

TOWN OF GREENFIELD
PLANNING BOARD

April 30, 2019

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Robert Roeckle at 7:00 p.m. On roll call, the following members are present: R. Roeckle, Karla Conway, Charlie Dake, Mike Gyarmathy, and Nick Querques, Alternate. Tonya Yasenchak and Butch Duffney are absent. M. Waldron Code Enforcement Officer is present. C. Baker, Town Engineer is absent. N. Querques has full voting privileges this evening.

MINUTES

November 27, 2018

The November 27, 2018 Minutes will be reviewed at the next meeting.

Minutes- April 9, 2019

The April 9, 2019 Minutes will be reviewed at the next meeting.

OLD BUSINESS

Brittany Chase
TM# 126.-1-115

Case #531
Brookstone Dr.

Ken Martin is present. C. Dake recuses himself. K. Martin states that he has provided an updated SWPPP to the Board and is looking for C. Baker's input. When he did the updated SWPPP, he used and it drains out onto Wilton Road. He is looking into the swamp mitigation with NYS DEC. ACOE no longer has anything to do with it. The mitigation will probably be done in June. They have agreed to an area. He won't get an approval from NYS DEC now. There are four wells on the four lots and K. Martin wants the Board to know that two of them have been broken off they should be 2' and they are about 4". They are still usable and he intends to use them. The SWPPP was resubmitted and was modified a bit but not changed. The detention ponds were designed the same. K. Martin states that he forgot to submit the SEQRA to the Board when he submitted everything else and presents at this time. The drainage goes away in this Phase 3. K. Martin asks what is the feeling of the Board on them harvesting the trees. If they were to decide to do it, he does not want to do it without the knowledge of the Board. R. Roeckle states that he knows that the Board has discussed the information of the cutting on those lots. He is not sure what kind of selective harvesting they would be doing. It would be difficult to determine. K. Martin states that he would not clear cut; it would be selective and would leave buffers. It would be lumber. Once the mitigation plan is approved, because of what they have to do for the 2.88, acres they will probably have to clear that anyway. That would be after the mitigation plan is in place. R. Roeckle states again, if he is cutting the area where he is mitigating that would be part of the mitigation plan. They would be cutting the trees as part of the mitigation? K. Martin states that is correct that would be part of the mitigation and there is no way to get around that. M. Gyarmathy states that how this process is going to go is that C. Baker is going to review the SWPPP and he thinks that the

feeling of the Board is that they want a mitigation plan in place. He is not sure how long that takes the ACOE to approve such. K. Martin states he would not speak for them, but he has seen some of it go very fast, within a month's time. Which, he considers it to be extremely fast. He has seen others take months. He would guess 2-3 months. M. Gyarmathy states that right now we are in mud season so he probably does not want to start cutting down trees. If they could wait a bit until some of these other steps are taken care of and when a full Board is present. K. Martin states that he would like to request that once C. Baker reviews everything and if everything is technically okay, he would like to have the public hearing opened. That would give him time to get the mitigation done and get everything moving. M. Gyarmathy states that sounds reasonable. R. Roeckle states that the Board has to review the SEQRA. He asks if he is missing pages to the plans. K. Martin states that he only submitted the changes, not drawings had were no changes. R. Roeckle states he is looking for the lower cul-de-sac. K. Martin states that he is not changing the lower cul-de-sac. N. Querques states that in regards to clear cutting, there is a limited space based on what zone it is in. If he is looking to do more clear cutting than what the Town has in the building code he would have to go through the proper channels. Has DEC done any kind of forest storage plan for this property prior to the subdivision. K. Martin states that they had DEC back a couple years ago. There is a letter in the SWPPP report where DEC agreed with the limits shown on the drawings. He is guessing back in 2016 DEC was at the site. They also have a letter from ACOE. N. Querques states just in regards to the clear cutting the Board would want to see that DEC has been looped back in for insuring that the clear cutting is not going to adversely affect any of the lots in either phase. The trees may result in negative consequences in other parts of the subdivision. K. Martin states there will be clear cutting only in the mitigation area. That has to go before the ACOE. They will be clear cutting about 2.7 acres. R. Roeckle asks that is part of the mitigation. K. Martin states yes it is part of the mitigation. No other clear cutting is being suggested. N. Querques states even in the harvesting situation he thinks that the Board would want to ensure that there is a good plan in place, that the harvesting of premium timber in certain spots of the property is not going to adversely affect other lots on the property. R. Roeckle states that even selective harvesting depending how it is done, can be disruptive to the new lots and the existing properties. K. Martin asks is he can get the proposal from the people that have made the proposal to Brittany Chase owners would that be sufficient for the Board. R. Roeckle states that if the Board knew where they would be harvesting that would be great. That would be good for the public to see. R. Roeckle states that the Board will wait to hear back from C. Baker and put them on the next agenda, May 14, 2019.

WORKSHOP NEW BUSINESS

Fossil Stone Vineyards
TM# 151.-2-59.1

Case #620
331 Grange Road

Justin Gonya and Mike Spiak are present. J. Gonyo states they were in front of the Board last summer and the proposal was for a wine tasting room to be added on to the winery at Fossil Stone Vineyards, at 331 Grange Road. At that time there were some questions brought up. They have resubmitted new plans to reflect the changes. The updates to the site plan include handicap parking, fire lane, ingress and egress, hours of operation, the septic, the roadway setback, the restroom detail, a new restroom location, and the application itself. On the back page of the application is a copy of the license from NYS Liquor Authority. The proposal itself remains the same. The goal is to put a wine tasting room as an addition onto the existing vineyard. As the notes on the drawing indicate, any improvements to the property would be subject to Building Code and engineered plans. R. Roeckle states one of the

questions the Board had previously was how this proposal is in relationship to the road. How far is this off the road? J. Gonyo states on the 3rd page there is a detail that shows he believes 780'. It shows the layout with the structure and the existing home and the driveway. N. Querques states 783'. M. Gyarmathy asks why the restroom is not incorporated into the building. M. Spiak states the actual structure itself, the main building that exists now, the footprint and the lack of overhead fire suppression prevents them to allow them public access. All they want to do is provide a small tasting room, an addition on to the front of the building. To put the restroom in that part of the building would take up too much of the room. The tasting room is 6'x10'. M. Gyarmathy asks if it is a code issue that he can't have the restroom in the existing structure. M. Spiak states that he was told that he was not allowed to have the public in that part of the building so they sealed off the main door using the actual tasting bar itself. The public does not have access, they will be able to see the wine equipment. R. Roeckle states on page 2 shows the layout of the barn. He is proposing to put in a tasting area that is going to be 10'. M. Spiak states that there would be an addition to the barn. M. Gyarmathy states that it seems really weird to him and he wonders if the Building Inspector could shed some light on this. M. Waldron states originally the restroom was in a different structure and he pointed out to the applicant that it didn't meet the requirements for a handicapped restroom. There was not enough square footage. They also talked on March 26, 2019 about the hours of operation. He also mentioned to them possibly having a tour set up, there can't be any public access where the wine is being made but some sort of tour. M. Gyarmathy states that he feels it would be more convenient for him to have a bathroom inside his facility. M. Waldron states that it is seasonal and it will have its own septic. M. Gyarmathy states that it just seems more practical to him and more cost effective to carve out a spot inside the existing building for the bathroom. K. Conway, C. Dake and N. Querques have no questions. M. Spiak states that he visited some local vineyards and that is how they have done there tasting rooms. R. Roeckle asks about the pergola that he is proposing is that something they would be doing now? J. Gonyo states that is future development. R. Roeckle asks with the tasting license are there specific conditions as to what they can do. He doesn't believe the Board has that information. J. Gonyo states that all they can do is pour a 1ounce sample of wine. They cannot serve a glass from a bottle. It's a one ounce tasting per person. This won't be the type of bar where you come in, sit down and open up a bottle of wine and have glasses of it. It is very specific as to what they can do and that all falls under the NYS Liquor Authority Laws. M. Spiak states that he is happy to provide the Board with a packet that has all the rules and regulations for what his license allows him to do. They have what is called a NY Farm & Vinery license. It is very descriptive. R. Roeckle states that would be good because the State is not providing that on the licenses. M. Spiak states no, it would be a lot to put on a license. It's about 30-40 pages just on the wine tasting part for his regulations. The Board schedules a public hearing for May 14, 2019.

NEW BUSINESS

Northeast Surgical
TM# 153.13-1-34

Case #628
458 Maple Ave.

Jim Condry and T. Kelling are present. J. Condry states they are 2 of the 3 partners in the Northeast Surgical which they started in 2003. They have 2 offices; 1 in Queensbury and 1 on Maple Ave. The office on Maple Ave has grown and they would like to stay in the same location. Currently they are located 100 yards north. Their practice has grown and they are looking to expand. They are proposing an office that is 42' wide and 140' deep. The engineer proposed the septic in the front with an 80' setback and the required setbacks on the side, 10' to

the north and 13' to the south. They propose having the parking in the back with an 18' width driveway going in from Maple Avenue. The general flow of the office is to come in the back door. The back half of the building would be the business and reception area and the and other half would be clinical surgical area. The reason for the car port is that people come in the back to have a procedure and many times they are sedated so they want to discharge them toward the back of the building. That is what they have done in the past and that is the way their other office is in Queensbury. Non-sedated patients would come in and leave the front door. As far as trash, appropriate light fixtures and the septic are all on the plans. T. Kelling asks for the Boards thoughts on additional parking. The way they did the parking was based on the square footage. Plus the additional 20% which gives them 24 parking spots, based on their current number of employees and their general patient flow. They would like to see about having additional 4 parking spots for the parking. Based on what they have in Queensbury that number seems to work for them. It would still be under half of the usable footage on the lot. J. Condry states that if they go beyond that space they would need additional approvals. M. Gyarmathy asks if they are looking for 4 additional parking spots. J. Condry states yes, it would essentially be over flow of parking. M. Gyarmathy asks if they will need variances. R. Roeckle asks for what? M. Gyarmathy states an area variance. R. Roeckle states that M. Waldron wrote the Board a letter regarding that and explains what the letter states. T. Kelling asks how many more spots they can get. R. Roeckle states that it is based on the square footage of the building, 5880' square feet. This is a single story building, is there any other storage below? J. Condry states that they are planning on a second story. It is to be determined if there is a bonafide basement then how big and how deep that would be. They certainly wouldn't be doing any business down there. M. Gyarmathy states what R. Roeckle is suggesting maybe storage or utilities. R. Roeckle states that if there is a basement and storage of utilities, it could increase their square footage for more parking. M. Gyarmathy states they might want to check with their engineer. R. Roeckle states as long as it is not large enough that it would require handicap accessibility. Which would be cost prohibitive and also take up valuable square footage? J. Condry states maybe calling it over flow parking. At their office up north, 28 parking spots works well for them. R. Roeckle states that unfortunately the code does not say anything about a medical office. It just states office. M. Waldron states that is what he used as an office. M. Gyarmathy states he would like a picture of their sign, a cut sheet on the site lighting. He is wondering why the engineer didn't make it the same for the parking lot. The plans say it goes from 18' to 24'. He would like some kind explanation about that. C. Dake and K. Conway don't have any questions at this time. N. Querques asks is this contingent on buying the property? J. Condry states yes. R. Roeckle states they will just have to check to see about additional parking. There is not much in the code. He does not see a reason why they can't do it. R. Roeckle asks if they have gotten in touch with the State regarding the curb cut on Route 9 or is that something that is going to be done once the plans are set. T. Kelling states this is just to get a feeling from the Board about the project. R. Roeckle states they may have to do a variance for additional parking spaces. R. Roeckle states that if the Board can classify it as leasable square footage, which is what the table states, and if they have square footage in a basement area that is storage and or utilities. Other Town's that he has worked with that is considered part of the gross leasable square footage. J. Condry asks how many square feet do they need to get the 4 extra parking spots. R. Roeckle states the applicants should figure out how much they need have a basement. R. Roeckle asks how high is the proposed car port. T. Kelling states that it is going to be enough to get a garbage truck under. R. Roeckle states that he is thinking of a fire truck. If they to have a fire truck there and if they have to go under it, he wants to make sure it fits. They may want to check with the fire department to make sure it is the accurate height. M. Gyarmathy states that he believes the standard is 13'6". When he used to install traffic lights they had to be 13'6" off the pavement. R. Roeckle asks if there will be anything else on the property in the future. If there is, it capable of being done with the existing

parking lot. T. Kelling states possibly solar in the back. N. Querques asks if the lawn is currently mowed and maintained. T. Kelling states yes. N. Querques asks if they would continue to maintain it. J. Condry states yes, they want it to look nice. R. Roeckle states the big thing now is to get the engineer to figure out where the wells and septic systems are on the adjacent properties. J. Condry asks at this point would they be able to ask for a public hearing. R. Roeckle states that they don't have all the information and the SEQRA. He feels that the Board likes the concept. They have to figure out a way to get the additional parking and little more extensive plans. J. Condry asks if they need to come back. R. Roeckle states that they need to come back with all the information and then they will schedule a public hearing. R. Roeckle asks if they have talked to the neighbors about the project. T. Kelling states it's the same family.

TOWN BOARD REFERRAL

Mahay, J. & A.
TM# 149-.1-1

Case #629
300 Lake Desolation Road

C. Dake asks what is question that the Board is seeking to answer on the ZBA referral. R. Roeckle explains that this property does not have any frontage. Their access is through an easement. The only way that can be approved is by the approval of the Town Board. The Board decides if this is acceptable to be done. The Planning Board makes a recommendation for this be done. M. Gyarmathy states that he does not know if there is a flat spot at the end of the driveway. It comes down a hill and the grade isn't that great. He thought that they had something in the code. They need to have a flat spot where a vehicle stops before they enter the highway. He has talked to C. Baker about this in the past. M. Gyarmathy asks if M. Waldron has been up there to look at the driveway. M. Waldron states no he has not had an opportunity. M. Gyarmathy states that he has talked to C. Baker about this in the past and his concern is about a flat spot at the bottom. It goes up through a hill. He does not know if there is a flat spot at the bottom. R. Roeckle reads the code and it is 3% within 100' of intersection with a public road. M. Gyarmathy states that C. Baker told him that it is supposed to be level at the bottom for so many feet. N. Querques states that he thinks it's flat enough. R. Roeckle states that driveway grades shall not exceed 12%. They did provide the easement language. M. Gyarmathy states that they provided everything. K. Conway asks if the easement is with someone else. R. Roeckle states yes. K. Conway states easements are a nightmare. R. Roeckle states that the easement is only 20' wide. He asks the Board if they should move forward with this. M. Gyarmathy feels they should table this. R. Roeckle states that they will table this project until the Code Enforcement Officer has a chance to review the site. R. Roeckle asks if the Board has a copy of the county driveway permit. M. Gyarmathy asks if the Town Attorney will need to review the easement language. R. Roeckle states yes, he should make sure the easement language is adequate to protect the home owner. K. Conway asks how the property owner is going to get trucks up there to build the house. M. Gyarmathy states that the driveway is already there. R. Roeckle states that it needs to meet the driveway requirements of 12% maximum grade and 3% within 100' of a public road way. This driveway is going to be more than 500' long. K. Conway states there is tons of other property in Greenfield for sale. M. Gyarmathy states that it has been in their family for years. R. Roeckle states because the driveway is over 500' it must be accessible to and able to hold a 50,000 pound, 30' long emergency vehicle and it has to be determined by a licensed engineer with facilities for turning around within 100' of any structure. The Board agrees to table this until they receive this information. The Board is requesting a county driveway permit, better drawing, a site visit by the Code Enforcement Officer, and the Town Attorney to review the easement language.

Meeting adjourned at 8:07 p.m. All members in favor.

Respectfully submitted,

Kimberley McMahon
Planning Board Secretary