

TOWN OF GREENFIELD
PLANNING BOARD

July 14, 2020

INFORMATIONAL MEETING

An informational meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:000 p.m. The following members are present: Karla Conway, Charlie Dake, Mike Gyarmathy, Robert Roeckle, Joe Sabanos, Tonya Yasenchak and Nick Querques. Butch Duffney is absent. Mike Waldron, Code Enforcement Officer, and Charlie Baker, Town Engineer, are present.

Minutes- March 10, 2020

MOTION: Dake
SECOND: Roeckle
ABSTAIN: Yasenchak

RESOLVED that the Planning Board waives the reading of and approves the minutes of the March 10, 2020 meeting with minor corrections.

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

Minutes- June 30, 2020

MOTION: Roeckle
SECOND: Querques
ABSTAIN: Conway and Gyarmathy

RESOLVED that the Planning Board waives the reading of and approves the minutes of the June 30, 2020 meeting with minor corrections.

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

OLD BUSINESS & PUBLIC HEARING

**Northeast Surgical Case #628
TM# 153.13-1-34**

**458 Maple Ave.
Site Plan Review**

T. Yasenchak recuses herself. George Yasenchak is present for the applicant. G. Yasenchak states that the project address is 479 Maple Ave. They are proposing a medical facility and 6 doctors will be operating out of the facility. Department of Transportation has requested the applicants move the driveway a little farther to the north so that the turning radius would be on their property. He believes the Board has the revised locations. The building will be situated to the north side of the property to the left. There is a covered portico area shown on the plans. It is not for dropping patients off; it is for picking patients up after they have been operated on. The entrance will be on the west side of the building. The water supply will be the well located in the far northwest corner of the property. The well will be 200' away from everything. It will be 200' away from the porous rechargeable storm water asphalt. It is 250' away from the septic disposal area. The water will be treated by a UV system because of the use in the medical facility. They will be submitting an application to the Department of Health. For the approval of the water supply. The waste water system, they will be using a Delta Eco pod System. The tanks will be located on the northwest of the building with infiltrator drainage. He believes the drawing the Board has shows the infiltrator drainage underneath the porous asphalt. On the drawings he brought with him they are proposing to take the discharge from the Eco pod system and move those (there will be infiltrators) into the grassy area to the north of the parking lot. They will no longer be underneath the parking lot. Which he believes will help solve some of the questions C. Baker had. Even though what is coming out of the Eco pod system is close to potable water, they also have a reserve location for the system. C. Baker asked for a 50% replacement and they actually have a 100% replacement system should the system ever fail. Storm water drainage is proposing porous asphalt. C. Baker asks the applicant to do the study per DEC. They have completed the first part of the feasibility study. They will be doing the second part as they get into it. The lights they are proposing are dark sky approved. They are also proposing a planting plan that will put trees around the lights so that the light is not getting off the site. What they would like from the Board is if there is anything else that they would like to see so that they can continue to move forward. R. Roeckle opens the public hearing at 7:13 p.m. No one present from the public. R. Roeckle adjourns the public hearing at 7:14 p.m. The Board's concerns are the C. Baker's concerns with regards to DEC. R. Roeckle asks if the new updated plans have been submitted to the Administrative Assistant. G. Yasenchak states no. R. Roeckle states get them to the Administrative Assistant so she can get them to the Board and the Town Engineer. Once the concerns with DEC and DOH are addressed then the Board can move forward. G. Yasenchak asks what are the Board's concerns. DEC is handling the storm water. R. Roeckle states that G. Yasenchak stated that he had to get the water supply to the DEC. G. Yasenchak states that will be with the Building Permit. G. Yasenchak states that they do have potable water. C. Baker asks if the well has been drilled. G. Yasenchak states that he is not sure. They did the first part of the study, the feasibility study, which is pretty flexible. Basically it is to prove that the water is good and running a faster rate. They know how many test holes they have to do and will be doing that within a week or two. G. Yasenchak asks if C. Baker has to be present when they do them. C. Baker states no. R. Roeckle asks because the applicants are proposing the porous asphalt, the Board will require some form of maintenance plan regarding that. Normally that will need to be cleaned and the applicant will need to know how to maintain that. G. Yasenchak asks if the applicants have to submit a letter or something to the Board for the asphalt. C. Baker states that she does not know the answer to that. He will look into it. He thinks that there maybe is something like a yearly certification. R. Roeckle asks with the UV System will that require the same thing or just reporting to the DOH. G. Yasenchak states the DOH comes in usually on a yearly basis.

OLD BUSINESS

**Mahay, J. & A. Case #629
TM# 149.-1-1**

**KROD Overlay Review
300 Lake Desolation Road**

T. Yasenchak rejoins the Board. Jarod and Aimee Mahay are present. T. Yasenchak states that this property is in the Kaydeross Overlay District. Because this property could be seen from some areas, the Town does have a specific code that looks at visibility, structure design, percentage of windows, lighting, etc. to protect this district. Because this property is in the KROD the Board is looking at the percentage of windows that are on the side of the building that would face out or that could possibly be seen. The color of the house is going to be rustic red. A. Mahay states with stone trim. T. Yasenchak asks if the setback is 475' A. Mahay states 1,500' off the road. T. Yasenchak asks if the applicants will be clearing anymore. J. Mahay states no. T. Yasenchak asks if they have a view. A. Mahay states yes, but it can't be seen from the road. T. Yasenchak states that the applicants provided several photos from the road up to where the house is proposed. The structure, design the applicants have one story structure with a walk out on the back. More of a ranch style home. The Town's requirements for windows should not occupy more than 50% of any building façade. It is under 50%. R. Roeckle states their rear façade appears to be big enough even if they added more windows. M. Waldron states as it stands now it is 16.9% glazing. T. Yasenchak states that the roof slope shall follow the natural contour of the land where possible. There will be lighting in the soffits. T. Yasenchak asks if the lights are under the flat soffits and states that the applicants are over the 8 acre minimum. Aimee Mahay states they have 119 acres. As far visibility how much clearing are they going to be doing? A. Mahay states no more than what has already been cleared. T. Yasenchak asks when looking out of their home will they have a view. A. Mahay states they will have a view but can't see the road. T. Yasenchak states that building structures are limited to 35' high. J. Mahay states the house will be 34' from the walk out. N. Querques asks M. Waldron if the driveway is good. M. Waldron states it meets the Town's requirements and will be reviewed with the building permit. N. Querques asks what color the railing will be on the back porch. A. Mahay states a natural wood color. N. Querques asks what color the stone on the chimney will be. A. Mahay states natural stone color. M. Gyarmathy states that his only concern was the driveway and M. Waldron is taking care of it. T. Yasenchak states that there will need to be some notes put on the plans and refers the applicants to M. Waldron on that. She is not sure how far the posts that refers to the emergency services, how long the driveway is. M. Waldron states he believes it is 300'. That will be done with the building permit process.

Resolution-Mahay, J & A. - KROD Overlay

MOTION: Gyarmathy

SECOND: Dake

RESOLVED, that the Planning Board, waives the public hearing for Jarod and Aimee Mahay, 300 Lake Desolation Road, TM# TM# 149.-1-1,

VOTE: Ayes: Conway, Dake, Gyarmathy, Roeckle, Sabanos, Yasenchak, and Querques

Noes: None

Absent: Duffney

Abstain: None

Resolution – Mahay, J. & A. KROD Overlay

MOTION: Roeckle
 SECOND: Gyarmathy

RESOLVED, that the Town of Greenfield Planning Board hereby grants approval the plans as submitted by Jarod and Aimee Mahay for property located at 300 Lake Desolation Road, TM# 149.-1-1. Noting that the applicants do need to meet the driveway specifications for engineering and emergency services.

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

NEW BUSINESS

Bonacio Construction Case # 638
TM# 150.-2-77

Minor Subdivision
King Road

Doug Heller and Dave Boninski are present for the applicant. D. Heller states this is a 3 lot subdivision on King Road. They have 250' frontage on King Road. They could get up to 10 lots at this property. They are looking to do 3 large keyhole lots. They looked at what potential and constraints they have. This is a preliminary sketch plan. Looking at the property there are 2 deep slopes. They have wetlands on the side. The zoning code only requires 1.5 acre lots. The lots will be 19, 13, and 26 acre lots. Each will have frontage on each driveway's. They are proposing a shared driveway access. All 3 lots will have an easement. They have had some success with that on other projects. Each lot will have its own well and septic. Due to the length of the driveway they are proposing 3 pull offs every 500' on each of the lots. They driveway meets all fire code. They have also provided a turnaround at each of the houses for a fire truck. They are crossing DEC wetlands. There is a 100' buffer that they are crossing. They have received a permit for that disturbance within 100' buffer. Since DEC would be involved the applicant would have to hear back from them before they can move forward. T. Yasenchak states that they have a letter from the Town Engineer and refers to C. Baker. C. Baker states his first question is site distance. The entrance looks questionable to him. He would like to see AASHTO requirements for intersection site distance for 40 M.P.H. speed limit. D. Heller states that is something that they have started. Looking to the right there is over 500' and the left is 1 little dip that is in the 450' range. C. Baker states that the proposed lots are 3 keyhole lots. The position the Board has taken in the past if there were something to happen in the future with the neighbors about the driveway, or if they wanted to build their own driveway they would have access to the road frontage. If need be, they could do it in the future. In this particular case he does not believe that is possible. He is not sure how they can get 3% from the first 100'. Maybe it is possible, but he is not sure. He would like to see a traffic study. They would have to get a permit from DEC to cross the wetlands. Some portions of the proposed common driveway are 10% grade; he would like to see some sort of stabilization for the driveway ditches.

The applicants are proposing to pave the surface there will be some pretty strong velocity. He is looking for some type of treatment at the bottom of the hill prior to discharge of the wetlands. (He agrees with their summary that 2.7 acres only requires the road conceptual plan in this particular case due to the slope of how the applicants will handle with the storm water.) T. Yasenchak asks the Board how they feel about the shared driveway. They have in the past had an applicant go back because they have had multiple keyhole lots instead of doing a Town road. She feels there are areas of Greenfield this might be better because of the topography. It does keep it less dense. This would be phased and thinks it could be looked at as unique. With that being said, as the Town Engineer, stated when the Board has done shared driveways and they do have the frontage, there could be a driveway put in in the future. That is the whole intent of a keyhole lot. The Board has seen shared driveways not work after some time. There are a lot of things that could happen and end up coming back to the Board regarding shared driveways. She would also like to see the limits of clearing. While the storm water management erosion control plan shows the area of clearing that isn't always followed. The Board would like to see a limit of clearing. They have seen very large forests taken down in the past. R. Roeckle states his questions are the same as T. Yasenchak. He states that he does not mind shared driveways and sometimes they are necessary in certain instances. N. Querques states that he does not have any comments at this time. He would like to see what the applicant comes back with responses for C. Baker's comments. J. Sabanos asks C. Baker about the chunk being taken out of the storm water from all 3 driveways and halfway down he is curious how far they are pushing the design limits. C. Baker states that he has not reviewed that at this point and time. He is waiting to see how far the applicant gets with the driveway. That will be required to be submitted. M. Gyarmathy states he is not a fan of the shared driveway he feels it puts some problems into the future. It might be a good way to access the property now. People now a days move more often. Maybe the first 3 people that live on this property will get along. As people move in and out he feels that there will always be issues with shared driveways. C. Dake and K. Conway agree. T. Yasenchak states that possibly the applicant can come up with another creative way. It may even be something on the legal side. Maybe there could be more than just an easement language. Maybe there could be a legal agreement that binds people to doing something to that shared driveway rather than just an easement agreement. D. Boninski states that one thing they have done in the past and been successful with is a Home Owner's Association. Currently they are doing one in Saratoga with very high end houses. Starting well over a million dollars and have been very successful. The HOA control and maintain it. As far as the legal binding of the properties together where the property owners know that it is not just an easement and 3 people throwing money in a pot, D. Boninski states that in an HOA they maintain the property. T. Yasenchak states that the applicants have heard the Board's concerns. With such a long driveway and there is a culvert that will have to be taken care of where if it was a Town road the Town Highway Department would maintain it, not with a shared driveway situation. K. Conway asks if the applicants plan to cover maintenance and snow removal and so forth. D. Boninski states yes, in a HOA they do. T. Yasenchak asks the Board how they feel if the applicants come back with something more legal. If the applicants looked at something that was a public road obviously they would have to recover that construction cost. Then they would be looking at more lots. It allows for 1.5 acre lots, it is in MDR, this would be fine with developing within the Town's Comprehensive Plan. Maybe that is something the Board could think about. R. Roeckle states that he would rather see something along the lines of a HOA. That maintains the road. It is a separate entity. Does that road then become a separate piece of property? How does that work with Zoning? Will there need to be variances? Does the code define a HOA road? T. Yasenchak states she thinks it depends on if it is defined as a road or a driveway. N. Querques asks if it is a logging road. D. Heller states yes, that is what started this. C. Dake states he prefers HOA if he has to choose one option. K. Conway asks what the lot sizes are. D. Heller states around 5 acres and he thinks the biggest thing with

this is the amount of disturbance that would be required to construct a Town road and then they are talking more storm water. T. Yasenchak states if the applicant can look at the list of items that C. Baker has stated and come back with something about the driveway and answer some of the Board's questions, it would be helpful.

Skidmore College Case #639
TM# 153.-2-15

Site Plan Review
956 North Broadway

T. Yasenchak reads an email for a Skidmore College representative asking to adjourn this application until further notice. The Board agrees to adjourn it.

Greenfield Real Estate Development, LLC Case #640
TM# 125.-1-31

Special Use Permit
3230 Rt. 9N

Aaron Vera, Cohen Cartier, and Kevin Joyce are present. A. Vera states they are in front of the Board for Site Plan Review and Special Use Permit. This is the Greenfield Village Inn located at 3230 Route 9N. The proposal is to open a restaurant at this location. That was the original use. It has been vacant for a number of years. There also used to be a motel on site that is not part of this proposal at this time. They are proposing 75 seats. The site itself is 12.6 acres. There are a number of constraints on this property. The existing pond was expanded. There are wetlands that run through this property. There is the pond itself and there is a littler pocket of wetlands out front by Route 9N. The applicants have been working with DEC and North Country Ecological to have those wetlands mapped. They are in the process of having DEC confirm the limits of wetlands on the property. They have reviewed it and are taking jurisdiction of the wetlands in the rear. DEC is taking jurisdiction of the pond and also the small pocket out front by Route 9N. Because of that they are subjected to their 100' buffer requirement. That line is shown on the plan. They have to provide additional parking. Currently there is existing parking out front on Route 9N. The proposal is to mill the existing pavement and lay down new pavement. They would also do a new parking area. The parking requirement for a 75 seat restaurant is 24 spaces. They were unable to determine how the previous owner was providing for waste water. They will have a completely new system. As part of this proposal they will have a 2,000 gallon system out front for the kitchen waste. Two, 2,000 gallon septic systems in series. They are expecting to generate 2,000 gallons a day per DEC requirements. They will have a pump and pump it all the way back to the only area on site not in the buffer zone. They did some preliminary testing out there and unfortunately a traditional system is not something they will be able to do. (The previous owner he feels the spoils that were taken from the pump. That material is not for a septic system.) They do believe they can remove that material and amend the soils and they would have enough room to do an Elgin system that meets the requirements. There is an existing well on site. They don't have any information at this time about it, but the plan is to bring that well back into service. Obviously that would be a public water supply. They would have to work with Department of Health, have the water tested and provide any treatment that would be required. The lighting plan is to have 2 light poles to light the parking lot and a series of building mounted lights to light the access. They did receive comments from EDP. He thinks the only question he has at this time is to provide some form of water treatment. A. Darrah would like a little bit of clarification on the format for what that should be. C. Baker states that because the parking is so small, the new parking area they are proposing is maybe some type of gravel diaphragm strip between the edge of the parking and the pond. A. Vera states yes when they saw that comment they were a

little worried because DEC does not want to see any disturbance in the buffer. C. Baker states like a typical diaphragm. A. Vera states yes, they can absolutely do that. C. Baker states for both of the parking areas. T. Yasenchak asks if they have any idea what they will be doing with the water as far as well. A. Vera states he does not have any idea yet. Obviously they have to provide water it is going to be a restaurant. Per DOH and DEC regulations they have to add 100' separation to the tanks. The idea is to re-use the well and if they have to drill a new well they will. T. Yasenchak asks if the access to the building is at grade. They won't need a handicap ramp. A. Vera states that is correct. The existing entrance is going to be moved and re-located. T. Yasenchak asks if there will be any outdoor dining. K. Joyce states that the 3 season porch overlooked the pond and they want to turn that into the bar area. Possibly at some time they will have a patio there, especially, this day in age. T. Yasenchak states the Board likes to design for success because they really hope that they are successful. What will the hours of operation be? K. Joyce states they are looking to serve lunch half a week and dinner 5-6 days a week. Closing around 11:00. T. Yasenchak asks how many days a week would that be. K. Joyce states that he believes 5-6 days a weeks. He feels they are smart guys, paid for the property with cash, they are not taking big loans out. They want this to be successful for the community. They also know timing is appropriate so they are going to go through all the approvals. Get C. Cartier and his crew in there to do the construction and renovation. T. Yasenchak asks if they have reached out to DOT about the traffic patterns. A. Vera states that they have not. They are proposing one way in and one way out. They definitely need intersection site distance requirement. There would be some repaving in that area. They would be subject to DOT work permit and have to engage them for that. In terms of design changes he does not believe that DOT needs to look at that. R. Roeckle asks M. Waldron if the setbacks don't meet the setback requirements is the Board treating this as an existing structure and parking lot. M. Waldron states yes, it is a pre-existing structure. R. Roeckle states this is a 75 seat occupancy, is it 25 parking spaces. A. Vera states 24. The code states one space for 4 seats plus one for every 2 employees. The Board will need verification of that so M. Waldron can verify the parking requirements. What are they doing with the motel? A. Vera states that if he had to assign a use to it, it would be storage. K. Joyce states that there is very limited space in the restaurant. They need additional space to have employees clock in, store extra chairs, and tables. The building is extremely small. N. Querques asks if they are excavating the soil that is there and putting in a new system, will that be subservice or a raised system. A. Vera states that it would be a subservice. Technically it would be what is called a cut and fill system. The under lying soil actually needs to be tested. It appeared to be good native material. They would excavate down to the good native material and backfill with soil that is in the 5-15 minute range. C. Baker states that the Town of Greenfield has 4' separation. A. Vera states they are about 7' above the elevation of the pond. They would expect seasonal high ground water to be plus or minus the elevation so there should be separation. J. Sabanos asks C. Baker that it appears that they will be expecting a higher volume of transportation and he asks the speed coming into it. He believes that the applicants will be wildly successful. C. Baker states in his professional opinion they can asks the applicants to do a traffic study. He does not believe it will change the level of service on Route 9N. J. Sabanos asks if there could be a sign a little down the road. C. Baker states that it is not something the Board would recommend. When the applicants talk to DOT about the entrance they can certainly ask them. A. Vera states that they need to talk to DOT about the signage, traffic pattern at the entrance, and the re-paving. The resident engineer in Saratoga is good. T. Yasenchak states because they are re-paving, she asks if they are putting any kind of curbing between the parking. She likes the one way entrance and exit. If there is something in between the road and the parking area so no one decides to cut out to the road. A. Vera states currently there is an existing concrete curb out there. The logic is if they don't touch that then DOT will consider this to be the existing condition and it will be maintenance as far as they are

concerned. There is some additional curbing that comes out that they plan on removing. One of the benefits of having the one way entrance and exit is that customers/employees would be entering while someone is waiting to leave. They expect it to be delayed a little bit. J. Sabanos agrees. M. Gyarmathy states he thinks this is great that they are doing this. He likes everything he sees. The only thing he is wondering about is he is seeing people wanting to come out on Route 9N and asks if there anything they can do with the area directly in front of the building. He knows that they have to protect the handicap spot. Maybe they could have a little more room there to come around. A. Vera asks make the radius bigger, they could look at that. M. Gyarmathy states he isn't sure bigger or smaller. C. Dake and K. Conway think this is a great project. T. Yasenchak asks for a narrative to go through the Special Use Permit requirements. She asks what types of light and how tall the poles are. She says an 8' and a 15'. A. Vera states that the 15' will be on the concrete sono tube foundation to make it sturdy. Those would be fixtures will be dark sky compliant downward facing modern style. There will be a few wall packs, LED, located on the building. M. Gyarmathy asks if there will be a buffer to the neighbor from the lighting. A. Vera states there is an existing wooded buffer. C. Cartier states that if additional landscape is required then they will do it or if a fence is required they can do that. K. Joyce states that he believes the neighbor's driveway is on their property. He is willing to send them a letter. C. Cartier states they could talk to them and ask them if they would prefer a fence. A. Vera states the intent is to keep the vegetation. A. Vera states headlights will not be facing the neighbor, they got a concept where they will be the other way. M. Gyarmathy states he is asking about that because of the wall packs, that's why he feels it would be a great idea to talk to the neighbors. A. Vera states that lighting line is very low. They tried to keep all of the pole lights as far away from the property line as possible. T. Yasenchak asks if they will look at it in the back parking lot. She states that is the type of thing the Board is looking at for screening. As far as the building signage, will that be something on the building or are they looking for it to be on the sight. C. Cartier states they are looking to maintain what is there. K. Joyce states that the name has changed a little. It is going to be The Village Inn of Greenfield instead of the Greenfield Village Inn. Folks know the place and they are just trying to bring it back to life and not completely change the landscape. T. Yasenchak asks if there will be any standing signs. C. Cartier states no. T. Yasenchak asks if they will be having one way signs or do not enter signs. C. Cartier states he is not sure if there will be arrows. K. Joyce states probably and arrow sign and some pavement markings. A. Vera states they will communicate that better in future plans. C. Baker states in the parking lot maybe some sort of a guard rail. K. Joyce states that they are considering some big boulders. T. Yasenchak states with a Special Use Permit it does require a public hearing. C. Cartier and K. Joyce agree. The Board sets a public hearing for July 28, 2020. A. Vera states that they will need DOH approval for the septic system and DEC approval for the buffer disturbance and a letter from DOT. Do all three have to be in hand prior to this Board acting. T. Yasenchak states the Board has approved projects in the past with conditions, however; if it is something like DOT and things could change with the plan drastically the Board asks to have that in hand prior. Usually they will give you a letter that they have passed the first step. They have different phased for the different permits. C. Baker states that DOT will issue a work permit. A. Vera states that he knows that they have work on their end but the water supply, septic system, and the DEC permit, do they have to be in hand prior to an action. C. Baker states the water supply will be done for the Certificate of Occupancy. A. Vera states that there is some design around the location of the well. Does that need to be signed off before the Board acting. C. Baker states it is going to have to be approved by DOH before they get Certificate of Occupancy. He does not see any reason why the Board can't look at that as a condition in its approval that might take some time to get. As long as they are comfortable with the separation distances. In his review, it looks like they have separation distance. He can have a conversation with them and make sure that you are comfortable with the layout, but he does not see any reason why it couldn't be done. T.

Yasenchak asks with DEC too. C. Baker states yes. A. Vera states the local Glens Falls DOH will do the review even though DEC issues the permit. DEC is already aware of that. C. Baker states the applicants are fully aware that they need to get these permits and approvals and he personally does not have a problem with that. T. Yasenchak states that she feels she would like something from DOT to make sure they are looking at it the same way as a revision. Any other further work permit can be contingent for their work permit. Same thing with the water supply. M. Gyarmathy asks if there are no issues with the pond knowing that he dug it out without permission. A. Vera states that the issue is that now any development on this parcel is subject to an Article 24 wetland service permit because now the entire site is in the buffer zone. DEC does not like to see any impact with their wetlands, but if you are going to make more wetlands they will just take it, which is what they have done. M. Gyarmathy asks for a letter stating they will be doing that. A. Vera states they will reach out to these agencies and provide them. C. Baker states the only risk in this case is the applicants risk. M. Waldron asks if the previous issue has been resolved. A. Vera states that he can't answer that. C. Cartier states it was closed down in 2000. They have reached out to ACOE and DEC to make sure everything was resolved before they bought the property. They both responded.

Meeting adjourned at 8:40 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
Planning Board Administrative Assistant