

TOWN OF GREENFIELD

PLANNING BOARD

March 10, 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, Nathan Duffney, Michael Gyarmathy, Thomas Siragusa, and Robert Roeckle, Alternate. John Bokus, John Streit, and Stan Weeks are absent. Charlie Baker, Town Engineer, is present.

MINUTES – February 24, 2015

T. Yasenchak states that since we would not have a quorum with B. Duffney and herself having to abstain, the February 24, 2015 minutes will be reviewed at the next meeting.

PLANNING BOARD CASES

AXEL SONDHOF – Site Plan Review - Extension

Case #473, Daniels Road

Dr. Axel Sondhof is present and explains that he has been delayed in construction mainly due to the fact that they finally had the closing on the property in December with everything that was going on with the financing and the subdivision. He is now in a position to talk with construction companies and move forward. He understands that his permit was granted about a year ago so he is looking to ask for at least a 3 month extension. T. Yasenchak states that she has recused herself in the past on this project, however she is not under contract with him and since this is an extension, she does not feel that being part of this discussion will be a conflict. Board concurs. T. Yasenchak reviews that the original approval was March 25, 2014 and she questions that there are no changes. A. Sondhof states no. C. Baker states that everything previously met the requirements. A. Sondhof states that he is now waiting for the snow to melt so that he can go in and prepare the site but there is no change to the site plan.

RESOLUTION – A. Sondhof, Site Plan Review

MOTION: B. Duffney

SECOND: T. Siragusa

RESOLVED, that the Planning Board grants a 6 month extension to Dr. Axel Sondhof for his Site Plan Review for property located at Daniels Road, TM#152.-1-17.2 as there is no change from the original site plan approved March 25, 2015 and therefore the SEQRA findings also stand.

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

Noes: None

Absent: Bokus, Streit, Weeks,

PETER AVEN – Special Use Permit

Case#528, Griffin Road

Peter Aven, Paul Tirado, Elliot Granger and Elliot Granger, Jr. are present. T. Yasenchak reviews that the applicant is seeking a special use permit. P. Aven states that they would like to have a motocross

March 10, 2015

practice track. His colleagues Paul Tirado and Elliot Granger have built motocross tracks in Fort Edward and Fort Ann and explains that they are going to be starting out as basically is a members' only practice track. The young people, mainly, who do this sport travel around the country and they need a place to practice. It is a family-oriented sport, people often bring their RV's and camp out. He has 100 acres and it is a nice camping spot. T. Yasenchak states that it would be practice and also camping. She asks if that is camping for trailers, etc. P. Tirado states that his sons race at a professional level, Elliot Granger's son, Elliot, also races at a professional level and they are just looking to make a practice track in P. Aven's backyard. He states that P. Aven stated that they had to go thru the Town to do it, so this is how they are doing the legal, proper precautious way. T. Yasenchak asks if they would address the camping part of it. P. Tirado states that there is no camping, that would just be if some of the guys stay overnight or for the weekend, then they are going to camp out on the property, but there is no camping. T. Yasenchak states that would be camping. P. Tirado states it would be like a family member coming over and pitching a tent in the back yard – they are not camping. T. Yasenchak states that the Board has to look at all the details, if it is members only and all the members decide to stay overnight. P. Tirado states that it is not going to be open to the public. T. Yasenchak states that we have a drawing on top of something. P. Aven states that they have a bunch of maps and basically they are Google Earth pictures. P. Tirado explains where they want to put the track. P. Aven asks what exactly the Board wants. T. Yasenchak states that we do not really have any maps, just pictures that were drawn over. P. Aven goes over what he has. P. Tirado states that they drew up a plan with the setbacks they were told. T. Yasenchak states that as we go thru the discussion, our special use permit process does have certain requirements that we need to have met. She questions that it will just be camping for members. P. Tirado states there will be no camping. P. Aven states that they are not looking to create a campsite. Some people want to bring RV's or pitch a tent or make a little fire in a thing – that is fine with him. T. Yasenchak states that from the Board's perspective the definition of the use is camping. P. Tirado reiterates that there is no camping. T. Siragusa states that there is because people are staying overnight. P. Tirado reiterates that he is saying that there is no camping and if they were going to do something like that then obviously they would notify the Board of that. T. Yasenchak states that if that is an option for the members, that is part of the operation. If the members are being told that they can stay there – it is camping. P. Aven states that if they have to nix the camping, they will say no camping. T. Yasenchak states that either we say that no one stays there at all overnight or we review it with camping. E. Granger states that they would say that there would be no camping. T. Yasenchak states that the tax map does show that there are some streams on the property. P. Aven states that it is the Mud Creek wetlands, they do not encroach into that at all, and they are over 500' away from it with any of their activities. They would not be crossing it or building anything near it or in it. It is a Class 1 wetland, so they have to respect that. T. Yasenchak asks if it has been delineated because it is hard to tell because it is not really a map that shows where the wetlands are vs. where it is being built. She states this is for documentation, the process and what our code requires; it is not just the Board being picky. The Code does require certain information when you go thru a special use permit. P. Tirado states that they will get a better picture for the Board. T. Yasenchak states that it is more than just a picture. There is a whole list of things in the code, the applicant can go to the building department and get that list which gives the requirements we need to deem a complete application. That does include a map and she reviews some of the necessary items. P. Tirado states that they kind of did that and thought that "Ron" said that they were ok with what they were going to give the Board. He states that they answered about 30 of the questions. E. Granger asks if the Board is looking for a plot plan. T. Yasenchak states we are looking for a site plan and it is in the code. P. Aven states that he believes that he submitted a site plan with a scale, etc. T. Yasenchak reiterates that what is required is pretty detailed. The Board needs to be able to see when people come where they are going to be parking; how close they will be to property lines; we need to see the wetlands to make sure that you are not going to be encroaching on any of those, etc. P. Tirado states that the Board wants them to spend money. T. Yasenchak states that from something like what was submitted, there is absolutely no way that the Board can tell what exactly the applicant is doing. Whenever you do any kind of parking, we need to find out where that storm water is going to go, etc. P. Tirado states that this is in the country. T. Yasenchak states that if everyone did that, then it would ruin the country. She states that the State mandates that the Board look at environmental concerns. P. Aven shows the Board a drawing, states that he is not sure if he provided it or not and asks if

March 10, 2015

they can do a hand drawn plan. T. Siragusa suggests coming in and looking at examples of plans submitted. E. Granger, Jr. asks if they submit a plan to scale that covers all the points that the Board needs, does it matter who draws it. T. Yasenchak suggests that they come in to the Town and see some of the other plans submitted because we need to have someone certify that the buildings are where they are depicted on the plan, etc. P. Aven asks if he can work off of a survey. T. Yasenchak states that if he has a property survey, they can start there. We will be requiring storm water because the applicant is doing some excavating, parking cars, etc. She explains that the process is to safeguard the Town, neighbors and make sure that everything is done right. C. Baker states that the other thing that is going to have to be quantified on that map as well is the entire lineage of the trails that they are going to build, the amount of clearing they are going to be doing, the amount of disturbance. That is all regulated by New York State. P. Tirado states that it will take up about 3 to 5 acres. C. Baker states that if they are going to be over 1 acre then they have to have a storm water permit, they are going to have to file a notification with the State of New York, there is a whole process that is involved with that. P. Tirado states that we are in the middle of the country and this political stuff is just ridiculous. If he has family of 30 people he has to go thru the Planning Board to have his family stay overnight and park their cars? He reiterates that they are not doing any camping, he just wants to get off the whole camping thing. T. Yasenchak states no, it is not even the camping; it is just that it will be a business, they will be having members that are coming to a club, you will be having traffic on the road that will impact neighbors who live in the country who don't have motocross in their backyard. You have property rights and they have property rights, too, and that is why the Planning Board is here. The Planning Board does not make the law, but we have to go thru that process so that everyone's property rights have value and are all protected. E. Granger questions that there has to be storm water. C. Baker states that if you are disturbing more than an acre, which means if you are cutting trees, building a trail – that is disturbance. P. Aven states that they are not cutting any trees, it is all open fields. T. Yasenchak reiterates that the Board cannot tell that from the information that was provided. C. Baker states that that is all stuff that has to be shown on the map. We have to be able to quantify that and be able to identify how much area is being disturbed. E. Granger states that the first step is the plot plan, but that is no guarantee that they will be approved. T. Yasenchak states that is correct because there is no way that the Board can make that decision until we see something more detailed. C. Baker states that the other thing, so that the applicant knows going into this, what is going to be a very, very large consideration for this Board is the noise impact on the neighbors. He is not against motocross because his own son does it as well, but he knows the impact of that is going to be something that the neighbors are concerned with. P. Aven states that he has done logging over the last year, they had 3 skidders in there and there have been no complaints. C. Baker states that he understands that. P. Tirado states that he understands the Board's position, but it is frustrating to him because it is so hard to do anything on your own property. Maybe they said the wrong words in the beginning because this is not going to be a business, it is not going to be millions of people, they are not doing camping. There is probably a group of about 25 to 30 who want to ride dirt bikes on P. Aven's property because he has the property hidden away from everybody. They will do what was asked of them. He apologizes if anyone thinks he is being rude. B. Duffney states that he just heard that there is no noise. He questions if the applicant is familiar with the property of James Mosso on Brigham Road, which is about $\frac{3}{4}$ of a mile from B. Duffney's house, J. Mosso had a dirt bike track there. He questions what the hours of operation will be. P. Aven states daily, not starting at 6 in the morning. P. Tirado states 9:00 a.m. to 6:00 or 7:00 p.m. B. Duffney asks what days. P. Tirado states probably Thursday, Friday and Saturday because the other days are all race days and they are all in other parts of the state or country. B. Duffney asks how many motorcycles at any given time will be there. P. Tirado states that the most probably 20 or it could be 2 or 3. They are just trying to make it so that they don't have to go to Pennsylvania to spend \$300 on gas to go practice on a Friday because they are racing Saturday and Sunday in North Carolina. R. Roeckle states that his biggest concern would be the location of the track in comparison to the property lines. We have a map but there is no point of reference and we need to determine the distance from the track to property lines. P. Aven states that they do not go near any of the property lines. R. Roeckle questions what is adjacent to the track that would provide some type of buffering between the neighbors and the track – is it wooded, etc. P. Aven states that he has one neighbor, the Wagner's, who also race, and they are about 600' from the property line, then the property line would then be about 300' from the nearest part of the track. The next nearest

March 10, 2015

neighbor is about ½ mile away. T. Siragusa questions the total number of members. P. Tirado states that it could be 40 to 45, including family members. He states that there are some who don't ride. It is probably 20 on the bikes. He explains that there are four in his family, but only his two sons ride; there are 7 people in E. Granger's family but only young Elliot rides. T. Siragusa asks if there is any other equipment running – generators, etc., while they are there, any lighting. P. Tirado states no lighting, no generators. They will have their little skid steer and little John Deere 450 to groom the track. P. Aven states that they will have a water pump to pump water out of the old well to spray it down so that there isn't a lot of dust. P. Tirado states that the dust actually affects the riders so they couldn't have a lot of dust, they will supply water to the track for that reason so that they don't have any stupid accidents because it is too dusty. T. Siragusa questions that someone said that they have done a couple of these already and are they still in operation. P. Tirado states that he and E. Granger have had a couple of tracks which started out as practice tracks and went further. He states that they are not still in operation. The one on Dewey's Bridge Road they just ceased that a couple of years ago because their friend sold the property and the other one was because they could not all get along between the members and the Town of Ft. Edward. T. Siragusa asks what the problem was with the Town. P. Tirado states that they wanted to do what they wanted to do, they thought that the track's property was the Town's property, in his opinion. E. Granger states that it was on Route 197, a high traffic area, and the guys who were coming to the track were pulling out into there and bringing mud onto the paved road. The Town had asked them to make sure that they got a sweeper to clean it up or do something for the mud that was coming out onto 197. It didn't happen. They addressed it to the members and some of them felt it was not their problem. It was one of the first tracks that they got involved with and learned thru the process, they decided that if they did it again they wanted to have a better location where they did not have this kind of problem, surround themselves with the right kind of members, etc. He states that it was a lot of loose ends from people who were members who did not care about the property. He feels that was the downfall. P. Tirado states that it kind of turned into a playground. They had issues with kids who had nowhere to go, and instead of hanging out somewhere, they were on the property, which he thought was nice for a while. E. Granger states that it was a vacant piece of land, in the middle of nowhere and there were neighbor's ¼ mile down the road on each side. The problem was that it was a main drag and there were people riding there who were not members. He states that they thought that P. Aven's property was a better fit because he lives there. P. Aven describes the location of his property which is very private. T. Siragusa asks if they are saying that there was a problem managing members and that would be easier to do because of the isolation of this property. E. Granger states not only the location of the property, but selecting your members as well. You can't just have an open door policy for anyone who rides a motorcycle. P. Aven states that the previous track was left deserted a lot of the time at night, etc. T. Siragusa asks if P. Aven thinks that could happen again, even with this location. People go pretty far to get off road, not a problem to go out of the way because this is already out of the way. P. Aven states that he would certainly work very hard to make sure that it didn't happen. If it were like a free-for-all he would shut it down as that would be unacceptable. T. Siragusa asks if P. Aven participates in this sport or how is he affiliated with this club. P. Aven states that he does not; he is friends with P. Tirado. He did not know much about it a few years ago, he started to go to a few races and see who was involved. He really likes the people; it is a family-oriented sport; it is not a crazy free-for-all. The families are units and they tend to hang out together. A lot of the people know each other. P. Tirado states that it is not like concert material. You have a 50cc rider who is 4 years old and the whole family comes too – mom, dad, grandma, grandpa, etc. It is definitely a family sport. The minimal problems that go along with it are about ½%, very minimal – it just doesn't happen because of that. M. Gyarmathy questions that it is P. Aven's house on the property and asks if he is planning on putting up a gate so that no one could just come in. P. Aven states that he is not going to construct anything, but they will have a person, if it is busy, stand out there. P. Tirado states that they are trying to keep the cost down and if they get the ok, it is still going to cost them quite a bit of money, so he would say that no, they are not going to build a gate because they are going to know who is there. P. Tirado states that P. Aven is there all the time and he lives down the road 8 miles as does E. Granger. One of them would always be there working on the track, keeping the property clean, etc. P. Tirado asks, besides the items discussed, what is the Board's concern or is it just a political position and the Board is asking because of that reason. T. Yassenchak states it

March 10, 2015

is not political, we are a very family oriented Board, but by what the Board is bound by law to do, we have to go thru that process. T. Yasenchak reviews that one of the biggest concerns would be noise. P. Tirado states that they will address that but it is not going to be a problem because they are in the middle of nowhere. T. Yasenchak states that it needs to be quantified in some way. P. Tirado asks what the Town has for a decibel maximum. T. Yasenchak states that the Town does not have that. She states that we will want to know what the decibel level is and how that equates to regular things like a lawn mower. T. Yasenchak explains the SEQRA review and what the Board will be looking at. P. Tirado states that someone mentioned storm water; he states that they are not building a house, not putting in a basement, etc. T. Siragusa states that he can see that the applicants are resistant and he understands that because it is out in the country. He explains that if an applicant does not read the code, comes back and still does not have the answers, the Board asks the questions again and an applicant might get more mad. The recommendation would be to listen to the Chair who suggested coming in, read thru the code requirements for a site plan, learn about what storm water requirements are because they are going to disturb an acre – it is a State law, there is nothing the Board can do about it. They should learn about the SEQRA process and get themselves educated because those things won't go away. If the applicant is prepared, the process will go faster. P. Aven states that B. Duffney had mentioned that he was down the road from a track and that he could definitely hear it. B. Duffney states that they started at 8:00 on Sunday mornings. P. Aven questions that that did bother people. B. Duffney concurs and states that he is third generation and he is not here to try to tell people what to do, what they can or cannot do with their property. This whole Board does what they can to help people to do with their property what they wish, but we have to look at the neighbors, too. As T. Yasenchak stated, the SEQRA is New York State; it is not the local Town Code. We have to follow the State Code. There may be other questions. He reiterates that he knows what a dirt bike track sounds like. T. Yasenchak states that once we get all the information, at that point we can deem the application complete so that we can review it and then we will also open a public hearing. She explains that we need the additional information one week ahead of time and the next meeting is March 31st. C. Baker states that the site plan is going to be the key document so he suggests that they do a good job with that including streams, wetlands, the track – everything to scale so that the Board can review it - topo, property boundary lines, etc. E. Granger questions how the measurements would be taken for the track. C. Baker states that they should use the width times the length. T. Siragusa states that they should include the parking lot, any other roads they might install. R. Roeckle states that with the track, if they have to disturb beyond the actual track, that is included. C. Baker states that if they are creating mounds and grading out 10', they have to include that as the disturbance.

DISCUSSION

C. Baker states that he would remind everyone of Glad Raggs. That was a similar situation although we never got to any kind of a decision on that.

T. Yasenchak states that she has spoken to G. McKenna and to M. Hill about streamlining the process some more so that when we do have applications, while they do have the right to bring us a sketch plan because that is part of the process, but in the past we have had people come in for site plan review and we have to give them the list.

Meeting adjourned 7:53 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary