

**TOWN OF GREENFIELD
PLANNING BOARD**

January 9, 2018

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, John Bokus, Michael Gyarmathy, Stanley Weeks, Robert Roeckle and Charlie Dake, Alternate. Nathan Duffney and Thomas Siragusa are absent. Gerry McKenna Building Inspector Codes Administrator is present. Charlie Baker, Town Engineer, is present. Justin Grassi is present representing the Town Attorney.

MINUTES – December 12, 2017

MOTION: C. Dake

SECOND: M. Gyarmathy

RESOLVED that the Planning Board waives the reading of and approves the minutes of December 12, 2017 as submitted.

VOTE: Ayes: Bokus, Dake, Gyarmathy, Roeckle, Weeks, And Yasenchak

Noes: None

Absent: Siragusa, Duffney

OLD BUSINESS

Lally, Andrew & Leigh – Open Development Area Referral

Case #612 50 Ure Way TM# 126.-1-20.111

Andrew and Leigh Lally are present. T. Yasenchak asks A. & L. Lally for an update. L. Lally states that the Board asked for a letter from the fire chief which they have submitted and a map with the pull offs. T. Yasenchak states that she believes that they do have the Area Variances in place. L. Lally states no not yet, we are here for Open Development Area referral. T. Yasenchak states that as we move forward you will need all this actually drawn by a surveyor on the lot so the Board sees all the meets and bounds also as we go forward we will need to have certification regarding the bridge so that it is certified by an engineer that it is capable of handling the emergency service vehicles. L. Lally asks if the Town has guide lines for the capacity of the Bridge. T. Yasenchak asks C. Baker if the Town does. C. Baker states that yes there is guide lines for keyhole lots and states that he does not have a copy in front of him but, believes it is a 50,000 pound vehicle. T. Yasenchak states that she is opening up this up to the Board for discussion/questions. S. Weeks, Robert Roeckle, M. Gyarmathy states they do not have anything else to add. C. Dake abstains. J. Bokus asks how long the driveway is. L. Lally states it is about 1/3 of a mile right now but, probably will not be a whole lot longer. T. Yasenchak asks C. Baker if they have to review SEQRA. C. Baker states no not yet when they come back for the subdivision. T. Yasenchak states that when you go to the ZBA they may have specific requests for what they want to see on the map. T. Yasenchak states that we can make a recommendation to the Town Board if the Board feels satisfied. T. Yasenchak states that it will be coming back to us for Subdivision; right now we are making a recommendation to the

Town Board. R. Roeckle asks if the Board can recommend approval of the Open Development to the Town Board with the stipulation that the board require that the bridge be certified for travel as required by our law. T. Yasenchak states yes. T. Yasenchak states that, just as an understanding not necessarily a condition the applicant will be coming back to us for Subdivision Review and at that point we will be looking at easement language for the shared driveway.

MOTION: R. Roeckle
SECOND: S. Weeks

RESOLUTION – A. & L. Lally Open Development Area referral

MOTION: R. Roeckle
SECOND: S. Weeks

RESOLVED, that the Planning Board refers Open Development Area to the Town Board for property located at 50 Ure Way, TM# 126.-1-20.111 with contingency that the bridge be certified by an engineer as required by the key hole lot Law Section 105-137-C

VOTE: Ayes: T. Yasenchak, Stanley Weeks, John Bokus, M. Gyarmathy, R. Roeckle, C. Dake

PRESTWICK CHASE – PUD Amendment/SEQRA

Case #595, Saratoga Blvd. TM# 152.-1-109, 111 & 115

Luigi Palleschi is present for the application. T. Yasenchak states at our last meeting we did have a motion on the floor for a Positive Declaration and that was not approved. Since then the Vice Chair has been working on another motion and thinks that there is another motion to be made to the overall number of units so we will need to revisit SEQRA for the modification of that number. T. Yasenchak asks S. Weeks if he would like to explain that to the Board. S. Weeks states the application for the Amendment talks about 236 units the Board did SEQRA based on 221 units and the map that the Board has dated June 28, 2017 shows 213 units. The Board needed to resolve that before they proceeded any final decisions so the Code Enforcement Officer was kind enough to speak with Prestwick Chase and L. Palleschi. S. Weeks asks L. Palleschi if he can clarify the number of units? L. Palleschi states 213. S. Weeks states that he agrees with the latest map the Board has and the difference between the 221 and the 213 is at the South East corner which going to be two 8 unit buildings. That was changed early on to 4 duplexes so that took 8 units off the 221 to get to 213. SEQRA was done with 221 units. The first part of Part 1 needs to be changed to recognize that. Prestwick had a percentage before and the reduction from the 284 to the 221 and now it is going to be 490, which was the total in the approved PUD in 2014. Now that number has changed. The percentage needs to be changed to 15.4%. L. Palleschi states he is OK with that. T. Yasenchak asks were does that belong in SEQRA. S. Weeks states in Part 1 of SEQRA on the second page T. Yasenchak asks the first portion A in Part 1 in the description? S. Weeks states D1C. The Board is changing it from 221 to 213. T. Yasenchak states that the map is not changing, that has always been the 213. T. Yasenchak states that D1C is being reduced by 15.4%. S. Weeks states that in a note that the Secretary sent out to the Board members on January 4, 2018 noted that the Board has to revisit SEQRA, but should be a brief visit. S. Weeks does not feel that anything in Part 2 that needs to be changed. T. Yasenchak states that the Board is changing the number of

Units and the percentage and asks L. Palleschi to sign off on the changes. T. Yasenchak asks J. Grassi since the Board changed the numbers on SEQRA, how do they address that the Board is reviewing the SEQRA and the PUD language does the Board need something in writing? J. Grassi explains this was an applicant imposed modification. At some point the application was submitted to the Town Board and the applicant has clarified from 221 to 213. It is now on the record and for SEQRA purposes that is what the Planning Board will now resolve to review 213. Anything above that would require the applicant to come back to the Planning Board and provide another analysis as far as modification of the PUD language. Presumably the applicant is going to submit the modifications to the Town Board. Often times there would be a new application submitted but, it is not necessary. It is something that has been put on the record. The applicant needs to now amend the application for the Town Board. S. Weeks states that there is a one page list of suggestions for the Town Board that came with the Positive Declaration and the first item on that the, PUD Amendment text for section IVB be revised to 213 housing units and 10 duplexes. There was an issue with the number of duplexes when the change was made at the South East corner from 221 to 213 and that is the number one suggestion. Also we addressed the narrative description needs to be changed to 213. L. Palleschi states that just so we are clear that 213 are additional to what is currently there today. S. Weeks states correct. T. Yasenchak states that is also in SEQRA now too. T. Yasenchak asks J. Grassi what is the best way to precede. Should the Board be making a motion to acknowledge the revision and stating that the Board does not need to review Part 2, there are no significant changes. What would be the correct process? J. Grassi states the Board would make a motion to revise Part 1 to reflect the number of units now being 213 and another motion based on the new information reiterating the previous finding for SEQRA.

RESOLUTION—Prestwick Chase, SEQRA

MOTION: S. Weeks

SECOND: J. Bokus

That the Planning Board acknowledges that the SEQRA Part 1 is being revised to include an additional 213 residential units and also to be changed Part D1C, the expansion of the existing project or use a reduction of 15.4% for the application of Prestwick Chase, 100 Saratoga Blvd. Tax Map# 152.-1-109.1, 111, & 115.

VOTE: Ayes: T. Yasenchak, S. Weeks, J. Bokus, M. Gyarmathy, R. Roeckle, C. Dake

Noes:

Absent: N. Duffney, T. Siragusa

MOTION: S. Weeks

SECOND: J. Bokus

The Planning Board does not feel this reduction in units from 221 to 213 makes a significant difference in the Board's findings in Part 2 and there for the Board.

VOTE: Ayes: T. Yasenchak, S. Weeks, J. Bokus, M. Gyarmathy, R. Roeckle, C. Dake

Noes:

Absent: N. Duffney, T. Siragusa

All members in favor. Motion carried.

T. Yasenchak asks S. Weeks if he has prepared a Negative Declaration. Since last month the Positive Declaration was not approved, to explain what has been revised. S. Weeks states at the request of the Chair those who did not vote for the Positive Declaration were asked to

prepare a Negative Declaration for this project. S. Weeks states T. Siragusa, who unfortunately was not able to be here this evening, worked on it and reviewed it with S. Weeks and our Town Attorney reviewed it also, had a couple of comments and that resulted in a Negative Declaration that everyone received the end of last week. S. Weeks believes the major point of interest is number 3 Consistency with Community Plans. S. Weeks and T. Siragusa reviewed it and found that that would lead the Board to move from "moderate to large impact" to small impact. S. Weeks states that he is not sure that he needs to read it. Hopefully the Board has had a chance to read it. There is a severity summary and a conclusion.

RESOLUTION—Prestwick Chase, SEQRA

MOTION: S. Weeks

SECOND: J. Bokus

Resolved, That the Planning Board approves the Negative Declaration for Prestwick Chase, 100 Saratoga Blvd. Tax Map# 152.-1-109.1, 111, & 115.

R. Roeckle asks if the Public Hearing is closed. S. Weeks states that the Public Hearing needs to be closed. R. Roeckle states that he is not sure if the Board closed it or not. S. Weeks states he is positive they did not close it. There were 3 different times that the Public spoke in our minutes but, nothing stating that it was closed. T. Yasenchak states that she wants to know what the mitigating measures were and why you felt that the future Site Plan Review mitigated questions about those items. Typically the Board uses Zoning Regulations as a tool for our Site Plan Review; she wants to know how the group felt that Site Plan Review mitigated that. S. Weeks states that their point was that they felt this is a concept plan and they felt Site Plan Review was the appropriate place to fine tune the comment made by Board members distances, space, spaces between buildings. We recognize that there was considerable discussion about the size of the individual, homes that is why one of the suggestions was that the narrative be attached to the Town Boards PUD language. The narrative does spell out some sizes the Board was concerned about. S. Weeks states that our feeling is that Site Plan Review is where the Board hammers all that out. That the Board has gone from approved PUD Amendment where we were adding 284 units and Prestwick Chase is now purposing 213 units and moving to a number of individual homes and this is where the industry is heading. S. Weeks states that he did recognize that there was considerable discussion from the Board and that the Town Board needs to take that into consideration when they review it for a final approval. T. Yasenchak asks the Board if there are any additional discussion or comments. M. Gyarmathy states that he looked at the PUD Amendment as it was presented to him and thinks that some of the Board members are assuming that the PUD language is going to change in the future. He does not understand how that is going to take place or maybe he does not understand the process, but, he feels that more effort needs to be put into reworking the PUD language so that is more of a Zoning Law. That is why he voted for the Positive Declaration. M. Gyarmathy states that he does not feel that the applicant do enough work to the PUD legislation as it stands today. J. Grassi states you do know the process the only way the PUD language can be changed is if the applicant changes it. T. Yasenchak states if any other mitigating measures could be imposed that would answer those questions. T. Yasenchak states that it was getting confused at our last meeting as a far as Positive Declaration, if an EIS was prepared and the Board was saying it was decided that the Zoning was inconsistent because it was not detailed enough. During an EIS those mitigating elements could come forth for the applicant. J. Grassi states correct if the Board had decided this was a Positive Declaration the Board would then go through with the applicant an Adverse Impact Study. The Board would then go through with the applicant an EIS which would give exactly that and it would propose

the language itself on how to make those. Alternatively with the Negative Declaration, the Board is proposing that there is not significant impacts, there is already mitigation in place which are satisfied for the Board in regard to environmental concern. R. Roeckle states he understands were this mitigation is coming from that the Site Plan Review would mitigate the issues that the Board has discovered with setbacks, footprints, and separation distances. His only concern is that a Site Plan Review must follow the legislation as written and those items are very vague and nebulous, and the mitigation through Site Plan Review would be at the discretion of the applicant not at the discretion of the Planning Board. C. Dake states that it makes sense that clear language in the Zoning Law would be beneficial. He is not clear on why that is an output from question 17. He feels it is a different question. T. Yasenchak states that her concerns were already voiced by other members, and feels that Zoning Law gives the Board tools with which to review for Site Plan. When the Board looks at our own Zoning Law it does list out setbacks; and coverage; and separation distances should be. The way that the PUD language has been written for Prestwick it does state that the conceptual Plan should be adhered to as close as possible. S. Weeks states "generally" it says. T. Yasenchak states ok it states "generally". Her concern is the Board would not have the ability to review those items when the applicant comes back for Site Plan Review. T. Yasenchak states that her concern is that it is not necessarily incongruent with the neighborhood character, but, its own Zoning and that the PUD amendment that we had was only 2 paragraphs and in itself it causes its own inconsistencies within its own language. T. Yasenchak states that it needs to be updated so it is consistent with itself. T. Yasenchak states that there is a Motion on the floor and it also has been seconded and calls a vote.

RESOLUTION—Prestwick Chase, SEQRA

VOTE: T. Yasenchak, S. Weeks, J. Bokus, C. Dake, M. Gyarmathy, R. Roeckle

In favor: S. Weeks, J. Bokus, C. Dake

Opposed: T. Yasenchak, M. Gyarmathy, R. Roeckle

S. Weeks states that the Board does not have a full Board. S. Weeks asks if the applicant wants the Board to vote because it does concern him. J. Grassi states that the Board did not take any action but, that does not prevent the Board members from proposing identical motions at the next meeting when you do have a full Board for either a Positive Declaration or a Negative Declaration, or crafting a new motion if the Board wants. There can be action taken or there is no harm in waiting. T. Yasenchak states that the motion was not carried. S. Weeks asks since some of the Board members did make a suggestion list he would like feedback, does the Board think that it is helpful, does the Board think that it strengthens the Boards position assuming that the Board had a Negative Declaration? M. Gyarmathy states the suggestions are vague. S. Weeks state that 213 units is not vague. M. Gyarmathy states the narrative and does not feel the language is written like a Zoning Law. S. Weeks states that he understands that but, wants to know about the 5 items especially number 3? L. Palleschi states that procedurally this where this Board sits making a recommendation to the Town Board. This Planning Board cannot set the law for this PUD. That is a Town Board action am I correct? J. Grassi states that is correct. The decision goes to the Town Board; the Town Board is the Board to approves the PUD legislation. L. Palleschi asks am I correct that this Planning Board has to make a recommendation to the Town Board? J. Grassi states it is a little more complicated than that, but, to just make sure we are on the same page, there are two separate actions that the Planning Board can take. The recommendation to the Town Board as to whether or not the

Planning Board recommends the PUD language itself. 2. The SEQRA analysis for purposes of the recommendation the Planning Board technically missed the required opportunity. There is nothing prohibiting the Board from preparing their own recommendation at any further time. The Board can provide the Town Board with a recommendation at any time, which he believes is what S. Weeks has done and what the Board has expressed a desire to do is to provide their own recommendation, which is not required, but can be done. S. Weeks asks are there other items that this Board would suggest that might be added that would help alleviate some the Boards concerns. S. Weeks states that he tried to address the key items that the Board has stated. The final item on the suggestion list is what does the Town Board feel about the density issue and would they really focus on the density issue if they ever get to review it. R. Roeckle states that what S. Weeks has provided is good. The only thing is that when S. Weeks asks the Town Board to review the minutes maybe the Planning Board should go through the minutes and pick out the salient points to highlight for the Town Board rather than having them search the minutes. R. Roeckle states that S. Weeks suggestions are very good, but it might be easier for the Town Board to understand the Planning Boards point of view. T. Yasenchak states that when we were reviewing this in the past T. Siragusa actually provided a list of suggestion and those were very detailed as far as coverage, size of units and thinks that is the level of detail that is needed for the narrative. S. Weeks states that if the Board can give the Town Board precise statements for the Town Board it will have impact. T. Yasenchak states that the Town Board members are not going to read the minutes. S. Weeks asks what are your suggestions? We need to move forward and resolve this issue. L. Palleschi asks if the Town Board won't read the minutes, then if the Planning Board puts together a lengthy summary of recommendation will the Town Board if read that. The Town Board has to read it because it procedurally the way to amend this PUD. T. Yasenchak states that the Board realizes that, that is what the Board is discussing right now, but before it is referred back to the Town Board, before the Town Board can review anything the Planning Board has to have a SEQRA determination which we do not have and it is required. The Negative Declaration has not passed. Knowing that the vote was 3-3 she does not think that bringing up the Positive Declaration again and reviewing that is going to resolve this. T. Yasenchak asks the Board to bring those recommendations at the next meeting. M. Gyarmathy states that we are minus 2 Board members. R. Roeckle states that the Board is minus 1. T. Yasenchak agrees. R. Roeckle states that between now and the next meeting he would go through all the minutes and pull the items the Board was talking about. M. Gyarmathy states that a few other Board members made lists. R. Roeckle states anything any of the Board members want added should be brought to the next meeting. S. Weeks states he refuses to vote on anything that he has not seen before a meeting. R. Roeckle states that if the Board members could give any suggestions to the Planning Board secretary by January 19, 2018 that would give her the opportunity to get the suggestions to the entire Board. T. Yasenchak asks to take this one step forward the suggestions will be given to the Building Department office and then out of that if there would be one person who would prepare them in a concise manner a suggestion list for the Town Board. S. Weeks states that he will do that. L. Palleschi states that he is confused. The Board members that are still leaning toward this Positive Declaration, and can you summarize that one more time as to why you are still leaning toward the Positive Declaration any why the Board members did not vote for the Negative Declaration tonight. At the last meeting we were at all of the Board members and myself agreed on the concept of what we are trying to amend the PUD to. The Board is all in favor of what Prestwick Chase is trying to purpose and when you look at SEQRA perspectives that is why he is confused and asks for it to be clarified one more time. T. Yasenchak states that she knows that and feels the Board member have expressed why they did not agree in the discussion portion in the Negative

Declaration, but will ask the Board members if they would like to explain their reasoning. M. Gyarmathy states that he thought he explained himself clearly. L. Palleschi states that it is not clear. You keep referring back to the Zoning and this Board does not have any authority. R. Roeckle states that we understand that the Planning Board does not have the authority to legislate. The Planning Board cannot legislate through Site Plan Review approval, but if we approve a Site Plan, that has to be based on the legislation that the Town Board approves, The legislation that you have proposed for a local law does not provide enough information to provide the restrictions that have been discussed during the meeting multiple sizes of units, the distance of setbacks. R. Roeckle states that the Planning Board does not have the authority to change anything on that at Site Plan Review and that is my opinion. M. Gyarmathy states that he totally agrees with R. Roeckle and there needs to be more information. L. Palleschi states that you need to look at it again because, that information is on the Site Plan as far as the setbacks and every meeting that we have attended none of us have agreed to a set square footage. The Board has not proposed anything. T. Yasenchak states that the Board keeps asking and your attorney said it is on the map and (Prestwick Chase) is not giving the Board anything else besides what the Board, has so the Board is only going by the two paragraphs of PUD amendment and the concept map. L. Palleschi states that the Board members are telling him that the information is not provided R. Roeckle states that the information is on the map however, that information that is on the map states that Prestwick Chase is going to have the box of the unit, so many feet from the road and so many feet from the unit it gives the Board no other information as to what is going to be in that box other than something that could fill that box completely. The narrative that Prestwick Chase has provided to the Board gave a much broader outline of what is going to be multiple types of units, they are going to be smaller, they are going to be this and that. That is not stipulated and there is nothing the Board can do to prevent you from building exactly the same unit, every single square foot, maximizing that square footage maximizing the height and everything and that is what my problem is. R. Roeckle states that the applicant has provided a narrative of the project and a map that states the applicant can build downtown Albany. S. Weeks asks where does that come from? R. Roeckle states the two family units on some of the streets in Albany that are 10' apart and are big square boxes. S. Weeks states most of these units are single family homes and it does not say that they are going to be 10' apart, it states 10' minimum. T. Yasenchak states but they could. S. Weeks states that at Site Plan Review set a concept review and that is obvious what the conflict is. S. Weeks states he is talking about the concept, which he loves, and all of sudden we are talking about downtown Albany. M. Gyarmathy states that he thinks all the Board members agree that they love the concept of this project. S. Weeks disagrees. M. Gyarmathy states yes, we do, and based on the legislation that the Board has, is not ok, there are not enough details in the legislation. L. Palleschi states make a recommendation to the Town Board for more details. It's as simple as that. The Board is making it more complicated than it has to be. R. Roeckle states that is why the Board is going to provide the list to the Town Board. M. Gyarmathy states that the applicant has heard the Board's concerns and they have not proposed any changes. L. Palleschi states the Board has not made any recommendations. T. Yasenchak states that Consistency with the Community Plans, question number 17 proposed action is not consistent with adopted land use plans her concern is the existing PUD and the PUD amendment creates more inconsistencies in that single adopted use plan in the PUD for Prestwick Chase. T. Yasenchak states the two paragraphs make it more inconsistent. J. Grassi states that part of the frustration between the Board and the applicant in this instance is the Board does need the SEQRA procedure and in many circumstances which the Board is probably aware, as an unlisted action, could impose mitigation methods during due process. F

or this instance the Board's hands are tied. You are required to look at the legislation that is proposed by any applicant self-imposed conditions as well otherwise the Board is acting on the proposed legislation and the inability, under the Type 1 action, to make a conditioned Negative Declaration there is the ability to do this. T. Yasenchak states the if the Board could do conditioned, the Board would be doing that, but unfortunately the Board cannot. If we could list conditions in SEQRA, because that is what the Board is reviewing, and she thinks tall the Board members would be on the same page. T. Yasenchak states that the Board members are all looking for the same things. We are not agreeing on the process. There are some members who believe that the Board can review things later and there are Board members that do not believe the Board can. T. Yasenchak reopens the Public Hearing at 7:49 p.m. and asks if there is anyone from the Public that would like to speak? T. Yasenchak states that the Public Hearing will only be discussing the change in number of unit from 221 units to 213. Paul Bouchard states that along the fringe of what that is the change is one thing. The other thing is S. Weeks motion was never read in its entirety it was only paraphrased so the public has no clue what's in this proposal. John Jaco states that the Board only wants comments on the change of number of units from 221 to 213? J. Jaco states that the Board has an opportunity to address things that have been proposed and asks S. Weeks why is let things go? It seems that once it gets to Site Plan Review that is not going to be able to happen from what everyone is saying. S. Weeks states that is not his understanding. J. Jaco states this is going to be law. T. Yasenchak asks J. Jaco if he has a comment? J. Jaco asks why do you want to let it go because once it goes to Site Plan Review the Boards hands are tied. T. Yasenchak states that the Public Hearing is adjourned at 8:05 p.m. until the January 30, 2018 meeting.

Stewart's Shops – Site Plan Review
Case #611 461 Route 9N TM# 164.-1-44

C. Dake recuses himself. John Barnes is present for the applicant. J. Barnes states that last September Stewart's Shops had proposed a concept for Site Plan Review. Stewart's Shops is interested in doing a 60,000 square foot addition to their dry warehouse and the Board had some concerns that were brought up. C. Baker had asked if Stewart's could get a geotechnical report which Stewart's has provided that supplemented a couple of other engineer studies that they had performed prior to the geothermal report. J. Barnes states that Stewart's is still looking at the same footprint of the building roughly 61,000 square feet and shows where the improvement area will take place. J. Barnes states that roughly 30,000 cubic yards of fill will need to be removed in order for Stewart's to prep the site for the expansion. J. Barnes states that Stewart's intention is to get the site prepped so they can start the bidding process. They do not have a specific time frame for this building could be 6 months down the road or it could be 18 months. J. Barnes states that the geotechnical study was done and the engineer that they have contracted with has basically affirmed the slope they are looking at 3 to 1, should be sufficient based on the test pouring's and he affirmed that he would like another engineer on site during the cutting back to make sure they don't have any seepage. J. Barnes states that the Board asked them to do SEQRA online and they did along with a stormwater Pollution Prevention Plan and stormwater management report and the construction maintained plan all prepared by the engineer. J. Barnes states that they were fortunate that they had a 2003 stormwater Pollution Prevention Plan and in 2009 that we were able to update. Reduction of

run off was the only real necessity to modify and that is addressed in the binder and it is actually accomplished with the grassy soil. J. Barnes states that it is his understanding, he is more of a mechanical engineer, than environmental there is now a need for new storm water bricks to retain the water and that is in proper with swale on the North end of the site. J. Barnes states that as to the traffic study, the first report they received was lacking some details on the engineering and that was Locust Grove Road and Route 9N. They supplemented that with no changes to Locust Grove Road or Route 9N. T. Yasenchak asks C. Baker to refresh on this. She knows the traffic study did not change 95- for two way travel onto Locust Grove Road and the Board did have a discussion regarding this, that 95 is that what is there now or did J. Barnes include any additional traffic. J. Barnes states that it appears it did include additional traffic. J. Barnes states not sure what is generating the change there will be no change in truck traffic. T. Yasenchak states ok. T. Yasenchak states that she drives down Locust Grove Road daily and rarely does she see anyone on that road. J. Barnes states that they maintain that as a 1 lane road, they do not encourage traffic on that road and it is posted no commercial or truck traffic, no through traffic. At one time they did put a gate there, but it was more of a nuisance. J. Barnes states that they did more detail on lighting fixtures on the building, not in the parking lot. Their possibly will be lighting lower for the trucks when they are backing up this should not create any light pollution anywhere on site. S. Weeks states that he would like to make a site visit. J. Barnes states absolutely how do I reach out to set this up? T. Yasenchak states we can do that now. M. Gyarmathy states he would like it closer to the Boards next meeting, how about January 27, 2018 at 9:00 a.m. T. Yasenchak states that the Board has enough information for a public hearing. T. Yasenchak sets a Public Hearing for January 30, 2018. J. Bokus asks J. Barnes what do you use the water from the pond for anything? J. Barnes states yes, they do use it for their dairy cooler that they built in 1994 and it has geothermal heat pumps. J. Barnes states in the the cooler is more or less pass through. Their milk is so fresh they literally bottle it in the morning and it goes to the cooler then on our trucks and it is out. So they are not really putting a heat load into the cooler so it is rather minimal. When they designed the facility in 1994 that was one area they thought they could avoid putting roof top units that have fans that make noise so they thought they would put it inside the building. They gravity convey water onto these cubes of lead that absorb the heat from any residual bodies lights and it's conveyed back up to the pond. It works very well, been in place since 1994. T. Yasenchak asks if the building height will stay the same. J. Barnes states that it will likely be taller. We understand that the regulation is 50' back. When we did prior buildings the regulations were 35'. Working with forklifts it won't be any taller than it needs to be so we are thinking about 40'. T. Yasenchak asks what is the height of the building in front? J. Barnes states building number 2 is 28' on the east side, 32' on the west side. T. Yasenchak states that she thinks that they should be relocated and come down. S. Weeks asks where will we meet on January 27th? J. Barnes states at the front office flag pole. T. Yasenchak asks if J. Barnes has any other questions for the Board J. Barnes asks as far as the Public Hearing process, should I speak with K. McMahon regarding that. T. Yasenchak states yes. T. Yasenchak asks C. Baker if he has any comments? C. Baker states he does and he was hoping to have this completely reviewed, but with the Holidays he didn't. He does have some comments regarding the geotechnical report and also agrees with having an engineer on site while doing the excavation just in case they do uncover anything as far as the geotechnical report EDB is satisfied. C. Baker states that he did review the traffic report, he spoke with J. Barnes and requested additional information regarding the level of service. C. Baker agrees with the conclusions that were drawn as far as how it will affect the current level of services on both NYS Route 9N and Locust Grove Road. The only question he has is being the traffic report is under table 2, future

traffic volumes, it was determined at 60% (This is future traffic in addition) will utilize NYS Route 9N and 40% will use Locust Grove Road. He does not believe the Board has ever approved a Locust Grove Road driveway for truck traffic. J. Barnes states that Stewart's does not use Locust Grove Road for truck driving. J. Barnes states that if he is questioning why it is saying that traffic will be 40%, my presumption is the addition itself. The addition itself is not going to generate any additional truck traffic. C. Baker asks if Stewart's has a sign on the road? J. Barnes states that Stewart's does have a No through Traffic, they did have a gate, but it was more of a nuisance. J. Bokus asks what is Stewart's going to do with the fill? J. Barnes states that Stewart's will have to remove 30,000 cubic yards of fill and they are not sure. A few people have expressed interest in it but they have not gotten that far. C. Baker states that the third report was the Stormwater Prevention Management which is a bit more detailed and more complicated he is still working through it, however the one glaring thing is everything is being based on the design that was done in 2003 by Vallner and basically taking a look at the pond volume that is there that they generated, at that for the master plan for the Stewart's site they basically took a look at that pond volume and they are saying whether or not that pond volume is adequate for what Stewart's is proposing now. This proposed addition is looking at is a little bit bigger than it was proposed in the master plan in 2003. The other thing that has changed and probably more difficult to deal with is the regulations have changed and since that time the Town of Greenfield has is now an MS4 because this pond discharges to Saratoga to a road side ditch in the city of Saratoga, Saratoga is also an MS4 he believes the Board is obligated to pass it onto them for review. The city of Saratoga will probably want to look at the Stormwater report. One of the things that C. Baker is going to recommend if the Board does not already have it a capacity analysis to be done on the down stream system which would be the ditch on Locust Grove Road from where the pond discharges because there has been flooding on that road in the past and believes it is restricted by the culvert at the one residence there and believes what is happening is, is that the culvert is not large enough and it backs up into the ditch and goes over the road. C. Baker states that he knows that Stewart's is not proposing any changes to the pond that's there but, since it was designed in 2003 the regulations have changed and were updated in 2010 and again in 2015 and there are different elements involved also the green infrastructure and you are proposing the open swale one thing C. Baker did not see and again he apologizes that he did not get through the report in detail did not see details on design of the swale the width, the depth, how much infiltration credits are taken and those types of things. If that is going to be a green infrastructure tactic then the Board needs to see those. T. Yasenchak asks should a referral go to the County or the State? G. McKenna states the County. J. Barnes questions that the site visit is January 27, 2018 at 9:00 a.m. Public Hearing is set for January 30, 2018. T. Yasenchak states yes.

Meeting adjourned at 8:18 p.m. All members in favor.

Respectfully Submitted,

Kimberley McMahon

DRAFT