

**TOWN OF GREENFIELD
PLANNING BOARD**

March 27, 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 Karla Conway, Alternate. Nathan Duffney and Charlie Dake are absent. Gerry McKenna Building Inspector Codes Administrator is present. Charlie Baker, Town Engineer, is present.

MINUTES – January 30, 2018

MOTION: S. Weeks

SECOND: M. Gyarmathy

RESOLVED that the Planning Board waives the reading of and approves the minutes of as submitted.

VOTE: Ayes: Bokus, Gyarmathy, Roeckle, Weeks, and Yasenchak

Noes: None

Absent: Dake, Duffney

Abstain: Conway

MINUTES – February 27, 2018

MOTION: J. Bokus

SECOND: S. Weeks

RESOLVED that the Planning Board waives the reading of and approves the minutes of as submitted.

VOTE: Ayes: Bokus, Gyarmathy, Roeckle, Weeks, Yasenchak, and Conway

Noes: None

Absent: Dake, Duffney

Presentation—The Open Space Institute and Saratoga Plan

T. Yasenchak states that Saratoga Plan is here and has asked to do a presentation about what they are doing in Greenfield and Palmertown Range Trail System. Katie Petronis from Open Space Institute and Maria Tracit from Saratoga Plan are present. K. Petronis states that Open Space Institute is a national conservation organization and most of their land is in New York State. OSI has been in this area for 30 years. The biggest project that OSI has done in this area is Moreau State Park. OSI purchased 3,200 acres in the 1990's that was eventually transferred to Parks and Rec and is the bulk of what is Moreau State Park. OSI has worked with Saratoga Plan. In more recent history, Palmertown Range. It runs from Saratoga

Springs to Fort Ticonderoga. It is the best opportunity for the wild life to be able to get from the Green Mountains to the Adirondacks. This is the only place they can travel between New York and Vermont. From the Southern half of the Palmertown Range it is from Saratoga to Moreau. It is also a recreational spot in between two (2) state parks Moreau State Park and Saratoga State Park. OSI and Saratoga Plan have paired up to create a trail system to connect the two (2) State Parks and the communities throughout this region. OSI realized last year that they were able to apply for a grant to do a master plan to look at where and what kind of recreational opportunities there could be. OSI was awarded the grant and started it last year. M. Tracit works for Saratoga Plan. They work throughout Saratoga County preserving farm land, building trail networks and nature preserves. Currently they have a little over 5,000 acres that they are actively taking care of. They also help a lot of municipalities to acquire trail lands or park lands. This is a community based plan, and OSI and Saratoga Plan are trying to get the communities to understand what they are doing and also to get feedback. The Moreau Lake State Park has a plan and they have added to their plan. One of the first things that OSI and Saratoga Plan have asked the State to do is to transfer 700 of the 1,600 acres that they own to Moreau Lake State Park. K. Petronis states there are master plans in place for Lincoln Mountain State Forrest, which also encompasses the Daniels Road Trail. The OSI and Skidmore College have recently both acquired some properties in this area. The Empire State Trail is along the Champlain Canal and is pretty close to this. They have a County wide Trails Group and a Green Bell Trail Group in the city of Saratoga. All those plans tie into this area. The Farmer Towers were founded by Routes 9 and 9N. They added in the Village of Corinth and the city of Saratoga. The larger area is 92 square miles. The smaller area that they are focused on is 63 miles. It encompasses Moreau Lake State Park, Lake Bonita, Lincoln Mountain State Forrest and OSI acquired 250 acres South of Daniels Road State Forrest. In November 2017 the OSI and Saratoga Plan had a meeting at the Community Center and people identified places that are good for snowmobiling, ATV's, kayaking, hiking, biking, horseback riding, cross country skiing, snow shoeing. Another thing the community has identified points of interest whether it is for recreation, education, or commercial use where the public is invited in to visit. Such as Ellsworth's Farm or Orthwein's Nature Preserve. OSI and Saratoga Plan have focused on public engagement and would like to continue to do so. They had about 40 people at the community workshop in November. Then sent out a survey. They received approximately 170 responses. They also interviewed several types of groups,- municipalities, heads of recreational groups, snowmobile associations, auto bond, those kinds of groups. The plan is still in the making and they are going to span out to a big and broader survey. The next step is to finalize the study with all the information they have gotten. Before the final plan there will be a presentation sometime this summer. M. Tracit states that they are willing to come back before the plan is complete. One of things that is happening is a group of volunteers are going out and scouting the best routes for trails. Charlie Dake is actually the head of that. A group of people that are involved with the Community Forrest are meeting April 4, 2018 at the Community Center at 5:00 p.m, if anyone is interested in attending. One of the recommendations that has come up strongly is getting the five (5) communities (Corinth, Moreau, Wilton, Greenfield and Saratoga Springs to sign a cooperative agreement. James Van Dyk asks if OSI or Saratoga Plan has reached out to Saraspa Rod and Gun Club. K. Petronis states no but, if you have a contact for us that would be great. J. Van Dyk asks if OSI and Saratoga Plan are geared to recreation or logging. He supports keeping the land for forestry and if you are not including that part of the population then he could not support this. K. Petronis states that is not what OSI and Saratoga Plan are about. What OSI and Saratoga Plan is doing is finding out what is important to people and going from there.

Stewart's Shop's Case# 611

Site Plan Review

TM# 164.-1-44

461 NYS Route 9N

John Barnes and John Moran are present. T. Yasenchak states that the Board has asked Stewart's for additional information. The applicant has provided the Board with such. T. Yasenchak asks the applicant to go over the information that they submitted. J. Barnes states that after the February 27, 2018 meeting they were asked to look into some different options for noise absorption, natural buffers, and cut off lights. The applicant also gave considerable thought to what the neighbors have stated regarding their feedback in regards to lighting, noise pollution, as well as the environmental assessment form. Regarding the backup alarm noises, Stewart's did do a more thorough investigation. The majority of the backup alarms that are on Stewart's trucks operating on a single frequency which is that piercing, beeping, the 7 decibel that is being heard. The applicant tested four (4) different variations. All had some form of white noise with auto adjusting frequency technology. The testing that was performed with four (4) different models showed a reduction of 20% in decibel levels at minimum. With the auto adjustable dropped it down below that. The auto adjustable actually loads itself to just above the back ground noise. It's still effective but not intrusive. One particular model stood out as the best. The applicant's intention is to retro fit all of their vehicles to that backup alarm. The applicant has two (2) vendors that they lease vehicles to and they will require them to also retro fit the alarm. M. Gymarthy asks if they will be automatically adjusting. J. Barnes states that is correct. The other nicer feature is only projecting the sound from behind the vehicle, not broadcasting it in various directions. As for natural buffers, the applicant did do a new survey, walked the facility and looked at where it was plausible to add natural buffers that would be effective. The areas that seem to make most sense are on the Southeast portion as well as around the perimeter of the Storm water retention pond. Clearly, whatever we do it does not adversely impact the site distance coming in and out of the facility as well as people traveling down Locust Grove Road. With regard to lighting the applicant will absolutely specify that they have cut off lighting. All will be below the visual line of the building. There won't be any lighting casting up. T. Yasenchak asks for more clarity of the vision line. J. Barnes states the lights will be below the canopy and the lights will also be below the actual height of the building. T. Yasenchak asks why does the applicant feel that there is nothing that could be added as a natural buffer to the North. Is there anything that could go there? J. Barnes states that this is a fairly dense area. Possibly they could look into putting more Arbervitae tree and/or hemlock trees there. T. Yasenchak states that she would like to see a natural buffer there. S. Weeks states that this is a good start and asks if anyone has adopted Locust Grove Road? The Republican Party has adopted Locust Grove Road from Daniels Road and is keeping the trash picked up on that road. J. Barnes states Stewart's Shops have adopted Locust Grove Road from Daniels Road to Route 9N. Stewart's employees volunteer and do this twice a year. R. Roeckle states that he feels that the applicant is making a very good effort in testing the different backup alarms. J. Barnes states that they did install all four (4) models on eight (8) different vehicles and they were impressed. It will be a significant investment on their part. K. Conway asks who is the manufacturer of the model that they have selected? J. Barnes states that he does not have the specifics on the models. J. Moran states that Eco is one that they are leaning towards. All of them have self-adjusting. Pretco was another one. The applicant has two (2) different models and manufacturers. One stood out that is the direction we want to go. It seems to be the self-direction with the white that noise seems to be the best one to reduce the noise level. They are very sensitive; you can clap your hand while it is going off and hear it. T. Yasenchak states that the Board does not have any way of knowing that it has been done. Is there something going forward that the applicant could provide to the Board to show that this

has been done. The Board does not have any tools to regulate that. J. Barnes states that there word is worth a lot in this community and they are willing to make that \$12,000.00 investment they are willing to make it happen by the end of spring. T. Yasenchak asks when is the applicant thinking about when they would be looking for their Building Permit. Obviously this is not a permitting Board. The Board is just reviewing Site Plan review and the Board has not deemed this application complete. The Board has not reviewed SEQRA yet. As far as looking forward of how this can be regulated, in the past for different projects the Board has required certain things to be done possibly before the Building Permit is issued. J. Barnes states that in September 2017 when they started this process of proposed expansion. They would like to coordinate that with a commercial need to do it. If that happens in October of 2018 that is when that happens. If it does not happen until 2019 that's when it happens. They are not going to build this until there is an absolute need. At this point in time they don't see doing any ground breaking until late fall of 2018 at the earliest. T. Yasenchak asks G. McKenna if it can be put as a condition? G. McKenna states that the Board can do any kind of considerable conditions on any project. T. Yasenchak asks can the Board put that type of a condition on so that the Building Department has to be reviewed. G. McKenna asks before the Building Permit or before the applicant can get the Certificate of Compliance? T. Yasenchak states before the Building Permit. G. McKenna states yes. J. Barnes states they are willing to accept that. R. Roeckle states that the applicant was planning on doing it anyway. J. Barnes states yes, we are doing it regardless of if we get approval or not. It's absolutely the right thing to do. J. Moran states that it would already be done (as far as the backup alarms) but they wanted to make sure it was the direction that the Board was all comfortable with. If that is the case, the applicant will have it done immediately within the next month. T. Yasenchak states that C. Baker sent the Board a review letter. C. Baker states that his office started the review of this project in September of 2017. At that time Stewart's presented them with a Site Plan showing the proposed addition they are looking at doing. They asked them to provide a detailed storm water management report, traffic study, and geotechnical study. They were concerned with the proximity of the new addition to the existing pond and the embankment that was going to be between them. C. Baker was concerned that if they got too much of the damn they would be jeopardizing their real estate. They requested the applicant get a geotech to review that. The applicant provided the Board with a round of information. The applicant provided a geotechnical report done by Gifford,, a storm water prevention plan, traffic trip analysis that was done by MJ Engineer. done by Gifford. C. Baker reviewed all the information that was provided and discussed the geotechnical report with a geotech in his office. The analysis was reviewed for the slope. The conclusions that were drawn were that the extraction of the material was not going to cause any kind of global instability there. They did make the recommendation that while Stewart's does the removal of the material that Stewart's has an engineer on site. If there are any seeps or drainages noted from the material that they will address it at that point and. The Storm water management report was reviewed and the SWPPP and the bases of their design was that the area where they are proposing the addition was previously looked at in 2003 when Stewart's did their master plan which included four (4) phases of development. The area where Stewart's is proposing their new addition was phase (4) in 2003. In 2003, it was reviewed as a 71,000 square foot parking lot. What they are proposing now is fairly similar to what was proposed in 2003. The report that was done in 2003 was done at Gordon Rivne, NYS Department of Environmental Conservation design guidelines. At that time they were required to file a Notice of Intent to retain coverage under the general permit process. The applicant did obtain those approvals. They built the ponds according to the plan and the system was operated. There were some footing issues that were noted along Locust Grove Road. At that time Stewart's was contacted. Stewart's worked in cooperation with the city of Saratoga Springs. That is another thing to point out is their storm water ponds and the ditch along Locust Grove Road are actually located in Saratoga Springs. One of the comments that the Board mentioned back in

September was that since a portion of the storm water drainage is in the city of Saratoga. The Board required Stewart's to bring their plan to the city of Saratoga for them to review as well. They did that. Stewart's also hired MJ Engineering to look at the down grading hydraulic analysis that C. Baker asked Stewart's to do to make sure with this plan change there will not be additional flooding along Locust Grove Road. In the report that MJ Engineering did they evaluated the ditch, the channel that runs down Locust Grove Road and did identify an impediment that was a 12" culvert was located in that ditch. It was providing access to a vacant piece of property between the Stewart's site and 9N. Stewart's got in contact with the city of Saratoga and reviewed it with the city. The city agreed to remove the culvert. Which they did in January or February. In addition to that the city agreed that they would go out there as soon as the weather permits and the ground dries out to clean the channel out. There are some fallen trees and debris in there. In the bottom line in response to the comment the hydraulic analysis was done. Improvements have been made. The verification by MJ Engineering is that the ditch is hydraulically capable of handling the flows for a 100 year storm. Which is what the storm water management is designed based on for the Stewart's project. The other thing the Board asked Stewart's to review is there was a slight increase in water shift. Another important thing to point out is that the Stewart's site as its developed now has two (2) distinct storm water management sheds. The water shed that the C. Baker is currently looking at where the addition is proposed basically takes all the water from the site from the east side and the north side. Everything on the west side of the main building that runs down through the center. Goes to a separate storm water management basin which is next to the access driveway and their sanitary pumping station. The proposal that is in front of the Board now has no impacts to the drainage system that is located on the west side of the property. The only impacts will be on the wet ponds located along Locust Grove Road. There is nothing proposed on the west side so that was not reviewed. The Board is not under any kind of obligation to review that water shed because there is physical alterations being proposed at this time. The traffic report was reviewed and initially provided as traffic counts. The Board asked Stewart's to impacts it would be on Route 9N and Locust Grove Road. An additional study was provided in December that addressed the level of services on both NYS Route 9N and Locust Grove Road and the conclusion that was provided by MJ Engineer was that the current level of services on both of those roadways would not be changed as a result of the proposed addition. S. Weeks states many of the Board's questions were engineering. All the Board members are satisfied with C. Baker's comments. T. Yasenchak opens the Public Hearing at 7:59 p.m. Just reiterating has been said in the past the Board is asking that if anyone has new concerns or additional concerns. Try not to rehash. This Board is very diligent in writing down everyone's concerns. Try to be as brief as possible. J. Van Dyk of Daniels Road is concerned about the storm water retention pond. J. Van Dyk reads the review provided by Stewart's on March 13, 2018. Was the east side retention pond an Army Corp. in jurisdiction? Jeffery Brown of Locust Grove Road reads three (3) letters he has written and provides them to the Board. One (1) from September 17, 2003, one (1) from October 1, 2010 and one (1) from October 6, 2010. His concerns are traffic, noise, littering and water discharge. Karen Wadsworth of Daniels Road and reads a letter from Anna Tyrel of Locust Grove Road who is unable to attend the meeting. K. Wadsworth states that her concerns are noise, natural buffers, and lighting. The Board asked Stewart's to look into for the different kinds of backup alarms. The Board asked Stewart's to investigate different mitigating strategies for sound generated by idling trucks. The Board asked Stewart's to investigate natural buffer for sound absorption. The Board asked Stewart's for investigates cladding on the buildings to muffle noise. For light the Board asked Stewart's to investigate placing lighting below the height of the building. The other environmental concerns soil removal, storm water run-off, detention ponds; they were tabled because the Town Engineer was not present. On March 13, 2018 Stewart's submitted their response to the Board's concerns. J. Barnes has committed to putting new backup alarms on all their trucks. That is a

positive outcome. In regard to dialing truck noises Stewart's did not respond to that. In terms of other natural buffers Stewart's offered to plant Arber Vitae along the eastern perimeter of the storm water retention pond as well as the southern part of the hill. Planting Arber Vitae in one specific area partially addresses the request. J. Brown's letter dated February 27, 2018 to install and evergreen to beautify the sound barriers not to be the sound barrier or buffer. The full request is installation of sound proofing wall around the eastern southern and northern borders of the property shielding the residents from noise. In addition to the wall was to install an evergreen buffer with the enface of keeping the wall out of sight for the neighborhood. Planting Arber Vitae provides beauty but does not create any sort of sound absorption for the neighbors. Currently there is no sound barrier other than the one berm. The neighbors want to preserve the green space and the wild life. The neighbors are providing the only buffer between Stewart's Plant and Daniels Road. The cladding on the building was not addressed by Stewart's. Regarding the light pollution is positive. I'm asking Stewart's to address the Planning Board's requests to investigate additional sound barriers, such as natural buffer and cladding on the building, as well as noise coming from the idling trucks. K. Wadsworth asks that Stewart's consult a qualified professional to develop a sound reduction plan for the entire plant, including a sound wall along the eastern and northern borders of the plant. There is a lot of information on industrial sound walls as well as much variety of sound barriers and enclosures that are developed specifically for industrial machinery. K. Wadsworth asks Stewart's to investigate the source of the constant low hum. What is the source of the low hum? K. Wadsworth also asks Stewart's that the light solution is applied to the whole plant not just the proposed expansion. The neighbors are asking that all the lights in the plant be downward facing and shielded. Stewart's does so much to support local communities and the neighbors are asking that Stewart's show the same kind of care and respect who live in the neighborhood where Stewart's was founded. Ken Parmele of Locust Grove Road states that his concern is the noise and is wondering if the docks could be moved. Patricia Hillerman of Locust Grove Road states that her concerns are about water quality and water table concerns. All the trees on her property are dying. The ditch is full of trash and feels that is part of the problem with the standing water. P. Hillerman believes that the trash is coming from the Stewart's Plant. Paul Bouchard of Denton Road his concern oil from the trucks is going into the retaining pond. Jane Bouchard of Denton Road feels that Board needs to rethink their method of approval. There is so much expansion. Each development is only being looked at as a standalone measuring the impacts only on the current development developed properties. Since we know there are three (3) are moving ahead at the same time it would be necessary to exam the impacts of all three (3) of current and future developments. In this area not only is traffic impact but well water impacts and ground water impacts. Christopher Ronk of Locust Grove Road my house is right on the power lines and there is an 18" gas line that runs through his property. High transmission power lines. The noise is a concern and the area where the transmission line runs acts as a tunnel that noise is coming out of it. The trees as buffer the light come right through the trees. Maybe there could be some kind of berm. Have same issues as everyone else with the ground water. Has noticed it more within the last three (3) or four (4) years. Marion O'Keefe of Daniels Road hopes that the Planning Board will take the necessary time to look into the concerns of the neighbors. Stewart's maybe adding another warehouse and loading area already the impact of the lighting, noise, and traffic exceed what is comfortable in this residential neighborhood. There have been questions raised over the retention ponds capabilities, the wetlands, the storm water runoff and ground water. The wetlands area of adjoining properties just north of the proposed building site are not part of the project but where the cut is going to be made will affect the wetlands. This is addressed by the Town of Greenfield Environmental Committee and wrote a letter dated March 5, 2018. The water and the wetlands are very serious issues and need to be addressed by Army Corp. before moving forward. Before moving forward take into account the neighborhood petition, all the letter's, all the information that has been submitted to the Planning Board by the

concerned residents and by the Environmental Committee and follow through with the five (5) recommendations from the Environmental Committee.

1. Have an expert ground water analysis be consulted to assess the effects on the surrounding aquifers and make plans to minimize any changes that would affect wild life and residence.
2. The NYS Storm Water Management Design Manual January 2015 Standards be applied to mitigate the impact of the plan development run-off the surrounding properties. The applicant consultant provide supporting documentation showing that the existing SWPPP does not need to be up dated in response to this new construction.
3. Light pollution be minimized and energy be conserved by building's current standards.
4. State of the art steps need to be taken to minimize night time noise level this surrounding neighborhood.
5. Neighborhood around the Stewart's Plant and beyond and those whose properties adjoin the Plant's property be consulted about the possible effects of development on common water shed, view shed, and sound shed.

Chris Shrvorsky of Denton Road states that he was very happy when he saw the berm going up. C. Shrvosky's concerns are the light, noise pollution, and would like it to be more forestry there. Karen Wadsworth states that Stewart's is willing to spend \$13,000.00 on the backup alarms there is also a cost if our property values go down or if the residents have to install water treatments or any other items that the residents may have to purchase because of the Stewart's Plant. K. Wadsworth is asking for some compassion for what the residents have had to endure. J. Van Dyk states that mitigation cost is not a factor in SEQRA and the Board should bare that in mind. T. Yasenchak closes the Public Hearing at 9:13 p.m. Ken Parmele states that he would like to speak to the Board Members after the meeting. T. Yasenchak states that the Board members are not allowed to speak about a case unless it is in a public forum. S. Weeks asks C. Baker to explain the SWPPP. M. Gyarmathy asks C. Baker if he could explain the 2' separation. C. Baker states that in 2003 the ponds were designed. There was a wetland delineation map that was done because the Board made comments on the separation between the building that has the solar panels which was very close to the edge of the wetlands. Storm water management ponds were designed to be wet pond basins. That is an acceptable practice in the DEC Design Manual. The way that they function has been discussed tonight. There are two cells in the pond. The first cell is basically an artificial wetland because it has been proven that wetlands are very effective in treating nutrient removal from storm water runoff. In the first basin there are vegetative plants and flow from the site goes through the first cell. The plants take the nutrients and discharge into the second cell. Which is primarily for the shocks, the big storms. When we get the 10 year, the 50 year and 100 year storms, the ponds are designed to be in the water table. They were actually designed to be dug into the water table. This site is not considered a hot spot. The town engineer has had discussions with DEC regarding this. C. Baker states he has spent hours on the phone with DEC recently regarding this particular fact.

There is a question about the west side of the site. If the Board was looking at the west side, the Board might have a different concern because there is a maintenance facility, fueling station, and there are activities on that site that could potentially qualify as a hot spot. The town engineer and DEC does not feel that way about the east side. The ponds when they were designed in 2003, were designed in accordance with the design criteria at that time. The design criteria did not change for DEC in 2006 or again in 2015. Under current practice the big push now is green infrastructure. The Board did ask the question about green infrastructure for this site plan. The response was provided in the new storm water management report as well as the updated SWPPP. Stewart's is proposing a dry swale to be constructed along the north side of the property beyond the proposed addition. Dry swale is an acceptable technique that is used in the design manual to address the green infrastructure practice. What the green infrastructure practices are supposed to do is handle the runoff from the small storms, the everyday storms or the one year storms. When we get the average storm during the summer time that dry swale has enough water capacity in it to basically capture the runoff from that portion of the site. When C. Baker states that portion he's talking about the addition and the access road that Stewart's is proposing now that the application is before the Board. The Board does not have any obligation to go and look at the existing site, it was previously constructed and previously built. In doing dry swale it will be graded to address the green infrastructure problem in the new current 2015 manual. The basins were reevaluated by MJ Engineering and they evaluated both the value of the ponds and the structure of the ponds and they confirmed that those ponds as they are constructed now in their present configuration, have adequate volume capacity to treat the runoff from the 1 year, 10 year, 100 year storms, which is required by NYS DEC. This project, if it moves forward, Stewart's will have to file an updated Notice of Intent with DEC. Stewart's would apply for a coverage on the NYS Department of Environmental Conservation General Permit for Infrastructure activities. DEC reviews the SWPPP at that point. DEC issues a general permit in response to the Notice of Intent that is filed. DEC gives Stewart's permission to do their project. The only obligations that DEC require is to have a certified inspector do weekly inspections at the job site to make sure Stewart's is complying with the SWPPP and to make sure that there is no illegal discharge being made during the course of construction. The DEC Officer has to file reports for every time he goes up there and after every rain fall. Once Stewart's is finished with the construction, all their site grading and stabilization of the vegetated areas, Stewart's then files a Notice of Determination with NYS DEC which effectively cancels the coverage on the permit and releases Stewart's from their responsibilities as far as the general permit goes. Part of the SWPPP policy includes long term maintenance. There is a whole section in the SWPPP that obligates Stewart's to maintain their system. Once it's built and constructed Stewart's is responsible for maintaining the system. Wet ponds occasionally will fill up with silt. Stewart's will have to go in and basically drain the water out of the system, clean the silt out, and then put it back into operation. There are various maintenance procedures that have to be done. Any catch basin structures have to be vacuum cleaned out. Any dry swale will have to be moved on a regular basis and cleaned. Any erosion that is caused during rain storms has to be repaired. This is all covered in the long term maintenance plan that is included and part of the SWPPP that gets approved. As far as the ground water issue, C. Baker states that he is not sure he has answered the Board's questions. The basins are designed as ponds and that is an acceptable technique and it is all regulated by DEC. M. Gyarmathy asks if the ponds are in the wetlands. C. Baker states that he cannot speak to that. When Stewart's was approved the wetland delineation did not include that area as Army Corp. or DEC wetlands. T. Yasenchak asks can the retention ponds, because of their construction, become wetlands. C. Baker states they most likely can. That is a problem that is recognized by DEC as well. In Clifton Park, at Clifton Country Mall, they built wet pond basins to maintain their drainage and there was a two part system. Beavers came in built a dam across the second part of their system which flooded the system and then it became a wetland.

When the mall developer went up to remove the beaver dam they were cited by DEC for impacting wetlands. There are issues that are associated with that. DEC has come around to a point now where if it was primarily designed as a storm water retention pond they do allow the applicants to go in and maintain them. There have been instances where it has created issues. J. Bokus asks how long are the basin being maintained for. C. Baker states that is ongoing for as long as they are in existence. J. Bokus asks does the Board know if it was ever done. C. Baker states that he does not suspect there has ever been any reason to. The only reason it would be done is if there issues were to develop. If the basin over tops or over floods, that is usually when maintenance is required. That's a question you can ask Stewart's because C. Baker does not know, but again that is Stewart's responsibility they own it. The only time it becomes the Town's responsibility, is if the flooding goes over Locust Grove Road, which it did. At that point the Town made the contact, Stewart's got in touch with the city of Saratoga and they went out and did repairs. The city is looking at it again. T. Yasenchak asks if the swale that the ponds are going into is not on Stewart's property, it is in Saratoga. C. Baker states yes, in the city of Saratoga. T. Yasenchak asks then if the city is responsible because that is part of their infrastructure. C. Baker states they are responsible for the ditch line. T. Yasenchak asks if something happens to it they are contacted? C. Baker states correct. C. Baker states that he has been the Town Engineer on this Planning Board for 25 years and he knows the Town of Greenfield very well. This section of the Town of Greenfield not only from Stewart's but from Polo, from Prestwick Chase, from Skidmore and all the properties that he has looked at for development around this area there is a ground water issue in this particular section of the Town. There is high ground which they found along the whole length of Denton Road when they were looking at putting county water lines there. We know there is shallow rock down there and typically how it works is we have shallow rock, we have ground water that sits on top of the shallow rock. This property at this location is also very low which means that every time it rains is draining down into this direction and what that does is, it gets complex, it takes water from the furthest part in the Town, and eventually it makes its way down to this part of the Town. It takes a certain amount of time to occur. We may have rain fall that lasts a week or so, then it stops and you start to see the water table come up two (2) weeks later and that is usually the result. It is making its way down. J. Bokus asks didn't Prestwick Chase say their area is the lowest in the town? C. Baker states there have been numerous septic systems that have failed along Locust Grove Road and G. McKenna can attest to that. They failed because of high ground water. There have been numerous tests done down through there. The average water table is 2-3' below the surface. C. Baker states that for him to sit here and tell the Board that is a result of what Stewart's has done, he cannot tell you yes it is, or no it's not. What he can tell the Board is that it is a condition that has been there for years and it will continue to be there for years whether or not Stewart's does anything else on their property. The Board thanks C. Baker for explaining everything in detail. T. Yasenchak states that Stewart's used to take a lot of water out of their wells, not sure of the volume that was taken out. Now Stewart's has public water. J. Barnes states that the Plant has always had two sources of water, prior to 1994 Stewart's had 3 shallow wells. Prior to 1994 Stewart's probably used 30,000 gallons a day. In 1994 Stewart's built a dairy operation and they put in 5 new shallow wells. Those are wells that are 60' deep to 100' with 25' of casing that is what the regulations were in 1994. In 1994 a large water demand rose steadily from 20,000 to about 70,000 gallons a day. Around the year 2000, Stewart's put in the 5 wells that were installed in 1994 were put into the new regulations that required a minimum of 60' casing. That meant that Stewart's had access to was deep aquifer water. Not shallow aquifer water. Stewart's has been using that water ever since. Stewart's has always had a city water option for supplement. Our water usage has grown to 100,000 gallons a day. The city water improvement that Stewart's did was to ensure them that they would have water in the event of a catastrophe with their water tank that is on the hill that hold roughly 70,000 gallons. Stewart's is still trying to use city water in conjunction with well water. They use

city water because it is potable water, that is what their juices and sodas are made from. They are using 30% well water and that is used for utilities. 70% is coming from the city water; Average about 100,000 gallons a day. 70,000 gallons a day are going out of the facility through the sewer system. T. Yasenach asks when did you put the public water in. J. Barnes states that public water has always been there, they put in a new tends unit. It was started in 2014 and finished in 2015. That was something the city was appreciative of, Stewart's paid for it, the water line now allows the city to tie into. Home of the Good Shepherd now has adequate water supply. M. Gyarmathy asks what is the infamous hum. J. Barnes states refers and condenser on the rooftop, they are running continuously. Not sure what hum you are referring to M. Gyarmathy asks if the trucks idol? J. Barnes states that their trucks don't idol. The trucks shut off within two (2) minutes of being parked automatically. The refers cycle on and off and Stewart's has done the measurements about 65 below decimals. M. Gyarmathy states that is talking. J. Barnes states yes correct. You can stand there and have a conversation. M. Gyarmathy states that the average person talking is 65 decibels. J. Moran states to he believes it is a combination of the condensers on the roof and refers running as the trucks are rolling out of the dairy and freezer sides. C. Baker asks if J. Barnes could clarify something, he was under the impression that the new warehouse would be dry storage. J. Barnes states yes, that is correct. C. Baker asks those tractor trailers won't be refers? J. Barnes states they can be refer trucks, right now all of their tractor trailers have three (3) temperature zones, dry, frozen, or refrigerator. All the trucks that will go to the dry warehouse go to the freezer from here they are loaded with frozen. Then they go to the cooler, then they get staged to go out. The plan is to take half of these trucks that are loaded with dry goods and the refers won't be running until they get to the freezer. J. Moran states that is correct, it is a dry warehouse and a dry loading dock. M. Gyarmathy states last time the Board met with Stewart's he had asked if there was something that could be put on the side of the building that could absorb some of the noise. Some Board members have mentioned cladding on the building to absorb some of the noise. Has Stewart's done any research on that? J. Barnes states no, they have not. Have we had discussions yes, but no significant research. Where there are refers nothing is changing there so there is nothing to bounce off of there. J. Moran states refers are moved to the other side of the building and they are staged there until the driver comes and takes them. Other than the loading time there are no trucks staged and running all night. J. Bokus asks what time does Stewart's load their trucks? J. Moran states 4 p.m. until the morning. M. Gyarmathy asks what else was J. Barnes explaining about the refers and that Stewart's is phasing one (1) type of refer out. J. Barnes states yes, refers have about a seven (7) year life cycle and all of their refers, with the exception of two (2) or three (3) that are not used for the road, have what is called stealth technology and anything new that they order will also have that as well. It is standard to be competitive you have to have/sell them. J. Moran states that stealth technology basically lowers the decibel level. Stewart's has already started purchasing them. On average the refers life cycle is maximum of seven (7) years probably closer to five (5) years. They will be cycling through them which should help. There will still be noise but with the technology it should be lower than what Stewart's has currently. S. Weeks states that sound, are a huge issue, feels that Stewart's needs to do more and not sure if evergreens are going to be enough. S. Weeks thinks that hearing what the neighbors have said it is clearly a major issue. Evergreens are nice for the looks. The sound did not seem to be too bad until the power line. Stewart's really needs to get serious about sound barriers. The ground water is a nuisance and happens in basements and it is the lowest part of the town which is what is causing that to happen. J. Barnes states that Stewart's is an industrial operation and zoned in an industrial piece of property and Stewart's is going to continue to operate. We will certainly keep it in mind but at some point they have to look and see if Stewart's has met the environmental requirements, the engineering requirements, and if they are doing things that are zoned. J. Barnes does not feel it is realistic to put barriers under high tension power lines that have 134,000 volts running through them.

Certainly National Grid won't allow that, they are the ones that clear the trees along those power lines every year. S. Weeks states that run it as far as you can, and feels there is more that Stewart's can be doing. J. Barnes states that Stewart's is making progress with the noise. S. Weeks states that the Stewart's shop on Middle Grove Road were originally going to put the units up on the roof and they were moved so that they can be buffered, so that the sound issue was taken care of for the neighbors. J. Barnes states that Stewart's has seven (7) units on the roof and they are no bigger than a residential air conditioner. S. Weeks questions they are that small. J. Barnes states yes, they are that small. S. Weeks states then he think that is ok. J. Bokus asks how they can create that much noise. S. Weeks states that he does not think they do. J. Barnes states they have trucks running and for the most part their refrigerators are running with ground water circulation. It is geothermal energy efficient. S. Weeks states that is why they are small. K. Conway states that she understands the noise. Is wondering that some of the neighbors are saying they never had a problem before but as the plant has expanded there ground water has increased. Are there other ways to divert the water? J. Barnes states no. K. Conway quesztions that if not Stewart's that is causing the ground water problem? J. Barnes states correct. C. Baker states to speak to that point, if it helps, again, going back to 2003 when Stewart's designed the storm water retention ponds, they did test pits in the area that identified the water table elevation in the area at that point it was believed to be two feet below the surface. It was identified when the system was designed, that the ground water table was hot and it was designed accordingly. R. Roeckle states that he agrees with S. Weeks that the noise needs to be addressed and they need options. Stewart's has provided the information that they are getting new backup beepers. There is ambient noise on the site and there always will be. If there is a way to keep it from going to certain areas, Stewart's should investigate and find out how to do that. It may be a long term issue. It may take years to make it better. J. Barnes states that Stewart's can provide the Board with information. R. Roeckle states information of options. J. Barnes states that Stewart's has provided the Board with options. They are willing to invest in those options upon getting a pre building permit as long as they can keep this moving forward. This is the third (3rd) or fourth (4th) Public Hearing. J. Barnes states that we would like a specific request at this point. Stewart's has done plenty of engineering and have met those requirements. What do we need to do specifically before Stewart's continues to spend money on things that they don't know for sure? S. Weeks suggests that if Stewart's hires a sound expert to give their thoughts. J. Barnes asks what are the Zoning regulations for sound in the Town of Greenfield. T. Yasenchak states that the Town of Greenfield does not have any regulations. J. Barnes states that Stewart's has nothing to measure it against. S. Weeks states that a sound expert could give Stewart's an idea of how you could effectively muffle sound. J. Bokus states that he would like to see something done about the noise. Having an expert could give Stewart's options to make it better. Possibly it could be made better without a big investment on Stewart's part. T. Yasenchak states that the Board included her comments and feels that it is important and there are different ways of moving forward. Put natural buffers where Stewart's will be doing some of the cutting that could make it more dense and not trees that lose their leaves so that there is a visual break as well as a sound break for more of a buffer. J. Moran asks if the Board is concerned about the noise on the north end. They just want to make sure they have all their bases covered. T. Yasenchak thinks yes, but will ask the Board. J. Barnes states that this building will not create any more noise. J. Bokus states it appears that the majority of the noise is on the northern end. J. Barnes states that the topography is such that they won't be able to build a berm on wetlands. The Board has copies of the wetland delineation that the LA Group did. There are very limited options for building on a wet berm. R. Roeckle states that he would like some information because what you have shown to stage the trucks in the evening, the addition could actually be blocking any noise that is generated from them. A noise expert could provide that information. C. Baker states he was thinking the same thing because Stewart's stages the trucks and the power line could act like a

funnel. The new addition could very well be a deterrent to that. T. Yasenchak states that noise is her issue. The other was all engineering issues as far as the water and Stewart's had design professionals look at it. Stewart's had design professionals look at the traffic. That is what those engineers do for a living and our Town Engineer also reviewed it and agrees with them. Only issue is the noise. T. Yasenchak states that the Board can proceed. At whatever point the Board feels they have enough information they can deem the application complete. Deeming it complete is not saying it is acceptable or approvable it is just saying the Board has enough information to make an informed decision as the Board goes forward. When/if the Board deems an application complete then the Board moves forward with the SEQRA. At that point, if the Board feels any of the items that have been discussed have been mitigated then the Board may or may not have a certain outcome. Or the Board can deem it complete and review it based on that. S. Weeks feels that Stewart's should hire a sound expert to provide more information. T. Yasenchak states that none of the Board members are sound experts. The items the Board is suggesting as far as the cladding, additional trees, fence or berm the Board says that because they are used in mitigation of noise, but whether or not any or all can be used on Stewart's site, the Board does not know, but a sound expert would be able to make that determination. The Board would be able to use that as a relevant piece of information to make a decision, rather than what the Board feels. C. Baker states there is a Catch 22 to that and the Board ran into it with the Rod & Gun Club, since the Town does not have a noise ordinance. The basis of Stewart's study is a suggestive issue and it will be suggestive when the Board gets it back. It is all going to come down to the noise is a suggestive issue unless of course there is an ordinance and the Town of Greenfield does not have that. The Board should keep that in mind. T. Yasenchak states the Town does not have an ordinance however there is already a noise that is associated with the site. S. Weeks states that would be an environmental issue on the SEQRA. If it is an environmental issue on the SEQRA the question will arise and how will the Board mitigate that. T. Yasenchak states that the Board will ask for it now or when the Board does SEQRA. How would the applicant like to proceed? J. Barnes states task us with it, we will do it. We will need another month. T. Yasenchak states none of the Board members were on the Board when Stewart's was last in front of the Planning Board. As far as a project of this size and sound attenuation the Board members are not experts. J. Moran states that he wants to make sure they have everything? Are there any other issues besides the sound that Stewart's needs to address over the next month? S. Weeks states that someone brought up the lighting on the buildings, not sure if Stewart's would propose to change that? Stewart's addressed the lighting on the new building. K. Conway asks if Stewart's is going to conform it to the lights that are on the current buildings to the lights that will be on the new building. J. Barnes states that Stewart's does not have a lot of parking lot lighting. One of the benefits of having lighting on the building is that you don't have to put up light bulbs. Stewart's employees have to walk across the parking lot to get to their vehicles and they want something safe for them. The risk Stewart's has with light poles is there is more illumination. K. Conway states on the new building Stewart's is putting lights below. J. Barnes states below the canopy and three (3) above the canopy but below the line of site. T. Yasenchak states that is a downward effect? J. Barnes states correct.

Meeting adjourned at 10:04 p.m. All members in favor.

Respectfully submitted,

Kimberley McMahon
Planning Board
Secretary

DRAFT