

TOWN OF GREENFIELD
Planning Board

May 31, 2022

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: Charlie Dake, Butch Duffney, Stephen Licciardi, R. Roeckle, and Joseph Sabanos. Charlie Baker Town Engineer is present. M. Waldron, Zoning Administrator/Code Enforcement Officer is present.

Minutes

Minutes will be reviewed at the next meeting.

REGULAR MEETING

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Minutes

Minutes will be reviewed at the next meeting.

Keyzer, J. Case #677
TM# 137.-1-16.1

Minor Subdivision
901 North Creek Road

Jim Vianna is present for the applicant. T. Yasenchack states that the Board has letter in their folders from Town Council regarding this case and Short Form SEQRA is adequate for this project. J. Vianna states that this is a 4 lot Minor Subdivision in the MDR-2 District. Since last meeting they have retained a site engineer and have been working with C. Baker on this. They have changed the site distance to intersection site distance. There will be 3 new homes on North Creek Road along with the applicant's

home. T. Yasenchak opens the public hearing at 7:09 p.m. Damon Brown, 951 North Creek Road, states that his concern is new development and he feels that there will be more phases to this property in the future. He feels that the applicant is taking the holistic route with the remaining 43 acres. The only reason he knows this is because he (the applicant) has asked his wife to help him write the grant for the rest of the property for the future. T. Yasenchak states that there is no one else present to speak for this project and ask the Board how they feel about closing the public hearing. The Board agrees. T. Yasenchak closes the public hearing at 7:12 p.m. C. Baker states that he is waiting to see the erosion and sediment plan for the correct site distance to make sure that it states that it does what he has asked for to make a complete set of sheets and measures on each plan. T. Yasenchak asks if C. Baker would feel more comfortable waiting for that. C. Baker states no. The Board reviews SEQRA for this project.

MOTION: B. Duffney
 SECOMD: J. Sabanos

RESOLVED, that the Planning Board completes Part II of Short Form SEQRA. All questions were answered "no" and the second box was changed, indicating that this will not result in any significant negative environmental impacts for the Minor Subdivision of John Keyzer for property located at 901 North Creek Road, TM# 137.-1-16.1

VOTE: Ayes: Dake, Duffney, S. Licciardi, J. Sabanos, R. Roeckle, And T. Yasenchak
 Noes:
 Abstain: None
 Absent: None

J. Vianna asks the Board if they would like a note on the map stating that there will be no more keyhole lots for the rest of the 43 acres when that is subdivided in the future. T. Yasenchak states that the Board can't make a decision for future Board members. B. Duffney agrees with T. Yasenchak and states that ordinarily he does not mind 1 keyhole lot, but this is now up to 3 keyhole lots out of 8 lots that have been subdivided. If the applicant comes in front of the Board in the future with anymore keyhole lots he won't be approving them. C. Dake states that the applicant made the same decision 5 years ago and he agrees with B. Duffney. T. Yasenchak states that the Town used to have a 5 year law regarding this, but they took it out of the Town Code. C. Baker states that it is a DOH law. M. Waldron states that it is still there they just moved it from Major Subdivision to Minor Subdivision. She reads the Code. T. Yasenchak states that this Board has had a lot of discussion with keyhole lots with this project. Keyhole lots are meant as a tool, not just to be creating as many lots as can be created.

MOTION: R. Roeckle
 SECOND: B. Duffney

RESOLVED, that the Planning Board grants approval for a Minor Subdivision, for property located at 901 North Creek Road, TM# 137.-1-16.1 contingent upon:

- An Appropriate Plot Plan as it is required by the Town Engineer.

VOTE: Ayes: Duffney, S. Licciardi, J. Sabanos, R. Roeckle, And T. Yasenchak
 Noes: Dake
 Abstain: None
 Absent: None

Old Stone Ridge Case #678
TM# 164.6-1-15

Lot Line Adjustment
15 Old Stone Ridge Road

Ken Kawalik is present for all of the applicants. T. Yasenchak states that M. Waldron has provided the Board with pictures of the plantings. She is glad to see this is finally happening. K. Kwalik provides maps and the deed proposal to the Board. T. Yasenchak states that this project has a public hearing this evening. She states that there will not be much discussion on this project because the Board has just received the maps this evening. K. Kwalik states the application is being reviewed for the plantings on the north side of the HOA and it is a violation and that is what is being reviewed. Gallivant Corporation is doing the planting. Y. Yasenchak states that this is being reviewed as a Lot Line Adjustment not for the replanting. T. Yasenchak opens the public hearing at 7:38 p.m. Joe Carinero states that he is in favor of this project. T. Yasenchak asks the Board how they feel about adjourning the public hearing. The Board agrees. J. Sabanos asks if the Board has to review the deeds or does Town Council. T. Yasenchak states that Town Council reviewed in 2015 and he will have to review it again. K. Kwalik states that they have retained Joe Walsh of Walsh and Walsh for the Home Owners Association and the deeds. T. Yasenchak states that they will be on the agenda for June 14, 2022.

Grassi, J. /Woodland's Edge Case #647
TM# 151.-2-57

Major Subdivision
369 Grange Road

Justin Grassi is present. J. Grassi states that this project is a 15 lot major subdivision. The parcel ranges are from 1.5 acres to 30 acres. The Board has reviewed SEQRA and has reviewed the engineering with Charlie Baker and Justin Burwell (Highway Superintendent). Tonight he is seeking final approval. T. Yasenchak states that the maps were received on May 24, 2022 so the Board is just seeing these this evening. It needs to be reviewed by Town Council. C. Baker has provided a letter to the Board. C. Baker explains the process of the Town taking over a road. The road construction cost estimate is reviewed by the Town Engineer, prepared by the applicant's engineer. The amount of the bond was reviewed and discussed in length on today's cost. Then it goes in front of the Town Board to approve the bond, (legal mechanism letter of credit performance bond) the deed restrictions. T. Yasenchak asks no contingencies. C. Baker states no contingencies once it is approved. B. Duffney states as long as C. Baker is satisfied then so is he. J. Sabanos states that he feels that the Board will be in a higher scrutiny and he feels that everything needs to be provided. R. Roackle states the Town Board and the Town Engineer prior to final approval so he does not feel that the Board should not make final approval tonight. C. Baker states that it can be one of the Boards contingencies. He states that final approval is the same as preliminary approval. He states that the only items for final approval of the road bond, agency approvals and construction related SWPPP items. He agrees with the Board that they can move forward with this project with contingencies. T. Yasenchak states the Board has been looking at this for a long time.

MOTION: C. Dake
SECOMD: B. Duffney

RESOLVED, that the Planning Board completes Part II of Short Form SEQRA. All questions were answered "no" and the second box was changed, indicating that this will not

result in any significant negative environmental impacts for the Major Subdivision of Woodland's Edge/Grassi for property located at 369 Grange Road, TM# 151.-2-57:

VOTE: Ayes: Dake, Duffney, S. Licciardi, J. Sabanos, R. Roeckle, And T. Yasenchak
 Noes: None
 Abstain: None
 Absent: None

MOTION: C. Dake
 SECOMD: B. Duffney

RESOLVED, that the Planning Board grants final approval for Woodland's Edge/Grassi, for property located at 369 Grange Road, TM# 151.-2-57 contingent upon:

- The Town Board and the Town Attorney shall approve the final road bond prior to the chairwomen's signature
- A copy of the New York State Department of Health (NYDDOH) approval. A copy of the NYSDOH final approval must be provided to the Town
- The applicant must file a Notice of Intent (NOI) for coverage under the NYSDEC Stormwater General Permit, prior to filling the NOI the applicant must submit a Municipal Certificate Form to the Town MS4 Compliance Officer (Justin Burwell) for signature approval. The project SWPPP (maintained on project site) should include a copy of the NYSDEC project compliance notification
- Deed restrictions shall be provided for all lots with USACOE and NYSDEC wetlands. The deed restrictions shall be reviewed by Town Council

VOTE: Ayes: Dake, Duffney, S. Licciardi, J. Sabanos, R. Roeckle, And T. Yasenchak
 Noes: None
 Abstain: None
 Absent: None

Rowland, M. Case #676
 TM#124.-1-30.2

Minor Subdivision
 1146 North Creek Road

Michael Rowland and Dennis Downen are present. T. Yasenchak states that the applicant is going out of Town for drills for the service and she thanks him for his service to our country. M. Rowland provides picture of the trees that need to be removed for the intersection site distance. He states that there is a small impact to the right. Currently it is 400' and with the trees removed they will have the intersection site distance. They have spoken with the neighbor, Holly Gosnell and she has agreed to let him cut down some trees to get the intersection site distance. That will give them an extra 50' and it will be in agreement with the Code. T. Yasenchak states that they will need a letter from the traffic engineer because it is so detailed. M. Rowland states that he did not want the Board to think that they were not doing anything about this issue and he is working with his engineer to get this taken care of sooner rather than later. C. Baker states that he is concerned with the site distance and it can be done by an engineer and measured to ASSHTO site distance and it can be brought into compliance. He needs to get something to the Board in order to move forward. M. Rowland states that the Board has a map that has 400' site distance and with the trees removed they will have 20' over ASSHTO standards. T. Yasenchak states that the Board will need to see that on a map. D.

Dowen states that they measured 3' up the road. T. Yasenchak explains what C. Baker is saying. D. Dowen asks if he can get preliminary approval. T. Yasenchak states o they can't it is too detailed. She states that it has to come from a design professional. B. Duffney states that is the only thing holding the Board up. The Board agrees. M. Rowland states that he is going to be a t drills for the next meeting can he have someone else be at the meeting on his behalf. R. Roeckle states yes, an Authorization of Agent.

Keenan Family Trust Case #671
TM# 153.13-1-23

SPR
453 Maple Ave.

Libby Coreno and Therese Keenan are present. T. Yasenchak states that this case was added late to the agenda and not every Board member has the application for this project. L. Coreno states that they were in front of the ZBA for an Interpretation and for an Area Variance which was granted. She states that the driveway was the only reason for the Variance. T. Yasenchak asks how many parking spaces will there be all together. L. Coreno states 4 parking spaces. C. Baker states that he does not have any questions. His only question was the driveway and they went in front of the ZBA for that so that is resolved now. J. Sabanos asks if it is a permitted. T. Yasenchak states yes. J. Sabanos asks if emergency vehicles can get up the driveway. T. Yasenchak states yes. R. Roeckle asks about the buffering. L. Coreno states that they only have 3' so there isn't enough room for a buffer. B. Duffney states there is a commercial business next door so it is of no concern to him and he does not have any other issues. T. Yasenchak asks R. Roeckle is concerned if no buffer. R. Roeckle states that he does not have an issue with it. S. Licciardi states that he does not have any issues with this. C. Dake states that it has been well over a month since he reviewed the plans, but does not seem to have any issues with it. J. Sabanos states that he has some concern with the driveway. L. Coreno states that they did have a traffic engineer do the site distance and a study and it is actually below and they can ask the traffic engineer to submit something in regards to this. J. Sabanos states even if it is just a sign on the driveway. R. Roeckle suggests that they do that. The Board agrees. L. Coreno states they can do it so that the adjacent property can see the sign. She states that she can provide copies of that. B. Duffney asks if they can waive the public hearing seeing as they had one for the ZBA. L. Coreno states that they had two. T. Yasenchak states that they can't waive the public hearing it is a shall for a Site Plan Review. B. Duffney states did anyone show up for the two public hearings for the ZBA. L. Coreno states no one person. The Board sets a public hearing for June 14, 2022 at 7:00 p.m.

Miles 1, LLC Case #679
TM# 136.-1-31

Sketch Plan Review Minor Subdivision
498 Coy Road

Dan Wheeler is present for the applicant. M. Waldron states this project is for sketch plan review and will need to go in front of the Zoning Board of Appeals. D. Wheeler states that this is a 52 acre subdivision. They do have site distance and one of the lots does not meet the site distance that is why they have one keyhole lot. They are proposing a deed to the Cemetery Association, Walt Chandler has accommodated this. T. Yasenchak asks if this will need 1 Variance on lot 1. D. Wheeler states yes. R. Roeckle asks if lot 4 driveway is to the west, because of the site distance. D. Wheeler states yes. R. Roeckle states that he is on the Board of Trust for the Cemetery Association and he thought that the property next to lot 4 was built in the 1930's. D. Wheeler states that 3 deeds that go to the cemetery and he will see if he can find them. B. Duffney states can't land lock property, but if the applicant the property and the road

and he has to access it. R. Roeckle states that they need to make sure that they don't need to access it. D. Wheeler states that they could create an easement. B. Duffney states that you can't just close down a road. The only way that can be done is if you own property on both sides of the road. J. Sabanos states that he has no issues with this project. B. Duffney states that he does not mind keyhole lots if they are done sporadically. If the driveway is over 500' they will need pull-offs and they have to be 12'x15' drivable. Wheeler states that it is kind of like the Miner Road subdivision that he was in front of the Board for recently. S. Licciardi asks if the home on lot 4 is in the front of the property. D. Wheeler states yes, and he would put his house in the same proposed spot. T. Yasenchak states that the septic and the wells can't be anywhere near the cemetery. T. Yasenchak states that lot currently has 240' of frontage and in that district 250' is needed. That is exactly what a keyhole lot is for. D. Wheeler asks what his next step is. R. Roeckle states it needs to be referred to the ZBA. J. Sabanos asks if they prefer it to be 90 degrees geometric. T. Yasenchack states that she asked Town Council that and they said whatever the Board would like it is at our discretion. D. Wheeler explains where the larger lot is coming from and people want lots that are perpendicular. T. Yasenchak states that these lots range from 6 acres to 34 acres. She states that the next step is to go in front of the ZBA.

DISCUSSION

C. Dake asks in general terms how would this Board proceed if Stewart's Shops were in front of the Planning Board and 3 of the Board member recuse themselves. T. Yasenchak states that has come to her attention and she has talked to Town Council regarding this. B. Duffney states that he thinks that a perspective new Board member was in the audience this evening. T. Yasenchak explains the hiring process works for land use Boards. She states that Town Council could interview the Board members that recuse themselves to see if they cannot recuse themselves. C. Dake states on another note he does not like holding up the minutes from a year ago. He is wondering if one person can review the minutes and if the Board can improve all of them at the next meeting. T. Yasenchak states yes and we can clear the 2021 minutes. R. Roeckle states that he blames this on COVID-19. T. Yasenchak states on June 14, 2022 they can review May 10, 2022 and May 31, 2022.

Meeting adjourned at 8:53 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
Executive Secretary
Planning Board