

TOWN OF GREENFIELD
PLANNING BOARD

November 12, 2019

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, Karla Conway, Charlie Dake, Butch Duffney, Mike Gyarmathy, Robert Roeckle, Nick Querques and Joe Sabanos, alternate. Mike Waldron, Code Enforcement Officer, and Charlie Baker, Town Engineer, are present.

MINUTES

Minutes- August 27, 2019

August 27, 2019

MOTION: R. Roeckle
SECOND: K, Conway

RESOLVED that the Planning Board waives the reading of and approves the minutes of the August 27, 2019 meeting with minor corrections.

VOTE: Ayes: Conway, Dake, Gyarmathy, Roeckle, Sabanos, and Yasenchak
Noes: None
Absent: None
Abstain: Duffney and Querques

Minutes- October 29, 2019

MOTION: K. Conway
SECOND: R. Roeckle

RESOLVED that the Planning Board waives the reading of and approves the minutes of the October 29, 2019 meeting with minor corrections.

VOTE: Ayes: Conway, Duffney, Gyarmathy, Roeckle, and Querques
Noes: None
Absent: None
Abstain: Conway, Dake, and Duffney

NEW BUSINESS

Provost, C. Case #634
TM# 138.-1-42

Grange Road
Minor Subdivision

Cecil Provost is present. He states that the Board and C. Baker asked for 3 items at the last meeting. He states that they used Saratoga County GIS Wetlands to locate the wetland boundaries. C. Baker asked for it to be delineated. When they walked back there, flags were already there. The delineation was already done. He actually has less wetland than he originally thought. The second was the area of disturbance. Originally he proposed 1.28 acres disturbed. His surveyor thought that it was one acre per lot, not combined lots. They have since changed to under an acre. The third question that was asked was the line of sight. Is it stopping sight distance or intersection sight distance? Lots 1, 3, and 4 meet the standards. Lot 2 is the one in question. It meets the stopping sight distance by a lot, but the intersection sight distance is short. They moved the driveway to the south side and gained another 32' and it is now over 400' which is way above the stopping sight distance requirement. If using intersection sight distances, it is still 20' short. The question is which sight distance should be applied. He spoke with Keith Manz of Saratoga County Highway Department and he stated that even if they use intersection sight distance as the standard, it wouldn't be considered a critical short fall. It's a lesser short fall. The typical remedy for that is to put a yellow warning sign. He received that memo about 4:00 today and sent it over to C. Baker. T. Yasenchak states that because the Board and C. Baker have just received it she does not feel it is fair for the Board to discuss something that they have not had a chance to review. They do have a cut off for new materials. C. Provost states that this property is a total of 55 acres. His goal is to subdivide 3 acres; sell 1 or 2 of them; build a home there for his in-laws and 1 for him. T. Yasenchak opens the public hearing at 7:12 p.m. Chris and Lisa Farrell own property adjacent to the proposed lot 4. Will there be any consideration given for the placement of the driveway. One of the nice things about Greenfield is there is space between homes. Their house faces all the proposed lots, with the driveways and lights. They are not present to be a nuisance. They are curious of what type of buffer may be present between the properties with such a large piece of property. (Maybe it shouldn't be right on the property lines in terms of the property line.) They are hopeful it won't be clear cut. They are curious how the value of the homes will impact the value of their home. Taylor Conard, it seems to be in compliance with Zoning Laws for Greenfield. He has no problem with the subdivision. These are narrow and deep lots. He would suggest a vegetative buffer between the lots to keep the rural feel and more privacy between the lots. C. Ferrell states he is wondering if there would be consideration of the driveway and having a shared driveway or a driveway on the opposite side of the property. C. Baker asks if C. Ferrell is on the same side of the road as the property in question. C. Ferrell states yes and explains where they are located. T. Yasenchak states that the Board will review SEQRA at the next meeting and knows that C. Baker has information to review that was submitted tonight. The Board agrees to adjourn the public hearing at 7:17 p.m. T. Yasenchak asks is less than a quarter of an acre to be cleared per proposed lot enough. C. Provost states that it not his intention to clear cut the lots. B. Duffney states that regarding the concerns from the neighbors, his concern is the existing business down the road and getting complaints about the noise down the road. T. Yasenchak states that the Board has asked in the past if projects are near additional property that might have noises or odors associated with them; the Board has asked that a note be put on the plans to make anyone who may be purchasing the property aware of that. C. Provost asks if the Board can provide that he would do it. C. Baker states he has not seen what was presented tonight. As far as the sight distance goes so the Board is aware he did have a conversation with Mr. Provost this morning. He is questioning the interpretations of sight distance verses stopping sight distance. Years ago his office worked with a transportation engineer to come up with the criteria that they would use for looking at driveway locations, and looking at intersections. It was determined years ago after working with the traffic engineer that they would be considering intersection sight distance when they are looking at sighting a driveway. That may be interpreted as more aggressive and more conservative an approach. Kind of like the Town does with septic systems. The State requires 2' of separation between

ground water and the bottom of a system. The Town requires 4', because of the issues they have had in town. They may be more conservative with sight distance. That is the standard that they have been using as long as he has been the engineer for this Town, which is close to 30 years. As he told Mr. Provost, if he wants to propose something that does not meet this standard it needs to come from a licensed traffic transpiration engineer that is going to sight the AASHTO criteria and basically put their stamp and signature on it saying it is acceptable. T. Yasenchak states it is acceptable without any additional traffic signs. C. Baker states that typically they do not allow sight distance to be mitigated with signage. C. Provost asks even if it is not critical. C. Baker states that he is just saying the way they have approached this for years. T. Yasenchak states hearing the concerns of the Town Engineer and that the Board is looking at the sight distance at lot 2 which is only a 20' difference. Her question would be why can't you get that 20'. C. Provost states 80' or 90' beyond the required setbacks the requirement is only 330' for stopping sight distance. They will have 402'. The intersection sight distance is 430'. He provided a memo tonight with a chart attached to it that shows based on speed limit and sight distance whether it is considered a critical short coming or a lesser sight distance. This falls in a lesser short coming. What they recommend in that scenario is signage or maybe some clearing. T. Yasenchak states that not everyone is an engineer on this Board, they have a Town Engineer for a reason and the Board has always stayed in those guidelines. C. Provost asks if it is true that no property has been approved in Town unless they meet intersection sight distance. T. Yasenchak states not in quite a long time. On any new subdivisions the Board is requiring those to be met. The other item that would cause some question is that they are only looking at lot 2 for sight distance and perhaps making that lot wider or moving the driveway, something could be done. C. Provost states if the Board is going to mandate him to have 430' intersection sight distance his one option would be that he bring the driveway from lot 2 over slightly toward lot 3 (about 10'-15') or he could do a shared driveway. Is either of those options possible? B. Duffney states that the Board has seen easements and it has not been heavily favorable. Shared driveways have been in front of the Board multiple times and occasionally the Board does grant them. He would feel more comfortable with the shared driveway than the easement. N. Querques states that he feels that they should be more creative about widening lots or trying other solutions to make it easier. He does not think they should mess around with easements or shared driveways. C. Provost states the challenge of widening lot 2 is that it pushes lot 1 around the curb. R. Roeckle agrees. M. Gyarmathy states that the Comprehensive Plans states to stay away from shared driveways. He agrees with N. Querques. Be more creative with the driveway. C. Provost states that then he has a sharp curve. M. Gyarmathy states this Board is not here to tell C. Provost how to subdivide his property. All they can do is give him their thoughts. C. Dake states that it is in the Comprehensive Plan to stay away from shared driveways. C. Provost states the Board wants intersection sight distance and he does not see it in the code anywhere. He went to County Highway Department and to NYS DOT, and they don't agree with using intersection sight distance. T. Yasenchak asks will one of his engineers stamp and sign a letter without the additional signage. At some point someone takes that responsibility. What C. Baker is saying is that the Board does not typically do that. It should be as it is presented on the plan not in putting a sign somewhere else on a road in the Town right of way. The Board has set a very long precedent on shared driveways as well as sight distance. Unfortunately, there have been people that have had to modify their subdivisions or have lost lots because the Board holds very steadily within Town. B. Duffney states more than one. T. Yasenchak states that C. Provost heard the neighbor and asks if he can flip the driveway. C. Provost states that someone already cleared that part of the lot. He is trying to minimize the clearing. T. Yasenchak states that they couldn't go back any further because that would change the clearing. B. Duffney asks the only lot with the sight distance problem is lot 2? When it comes to engineering, he always follows C. Baker. C. Provost states that he is not challenging C. Baker's authority.

They don't see anything in the Town Code that counteracts that. T. Yasenchak states that it is almost impossible to put everything in the Town Code as far as what is required for engineering and safety. They can't possibly put everything in the Code. What New York State mandates or the County on many different levels. All of those regulations, several inches thick, the Board references those. That is what the Town Engineer references. It does not have to be in the Town Code. This is the Town's licensed engineer who is hired by the Town. This is a precedent that the Board has set. It is up to the applicant moving forward with this. If C. Baker would like to make a revision to the plan that would be fine too. C. Baker states that he told C. Provost, and wants to make it clear, that he is not a traffic engineer and does not claim to be one, which is why years ago his firm worked with a traffic engineer to on this issue. It was not just the traffic engineer, it was also the Town Attorney. The Town Attorney was looking at it from the Town's standpoint in having a defense in case there was ever an accident with any one of the driveways that were created within the process of a subdivision. He wants to make it real clear it is not his regulation that he pulled out to make this process difficult. It is something that they put a lot of time and energy into. It has been something they have been enforcing for quite some time, unless he sees some very compelling information from a licensed traffic engineer. T. Yasenchak states that the applicant should keep in contact with the Building Department so that the Board knows if C. Provost wants to continue with the project or submit something new. If he does provide something different that would need to be submitted by close of business Friday.

Integrated Staffing Corp. Case #635
TM# 153.13-1-28.1

463 Maple Ave.
Site Plan Review

Peter and Dhiane Yezzi and Kevin Hastings are present. P. Yezzi states that he provided a copy of the deed on November 4, 2019. The Town engineer asked about the septic. K. Hastings states that he provides a letter from him with C. Baker's suggestions. On November 5, 2019 he provided drawings in legible scale of the proposed plans. T. Yasenchak states that 10 working days before the meeting. That allows the secretary to distribute them to the Board so that they have time to review and allow the Town engineer to review them. K. Hastings states that they reached out to a firm in response to the Town Engineer. Item 1 was to reevaluate the sanitary and water supply systems and that they are adequate. Sight-lighting the owner is still in some thoughts and discussion. The trash removal receptacles will be residential style that would be brought out on a weekly basis for a contract hauler to remove trash. There would not be a dumpster. P. Yezzi states last time they were in front of the Board they were thinking of having some lighting in the landscaping. They have decided against that. They will be having the exterior lights that are there now. T. Yasenchak states that the Board requested that they be added to the plan so that they could see them. Where are the lights, it is not obvious on the plan where the lights will be. P. Yezzi states they will be on the front of the building. Currently they are by the front door. T. Yasenchak asks if it will be on the wall. P. Yezzi states yes, on the wall. T. Yasenchak asks if they have a light by the next to the back door. P. Yezzi states yes. T. Yasenchak asks if there is any other lighting on the sides of the building. P. Yezzi states no. T. Yasenchak asks if the applicant has a light on the sign. P. Yezzi states no. K. Conway states that she does not have the plans and asks if there is a walk way. P. Yezzi states that there is an existing walk way at the front of the structure. It is on the site plan adjacent to the client parking area. K. Conway asks if there is any lighting on the walkway. P. Yezzi states no. T. Yasenchak states that the applicant did provide the deed. She asks if there is a written agreement as to who maintains the driveway. P. Yezzi states no. T. Yasenchak asks if that has worked out so far. P. Yasenchak states yes, it is maintained every winter. P. Yezzi states that they will be residing the building putting an addition on the north

side of the building, redoing the landscaping and adding additional parking to the parking lot. T. Yasnchak opens the public hearing at 7:48 p.m. Tara Martin states she is the neighbor that lives at 461 Maple Ave. (The property directly behind the Yezzi's). She owns the shared driveway with the applicant. Her concerns are that the applicants have a lot of clients that come and go. A lot of employees that park there daily, which utilizes all the spots that they currently have. She states that she sees that they want 2 more spots added and she is curious as to where they are going to be because it is paved all the way up to the fence (the partial privacy fence). Also, she is concerned with privacy because it is already difficult during their busy season (when the track is open). The parking is already maxed out. She is not trying to hinder the progress of their business. She is concerned with the construction; the lumber being left in the driveway; her having to ask people to move their vehicles so she can get out and getting upset with her for asking them to move. The other thing is where the applicant's partial privacy fence is. They had spoken before about the fence going all the way across. She would like a bigger privacy fence without lattice on the top so that they actually have some privacy. It is their business, but it is her home with her 2 daughters. She wants to keep her property residential and she realizes their is commercial. She just wants to keep her privacy as best as possible and the use of the driveway which was very difficult the first time they did their construction. Things didn't go so well between them. She just wants it to go smoother this time. The parking is already maxed out now. She will be having 2 teenagers driving soon and is concerned. She is constantly asking people to move their vehicles or their clients are standing in the driveway smoking. They are parking along the side because there is nothing else available. 5-6 spots every day of the week are already utilized by their employees. There is a crushed stone parking spot. Not anything out back for the clients to park. She is more concerned with the privacy fence and the way the shared driveway is. She just wants go about her business. T. Yasnchak closes the public hearing at 7:54. T. Yasnchak asks if the parking is adequate for the size of the building. M. Waldron states office use is 300 square feet per spot and in this case the applicants have 232 square feet. T. Yasnchak states that the applicant is at 232 square feet per parking space and the code states that one parking spot is required per 300 square feet. M. Waldron states it is 20% overage. T. Yasnchak states that the plans have proposed parking spots are, they already there, paved and being used now. P. Yezzi states that the fence is not on the property line. The proposed parking spots are not being used. When they first moved in, they were 190' from the road, he measured it, and he came in quite a few feet because he didn't want there to be a problem. The 2 spaces are not being used. R. Roeckle questions that the fence that is shown on the map is not where it actually is. That is shown on the property. P. Yezzi states that it is close but not on the property line. T. Yasnchak states that the Board does have a buffer requirement between office and single family residences. It is a minimum landscape of 10' and requires at least a tree. She believes that there is something in the Code that allows fences as buffers. As far as for screening the fencing can be used for that instead of trees or shrubs. It does not substitute for 10'. What is the dimension between the edge of the parking spot and the fence? It is shown almost on the property line. K. Hastings states that it is close. P. Yezzi states that he measured it himself to make sure that it wasn't on the property line. T. Yasnchak states that the Town does have a buffer requirement that is between office and residential residences. It is a minimum landscape yard of 10'. It does require a tree. As far as for screening, the fencing can be substituted for screening instead of trees or shrubs. It doesn't substitute 10'. She asks what is the dimension between the edge of their parking and the property line that should be 10'. P. Yezzi states that is approximately 10'. T. Yasnchak states she thinks that would have to be right if their parking spots are 9' in width (which is a typical parking spot). She thinks it looks like it is closer to 5'. She states that 10' is required. M. Gyarmathy would like to see the fencing go straight across the property line. N. Querques agrees. R. Roeckle states to the edge of the residential property line. T. Yasnchak states to the edge of theirs but to the edge of the property in the back. P.

Yezzi states that it is pretty grown in on the side of Kings Enterprise. N. Querques asks what the height of the fence is. P. Yezzi states 6'. K. Conway asks is that including the lattice on top. P. Yezzi states that there isn't lattice on top. It is vinyl. N. Querques asks along the driveway what kind of sign do they have. Such as no standing or no blocking the driveway. P. Yezzi states that at the end of their driveway before Martin's driveway they put up a sign that says "No U turn". As you come down the driveway there is a "Visitors Parking" in the front. Whenever they schedule an interview they tell people to park in the front. N. Querques states that it wouldn't hurt to have signage on the days when it is busy and they might have overflow of clients coming and parking in the back, to be well marked, if they are not familiar with the property so they understand they cannot be blocking that driveway. P. Yezzi states they can do that. R. Roeckle states that there is a concern during construction. Contractors park wherever they want. P. Yezzi states that they are not using the same contractor as last time. R. Roeckle states that it needs to be monitored if nothing else. P. Yezzi agrees. B. Duffney asks how long will construction will take. P. Yezzi states 2-3 months from start to finish. B. Duffney states that they will have 2 things going on at once. Materials being dropped off and deconstruction on the side. He imagines there will be a dumpster there. P. Yezzi states yes. B. Duffney asks where is that going to be placed and where the construction/lumber is going to be placed. At the same time there will be materials coming in. Where is the placement of that going to be? Will the building materials be put in the front yard? The Board would like to know so that the neighbor's driveway isn't blocked. Placement of the dumpster, placement for lumber and they will have concrete trucks coming in at the same time. These are somethings during the construction phase as N. Querques stated. He is not trying to make this difficult he is just trying to make it so everyone has their own access. Dianne Yezzi states they are trying to do this during the first quarter (of their business of the year) because it is their slow time of the year. They won't have a lot of foot traffic. So they can use 2 spots for construction. That is what they are intending to do. She is not sure where the dumpster will go. The first and second quarters of the year they are not very busy. B. Duffney states he is looking at this from both ways, there will be times when there will be a mixer truck there. There is going to be a lot of traffic in and out of there. D. Yezzi states that this is why they are doing this in their off season. B. Duffney states that it is just common courtesy all the way around. C. Dake asks if everyone who shows up has an appointment, they could schedule the mixer truck for when they don't have an appointment. When he was there he had to wait for a parking space (he didn't have an appointment, he was there just for the Planning Board sake). It was full and it is full every time he goes past it and it wasn't during track season. R. Roeckle asks if the Board needs details on the plans. T. Yassenchak states yes. The Board asked about the lighting and would like to see that on the plan so they know where and what type of lighting it is. Show on the plan the signage that says "No U turn". Somewhere that is very visible along the driveway a sign that states whatever N. Querques stated. Show on the plans where it is going and know what it is going to say. K. Hasting states they will give the Board some graphics. T. Yassenchak states because it is along the driveway the Board can only give the permission to put it on their property on the south and they won't need to have permission from the neighbor. The Board would like to see a detail regarding the fencing. They have asked that it go to the furthest part to the neighbor to their rear of her property. As a full height stockade fence with no lattice so that would give her the most privacy. She is not sure if the Town has a code regarding height. J. Sabanos states that the maximum is 8'. T. Yassenchak asks if that is in the code. J. Sabanos states yes. T. Yassenchak states that it states in the code that it can be used as a buffer. Look at the last parking space, the code does require a 10' buffer and the code will not allow them to waive that. They would have to go in front of the Zoning Board of Appeals for a Variance if they wanted it closer to 5'. She states that 10' is required. B. Duffney suggests that he take pictures of before construction and after construction. T. Yassenchak states that prior to receiving their Certificate of Occupancy they will have to make sure the shared driveway is repaired if needed. New

submittals will need to be submitted 10 days prior to a meeting. J. Sabanos asks if they have thought about angling the parking spots. K. Hastings states that he will look into it.

DISCUSSION

C. Dake asks if anyone has come up with a checklist. The Board has not met for two months and he thought it would have helped him while reviewing the new applications. T. Yasenchak states that summer came and everyone got busy. R. Roeckle states that he can give what he has to C. Dake if he wants to work on it. C. Dake states he would work on it.

Meeting adjourned at 8:17 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
Planning Board Secretary