

TOWN OF GREENFIELD
PLANNING BOARD

December 12, 2023

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Robert Roeckle Chair at 7:00 p.m. On roll call the following members are present. Robert Roeckle, Charlie Dake, Steve Licciardi, Beth Podhajecki, Joe Sabanos, Robert Roeckle, and Clyde Ronk, alternate. Charlie Baker, Town Engineer is present. Justin Reckner, Zoning Administrator/Code Enforcement Officer is present. Tonya Yasenchak and Butch Duffney are absent. Clyde Ronk has full voting privileges for the entirety of the meeting.

Minutes

November 14, 2023

MOTION: C. Dake

SECOND: S. Licciardi

RESOLVED, The Planning Board waives the reading of and accepts the November 14, 2023 Minutes with minor corrections.

VOTE: Ayes: C. Dake, S. Licciardi, B. Podhajecki, J. Sabanos, R. Roeckle, and C. Ronk

Noes: None

Abstain: None

Absent: B. Duffney and T. Yasenchak

November 28, 2023

The minutes will be reviewed at the next meeting.

Kwalik, K. case #713
 TM# 164.6-1-27

Advisory Opinion
 28 Old Stone Ridge Road

K. Kwalik is present. R. Roeckle asks if K. Kwalik has the additional information that the Board requested. K. Kwalik states yes, he has some of it. He states that it was tough locating the wells on his neighbor's properties. He provided pictures where the wells are located. He will not have the exact locations of the until he comes back in front of the Planning Board for the Special Use Permit. R. Roeckle states that they will need to have 100' separation between the well and septic system. K. Kwalik states that he spoke to Kevin Hastings, the engineer of record, and he said that it was done correctly. R. Roeckle states that he is surprised that the engineer of record didn't include the wells locations. He states that the ZBA will have to go with the original lot size of 1.3 acre, because the lot line adjustment property that they added to their property can only be used for green space. K. Kwalik states that because his well is on each side of his leach fields. R. Roeckle states that the engineer was presuming the current septic system is closer to the well it would meet the 100' separation requirement. K. Kwalik states that

he provided a new floor plan. R. Roeckle asks if it is less than 1,200 square feet. K. Kwalik states yes. R. Roeckle states that is a reduction of what was originally proposed. K. Kwalik states that it will bring the variance down about 15%. R. Roeckle asks if the ZBA will be looking at 1.3 acres or 2.1 acres. He states that is a question for the Zoning Officer. J. Reckner states the original lot size, which is 1.3 acres. The Board does not have everything that was requested. He asks the Board if they want to move forward with making a motion or recommendation. Chris Adams (representative for K. Kwalik) states the apartment is less than 1,200 square feet. C. Baker asks if he can make a comment. R. Roeckle states yes. C. Baker states that he does not know if this is the time, the septic system that is shown in his opinion the Board should have a vertical separation to the slope at least 25' and the way this is draw doesn't show that. R. Roeckle states that the septic system as shown C. Baker does not feel will work properly. C. Baker states that it is not something that he would recommend. C. Dake asks if the applicant would like the Board to make a recommendation today or would he like to come back in January. K. Kwalik states he does need to get moving on this so yes.

MOTION: C. Dake

SECOND: J. Sabanos

RESOLVED, The Planning Board in their Advisory Opinion recommends that the ZBA deny the variances for a garage apartment for Kenneth Kwalik at 28 Old Stone Ridge Road, due to the excessive amount of relief for lot size, and total square footage. The Planning Board does not feel the applicant's case is exceptional in a way that warrants such a variance given the facts presented.

VOTE: Ayes: C. Dake, S. Licciardi, B. Podhajecki, J. Sabanos, R. Roeckle, and C. Ronk

Noes: None

Abstain: None

Absent: B. Duffney and T. Yasenchak

R. Roeckle asks K. McMahon if the ZBA has accepted the application. K. McMahon states no, they have not set a public hearing. R. Roeckle states that the earliest the ZBA will set a public hearing is February. K. McMahon states correct. R. Roeckle states that K. Kwalik may come back in front with additional information, however he would need a super majority vote to change this vote. He states that the ZBA can do whatever they want. They could be on the agenda for January for the ZBA or not. At this point the Planning Board is recommending that the ZBA deny this request.

55 Wilton Road, LLC Case #716
TM# 138.-2-96

SPR
55-59 Wilton Road

Frank Palumbo and Paul Young are present. R. Roeckle states that this project has a public hearing this evening. F. Palumbo states that they made some adjustments to the plans. The first thing that they did was put the aerial view on the map. They checked with J. Reckner for the setbacks to make sure they are met. The setbacks are 20' and they added that to the map. They also added the lighting plan on map. The fencing location is shown on the map. They explain the former easements are no longer needed. He states that the current map shows that all the current fencing is on their property. The storm water is going toward the building and it will stay on their property. R. Roeckle opens the public hearing at 7:26 p.m. He states that they have 2 correspondence for this project. He reads the letter from Barbara Hodge that is not opposed to this project, however she states that there are a lot of changes there that

they have noticed. More lights and they have had several people pull into their driveway just to look at the farm across the street. R. Roeckle states that the next letter is from Adele Einhorn, 79 Wilton Road, stating that the manure pile is directly next to her parcel. She has wanted to build a house on her property, but the manure pile smells horribly she is not willing to build on that parcel due to that. Mario Martinez of Locust Grove Road, states that their property abuts this parcel. He states that at one time the applicant had 1,000' of fence on his property. F. Palumbo states the surveyor has staked out the property. M. Martinez shows his survey. He states that at one time the fence was on his parcel. Duane Hodsoll, 3 Pine Robin North, states that he lives far enough away he does not have a problem with this project. M. Martinez states that once the property was sold the easements to the property are null and void. He states that they need to go by his survey. C. Baker states that he doesn't have any problems with it as long as the encroachment is gone. F. Palumbo states that the survey was done in 2016 and it was an alta survey. The easement was extinguished. The fencing was removed and the site plan shows where the fence is. The survey is valid. They have provided a boundary survey. B. Podhajecki asks if the fence is around the entire parcel or just the pond. F. Palumbo states entire parcel. P. Young states that the owners have spent hundreds of thousands of dollars on their property they are not trying to do anything wrong. C. Dake asks if the fence is on the neighbor's property. P. Young states that the fence is on 55 Wilton Road property. M. Martinez states that the Board must look at his survey and review it as that. J. Sabanos states that is a civil matter between property owners it is not the position of the Board. M. Martinez respectfully requests that the Board review it with his survey. J. Sabanos states no there is no reason to dispute this it is a civil matter and it has nothing to do with this Board. F. Palumbo states that the purpose of this is for the maintenance barn. If they want to do anything on the property they have to come in front of the Board to do it. R. Roeckle states that Adelle Einhorn provided pictures of the manure pit and the manure pit is not shown on the map. J. Reckner states that the manure pit has to be at least 20' from the property line. That is the setback for their PUD. P. Young states that they remove the manure in the pit every 3 days. The pit can be moved anywhere on the property. R. Roeckle states that in the photos that they have, it looks like there is a building adjacent to the manure pit. F. Palumbo states if it is a condition they will move it. C. Dake states that he feels that they should show the neighbor's wells in relation to the neighbor's property. F. Palumbo states if they can find it they will put it on the map. S. Licciardi asks if the ponds are in any wetlands. R. Roeckle states put the wetlands on the map if there are any. F. Palumbo states that he has walked the property and there are no wetlands on the property. It was determined by Saratoga County. NYS DEC has stated as of 2025 use the wetlands maps with caution. P. Young states that in the summer the ponds dry up. R. Roeckle closes the public hearing at 8:05 p.m. The Board reviews SEQRA.

MOTION: B. Podhajecki

SECOND: C. Ronk

RESOLVED, that the Planning Board completes Part II and Part III of the Short Form SEQRA. All questions are answered "no" and the second box is checked, indicating that this will not result in any significant negative environmental impacts for a Site Plan Review of 55-59 Wilton Road, LLC, for property located at 55-59 Wilton Road, TM# 138.-2-96.

VOTE: Ayes: C. Dake, S. Licciardi, B. Podhajecki, J. Sabanos, R. Roeckle, and C. Ronk

Noes: None

Abstain: None

Absent: B. Duffney and T. Yasenchak

MOTION: J. Sabanos

SECOND: B. Podhajecki

RESOLVED, that the Planning Board grants approval for Site Plan Review for, 55-59 Wilton Road, TM# 138.-2-96, contingent upon:

- The oil separator for the wash bay to be addressed.
- The manure pit is to be moved to be 20' from the property line
- The maintenance barn will be removed within 60 days of completion of the new building

VOTE: Ayes: C. Dake, S. Licciardi, B. Podhajecki, J. Sabanos, R. Roeckle, and C. Ronk

Noes: None

Abstain: None

Absent: B. Duffney and T. Yasenchak

R. Roeckle asks if they will need a demolition permit. J. Reckner states yes.

Meeting adjourned at 8:15 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
Planning Board Executive Secretary