

**TOWN OF GREENFIELD
PLANNING BOARD**

July 12, 2016

REGULAR MEETING

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

MINUTES – June 28, 2016

MOTION: B. Duffney

SECOND: M. Gyarmathy

RESOLVED, that the Planning Board waives the reading of and approves the minutes of June 28, 2016, as submitted.

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

Noes: None

Absent: Bokus, Siragusa

PLANNING BOARD CASE

SARATOGA ESCAPE – Site Plan Review

Brigham Road – Pavilion

J. Harding and D. Crawley are present. T. Yasenchak states that at the last meeting we adjourned the public hearing as there was no one authorized present for the application and no public. The public hearing is reopened at this time, 7:04 p.m. There being no public comments, this public hearing is closed.

The Board has no additional comments. SEQRA is not required. T. Yasenchak reviews that the applicant has stated that the pavilion will not be used after the campground's quiet hours which is 10:00 p.m. and that the lights will go off at that time. The gravel path leading to the pavilion is not a driveway it is for pedestrian access. The buffer has been provided.

RESOLUTION – Saratoga Escape, Site Plan Review – Pavilion

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Town of Greenfield Planning Board approves the application of Saratoga Escape Lodges & RV Park for a site plan review to construct a pavilion per the plans submitted for their property located at 265 Brigham Road, TM#126.-1-81.1, contingent upon:

- **Hours of operation – pavilion to close and lights to be turned off after quiet hours of 10:00 p.m.**
- **Buffer to be installed per plan**
- **The gravel path is for safety access**

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

Noes: None

Absent: Bokus, Siragusa

July 12, 2016

T. Yasenchak states that as soon as the applicant gets the other information for the septic system; make sure it gets to the Town at least a week before a meeting so that we can get that project back on the agenda. J. Harding states that he has several calls and e-mails in to DEC and has not had a response.

MANSFIELD CUSTOM HOMES LLC – Minor Subdivision

Sand Hill Road

Darrow Mansfield is present for the application. T. Yasenchak states that she has worked for D. Mansfield before but is not under contract for anything and she feels she can review this project without any bias. D. Mansfield states that he has an option to purchase approximately 3 acres from Quiet Run Ltd, which is the horse farm on Middle Grove Road. The owner had a survey and D. Mansfield marked it up as part of the application. He states that the owner was under the impression that this was historically already a lot. He did some research at Town Hall and also at the County and could not find evidence that it had been previously approved, although it is surveyed. He is applying to create the 3 acres with the intent to build a single family home. T. Yasenchak states that we would be looking at this as a sketch plan since we don't have a survey to give the applicant the Board's comments. S. Weeks states that we would need a better survey map otherwise it looks straightforward to him. D. Mansfield states that he just thought to visit before doing that just in case there was something that he was not aware of that would make it inadvisable. The Board consensus is in agreement with S. Weeks. R. Roeckle questions the access for the house property that is remaining to the rear. D. Mansfield states that they have frontage on Middle Grove Road and come in through the farm itself. He explains further on the maps supplied. T. Yasenchak states that her concern would be limiting access to that house because of the way the driveways are depicted. It does appear that some of that is wetlands. D. Mansfield states that at this time of the year when it is dry it is possible to drive an SUV on it. It is more like a tractor road, not a developed driveway in any sense, it is just grass. The formal access is on Middle Grove Road. When they were discussing the purchase, they talked about whether or not they would retain some kind of right of way to get back across that path to Sand Hill Road. T. Yasenchak states that her other concern would be sight distance as it is at the bottom of the hill. She would like a sight distance study so it is documented. D. Mansfield will get that. C. Baker states that he is confused as it already looks like a lot and a map that has been filed in the County Clerk's office. D. Mansfield states that they were all under the assumption that it was a lot, however it is not identified as such anywhere. He explains on the maps. R. Roeckle states that in looking at the map that D. Mansfield has, it looks like the ROW to the smaller parcel is across the parcel being proposed and we will need clarification on that.

MICHAEL RAYBURN – Special Use Permit

NYS Route 9N

Michael Rayburn is present. T. Yasenchak recuses herself. M. Rayburn explains that he plans to build a small garage apartment on the property adjacent to the house that is currently under construction. He states that he is tied up in litigation over the house with the former contractor. He would like to move out of the mobile home by building a small garage apartment there, once that is built get rid of the mobile home, and once the law suit is done, then he would finish the main house and move into that. R. Rowland indicates that the applicant did receive approval of an area variance as he is a little short on acreage. B. Duffney asks if there is enough area for the septic systems. M. Rayburn states that they do have enough room and it will be a small septic system. B. Duffney asks if the apartment will be above the garage. M. Rayburn states side-by-side. B. Duffney states that the property is looking good. R. Roeckle asks if the apartment will be retained once he moves into the house. M. Rayburn states that it will. C. Baker asks if the applicant is planning on putting in a new septic system. M. Rayburn states that it will be new. A public hearing is discussed and set for the July 26th meeting at 7:00 p.m.

July 12, 2016

G. DAVID EVANS – Subdivision Amendment
Plank Road

G. David Evans is present. T. Yasenchak states that the applicant has provided plans and we were waiting for the review of the easement language which we have received from the Town Attorney. D. Evans asks if we have received anything from M. Chandler. T. Yasenchak states that we have not yet. D. Evans states that he just left his surveyor's office. The surveyor wants to put additional pins in certain locations and make some corrections to the map. T. Yasenchak states that M. Hill noted that it seemed that there were some private setback requirements that were listed. She asks if those are the same as what is shown on the map. D. Evans states that he has private setbacks for some of the lots, and because they are so big he is thinking that the buyers would want more privacy, they want to be separate from other houses and that is why he is creating bigger setbacks. Discussion takes place that the Board does not have issue with more restrictive setbacks, however, they should be shown clearly on the map in the form of a chart or table, and the setbacks should be consistent. T. Yasenchak states that when we sent this information to the Town Attorney for review, it was for easement language and we assumed that the setbacks would be the LDR setbacks. She was not aware that the applicant was asking for different restrictions. T. Yasenchak states that another item that M. Hill mentioned is that there is mention of a pond being shared by some of the lots and it is not clear how that would be done. D. Evans indicates the pond and states that it is for the 4 lots that border that pond and in that sense they all share the access to that pond. T. Yasenchak states that #5 of the review letter states that it is unclear what the applicant's intent is for the property owners. D. Evans states that the boundary lines for the 4 lots converge in the middle of that pond so they would each own the portion shown within their boundary and the other lots do not have access to the pond. R. Rowland states that she spoke to M. Hill and it was not clear as there are two ponds on the property and D. Evans had not specified which lots. B. Duffney asks if this is a natural pond or dammed. D. Evans states dammed and it is on lot 4. B. Duffney states that then the issue might be that the person who buys that lot decides to demolish the pond, then the other 3 property owners are without a pond. D. Evans states that he asked an attorney this question and the response was that the other 3 owners would sue lot 4. The Board consensus is that this should all be clarified. T. Yasenchak states that a note is being requested for the plans, and she feels it is also important, that the parcels do not have direct access to a public road and that the Town is not responsible for any plowing, maintenance, etc. The language will be provided to the applicant. D. Evans asks if this is something that is to be applied town wide. T. Yasenchak states that to be honest, we typically do not approve 3 or 4 lots without access, as the applicant is aware. It is very uncommon. The Town Attorney is also asking that a signature line be provided on each deed and should be signed by each buyer to acknowledge and confirm acceptance of the Declaration of Covenants, Conditions, Restrictions and Easements. R. Roeckle reiterates that the special setbacks should be noted on the plat somewhere, a table perhaps, even though it is in the covenants. T. Yasenchak agrees that when someone is looking for land they usually look at the map and not the deed. R. Roeckle reiterates that even though the Town is not enforcing the covenants, the setbacks should be specified on the map. Public Hearing is discussed and the Board consensus is to wait for the revised map.

COHEN CARTIER – Site Plan Review
Wilton Road

Cohen and Melissa Cartier are present and provide a new plot plan in addition to 2 full sized sets, one of which will be given to C. Baker and one made part of the record. C. Cartier states that they have turned the parking to the rear of the building; moved the septic and leach field; received the variances; the map shows the landscaping and the handicap parking. T. Yasenchak questions the location of the well on the parcel to the rear of the subject parcel. C. Cartier states that he did not get that measurement but will. B. Duffney asks if we have discussed lighting. C. Cartier states that he would like to have entry door lighting and then something for the parking lot if that is required. T. Yasenchak states not necessarily, sometimes it is just something on the building that is on a motion detector. C. Cartier states that is what he would prefer, not a lamp pole. He will provide a cut-sheet. B. Duffney states that if there is to be signage, we would need

July 12, 2016

to see that. C. Baker states that 'catch basins' are shown and he assumes that those are seepage pits. He likes the revised layout. The applicant has done a good job of getting away from the neighboring well, but it is important that we know where the other well is located. R. Roeckle states that the plan states that 5 spaces are required, the shared parking section is mentioned, but there are certain requirements that we have to meet in order to give that waiver. The Board will take time to review the plan and the applicant will get the additional information.

VINCENT WALSH – Site Plan Review

Wilton Road

No one is present for the application. We did receive an interpretation from G. McKenna.

ZBA REFERRAL

Tammy and Scott Heritage – The applicants are seeking a temporary use variance to remain in their mobile home during the construction of their new home, and they will also require side setback variances for the new home. No Planning Board issues.

DISCUSSION

T. Yasenchak states that we did have a very productive land use boards' meeting with the Town Council. There was discussion about the Planning Board possibly conducting the first meeting of the month as a workshop meeting and the second being an actual decision-making meeting. J. Streit states that he has no pros or cons, he would just hope that the public would not be forced into undue delays by whatever system we have. T. Yasenchak states that she believes that what we have been seeing is that people cannot turn something around in a week's time. Discussion takes place about the suggestion of a planner. C. Baker states that that is a great idea and done in bigger municipalities with bigger budgets. R. Roeckle suggests that someone could be shared between towns. Discussion takes place that the Planning Board used to have a workshop meeting and a regular meeting years ago. C. Baker states that they did and it worked very well until things got very busy. R. Roeckle states that at the workshops you told people what they were missing, etc. M. Gyarmathy states that then the applicant does not have an expectation of the Board either. T. Yasenchak states that the onus is on the applicant to bring in a complete application. The applicant would not get on an agenda until they have been to the workshop meeting and been deemed complete. C. Baker states that you are basically taking a planner's position. R. Roeckle suggests that maybe we want to make the workshop meeting the last Tuesday of the month. The first meeting in August could start the new schedule with that being a regular meeting and then the last Tuesday in August would be the first workshop for the September meeting. This would give everyone a couple of weeks' notice. J. Streit suggests that in view of the comments that we are too small a town to have our own planner, we may have to adopt the attitude that this Board has to take on the duties of a would-be planner and ask the Town Board to really push hard to try to develop in cooperation with another town for a joint planner. That would ease the Planning Board. T. Yasenchak states that some other towns do their workshops before their meetings; other towns designate one of their members to be the discussion lead. Everyone does their due diligence, but there is one person who will be the one with more details, write up the list, have discussions with the Town Engineer, etc. One thing that a planner does do that she does not do is to talk to the applicants before they make the application so that they know ahead of time what they are required to bring in. C. Baker states that the thing with the workshop is that the Planning Board is still not here to plan a project, only to tell the applicant what is required according to the code. Discussion takes place that applicants are provided the list of items for site plan/special use permits. C. Baker states that would be the way to start that workshop meeting, with that list. T. Yasenchak will check with M. Schachner as to whether we need to advertise a change in the meeting schedule or make some kind of formal declaration.

July 12, 2016

Meeting adjourned 8:27 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary

DRAFT