

**TOWN OF GREENFIELD
PLANNING BOARD**

July 28, 2015

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:00 p.m. On roll call, the following members are present: Tonya Yasenchak, John Bokus, Michael Gyarmathy, Thomas Siragusa, John Streit, Stan Weeks and Robert Roeckle, Alternate. Nathan Duffney is absent. Charlie Baker, Town Engineer is present.

MINUTES – July 14, 2015

MOTION: J. Bokus

SECOND: T. Siragusa

RESOLVED, that the Planning Board waives the reading of and approves the minutes of July 14, 2015, as submitted.

VOTE: Ayes: Bokus, Gyarmathy, Roeckle, Siragusa, Streit, Yasenchak

Noes: None

Absent: Duffney

Abstain: Weeks

PLANNING BOARD CASES

JOSEPH VAN GELDER –Minor Subdivision, Case # 535

Miner Road

T. Yasenchak states that we do have a public hearing scheduled for J. Van Gelder but he is not present at this time.

7337 MIDDLEGROVE – Site Plan/Special Use Permit, Case#537

Middle Grove Road

Mike Ballestero is present. T. Yasenchak reviews that the applicant is applying for a large contractor's storage yard in the MDR-1 district on 35+ acres. The applicant states that they would like to have truck storage and recycling; it would not be open to the public; they are looking to add a pole barn; no sales area; 8 to 10 parking spaces and possibly a 40 x 60 recycling pad or building. Currently there is a residence on the property and a junk yard with existing cars. T. Yasenchak asks the applicant to explain a little about what they will be doing as this is a little outside the definition of a contractor's storage yard. M. Ballestero states that they have a roll-off company and want to store their trucks there; they have a recycling company and want to do their recycling of metals. There are approximately 700-900 cars on the property that they want to recycle. T. Yasenchak asks if they just recycle metals or other materials. M. Ballestero states only metals. T. Yasenchak states that they are looking to store the roll-offs also and how many. M. Ballestero states they have 2 roll-off trucks and a tractor trailer. There could be 5 trucks or 2 trucks. They have 5 to 6 trucks and if all is good they are all out. Storage containers, when all is good there are none in the yard or there could be 20 containers when they all come back. T. Yasenchak refers to the requirements in the code for a special use permit. She states that we might need a little more information as far as the map is concerned per the code. R. Roeckle asks that when they recycle the existing cars, are they going to bring in

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more cars. M. Ballestero states no, they are going to remove them but that there may be a couple trophies that they save. R. Roeckle asks why they are proposing the new driveway. M. Ballestero states that it is a safety issue, sight distance, etc. R. Roeckle states that there was a valid junk yard permit until the property changed ownership and he asks if they are intending to renew that. M. Ballestero states that he is not at this point. R. Roeckle states that he was concerned because Mr. Gaba passed away in 2012 and he is not sure how much that use continued since then and could it be considered abandoned from lack of use. T. Yasenchak states from the Town Board minutes she believes that they said that the permit for the junkyard license goes with the owner and not the property. R. Roeckle states that the owner died so does the license exist. R. Rowland states that the license was renewed annually and it is in the company name. M. Ballestero states that he was seeking to renew the junk yard license to be in compliance with the Town because of the cars on the property. He does not want the Town to come back next month and want to fine him because there are 700 cars on the property and no junk yard license. If that is the case, he will apply for the junk yard license to have the cars on the property. They need time to clean the cars up, he does not know with the metal prices now but the plan is to clean up the cars. S. Weeks states that he would like to see a more detailed drawing because that area is now pretty screened from Middle Grove Road. M. Ballestero states that what you see is the way it is going to stay, they are fixing up the barn down below and that is the look they want. T. Siragusa questions as far as removing all the vehicles the applicant stated it is price dependent but what is the applicant's goal. M. Ballestero states that they will probably move out about 100 cars in the next year because there is not enough room to turn around. They are going to move some now even if it costs them money to move them, but they are not going to go bankrupt to do it. The price of scrap will come back up. They are not going to go in with the crusher and just do it. They are going to move them as fast as they can without it costing them. T. Siragusa questions that they will have a crusher on site. M. Ballestero states that they will probably dismantle them and haul them off site. T. Siragusa questions as far as operating as a storage yard, are there any other activities that would happen there – cleaning or any kind of processing. M. Ballestero states not per se. T. Siragusa asks what the expectations would be for hours of operation, when would vehicles be entering and exiting the property. M. Ballestero states that he does not know what the Town's hours are – 7:00 to 7:00, whatever normal business hours are. It is not an operation where they would go in at midnight and move vehicles around. Would there be one night when he comes in at 8:00, yes. T. Siragusa states we can discuss that more and asks if they operate on weekends. M. Ballestero states not if he can help it, he likes to be out on the boat. M. Gyarmathy asks if the new building they are proposing would be behind the tree line also and do they primarily use that for the storage of the trucks because they have roll off and storage containers. M. Ballestero states that is outside. The building that is there now is for maintenance and storage. They are planning to put up a pole barn to dismantle cars – whether it be just a pad or an open pole barn, he hasn't decided yet. M. Gyarmathy agrees that we need a drawing to more clearly understand what is going on. J. Streit states that there are a whole bunch of cars on the site; the plan is to one by one remove the cars and he questions that they will be dismantling them on the site and moving off site to a crusher. M. Ballestero states that if there were parts that are worth something, they will take that off the car and then ship to cars out in a container. J. Streit states that they would then go elsewhere to be recycled. He reiterates that they plan to take all the cars off and not bring more cars in, except for anything that can be restored. He questions the containers and what their use is at other sites. M. Ballestero states that they are a roll-off company and they put roll-off dumpsters out for construction debris and then they are taken to the dump. They also do residential. J. Streit states that when they are stored on the property they are empty. M. Ballestero states that they do have roll offs that they collect just metals in; they bring them back to the shop, sort and send that off. They do not do cars. J. Bokus states that the Board does need a detailed map as it appear that there is quite a bit of wetlands. M. Ballestero states that it does not go into where the cars are. They will not be going beyond the 10 or 15 acres. They are mainly going to operate where the cars are now. T. Yasenchak states that the applicant is going to be adding the two buildings and roadways between with areas of parking which will all add impermeable surface to the property and at that point we usually require runoff studies to show that anything that is running off of that will not be running towards the wetland, and that they have the buffer from the wetlands for any development. T. Yasenchak asks about restrooms and if so a septic design will be needed. M. Ballestero states that there will be a restroom. T. Yasenchak states

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that when the applicant looks at the requirements, it will be self-explanatory. She asks the applicant to explain what he said about recycling the metals and she is asking because the ZBA has recently reviewed a contractor's storage yard and limited it to being storage and not the processing of materials. M. Ballestero states that they come on the site, go from one container to another and then when it is full it is shipped to the Port of Albany. It is stored on site and is not covered. T. Siragusa questions what if he rented a container and put construction stuff in there and metal appliances. The applicant picks that up and then where does it go. M. Ballestero states it goes to the landfill. If there were metals that were worthy of him taking it out, it might go to his site but 99% of the time that is not the type of metal he is recycling. There are containers specifically for metal. T. Siragusa states then every container is not coming back. T. Yasenchak asks if they are only sorting or crushing, etc. M. Ballestero states no, just sorting. C. Baker questions what provisions they have for handling fluids from the vehicles. M. Ballestero states that they are going to put in a waste oil burner. Any fluids that have to be disposed of would be disposed of legally. He is not going to dump fluids and contaminate his property. C. Baker states it would be helpful to have a list of the equipment that they plan to have on the site and any machinery to dismantle. M. Ballestero states that there could be an excavator or loader there when they are doing the cars, but not a whole lot of activity there. C. Baker states that noise should be discussed. Obviously there will be noise associated with tearing the vehicles apart and plans for lighting. M. Ballestero states that there are no plans for lighting as they don't work after dark. Maybe a night light on the barn but not working lights. C. Baker states that a much better plan is needed. M. Ballestero states that it would not be more than like a light on a garage. T. Yasenchak suggests stopping in to the Town to see the level of detail that was required on a recent application for a contractor's storage yard. She states that the applicant has heard the comments from the Board in addition to the requirements. We have in the past given out a 1 year permit to make sure that an applicant is working within their approval. T. Yasenchak asks about SEQRA, the applicant has submitted a short form. C. Baker states that he will check. T. Yasenchak asks about the house. M. Ballestero states that it will remain and continue to be rented. T. Yasenchak asks how the Board feels about a public hearing. S. Weeks states that he would like to see more detail before more comments are made. It would be to everyone's advantage to see what the applicant is planning in more detail. Board consensus is to wait for a better plan. M. Ballestero states that he did ask G. McKenna if the plan he submitted was acceptable. T. Yasenchak states that it is enough to start a conversation and have comments on, however there are things that need to be on the plans as per code. It is suggested that the applicant come to the Town to look at other site plans. R. Roeckle asks about County referral. R. Rowland states that this is the first time the applicant is on the agenda and she does not usually send it to the County until after an applicant has appeared before the Board and discussed their plans. S. Weeks states that the Board does not want to overwhelm the applicant but also not surprise the applicant, that is why it would really help if the applicant gives the Board more details. M. Ballestero asks if he has to have the property surveyed, he feels that the tax map should be sufficient. T. Yasenchak states that we need a better map, how he gets that done is up to him. There may be a survey out there that he can use.

JOSEPH VAN GELDER –Minor Subdivision, Case # 535

Miner Road

J. Van Gelder is not present however, T. Yasenchak reviews that the applicant is subdividing a parcel into 4 lots, it all meets our zoning requirements and he needs no variances. There were minor changes the Board asked for. A public hearing is opened at 7:34 p.m. Mary Boldish asks the location of the property. T. Yasenchak explains. Bill McClellan states that the sign outside is still wrong. There being no further public comments, this public hearing is closed at 7:36 p.m.

T. Yasenchak explains that there will be a public hearing on the Middle Grove Road project as one is required once the Board feels they have a complete application

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G. DAVID EVANS – Minor Subdivision/Lot Line Adj – Extension
Plank Road

D. Evans is present. T. Yasenchak reviews that we do have a letter from the Town Attorney stating that the driveway language has been agreed upon and approved. Discussion takes place about giving the applicant an extension since nothing has changed on the project. The applicant has not heard back from his surveyor regarding the Mylar. The Board had also discussed the marking of the driveways for Fire Department purposes at the last meeting.

RESOLUTION – G. David Evans, Minor Subdivision

MOTION: S. Weeks

SECOND: J. Streit

RESOLVED, that the Planning Board grants a 30-day extension to G. David Evans for the previously approved minor subdivision at 371 Plank Road, lot 3 and lot line adjustment at 365 Plank Road, lot 5, based on the original contingencies.

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

JOSEPH VAN GELDER –Minor Subdivision, Case # 535
Miner Road

J. Van Gelder arrives at 7:40. T. Yasenchak explains that the public hearing was opened and closed. The Board had previously asked that the 5-year rule be removed from the plans; a no-build line being added; and the Board was looking for a letter from National Grid. J. Streit asks if there has ever been a case of National Grid refusing. T. Yasenchak states that she is not aware of that happening, but it is in the Code that the applicant is responsible for providing utilities. T. Yasenchak reopens the public hearing at 7:43 p.m. as the applicant is present and closes it as there are no public comments.

RESOLUTION – J. Van Gelder, SEQRA

MOTION: J. Streit

SECOND: T. Siragusa

RESOLVED, that the Planning Board completes Part 2 of the Short Form SEQRA. All questions are answered “no”; minor corrections are made to Part 1 and initialed by the applicant; and the second box is checked, indicating that this will not result in any significant negative environmental impacts for the Minor Subdivision of Joseph Van Gelder for property located at 260 Miner Road, TM# 98.-1-1.

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

RESOLUTION – J. Van Gelder, Minor Subdivision

MOTION: J. Streit

SECOND: J. Bokus

RESOLVED, that the Planning Board grants final approval to Joseph Van Gelder for a minor subdivision of property at 260 Miner Road, per the map submitted and contingent upon:

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- **Removal of the 5-year rule notation**
- **Addition of a 100' no-build line on lot 4**
- **Letter from National Grid stating that they will be able to supply power**

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

DISCUSSION

T. Yasenchak explains that John Streit had requested stepping down as Vice Chair of the Planning Board and the Town Board has appointed Stan Weeks to that position.

Meeting adjourned 8:00 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary