

TOWN OF GREENFIELD  
PLANNING BOARD

August 28, 2018

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:03 p.m. On roll call, the following members are present: Tonya Yasenchak, Butch Duffney, Michael Gyarmathy, Robert Roeckle, Stanley Weeks and Karla Conway, alternate. John Bokus and Charlie Dake are absent. Gerry McKenna Building Inspector/Codes Administrator is present. Charlie Baker, Engineer, is present.

**Minutes**

The minutes will be reviewed at the next meeting.

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**ZBA Referral**

464 Maple Ave. Case #1000  
TM# 153.13-1-40

Area Variance  
464 Maple Ave.

No one is present for the application. T. Yasenchak states that the Board has a ZBA referral for 464 Maple Ave, LLC. ZBA Case #1000 for an area variance for a sign. The applicant has an approved Site Plan. She asks G. McKenna if he has a Certificate of Occupancy. G. McKenna states that the applicant has a Certificate of Occupancy for the apartments in the back of the lot and a partial Certificate of Occupancy for the first floor of the front building. The applicant has asked for variance for the size of the sign. The applicant did provide some photos of other signs on the same road with dimensions. T. Yasenchak asks G. McKenna if one of the photos is what the applicant is requesting. G. McKenna states yes. The applicant's point is that everyone around him has that size sign. T. Yasenchak states that it is in front of the Board because the ZBA gave a lot of variances for this particular project. One of their concerns was that they were not sure how many commercial occupants could actually be in the first floor of the office and whether or not a larger sign would be required for the additional tenants. Or if the Planning Board felt that the occupancy would be for just one business. T. Yasenchak states that she does not know what the square footage of the first floor is. G. McKenna states that he is not sure off the top of his head either. There is only the front door, and the back door. To the right side they have to come around get in or out of either one of them. T. Yasenchak asks if the Town's sign regulation is for the signage portion that has the text on it or is it the whole entire sign? G. McKenna states 10 square feet and it is supposed to include the posts and stand 6 feet tall. T. Yasenchak asks no more than 6 feet tall. G. McKenna explains the applicant can have a 10 square foot sign and 10 square foot sign on the building. T. Yasenchak asks if there is a sign on the building now. G. McKenna states no, it is inside the front door. T. Yasenchak asks if it is not something anyone can see from the road. G. McKenna states no, not at all. The doctor's name is like 10 letters long. T. Yasenchak asks

under neither the sign inside the door? T. Yasenchak states that it was a very tight site already and it has several variances already. She asks G. McKenna if any of the variances the applicant already has for the front setback. G. McKenna states that he does not believe so, but he is not 100% sure. The applicant has side yard, lot size, and front yard variances. T. Yasenchak asks if the applicant has all of his landscaping in the buffer along the one side. Does he have all that in? G. McKenna states he is not sure but there are commercial lease on; both sides of him. T. Yasenchak asks if there were specific trees planted. G. McKenna states that he is not sure. S. Weeks feels it is a ZBA issue and thinks there are other signs on that road that have variances. King's glass is one that he remembers. G. McKenna states King's glass and he believes the chiropractor. S. Weeks states that he does not have an issue with it from a planning stand point. R. Roeckle states that his only concern is if the sign will impact the site distance ingress and egress. Depending where it is located on the property, because the Town does not have setbacks for signs. He just wants to make sure that whatever the applicant does that it does not block site distance. T. Yasenchak states that can be something they can note in their referral statement. He does have a little handwritten sign, but the Board does not know where it would be. R. Roeckle states that the Board does not know the design of the sign. It could be solid from the ground all the way up. He would be concerned that it could possibly impact site distance. G. McKenna states that the design is that way. R. Roeckle states that is what it looks like in the picture. B. Duffney states that he remembers when this case was before the Board and he did cover signage. Once again, he believes it is a ZBA issue, like R. Roeckle stated the location should be back far enough off the road. Is the sign going to be off the ground? It should be placed well enough off the road where any vehicle can see down the road. K. Conway asks how far is it from the road to the building. T. Yasenchak states it's about 45'. K. Conway states that there is enough space to put the sign. T. Yasenchak states yes. K. Conway asks if the sign is going to be 10 square feet. T. Yasenchak explains that the Code allows 10 square feet and the applicant is asking for 56 square feet. So it is a variance of 5 times. R. Roeckle states that 56 square feet is the entire sign structure but it says that the actual sign area is 24 square feet. Why grant more? G. McKenna states that the Town Code requires 10 square feet. R. Roeckle states that he knows that. He is proposing more than 10 square feet. The applicant is showing the Board a sign area of 24 square feet. The overall size is 56 square feet because it's by 7. Maybe the actual signage will be 24 square feet but the actual sign will be 56 square feet. G. McKenna states that he agrees with that. T. Yasenchak states that makes a difference. If the portion of the sign that has the wording is 24 square feet and the applicant is allowed 10 square feet, that is a difference of 2.4. If the Board says 56 square feet and the applicant changes the design of the sign to one large sign that is different. The Board can reference that yes. B. Duffney asks if the applicant is going to change the sign where there is an opening on the bottom or is he going to put it all the way to the ground. T. Yasenchak states that the picture looks like it is solid all the way to the ground. B. Duffney asks if that is what the applicant is going to use. T. Yasenchak states that the Board can stipulate their preference in their referral. B. Duffney states that way the sign does not drop all the way to the ground. The applicant would need a variance for all that size. T. Yasenchak asks G. McKenna once ZBA makes a determination do they specify in their language that it should be per the plans submitted. So the applicant could not change. G. McKenna states yes. T. Yasenchak states that would be for per the plans submitted. G. McKenna states yes by that plan. T. Yasenchak states that could be their referral the Board does not see a planning issue with the sign the way that it is presented but the Board would suggest that it not change in design. K. Conway states that looking at the sign for King's Glass, where is that located. G. McKenna states it is directly across the street. K. Conway states that it would be smaller than King's Glass. R. Roeckle states that King's Glass has multiple businesses in that particular facility. He believes that with a multiple use sign they are allowed 10 per business up to 100. G. McKenna states yes. The applicant still has a variance he does not have 10 occupants. T.

Yasenchak asks about the height, was it 7' high? G. McKenna states 8'. T. Yasenchak states that they would be looking for that as well, height and square footage. In Office Residential District one sign is permitted per business for office use. Such sign should be flush to and connected with the building with the building and shall not exceed 10 square feet in size. "One free standing sign shall be permitted for each principal building business or office use and such sign may be used to identify any or all business uses in such structure. A free standing business sign shall not exceed 10 square feet in size. Any free standing sign shall not stand any higher than 6' from the ground up to the highest point of the sign. One awning adheres to the building and it advertising the principal use of building shall also be allowed. The applicant could actually have 3 signs, a sign on the building, a sign on the awning, and a free standing sign." M. Gyarmathy states he feels it is a zoning issue. He likes what R. Roeckle stated about the site distance. He feels that it will fit in with the surroundings. C. Baker states the only thing he questions is if there would be any intention of lighting. He knows that it is something that is frowned upon. T. Yasenchak states that it does not say. The Town does have a regulation about internally lit signs. G. McKenna states yes. T. Yasenchak states they can put that in their recommendation. As far as the referral they can say that they have reviewed the application as it has been referred to them and their comments would be that they are concerned that: 1. The location of the sign is such that it does not inhibit site distance for vehicles that are exiting or entering onto the property. 2. That the sign that they are referring to is the design that has been presented and no change to the design including the 24 square feet of text area. 3. The Planning Board is requesting the ZBA to clarify the intentions for lighting. Noting that the Zoning Code does not allow for internally lit signs. Any lighting for this sign shall not shine off site only directly onto the sign to deter traffic. T. Yasenchak asks if anyone has anything to add? Typically in referrals the Board does not make a motion. For the record she will ask the Board members if they are in favor. S. Weeks, R. Roeckle, B. Duffney, M. Gyarmathy, K. Conway and T. Yasenchak are all in favor and agree on the three items.

Stewart's Shop's Case # 611  
TM# 164.-1-44

Site Plan Review  
461 Route 9N

Chuck Marshal and John Moran are present for the application. B. Duffney recuses himself. T. Yasenchak states this case is for Site Plan Review at 4461 Route 9N. They had adjourned discussion on this project and Stewart's requested that they be placed on tonight's the agenda. After that request the Board did not receive any new information. The Board was not sure if the applicant was submitting any new information or what they would be discussing tonight. C. Marshall states that they last appeared on June 26, 2018 and obviously the biggest part of the discussion was about noise. There was some discussion about building elevation and particularly the lights on the eastern elevation and why they were raised above the canopy. In that there was a realization that if the lights are an element of the Site Plan and subject to review of this Board, then the noise mitigation for the roof top units on the south east portion of the building would also be subject to review by this Board. The Board and the Town do not have an authority through its code or SEQRA to go backwards. Stewart's has gotten a Negative Declaration, Building Permits, Certificate of Occupancy for all of the work done on the site. What they would like to do is they would like the Board to close the public hearing and as a condition of their approval they would like to do the following things. First and foremost they are 1/3 of the way through on the installation of the backup alarms. That will be complete by September 30, 2018. From there they will do the revised landscaping along Locust Grove Road and particularly the berm that currently exists. They will lower the lights on the eastern elevation to the canopy level. Again, those are for lighting up the backup roads. They will mitigate the noise on the roof top on the south east portion of the cooler. They are currently evaluating

whether that is going to be individual surrounds. The problem is, is that it is a rubber roof. They want to prevent the number of penetration's to the roof. So it will have to be balanced. They are digging concrete PVC filled concrete. They will be 5-7 units on the south east side. The pond satisfactory placement of the original overall mitigation on that portion of the building. They will then be able to get a Building Permit for the expansion. It will be essentially conditional use. One year after the building is open and operated they will re-measure the sound levels. The Town's SEQRA standards are for what is there now because they have not been in violation and in fact they FOIL'd the Town and received that there have been no noise complaints. So while there has been concerned raised at this public hearing no one has actually complained about the noise. This public hearing gave them the venue to do so. With that they think they have a plan for going forward and ask this public hearing be closed and a vote be taken. T. Yasenchak states that she is not sure how much will be discussed tonight because the Board did not know what the applicant was asking. Obviously going through and noting these mitigations elements and asking for more of a condition of approval, that was something they were not aware of until now as they are asking of that. They will have some discussion about that. Also, she had asked that Town Council to be present tonight 2 weeks ago and found out today that they were not able to be present. Also, going forward with SEQRA and additional discussion regarding this, she feels that it is important that they be present to make sure they are doing SEQRA correctly and are asking the correct questions. They were not able to be present. She did have a discussion with Mark Schachner about the Board's questions with the sound because there was a difference of opinion on this Board. Some of the members felt that SEQRA could not ask to mitigate sound that has already been there, that is true and they can't ask for that. Sound that is in another building that has been part of another review, they can't go back. With the new building and the action one of the things M. Schachner said and again, she told him that she really wished he could be present, obviously it does have a different impact when he says it. He said that he will have a representative at the next meeting. Also, how this building affects the noise. That is something they are allowed to ask. Even though the building itself may not produce noise they are allowed to ask if it affects the perception of noise. That was one of the questions they did ask. A different cladding might change that affect. C. Marshall states that is why they believe that measuring before and after affect is more prudent. They spoke with several consultants which were in Mr. Baker's June 28, 2018 correspondence. Most notably Ostergaard Acoustical Associates who did the recent Amazon project in Schodack. He feels the mechanisms that they did were similar to what they did report which is available through the Town of Schodack and provide the report to the Board. Again, the problem they are going to have which C. Baker indicated in his letter, is that the Town does not have a standard. It's mitigating to what affect. In that instance it is all theoretical. Here they are giving the Board real life data and the willingness to measure against real life data. T. Yasenchak states that one of the questions she has is, given the type of action that it is, and they will have to get to this when they do get to SEQRA and actually make their final determination on it, is she does not know if that Type I can be conditioned. If it's a question of a SEQRA issue it can't be conditional but it could be conditional for a Site Plan Review. C. Marshall states that it is not Type I it is unlisted. T. Yasenchak states unlisted. C. Marshall states that the Board already classified it as unlisted so it could be conditioned. Type I cannot be conditioned. S. Weeks states that when the Board went through SEQRA process they did discuss the issue of sound and they did say it was going to be small to no affect. He wonders if the Board feels differently about that because that is why he had hoped Town Council would be present. He does not know where the Board is in regard to that. They clearly said that it was not a significant issue. He does not know where that leaves the Board at this point. Do they revisit it, do they confirm it, where should they be? T. Yasenchak states that the Board did not vote on it, they went through the questions. They checked the box but did not vote. They did not make a determination. Following that after did have continued discussion on whether or not

there was a sound impact. Whether or not they had enough information to continue their discussions about sound. Whether they felt like there was more information that they needed. On June 26, 2018 R. Roeckle asked what the new addition was going to do for noise. He asked about the distribution of the noise. T. Yasenchak did say that she was not convinced about the noise because she thought about the cladding. S. Weeks stated getting back to the hum that they have identified the major sources of it. He was asking if they could shield the noise. He also stated that he knew that the Town does not have a sound and noise ordinance but the hum sound keeps coming up over and over again and he feels that if they did more of a sound study that would be helpful. R. Roeckle asked about the possibility of a sound engineer. R. Roeckle also said that the information was not adequate. T. Yasenchak did mention about the additional possible sound study. M. Gyarmathy has also commented on that. Since they did not vote on SEQRA and they all had comments and concerns about the sound, after talking with M. Schachner and obviously when the Board can get someone here they can ask them. It was made clear to her that it's not about whether the building itself produces the noise. It's whether or not it affects the noise that is already there. Since the Board did not determine and they did not vote on it, when they do get to that point perhaps that will be changed or not. Obviously they did not know what the conditions were going to come in with tonight and they cannot go through SEQRA and make a determination at their next meeting and be prepared to do that. She feels that if S. Weeks was not convinced about the hum maybe he can explain that he was so concerned and asked for a noise study. How can the Board ask for that if they already did a SEQRA that says sound is not a problem? S. Weeks states that he is not sure if there is anything left to say. In fact the Board went through SEQRA and then they were asking for additional information to finalize SEQRA. T. Yasenchak states that they put together a preliminary draft for SEQRA determination. R. Roeckle states he did. S. Weeks states that as he recalls at the next meeting T. Yasenchak brought up more information on sound. T. Yasenchak states yes, at that meeting they stated that they determined where the hum was coming from. C. Marshall states that is when it changed from John Barnes to himself. On June 5, 2018 they submitted something for the June 26, 2018 meeting. Then they did a 24 hour monitoring on it and that was submitted to the Board on June 5, 2018. That is when they submitted all the noise material. S. Weeks states correct. When they brought up the issue of that they thought they had identified where the hum was coming from. His question was how they propose to address that. He thought it was a logical question. It did raise a sound issue again after the Board went through SEQRA. They were looking for Stewart's to come back to the Board to suggest how they would address that. C. Marshall states today he is saying that they are going to address it in mitigation on the perimeter. S. Weeks states that he hears him and that is what he was looking for. C. Marshall states that as he said on June 26, 2018, if they went to an ammonia based system it would have completely changed all the parameters. That is not in the cards. What has been decided is that the individual shielding will be tried first. If they can proceed then that is how they will proceed. If not, they will have to work on doing something at the perimeter of the building. There is some existing railing and if they could adhere something to the railing that would be option 2. They are going to go forward with attempting the mitigation of the individual units. S. Weeks states that really addressed his major question. C. Marshall states, as he said on June 26, 2018, it is not for lack of want, it's more of a how. They are not going to do something to do it again and it is not going to be the ammonia based system which was several hundred thousand dollars and not for part of the building making an addition to. This is how they propose to go forward. They feel it is an acceptable condition and obviously hope is it acceptable of the Board. S. Weeks states that was really his major issue. R. Roeckle states that he appreciates the items mentioned especially with the mitigation. Is it possible to get their proposal in writing so they can have it and look at it? If they choose to move forward, that they have committed and are moving forward with that. It's great just talking but need it in writing. C. Marshall states that is why they appeared. What they will

actually do is amend the elevations to put the lighting on the canopy, and then they will show on an aerial the areas they will propose to do the individual roof top mitigation. R. Roeckle states that they indicated possible mitigation on the roof and other options. Those could be included because they also mentioned after some of that mitigation is done that they would be able to apply for and receive a Building Permit for the addition and thinks that should be part of the proposal. If they are going to do this mitigation, and once that is completed, then they would seek a permit even if the Board granted some form of approval prior to that. C. Marshall states yes, that would be part of the approval. G. McKenna would not be able to issue it until step one was satisfied. R. Roeckle states that none of them know what exact mitigation method they will be doing. They are just trying to find what will work. C. Marshall states they are getting closer. R. Roeckle states that if it does not work they will have to find another way to shield the noise in some other way on the site. He is glad they are proposing that and none of them know how the noise is going to move or if it is going to change with the addition. C. Marshall states again, that is why conditioned approval in the comeback with additional sampling. R. Roeckle states all that should be in the proposal to the Board. The applicant is proposing that this is what they would like to see done and that would be best for the Board to actually see that in writing. He is glad to see that they are moving forward with some form of mitigation for the existing noise. Again, they are looking at how that building would impact that noise. K. Conway asks if they are planning on changing to the ammonia based system. J. Moran states no. They are looking at the feasibility of it. It's a huge process and just shy of one million dollars to do that. This would be a long term decision for them. They are looking into it but they do not have any immediate plan to do it. C. Marshall states in the short term the noise will go away as in with the ammonia as a solution. K. Conway states that she was not sure if there was any environmental impact or any danger to the residents because of the ammonia system. She certainly does not want to trade one problem for another. C. Marshall states no. M. Gyarmathy states that he is happy that they came back with these mitigation. Like R. Roeckle stated, he would like to see it in writing in a proposal. He would also like to see what they are going to try around the units to mitigate the noise. He did a little research himself and one of the first things that popped up is these walls that go around the refrigeration units. He is not telling them how to do their business but he would just like to see something. He also likes the fact that they are putting in the proposal that they can revisit this in a year to see how the addition affects the noise. T. Yasenchak states she too would like to see something in writing. She feels that they are going toward a positive direction in mitigating the sound. She does want to make sure that they are mitigating both sounds. Is that the hum and the they mentioned in June that they narrowed it down to being the roof top units but there is also some other noise coming from it? They did have issues not just with the hum but other noise coming from the plant. The sound study does show the average noise at different decibel levels at different locations at the site. She thinks that shielding the roof top units will make good progress to mitigating that. She is not sure if they are offering to mitigate other sounds. C. Marshall states the other sounds are directly correlated to operation to the facility. The ambient truck backups are something they are doing. They have already spoken to refer replacements. Trucks running at once are 6 trucks. The internal site mitigation really can't be achieved. They are really looking to mitigate the noises being heard at or passed the property line. The constant hum seems to be the one that is the most concern. T. Yasenchak states that one of the things that she brought up was the possibility of the canyon affect between two metal buildings where the trucks are driving through. She addressed that with the previous representative, nothing was brought up and he has not mentioned anything regarding that. She mentions that as it is mentioned in the DEC regulations for reviewing SEQRA for sound is that is one of the things they bring up. One of the things that the Board can ask about is possibility of topography or other buildings affecting sound where it may be an action or a project that is not producing sound itself. It just seems to her that there may be something they can do with that building. At least on that one edge. One

elevation to attenuate the sound. It may not be metal perhaps it may be another siding that could be used that actually helps to detonate the sound so that it is not bouncing between the two metal, buildings. She is the only person that is asking for that. She feels that it is relevant. They can do with that what they will. Her other questions, and the attorney is not present, again, she asked him to be two weeks ago, what happens if the sound does increase. They do conditioned approvals for Special Use Permits where then if something happens and people are not living up to their conditions they pull the Special Use Permit. That gives the Board leverage. She does not doubt that they won't try to mitigate any issues but if something did make more noise what would the Board's recourse be? They already have a building that they spent millions of dollars building and once they continue using, what if at that point it would be the Board's leverage to actually have them fix it? C. Marshall states that the SEQRA he thinks speaks to a change of six decibels at the property line as becoming cautionary. Their intention was mitigation satisfactory to the Building Inspector. That would be done through readings. There is a pretty delineated measuring decibel in this document so it would be the same. T. Yasenchak states that what she is asking is what would the Board's leverage be if they can't pull the Special Use Permit. C. Marshall states that it would have to be more than six decibels to show an increase. According to SEQRA. T. Yasenchak states that she understands that and in any conditioned approval they could probably put that in there all she is saying is if that was something. They will ask the Town attorney. C. Marshall states that at one year they will take measurements and within 90 days of those measurements they will have to develop a corrective action plan or something like that. T. Yasenchak states all she is saying is they will have to discuss this with their attorney. C. Marshall states then they would be in violation of their approval. G. McKenna states there is a little more to that. Approvals with conditions they have to make all the conditions within 90 days of the approval. T. Yasenchak states that they have to talk to their attorney so that they actually have some sort of leverage to make sure it did to get fixed. T. Yasenchak states that the Board will need any new information to be submitted 7 business days before the meeting. Typically they have a workshop meeting for their first meeting of the month, but the way the Board has been doing projects that are really involved they have allowed it to roll. C. Marshall asks if they have to submit everything by September 4, 2018. T. Yasenchak states before September 4, 2018. That is what their bylaws state, that if they request any additional information be submitted no less than 7 business days. It also allows the Town attorney time to review the information. C. Marshall asks if it is 7 working days. T. Yasenchak states correct. She asks the Board to review their SEQRA comments. R. Roeckle did send them the preliminary Negative Declaration. M. Gyarmathy states he can't vote on it because he was not present at that meeting. T. Yasenchak states yes he can because they just had discussion, they went through the different items. He can review the minutes because they did not make a determination on it he can. S. Weeks wasn't present when they reviewed SEQRA originally for Prestwick, but they actually voted on it another day when he was present.

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## **DISCUSSION**

T. Yasenchak asks the Board a few questions as far as procedure. They have had some issues where receiving applications and they may or may not have received all the information required. B. Duffney returns to the meeting. T. Yasenchak states that they are still having a public meeting. Not a public hearing where they are allowing public comment,

because they are all together as a Board they have to be discussing this in public. This is matter of process so that all Board members can be on one mind set. We have talked in the past at multiple land use Board meetings where they have mentioned to the Town Board as well as to each other questions on how they can make the process easier , not only for the applicant, but also for the Building Department and themselves in review. They realize that part of their frustration for years has been that they received applications that were not always complete or didn't always have information that they needed. Part of trying to remedy that situation the Board decided to do a workshop at their first meeting. Seeing that perhaps if they had a workshop meeting at the first meeting of the month that they would be able to review those projects in a little bit more in depth. Not necessarily deeming the application as complete, but just making sure if the applicant needed to get more information back to the Board they could do that. Then at their second meeting of the month that would be when they would actually be taking action on the project, they would be doing reviews of SEQRA because at that point they would have the full information. They are not sending people away and information is not dribbling in little by little. Part of this is probably her fault and thinks that they have gotten away from that a bit. Where now they are reviewing projects at a workshop and perhaps getting upset because they are not complete at that workshop level. Even though that may be the opportunity to tell the applicant that it is not complete. What she wanted to do is ask the Board how they feel and what do they think they can do to make this process easier for everyone. If there are questions about process or maybe an application that was discussed that evening that there are questions or maybe some concern, she really wants the Board to be open in communication and talk to each other about that. She herself is open to change and open to listening to the Boards concerns about applications and feels it is a better way to approach things than her hearing back from Town Board members about this is what happened or she heard this, she heard that. I she would rather deal with things here open right away and try to make the process easier for everyone. No one's time is wasted. The applicant's time is not wasted or their professional representatives time is not wasted. She asks the Board what are some of the things the Board feels they can do to make that process better? If there is something they can do with applications and realistically being more communicative with the applicant's by saying this is a workshop meeting and they are not going to be reviewing anything else beyond that or expect that if they are here at a workshop their application may not be complete. Or perhaps have a check list that could be handed to the Building Department and they can be reviewing before the application goes to the Planning Board. She would like to hear the Boards thoughts so they can be proactive moving forward as well as what changes can be made. The Board can actually make those in their bylaws. They can vote on their bylaws and say specifically this is a workshop meeting they, can do those things. If they feel that the lists in the Code book are not specific enough or perhaps they want to address those they can also suggest changes to the Town Board to making changes to their code. She feels it is only fair to all the Board members and opens it up to the Board members. She does not expect that all of the Board members will be on the same page as far as their decisions and she thinks that's good. Having their own mind set is good. That communication and working as a team because they are all here for the Town is important. She does not think they are looking at having any more coordinated land use review Board meetings and feels that they need to be proactive and say what can the Board do here to make things better. M. Gyarmathy states that he thinks they took some action and made the first meeting of the month a workshop meeting. Tonight is a perfect example of how this Board helps applicants and they just agreed tonight to discuss Stewart's at the next workshop meeting and they could possibly take action. He does not think that they can say that at a workshop meeting is all they are going to do. They are a small town they have to be flexible. He feels that maybe a checklist might be in order. He feels that the Building Department goes out of its way to make sure that the applicant knows what it needs to bring to their meetings, but you can only lead the horse to the water, you can't make



them drink it. If they had the checklists in their book so that as soon as the applicant came up before she stated explaining the application they could go down through that checklist and they themselves could identify what the applicant has and does not have. That would save a tremendous amount of time. He does not know if there is that much more the Board can do. He has been on the Board for some time and he has been building in this Town. He hears over and over and over again from the Building Department and the Building Department's secretary that they have asked applicants to bring in such and such information and over and over again and they have yet to receive it. He does not know if this Board can fix that problem. He thinks this Board can address the problem with a checklist and perhaps if the applicant hears it from the Board then the applicant will do their due diligence and bring in the information that is needed. He feels that they are a small town and have to work together with the applicants. He does not think that workshop meetings should just be workshop meetings. If Stewart's needs to come in and get their approval they should be allowed to do that or any applicant for that matter. His feeling is that he is not sure if this problem is as large as it is made out to be. He thinks that the Board can do some things to help the process but this is a small town and they should be flexible with that. The Board members are on the Board because they want to be. K. Conway states that she is far too new of a member to comment on this. T. Yasenchak states sometimes that is a good thing. Sometimes seeing something from a fresh perspective rather than the way it has been as far as procedure or process. The Board will have more discussion at the next meeting so if she wants to think about it and possibly discuss it then that would be fine. The Board values her opinion. K. Conway states the applicant should have everything that is required of them. T. Yasenchak states that if she could possibly think for the Board, about how she thinks the Board could encourage the applicant to get to that point. At their last meeting the Board told the applicant to please follow the list. G. McKenna and K. McMahan also said the same thing and they came in and expected to have an approval and the Board didn't know what the applicant was going to present to the Board. The Board wants to help them, they want the applicants to be successful, but the Board needs certain information. She honestly does not know how they get to that point sometimes besides being a little bit stricter. She wants to encourage growth. Maybe there is something the Board can do to help people. S. Weeks states that in visiting other Town's Planning Board meetings and seeing how they operate, there is someone who makes sure applications are complete when they come to the Board. Even in small Towns like Milton that have a lot going on. They meet once a month and material that comes to them comes through the Planning Office. We do not have a Planning Office. We do not have a Town Planner. That is the gate keeper for most of these Boards. Lacking that, they are told by Town Council members that of the Board should not be directly talking to the applicants except at a meeting. So they don't do that. He sees that as; being a major issue for them. The Town has seen fit not to have a Town Planner, whether it is full time or part time. That impacts the Board. Because they are trying to act like a 7 person planner. It's time consuming; it's a time waster in many cases. When an applicant comes in front of the Board they are not prepared and the Board tells the applicant that they need more information. The applicant goes away frustrated and the Board is frustrated. That's what she sees is the main issue. M. Gyarmathy states that S. Weeks has not proposed a solution. S. Weeks states that he thinks the Town needs to have someone to serve the planning function, if not full time at least part time. So both the Town Planner and the Town Engineer would have reviewed the applications and they would have the information before the meeting. They would know the Town Engineer's opinion and they would be acting as a Board, not as a 7 person planning office. That is his frustration and it has been for a long time. R. Roeckle states regarding what S. Weeks mentioned, he had also mentioned that to the Supervisor a while ago, that if the Town could not afford a full time Planner that perhaps the Town could share a Planner with multiple Town's within the County. One or Two days a week at each Town. If they are talking part time, the Planner would probably not have benefits and not a salary that could devote their full time

to. If they are talking about sharing with multiple town's with full time salary and divide it up within the different towns, that might be an option that possibly the Town Board would like to look at. Until something like that happens he is not sure what else can be done. They do have the workshop meeting, but they haven't really treated it as a workshop meeting. They have just been treating it as a regular meeting. He doesn't know if functions it could be more regulated. Perhaps they need to look at because the Board does planning function, have old business, new business then application review, as a separate item on the agenda. Application Review being that the applicant will not get an approval, the Board will be just reviewing the application to see if it is complete. Then the Board can put the applicant on the next agenda once the application is complete. The applicant may have to come back to the Board 10 times. He is not sure if that is something the Board could do. T. Yasenchak asks at that point the Board would be looking at the applications as being complete not necessarily for what they need for review. R. Roeckle states is the application sufficient that was submitted for them to review. T. Yasenchak states kind of like a checklist. M. Gyarmathy states that throughout the process something might come up or the Board requests additional information, but initially it would be good to have the checklist. R. Roeckle states that the Board needs to be cognizant of the fact once the application is deemed complete certain time periods start. T. Yasenchak agrees and states that has always been difficult aspect of the Board. They are getting information so piece meal that it is difficult to, often, to come to a conclusion when the application is complete. They are receiving information, this little piece of information, and then they might not have a complete site plan, just a lot of individual papers. At that point it's hard to say they have a complete application and when that clock starts. R. Roeckle states that certain Boards feel that the application isn't complete until SEQRA is done. SEQRA does not always require a public hearing. T. Yasenchak agrees. T. Yasenchak states that she agrees with S. Weeks that having a Planner is very important. They have been asking for it for quite a few years. Also, what does the Planning Board do to encourage the Town Board? That is something the Board members can be looking at as well. Are there other towns that have a shared planner? If the Planning Board can give the Town Board specifics or show them that it is possible, so they can move in that direction, that way they have someone focused just on that. In today's world and development and laws and SEQRA, everything, it is good to have someone that knows what they are doing. They are focused on all those laws. That is important. B. Duffney states that until the Town hires a planner the Board all agreed that their first meeting of month was going to be a workshop meeting. Then the last meeting was going to be a meeting where they will take action. They had so many applications that have been pre-existing that they have taking action at the workshop meeting. Everything at this point, from this point on, they are there a workshop or a regular agenda meeting to take action on it. He feels that the board is being taken advantage of also because of that. An applicant states that they want to come to such and such meeting and they want to have a public hearing and they want to have one the next meeting and the following meeting. If they make their first meeting a workshop. Second meeting this is what they will be taking action on. Make a list, if someone brings in a Special Use Permit application this is what we need. We don't want anything drawn on a little piece of paper of where the building is going to be. They need a map of where everything is. At that point they can see where everything is. A checklist on subdivisions and the Board has told applicants time and time and time again it's in their Code Book. Everything the applicant needs is in the Code Book. If they have just a list for a subdivision of what is required of them. Do that at the workshop. Same thing for a Special Use Permit or anything else that goes in front of the Board. Different lists for different projects. There can't be one list for every project. He feels that will help a little bit. If they get a Planner even if it is shared by different Town's. In the winter things slow down as far as building. The rest of the year is busy. M. Gyarmathy states that a list should be attached to the applications and they can have copies in their folders and they can check everything off. B. Duffney agrees. He has been in front of Wilton Planning Board and

they have a checklist. If you miss anything on the checklist you are out the door. T. Yasenchak states that they have a disconnect because they do send people/applicants to the Code Book. There is a list; it is just not a checklist so she feels that a checklist with the application would be very helpful. B. Duffney states that if they make it plain and simple to the point. We can set a public hearing if they have to for the next meeting. T. Yasenchak states that one other question that has come up was about possibly having two levels of site plan review. One for smaller projects for people who just want a small office. Having a different type application or maybe even a different checklist for what would be required for something like that verses having to put the applicant through a larger project would be going through. The Town has major and minor subdivision applications and has something like that for site plan. It may not list out the actual uses because that would be too difficult. If they had thresh-holds as far as if it increases parking spaces by more than x number it puts the applicant into another category that sends them to Site Plan Review or if they are disturbing x amount of square footage of dirt or if their building is larger than a certain amount then they need to Site Plan Review. If they are under that that would be more of a project like a home office. R. Roeckle states anything that requires anything other than a short form SEQRA would require the larger checklist. T. Yasenchak states correct and it also helps applicants that come in and just want a home office or a small daycare, they are allowed to do that with state approvals, and then looking at the checklist they get overwhelmed. B. Duffney states that the Board had a couple in front of them a few months ago and just wanted to subdivide their property and sell their house. T. Yasenchak states that something like that may require something a little more in depth because that would be more code related. That is something they can work towards and thinks it would be helpful to the Board and the applicant's as far the amount of work they need to do or money they need to spend on professionals. B. Duffney feels it will help all around. Like he said earlier have a workshop meeting and a take action meeting. If they make it easy for the applicant then they can see what it is that they need to do to deem the application complete. T. Yasenchak states that they will have a little bit more discussion regarding this at their next meeting. Please feel free to bring any comment regarding the process or anything else. She wants to be open and commutative with everyone. C. Baker states that he has a suggestion instead of having a workshop meeting what if the Board dedicated the first half hour of all meetings to new projects. The Board can look at them to see what they have done and what they need to do then send them on their way. To be honest, he does not feel that it is realistic to have a Planner in Greenfield. The shared one is a good idea, but when you think about how many projects the Board looks at in a year it is not a lot. Not enough to justify paying someone for that position. M. Gyarmathy has a good point Greenfield is unique. They try to work with people any possible way they can with all the different cases that come through this Board. As far as developing a checklist it's a great idea but, we have checklists for septic systems, we have checklists for building permits, we can give it to them but people are not going to give the Board any more than they absolutely have to. M. Gyarmathy states that he gets it. T. Yasenchak states or that they want to. C. Baker states that sometimes it works against you. B. Duffney states that on the other hand if they don't have the checklist then the Board is not going to spend any time on that application. M. Gyarmathy thinks that the first half hour idea is a good idea. They have to have a guideline and he would call that a checklist. C. Baker states that in a sense the Board does have a checklist for everything that is required. T. Yasenchak states as soon as the Board states it is in the Code Book they get the look like a deer in the headlights. At least if they give it to them twice in two different ways it might make it better. C. Baker states the reason he is saying this is because unless they are all inclusive in that checklist they going to give the applicant a false sense and they are going to walk away thinking they are good to go and come back to the next meeting. K. Conway states that there would have to say something on the checklist for example "this does not determine you will get approval." M. Gyarmathy states or "other items may be required." B. Duffney states that some of Code Book confuses him. A

Basic checklist. C. Baker states it is also important to put a timeline on them. He feels this Board is very willing to work with applicants sometimes to the point of spending so much time on a case. It gets to a point where it is wasting not only the applicant's time, but the Boards as well. If they put a strict time limit on it, then if they come in and they are not ready they come back for the next meeting or workshop whatever the case may be. Instead of spending the whole night trying to get through something. T. Yasenchak states or trying to explain something several different ways. M. Gyarmathy states C. Baker is right by allowing applicants that have been before the Board to come in to that workshop meeting and get something done. C. Baker states that he agrees, that is why he said that. Having the first half hour of that meeting a is the workshop. For the rest of the meeting it is a regular meeting. M. Gyarmathy states so don't have a workshop meeting at all just the first half hour. T. Yasenchak states that is something the Board can think about. B. Duffney states that C. Baker is right the Board has cases coming back to them that haven't been seen in a year. He can't remember everything that they were proposing. After so long that the Board does not hear from the applicant he files their paperwork away. T. Yasenchak agrees and states she thinks that would be addressed in the Code. If they ask for additional information and the applicant does not come back for over a year is there something they can put in their Code that they have submit a new application. R. Roeckle states that their application was not deemed complete if the Board is asking for additional information. The start time has not started. The timeline does not start until the application is complete. As long as it is not in conflict with the State code. T. Yasenchak states that the Board has an application that they have waited 15 months for additional information. Then they are trying to wrap their heads around it again. It duplicated their efforts and wastes their time. It's basically starting all over again. It would have to be in the Code. R. Roeckle states it's in pre-application stage and as long as the applicant comes back within a year with the finalized application or within 6 months with the final application. T. Yasenchak states they will put it on the list. K. Conway states that if it has been over a year the case could be abandoned. R. Roeckle asks when the applicant pays their fees. G. McKenna states when they apply. R. Roeckle states the first application. Whether the application is complete or not. G. McKenna states correct. R. Roeckle states that if they submit an application and it's not complete and the Board asks for additional information and the Code states if their initial application has not been complete for review within 6-9 months and someone comes back a year later and maybe they have pay additional charges. That will get the applicants in here quicker. G. McKenna states that will need to be in the Code. R. Roeckle states that would have to be in the fee schedule. T. Yasenchak agrees and asks the Board to think of physical ways and possibly start putting these items into action. There are a lot of little steps and she thinks that taking little steps is a lot easier than trying to take huge big steps. They will make more progress with little steps. They will continue this discussion at their next meeting.

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Meeting adjourned at 8:23 p.m. All members in favor.

Respectfully submitted,

Kimberley McMahon  
Planning Board Secretary