

## **TOWN OF GREENFIELD**

### **PLANNING BOARD**

**May 29, 2012**

#### **REGULAR MEETING**

A regular meeting of the Town of Greenfield Planning Board is called to order by T. Yasenchak at 7:00 p.m. On roll call, the following members are present: Tonya Yasenchak, Nathan Duffney, Lorna Dupouy, Michael Gyarmathy, Stan Weeks, Thomas Siragusa, and John Streit. John Bokus, Alternate is absent. Charlie Baker, Town Engineer, is present.

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#### **MINUTES – April 24, 2012**

MOTION: T. Siragusa

SECOND: M. Gyarmathy

RESOLVED, that the Planning Board waives the reading of and approves the minutes of April 24, 2012, as submitted.

VOTE: Ayes: Duffney, Dupouy, Gyarmathy, Siragusa, Streit, Yasenchak

Noes: None

Abstain: Weeks

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#### **MINUTES – May 8, 2012**

MOTION: S. Weeks

SECOND: M. Gyarmathy

RESOLVED, that the Planning Board waives the reading of and approves the minutes of May 8, 2012 with minor changes.

VOTE: Ayes: Gyarmathy, Weeks, Yasenchak

Noes: None

Abstain: Duffney, Dupouy, Siragusa, Streit

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#### **PRESENTATION**

##### **Saratoga Plan**

No one is present for Saratoga Plan.

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#### **PLANNING BOARD CASES**

##### **NEW CINGULAR WIRELESS – Site Plan Review**

Ormsbee Road

Maria Dimitrakidou is present for the application and explains that this is an existing tower and there will be no tower work. There will be an expansion of the existing concrete pad per the plans submitted and an additional equipment cabinet. T. Yasenchak asks if there will be any changes to fencing, etc. M. Dimitrakidou states that there will not be. She explains that this will be 3-G, which will give you faster speed. T. Siragusa asks if there will be additional power, new generators. M. Dimitrakidou states that there will not

May 29, 2012

be. C. Baker questions that there will not be any tower work. SEQRA is not required. Public Hearing is discussed and waived.

**RESOLUTION – New Cingular Wireless, Public Hearing**

MOTION: J. Streit

SECOND: T. Siragusa

RESOLVED, that the Planning Board waives a public hearing on the application of New Cingular Wireless for a Site Plan Review for property located at 500 Ormsbee Road, TM#110.-1-60.1, as follows:

- **Concrete pad expansion and additional equipment cabinet**

VOTE: Ayes: Duffney, Dupouy, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak

Noes: None

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**RESOLUTION – New Cingular Wireless**

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board approves the application of New Cingular Wireless for a Site Plan Review for property located at 500 Ormsbee Road, TM#110.-1-60.1, per the plans submitted

VOTE: Ayes: Duffney, Dupouy, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak

Noes: None

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**STEWART'S SHOPS – Site Plan Review**

Route 9N

Gary Dake and John Barnes are present for Stewart's. B. Duffney recuses himself as he is a vendor for Stewart's. G. Dake explains that the site is 46 acres and they are proposing an expansion for the freezer operation. They currently have 4.5 to 5 acres under roof and the expansion would be 15,000 square feet. They are proposing an expansion of the frozen foods warehouse (identified as Phase 1) and an expansion of the existing freezer loading dock (identified as Phase 1(A)), for which Stewart's came before the Planning Board prior to building the dock. They simply did not make the dock deep enough. He states that he knows that they are going to do Phase 1 if they receive approval; Phase 1 (A) they are very likely to do; and both they are likely to do within the year. In the interest of not subjecting the Board or themselves to segmentation, G. Dake states that something else that they are likely to come back with, potentially this year, would be changing over their trucks to compressed natural gas fuel. If they do that, they will need repair facilities, which they have shown on the plans. This would be Phase 2, with Phase 2 (A) being an expansion of the asphalt area by approximately 30,000 square feet (as shown on the plans). G. Dake states that they currently own 1/3 of the vehicles, 1/3 are leased from Rider and 1/3 are leased from LeRoy Holding. He states that they are not convinced that they are going to do Phase 2. They are still studying the math on this extensively. He did not want to come back in a couple of months with a new project. This is something that is a 50/50 shot that they will do it within the next year to 18 months. He states that they are currently in discussion with Niagara Mohawk as there is a major transmission line that crosses the property near the proposed repair facility. G. Dake states that this technology is still relatively new; just the fueling station would be over \$1-million and they are probably looking at \$50,000 to \$70,000 per vehicle to have them run on natural gas. He states that they believe it is environmentally and economically sound but still costly. G. Dake states that they are asking for approval on the freezer portion of the application at this time. He states that they are putting a building over an impervious surface so there is no change to drainage or the impervious surface. From an environmental review standpoint, in their opinion, there is negligible impact. This is located in the center of the site so he doubts that it will be visible from anywhere off site, at ground

May 29, 2012

level. He states that their hope is that what this is going to allow them to do, as they are getting more and more products that are coming in frozen, is that it will actually reduce traffic flow as they will be able to get full trailer loads of product versus multiple partial trailer loads. T. Yasenchak states that the Board can look at the whole thing at once or just comment on the Phase 1 and 1 (A). She states that on Phase 2 all of the review and the type of work to be done there might open the applicant up to a little more public review and environmental assessment. G. Dake states that he would like the Board to look at Phase 1 and Phase 1 (A). While he would welcome comments on Phase 2, it is very speculative and they may be coming back with changes for Phase 2 anyway. T. Siragusa asks if on the freezer loading dock that is on existing asphalt, so it is the same for both 1 and 1 (A). G. Dake states that is correct. S. Weeks asks if the mechanicals on the freezer expansion are on the roof. J. Barnes states that there will be no mechanicals for the freezer loading dock. For the freezer there will be roof top evaporators, but on the adjacent building. S. Weeks asks if the expansion on the loading dock will allow trucks to back all the way into the building. G. Dake states that it will not. They did not allow a sufficient space for staging. As they stage behind each door, they end up having to go into the isle-way of the building and they cannot have product staged and accept deliveries at the same time. L. Dupouy states that if the expansion of macadam doesn't impact any amount of water on the other properties and all the engineering requirements are met, she is fine with this. G. Dake states that if they do any of the expansion in Phase 2, they will have to go back and take a serious look at their SWPPP and determine whether or not they are still compliant or not. He states that they have not done that yet. M. Gyarmathy questions that there will be no freezer access from the outside, that it will all be accessed from inside the existing building. J. Barnes states that other than emergency exists there will be no new entrances to the facility. C. Baker states that he has no engineering issues as far as phases 1 and 1 (A). Storm water will need to be looked at for Phase 2, depending on the size of the facility. He asks if the applicant has given any thought if they do go that route, would they set up that station to fuel outside entities. G. Dake states that they have been approached by DA Collins and Stewart's has spoken with DeCrescente in Mechanicville. What everyone is concerned about, and they don't have an answer for it right now, is fill times. He explains the difference between compressed natural gas and liquefied natural gas and the fill times. He states that if they had a vendor who they already had a business relationship with, who wanted to fuel their vehicles, they would probably do that. C. Baker states that something to think about and most likely he would recommend, is an updated traffic study if they were planning to service other entities. G. Dake states that another reason he has concerns is because they get a lot of grief from Homeland Security because they have gas trailers coming and going. G. Dake also explains that there are not a lot of filling stations out there so it would work for a business where the trucks come back to home base every night. C. Baker states that if we get to that point, they would have to do a Long Form SEQRA and maybe an environmental impact statement. He states that he has no concerns about phases 1 and 1 (A) as there is no change to the impervious surface, no changes to stormwater. T. Yasenchak asks about additional lighting. J. Barnes states that there are lights every 40-feet around the west side and north side of the freezer expansion. Some of the existing lights will be relocated on the expansion. T. Yasenchak states that there is a very large berme and the repair center, so you would not be able to see this from the road anyway. As far as the mechanicals, she asks if there will any additional noise. G. Dake states that they use ammonia refrigeration and the engine room was relocated to the mechanical room building. The compressors are still going to be maintained inside the same building. The cooler evaporators are Freon units, stand alone units, and that is where you get the most outside hum. T. Yasenchak asks if he expects an increase in the amount of noise or will it be about the same. J. Barnes states that there will not be an increase in noise because they are not adding any more compression. G. Dake states that whether or not they receive an approval tonight or at a later date, Stewart's would welcome the Board to do a site walk because they realize that sometimes it is difficult to conceptualize what is where sometimes. T. Yasenchak states that this is already impervious surface, but she questions if they are bringing the roof drains down or if it is just sheeting off. G. Dake states that it is sheeting off. T. Yasenchak reviews Site Plan requirements. She asks if there is an increase in employees or if this is just an increase in storage. G. Dake states that it is all storage. T. Yasenchak states that while this is an existing site, she would just like to see a little more detail on the map as to boundaries, bearings, etc. All the existing structures are on the plan and the proposed buildings. She asks if there will be any changes to signage. G. Dake states that there will not

May 29, 2012

be. T. Yasenchak reviews the SEQRA form, references to Phase 2 are removed and building permit is added to page one. Changes are initialed by T. Yasenchak and J. Barnes.

**RESOLUTION – Stewart’s Shops, SEQRA**

MOTION: T. Siragusa

SECOND: J. Streit

RESOLVED, that the Planning Board completes Part II of the Short Form SEQRA. All questions are answered “no” and motion is made to check Box B, indicating that this will not result in any significant negative environmental impacts for the Stewart’s Shops Site Plan Review for property located at 461 NYS Route 9N, TM#164.-1-44.

VOTE: Ayes: Dupouy, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak  
Noes: None  
Abstain: Duffney

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**RESOLUTION – Stewart’s Shops, Public Hearing**

MOTION: J. Streit

SECOND: L. Dupouy

RESOLVED, that the Planning Board waives a public hearing for the application of Stewart’s Shops for a Site Plan Review application for property located at 461 NYS Route 9N, TM#164.-1-44.

VOTE: Ayes: Dupouy, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak  
Noes: None  
Abstain: Duffney

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**RESOLUTION – Stewart’s Shops**

MOTION: J. Streit

SECOND: L. Dupouy

RESOLVED, that the Planning Board approves the application of Stewart’s Shops for a Site Plan Review application for property located at 461 NYS Route 9N, TM#164.-1-44, as follows:

- **Phase 1 – Expansion of Existing Frozen Foods Warehouse**
- **Phase 1 (A) – Expansion of Existing Freezer Loading Dock**

VOTE: Ayes: Dupouy, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak  
Noes: None  
Abstain: Duffney

Discussion takes place regarding including the Stewart’s site in the upcoming site walk. G. Dake states that when the Board sets a date we should contact them and someone would be happy to take the Board on a tour. T. Yasenchak states that the Board will get in touch with a potential date.

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**SARCOM LAND DEVELOPMENT – Lot Line Adjustments**

Greenfield Estates

Michael Hannah, Attorney, is present for SARCOM and indicates that Steve Strouse, owner and developer of Greenfield Estates, passed away in December of 2007 at which time M. Hannah became executor of the estate. At the time the project had been shut down by the ACOE. S. Strouse had gotten to

May 29, 2012

the point where he had worked out an arrangement with the ACOE but had not done the remediation necessary to get to the point where he could begin to sell lots again. In order to do that there would have needed to be a large investment of additional cash into the project. Since that time, M. Hannah has attempted to sell, but anyone who looked at the project wanted nothing to do with the ACOE or the obligations that went along with it. Eventually in February 2011, as they approached the time when the agreement with the ACOE was going to expire, M. Hannah wrote them a letter hoping that they could work out something that would reduce the scope of the project and ACOE would allow for less remediation. In June, they came to an agreement. They hired some environmental attorneys and went forward with ACOE and ultimately in January or February of this year they received approval for a greatly reduced project. Lot 16 was a part of the pre-approved project containing a number of lots that they never followed thru with. Ultimately that approval expired and it will be one large lot that they are looking to sell off. Lot 10, the south side of Nat Hill, was to be a phase 3 and S. Strouse never really made an application. That is also one parcel that they are seeking to sell. With the existing phase 1, the only lots that they have left to sell are lots 6, 7 and 15. They are looking to sell those three lots. As part of that process and in an effort to reduce any impact that this is going to have on the existing homeowners, M. Hannah is looking to do some lot line adjustments. One lot line adjustment would be between lot 6 and 27. There is currently a paper street there on which the owner of lot 27 had anticipated that there would be a street going through there and had put his driveway on what would have been the side of his property on that street. Sarcom is going to just give him some land so that they can continue to use that access. A portion of the paper street is going to be given to lot 6, with the remainder going to lot 2. Lot 2 is to remain forever wild. It is on both sides of Ericson Drive going in and is never to be developed. That is part of the agreement with ACOE. What they ultimately do with that property, his first choice would be to give it to the Town, but he doubts that the Town would want it. For the near future, he still has to do some remediation on this parcel. He has agreed with ACOE to retain some of the money from the sale of the lots to do some remediation, replanting, creating additional wetlands, etc. on this lot. Ultimately they will offer it to several charitable organizations that acquire these types of parcels or they will offer it to a property owner and see if they want the land. M. Hannah states that he is not looking to sell it, they just want to give it away. The other paper street problem is as you come in from Ericson Drive, on the right, there was a proposed road going between the lands of Muller and Clemmey, and T. Hill uses it for access to his property in the back. That land is going to be divided with half going to T. Clemmey and half to T. Hill. In addition, they are proposing that because of the arch of the way the road was proposed, there is some additional land that goes around behind T. Hill and that is going to be given to T. Hill, assuming he wants it. When all is said and done, M. Hannah states that they will have cleaned up a bunch of paper streets, etc. They will have three lots of the original phase 1 subdivision – lots 6, 7, and 15 – of which a couple are already under contract. They are just waiting for ultimate approval before they can be sold. Then ultimately, they will sell lots 10 and 16. He would assume that anyone who purchases lot 16 will access it and build close to Walker Drive because the bulk of the land going down to the Old Route 9N is a ravine and wetlands. Lots 10 and 16 would be sold as one parcel each. M. Hannah reiterates that what they are looking for is the lot line adjustments that go along with eliminating the paper streets and the consolidating of lot 16, which is no longer a subdivided parcel anyway. C. Baker states that his only concern right now is the settlement of the issues with ACOE. If the Board allows these changes to be made and they are able to sell these parcels off, what guarantee is there that this work is going to be accomplished? M. Hannah states that he has a signed agreement with ACOE. He states that he has given G. McKenna copies of the agreements, he will be happy to provide them to the Board. The restrictions and his agreement with the ACOE will be filed as soon as the subdivision map is filed. He states that they will take this map and overlay the wetlands so that anyone buying any one of these parcels is going to know exactly where the wetlands are and where they can build. Lots 6 and 7 have wetlands in the rear of the parcels that cannot be built on. Lot 10 has very little wetlands. On lot 16 the wetlands are all near Route 9N. C. Baker states that that instrument is something that the Town Attorney should take a look at to make sure that he is satisfied with it. The elimination of the paper streets is a little concerning. He states that a subdivision was designed in here, he understands that there are a lot of wetlands, that these were small lots and realistically it could not be built the way it was designed, but by eliminating those paper street accesses you are severely going to limit the way that lot 16 can be developed in the future if someone does buy that. M. Hannah states that the ACOE

May 29, 2012

will not allow lots 16 and 10 to be developed for anything other than a single-family home. C. Baker asks if that is in the stipulation. M. Hannah states that it is. Someone cannot come back to the Planning Board requesting that those lots be further subdivided. C. Baker states that he thinks that we should see that map that shows the wetland overlay. M. Hannah states that there will be restrictions in the deeds stating that they cannot further subdivide. T. Yasenchak states that we will need to see a little more detail on the map of those lots that are changing. M. Hannah states that, per G. McKenna's request, this map shows the existing lines and the proposed lot lines. T. Yasenchak states that a little more detail would be helpful for the Board to be a little more comfortable that they are creating lots that can be built on. She states that as far as lot 2, the Board has typically not created a lot that could not be built on. She does not even know if we can do that. That is going to have to be something that is added to another lot. She does not think that legally we can create a lot that is not buildable. She will check with the Town Attorney. M. Hannah states that he is sure that there are a lot of people who might like the lot, but the question is how is it going to be taxed. He has had some preliminary discussions with a couple of homeowners who have indicated that they would like it, but then question how it is going to be taxed. T. Yasenchak states that is not something that this Board gets into. If there is a space that is not buildable in a subdivision, it is annexed by another lot. Unless the applicant had a contract for donating the land, the Board has typically not approved a non-buildable lot. T. Siragusa states that lot 10 is buildable and asks if it is subdividable. M. Hannah states that it is not, they could not work out a second egress out of that area with ACOE and without a second egress, they could not get approval from the Town to subdivide. T. Siragusa asks if the access will be from Nat Hill Road. M. Hannah states that it will. He states that Nat Hill Drive and Walker are both owned by the Town. S. Weeks asks for clarification on lot 27. M. Hannah explains where the driveway was put in, why it is in this location and that they want to give the property owner a part of that paper street so that he does not have to move his driveway. M. Hannah states that in addition to giving T. Clemmey part of the paper road where his driveway is located, they will be giving him a strip to the east of his property to square it off. L. Dupouy states that we are so overdue to put this project to bed. She feels that these are good solutions to lots 10 and 16. Her only question is with lot 2, which she also believes that we cannot make a lot if it cannot be buildable. J. Streit states that originally there were more lots that they were going to sell and now there are five, so there will be less density and less impact on the Town. T. Yasenchak asks if lot 10 is already built on. M. Hannah states that it is not. T. Yasenchak questions where and how the Town turns around at Nat Hill Road. On the existing plan, there was a hammerhead. She asks that we contact W. Barss for comments on this and what needs to happen. M. Hannah states that they do currently plow and are turning around. If the Town needs more land, that can be taken care of. T. Yasenchak questions the amount of frontage for lot 6 on Walker Drive and whether 110' is enough. She asks when these were approved, what were the approved frontages or do we have the required frontage now. C. Baker states that you have it because all they are doing is eliminating the paper street. T. Yasenchak states that she does not know if they had their frontage on Adams or Walker. T. Yasenchak asks C. Baker if we have the length of road for a one-way access. C. Baker states that this is an existing subdivision road. T. Yasenchak states that she will call M. Schachner about lot 2 and whether or not we can approve a non-buildable lot. She states that it is very important for us to see the paperwork from ACOE so that we can make sure that what we are approving and requiring is all the same. Public hearing is discussed. S. Weeks states that there are some significant changes and he knows that this has been a fairly controversial thing for a whole bunch of people for a long time. Public hearing is set for June 12, 2012. T. Yasenchak asks if we can get the additional information as soon as possible.

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**SPRINGFORTH LLC – Special Use Permit/Site Plan Review**  
**Wing Road**

Antonia Shields is present for Springforth LLC and Rich Torkelson is present for Linell Lands. T. Yasenchak states that the applicant is also before the ZBA for an area variance for frontage. A. Shields explains that she is in contract negotiations for the purchase of this lot. She states that she is seeking a special use permit for agricultural use for this keyhole lot with 40' of frontage. The commodity that she is selling is cut horticulture. This will be an active farm to preserve local farmland and serve the local

May 29, 2012

community. She is currently seeking USDA organic certification. Her goal is to be completely paperless. She would like to use bio-diesel fuel for a generator for a well and is working with Hawk Drilling on this. She is also looking to use bio-diesel for a vehicle and tractor. Her fences will be 2' inside her property lines and will be waddle fencing, which is a woven fence. Some of the existing trees may be able to be used for this purpose. A. Shields states that she met with M. Chandler, Greenfield Fire Department, regarding the driveway and turnarounds. There are DEC wetlands across the street and the 100' buffer comes onto her property. There is a DEC permit on the land and the permit needs to be adjusted because she is requesting her own driveway and utilities. There will be a tree buffer between her driveway and the driveway to the adjacent lot to prevent seeds from flying from the adjacent lot. There will be no asphalt or sealant used on her property. She plans to build an agricultural structure within 1 year and she will have up to 5 years because she will not make a profit until after 3 years. In the meantime, Springforth will be based out of 131 Nelson Avenue, Saratoga Springs. She would like to start the farming this summer. M. Gyarmathy questions that this is an existing subdivision with a shared driveway on this lot. He questions that we need DEC approval to cross the wet area. T. Yasenchak explains that this is the 100' buffer. R. Torkelson explains that in the original subdivision there were 2 keyhole lots there and the plan was to have a shared driveway. Both lots allow for separate driveways and are permitted in the subdivision. They take into consideration that area. T. Yasenchak asks that the original permit for the DEC in that buffer was only for one driveway, because A. Shields stated that the DEC permit has to be revised. R. Torkelson states that it was for both because the concerns of the Planning Board at that time were the possibility that the future owners would want separate driveways. T. Yasenchak asks if it was approved with two, why does the permit have to be revised. R. Torkelson states that because of the type of farm operation that Springforth wants, certified organic, that property needs to have a biological buffer. In order to put that buffer up, if it were a shared driveway, that buffer which would be maintained by Springforth, is no longer on their property. Therefore they cannot be 100% sure that they can maintain it the way that they want to. By obtaining their own driveway, she can maintain that driveway however she needs to do it in order to be certified. T. Yasenchak states that she thought that the applicant stated that the DEC permit needed to be revised. A. Shields states that she has been working with Jud Havens and he stated that he needed to take a look at the property. T. Yasenchak states that she does not understand if the DEC already approved this for 2 separate driveways, why it needs to be revised, but if it needs to be revised, then the Planning Board would need to know why. A. Shields states that it probably needs to be adjusted. M. Gyarmathy questions that the applicant plans to build a structure there within the year. A. Shields states that she would plan on beginning the structure within a year. She would love to finish it within a year, but she needs to purchase the land and establish the organic farming. M. Gyarmathy questions that she eventually wants to build her home here. A. Shields states she would like to build a farmhouse under agricultural structures. The land to the east on lot 9 is principal agricultural use with a farmhouse to be built. L. Dupouy states that this is in keeping with when Linell Lands came to the Planning Board before so she thinks it is great. B. Duffney states that what may or may not be an issue is the DEC. He is 100% pro-farm and he is glad to see it. This is part of the old Charlie Kremp farm, who B. Duffney knew when he was young, and he is glad to see this being used again for farming. L. Dupouy asks what the product is. A. Shields states that the USDA has a program for crops that are called specialty crops. There are lists of categories and for this approval she was told to be as broad as possible. T. Yasenchak states that the Board is not asking to approve for only a couple of crops, but is there anything that the applicant can give the Board as to an idea of what types of things she will be growing. A. Shields states she is talking about herbs, flowers that will be cut and this will not be a nursery, there will be nothing in a pot and she will not be selling at farm markets. S. Weeks states that he would like to see a little better plot plan. He would like to see how big the property is, etc. A. Shields states that the amount of building, by the restrictive covenant that Linell Lands has set up, is for 3500 square feet and up to 5000 square feet. She is having a survey done. T. Yasenchak states that if the applicant can do a sketch showing the area of disturbance, etc., and show this on a map. Because the applicant is seeking a permanent special use permit, the plans should show the ultimate build out, even if the applicant is not totally sure of what that will be. T. Siragusa asks how many employees the applicant will have. A. Shields states that it will be 0 to 3. She is in the process of hiring, but she cannot hire until she does the work permit paperwork. There are some young people who are interested and she will be paying above minimum wage for that. Part of her

May 29, 2012

mission is to provide farmers who are disabled a way to earn an income, but she is not able to do that yet. Also retired farmers who are tired but would still like to work. She would also like to design a program for people in wheel chairs to garden. That would be through the winter months. T. Yasenchak states that that will come later. A. Shields states that is correct. T. Yasenchak states that the focus should be on the agricultural use. She thinks what the applicant is doing is wonderful and would love to see all of this continue to be farmed. When we did this original subdivision, there were some neighbors who were not farm friendly, which is unfortunate, but the more that we can get on paper, the Board can give the correct approvals so that way down the road there will not be problems. She states that the applicant may need to come back for the educational uses or anything else that comes along later. If the applicant is going to farm and sell that product, that is all within the agricultural definition. A. Shields states that she will be doing 90% wholesale and 10% retail. C. Baker states that this fits the character of the original subdivision. He asks what waddle fence is. A. Shields explains that it is a natural woven fence, you use a living tree or untreated posts and then you weave with other natural products. C. Baker states that if the applicant has pictures it might be helpful for the neighbors to see. J. Streit states that it should look nice. T. Yasenchak states that it is very natural looking. She asks if there will be storage containers for the bio-diesel fuel. T. Siragusa states that you just use a standard tank for it, it is actually a lot less toxic than petroleum, it has different regulations for storage. He states that you do not need a special engine to run bio-diesel. There is no such thing as a bio-diesel engine. T. Yasenchak states that as this is a special use permit we do have to have a public hearing. She asks if the applicant can get us the information as soon as possible so that we can have it on record. R. Rowland states that the applicant is scheduled for a public hearing at the ZBA meeting on June 5, 2012. T. Yasenchak states that the ZBA request is for frontage and this application is for agricultural use. A. Shields states that she does not plan to have a storage tank on her property.

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### **CASEY CORNELL – Major Subdivision, Sketch Plan**

#### **Humes Road**

Casey Cornell and Jim Vianna, Surveyor, are present. J. Vianna states that this project is in the very early stages and that is why they are here for a conceptual review. The property consists of 90 acres on Humes Road, off of Coy. It has an existing town highway that kind of dead ends. The Town currently turns their trucks around in the field at the end of the roadway. This is currently zoned LDR, 6 acre minimum. This plan is showing minimum 6-acre lots and at the end of the proposed cul-de-sac, C. Cornell is planning to build his residence on whatever is left of the parcel, which J. Vianna is estimating being around 22 acres. This plan may change as no site survey or engineering has been done. They may lose lots here. There is an area of wetlands, which has been delineated by DEC, but J. Vianna has not located it on a map. There is a line on the plans giving the concept that there is a buildable area there. He states that he believes there will be wetlands on lots 5 & 6. Construction on homes would be closer to the highway. As you get towards the back on lots 10, 11, & 12, there is a brook that runs through there and he does not believe they will be crossing the brook. The property is currently under 2 deeds and will be combined. J. Vianna states that there is an existing house and a couple of outbuildings there now; there is a little pond; there is a secondary electrical service that comes in off of Coy Road which would be removed along with most of the buildings, if not all and power would come up the road as is traditional. The back of the property butts up to what used to be Ridge Road. He has not investigated to see if it is still a town highway. He knows that it is not maintained and they are not requesting any access that way. Currently, Peter Nichols owns a lot which fronts on the non-maintained Ridge Road and, under what he understands was a verbal agreement, P. Nichols has been accessing his property off of Humes Road. Potentially the applicant may want to do something with a right-of-way. J. Vianna states that until they get into the surveying and engineering, they cannot get too much more specific. The soils are really good up there and there is a 15 to 20 foot high ridge that runs parallel to Humes Road, all sand, and runs basically through the front of 7, 8, 9, 10 and 11. T. Siragusa asks what the history is, why is there a road there. J. Vianna states that he believes, he has not investigated and will as part of the survey, he knows that physically it exists and goes all the way up to Ridge Road, and then from Ridge Road there were graphite mines and that was how they hauled the graphite out. As to whether



May 29, 2012

that section of Humes Road is still a town road, he does not know. He has been told that the Town did officially abandon some of these roads, but a lot of times when a town talks about abandonment they are only talking about maintenance abandonment and not fee abandonment. Generally, the rule in New York is once a road, always a road. T. Siragusa questions that the cul-de-sac will be new and that the applicant will want the Town to take that over. J. Vianna states that is true and explains what is proposed on the map. He states that he has talked to C. Baker a little about it and the Town is using a newer design than what was used last time he was here. T. Siragusa states that he thinks that area is straight in terms of sight distance. He asks if because of the extra traffic they think there might be sight distance issues. J. Vianna states that he thinks it would certainly exceed 500 feet; that it is very straight there on Coy until you get to the bottom of the property and that is 785' from the intersection. He does not know if Coy is posted for speed. S. Weeks asks if Humes Road is plowed. J. Vianna believes that it is as there is a residence there. C. Cornell states that the previous property owners' son lived there. B. Duffney states that this is a property that he is very familiar with, he logged the whole place. Humes Road is a town road and they do plow up to the end and basically do a "P" turnaround there. There are no sight distance issues coming out onto Coy Road. He states that Diane (Coleman) gave P. Nichols a way in because when Ridge Road was abandoned, neighbors on the end were giving him a hard time about coming through. He states that he thinks that lot 4 will be really tough to build on because it never dries up. The soils are great up there and he does not believe there will be issues with septic. Lots 5 & 6 have wetlands way in the back; there should not be any issues there. B. Duffney states that the rest of the lots should be fine. The pond is fed from the Peacock Brook and Jake Smero put in the pond. He states that he likes the layout and Humes Road did go out to the graphite mines. L. Dupouy states that she likes the concept, it is well done. J. Vianna states that depending on how the wetlands fall, lot 4 could possibly have a driveway on Coy Road. M. Gyarmathy states that he did take a ride out to the property, he thinks that this is a very nice plan and that if they have any questions, the Town Historian lives on the corner of Coy and Sand Hill Roads. J. Streit states that it might be helpful to talk with W. Barss. C. Cornell states that he did show this to W. Barss, who confirmed that they maintain up to the line that is drawn on the plans. T. Yasenchak states that we will have to ask W. Barss to put something in writing that this road is able to serve those additional lots without having to be upgraded. If it does need to be upgraded, then the Town does not do that, it is up to the developer. We will need to ask W. Barss the viability of the road for the additional lots and traffic. C. Baker states that he talked with W. Barss and that this is an unimproved Town road similar to Griffen Road and that probably the road cannot support the additional traffic without upgrades to the road. He states that as presented, the length to the cul-de-sac exceeds the 1500' maximum. He would like to see a jurisdictional determination regarding the wetlands. J. Vianna states that he will probably be having North Country Ecological take a look at this and then get a JD letter. T. Yasenchak asks about the utility line being relocated and how that will affect the Dempsey property. J. Vianna states that there is power that runs parallel the Coy Road and that they will probably tap into that and then run it up Humes Road. It should not affect the Dempsey's and will probably be better for them.

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## **DISCUSSION**

T. Yasenchak states that some of the projects that could be looked at for a site walk would be Stewart's and the Goose Hollow subdivision. Dates are discussed and June 16 is set as a tentative date. The Board will discuss further details.

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Meeting adjourned, 9:09 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland  
Secretary