

**TOWN OF GREENFIELD
PLANNING BOARD**

July 26, 2016

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Stan Weeks at 7:02 p.m. On roll call, the following members are present: Nathan Duffney, Michael Gyarmathy, Thomas Siragusa, John Streit, and Stan Weeks. Tonya Yasenchak, John Bokus, and Robert Roeckle, Alternate are absent. Charlie Baker, Town Engineer is present.

John Streit arrives.

MINUTES – July 12, 2016

MOTION: B. Duffney

SECOND: M. Gyarmathy

RESOLVED, that the Planning Board waives the reading of and approves the minutes of July 12, 2016, as submitted.

VOTE: Ayes: Duffney, Gyarmathy, Streit, Weeks,

Noes: None

Absent: Bokus, Roeckle, Yasenchak

Abstain: Siragusa

PLANNING BOARD CASE

MICHAEL RAYBURN – Special Use Permit

NYS Route 9N

Michael Rayburn is present. S. Weeks opens a public hearing at 7:02 p.m. M. Rayburn explains that he would like to build a small garage apartment, remove the mobile home and live in the garage apartment until the lawsuit is settled with the contractor of the house. Once the house is finished he would move into the house and have the garage apartment for guests or possible rental. Brian Auwarter, Mill Road, states that he would like to speak on behalf of the applicant and states that he has done a heck of a job cleaning that property up. Any septic issues have been resolved since this is all bedrock; traffic is at a minimum since there is only one person living there. The applicant has done a wonderful job. He states that he and a couple of other neighbors have talked about the good work that has been done here; he has heard of no complaints and is in favor of the applicant. There being no further public comments, this public hearing is closed at 7:05 p.m.

C. Baker states that he believes that the applicant stated that there would be a new septic system. M. Rayburn states that there will and it will be a totally separate septic for the garage.

RESOLUTION – M. Rayburn, Special Use Permit

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board grants a Special Use Permit to Michael Rayburn for a garage apartment on property located at 965 NYS Route 9N, TM#151.-2-22, per the application submitted.

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

COHEN CARTIER – Site Plan Review

Wilton Road

Cohen and Melissa Cartier are present. S. Weeks asks if the applicant received a copy of C. Baker's review letter and if he has had time to think that through. C. Cartier states that he received the letter today, the changes are minor, most of them are drafting changes and they can certainly make all the changes that C. Baker requested. C. Baker states that he does not see any show stoppers there. There are a couple of catch basins that were shown relatively close to the property line. He thinks that when the applicant goes to install those they might actually be affecting the neighbor's property so they should probably have some type of a temporary easement from the neighbor making sure that the applicant is going to restore the neighbor's lot. C. Baker states that his other comment was that they show perforated pipe between the catch basins and he did not see any calculations to justify the size that they want to put in there. The engineer should take a look at that and they might have to go to 24. C. Baker states that the applicant did a good job moving the septic system to the far back, that was probably the best location on the site. The use is probably a little less than the house that was there. He did suggest taking a sample of the neighbor's well, which is to protect the applicant down the road in case the neighbor should later say that his well was contaminated by the construction. B. Duffney states that it looks fine. M. Gyarmathy thanks the applicant for the additional information that was requested. S. Weeks asks about the language for the shared parking spaces. R. Rowland states that C. Cartier provided the original language for some shared parking behind the Community Center; T. Yasenchak and D. Pemrick made some revisions, and asked R. Rowland to submit the language to the Town Attorney for review. The application is deemed to be complete and a public hearing is scheduled for August 9, 2016 at 7:00 p.m.

GALARNEAU BUILDERS – Site Plan Review

Cooperfield Road

The applicant has requested postponement.

LORNA DUPOUY – PUD

South Greenfield Road

Lorna Dupouy is present and explains that she had applied for a PUD some time ago and the Planning Board and the Town Board had concerns regarding the proposed uses and the engineering involved. She states that she has now decided to do just the Bed and Breakfast with outdoor weddings; the Etiquette School for which she currently has a special use permit, and they have planted a vineyard. S. Weeks states that the Board has a map. R. Rowland explains that the map is an old one that she included with the new letter just for background information as some of the Board members may not have been here at the time. L. Dupouy reviews the map. S. Weeks states that the Planning Board will need a final plot plan before it can give a recommendation to the Town Board who needs to act on this. L. Dupouy states that she believes she has gone thru all the those steps and where we left it last time was that she just had to come back and get the final approval from the Planning Board based on the information. The only thing that has changed is that there is less information. C. Baker asks if the Town Board granted PUD approval. L. Dupouy states that they said to come back to the Planning Board. S. Weeks asks if the PUD was approved based on the map we have. L. Dupouy states that it was and that map is still the same except that there will be no cabins. C. Baker asks if SEQRA was done. L. Dupouy states that it was not and why would we need a SEQRA. C.

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Baker states that the PUD could not be granted without the SEQRA. B. Duffney remembers L. Dupouy being before the Town Board and the Planning Board. He believes the biggest issue was sight distance. L. Dupouy states that since that time, not only have they cleared away trees, but the Town has come in and now there is the amount that is needed. S. Weeks asks if that has been certified by someone. L. Dupouy states that it hasn't and what she was hoping was that the Planning Board would come out to the site, because that is \$1,800 to do that, and as it was less than 20 feet you can visibly see the change. S. Weeks states that is probably not going to work for having someone certify that we have adequate sight distance which is something that the Planning Board is basically asking now for every applicant. We have made that an absolute on applications, to have someone who is appropriately qualified to certify the sight distance. J. Streit asks which is the point of entry about which we are speaking. L. Dupouy states the one at the lower east side. The other thing we talked about was that if people went out the front, we would make it a right hand turn only. She states that entry into the establishment isn't a question, it is when you come out – can you see? C. Baker states that before the applicant does any of that we need to find out the status with the Town Board. If they have not approved a PUD yet, the applicant has a lot more work ahead of her. R. Rowland states that she does not believe that the Town Board approved the PUD, rather referred the applicant to the Planning Board for its review of the proposal. T. Siragusa states that the applicant is stating that there are fewer things; looking at the July 8th letter it lists 3 businesses - The Etiquette School, the Villeroy B&B and the vineyards. L. Dupouy states that she has the special use permit for the Etiquette school and they are getting the rooms ready to open a B&B. They have planted the vineyard and they hope to do something with that either a tasting room or whatever. Nothing else. She states that before she was not even intending to do all the things. T. Siragusa states that the rest of the document also talks about events, and he wasn't sure what the events were for. L. Dupouy states that the events come with the B & B similar to the Mansion on Route 29. T. Siragusa questions that B&B's have weddings. L. Dupouy states that they do. T. Siragusa states that the applicant stated that the vineyard might have visitors, what about the Christmas trees. L. Dupouy states that those are just for them, to make the property look nice. She states it is not going to be Doug's Christmas Tree Farm, but they might let good friends buy a few. T. Siragusa states that in that case he wouldn't even put it in there. He asks about the 3 bedroom cottage and if that is to be used for the B&B or is it just on the property. L. Dupouy states that it is on the property. T. Siragusa asks about the renovation of the barn for the B&B and the weddings. He asks how often they might have special events with guests. L. Dupouy states that she would hope that they could fill the summer to make as much money as possible. She states that they would probably be looking at under 2 dozen events for the summer. M. Gyarmathy questions that the cottages are gone; the associated parking is gone; are the pool, patio and fire pit gone? L. Dupouy concurs. M. Gyarmathy questions that the barn on the plans would be the proposed reception hall. L. Dupouy states that for now they would do them outside. If she makes enough money and can renovate the barn she will. As of now, the barn doesn't do anything but house a tractor. M. Gyarmathy questions that the remaining parking would remain the same. J. Streit states that he does not know the procedure for PUD approval. R. Rowland explains. J. Streit states that we need to define what has or has not happened and go from there. S. Weeks states that is reasonable, this would come back to the Planning Board for a final approval and we would need an updated plan for sure. L. Dupouy states that she will amend the application as is necessary. She states that if they were going to have the cabins, it was going to take a lot of years before they could make the money to do that. As soon as she put the cabins on the plans, then people want to know what the drainage is, etc. She states that this is just as she has waited a few years, come back with a scaled down version – the house she lives in, the yard she has now, the grapes in the ground she has now, and if they get lucky, they can renovate the old barn. C. Baker states that is what the applicant needs to show the Board. He states that we just went through this with Prestwick Chase. We made them show us everything they want to and that is what the PUD approval was based on. They had to show how the drainage worked, we did the SEQRA and everything related to that site plan. That is exactly the way we have to approach this one. If this is the plan for the future, that the applicant wants to build cottages, the tennis courts, etc., then we need to see that and review SEQRA looking at all those uses. If the applicant is telling us now that she does not think she wants to do all that stuff, then the easiest route is to take that off the plan, give us a plan that shows just what she wants the Board to approve and that will make things a whole lot easier for her. Until we see a revised plan showing us exactly what she wants the Board to approve and

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what she wants the Town Board to base their PUD approval on. S. Weeks states that it is pretty clear that we have to approve a plan that the applicant is applying for, that she wants to do. L. Dupouy states that she has spent a lot of money on this plan. S. Weeks states that it is all on a computer and it is probably fairly easy for them to make it grassland. J. Streit states that he feels that C. Baker's comments make a lot more sense and he would go along with that. If this plan came back to us, we would have to do all the storm water work. He feels that C. Baker has offered an applicant friendly suggestion of how to get this into approval reality terms. We would have to look into all those other issues, which none of us want to do if it is not going to be planned. L. Dupouy states that then the Board wants a revised site plan, the sight distance needs to be revised and what else would the Board like. S. Weeks states those are the key things we need. He has to look more closely at the narrative, but he thinks it is probably in pretty good shape. In the meantime, we need to investigate exactly what the Town Board did or did not act on. C. Baker states that he remembers J. Gay presenting for the applicant and the Board requesting storm water drainage calculations for all the parking areas, septic design, etc., which is all required under the SEQRA review. That is not going to change. L. Dupouy states that if there is something she might want to do she would be paying for storm water management, etc. T. Siragusa states that if it is something she might do in 4 or 5 years, then yes, it should be included, but if it is something that has very little chance, then if she is not going to pursue them, do not include them. If she wants to expand in 5 years, then come back and amend it. It is not forever. He states that the Board tries not to make applicants spend money needlessly, but the reverse could happen because if she wanted to do 6 or 7 things and kept coming back, 3 or 4 times amending it, that would be more expensive. He states that we want to see what is the complete project and try to get as much in there as possible. C. Baker questions that the applicant really wants a PUD. If she is eliminating all this stuff, and down to the Etiquette School, the Bed & Breakfast and the vineyards, that seems like something that she might be able to do under special use permits. L. Dupouy states that the reason she left the Planning Board was because her mother has Alzheimer's and she had to go spend time with her, what if she wanted to put a little 'granny shed' out there. If she has the PUD she has less of a hassle than having to come back and do something like that. C. Baker states not unless the PUD identifies the 'granny shed' as one of the intended uses. That is what we are trying to say, if they approved a PUD for the applicant it has to be specific to what she shows us she wants approved. It is not going to give her any more rights than under special use permits. C. Baker states she might want to talk to G. McKenna and she might not have to go through any of this. R. Rowland will check to see exactly what was or was not approved. C. Baker states that even with the special use permit, we are going to need the sight distance certified.

G. DAVID EVANS – Subdivision Amendment

Plank Road

G. David Evans is present. He states that we did receive a statement from the Fire Department. R. Rowland reads this for the Board. D. Evans states that he did not receive a copy of M. Hill's review until this morning, he did go through it and states that he can comply with anything that is requested. B. Duffney questions that the Board was to receive some revised maps. D. Evans states that he has spoken to G. McKenna about his interpretation regarding the setbacks and that G. McKenna was going to contact the Board with that information. S. Weeks states that we did receive those comments. D. Evans states that the revised maps, which he has with him now, have a table showing the revised setbacks. He asks if the Board wants him to go through the Town Attorney's comments now. R. Rowland states that she did get D. Evans e-mail tonight just before the meeting and did not get a chance to make copies for the Board members. S. Weeks states that as usual the challenge is that this is the first time the Board is seeing this material including the changed drawing and the Board members may want to make a few comments on this but probably not too many. We really can't take any action on this until our next meeting; because that is the way we operate, if we don't see the information ahead of time we are not going to act on anything. D. Evans states that he is not giving the Board new information. S. Weeks and the Board concur that the map is new and we have not seen it. D. Evans states that the map is not new, the Board has seen it before, what is new is that the setback information is provided in table form. S. Weeks reiterates that the Board is not going to act on any

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information tonight if it is the first time we have seen it. We ask all applicants to get us information ahead of time to be able to make intelligent comments on it. J. Streit questions that from the notes from G. McKenna, the only lots that have frontage, if this road does not meet town standards then it sounds to him that the lots in back cannot exist under the law, so that has to be clarified before we look at this. C. Baker states that he believes that what G. McKenna is saying is because these are driveways; there is no required setback for frontage. S. Weeks states that is how he read it also. J. Streit questions that then someone could build 1' from the property line. D. Evans states that his understanding is that if the lot has no frontage, it is considered to have all side setbacks and he must comply with that. S. Weeks states that G. McKenna's notes indicate that the minimum setback in the LDR district is the side yard setback which is 50', and Mr. Evans' setbacks cannot be less than 50'. D. Evans states that he did speak to G. McKenna, he is good with that and he exceeds that 50'. S. Weeks states that if we have that information tonight and the descriptive material a week before the next meeting then we can accept the application as complete at the next meeting. D. Evans asks if there is anything else that should be discussed besides the setbacks. R. Rowland states D. Evans is stating that the e-mail is based on the revisions that M. Hill had requested and she can send D. Evans' revisions back to M. Hill to see if he has any additional comments. C. Baker states that the Board needs to deem the application complete before proceeding. S. Weeks reiterates that we can't deem this complete because we did not have this information prior to tonight.

Meeting adjourned 7:55 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary