

**TOWN OF GREENFIELD**  
**PLANNING BOARD**

**April 25, 2017**

**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 T. Yasenchak, Butch Duffney, Michael Gyarmathy, Thom Siragusa John Streit, Stan Weeks and Robert Roeckel alternate. John Bokus Stan Weeks are absent. Charlie Baker the Town Engineer is present.

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**LaMothe Case# 590**  
Canty Road

Site Plan Review  
TM# 151.-2-107.2

John Cromie is present for the applicant. J. Cromie states that he has sent the Town attorney easement and explains the easement. J. Cromie states that there is 50' existing driveway which will give access to the cemetery and it will be recorded with the county. J. Cromie states that Mr. LaMothe will deed out the cemetery to his daughter's and their heirs. T. Yasenchak states that they had a public hearing and have closed it. T. Yasenchak states that the Town attorney is fine with everything, no issues.

MOTION: J. Streit  
SECOND: B. Duffney

RESOLVED, that the Town of Greenfield Planning Board grants site plan approval to Gary LaMothe at 101 Canty Road TM# 151.-2.107.2 contingent upon:

- Easement to be filed with the County.

VOTE: Ayes: Duffney, Gyarmathy, Roeckle, Siragusa, Streit, And Yasenchak  
Noes: None  
Absent: Bokus, Weeks

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**Witt Construction Case# 599**  
Middle Grove Rd. & Lester Park Rd.

Minor Subdivision  
TM# 164.-1-83

John Witt is present. T. Yasenchak explains the public hearing and opens up the public hearing at 7:12 p.m. J. Witt explains this is a 4 lot subdivision and has the additional information that the Board had requested such as the septic and wells. Cathleen Corbet is present for Carla Sadinski 86 Hickock Road states that C. Sadinski would like a visual buffer. T. Yasenchak asks how far away is C. Sadinski's house is from the property. C. Corbet states approximately 300'. Chuck Waldron states that his driveway is 60' away from lot 4 and his concern is what type of

driveway will they be putting in because he is afraid with all the construction vehicles going in and out they won't be able to keep the area clean. T. Yasenchak asks if C. Waldron has an easement. C. Waldron states yes they do. T. Yasenchak states that they do have 2 letters from Joseph Szpak 24 Lester Park Road and Sandra Welter at 85 Hickock Rd and reads the letters. T. Yasenchak closes the Public Hearing at 7:23. B. Duffney asks how is Old Stone Ridge coming with all of the plantings. J. Witt states that just for the record he decided to replant all of it has been inspected and not sure if the town realizes he has spent \$110,000 in replanting numerous occasions regarding this. B. Duffney states that they will only be clearing how far, just enough to put the house in. J. Witt states that it is up to the people who are purchasing the land. B. Duffney asks are you buying the lots or just selling the land. J. Witt states that he is buying and building the property. B. Duffney states that normally when you build you just clear what you use. J. Witt states that it is up to whoever buys the land. B. Duffney states 1 issue he has is for C. Sadinski and the other is for C. Waldron has a deeded easement, can move the driveway over. J. Witt states that he thinks he can do that. B. Duffney asks if the perk tests have been done. J. Witt states yes. J. Streit pertaining to the letter Sandra Welter wrote the wet lands seems to go along the border. T. Yasenchak states correct you are not allowed to disturb anything within that 100' setback. T. Yasenchak asks C. Baker to explain what are a low wet land and a wet land buffer. C. Baker states what you see on the map defined edge on property 100' setback to be maintained no buildings, septic or cutting down of any trees. J. Streit states on lot 4 there is a nature has dictated a 75' buffer to the west of the rear property line. And requests that the Board consider a 50' buffer from the property line, no clearing of any type to occur within 50' of the Sadinski and Welter property lines. T. Yasenchak states that there is a 50' setback that is required. J. Streit asks for not clearing. T. Yasenchak states no for building. J. Witt asks what if someone wants to but a horse pasture back there and put it right up to their property line. T. Yasenchak states that we have done this in the past for minor and major subdivisions as Greenfield grows and lots are becoming less available lots are being placed further back off the road in some cases people have placed their homes for more privacy. T. Yasenchak states that our building department has noted having several issues not, with you, or your project we have had other issues where people are clear cutting and not getting proper approval being that something is for agriculture and there not needing an approval even though within the Town we do require that they go through and as an MS\$ we do require those along with storm water prevention plan if they are going to disturb more than 1 acre. T. Yasenchak states that we have had several people in the past throughout Greenfield not follow this so because we are having an issue with it something like this the town should know. M. Gyarmathy states that given the rural nature of our town. C. Baker states it is a 10 page form that the applicant applying to the state to allow them to do construction activities it's a notice of intent, provides the lots being disturbed, they have to provide how they will be protecting the wet lands and soil, and the developer is responsible for filing the form. B. Duffney asks is there any notification or is it just between the property owner and the state. C. Baker property owner, the state and G. McKenna is also made aware, and when he does his inspections if he sees anything out of the ordinary he will report it. J. Witt states that there are plenty of buffers like 3 acres of buffer. T. Yasenchak states that J. Witt did submit the plans that C. Baker request from 1995-1997. M. Gyarmathy states that the wetlands are only affecting lots 3 & 4 and does not think it is reasonable. T. Yasenchak states that they are afraid someone is going to go in there and clear cut it and we don't feel that is appropriate for what is now a wooded sight. J. Witt states that he feels it's a taking because the owner of the property already has a 3 acre buffer. T. Yasenchak states that we are concerned because we have had an issue in the past again no reflection on you but, it something we have requested in the past on other projects. J. Witt asks can we do 30' T. Yasenchak states she does not think 30' when you are taking mature trees tall trees gives you much of a buffer unless you have an under groove. J. Streit states that he would like to propose that we mandate an absolute not cut zone for 100'

which is essentially and on lot 4 that restrict any type of cutting within 50' of the southern border. M. Gyarmathy states we are trying to preserve the rural nature of this town and it is clearly outlined in our comprehensive plan and feels asking for a 50' buffer is too much to ask. T. Yasenchak agrees and her reasoning is we don't want to change the character of the existing neighborhood. C. Baker asks on lot 4 you show the emergency bump out looks like it is close to that 100' buffer maybe you could shift it a bit further to the south. C. Baker states that storm water is a typical note that we like to see on the plans and he did review the site distance and all the driveways that are proposed does meet code. T. Yasenchak asks the Board if they are OK with short form SEQRA.

PART 1 T. Yasenchak states that part 1 is complete total acreage of 42.295 acres the total acreage to be physically disturbed J. Witt has 4 acres which would be within 1 acre per lot. Difference limits for the NOI and MS4 requirements has a land uses as forest rule and agricultural. Under the Zoning regulations everything is correct. Question 6 is yes and number 10-13 are no and 17 yes, 17 B no. R. Roeckel asks if Lester Park is on the Historical/Natural Park list. M. Gyarmathy states that J. Witt would have already have this information. J. Witt states they did tests on the wet lands. C. Baker states that there was a subdivision approved there and doesn't feel there was an issue. Questions 18-20 are no.

PART 2 T. Yasenchak states that questions 1. No 2. Small and 3-11 no.

PART 3 T. Yasenchak states that we can complete part 3 which is a determination of significance as a lead agency this Planning Board may check the first box or the second box. The Board checked the second box

MOTION: J. Streit

SECOND: B. Duffney

**RESOLUTION—Witt Construction Case # 599**

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Town of Greenfield Planning Board grants approval for minor subdivision to Witt Construction for Middle Grove Road and Lester Park Road, TM# 164.-1-83 contingent upon:

- Separate driveway location for lot 4 off of Middle Grove Road so it would not share a property to the east.
- County Driveway permit is required
- 50' no cut buffer
- Shift the emergency pull off on lot 4 towards the south

Add the notes as provided by the

VOTE: Ayes: Duffney, Gyarmathy, Roeckle, Siragusa, Streit, And Yasenchak

Noes: None

Absent: Bokus, Weeks

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Mike Brooks present for the applicant. M. Brooks states that they are reducing to lots from 21 to 9. M. Brooks states that they have put in place the emergency vehicles pull offs in the driveways. M. Brooks states that for the storm water they have 2 storm water basins and all the storm water will go into either one of them. T. Yasenchak opens the public hearing up at 8:12 p.m. Gina Michelin is present and lives at 5 Westminster Dr. G. Michelin states that she enjoys the natural settings and values. G. Michelin provides several pictures and a narrative of all the nature. Bill Evans is present and lives at 4 Westminster Dr. B. Evans provided an aerial view of the property and states that he does not know the water level of the ponds however, they are much larger than indicated and a lot more wet lands than depicted. B. Evans states that when he purchased his property in 1998 and the ponds were there and they were the size as indicated however, they are not like that any longer. B. Evans also states that they are blasting near the ridge and cutting rock, drilling not blasting. B. Evans also states that there are increased runoffs and Beavers have built dams in the ponds. Vicky Merowski was present and lives at 9 Brookstone Dr. since December 1997 and in January of 1998 her basement filled with 7" of ground water runoff and states that it happens in the winter as well. V. Murkowski states the storm water and the water/snow melts in ponds around her well. V. Murkowski asks that the new subdivision properties are higher than her property and wants to know what impact that will have on her property. V. Murkowski wants to know how SEQRA will be a factor when it comes to her property. Martha Brown is present and lives at 3 Brookstone Dr. and asks how does the blasting affect their drinking water and their wells and the historical value of the properties. M. Brown states that there is a lot of Indian agriculture there and asks the Board to please think about the impact this will have here. Seth Weisman is present and lives at 32 Brookstone Dr. and states that he knows about the 100' buffer and asks how will they explain that. M. Brooks states that they are working with Army Corp. S. Weisman wants assurance regarding their drinking water; he states that it is good now. C. Baker explains that DEC requires a 100' buffer Army Corp. does not; you can build right up to the buffer with Army Corp. C. Baker states that DEEC and Army Corp. have 2 different regulations and requirements. T. Yasenchak explains how wetlands are defined. Kirsten Bouvier is present and lives at 7 Westminster Dr. and states that they moved here to live in the woods. Mike Ginley and Kevin McCarthy are present and there to represent Saratoga Distillery and are concerned about the blasting and what that will do to the distillery's water. M. Ginley states that their water is the purest and how it will affect the well. M. Ginley states that if it gets contaminated it would destroy the well and their business. The property sits on 11 acres of land had well tested and it feeds main vein of Saratoga Springs and the quality, color, and flow of water would be impacted. Charles Joseph is present and lives at the first house in Brittany Chase. C. Joseph has views of the pond and asks when does measurements of the road size. C. Joseph states that he is concerned with the pond. G. Michelin asks if T. Yasenchak can read her narrative for the record. T. Yasenchak reads G. Michelin's narrative. T. Yasenchak states that they are keeping the public hearing open will adjourn at 9:08. T. Yasenchak states that they received SEQRA on April 21, 2017 and C. Baker has to review it some more. C. Baker asks if they have storm water report. M. Brooks states that he will need to get that. B. Duffney asks how much blasting will be done. M. Brooks states that he does not know. B. Duffney states that blasting is big issue and the size of the drill bit makes a big difference and would like to know who will be doing the blasting and the drill size and shock area. B. Duffney asks where is water drainage on the back of the project. M. Brooks states into the 2 existing basins. B. Duffney asks will storm water go into the ponds. M. Brooks states yes it will. R. Roeckel states that he is concerned about storm water and asks when did they speak to Army Corp/DEC. M. Brooks states that Army Corp approved delineation this spring September 15, 2016. C. Baker asks if you can provide that and asks if Army Corp has approved mitigation area M. Brooks states that they are getting them to. C.

Baker asks if the Board can have any correspondence that you have with them. R.Roeckle states that the mitigation will occur even if the project happens or not. M. Gyarmathy asks has any of the mitigation has been planned. M. Brooks states that he does not know who started the process. M. Gyarmathy asks what took so long. M. Brooks states that he cannot answer that M. Gyarmathy asks if the complete test pits are on the plans. M. Brooks states yes. C. Baker would like to see test pits on plans and additional test pits along every 25'-50'. C. Baker states that they are going to have to put in more fill than blasting. T. Yasenchak states she agrees with C. Baker with the test pits some look like they have been reviewed and some look like they haven't. T. Yasenchak states that they have had applicants to identify anywhere blasting would occur and number of sites. T. Yasenchak states that she is concerned about the storm water. J. Streit states that he need to review all the questions raised before asking any questions. T. Yasenchak explains reviewing SEQRA tonight and cautions they regarding that. R. Roeckel states that 1990-2002 test pits are not efficient now. T. Yasenchak states that they need to redo the test pits. M. Gyarmathy asks if we should do a walk through. T. Yasenchak states that we can do that. T. Yasenchak states what a site walk is and the Board sets it for April 29, 2017 at 8:00 a.m.

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## **DISCUSSION**

C. Baker states that he has reviewed Collura subdivision and states that he wants Dave Barrss to redone site distance, it is wrong. C. Baker states that he will contact D. Barrss regarding this.

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Meeting adjourned at 9:33 p.m. All members in favor.

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Respectfully submitted,

Kimberley McMahon  
Secretary