

TOWN OF GREENFIELD

PLANNING BOARD

MARCH 31, 2009

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Gary Dake at 7:00 p.m. On roll call, the following members are present: Gary Dake, Lorna Dupouy, Michael Ginley, Thomas Siragusa, John Streit, Michael Thrailkill, Tonya Yasenchak and Nathan Duffney, Alternate. Gerry McKenna, Zoning Administrator is present. Charlie Baker, Town Engineer, is absent.

FEBRUARY 24, 2009 MINUTES

MOTION: M. Ginley

SECOND: L. Dupouy

RESOLVED, that the Planning Board waives the reading of and accepts the minutes of February 24, 2009, as submitted.

VOTE: Ayes: Dake, Dupouy, Ginley, Siragusa, Streit, Thrailkill

Noes: None

Abstain: Yasenchak

PLANNING BOARD CASES

ANTHONY VACCARIELLI – Minor Subdivision

Route 9N (Triple J Way)

Anthony Vaccarielli is present. G. Dake asks the applicant to explain the project as it has been going on for quite some time. The applicant is given a copy of C. Baker's review letter dated March 31, 2009. A. Vaccarielli explains that his engineer, Paul Male, was not able to be here tonight but has been communicating with C. Baker. He states that they are seeking preliminary and final approval for Triple J Way; three lots were previously approved, built on and are occupied. The remaining roughly 15 acres are what A. Vaccarielli would like to subdivide into 4 lots. They received area variances from the ZBA and believe that they are close to completion. G. Dake states that he spoke with C. Baker who feels that the applicant is down to primarily engineering issues; the applicant received area variances on the 4 proposed lots; the first phase of this project was done as a private road and since then the rule has changed and it needs to be on a town road, at town road specs and to be taken over by the Town. C. Baker mentioned to G. Dake that he has spoken with W. Barss and they would like to make sure that they review the estimates for the road bond. G. McKenna states that the plat indicates that this is the R-3 zone, that needs to be changed to LDR with the correct requirements; it should also be noted that the variances were granted for the lot size; standard notes have also changed and a copy is provided to the applicant. The map notes indicate that the perk tests are not going to be done and that they would be individually designed as they were done. A. Vaccarielli states that they were done. G. McKenna states that he was thinking about it because the leach fields are drawn at 100 to 150' away from the proposed house locations, which is a long way and he is wondering why. G. McKenna states that in reviewing this, he also found that the setbacks are wrong. Lot 4 doesn't even have a building envelope with the current setbacks. G. Dake asks if the variance granted addresses this. G. McKenna states that the variances granted were for lot size and that the setbacks shown

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are not even right for when it was R-3. He states that he went back to 2005 in his agenda notes and they indicate that this was discussed. M. Ginley asks what the setbacks are. G. McKenna states that the actual setbacks that are at issue are two side setbacks on the 2 middle lots, and the front and rear setbacks on lots 1 and 4. G. Dake suggests that the applicant discuss this with P. Male. T. Yasenchak states that it is good that the applicant is looking to finish this project and get this road built out to town specs, right now it just seems that there are some technicalities. She likes the layout, the cul-de-sac, the applicant has a variance for the size and she understands that some of the septic systems are that way in order to get the separation from the well. She states that when you do have something 150' away from your house, you are looking at a pump system so anyone who buys this should be aware that it is not a typical septic system design. There is something for the applicant to be aware of and maybe that should be mentioned on the map, that every system is being designed separately, so that if someone looks at this and the perk is good, they are going to assume that it is a regular system and then if they have to put in a pump they are looking at substantially more money. T. Siragusa states that he believes it looks good and it is good that the project will be finished. He questions if the variance was for lot size, was it based on being in LDR. G. Dake states that is one of the things that complicated this project as the zoning changed part way through from 3 to 6 acre lots. M. Ginley states that he does not have any questions other than having P. Male redo the maps. A. Vaccarielli questions what the setback for septic systems is from property lines. G. McKenna states it is 15'. J. Streit suggests that this be shown to the Fire Department and get their input. G. Dake states that we can do that, but what he would normally suggest is that if the Town Board is accepting the road, which has to be built to town specs, he would normally think that it would be based on an issue with the length of driveway or private road or a radius. He believes that W. Barss has looked at what that radius is going to be as this has changed from the original proposal. R. Rowland is asked to forward this to the Fire Department and ask if they would like to comment on the plans. M. Ginley asks if the applicant received frontage variances. G. McKenna explains that on a cul-de-sac the frontage can be reduced to 60'. M. Thraikill asks who maintains the inside of the cul-de-sac. G. Dake explains that generally it is the Town because the Town takes possession of the road. That is not always the case, it could be the Homeowner's Association or it may be an additional lot. Discussion takes place regarding whether or not we have a complete application in order to set a public hearing. G. Dake asks if the Board feels that the application is substantially complete even with the changes that have to be made to the plans. A public hearing is set for April 14, 2009 at 7:00 p.m. T. Yasenchak suggests that P. Male take a look at the septic system location on lot #4 because it seems close to the stream. G. Dake states that the SEQRA was completed on the original subdivision and A. Vaccarielli has submitted a short form for this phase. The Board consensus is that this is sufficient.

ROBERT RICKARD – Special Use Permit

Braim Road

Robert Rickard is present. G. Dake explains that this was approved as a renewable permit under Section 105-22-C-3. G. McKenna states that he has received no complaints from the neighbors. He did have a meeting on March 17th with R. Catanzarita and D. Rowland. R. Catanzarita had some items to discuss, but there haven't been any complaints over the year. G. Dake asks R. Rickard if he is just proposing to extend this under the same conditions as previously. R. Rickard states that he would like to extend it and asks that it be permanent. G. Dake states that the whole reason it was done as a temporary was because there was so much neighbor concern. He suggests a public hearing for April 14, 2009, find out what comments the neighbors have, how R. Rickard did at living up to the commitments that he made to this Board and then at that time the Board can discuss whether it is renewed temporarily, permanently, etc. and any modifications, if necessary. A public hearing is scheduled for April 14, 2009 at 7:00 p.m. R. Rickard states that he is confused because there was a public hearing and there have been no complaints since. G. Dake states that he would like to give the neighbors the opportunity to tell R. Rickard what a nice job he has done.

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MELISSA DIGGINS – Minor Subdivision

Allen Road

Melissa Diggins is present and states that her property was subdivided in July for legal reasons and she has since had a request to sell a portion of the 13-acre parcel. She understands that it has not been 5 years but the original subdivision divided the lot along the existing road. G. Dake states that the Board codified the natural subdivision. G. McKenna states that M. Diggins has spoken to him about this, he suggested she come in to request the waiver because it was subdivided but it was separated by the road to start with. There is plenty of land. G. Dake states that we have, although we do not pre-commit ourselves, in the past where all we have done is make the fact that the road is dividing a piece of property official, we have fairly consistently waived the 5 year rule. G. Dake states that, to him, doing a subdivision where there is already a road between two halves of a piece of property is pretty much just pencil work. It is still two different parcels regardless of where the line is on the map. T. Yasenchak asks how the applicant is proposing to subdivide. M. Diggins states that it is 13 acres and they just want to split it. B. Duffney states that he is familiar with this and there is plenty of area to build. M. Diggins explains where the access will be on the north side as the east side is wet. L. Dupouy states that unless there is a dramatic need or reason, she is hard line, it's got to be 5 years. T. Yasenchak states that typically she does feel the same as L. Dupouy, however, since this is already a natural subdivision, it does not make anything any more dense than it would have been. The lot is a sufficient size. M. Diggins will file a subdivision request.

DISCUSSION

A resident of Russell Road states that she is not sure this is the right meeting but she was looking to get on an agenda to discuss the need to pave Russell Road. G. Dake explains that she should be at the Town Board's agenda meeting on Thursday, April 2nd.

Meeting adjourned 7:30 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary