

**TOWN OF GREENFIELD**

**PLANNING BOARD**

**April 24, 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, Michael Gyarmathy, Thomas Siragusa, John Streit, and John Bokus, Alternate. Lorna Dupouy and Stan Weeks are absent. Charlie Baker, Town Engineer, is present.

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**MINUTES – April 10, 2012**

MOTION: T. Siragusa

SECOND: J. Bokus

RESOLVED, that the Planning Board waives the reading of and approves the minutes of April 10, 2012, with the following revision:

**Resolution - B. Nix**, revise to read: **Applicant is to contact Cornell Cooperative Education and NRCS (National Resource Conservation Service) and to document and submit a management plan for the manure pile**

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

Absent: Dupouy, Weeks

Noes: None

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**DAVID MANDEL (EVA SARA DAVID LLC) – Minor Subdivision**

Plank Road

Kurt Heiss, Tommell & Associates, is present for the application. T. Yasenchak reviews that this application was before the Planning Board in January and at that time the Town Engineer had provided a review letter which K. Heiss has responded to and they have also provided the long form SEQRA. K. Heiss states that the applicant would like to create one additional building lot. Since we met last, they have had a conference call with C. Baker and they have addressed C. Baker's issues. They have also received their frontage variances from the ZBA. The primary issues were storm water calculations, which they have completed. Sight distance was another issue with the existing driveway, not to overburden the existing driveway. They did those and they are adequate, they meet the requirements. They have finalized their application to ACOE and DEC. All the wetland stuff is in and they are working on the mitigation issues. K. Heiss did contact the Town Historian, who provided a letter for the file, and in conversation with him the Town Historian did request that if in any excavation they come across any of the original planking from the road, he would like to be informed so that he can come out and document those. The property owner does have the Town Historian's book on Plank Road and is very interested in that. Coordinated review letters were sent out by the Town and only one response from DEC was received. K. Heiss states that they would like to move forward with this. They are still working with the ACOE on mitigation. C. Baker states that K. Heiss has provided adequate responses to all of his issues. We will still need the shared driveway language. K. Heiss states that he will discuss that with his client. T. Yasenchak reviews G. McKenna's comments which state that K. Heiss had stated that the client wants to build as close to the stream as possible. K. Heiss indicates where the stream is located and that the house is currently positioned 25' from the stream. T. Yasenchak reads from Section 105-146, Waterbody setbacks, which indicates that you must maintain a 50' setback. K. Heiss states that while it is a seasonal stream, there is always water in it. He will address this

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with the client. T. Siragusa states that the previous owners had cut down a lot of trees. K. Heiss explains where the logging took place; that the house location was chosen as it can take advantage of the view while not being able to be seen from the existing house and not requiring any additional logging. He states that there will have to be some forest management to take down any trees that reach a certain height and mass, but the clear cut would never be re-established. T. Siragusa questions the runoff because of the slope. K. Heiss states that it is a challenging site and that the flow coming out of the hillside creates the wetlands. They are placing the house in the upper reach of the wetlands where it will not be occluding anything, not blocking off any channels. He indicates that the proposed driveway is located approximately along the main skid trail. They did what would be considered minimally invasive logging. They used cables and didn't actually bring skidders down the hill. They were not down in the cutting area other than with boots and chainsaws. T. Yasenchak reiterates her concern as to why the house couldn't be a little further north. K. Heiss states that they originally looked at having the house up in the back and doing a traditional flag lot. That would require a completely shared driveway all the way up. He states that when you get into that area, it doesn't show on this map as much, the spring is pretty close to the top property line so he is not convinced that they can get the house and septic in there. They definitely don't want to fill in the bowl where the spring is, they couldn't do that. Any further in on the lot than where they are proposing the house, pretty much anywhere you go, is going to be maximizing the driveway crossings. Wherever you go on the property you have rill, upland, rill, upland, etc. You will be filling some kind of wetland and disturbing something to get there with the driveway. T. Yasenchak states that she is suggesting just shifting it up so that it is not disturbing as much. K. Heiss states that it sounds like they are going to be moving it west anyways to get away from the stream a little bit. T. Yasenchak suggests that they move it a little to the north west. K. Heiss states that ultimately they are putting the house here on a knob in this wetland pocket. T. Yasenchak states that she totally understands saying that you don't want to see the neighbors' house in Greenfield and on Plank Road, they want to be up and out, but to her just because you want to or don't want to is not a good enough reason. K. Heiss states that all concerns including his clients' wishes need to be taken into account. He states that if they move the house out of the actual wetlands or less in the wetlands, they are still going to be grading in the wetlands. T. Yasenchak states that a public hearing is not required on this case, that one took place at the ZBA and the only public comments were from Nancy Kmen, Environmental Commission. Board discusses public hearing.

#### **RESOLUTION – David Mandel (Eva Sara David LLC), Public Hearing**

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board waives a public hearing on the minor subdivision request of David Mandel (Eva Sara David LLC) for property located at 225 Plank Road, TM#124.-1-51, based on the following:

- **Public hearing was held by the Zoning Board of Appeals and there was no input or comments**

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

Absent: Dupouy, Weeks

Noes: None

The long form SEQRA is reviewed. C. Baker comments on item #3 under Section A, Site Description and questions that the soil is actually well drained considering the wetlands on the site. K. Heiss states that the soils are not a problem, they actually are well drained. The soils are pretty uniform on the site and the problem with the wetland is really the slopes. He states that rock is very, very deep here. He states that the water is really due to the hill issue as opposed to the soils. T. Yasenchak states that then K. Heiss is saying that the soil is draining, but it is draining down hill and that is the problem. Part 2 of the Long Form SEQRA is completed. C. Baker explains that in checking "small to moderate", you have a level of comfort that the plans as presented to you demonstrate that they have mitigated those issues. If you check anything

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other than “small to moderate”, then you would require the applicant to complete part 3 and give further discussion as to how they are going to mitigate those issues.

**RESOLUTION – David Mandel (Eva Sara David LLC), SEQRA**

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board moves to check Box A of the Long Form SEQRA indicating that the project will not result in any large or important impacts for the minor subdivision request of David Mandel (Eva Sara David LLC) for property located at 225 Plank Road, TM#124.-1-51.

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

Absent: Dupouy, Weeks

Noes: None

T. Yasenchak states that the applicant has been asked for additional information from ACOE and that the house needs to be moved further from the stream. She suggests that we might want to wait for that information before proceeding with an approval. J. Streit states that he would move that we could approve the project contingent upon the Chair and Town Engineer being satisfied with the issues. T. Yasenchak states that she thinks this is almost too big. C. Baker states that we have done this in the past. The Board has approved projects contingent upon satisfying the Town Engineer and the Planning Board Chairman. J. Streit states that those are the only two people who have knowledge of these issues anyway. C. Baker states that the reality of this case is that you are looking at a 2-lot subdivision, there are no more lots planned or taken away; the house may be shifted, there may be some grading revisions associated with it – whatever they do they will have to revise their application to the ACOE as well. We are not really the only eyes looking at this. T. Yasenchak states that they are more restrictive.

**RESOLUTION – David Mandel (Eva Sara David LLC), SEQRA**

MOTION: J. Streit

SECOND: T. Siragusa

RESOLVED, that the Planning Board approves the request of David Mandel (Eva Sara David LLC) for a minor subdivision for property located at 225 Plank Road, TM#124.-1-51, per the map submitted, contingent upon:

- **Approval of final mitigation measures by the Planning Board Chair and the Town Engineer**
- **Amendment of plot plan as required by Town Code to show proper distance from stream**
- **Shared driveway easement language to be submitted**

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

Absent: Dupouy, Weeks

Noes: None

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**DISCUSSION**

T. Yasenchak states that we had discussed scheduling site walks. She states that she has been contacted by Gary Duke that Stewart’s is going to be coming in to discuss a couple of additions to the plant – a repair shop for liquid natural gas and to add a refrigeration building to an already paved area. She states that with what they want to do, it might be a good site to include in the walk. The other applicants have not brought anything new in, so she suggests waiting for that information before setting a date.

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T. Yasenchak states that information was sent to the Board members regarding an upcoming Planning workshop on June 20<sup>th</sup>.

T. Yasenchak states that G. McKenna included comments regarding Triple J Way and that they have installed drainage without Planning Board approval. There is still no bond posted, the engineering fees are still to be paid and G. McKenna has issued stop work orders.

Sara McLellan is present and states that she attended a meeting with the County regarding the walking/bike trails that run throughout the County and attach to the Smith trail. They are looking for ways to connect the trail through Greenfield. She states that she rides horseback and would like to see the trail system developed. At the meeting residents were encouraged to attend town meetings. T. Yasenchak states that she believes that currently Saratoga PLAN is trying to put something together to bring to this Board. Hopefully we will be seeing that information shortly. T. Siragusa states that it is a good project, Saratoga PLAN has been working on it for some time and these things usually take a long time.

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Meeting adjourned, 7:48 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland  
Secretary