part of the Zoning Law and if the Planning Board wanted to impose anything other than the dimensions shown on the map the Board would be unable to do so and he questions that. M. Gyarmathy states does the legislation take precedent over the map or does the map take precedence over legislation? R. Roeckle states that the legislation references the map which then becomes the legislation. T. Yasenchak states the Board would be able to suggest things at Site plan whether the applicant feels that they would want to listen to the Board or point to the way the Zoning Law was written and the map. That would be the applicant's choice so that is the concern. S. Weeks asks J. Grassi does that mean the Planning Board would have to accept the minimum as the dimension? J. Grassi states that it is a little bit of a gray area. The legislation itself will be what is controlling here. The legislation does reference the draft or the proposed site plan map, but then it also does reference that the Planning Board has the ability as the Board will have site plan approval still. Whether or not the Planning Board, during site plan approval, will be able to modify the minimum that is shown on the site plan draft is vague. S. Weeks states that if the map states minimum that does not mean a specific dimension has to be there, if that is "minimum" then why would the Board not be able to increase minimum? Is that not a reasonable stand to take? J. Grassi states that sounds correct. If the Board is talking for instance setbacks, if it's a 10' minimum obviously you can go 20' back. That would be the same thing for the proposed site plan map. If the minimum distance between the houses are 10' then if there are reasons that the Planning Board can articulate during site plan approval while you would need to be 20'-30' as long they are reasonable and articulated, yes. T. Yasenchak asks from the other side, as an applicant, if the Board would ask Prestwick for it to be 20' and it says 10' minimum and that is what was approved, if Prestwick could make the engineering work then they would be allowed to go to that 10' minimum. This Board would have to prove why 10' would not be appropriate and since SEQRA has already been reviewed and said the buildings at 10' do not pose as significant impact, the Board would have a hard time telling them why Prestwick can't do 10' apart. S. Weeks continues to read the suggestion list while making corrections. T. Yasenchak states that when you look at the map at the top it gives the footprint of the building. The habitable space was more than was outlined in the narrative. As R. Roeckle mentioned in the next paragraph it does mention that the square footage is larger. S. Weeks asks if the narrative should be attached to the PUD? T. Yasenchak and M. Gyarmathy both state yes. Does the narrative say two stories? R. Roeckle states yes two stories. It would be nice if the narrative stated one or two story homes. S. Weeks asks if the Board can suggest a change in the narrative? T. Yasenchak states no, but the Board can suggest things. R. Roeckle states that the narrative also states apartment buildings will be one to two story's in height, 12,000- 15,000 of living space with a minimum of one car garage built into the building. The narrative is not part of the Zoning Law. R. Roeckle states that the Board is requesting it to be. S. Weeks continues to read the suggestion list while making corrections.

T. Yasenchak asks the Board if there are any other modifications to the suggestion list? B. Duffney states if the roads are not wide that could be a problem for emergency vehicles. S. Weeks and T. Siragusa state that can be taken care of in site plan review. T. Yasenchak suggests that perhaps changing the wording regarding on street parking “would on street parking be allowed.” S. Weeks modifies his motion to those changes.

RESOLUTION – Prestwick Chase, Suggestion List

RESOLVED, that the Town of Greenfield Planning Board moves to send the Suggestion List for Prestwick Chase, 100 Saratoga Blvd., TM# 152-1-109.1, 111, & 115.to the Town Board.

MOTION: S. Weeks

SECOND: T. Siragusa

VOTE: Ayes; T. Yasenchak, S. Weeks, J. Bokus, M. Gyarmathy, B. Duffney, T. Siragusa, R. Roeckle
Noes: Noes

T. Yasenchak explains that the next step in this project is to go to the Town Board. The Town Board is the only reviewing agent to adopt legislation. The Town Board will be reviewing the language. The Town Board is also required to have a Public Hearing. The next time this project would be before the Planning Board would be if there will be any additional changes to the PUD and the Town Board would ask for an advisory opinion and/or when the project comes for site plan review. There still is a legal PUD in effect and the applicant has the right to come in front of the Planning Board for that as well.

Meeting adjourned at 8:18 p.m. All members in favor.

Respectfully Submitted,

Kimberley McMahon

