

**TOWN OF GREENFIELD**  
**PLANNING BOARD**

**May 30, 2023**

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak Chair at 7:00 p.m. On roll call the following members are present. Tonya Yasenchak, Charlie Dake, Butch Duffney, Steve Licciardi, Beth Podhajecki, Joe Sabanos, Robert Roeckle, and Clyde Ronk, alternate. Charlie Baker is present. Justin Reckner is present.

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Minutes

May 9, 2023

NOTION:

SECOND:

RESOLVED, The Planning Board waives the reading of and accepts the May 9, 2023 Minutes with minor corrections.

VOTE: Ayes: C. Dake, B. Duffney, S. Licciardi, J. Sabanos, C. Ronk, and T. Yasenchak

Noes: None

Abstain: B. Podhajecki and R. Roeckle

Absent: None

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Kasselman Solar Case #701  
M# 151.-3-39.1

LDR/Advisory Opinion

Alex Martin, Bradley Howe, and Loreen Harvey are present. T. Yasenchak states that this project was reviewed at their last meeting for an Advisory Opinion for the Zoning Board of Appeals and the Planning Board can't ask for any changes at this point because it is in front of the ZBA. A. Martin states that that they submitted a plan and have been working with the Zoning Board of Appeals for about a year and they have put everything on the plan that was requested. They added a line of evergreen conifer trees on the north side of the parcel and they have provided screening towards the Palmateer property. The production estimate shows a solar access chart consolidate a more itemized spots that would be best for the solar array. B. Howe states that he is the homeowner of 2 Maddy Groves Road and he has been working with the ZBA and he understands that the Planning Board just received this. T. Yasenchak states that this project is in front of the ZBA for an Area Variance and the Planning Board will look at this on the merits of what the Planning Board would look at. B. Howe states that his parcel is 1.7 acres and the cluster subdivision was created 60 acres were put into a conservation easement and it will never be developed. They are trying to keep it the rural character of the neighborhood. His concern is his neighbor's looking at their viewshed. He provides pictures of his property and explains the pictures and where they are. He states that only thing that will be seen is his house. He states that to the west is where his leach fields are located and to

the south has evergreens trees there. He states that some roof mount solar will be added. He states that he took his neighbor's advice even though it will be an increase in cost for him by adding all the plantings. The number one reason that he can not put it all on the roof is the roof's terrain. The array will be completely blocked. T. Yasenchak states what is the actual rating of the panels. A. Martin states 9.5 kw. T. Yasenchak asks if that is the actual rating? A. Martin states yes. R. Roeckle states that they provided screening to the north and the south. A. Martin states yes. J. Sabanos asks what is the annual TOF percentage. and what is it? A. Martin states that he believes that it is the tilt of the array and it will be set at 30 degrees. The percentage of how much energy is being given at any time. J. Sabanos asks if it can be moved to any other spot. A. Martin states no it is not cost affective. J. Sabanos asks it is not cost affective. B. Howe explains that it is to maintaining the offset of the electrical bill. B. Howe states that the other locations they would be asking for larger Area Variances and it can't be screened. Where it is proposed is what allows the panels to get the total sun. J. Sabanos states that the Variances are larger, but he is not on that Board. T. Yasenchak asks what is the exact Variances required for this project. A. Martin states where they are proposing the ground mount they will need a 32' front yard Variance and a 43' rear yard setback. T. Yasenchak asks what about location 3. A. Martin states he does not have the setbacks for the other lots. B. Howe states that they could ball park it. He states about 15' to 20'. T. Yasenchak states that then they would only need one Variance. B. Howe states that the bigger difference is the shading. T. Yasenchak states that the ZBA has a balancing act to do when it comes to anything they do. A. Martin asks isn't it about the 5 characteristics. T. Yasenchak states not always it is a give and take. It is almost always self-imposed. B. Howe states that looking at location 3 would be a good spot for it however there is underground propane tank and the septic system. T. Yasenchak asks if the propane tank and the septic system cross over each other. B. Howe states no they don't cross over. He states that he is the third owner of the property. B. Duffney asks if the ZBA has had a public hearing regarding this project yet? A. Martin states yes B. Duffney asks how do the neighbor's feel about this. B. Howe states that the neighbor to the south opposed it. Two other neighbors are in favor and provided letter to the ZBA for this and so is Barbara Glasser the developer of the cluster subdivision and she also provided a letter. B. Duffney asks if there are any negative letters. B. Howe yes, regarding screening which we are trying to fix. He states that he has lived here his whole life. He grew up on Porter Corners Road. Howe Road was named after his grandfather. He states that he is trying to mitigate the screening. He states that he can only give his character and his word. B. Duffney states he was raised the same. As the trees grow they will need to be trimmed. Your property will be seen. C. Dake asks if he needs to look at this as a ZNA way. T. Yasenchak explains that the Board should look at this as a Planning Board. C. Dake states that he is fine with it. T. Yasenchak states that they will need to be addressed for the Special Use Permit when it comes to the Planning Board. C. Dake states that everything is covered. S. Licciardi states that he would like to see renderings using the viewshed with the landscaping plan from months after planting to maturity. T. Yasenchak states by placing it where the hashtags would be the best place for it. If it can be relocated in location 3 would be best. She states that she agrees with her colleagues about the renderings. Maybe some sort of cross section at location 3 what could happen there. B. Howe states that no one knows why the no build zone is there. He can't speak definitively about that. The ZBA told him that they would never have done that. T. Yasenchak states they are probably right, she wasn't on the Planning Board then. She states that the where's and why's don't matter. We have a Code and that is what the Planning Board reviews. A. Martin states it is an ambiguous area with both Boards. R. Roeckle states if the ZBA placed no build zone that would then require less of a Variance. B. Howe states that the current vegetation is already there some work needs to be done to the west, north, and the south. Loreen Harvey states it is not accessible in all the other locations except location 1 due to the heavy equipment that will be used for the installation. T.

Yasenchak states that topography may have changed. L. Harvey states that if it is not installed at location 1 they won't be able to do the project. T. Yasenchak states that she is not saying yes or no. She wants to make sure that the Planning Board does not set a precedent. B. Howe asks can you give a reason specifically why not a yes or no. T. Yasenchak states that is putting them in a compromising position. The Board does not want to set a precedent. B. Duffney agrees. T. Yasenchak states that if they can get the requested information in by June 6, 2023 to be on the June 13, 2023. B. Howe states that he feels that they won't be able to do a good enough job by June 2, 2023. T. Yasenchak states that the Board is requesting a visual for the screening at different timing to maturity, topography view from Locust Grove Road to the array and the screening, the Board has a question on the visibility of location 3 and location 1, visual screening of the plantings for 1, 3, and 5 years to maturity. The Board wants it to be known that they are not setting a precedent. J. Sabanos states that is not the best location for the array and if it comes in front of them he won't consider that location. B. Podhajecki asks at day one will it be fully screened. J. Sabanos states that the screening is not so important to him. B. Howe states that he is trying to the rural character of the community.

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La Fond, M. Case #703  
TM# 112.-1-24.11

LDR/Major Subdivision  
18 Griffin Road

Melanie La Fond is present. M. La Fond states this is a 5-lot major subdivision at 18 Griffin Road. Each lot will be 9-10 acres each. She states that she has met with M. Waldron. She states that she was expecting her surveyor to be here this evening, but she does not see her here. There is one acre already cleared. T. Yasenchak asks if there are 4 new lots. She asks K. McMahon if the Board has an Interpretation from the former Zoning Administrator. K. McMahon states no. T. Yasenchak asks if this subdivision is a minor-verses-major. It is in the LDR District and all the lots over 6 acres and the frontage are all 250', which is required. The Board will need to see the driveway locations and sight distances. They are looking for a clearing plan that shows the limit of clearing, the proposed septic system and well. Also, show the delineation if any and note it on the plan. R. Roeckle states agrees show the wetlands, well, septic, and the driveway. Show all the infrastructure on the plans. C. Baker states that he mimics everything that T. Yasenchak and R. Roeckle have stated. T. Yasenchak states show the sight distance. B. Duffney states I don't feel that they don't need that. C. Baker states that it is on a dead-end road. B. Duffney states that this is straight forward subdivision. S. Licciardi asks if all the lots can be labeled. T. Yasenchak states ask the Assessor for the street numbers. C. Baker states that he discussed this project with the Town's Highway Superintendent Justin Burwell, show the 60'x60' hammer head, have the surveyor provide the deed description and the amount of clearing of the lots, a SWPPP needs to be provided, and the typical Town notes needs to be put on the plan. T. Yasenchak states that the Board set public hearing for June 13, 2023. C. Baker states that they also need to provide a Long Form SEQRA.

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May, M. Case #702  
TM# 139.-1-46

LDR/SPR  
986 Braim Road

Michelle and Charles May are present. M. May states the last time they were in front of the Board they asked for sight distance. They have provided that and they have 745' on the right side and 682' on the left and they have provided a map to scale to show that. T. Yasenchak states that this project is for a Site Plan Review is for a farm stand for flowers

grown on their flowers. B. Podhajecki states that she thinks this is a great idea. J. Sabanos ask about the parking? M. May states they made it bigger than the Code. J. Sabanos asks if there will be a sign. M. May states that the only sign they have is for the farm. T. Yasenchak asks the Board how they feel about having a public hearing for this project. She states that it is this project is a Site Plan Review and our Code states that it is a may not a shall. In other words the Board can waive the public hearing if they chooses' to. B. Duffney states that he does not feel that it is necessary to make the applicant pay any more than they have to. J. Sabanos agrees. T. Yasenchak states that the Board has asked the applicants to have a sight distance added to the plan. The Board agrees to no set a public hearing for this project. B. Duffney states that he feels that this is a great project and he didn't think they would have a problem with the sight distance. C. Baker states that he is good with the sight distance it exceeds the ASSHTO Standards. R. Roeckle asks if they need a sign stating "Don't Back Out" C. Dake states that he does not think that that is necessary. T. Yasenchak states that the applicant has provided what the Planning Board has requested that is more than adequate sight distance. And the parking spots are bigger than the Code requires.

MOTION: B. Duffney  
SECOND: C. Dake

RESOLVED, that the Planning Board hereby grants approval for a Site Plan Review for Michelle and Charles May, located at 986 Braim Road, TM# TM# 139.-1-46 noting that the Planning Board agrees to waive the public hearing.

VOTES:

Ayes: Tonya Yasenchak, Charlie Dake, Butch Duffney, Steve Licciardi, Beth Podhajecki, J. Sabanos, and Clyde Ronk  
Noes: None  
Absent: Robert Roeckle  
Abstain: None

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Tupelo Community Forest Case #680  
TM# 113.-1-35.1 & 35.2

SPR/SUP  
250 & 280 Greene Road

John Cannie and Aaron Varity are present. C. Dake recuses himself. C. Ronk has full voting privileges for the rest of the meeting. J. Cannie states that he is in front of the Board for a Special Use Permit/Site Plan Review in the Low Density Residential (LDR) District for a recreational facility. He states that the parking lots, signage, and the trails are the only thing there, there is no actual structure on the property. They are working on a conservational easement. They will be adding natural brush coverings to the three places closest the Walsh's property. He states that the entire trail system has been placed on the map. They have completed the SWPPP and hopefully it has been reviewed by the Board and the Town Engineer. They have provided a new parking plan. The total clearing area has been delineated. The new sign is up to Code. A letter on the information on the Emergency Services was provided from Dr. Girling stating that it is okay to be used. He states that there is no NYS DEC permits needed and a letter was provided from Jed Hayden that explains the stream crossings. The proposed use conforms to the Town's and NYS Code. The criteria meet the Town's Comprehensive Plan. The vehicle and traffic plans are sufficient. The owner to the east has a Special Use Permit for his property. The existing landscaping will be protecting the neighbor's parcel. It is simply the parking area and the trail system. He is asking the Board for

approval at this meeting. T. Yasenchak asks what are the hours of operation. J. Cannie states dawn to dusk. He states that there are violations and no permits are needed. T. Yasenchak states that the Board does have a letter from NYS DEC she asks if J. Hayden has reviewed the plans. J. Cannie states he walked the property why would he need the plans when he walked the property. T. Yasenchak states that if this wasn't built without permission from the Town the Board would have asked for him to review the plans. J. Cannie states that it is hard to provide something that isn't built. A. Vera states that they have provided the standard details for the natural stream crossing. T. Yasenchak states the Board will know that it won't be more eroded and that it will be done more appropriately. J. Sabanos asks for information on the stream crossings. A. Vera states that the stream crossings dried up last month. J. Cannie states that the trail system will need maintenance and if the Code Enforcement Officer visits the property. B. Duffney reads the letter from Dr. Douglas Girling and states apparently, he rides the trail system. The Board specifically asked for a letter for a from the Town of Greenfield Fire Chief and or the Fire Commissioner. He has been approved and has done fire rescues and it was specifically asked for. T. Yasenchak agrees with B. Duffney. The Board specifically asked for something from the rescue services, because they are the ones that are going to be the local responders. J. Cannie states that they have provided a letter from an impeccable doctor's opinion. B. Duffney states that is not the Fire Chief or the Fire Commissioner. Get ahold of Jon Davis who is the Fire Chief. J. Cannie asks what do you want him to see. B. Duffney states that he wants everyone to be safe whether it is a child or an elderly person or someone on the rescue team. J. Cannie asks if he can poll the Board regarding this. B. Podhajecki states it would be nice, it was asked for. C. Ronk states that creating a buffer by the Walsh's property will they be cutting down more trees to make the buffer. J. Cannie states it will be man made buffer. B. Duffney states that it is a safety issue for him other than that he likes the project. J. Sabanos states that the snow removal has been discussed and where is that one the plan. J. Cannie states it is on page one of the plans. All the improvements that are to be maintained by the property owner. B. Podhajecki asks if they have considered moving the trails that are closest to the Walsh's property. J. Cannie states that there have been negotiations have already been made to the neighbor and they are not moving the trails. T. Yasenchak asks if there will be any new plantings done by the parking area and then reads the Code for differences. She is referring to the land in front of the parking area. J. Cannie states that there are some trees and a rock wall there now. He did not add that to the plans it takes away from the natural habitat. He states that buffering does not apply to this project B. Duffney states that it is required in front of the parking lot. T. Yasenchak reads the Code Section 105-122 (A3, B, and C). B. Duffney states this property is in the middle of nowhere. He thinks that it would be more hazardous to pull out with more plantings there with more plantings than what is there. B. Podhajecki agrees. R. Roeckle states nowhere in the Code suggests what kind of vegetation is required. T. Yasenchak states that all is needed is to provide a picture and the Board has requested for a letter from the Fire Chief. A. Vera states that he spoke to NYS DEC and they don't need any permits. C. Baker states that the issue is the wetlands and Saratoga County is a MS4 Coordination and he states that that there is a SWPPP required. He feels that the SWPPP that was provided is adequate for moving forward with this project. T. Yasenchak opens the public hearing at 9:30 p.m. Jane Varian, 150 Medbury Road, states that she has 3 kids that are active in mountain biking. Snowmobiling is greatly encouraged in this community and they have more impact than mountain bikes. John Lefner, 5 Maddy Groves Road, questions why the Board would not expect Dr. Girling's letter he is in charge of Emergency Services. He does not think that a letter would provide any information from the Fire Chief than Dr. Girling. James North agrees with J. Lefner and states that he has emailed the Fire Department and there was no response. He states that he feels that the Fire Department is passive. Dan Auer, 130 Sand Hill Road, states that he is in favor of this project. John Girling, approves of this project. He has worked

at Albany Medical Center and Glens Falls Hospital and he appreciates the Board safety concerns. He thinks this is a terrific project. B. Howe 2 Maddy Groves Road, states that he has 3 kids and they mountain bike, he is in favor of this project. He states that it keeps kids off tablets and screens. He states that the Board trying to put a lot of credence on the Fire Chief who may not be in charge there next year. He feels that Board is being unreasonable. Sunshine Stewart, states that she has spoken at previous meetings and is in favor of this project. What is nice about Tupelo is that this is an all-natural trail system. There are no man-made items on the property. Dan Henderson, 95 Greene Road, states that it is a great cardio workout. He does not feel that dogs should be allowed on the trails or they need to be leashed. That road is a heavily traveled. Cathy Johnson, 94 Goose Hollow Road agrees with the rescue portion of the Board's concern, especially since it is volunteer run. Karen Wadsworth, Locust Grove Road, states that her general concerns are that it was already built before getting approval for this project. She states that tensions would be relieved that the project should be viewed as if it wasn't built yet. The Board could ask for the trails to be moved and have consideration the neighbors. V. Walsh, Greene Road, that there are 9 new labeled stream crossings and he has provided a letter to the Board. Anna Lalaway, Precident of the Saratoga Shredders, states that mountain biking teaches kids respect. Tupelo met all of the specifics for the property. There is no construction/structure there. Claudia Braymer, the Walsh's attorney states that the Board should take into consideration the speakers before her. If dogs don't abide to their owners then don't allow them on the trail. She states that they have asked the neighbors to move the trails and they have not. There are 2 giant wetlands on the compound and they are not delineated. They are asking for a Positive Declaration. She feels that this does require a permit. Leigh Lally, 50 Ure Way, states that the Board has seen a lot of them back and forth. It would be nice to have the trails open. Steve Ovitt states that he built the trails so that they are smooth and he has brought a lot of safety and sustenance to the trails. Casey Hollsworth, Greene Road, states that he understands the neighbors' concerns and respects that. He states that the most important thing is that the trails do not impact the animals. Noise is not an issue. The animals may move away, but they will return. T. Yasenchak asks the Board how they feel about adjourning the public hearing or closing it. If the Board closes the public hearing then the time clock starts to make a determination on this project. She asks if there has been clearing for the sight distance. Maybe measure from where it meets the road. B. Duffney feels that that would be a bigger hazard. B. Podhajecki agrees with B. Duffney and states there is already a rock wall there. T. Yasenchak reads the Code for parking and states that is sufficient enough then great. R. Roeckle states take a picture of what is there. T. Yasenchak states that she is just reviewing the Code she is not being arbitrary. J. Cannie states now that we are getting into the minutiae of this how tall can it be. T. Yasenchak states that we are getting into the minutiae of this project. If the wall rock wall is there that may be enough. B. Duffney states that over the years the wall has gone down. A. Vera asks if the Board would like a photo of what is there now. It will only be of the rock wall. R. Roeckle states show the Board what it looks like now. C. Baker suggests a cross section. A. Vera states they can do that it would be easier. T. Yasenchak states that the Board requested something from Chief Davis and is that sufficient. B. Duffney states that it was asked for several meetings ago and they haven't received it. T. Yasenchak states that there is a maintenance plan provided and asks if that will be done by the owner. R. Roeckle states that there is a note on the plan. C. Baker suggests that to be run by Town Counsel. J. Sabanos asks how that will be enforced. If there is a violation there it would be the Code Enforcement Officer. J. Sabanos asks C. Baker if there is any in accordance with that. C. Baker states no, that is why he said that. R. Roeckle states the Local Law for the Leash Law is voice command. T. Yasenchak states that the Law is so that everyone has control of their pets. This is still private property. And the owner will have to assume some sort of liability. She states that the boot washing can also be accommodating. J. Cannie states the Board is now

asking his client to spend more money on that. B. Podhajecki states that she does not know anything about a boot washing, but she does know they do have them on some boat launches. T. Yasenchak states that it was on the plan and that is why they are talking about it. J. Cannie states that he was asked for a boot brush. He would like to poll the Board and see how they all feel. T. Yasenchak states that she will be asking the questions to the Board not J. Cannie. B. Podhajecki states that she is not trying to micro manage this she is simply asking the Board if this is something that they should be asking for and looking into. She feels that the trails should be moved and she will not approve this project if they are not moved. T. Yasenchak adjourns the public hearing at 10:38 p.m. She asks the Board how they feel about having the trails moved. B. Duffney states that he would like them moved. He states that when they did the sight walk and he feels they the trails can be moved and he would like to try mitigate the issue. Even if they move the trails 10'-15'. J. Sabanos feels that the natural logs are fine as the Board has discussed in the past. B. Podhajecki states that if this project had come in front of the Board before it was done she feels that the trails would not be that close to the neighbor's property. R. Roeckle agrees with B. Podhajecki. The Planning Board did not create the Laws, but they have to abide to the Zoning Laws. S. Licciardi states that this project went in front of the Zoning Board of Appeals and they determined that it is not a structure. T. Yasenchak states she is a rule follower and the Code is severely lacking. The Board can't hold anyone to a different standard. If they can provide the 3 items that are requested how does the Board feel? S. Licciardi states that he is comfortable with Jed Hayden's (DEC) letter. J. Cannie states the provide the parking lot screening, a letter from Chief Davis, and a note on the map showing the snow removal maintenance. T. Yasenchak states yes, and asks when do they feel they can get the information to the Building Department. The reason she is asking is the last time (before this evening) they were on the agenda was February 14, 2023. If it is submitted by June 2, 2023 they can be on the agenda for June 13, 2023. J. Cannie states that he is not sure if he will be able to get the letter from the Fire Chief by June 2, 2023. B. Duffney states that the Board can read the letter at the meeting on June 13, 2023. T. Yasenchak agrees.

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Meeting adjourned at 10:49 p.m. All members in favor.

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Respectfully submitted by,

Kimberley McMahon  
 Planning Board Executive Secretary