

TOWN OF GREENFIELD
PLANNING BOARD

August 8, 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, the following members are present: Tonya Yasenchak, John Bokus, Nathan Duffney, Michael Gyarmathy, Thomas Siragusa, Stan Weeks. John Streit and Robert Roeckle, Alternate are absent. Charlie Baker, Town Engineer, is present.

(R. Roeckle arrives)

MINUTES – July 11, 2017

MOTION: S. Weeks

SECOND: B. Duffney

RESOLVED, that the Planning Board waives the reading of and approves the minutes of July 11, 2017 as submitted.

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

Noes: None

Absent: Streit

Abstain: Roeckle

MINUTES – July 25, 2017

MOTION: S. Weeks

SECOND: M. Gyarmathy

RESOLVED, that the Planning Board waives the reading of and approves the minutes of July 25, 2017, with the following amendment:

PRESTWICK CHASE – F. McNeary and D. Penkowski were not present.

VOTE: Ayes: Duffney, Gyarmathy, Roeckle, Siragusa, Weeks, Yasenchak

Noes: None

Absent: Streit

Abstain: Bokus

SARASPA ROD & GUN CLUB – Special Use Permit

Porter Corners Road, Case#605

T. Yasenchak recuses herself. Gerard Moser, President, is present for the application and explains that presently the hours based on their special use permit for the outdoor ranges, except for the shotgun field, are from 9:00 a.m. to 8:00 p.m. The shotgun field hours are Saturday and Sunday from 9:00 a.m. to 2:00 p.m., and Tuesday and Wednesday from 6:00 p.m. to 8:00 p.m. What they are requesting is that all the hours for the outdoor ranges would be the same. Presently for the shotgun, there has to be someone from the Board there to run them. They do a lot of hunter education classes and they would like to be able to do those types of activities in the afternoon or different days of the week. B. Duffney asks that the rifle hours are longer than the shotgun. G. Moser states that the rifle hours are 7 days a week, from 9:00 a.m. to 8:00 p.m. B. Duffney questions that rifle and shotgun are outdoors. J. Bokus states that he is in favor of the project; he

sees no reason to have different hours. G. Moser states that he really does not know where the hours got restricted. Close to 20 years ago it got changed to this. At one point the hours were all the same and somehow during one of the meetings they were adjusted to this. He does not know the reasoning. R. Roeckle asks if the rifle range is part of the covered firing range. G. Moser states that the rifle ranges have the overshot on them and explains what the overshot is. He explains that they don't have the same issues with shotgun because it does not travel those distances. T. Siragusa asks, under the existing conditions, what complaints have they had. G. Moser states that they have had a few individuals come to the range and shoot early, and they have addressed those issues with the Town and dealt with those individuals. The last time there was an issue they were asked by the Town to make sure that they had a sign. They purchased all new signage and have put more signage out throughout the club. T. Siragusa states that he was not here in 2002 but he is guessing that a possibility is the difference between shotgun and rifle sound? G. Moser explains that the noise goes based on the speed versus the sound barrier, so the rifle makes a louder, sharper noise. B. Duffney asks if the shotguns are used as much as or more than rifles or is it about the same. G. Moser states considerably less. With a shotgun there has to be someone there to operate the equipment. The rifles are unsupervised. S. Weeks states that his only real question was how the hours came to be and that has been answered. This is a special use permit and there are a lot of items required for one. J. Bokus states that his feeling is that the permit is already in existence and this is a simple modification of it. S. Weeks states that it is still considered to be a special use permit. T. Siragusa states that would be his question, do we have to start over again or is there a path to a simple modification. He states that he would want to see a public hearing. S. Weeks states that we do need a public hearing. C. Baker states that he has to recuse himself also because he is a member of the club. B. Duffney states that this is already a special use permit. M. Gyarmathy states that this is already being done there; the only thing we are modifying is the hours. He does not believe that we have to redo the whole thing. T. Siragusa asks between 2002 and now, what has changed on the property in terms of clearing. G. Moser states that they took some trees down around the parking lot. Any other trees that have come down on the property have been away from the actual section used. They have 125 acres and probably use about 20 acres, if that. The logging has taken place on the sections beyond that which would not affect sound based on location. They purchased another 114 acres across the road and that is where they have done most of the logging. G. Moser states that they took down a group of pines near the parking area to help get more sun to dry out the parking lot. It did help. T. Siragusa asks on the south side, all the unused land is still wooded? G. Moser states that for the most part any logging has taken place on the other side of the power lines. S. Weeks states that usually a site plan requires the most detail and that may or may not be required.

SARASPA ROD & GUN CLUB – SITE PLAN

MOTION: B. Duffney

SECOND: R. Roeckle

RESOLVED, that the Planning Board waives the requirement of a new site plan and would like to see the original site plan to verify that nothing has changed on it.

VOTE: Ayes: Bokus, Duffney, Gyarmathy, Roeckle, Siragusa, Weeks,

Noes: None

Absent: Streit

Abstain: Yasenchak

Discussion takes place regarding a public hearing and one is scheduled for August 29 at 7:00 p.m. M. Gyarmathy states that if the applicant has a larger map that would be helpful for the public hearing.

464 MAPLE AVENUE LLC – Site Plan Review

Maple Avenue, Case 606

No one is present for this application, therefore it will be tabled. T. Yasenchak states that there was no site plan with this application which is for a solar, roof mounted installation in a non-residential application and our solar law states that it needs to go through site plan review. We did not receive any of that information.

G. DAVID EVANS – Open Development

Plank Road, Case #607

G. David Evans is present for the application. T. Yasenchak states that this is a referral to the Planning Board from the Town Board as the applicant is requesting an open development area on Plank Road. We are not making a determination of site plan approval or anything; this is strictly for the Planning Board to give a referral. G. David Evans states that he is trying to sell the lot in question as a residential lot. T. Yasenchak states that as a land locked parcel he does not have any legal road frontage on a public road so open development process has to go through the Town Board. After we make a referral back to the Town Board, then the Town Board sends it to the ZBA for a variance. S. Weeks questions that the variance would be for no road frontage. T. Yasenchak states that is correct. B. Duffney asks how far back from the main road is this lot. D. Evans states from the pavement it is about 500' or so. B. Duffney states that pull off areas for emergency vehicles would be required every 500' and a turnaround where the house would be located. D. Evans states that would be approximately another 230'. B. Duffney asks if there is a right-of-way to the property and how wide that is. D. Evans states it is an existing right-of-way to himself and the other land owners around it and would be a single lane. B. Duffney reiterates that a pull off area would be required and it would fall on an adjoining landowner's property. D. Evans asks if the 500' limit is based on how far it is to the property boundary, to the house, etc. B. Duffney explains. J. Bokus asks if this is an actual town road that is not maintained. B. Duffney states it is not, it is probably an abandoned town road. T. Siragusa states that it is the old Plank Road that went to Mount Pleasant. J. Bokus states that the pull offs are for driveways, and driveways are private land. B. Duffney states that it is still over the 500'. T. Yasenchak states that it would fall on the adjacent property owner and asks whose property that is. D. Evans states that it is shown as Agnes Pompa, she is deceased and a relative of hers manages the property. B. Duffney reiterates that the applicant would have to have a pull off at the 500' mark, large enough for a fire truck. The applicant will have to find out if he can do that. S. Weeks states that he does not have any real concern with the lot itself and it is certainly up to the owner to figure out how he is going to access that lot. He has no objection. T. Siragusa states he has no questions or objections. M. Gyarmathy states that he agrees with S. Weeks and as long as the applicant can provide what the Fire Department needs, he has no objection to this. R. Roeckle states that as long as the new owner has adequate legal access to the property. T. Yasenchak states that the applicant has stated that there is a right-of-way and that D. Evans is referring to the letter from his attorney stating that the applicant has a right to use the road. She asks if D. Evans has had any discussions with the Pompa's about that. She states that from what the Town Attorney has stated, it is a civil matter how someone interprets that right-of-way or whether or not the Plank Road that is in the documentation that D. Evans' attorney provided is the Plank Road in question that we are talking about versus a Plank road. She states that anything that the Planning Board would be recommending to the Town Board or any approval for an open development would not be granting access across someone else's property. That would still be required on the applicant's part. That needs to be fully documented and noted to any future buyer, that the property has access so it is not up to that future buyer to go and talk to the Pompa's. D. Evans states that he has spoken to the Pompa's. They have not resolved anything. She expressed some concern about the steel bridge and liability for that. T. Yasenchak states that anything that the Town would do does not resolve that. The applicant could get permission to develop the lot but he might still not have access because the Town cannot tell someone else to give the applicant access. She is not concerned about the lot itself. She asks if D. Evans has asked to possibly purchase or to connect the right-of-way to the land that he owns. D. Evans states that he talked to Agnes Pompa before she died about providing him a power easement. He was looking at the shortest distance. Before he was able to get her to agree to that, he got an agreement from the property to the north, Whalen. T. Yasenchak asks if the Whalen's own that, and he has an easement, can he

just connect instead of trying to use the driveway that goes through the Pompa's? D. Evans states that it would not be a practical route for a driveway. The easement is specified as a power easement, which includes the right for the power company to go back and forth, but it is not expressly a driveway. C. Baker states that as far as the lot being existing and non-conforming, he has no problem with that. He has been on this road, they did a lot of soil borings up there on adjoining properties years ago, and from what he remembers, using the term 'road' is loose. They went up there with 4-wheelers and they had all they could do to get in there. He would have some serious concerns as to whether or not this is a viable access to that lot without some serious improvements. He does not know what the mechanism would be or who would be responsible for that. T. Yasenchak states that from her understanding from G. McKenna is that any driveway to a building lot does require a driveway that meets the Town's driveway standards, so that would have to be addressed just to access it as part of the building permit process. B. Duffney states that he found his notes from the Fire Department, pull offs are to be 12' wide and 50' long. C. Baker states that he thinks they are going to have bigger concerns than just the pull offs. The steel deck bridge could be an issue as far as loads. There are a whole lot of questions that need to be answered. T. Yasenchak states that we are not doing a site plan review, we are just looking at open development which is just saying whether we are allowing someone to build on property that does not have frontage and then the burden falls on the property owner to make all of those other requirements come about. M. Gyarmathy states that then safe access is not our concern. T. Yasenchak states yes, safe access as far as having a driveway to driveway standards and having a bridge that would fall into that, as there is a weight limit for driveways. B. Duffney states that we ask the same thing of any road. M. Gyarmathy states that the applicant has not submitted a site plan that is to scale with topo and the driveway, to show us that there is safe access for a buildable lot. T. Yasenchak states that if that is additional information that we need, we can request it, in order to make an informed decision on an advisory opinion. D. Evans states that before he puts money into improving the road, etc., the first step would be to make sure that he has been approved to make this a residential lot. T. Yasenchak states that she would have to ask the Town Attorney, there is a certain amount of stuff that needs to be done at the same time because if we are concerned about safety and we don't know if the lot has even a safe way to access it – she thinks we need to ask the attorney. D. Evans states that he has a way to access it; the question is whether it meets the standards now and he does not believe that it does. Before he spends that money, he wants to make sure that he has a buyer who is willing to buy it. T. Yasenchak states that he would have to prove to any potential owner that they do have safe access. M. Gyarmathy states that the applicant has heard the concerns and they all relate to safe access. No one seems to have a problem with the lot at all. For him, he would need to see a drawing as to how that is going to happen. He does not feel that the current drawing is adequate enough to make an informed decision. B. Duffney asks if the turnaround area is part of the right-of-way. D. Evans states that as he understands it, the right-of-way is 50' wide so he thinks that is within the width of the right-of-way. T. Yasenchak asks if the right-of-way is listed somewhere. D. Evans states only by virtue of the fact that it used to be a town road. T. Siragusa asks if it was abandoned. T. Yasenchak asks if copies can be made of the information regarding abandoned roads. R. Roeckle states that if we are concerned about safe access and meeting the current driveway standards, would an engineer's report of how that road could be improved to provide those standards within what we are calling the applicant's access be appropriate - if not for the Planning Board then for the Town Board or ZBA. The applicant has stated that he does not want to build the road before he gets the approval, which R. Roeckle can understand, he will need direction on how that road will need to be improved and that would be able to provide information on possible safe access to that property. D. Evans states that in the past he has had the Fire Chief look at the roads and give his opinion to the Town as to whether it can be made into an adequate access for fire trucks. T. Yasenchak states that she thinks what is causing the issue is that it is someone else's property right now, but the applicant has the right-of-way. She believes it is something to ask the attorney about. She questions the appropriateness of the fire commissioner going on to someone else's property and making that determination for the applicant. R. Roeckle states that if the applicant has to bring in fill, it may extend beyond that 50' in order to be stable. We don't know that. D. Evans states that he can give the Board some information since the logging companies have logged hundreds of acres and they come through with a bulldozer. There have been culverts and ditches put in. T. Yasenchak states that she would be concerned just as the Board does with any other kind of easement or D. Evans' other subdivision, there were very specific easements that said who was

responsible for the maintenance, the original installation, etc. and the standards that needed to be met. Those would be T. Yasenchak's concerns – safe access and the easement agreements as this is not a town road and who is going to take care of it – is it going to be the future purchaser, are they going to maintain that whole thing. B. Duffney questions what happens if they do decide to do more logging up there and a log truck comes through, what happens then. T. Yasenchak asks if the Board would like to see some kind of write up, just a letter, regarding what needs to be done for safe access so that it is something that would go along with the approval so that anyone who would be looking at it would know that these things need to be done. M. Gyarmathy states that the Town Board is going to need something like that anyway because that is going to be their main concern – safe access, as well. They are going to want to know that emergency vehicles can get up there, etc. B. Duffney reiterates a better map. D. Evans states starting with the Fire Chief and if he states that it is ok as it is, does the Board still want something from an engineer. T. Yasenchak states yes, because the fire chief is not an engineer and he is not going to say whether or not that driveway meets the driveway standards. She states that the applicant was asked for this on one of his other subdivisions on a driveway that was already there. C. Baker states that there was a letter and it had a detailed plan with drainage, etc. T. Yasenchak reiterates that no one has an issue with the lot – it is pre-existing, non-conforming but the issue is having that safe access for emergency services as well as anyone to get in and out. The Board agrees that if the applicant can get the information in a week before the next meeting they would be willing to review this again at that next meeting.

RYAN FITZGERALD – Open Development

North End Road, Case #608

No one is present for the application. T. Yasenchak states that this is for a pre-existing, non-conforming lot located on the back side of Lake Desolation on a private road. Because this is a referral from the Town Board we do not necessarily have to have the applicant here to discuss the project, although sometimes it makes it easier. She states that she has some similar questions for the applicant. This is on an actual private road and there are other houses adjacent to this property. She questions that there is information that the applicant does have the right to use the road and who maintains it. M. Gyarmathy states that they have a little community agreement up there and they are all pretty good about it, too. T. Yasenchak asks if emergency services can actually go up that road. M. Gyarmathy states that he does not believe that is possible. B. Duffney states that he believes that this project is for just a camp, it is not really a year round home. M. Gyarmathy states that he believes that there are other year-round homes there. T. Yasenchak states that she does not know that our code differentiates. R. Roeckle states that it would be a residence. M. Gyarmathy states that there is electricity all the way up that road and cable. T. Yasenchak states that she would like to know that they have safe access. She does not know if they have easements up there or just a letter. She would like to request that information. B. Duffney states that there are other properties that already have homes up there. M. Gyarmathy states that even further down that road there is another full time residence. B. Duffney asks if we are going to ask this applicant to rebuild or add to the road up to his property. R. Roeckle states that that would be up to the ZBA. T. Yasenchak states that she would like to know that he has an easement, right-of-way, etc. M. Gyarmathy states that he is sure it is in the deeds. The applicant and/or Town Board will be asked for that additional information to show that the applicant has access to their property. C. Baker states that this is already an existing tax mapped parcel so why is he seeking open development. T. Yasenchak states because he has no legal frontage. M. Gyarmathy states that the applicant needs open development before he can get a building permit. T. Yasenchak states that it gets a little tricky when talking about private roads versus a town road and how municipalities treat that. G. McKenna has stated that the applicant needs a variance because he does not have frontage on a public road. S. Weeks states that he agrees with C. Baker and does not understand if there is already a road through there and there are already other residences along that road, what are we doing. T. Yasenchak states that it is not a public road. R. Roeckle states because there is no frontage, G. McKenna cannot issue a building permit and that is why it has to go through open development. T. Siragusa asks if all the other houses have open development. R. Roeckle states that they have been there a very long time.

DAVID VANDERZEE – ZBA Referral

Squashville Road, Case # 609

George Smith is present for the application. T. Yasenchak explains that this is also a landlocked parcel and they are requesting a frontage variance to allow for a private road or driveway to access their lot. There is one little lot showing where they are proposing their keyhole lot. It is being referred to the Planning Board also because the Planning Board is being granted lead agency for SEQRA. T. Yasenchak explains that there is a lot in the back that has no frontage and asks that they are purchasing land from lot 2 in order to access the property. G. Smith states that the applicant owns lots 1, 2, 3 and 4. T. Yasenchak states that the applicant wants to take out 40' from lot 3. The variance is because it would be smaller than our typical keyhole lot? C. Baker states that the variance would be for lot 3 because its frontage is being decreased. T. Yasenchak questions that in the application there is information about where the right-of-way was to cross the National Grid line and does that line up with the driveway. G. Smith states that he was not aware that there was actually a location. He states that he is in correspondence with National Grid and is in the process of filling out an application form for proposed right-of-way use. In that document there would be the specifications of where they would be crossing. He provides a map. T. Yasenchak states that the right of way was given to Cheryl Willard and Morgan Green to cross over. Was that for one particular parcel? G. Smith states that he understands that that person owned all of this land and subdivided it. D. Vanderzee is in the process of having that verbiage put into the present deed. T. Yasenchak states that she knows that there was a question of whether the Authorization of Agent had been signed and submitted. G. Smith states that they are in the process of getting that also. T. Yasenchak questions that the lot in the back is going to be one residential lot. G. Smith states that at the present time, the applicant is just looking at putting agriculture back there, a tree farm, but they would like to keep the option of putting a house back there. T. Yasenchak states that there appear to be a lot of wetlands on the property and it looks like where they are planning the driveway brings you in that one corner away from where the wetlands are. G. Smith states that there are 7 acres just after you pass the power line. They are working with DEC on wetlands. B. Duffney asks that at this point they are going to use this as agricultural. G. Smith states that is correct. B. Duffney explains that if they put a home in there at some point there are requirements for a pull off for a fire truck and emergency vehicles. R. Roeckle questions why a land locked parcel was created in the subdivision and does T. Yasenchak remember the subdivision being done. T. Yasenchak states that she does not know and she vaguely remembers this. C. Baker states that he does not know either. T. Yasenchak states that she thinks it was attached at some point because we would not have created it. R. Roeckle states that he knows that Real Property Tax Services will often flag a lot with a separate tax parcel number if it is divided by something such as the Niagara Mohawk roadway, Delaware & Hudson, or a street. C. Baker states that he would like to see a copy of the original subdivision. R. Roeckle states that if this was supposed to be sold with another lot and the other lot was the access for this lot, then why do we even need to do this. Board would like to see this information before doing SEQRA. Additional information on the wetlands and any buffers would be helpful, also the information regarding authorization of agent. C. Baker reiterates that he would like to see the original subdivision. He questions that where the proposed keyhole lot is shown, he is not sure if that is a power pole within that right-of-way. He would like to see a map that includes all the lands on the other side. T. Yasenchak states that this would be coming back to the Planning Board for a lot line adjustment and she would like to see sight distance for the location of the proposed driveway

OLD BUSINESS**MICHAEL & ROSE MCBILES – Minor Subdivision**

Spier Falls Road, Case #601

Mike McBiles is present. T. Yasenchak states that the applicant had been asked for some additional information which they have provided. She states that it is a really small map so it is really hard to read

some of the information. We would need to have a full map for the next meeting. She states that the sight distance is on the map but she cannot read it. M. McBiles states that it is 530' and 825'. C. Baker states that he would like to see a letter from Thompson and Fleming. If they are going to put the distances on there then they should tell us what methodology they used to measure the distance, how they went about measuring it and what comparison they used with AASHTO. T. Yasenchak states that we did ask for them to show the wetlands on here, which has been shown as well as the 100' buffer area. She states that note #3 can be removed as we no longer have that rule. She states that note #5 talks about plot plan that must be provided and she would like to have that clarified as we have asked for the driveway sight distance. She would like that noted because if someone decided to change the driveway location it would have to be verified again. T. Yasenchak states that it should also be noted on the plan somewhere that there is a flood plain that goes through this property. She believes that the lot where they are proposing the house is outside the flood plain, but she thinks it is important to note that there is a flood plain on the property. R. Roeckle states that he sees that the existing wood road runs through the wetlands and buffer, and is that going to be a problem. C. Baker states that he saw that but was having a hard time reviewing this because it is so small. B. Duffney and M. McBiles state that it is an old skid road. B. Duffney states that if it is an old skid road, he does not imagine that it would be wet there. R. Roeckle states that it is within the 100' buffer. T. Yasenchak states that for future development of that or a modification of that road, it would be in the 100' buffer. C. Baker states also if there is any grading or any improvements within that area. T. Yasenchak asks if it should be noted that any disturbances within that 100' need to have DEC approval. The Board would like to see a bigger map with the changes discussed. A public hearing is scheduled for the August 29th.

SANDRA ARNOLD-SPAULDING – Minor Subdivision

Porter Corners Road, Case #603

Sandra Arnold-Spauldning is present. T. Yasenchak states that the plan makes note of sight distance. R. Roeckle points out that it does say SD- with distances in feet – on either side of the driveway. T. Siragusa states that the only thing that would be needed would be a letter of methodology saying how the measurements were determined. C. Baker states that the problem with surveyors measuring, since there is not a posted speed limit, the default speed limit would be 55 mph. At 55 mph these measured distances are not going to meet the requirements. If the applicant were to hire a traffic engineer, they would do a speed study, determine the actual travel speed of that roadway and that is what they would compare it to. That would be the legal document that the Town would need to have in the file to say that we have looked at this and it was determined to be safe. He states that based on what is being shown here, the applicant is going to have to get a traffic engineer to look at this. Unfortunately, from the Town's perspective, if we approve something that doesn't meet the standard and someone were to pull out of one of those driveways and get hit in the future, then the Town is going to liable. M. Gyarmathy asks if there are no speed limit signs from Bockes Road down to this bridge. B. Duffney states there are not. S. Arnold-Spauldning states that by the Rod and Gun Club there is a 40 mph speed limit with a whole bunch of curves. Discussion takes place that this is a yellow suggested speed sign. C. Baker states that unless it is posted, the default is 55 mph. B. Duffney states that it is not logical for anyone to cross the bridge at 55 mph but all it takes is one person hot-rodding down through there – then it is the Town's fault. S. Weeks states that there is something strange about these sight distances, he does not think they make sense. Board reviews and agrees with S. Weeks. S. Arnold-Spauldning states that at the location where it says 522', there are two trees that need to be taken down and she has spoken to W. Barss about it. R. Roeckle states that he assumes that the Code Enforcement officer has indicated that because these are pre-existing structures, even though these are becoming new lots, they don't need setback variances? T. Yasenchak states that she believes so; he has not said that variances were needed. Public hearing is discussed and set for August 29th.

PRESTWICK CHASE – PUD Amendment

Denton Road, Case#595

T. Yasenachak asks if anyone has anymore thoughts. M. Gyarmathy states that he condensed his comments and gave everyone copies. He also took everyone's input and toned it down a little bit so that the Town Board has an easier handle on it. He states that the first item was to restrict the maximum number of units, both single family and multi-family; a minimum or maximum setback of buildings from internal roadways; minimum distance between buildings and he came up with 45, which he based on the size of a mobile home lot; the maximum square footage of each type of building; commercial intentions of the PUD, what else are they going to have in there; 55 or older language in the PUD documents; walking areas were not shown on the sketch plan; there were narrative items that should be put in the PUD language; area and bulk schedule; and phasing of construction. T. Yasenachak states that she thinks the list does a really good job of consolidating the intent of all of our different comments. As was previously discussed, we are not looking at writing the PUD language for them, we are not interested in providing so much detail that we are writing it and where the Town Board might say just take this list and then we are ok with it. We are really listing our concerns. T. Yasenachak adds emergency access and services to the list, because that was something that had been a concern. S. Weeks states that is not in the existing PUD. T. Yasenachak states that is correct, it was not listed in the original or the revised PUD. M. Gyarmathy states that he thought that we had all said that they needed to put more into the PUD language. R. Roeckle states that his suggestion for the bulk and area schedules and the setbacks would allow them more flexibility than having to come in and show exactly what is going to happen. T. Yasenachak states that even though it seems more restrictive at this point, later on it actually gives everyone more flexibility. S. Weeks states that his biggest concern would be the minimum distance between buildings of 45'. He stayed in something similar in Connecticut last weekend and where they are garage to garage, the space is maybe 10' he would guess, but where they are living area to living area then that space is bigger. He would be real concerned about a minimum distance of 45' in general. He does not see the reason to do that in this kind of development. Folks don't want a big lawn, they don't have kids who are out there playing, they don't have a pool – he thinks 45' where you have water and sewer, that's the huge difference. That is why these houses can be closer together. B. Duffney questions what the applicant had proposed. C. Baker states that they had the exact minimum that is required per the building code for sprinklered buildings with non-combustible exteriors. He believes it might be around 15'. T. Yasenachak states that we would not have to give the number, just state the 'Minimum distance between buildings'. S. Weeks questions that 'walking areas' means sidewalks. T. Yasenachak states that we were not sure, there was a little line, but we were not sure what that was. S. Weeks questions that we want to specifically say 'sidewalks'. T. Yasenachak states that we can say 'pedestrian access was not addressed appropriately'. R. Roeckle states that he does not remember the language in the PUD, but did it indicate that these were all private roads? M. Gyarmathy states that he does not remember what the language says, but the applicant stated he was going to take care of all the grounds. R. Roeckle states that because the PUD language should be written in such a way that it acts like a stand-alone section of the Zoning Law, if these are private roads, the PUD language should state that these are private roads. M. Gyarmathy states that it is a tough line that we are talking about these things because we are not here to tell them what to do. T. Yasenachak states that we are working on an advisory opinion based on the information that was provided and really the information that was provided for the addendum was two paragraphs. S. Weeks states that we are basically asking questions so that the Town will know more specifically about what they are planning. T. Yasenachak states that we are stating why our advisory opinion is to not approve this at this time, because we do not feel that these things have been adequately addressed and that we would need more complete information, and we would want to re-review it. She states that now we should take this list and go through the criteria, she reads from the code, and discuss how they meet the criteria. **1. The proposal conforms to the Town's Comprehensive Planning objectives** – T. Yasenachak states that they are, which would be the south east portion of Greenfield, because of the availability of public utilities is slated as being a higher density for future development. In that perspective, she thinks it complies. M. Gyarmathy states that it says that our Town is primarily rural and the town centers were targeted to receive the densest development. It does talk about moderate density in the southern center of the Town, but he does not know if this would be considered moderate density. That is why he came up with that distance also. T. Yasenachak states that as we did all talk about the concern about density and how it relates to the Comprehensive Plan even in that area.

R. Roeckle asks if you are looking at density as the number of units, which is actually getting lower based on this amendment, or density of number of buildings, which is getting substantially higher based on this. T. Yasenchak states that she is more concerned with the number of buildings, not necessarily the number of units. M. Gyarmathy agrees. S. Weeks states that he thinks this is less dense than what we had already approved. B. Duffney states that it would be less dense based on the number of residents too. T. Yasenchak states that is what she is not exactly convinced of because when you have a two bedroom apartment, and that is a unit, and they are stacked in an apartment building, you are probably only going to have a couple. You are not going to have older kids coming and living with you in that type of situation because it is a senior apartment, but if you have a 3 bedroom home that is detached from everyone else, she thinks that that has a different feel to it. You could actually have more residents living in that home than you would if it were an apartment unit. She states that is all just conjecture. M. Gyarmathy states that it really isn't, a lot of his friends are complaining about it – that their kids are coming back home. R. Roeckle states that is something that the management company would be enforcing based on the language in the PUD. T. Yasenchak states that the PUD states that older children can live there and it was also stated that way before. **2. Proposal meets the intent and objectives of a Planned Unit Development as expressed in the Section 105-129 A,** which she reads at this time. **A. More useable open space, preserved lands and/or recreational areas shall be created.** T. Yasenchak states that she does not feel it meets that objective, she does not think it preserved open space, she does not think it added any additional recreational area or preserved land. R. Roeckle asks if the amendment does it any better than the existing PUD. M. Gyarmathy states it does not. T. Yasenchak states that it takes more greenspace away. C. Baker states that the Board should remember that when the applicant amended this the last time, they took away the golf course and the Board agreed to it at that point. M. Gyarmathy states that because we don't have some of the information in his list, it is hard to make an accurate assessment. Discussion takes place that a chart was provided of the impervious areas. R. Roeckle asks what was replacing the golf course. T. Yasenchak states just preserved open space. She states that there is more forested, but there is 2 acres more of road and in doing that there was also 2 acres less of meadow and brush land. T. Siragusa states that he would agree that it does not meet A, but in that case, neither did the previous proposal. C. Baker states that that is the point he was trying to make. T. Yasenchak states that that is a good point. T. Yasenchak asks if in this plan they have that whole racket ball/pickle ball area in the new plan. T. Siragusa states it is. He asks when we go through this, as it is the second amendment to the PUD, isn't there an assumption that it met all of the criteria or should we be looking at this to say did any of these things, which the Board was ok with in the original PUD, is any of this taken away or do we look at it in this version to see that it meets all these. T. Yasenchak states that we are looking at how the amendment meets those objectives. S. Weeks comments that C states that '**Land shall be used efficiently so that an economical network of utilities and streets shall be provided**', he feels that moves things closer together. T. Yasenchak states that it moves things closer, but they have more of them. B. Duffney states that the main thing with it being together for him is the impervious surfaces and the storm water management. They have to make sure that runoff is controlled. M. Gyarmathy states that we have a couple of different definitions of density and now we are on the second point and we have a couple of different definitions of that. T. Yasenchak states that if we go to B, the change is 2 acres less of green space than the previous one so she does not think it meets that objective. They are going with less of a number of units, but they are losing 2 acres more of greenspace. B. Duffney questions the items to be in the report and discussion ensues. T. Yasenchak states that in our general overall advisory opinion we will be saying whether we feel that the Town Board should approve the amendment to the PUD based on these guidelines in the report and this is why they should or should not approve it. B. Duffney states that he would not say that they should deny it because of this. Let them know this is what we found and let them make the decision. T. Yasenchak reiterates that we are giving an advisory opinion. Discussion takes place regarding the acreage lost versus what remains. T. Siragusa states that the difference adds up to zero. S. Weeks states that he remembers spending a huge amount of time on SEQRA the last time around, he does not remember us spending this much time on this part of it. R. Roeckle states that if you look at B again, they are giving us more forest, topography, water resources and outstanding natural features shall be preserved where possible. T. Siragusa states that he believes it does that. T. Yasenchak states that she disagrees, she does not understand the list and it doesn't seem, when she looks at the areas and the building locations, that there are

more trees. T. Siragusa states that in the information that we are given, are those things being preserved, he would say, yes. If we are questioning that the numbers are wrong, then we can't even answer that question. M. Gyarmathy states that we are gaining 4 acres of impervious surface, so our natural resources are lessened by 4 acres. T. Yasenchak states that we can table that discussion and say that we need more information. The applicant gave us the chart but we need to see the plain out number of green space vs. impervious surface. C. Baker states that his take on it was that they are adding 2 acres of impervious and they are replacing those 2 acres with either the meadow or the woods. So there is an increase of impervious surface of 2 acres and a net loss of open space, woods or meadow, etc., of 2 acres so it an off set. T. Yasenchak states that we can say that we are not unanimous in our opinion about that. T. Yasenchak reads **C**, and states that she does not believe that it meets that objective because they have less number of units but they have more roads, so she does not think it is more economical. T. Siragusa asks if they couldn't both be economical, just because it is different, what is our measure for what is 'efficient'. T. Yasenchak states that she would say less. T. Siragusa states anything less would still be efficient. T. Yasenchak states that if you look at the ratio of square foot area per dwelling units, if the roads were 20 acres and now we have 22 acres. M. Gyarmathy states that he thinks that the items 1 -8 are a little too vague to have to make our advisory opinion because this is only a PUD amendment. If it were a start from the beginning PUD, those would apply better to what we are doing here. T. Yasenchak states that we can put that in our report. She states that the other general requirements under **B. General Requirements – area minimum** – this is more than 15 acres; **permitted uses** – residences stays within the permitted uses; the **location** has not changed; **density** – the dwelling unit density is decreasing, so it still meets the objective of the original PUD; **ownership** – this stays within that requirement. On pg. 105:88 – we have discussed items 1, 2 & 3. **4 – the use is not detrimental** and it is already a PUD. **5. Each phase** – we have not received an amended phasing schedule. We cannot adequately address that and they have not proposed parking facilities for the single family units. C. Baker states that the phasing plan is something that the Planning Board may want to really stress to them that that is very important because if you look at the last PUD language, there was almost 3 pages on phasing and that is what we are going to be looking at when we do the details. It is important for the Town Board to understand that we need a clearly defined language. T. Yasenchak states that it needs to be redefined and the Planning Board would like to re-review that. **6. Proposal is conceptually sound** – R. Roeckle states that they have not proposed pedestrian and drainage. M. Gyarmathy states that there is not enough information. T. Yasenchak states that she still does not know how they are addressing open space; she does not think that there is planned open space in here. There is just space that they are not using and it says future development. **7. Adequate service and utilities** – this was addressed for the number of units that they had that there was adequate service and utilities. They are proposing less units. **8. Traffic** – a traffic study was provided that says that the level of service of the existing road is still adequate to meet the proposed new traffic. Obviously there will be an increase in traffic which may be perceived by the community as adverse; however it meets the level of service for the road. **(b)** – we cannot do SEQRA until we have a final. R. Roeckle states that because of the items listed, they have not provided enough information for the Planning Board to complete a SEQRA review. Discussion takes place that the Planning Board did SEQRA when they reviewed site plan. T. Yasenchak states that we will put this all together along with all the items on our list into one report and talk about that at our next meeting. S. Weeks states that 7 talks about having this done within 35 days, we did say that the application was complete. M. Gyarmathy reads from the resolution at the July 11, 2017 meeting, *“Discussion – the attorney and the applicant have stated that the Planning Board can have the additional advisory opinion discussion extended to the last meeting in August, August 31st, which is the proposed date at this time.”* R. Roeckle states that we should note that in the recommendation that we are responding after the 35 days because the applicant agreed to extend the 35 days. Can we send the Town Board a letter for their meeting stating that the applicant's attorney agreed to extend the 35 days and we will be providing that to them after our next meeting. M. Gyarmathy states that he thinks that we have to have the advisory opinion to them by the end of the month. R. Roeckle states that we would be making our decision at our meeting on August 29th, so we should let the Town Board know of the agreement. T. Yasenchak states that the Planning Board will officially be asking the applicant for a letter in writing to confirm their agreement to allow us to the last Tuesday of the month to write our advisory opinion. If we don't make the decision within the 35 days it shall count as a recommendation for Planning Board approval,

per the code. One of the things we discussed with the applicant was that if they didn't agree to the extension, the Planning Board could make a motion to deny. We can craft something for a motion that states that if we do not receive a letter from the applicant by August 15th that the Planning Board would vote for denial of the application. R. Roeckle states that we could also write a letter saying pursuant to your verbal agreement on such a date, we are extending the time until (date) and let the Town Board know. Discussion takes place that T. Yasenchak will call the Town Attorney tomorrow and ask them to send a note to the applicant and she will also talk with them to make sure that we are covered because she does not want them to say that they didn't quite agree, etc. Worst case scenario would be that we would have to have a supplemental meeting. The goal is to have a report crafted that states our advisory opinion to the Town Board. B. Duffney asks if it would be to our benefit to have L. Palleschi here to answer some of the questions. T. Yasenchak states that since their original amendment to the PUD was so vague, she thinks that the Planning Board trying to be very specific in the actual numbers, that might be going overboard. If we list out all of the things that we feel they were vague in or did not address, she thinks that list of items is sufficient. Once the Town Board takes the report and reads it, then they vote on whether or not the revised amendment to the PUD, the language that was presented, is approved or not. We are not doing SEQRA because we do not have all the information to do that. The Town Board should be making their decision based on our report and advisory opinion. Discussion takes place regarding how this application would proceed based on the Town Board's decision. S. Weeks states that we have spent over an hour discussing Prestwick Chase and it was not on the agenda, he really thinks that it needs to be on the agenda. C. Baker agrees.

Meeting adjourned at 9:57 p.m., all members in favor.

Respectfully submitted,

Kim McMahon

Rosamaria Rowland