

TOWN OF GREENFIELD

PLANNING BOARD

June 24, 2014

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: John Bokus, Nathan Duffney, Michael Gyarmathy, Thomas Siragusa, John Streit, Stan Weeks, Tonya Yasenchak and Robert Roeckle, Alternate. Charlie Baker, Town Engineer and Mike Hill, Town Attorney, are present.

MINUTES – June 10, 2014

Mike Hill requests some information be added to the discussion regarding the SEQRA for Prestwick Chase in the June 10, 2014 minutes and therefore, the review and approval of the minutes will be postponed to the next meeting.

SANDRA KILMER – Minor Subdivision

Lake Desolation Road

Dave Barass, Surveyor, is present for the applicant and explains that S. Kilmer would like to subdivide the property formerly occupied by the saw mill by dividing it into two 6 acre lots and the remaining 17 acres of land would be joined with her son's property. There would be one remaining 34 +/- acre parcel on the other side of the road, which D. Barass states isn't really part of the subdivision. T. Yasenchak questions whether there is a home on the 34 acre parcel. D. Barass states that it is vacant. T. Yasenchak states that G. McKenna had a question as to the saw mill and if that use is to remain. D. Barass states that it has been dismantled and is a vacant building at this time. T. Siragusa states that after a year the use would no longer be allowed. D. Barass states that he is aware and that any new owner would have to come back to the Planning Board. M. Gyarmathy questions that the lot line between lots 1 and 2 is just to the left of the existing saw mill, and therefore only 19.5 feet from the property line. He asks if a variance is going to be needed for that. D. Barass states that is correct, that is what he is anticipating and that is why he is here tonight. The initial plan was to tear down that building and now there is a potential buyer for the lot who would like the building to remain. B. Duffney asks the frontage on lot 3. D. Barass states that it is a pre-existing lot and therefore it was not surveyed, but he scales it at about 275'. S. Weeks asks why the property line between lots 1 and 2 was not moved a little further from the building. D. Barass explains that the old water powered steam mill is on lot 1 and they set the line at 50' from that building and closer to the building that they thought would be coming down at the time. C. Baker questions that on lot 3, where it narrows down, do we have a width for that. D. Barass reiterates that it was not surveyed but by his scale it is approximately 50'. C. Baker states that his concern is whether or not a driveway can be placed thru there. He states that lot 3 adjoins other lands of Kilmer and asks if that is the same family and if so, are there opportunities to get frontage. D. Barass explains that S. Kilmer does own the other parcel, where her residence is, and that those lots could be merged which would give more road frontage. T. Yasenchak states that the Planning Board can't make a decision if that building is going to exist. The Board cannot act on something that is going to cause something to be non-conforming. If the applicant wants to keep the building, they would have to apply for a variance. She states that while the lot 3 is a natural subdivision because of the road, we would need more information about it to make sure that it is a lot that can be accessed and be buildable. There seems to be a stream coming thru there also. D. Barass states that it is doubtful that it is buildable without surveying it as there are wetlands on it, but it is already there and they are not doing anything with it. T. Yasenchak states that

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this would be a three lot subdivision and if it is approved as such, what is the intent of that lot. Rather than having someone come back at a later date to have to ask for variances, it should be taken care of now. D. Barass asks if they qualify that as a lot that cannot be built on, would that answer the questions. T. Yasenchak states that we will have to ask our Code Enforcement Official. She states that she does not believe that we can create a lot that is not buildable. D. Barass states that we are not creating it; it is already created by the road. D. Barass asks if it would solve the issue if lot 3 were merged with the existing lands of S. Kilmer. T. Yasenchak states that it would. D. Barass will discuss options with S. Kilmer and get back to the Board.

GALE & WILLIAM HIKA – Site Plan Review

Lake Desolation Road

Gale and William Hika are present. G. Hika states that since the last meeting she provided a better map showing both lots. She states that she does not want to join the two lots together if the site plan review is not going to be approved because as they are, the second lot is a buildable lot. She states that she has spoken to G. McKenna, she is required to have 10 parking spaces and she is showing 14 spaces. She states that she has spoken to 2 structural engineers regarding the need for a firewall between the two units. G. McKenna also told her that she will need an engineer for the septic system and she has contacted engineers for that, they know the details of the plan and she is ready to move on that. She has spoken to DOH and Ag & Markets. Because they will be making sausage, the DOH has advised her to mainly deal with Ag & Markets because of the processing. If Ag & Markets decides that she is operating more of a restaurant, then she will need to work with both of them. She has submitted a water sample to CNA and is awaiting the results. She has spoken to Ten Eyck who was the original installer of the septic system, and they believe that it was in 1960. The Town has no information. Ten Eyck has agreed to come up, inspect, dig up the system and let her know what is there. She has spoken to G. McKenna regarding signage and they have agreed on a 10 square foot sign - one will be on the building and one on the furthest corner of Middle Grove and Lake Desolation point, which would also show the post office and The Post. T. Yasenchak states that the applicant is heading in the right direction, but some of the engineering issues need a little bit more detail before the Board can take action on this. If the septic system should need to be expanded, for instance, the Board would need to know where that is going in relation to other things on the plan and would it conflict with the parking, etc. All of the information should be on the same plan to see how it relates, where the storm water is going to go, etc. T. Yasenchak states that the applicant did a good job, it is a good idea and there are requirements for buffers, landscaping, etc. T. Siragusa agrees that the applicant has done a lot of work on this. He asks how the Post Office feels about this. G. Hika states that the Post Master is very excited about it. She does have contracts and there are no specifics as to what would be next door. She will contact them. T. Siragusa asks if the parking will be shared with the post office. G. Hika states that the Post Office has 9 parking spots. There is a large locust tree at the edge of the blacktop and they are planning to remove that. There would be one shared handicap parking spot in the front of the building vs the current handicap space for the Post Office which is in an awkward location. B. Duffney asks if this will be similar to the old Corner Post. G. Hika states that it will be. B. Duffney states that as long as the engineering issues are covered, he thinks it will be a great little spot. J. Streit states that he agrees with B. Duffney. M. Gyarmathy states that everything looks good. C. Baker states that his concerns would be a drainage plan, septic, DOH approval of the water supply. G. Hika reiterates that she will be working with the Department of Ag who would give her a permit, unless they decide that it is more of a restaurant than processing. Right now they are telling her it is going to be a 50/50 split. She has spoken to DOH who told her to work with Department of Ag first. Public hearing is discussed at set for July 8, 2014. The applicant is on the ZBA agenda for July 1, 2014 for her variance. M. Hill asks if this has been sent to the County Planning Board. R. Rowland states that it has been but we have no response yet.

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CASEY CORNELL – Major Subdivision
Humes Road

Casey Cornell and Gary Robinson are present. B. Duffney states that he has finished his work for C. Cornell and will therefore not be recusing himself. G. Robinson states that he submitted a letter regarding the SEQRA question of disturbance and he believes that was the only outstanding issue. T. Yasenchak asks about the letter from ACOE regarding the pond. G. Robinson states that he did talk to the wetlands guy again and they may not need a permit, depending on the outcome. If it dries up, they do not need a permit. T. Yasenchak states that we will need to have that somehow spelled out. The Board can take action contingent upon that. G. Robinson states that if it turns out that it just can't be done, they will leave the pond there. He explains about the artesian well and what they have been told that they can do without a permit. T. Siragusa states that he would think that the pond was probably made higher by the pipe from the higher ground pond and was always fed by the artesian well. G. Robinson states that he would not think so because the pipe that goes out of the pond is low and it would be a drain for the pond. C. Cornell explains that there is a road built around the pond, it is almost like a dam and he would think that someone put that there. He thinks that there was a small road and someone filled it in to put in the pipe. B. Duffney states that some of the Town right-of-way goes thru the pond where the original road is. The pond was man-made by Jake Smero back in the 1960's. He states that he worked on that property for about 3 years, logging. He has never seen the artesian well have any substantial amount of water going thru the pond. At one time he used to clean the end of the pipe for Diane Coleman at the brook end, to keep water in the pond for the fish she kept there. Even when that was plugged up, he saw the water level drop below the pipe. About 10 years ago the road washed out and filled probably 4 or 5 feet of the bottom of the pond in. He believes that it will dry up as soon as the water is shut off. C. Baker states that we do have the letter from the wetlands consultant and it specifically says, 'Any other discharge of material into the remaining pond or any other waters of the U.S. as depicted on the wetland delineation mapping would require authorization in the form of a permit from the USACE.' He thinks that if we are going away from that, then we need something from the wetlands' consultant or the ACOE stating that this is not an issue. M. Hill states that any draft easements should be submitted to the Board for the Town Attorney's review. T. Yasenchak states that that is usually a contingency. T. Yasenchak states that G. Robinson did initial all the changes made to the Part 1 of the SEQRA and C. Cornell is asked at this time to sign the Part 1. No potentially large impacts were indicated.

RESOLUTION – C. Cornell, SEQRA

MOTION: J. Streit

SECOND: S. Weeks

RESOLVED, that the Planning Board reviews the long form SEQRA for the Major Subdivision of Casey Cornell for property located at Humes Road, TM#136.-1-64 and determines that a negative declaration will be prepared.

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

RESOLUTION – Casey Cornell, Major Subdivision

MOTION: J. Streit

SECOND: T. Siragusa

RESOLVED, that the Planning Board approves the application of Casey Cornell for a Major Subdivision for property located at Humes Road, TM#136.-1-64, contingent upon the following:

- **Receipt of letter regarding the pond issue and clarification of intent**

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- **Road bond/letter of credit in the amount of \$195,000 to be approved by the Town Board**
- **Easements, as needed, for the underdrain for lots 4 & 5 to be reviewed and approved by the Town Attorney**
- **Easements for storm water basins and access to be reviewed and approved by the Town Attorney**
- **Storm water management control facility maintenance agreement to be signed by the applicant and a Notice of Intent to be filed**

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

UNITED MOBILE HOMES – Site Plan Review

Brookview Mobile Home Park, NYS Route 9N

Jeff Yorick, Peter Kelleher and Marty Mancini are present for the application. T. Yasenchak states that the public hearing was adjourned at the last meeting. P. Kelleher explains the project. A public hearing is reopened at 8:02 p.m. Joe Bulmer, NYS Route 9N, states that he is also speaking on behalf of his neighbor, Hank Mulder, NYS Route 9N. He states that it is hard to get a view of the existing park vs. the new portion of the park, in scale. He states that he understands that this was previously permitted in 2007 and asks if it was the same exact plan. T. Yasenchak states that is correct and it is before the Board because they did not complete the construction. J. Bulmer asks if this is then a new permit request and did they expire. He asks what were the new rules applied to mobile home parks in 2010. T. Yasenchak states that she believes that had to do with special use permits for individual mobile homes but we will have to check. J. Bulmer questions that the current mobile home park has a sewage treatment plant. He asks if this 64 home addition requires changes to the treatment plant and what are those. He asks if it is a function of the Town to inspect that or DEC, etc. He asks if the water from the treatment plant is released into the streams in the area. J. Bulmer asks on the southern boundary, what is the green space plan to the Mulder property, footage wise. He states that there are very, very strong concerns, especially from the Mulder's. He is one property over from the Mulder's. They have real strong concerns about the effect on their property values with all of them having moved here for the quiet and the green and the space. That will be invaded to some point. The Mulder's have some very large concerns on the effects of the project on their property, their property value and their quality of life – from a noise issue, from a visual issue, from a property value issue, lighting, etc. T. Yasenchak asks why he thinks that the property value will be depreciated. J. Bulmer states with 64 mobile homes in a park moving in next door, he thinks that if you bring in any real estate agent they are going to tell you that the property value is going to drop. He states that they (the Mulder's) came out here and bought 7 acres of land in the woods, in the green space, in the wild life and it is sort of an urbanization creep. There are wild life concerns and how that will be affected. He believes that the plan is 2 years to build this. He asks if there are any limits we can put on the construction. T. Yasenchak states that we do have regulations in the code regarding construction hours. J. Bulmer asks if there is any way to increase the green space on the southern boundary to appease the Mulder family and the neighbors to the south. Paul Bouchard, Denton Road, states that it has been several years since this was approved and has the fire department access been reviewed. There being no further public comments, this public hearing is adjourned at 8:14 p.m.

T. Yasenchak asks the applicant to address the sewage treatment plant question. J. Yorick states that they are currently permitted for 50,000 gallon per day and are currently only at about 15,000 to 18,000 use per day. P. Kelleher states that the expected increase would be to about 30,000 +/- per day so

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they are definitely within the capacity of the existing plant. C. Baker confirms that based on the 2007 letter; there is a comment in relation to that. Their projected flow for both the existing and the proposed expansion is 47,160 gallons per day which is less than their permitted use of 50,000. He states that he suggested that if the Board chooses to approve this, that we would require the applicant to provide yearly reports to show how they are staying under that flow. T. Yasenachak states that one of the concerns was for the basketball court being lighted. P. Kelleher states that they are not providing any evening lighting for that space. T. Yasenachak states that then they are only have one small pole light at the end of each driveway and then at the intersections. P. Kelleher confirms. T. Yasenachak asks the height of the street lights and the type of lights to be used. P. Kelleher states that he thinks they are 20' but will have to check. S. Weeks asks if they are going to be similar to what they currently have. J. Yorick states that they will be architectural cut-off lights at the intersections. P. Kelleher states that they should be more attractive than the normal pole. T. Yasenachak explains what a cut-off light is. Discussion takes place that there is a copy of a map in the packet that shows the entire property with the existing park. Question was raised during the public comments regarding the location of H. Mulder's home. This information will be provided. C. Baker passes around a google map overview of the area. S. Weeks states that the question was raised as to whether or not the Fire Department looked at this and did they have any comments. R. Rowland states that the M. Chandler was present at the last meeting and had stated that some of the changes that were made to the access road were due to their comments. There is a letter from the original approval. P. Kelleher states that the road will be painted for one lane in each direction but wide enough for two. C. Baker states that he would still like a response to his review letter from 2007, as he requested at the last meeting, basically updates on the DOH, DEC and DOT, as well. T. Yasenachak states that we really can't be going thru the SEQRA until we have that information. C. Baker states that he believes that the information was there, but that he would like to see the updates as to where those stand. P. Kelleher states that all he can offer now is verbal and e-mail approval from DOH and DOT. DOT has e-mailed back and suggested minor revisions. He can provide a copy of those e-mails. He has spoken to DOH and been told that nothing has changed in the rules and regulations, and it would be a simple formality for them to reapprove the plans. C. Baker states that he sees no reason not to proceed on this project's review, if the Board feels so inclined. Discussion takes place regarding proceeding with SEQRA. M. Hill advises that the Board should keep the public hearing open as some of the Board members would like to see the location of the neighbor's home and the applicant is going to be submitting the additional information. Discussion takes place and the Board would like to see the additional information before doing the SEQRA. T. Yasenachak states that the public hearing will remain adjourned to the next meeting. She requests the cut sheets for the lights and the requested information.

PRESTWICK CHASE – PUD Amendment & Country Squire Green Space Amendment
Denton Road

Luigi Palleschi, ABD Engineering, and attorney Dave Pentkowski are present. T. Yasenachak states that the public hearing was adjourned for this application as there was a question of ownership of the Country Squire Estates green space. D. Pentkowski states that he addressed their position on ownership at the last meeting and has nothing further to add. A public hearing is opened at 8:42 p.m. Adam Tinkle, Daniels Road, states that he just found out about this project today as he has just purchased this property, directly adjoining the proposed road. He states that he has had concerns about the hazards of the 'S' curves in this area prior to learning about the project. Rosemary Jensen, Locust Grove Road, states that she has submitted another letter to the Board and their property has now been registered as an Audubon International Wildlife refuge and everyone who decided that their view would not be impacted should come down their driveway. She indicates the existing building, with trees that have had a long time to grow, is still the very first visual thing and almost every one of their guests comments on the 'horrible' apartments. The current plan proposes buildings closer to their property and 'they' think the

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trees are going to stop the view. She reiterates her position that this project will destroy what they have been trying to build. Jim VanDyk, Daniels Road, states that he just heard about this also. He asks if the road is intended for just emergency access. T. Yasenchak states that the way that the Board has requested it to be would be emergency ingress and egress for emergency vehicles. J. Van Dyk asks that it is going on land that was formerly for wild space for the last development. T. Yasenchak states that the project before the Board is for an amendment to the green space. She explains that there was an amendment to the green space that allowed for a golf course to be built on this green space property and the applicant is asking for an amendment so that that would not be used as a golf course any longer and that the Town would allow them to have this ingress/egress road for emergency vehicles. J. Van Dyk states that Daniels is the highest traffic road in Greenfield, it is a town road, 7000 to 8000 cars a day and they do not need anything more for traffic, which he guesses this is not going to give them more traffic. The people in Country Squire bought houses with the idea that they would never have a road thru there, then it doesn't seem fair to him. If you are going to grant them a concession, perhaps they ought to grant a concession. He does not know what that would be, but maybe use of that property as a park. If it is not going to be a golf course, it seems like something should be done for the people who are losing their backyards for the road. Ron Owen, Daniels Road, states that L. Palleschi had stated that the applicant might be willing to eliminate the road. He asks if that is still a consideration. L. Palleschi states that it would be for emergency only. R. Owen asks how that is going to be controlled. He asks the Board to think about what is going to happen if the 300 units are approved and in a year or two people start coming back and saying that they have invested a lot of money in this and the new residents are clamoring to have the road opened up. He states that this is what the Board is going to face if they allow this green space swap. T. Yasenchak states that the green space is remaining in the exact same configuration. The amendment is to not use it for a golf course and to allow for the construction of the road. R. Owen states that he has been here 4 or 5 times, he has written letters, and hopefully the Board has read them all, stating his position time and time again, trying to reach the Board about this road and the danger and the hazard. He states that he is not the only one. Many people have done that. They are not here tonight, they are under the impression that if they show up once, they tell the Board their position, the Board will hear them and take that into consideration. He states that he has learned from attending multiple meetings here that that is not necessarily the case. It sounds like they have to keep coming back and back, every single time, in order to get the Board's attention. He states that the Board may not agree with him, but that is his view. They are not here, but they are all still opposed to the road. Paul Bouchard, Denton Road, states that it doesn't really matter which road 600 people come out on. If you have 3-story apartments, one story of parking and 2 stories of living, no elevators, the people who can walk up to the third floor are going to be driving. There are going to be 600 cars. No matter what area those 600 people dump onto, there is going to be traffic and there are going to be body bags. The roads are substandard. He does not know what it takes here to get the highway department to do something. T. Yasenchak states that since the last meeting we have received letters from: 6/18 from R. Owen; 6/23 from John Kuznia requesting that the Board withdraw its requirement of the access road; 6/23 from Tim Laskey regarding keeping this space as forever wild and also speaking to the intention of the ownership to the Country Squire Estates; 6/23 from Rosemary Jensen as mentioned in the public hearing comments; 6/20 from Mike Toohey regarding the modification to the Country Squire Estates green space and ownership and intent of the green space as amended in 1996 and how it was originally approved. The Board consensus is to close the public hearings at 8:56 p.m. for both the PUD amendment and the green space amendment.

T. Yasenchak states that the Board had indicated three potentially large impacts for the SEQRA - #1, #11, #19 – and that they could be mitigated by project changes. T. Yasenchak states that we did have substantial discussion regarding #1, construction that will continue for more than one year or involve more than one phase, at the time of the first SEQRA review about possibly phasing this project and how this could be mitigated. L. Palleschi states that they had developed construction phasing and they can go thru those in detail with the Board and further develop those plans. T. Yasenchak asks how they would

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differ from the last plans that were submitted. Obviously the layout has changed significantly. L. Palleschi states that it would be similar to what was originally proposed with phase 1 being the units in the area in front of the existing building; phase 2 would be the area behind the existing building, the inner loop; and phase 3 would be the remainder. There was the question about how and when to construct the emergency access road and that could be done in either phase 2 or 3. He states that could be discussed further during site plan review and he could sit down with the Fire Department and discuss when they see the need to really construct that access. If you look at the phasing, if you are only building closer to the Denton Road entrance, you may not necessarily need that secondary access. T. Yasenachak states that she knows that she asked this the last time we went thru the long form, but for clarification purposes and for the record, she asks M. Hill, when we are talking about the mitigation by project change, that should probably be something that we know what the mitigation will be before we take action. M. Hill states that is correct. He thinks that the last time we discussed this topic, there was pretty extensive discussion about the fact that breaking the project down into phases, that alone doesn't seem as though it would constitute mitigation with regard to the affects that the construction longer than one year might have. It seems as though the Board should be looking at the cumulative effects of the long period of construction and think about how those effects are experienced by people and what if anything can be done to reduce those impacts. Phasing does not reduce the time. If there is some way that phasing reduces the impacts of construction, then the applicant's representative can explain that for the Board's consideration. L. Palleschi states that it can certainly be mitigated. We talked about the hours of when the construction vehicles can come in and out. We can certainly discuss which access point they would enter the site, from Daniels or Denton Road. He feels that these final details can be discussed during site plan. T. Yasenachak states that we need to know if they can be mitigated now, before we take action. T. Yasenachak states that the applicant did come up with a plan, it was different and part of that plan was that if there was any blasting, all that would be done at one time so that it would not be happening over the course of 2 years. At one point there was discussion about doing the onsite utilities all at once so that large equipment would not be operating over a course of 2 years. Perhaps the only thing that would be happening over 2 years would actually be the construction of the paving of the road and the building of the homes. D. Pentkowski states that there is internal pressure to not be disturbing the existing residents as well. T. Yasenachak states that we understand that, but having an actual plan in place would give a definition of something that the Board could point to and say whether it is being developed properly. She asks the Board if they feel that the phasing mitigates the construction for over one year or does the phasing need to be done differently so that the construction impact is lessened. B. Duffney states that there may be a quiet time in between where there will be no construction between phases. S. Weeks states that it is a tough question, because in major projects construction that would continue for more than one year is not unusual, and so he thinks that things like hours of operation and how you might get creative about managing traffic are two key deals for him. He is not quite as concerned about phasing. He thinks that you are going to do that with good construction management anyhow. The two main things he sees are the hours of construction and the traffic. T. Siragusa states that he agrees with S. Weeks. The applicant had a couple of good ideas about things that could be done to minimize – the road, the utilities, the blasting – those are three good ideas. Things that can consolidate to a single period where people know when that is going to happen. As far as the phasing, it is pretty clear in the SEQRA that continuing for more than one year or more than one phase is like the same thing. Phasing in itself is not mitigation. Things that can be communicated out to neighbors and residents so that they can really understand what is going to happen, he thinks that is what is going to be really important. The existing residents are going to have concerns about that. M. Gyarmathy states that he agrees with S. Weeks and T. Siragusa. Phasing alone is not going to take care of the impact and he thinks that the applicant should formulate some kind of plan so that we know what part of the construction is going to be done at what time. J. Streit states that we can impose hours of construction and time limit on blasting. As was pointed out, there are internal pressures to keep the noise quiet. He states that we have had discussion that the market will determine phasing and any good contractor will develop phasing, because time is money and they will want to do it in the most efficient way. L. Palleschi states that the blasting has been reduced

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significantly because of the units that they removed from the Daniels Road area. They now do not need to carry the infrastructure that far and that is where a lot of the blasting would have occurred, along the curve. J. Bokus agrees with the Board, that we have a plan for the infrastructure because that is where most of the disruption will come from. T. Yasenchak states that the Board would need to see something, updated, that would show how this can be mitigated. Some of the items that the Board has mentioned are hours of construction; how can the construction be consolidated; what are they planning to do with traffic during construction as well as what they propose for the length of noise and traffic for each phase. D. Pentkowski states that the Town Board is going to have input on all of this. They could change the legislation. T. Yasenchak states that the Town Board is looking at the PUD language and not necessarily at the site plan. Planning Board is the lead agency for SEQRA and in order for the Board to take action on SEQRA, this is one of those issues that this Board feels they need this information. D. Pentkowski states that he believes this should really be done after the Town Board takes action. L. Palleschi states that the Planning Board members agree that it takes more than one year for most construction. A single family house can take more than one year. D. Pentkowski states that it is extremely difficult to give the details that the Board is looking for until the legislation is passed. T. Siragusa states that the Board is not asking for a 100 page, detailed line item of what is going to happen every Tuesday, Wednesday and Thursday. Some of this L. Palleschi has stated that he has drafted. L. Palleschi asks where the Board wants to see the traffic come from, what hours of operation, etc. T. Yasenchak states that the Board is not the designers. L. Palleschi asks about e-mailing the Board members. T. Yasenchak states that the Board cannot give feedback outside of a public forum. She states that the Board is asking the applicant to revisit the information presented when we originally reviewed the SEQRA, maybe add a little extra to it. C. Baker states that he does feel that phasing is important to this project due to the size and scale. It gives the Planning Board some control to view this project as it moves forward. If phase 1 is built out and there is feedback from the residents about problems with construction traffic, with noise, whatever it might be, the Planning Board has another chance to revisit it. If it is approved as one blanket phase, the Planning Board will not have that opportunity anymore. T. Yasenchak states that the Board is also asking the applicant to give an estimation of the amount of time each phase would take so that we have an idea of the duration of the impact. L. Palleschi states that they are looking at construction phases. The Town has to issue building permits, that is how you have a leg on the developer if you do hear that they are not complying with the plan – then that building permit doesn't get issued. T. Yasenchak states that that is why we are trying to define that plan because we need to have some kind of tool to be able to act on it. L. Palleschi states that he agrees with that, but he does not think that the Board needs that now, but he will provide it. M. Hill states that he was not suggesting that phasing is not important, he thinks it is, and he agrees with C. Baker as to the reasoning. T. Yasenchak states that the applicant had submitted something before and some of the detail in that was in the right direction. T. Siragusa states that he would want to see what items would be done in each phase that might be outside of a physical area. B. Duffney states that if there are issues that the public sees with the construction vehicles, those things should be reported to the contractor who should address those issues. Item #11, regarding project components being obviously different or in sharp contrast - J. Streit states that he did visit the Farmstead and tried to understand what the owner was trying to tell the Board. He does think that the 2 buildings in the south west corner would have a serious visual impact. If that was an individual home and a building went up, you might say that's progress and that is unfortunately what happens. He thinks that that is more than a single home owner; he thinks it is an asset for Greenfield and people who stay there don't come from Greenfield generally. The view shed at the present time with the one end of the existing building is visible, but not so bad, but if you put those two buildings that are proposed, it would have a tremendous visual impact to the Farmstead and to the other surrounding properties. He states that he thinks that he would have great difficulty in voting in favor of any part of this project if those two buildings remain. He states that L. Palleschi has been in a very difficult position between an applicant and people who have real concerns, but he has been very creative in the past, in cooperation with the Board in making adjustments, and J. Streit states that a vote killer to him would be maintaining those two units. He doesn't think those 2 buildings are absolutely essential to the plan. S. Weeks asks if J. Streit is suggesting that there be

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nothing in that corner. J. Streit concurs. T. Yasenchak states that the project change that J. Streit is suggesting that could mitigate this potentially large impact would be to remove those 2 buildings. J. Streit states the elimination of those 2 buildings on the plan with or without there being subsequent adjustments to the rest of the plan to allow. J. Bokus states that J. Streit definitely has a good idea; it would improve the visual impacts for the Farmstead. M. Gyarmathy states that he agrees with J. Streit. He thinks that this project is very, very dense for our Town and he would like to see more than just those 2 units go away. He states that people come here from far and wide to get out in the country and relax and see nature, and he thinks that this project is definitely impacting that for them. T. Siragusa states that M. Gyarmathy said a really important thing. T. Siragusa has said all along thru this project that he thinks it is too dense, and when we didn't have the green space in the project, the math made it almost 50% more dense than the original proposal. He feels that it is too dense for the community, it is too dense based on the Comprehensive Plan and that comes up in #19. He would like to think that the screening, because the applicant has really done a pretty good job and put effort into putting screening where there is not screening for the original building, sensitive to the Bed & Breakfast. Are they going to be 35' tall on day one, no but they will probably provide screening and be pretty tall. He is ok with that but he has a problem with the density and he did agree that this was a potentially large impact for #11. By not having those buildings there and going a step further on the density, the others on the front side of the building on the Denton Road side. He does hesitate to affect the commercial viability of the project. Aesthetic wise for the community, density wise to the community and overall for the Greenfield plan, he thinks that the elimination of that corner and the two buildings in the front, would be good for him for both density and aesthetics. S. Weeks states that it seems late in the game, but he has been to the Farmstead, been on the second floor and has seen the view. He thinks that we recognize that very early on when we asked the developer if they could reduce the height of the proposed buildings in that corner, they agreed to do that and they also moved them further away. S. Weeks thinks that those are all positive things. This is a dense project for Greenfield, it is a unique project in Greenfield and he would be willing to say yes, the building closest to the corner is probably the most obtrusive. He is having difficulty in thinking that the Board needs to tell the developer to start reducing more units. He is having a tough time bringing himself to thinking that we should do that at this point - if we had had this discussion 6 months ago. T. Siragusa states that right now we are looking at SEQRA and looking at it in that light, we have talked about density all along. S. Weeks states that he believes that with proper screening, enough trees planted there, if we want to give up that one unit that is closest to the lot line, that is fine. He really can't see to eliminate any more units; he does not see the justification for that. B. Duffney states that he asked early on if there was any chance of dropping those units down to 1-story units to try to help the Farmstead out. As S. Weeks stated, we are pretty far out now to talk about eliminating, but we have asked to downsize for the Farmstead. To eliminate – he is unsure. T. Yasenchak states that right now we are going thru SEQRA and the question is whether or not we feel that this project is in sharp contrast to the current and surrounding land uses. Whether or not it is "late in the game" or not, she thinks that when we came to the realization that the 25.5 acres was not part of this project, we did speak about the density, which we will get back to later. The applicant has heard all thru this process the different thoughts of the Board about whether the buildings should or should not be there, whether or not the density was appropriate or not, it was brought up many times. The applicant has the choice, during the process, to change that number. They have not chosen to do so. We are reviewing that number of 300. At this point we make that decision whether we feel that it is too dense, whether it is in contrast to surrounding land use or not. We are saying that a mitigating effort may be to change that number. The Board should not feel guilty into thinking that a reduction in the number is not mitigating. L. Palleschi states that regarding the mitigation, the 25.5 acre green space does not have anything to do with the Farmstead. They have made many iterations to the corner; they are proposing trees that would be spaded from within the site. They are not talking little trees; they are talking trees that will be spaded and high enough to provide that buffer. He states that they could offer to do some sort of berm so that the trees can be elevated more for a buffer along that view. He will provide cross sectional drawings for the next meeting to show elevation-wise what one would be looking at and they will try to mitigate so that you don't even see the roofs of the

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proposed buildings. If that is something that the Board is willing to see, he will provide that for the next meeting. T. Yasenachak states that she thinks that that would be helpful. She states that something that is lacking in the PUD language that was different from the original PUD language, because when we are looking at this for a SEQRA perspective we are looking at the proposed site plan as well as the PUD language. The original PUD language did have statements in there about bonds and about how during phasing of the construction that the building department would be able to either stop issuing building permits if certain parts of the phasing had not been done. It does talk about bonds and she is brought back to the bond that was required for Skidmore for their landscaping. We talked about it last time but we did not develop it much further. One of the concerns that she has is that the applicant has this wonderful landscaping in place, but we have no tool to maintain that. If all those trees died in a year, we have nothing that we can go back on. L. Palleschi states that that can be done on site plan and that 'in perpetuity' is what is used when talking about this. T. Yasenachak states that what she is saying is that we actually wrote that into the Skidmore PUD because we wanted to make sure that that was part of it. We are allowing them to have a specific use based on the fact that the landscaping would always be there. D. Pentkowski states that there really is no provision for bonding. The bond doesn't do you any good, because you can't go on the site yourself. T. Yasenachak states that would be dependent on how it is written. D. Pentkowski states that you can't go on the site and start doing the work yourself, it is not public property, but you can certainly put language in that says that it is removal/replacement, etc. T. Yasenachak asks M. Hill how that was done for Skidmore. M. Hill states that he does not recall and would have to go back and look at it. There was a provision in the PUD with respect to the landscaping. J. Streit states that with due respect to L. Palleschi and his patience and creativity, he states that he has not been bothered by density as with the visual effects. He states that when he visited the Farmstead, he tried to envision 1-story buildings, trees, and he does not believe that there is a way, with any buildings in there. He states that it bothers him that he is suggesting to L. Palleschi to eliminate these buildings. He does not feel that they are critical to the critical mass of the financing of the project. He states that unfortunately he learned it late, his apologies to L. Palleschi, but if we are talking about density and the visual effect, he thinks that it is impossible to put 2 buildings in that corner and not destroy the visual effect. No matter how you mitigate it, just block it with trees, you are blocking the view beyond. He does not feel that trees are going to do it or a berm. B. Duffney asks the number of units in the buildings in the corner. L. Palleschi states that there would be 16 total, because they are two 8 unit buildings. He states that as far as the view shed, there are Federal wetlands in the area and they cannot plant trees in there. T. Yasenachak states that another question she has had is the visual from Denton Road and in looking at the elevations and visiting the site, she believes that something is not right. She asks that L. Palleschi confirm this. #19 in part 2 of the SEQRA form – will the proposed action affect the character of the existing community. The Board checked a potentially large impact for the example that the proposed action would change the density of the land use. T. Yasenachak states that the first way to mitigate that would be to change the number. When we originally looked at this we were including the 25.5 acres of green space, we looked at the density of 300 units with that acreage and now it is not there anymore. L. Palleschi states that they feel that they have already mitigated with the plan that we see here currently. We agreed on striking the golf course within that existing green space and the way that the site has been designed is with all the buildings internally so that there is plenty of buffer around the entire site. They have provided the 50' buffer line as part of the PUD and more than the 50' in the south west corner to 100'. The existing PUD is a more intensive use as stated in the traffic impact study and all the documents on the existing PUD. He feels that this is way better than the existing approved PUD. He states that they have provided all the studies that the Planning Board has asked for and they feel that all of those studies have supported this density. Anytime someone is asking for a PUD, they are asking for more density otherwise they would not go for a PUD. T. Yasenachak states that she thinks that some of the reports and studies that were mentioned do speak to other items on the SEQRA but not necessarily density. L. Palleschi states that it benefits the community on a tax basis; it supports the EMS services that have been stated previously and also the tax base for the Town of Greenfield. There are no school age children so even for the school district it is a positive thing. T. Yasenachak states that then L. Palleschi is stating that

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he does not agree with the Board because he is not giving a mitigating measure. L. Palleschi states that it can be a positive mitigating factor; it doesn't have to be a negative. T. Yasenchak states that she respectfully disagrees because when you talk about density, it is purely the number of units per acreage. D. Pentkowski states that the Board should keep in mind that what they are trying to create is something that provides services as well. Without a certain number of residential units they are not going to attract the services that they want to provide to the residents. He states that they think that the overall affect is a good thing to have those self-contained services available for those elderly people. They are trying to get enough density in the residential portion to get these services there. M. Gyarmathy states that in the Board's defense, and regarding it being late in the game, he is not the one who pulled the 25 acres away from this project. That was a game changer for him. He thinks it significantly affects the density of this project. The only way he can see to fix this is to take away some of the units. He thinks that the applicant has not budged as far as the number of units, he feels that the 25 acres was played with back and forth between a couple of projects and once that was set aside to be green space forever, it should not even be considered in this project. To mitigate this for him, he would have to see the numbers go down. J. Bokus questions what is meant by 'community'. Is it the Town, is it that chunk of the Town, is it that acreage where the buildings are? T. Yasenchak states that that is what we are here reviewing and what does the Board perceive that community to be. J. Bokus states that he sees it as that chunk in relation to this form and these questions. He states that they want to increase the density of their chunk. In relation to #11, he took the stand of eliminating those two structures for another reason and that then improves the density. That would satisfy him. B. Duffney states that he agrees with J. Bokus. It would take care of the aesthetics for the Farmstead plus it will reduce, by not much, but it will still reduce the density of the property. J. Bokus states that as you put the buildings closer together, you create more green space for the residents to enjoy. T. Yasenchak states that then he is saying that it would give more of a buffer and remove the appearance of more density. S. Weeks questions again how many units are allowed in the existing PUD. M. Gyarmathy states 214. L. Palleschi states that it is hard to determine because it involves the club house, it is a more intensive use as to traffic and wetland disturbance for the site. S. Weeks states that he thought that he heard L. Palleschi state that the density was actually going to be decreased. L. Palleschi states that he did not say that the density was going to decrease. The existing PUD shows that it is a more intensive use than what they are proposing. T. Yasenchak states that it can be a perceived intensive use because on one side you have residential units and on the other a large club house and golf course. It is really subjective from what the Board believes and feels is more intensive. J. Bokus asks if the golf course was to be open to the public. T. Yasenchak states that she believes that it was. S. Weeks states that this is another SEQRA question that gives him a huge amount of difficulty because he does not know what you do for a project without changing the density of land use. The question bothers him a great deal. He does not have a huge issue with the density. He does not know how to say we are going to mitigate it; he does not have an answer. T. Siragusa states that when we had the original 25 acres included and then that got taken out, that immediately changed the density of the project keeping the number of units at 300, now there is less space to put them in. It went from 4.1 units per acre to 5.3 units per acre. Originally it was fairly dense and that is an increase of 29%. There are 16 units on the left side which is approximately a 10% reduction. That would be his proposal. That would solve some aesthetic issues, some density issues and it is a good compromise. T. Yasenchak states that she has felt from the beginning that this was dense and when that 25.5 acres was taken away, she believes that that density really became an issue for her. She thinks that this is something that when the Town does work with developers, we do listen to what they want to do, but we also listen to neighbors. We are looking out for the character of the existing community and there does need to be some kind of compromise when it comes to the density. Mitigation to her would be to reduce that number in some way. She states that the Board members who have an issue with the density said that the only mitigating element would be to reduce the number. L. Palleschi states that the Planning Board can make that recommendation to the Town Board and let them decide what they will accept as far as the PUD. The applicant had agreed to up to 300 units. T. Yasenchak states that right now we are doing SEQRA and have indicated that that is a potentially large impact and if it is significant or not. L. Palleschi states that

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there is also the 6.34 acres in the south west quadrant which is to remain undeveloped, so that is a mitigating factor. He states that that does help the Farmstead. T. Yasenachak states that that has always been green space. We are looking at the project as it is before us right now and what is the mitigation and project change. T. Yasenachak reminds the Board that we are doing a coordinated review. This is an amendment to the PUD for Prestwick Chase and also an amendment to the Country Squire subdivision green space. She asks if the Board feels that the mitigating effort that the applicant has been asked to address also addresses the proposed amendment to the green space or do they feel that it is not applicable. T. Siragusa states that he thinks it is applicable in terms of the phasing language that was requested and how and where the road fits into that. J. Streit states that very often when we have public hearings the neighbors complain about things that they don't want in their backyard, things they don't want changed. He feels very strongly about the road not going thru the green space for reasons of safety. He knows that there are Board members who feel that the road should be there for safety reason – fire access, ambulance access, etc. We have heard a lot of concerns that it would be abused by an applicant who in the past has not always done exactly what he said he was going to do. We hear about the safety issues existing as they are now on Daniels Road. He states that if safety is what we are concerned about and the reason we are putting that road in, we are doing that for the wrong reason. From what he can see and hear, his good judgment tells him that the safety of the community of Daniels Road will be much more impacted than the potential safety of the residents of Prestwick Chase. He is overwhelmed by the comments of the people on that road who cannot come out of their driveways. He thinks that it would be a tragic mistake to have the road there. He states that safety mitigates that a road does not go thru what has been declared to be an open space and was promised by the developer from the beginning. Contrary to what has been said tonight, he thinks that the Board does listen to the public. The public does make an impression on the Board and does get the Board's attention. Those are the two areas of this whole project, which he is not against - he is relatively favorable to this project, but those two elements – the two buildings on the south west and the road leading out to an already troubled road. He reiterates that he feels that it is less safe putting it in than the safety concerns and it violates the intention that was given to the people who bought in Country Squire. M. Gyarmathy states that he agrees with J. Streit. He thinks that the green space should remain forever green with no road. J. Bokus states that the Fire Department stated that it would be much safer for the community, even as it exists now, without any expansion. T. Yasenachak states that the Town Engineer did bring it up as a safety factor and at the time the rest of the Board agreed with him and then the Fire Department also agreed with that. J. Bokus states that all the residents' comments about the road and facts about the condition of the road, have nothing to do with this project being there. The road is a country lane that got built up and became a bypass for the city of Saratoga Springs for the residents looking to bypass Saratoga Springs to get to Route 9. That is what made it unsafe for kids, bikes, and people walking or jogging. He states that he can't really see not putting in the road to benefit a senior community for the misguided mistake of changing conditions on Daniels Road traffic. He is in favor of the road going in. J. Streit states that J. Bokus is absolutely correct, Prestwick Chase did not create the bad conditions on Daniels Road, but the Board could be blamed for making that situation a lot worse by approving this road. T. Yasenachak states that then perhaps the mitigating effort for that would be to just remove the road. Another mitigating measure might be to make it not paved, but maintained, perhaps a gate on both sides so that no one goes up that road. She states that she does not believe that the Fire Department or first responders are public, so giving them another way to get into a site is important. She looks at this as a physical change to the project site, she thinks that this is less impactful than if every single tree was cut down and there was a golf course. If the golf course was there, they would be beginning at whatever early morning hour, there would be golf carts, and have golf balls falling into their yards, etc. She has family members who live on golf courses. There would be no privacy. J. Streit states that he does not believe that some people will make the distinction as to whether it is paved. B. Duffney comments that a previous Board agreed to change this from green space to a golf course. He states that he went and sat on the road at the entrance to Country Squire Estates. There is a cherry tree at one spot that should be removed. The emergency access road, anything could happen at the other end with that many people. For him the road would be a safety issue for emergency vehicles. He

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states that he does not feel that the road would be a potentially large impact. L. Palleschi states that another thing that might help to visualize is that this is not a straight road going in. There is a curve to it so as you are driving down Daniels Road, you are not looking directly into the development and seeing all the units. S. Weeks states that he clearly thinks the second road is a huge safety issue, he thinks the Fire Department agrees with that, he thinks the ambulance company would agree with it. He just can't envision having a development of that size without a second entrance. He does think we have listened to residents because he knows that they are concerned, they have expressed their concerns, they expressed it very well and the Board said that they should make sure that it is only for emergency use, which is the key reason he thinks that we were talking about that road to begin with. He thinks that it makes great sense to do that, he thinks we have mitigated the impact on Daniels Road a great deal by saying emergency only and he still comes out at that point. T. Siragusa states that he does not think that it needs to be mitigated. It is an isolated part of the project. We have asked for it to be noted and documented as part of the phases and the coordinated review. If looked at it independently, he does not think that it needs mitigation. He does certainly take into consideration the effect of green space and that kind of precedent, but he thinks that it is a much lower impact than a golf course. A lot of comments have been made about putting the road in people's back yards. That road is not in anyone's backyard. It is in the green space, that is really important and we have spent weeks considering that and he thinks that it is low impact. It is much lower impact than a golf course would be and he also knows people who thought that they wanted to live on a golf course and half of them don't like it anymore for exactly those reasons of privacy. Safety is the number one issue, that is why we asked for it. We looked at another project tonight, for United Mobile Homes, there is a road that went thru there. When we talked about it, about widening the road, it was all about public safety, we did involve the fire department the way we did this time because we thought that safety was paramount. He thinks that the road is a good idea and that the compromise that makes it work is that it would be emergency use only. He has also driven in and out of Prestwick Chase, the gates do what they are supposed to but there would have to be a safety or crash gate, etc. The Board consensus is that there is no significant impact to aesthetic resources due to the road. The Board consensus is that the Country Squire amendment has no impact on the density. M. Hill states that it sounds like, from the feedback given to L. Palleschi, that the Board is expecting him to submit some proposed ideas with respect to mitigation. He suggests that the public hearing should be left open for the limited purpose of any comments that anyone might have with regard to those submissions only. T. Yasenchak states, as the Board has closed the public hearings, it will reopen those on the basis of any new additional information that is provided. She states that the public should be warned that the only thing that the Board will be looking for is comment on those items and those are something that the Board has requested of the applicant as mitigating measures. Discussion takes place and the applicant is given until July 3rd to submit information. T. Yasenchak states that when the Board asks an applicant to provide information to mitigate the project impacts that we have identified, yes, it is a project change, but it is something that the Board is asking for.

DISCUSSION

T. Yasenchak states she would like to put a time limit on our meetings of some sort. She states that we have never had as many long form SEQRA's to do all in one night or such large projects that we are reviewing at one time. She thinks that hopefully this will not happen very often, Greenfield is limited in the areas that we can develop, however, she is going to work with R. Rowland as far as timing when people do make their applications and when we ask them to give us additional information, etc. B. Duffney states that one thing he has found during the public hearings is to limit the time. J. Streit states that a limit of one long SEQRA per night would be a good idea. S. Weeks states that he would like to see us not go beyond 11:00 p.m., four hours is a lot of work. T. Yasenchak states that she does not want to be so inflexible as to have someone hire an attorney or representative to come back another night if we are close. T. Siragusa states that he wants to be careful on the public hearings, let's monitor. He is ok with

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when in doubt to have a public hearing; people do want to be heard even if they are repeating. He states that we could say, ok we have heard about 'traffic'. The idea about a public hearing is to hear something new that we haven't considered yet. On the other hand it is a public service to hear someone because it is their chance to talk. Most of the time they can't say a thing. It is a good public service, we just need to facilitate them and monitor them a little bit. He states that he has seen other Boards come down really hard on public hearings, and that can be a disservice. S. Weeks states that the Board knows that he always says lets have the public hearing, it takes a lot for some people to get up and say something, so he thinks we have to be very cautious about stymieing people and shutting them off.

C. Baker will not be at the next meeting.

Meeting adjourned 10:43 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary