

**TOWN OF GREENFIELD
PLANNING BOARD**

June 14, 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, Thomas Siragusa, Stan Weeks and Robert Roeckle, Alternate. John Bokus is absent. Charlie Baker, Town Engineer is present.

MINUTES – May 31, 2016

MOTION: B. Duffney

SECOND: S. Weeks

RESOLVED, that the Planning Board waives the reading of and approves the minutes of May 31, 2016, as submitted.

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

Noes: None

Absent: Bokus

Abstain: Gyarmathy, Siragusa

PLANNING BOARD CASE

CHRISTOPHER LAING – Site Plan Review

Maple Avenue

Christopher Laing is present. T. Yasenchak states that the Board had requested revisions and a public hearing was scheduled. C. Laing explains that he made the adjustments to the plans as requested; they will be creating a planter at the front of the property; there will be 5 parking spaces with 2 additional employee parking spaces at the adjacent property. He will be opening a smoke shop with roll your own tobacco, cigars, vapor, etc.

A public hearing is opened at 7:05 p.m. There being no public comments, this public hearing is closed at 7:06 p.m.

C. Baker has no engineering questions and SEQRA is not required on this project. R. Roeckle questions County referral. R. Rowland states that she did send this to the County and has spoken to M. Valentine about it. T. Yasenchak states that the Planning Board acknowledges that the leased area of the proposed retail space is 1418 square feet. C. Laing reiterates that the garage is going to be used by R. Hoag for a hearse. T. Yasenchak indicates that the lease also does not include the use of the second story. This site plan review is for the use as proposed, which is the retail space on the first floor. That would require 7 parking spaces. The site plan includes the use of the first floor only. Any future use of the second floor would require an additional site plan. C. Laing indicates that if someone were to lease the second floor, they are aware that someone would have to come before the Planning Board. T. Yasenchak states if we grant approval, one of the contingencies could be that if that second floor was ever to be used or inhabited, they would come back for site plan review. The Planning Board does have the ability to waive up to 30% of the parking for shared parking on adjacent sites, which would be 2 spaces and the applicant has provided a signed statement for shared parking of 2 spaces for his employees at Compassionate Care Funeral Home. The handicap space has been provided, but we don't have any details on that as far as the width of those parking spaces and we could have that as part of the contingencies that those meet our requirements. The

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applicant has included a landscaped planter at the front of the property between the parking and the road, which is required. We do have an allowance in our code for landscaped berms. Signage was discussed and the applicant had stated that the sign was going to stay as it is and just the lettering will change.

RESOLUTION – C. Laing, Site Plan Review

MOTION: S. Weeks

SECOND: B. Duffney

RESOLVED, that the Planning Board grants site plan approval to Christopher Laing for property located at 396 Maple Avenue, TM#153.17-2-13, contingent upon:

- **The Planning Board has waived 2 parking spaces and be allowed for parking for the employees on the adjacent property belonging to Compassionate Care Funeral Home**
- **This site plan approval is only for the use of the first floor and if any use is proposed for the habitable space on the second floor, the owner would come back to the Planning Board for an amended site plan**
- **That the applicant meet the Town requirements for the handicap parking and the parking space sizes according to our regulations in Article 11 as well as to meet the handicap size according to Part 1102 of the General Building Construction Section of the NYS Uniform Fire Prevention and Building Code**
- **The applicant include in his landscaped plan a landscaped berm that would be a minimum of 18" in height and meet our requirements and regulations for such**

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

Noes: None

Absent: Bokus

COHEN CARTIER – Site Plan Review

Wilton Road

Cohen Cartier is present with a new plan and states that they have lessened the density of the project. They were previously proposing a building with a 1 story office area and a 2 story residential area with 2 apartments. They are now proposing a 1 story, 1424 square foot space with 2 mirror-image offices; all parking would be to the rear; they have moved the proposed building, meet all setbacks and have room for the buffers. Per the design calculations, this would be equivalent to a 2 bedroom, single family residence. It is currently a 3 bedroom. B. Duffney asks what they are planning for the 10' buffer. C. Cartier states that the code requires 1 tree per 100' for the buffer between commercial and residential. B. Duffney questions if they found out the well depth and states that this looks more reasonable. C. Cartier states that they have not found out the well depth. S. Weeks states that he has no specific questions at this point. He thinks that the change is good and it looks appropriate to him. M. Gyarmathy questions how close the well is on the property to the right. C. Cartier states that it does not meet the separation and it did not as the current single family residence. He states that they have lowered the design calculations to less than what is existing as the 3 bedroom house. C. Baker states that the separation would still be required. C. Cartier states that he understood that the Board could work with him if the design calculations were lower. C. Baker questions that there is any way to flop the tank, the D-box and the leach field to the other side. C. Cartier states that they could turn the parking along the back of the building, but they would have to eliminate one space and it would still meet the parking requirements. He states that they could get the two leach lines close to the back corner. C. Baker states that he would prefer that the applicant try that. He states that he had said that if the applicant were not making the condition any worse than it already is and the fact is that they are here with a new application so this is the Planning Board's opportunity to correct something that is not right to begin with. C. Baker would feel a lot more comfortable if they can look at it and try to get the 100'. He would doubt that the casing on that well is 50'. He states that he does like the idea of the downsizing. C. Cartier states that they will look at relocating that. T. Yasenchak states that the well and separation are based on

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DOH standards. C. Cartier states that he would try to keep the building and driveway where it is and try to turn the septic into the back corner. T. Yasenchak questions where the well is of the neighbor behind this. C. Cartier states that he believes that the septic is at the back of that house. T. Yasenchak states that there are buffer requirements and there is also screening required around parking. She states that this is Town Center and we expect that over the years this will evolve. R. Roeckle asks if they are proposing a basement, because if so we would have to include that space. C. Cartier states that they are not, maybe a crawl space. T. Yasenchak asks if there will be any porches as it needs to be handicap accessible. C. Cartier states that they will ramp it with a sidewalk to the front and the back. C. Baker states that he would not be opposed to seeing one parking space in the front of the building, if there is a way to get that separation for the well. That would be a fairly decent tradeoff, but he does not know how the Board feels about that. T. Yasenchak states that the other option, going along with that is, that the house next door is relatively close to the front property line and the house on the right is closer to the front property line than what the applicant is proposing. She states that the applicant is already before the Zoning Board, this is Town Center and all the other houses are closer to the property line, she does not think that we have zoning that allows one to go as close to the line. Most towns have that in their regulations so it allows for a nice even street scape. If the applicant needs that space in the back, that might be something that they can ask for from the Zoning Board. We cannot speak for that Board, but it would make physical sense, whether it were a house or an office. C. Cartier states that then they would be looking for a front setback variance also. T. Yasenchak states that if they moved the building forward, it would give them more space in the back for the septic. C. Cartier states that he likes the idea of the office being set back a little bit, but it is an option. He will take a look at the parking and see what they can do.

SARATOGA ESCAPE – Site Plan Review

Brigham Road – Pavilion

Shauna Sheppard and John Harding, Engineer, are present. C. Baker states that he has not seen any letter from DEC or DOH yet. J. Harding states that he did have a meeting on Thursday with DOH, took care of all their comments, and reached out to DEC a couple of times and he is waiting for a call back. C. Baker states that he did look through the SWPPP and he would like to see an erosion and sediment control plan, as a separate document and labeled as such.

J. Harding explains the information that they submitted for the pavilion. They are going to use the existing lighting on the pathway because there is lighting from the mini golf that spills over. They will have lighting in the rafters and two flush mounted lights on the exterior that will be shining into the park area. The hours of operation will be 8:00 to 10:00. They added the buffers to the second page; the existing stone pathway that goes around the pool system and a 4' wide path going up to the pavilion from the existing gravel drive. T. Yasenchak asks if the gravel drive is a path or something that someone drives on. S. Sheppard states that no one drives on it, it is just a path up to the mini golf and there is a playground that will be removed with the pavilion there. She states that in an emergency one could drive on the path. J. Harding states that it is about the width of a single lane. T. Yasenchak asks if the lights will be on all the time or will they go off. S. Sheppard states that they will be off, especially from a financial standpoint. R. Roeckle asks if there is an entrance to the pool area through the pool house. Applicant concurs. Public hearing is discussed and set for June 28, 2016 at 7:00 p.m.

G. DAVID EVANS – Subdivision Amendment

Plank Road

G. David Evans is present. T. Yasenchak states that we asked the applicant for survey plans and we did not set a public hearing as we did not have those plans. She reiterates that we require information to be submitted one week ahead of time so that the Board has time to review it. We can give a cursory look tonight but not take any action. D. Evans states that he just came from the surveyor's office and there are

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things that are just not completed yet. He has preliminary plans which he distributes. T. Yasenchak asks if the applicant can explain why the plans are not ready yet as the applicant had stated that he was just changing the lot lines. What else has changed? D. Evans states that the dimensions have changed, the setback locations will change, etc. The surveyor has had a few weeks to do this but is very busy. T. Yasenchak states that this plan does show the driveways to a degree, they are shown slightly differently. R. Roeckle questions that lot 5 is shown at 5.07 acres and is almost the same size as lot 1 and twice the size of lot 9. D. Evans states that the label for the acreage has not changed but thinks it will be 10.02 acres. D. Evans provides copies of the long form SEQRA. T. Yasenchak states that we will not talk about this tonight as we are just receiving it. D. Evans asks if the chair spoke with the Town Attorney and whether she wants to discuss that at this time. T. Yasenchak states that the Town Attorney only talks with the Boards about the process. She states that the applicant had requested that she call the Town Attorney, which she did and the Town Attorney mentioned a discussion he had with the applicant's attorney. That conversation was pretty much that the applicant's attorney was confirming that the Town Board granted open development and that the ZBA granted 7 area variances for the lots to have no frontage. As far as the Planning Board's actions, they should be per the zoning and subdivision regulations, and any determination could not negate a previous approval. We could not say that we deny this application because the applicant has no frontage – he has zoning variances. Any determination whether an approval or denial, we do it by our regulations and with the purview that we have in reviewing a subdivision, Article 3, Chapter 90. T. Yasenchak suggests the Board review that. Discussion takes place regarding a public hearing. S. Weeks states that he feels that the application needs to be complete and accurate. The public and the Board need to review and have time to think about it. We need a correct map; we should not be doing it off the basis of this map. The Board will wait for the correct map prior to setting the public hearing. R. Roeckle questions the green line labeled as 'wetland jurisdictional line' and what that means. D. Evans explains that because of the extensive area, only the areas where the buildings would go were looked at. If the buyer wants to expand the building envelop, they would have to have that reviewed. D. Evans states that he has an appointment to meet with the surveyor next Wednesday, so he will be skipping a meeting. T. Yasenchak reiterates that the standard procedure is to get any additional information to the Board a week ahead of time so that we have time to distribute it.

VINCENT WALSH – Site Plan Review

Wilton Road

The applicant requested to be postponed.

ZBA REFERRAL

Cohen Cartier – The area variances being requested are for acreage and frontage. R. Roeckle questions that the only reason the applicant needs the variances is because it is a change in use. T. Yasenchak concurs. No Planning Board issues.

DISCUSSION

T. Yasenchak questions that the Board understood what she said about any application coming before the Board that has a variance, the Planning Board cannot rule against that, but we do have a list of items to make a determination by. She suggests looking at the subdivision regulations and to become familiar with that. Any applicant has the right to come back to ask for whatever on any application. C. Baker states that he will call Mark Schachner to discuss this because he does not know how to proceed in his review because we have taken away a whole set of design criteria, he does not know what to do for the Planning Board. T. Yasenchak states that we can still look at it based on SWPPP, SEQRA, safety, the Comprehensive Plan, etc. C. Baker states that the SWPPP is done and as far as the Comprehensive Plan, the Town Board granted open development and the ZBA granted frontage variances. T. Yasenchak states that

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open development as far as M. Schachner explained it is about frontage and safety. There are still items within the Comprehensive Plan that we can review. She reads some of these items at this time. Because this is an amendment to a subdivision, because something was reviewed and approved as part of the original subdivision, we review those items now. The applicant had 2 minor subdivisions previously and we are looking at it through SEQRA one project encompassing all the lots.

T. Yasenchak states that the Joint Meeting has been moved to June 29, 2016 and states that it is intended to encourage dialog between the Town Board and the land use boards about zoning regulations, the process, what we feel would help that process, zoning regulations that may need to be clarified, air grievances, etc. We cannot discuss any particular projects but speak in generalities.

Meeting adjourned 8:07 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary

DRAFT