

TOWN OF GREENFIELD

PLANNING BOARD

November 12, 2013

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, Andrew McKnight, John Streit, Stan Weeks and John Bokus, Alternate. Thomas Siragusa is absent. Charlie Baker, Town Engineer, is present.

MINUTES – October 29, 2013

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Planning Board waives the reading of and approves the minutes of October 29, 2013, as submitted.

VOTE: Ayes: Duffney, Gyarmathy, McKnight, Streit, Weeks, Yasenchak

Noes: None

Absent: Siragusa

Abstain: Bokus

PLANNING BOARD CASES

DAVE EVANS – Minor Subdivision & Lot Line Adjustment

Plank Road

D. Evans is not present and has asked to postpone.

PRESTWICK CHASE – PUD Amendment

Denton Road

Luigi Palleschi is present and states that there is no change to the map. He reviews the revisions made to the PUD language. A. McKnight points out that on page 1, Section II, there is no such thing as the R-4 Residential Zone. T. Yasenchak states that it is now a PUD so that is the zoning for the parcel. Discussion takes place that the existing PUD only covers 89.7 acres and the amendment will cover 110 acres. Language should be revised to reflect that. M. Hill will forward any additional comments regarding the PUD language to L. Palleschi. L. Palleschi reviews the changes made to the Part 1 of the SEQRA as discussed at the previous meeting. Regarding creating a demand for any community provided services, L. Palleschi states that F. McNeary has reached out to the 911 and the Fire Department and they are still waiting for responses. M. Hill states that he believes that the Skidmore application was referred to the Town's Environmental Commission for review and was then listed on page 8. He asks if the proposed PUD for Prestwick Chase was referred to the Environmental Committee. R. Rowland states that she believes that early on F. McNeary stated that he had made a presentation to the committee. She will check on this. M. Hill states that one of the things that this Board needs to do ultimately in making a recommendation to the Town Board is to note whether or not the Environmental Commission has done a review and what the out come of that was. T. Yasenchak states that she is not sure that is a requirement, but they should look at a project of this magnitude. A. McKnight asks at what formal point do we open the review of the Part 2 as it seems that there

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was a fairly formal requirement before opening that, a certain number of days. T. Yasenchak explains that there is a timeframe from when we deem an application complete to the time we render the advisory opinion and provide the Town Board with a report. Discussion takes place about deeming the application complete for purposes of SEQRA review. The consensus is that since we will be waiting for the Environmental Commission, that we will not make a motion to deem this complete for SEQRA at this time, but to continue to review the long form SEQRA as there may be, in general, additional information that will be required to finish part 2. It is not required that the Planning Board receive that referral, but it is required that the Town Board get that referral. M. Hill reiterates that the Board is saying that they would like to proceed with beginning the review of Part 2 and will make a determination later about the completeness of the application for purposes of making a SEQRA decision. The Board begins the review of Part 2. Impact on Land – discussion takes place regarding construction on bedrock and the need for blasting. C. Baker states that the Board does not know whether blasting will be required or not and suggests that the response be ‘potentially large’, have the applicant do the part 3 and discuss how it could be limited to certain areas and mitigated. L. Palleschi states that there is the possibility of blasting for foundations for buildings #30, 31, 32, 33, 34, 35 & 36. The Board has concerns regarding the impact on the neighbors from the blasting, etc. C. Baker states that he does not remember seeing specific guidelines in the geo-technical report that he was provided. He asks that that be provided for the Planning Board to be able to review. M. Hill suggests that it would be helpful for the applicant to provide additional information to help educate the Board on this topic. It may very well be that there is ample separation distance between the blasting areas and the neighboring properties, but if the applicant can help to educate the Board as to what the potential effects might be, the zone of effect, the physical area, standard procedures for blasting and standard mitigation measures, any special mitigation measures that might be appropriate. That is the kind of information that the Board needs. He states that he understands L. Palleschi’s comment about this being covered in site plan review, but this Board has to do the SEQRA review not only for the PUD legislation, but the specific project that is going to be built and that is why it is important to have that information at this stage. T. Yasenchak asks which plan the test pits are shown on. L. Palleschi states that the boring numbers should be on the most recent. The applicant will get more specific information regarding the buildings, which will possibly require blasting for their foundations, utilities, etc. and the specific criteria to be used for blasting so that the Planning Board can review the criteria. C. Baker asks M. Hill to explain how the Part 3 process of the SEQRA works, maybe that might help the Board. M. Hill explains that the purpose of the Part 3 is to determine the importance. In the Part 2 there needs to be a determination on whether an impact is ‘small to moderate’ or ‘potentially large’. The importance is judged in Part 3. He states that from a legal perspective, T. Yasenchak’s point is well taken. The Board is not expected to be engineers or experts on blasting, however, by means of your commonsense and general knowledge, you understand that when blasting occurs, depending on the extent, frequency, etc., that it may have an effect beyond the immediate site. So it seems to be appropriate for the Board to be asking the applicant, and L. Palleschi has done a good job of verbally explaining which building sites are likely to be areas and which areas where utilities are likely to be located, are going to require blasting. That information should be put into some type of narrative form with an accompanying map either a revision to the site drawing or a separate map detailing where blasting is likely to occur, along with as much information as the applicant can possibly provide about the amount of blasting that is going to occur, taking into account factors such as the sizes of the charges, the diameters of the holes, etc. Obviously if you need to remove a certain amount of material and you can do one big blast or you can do 5 smaller ones that are likely to generate less noise, less vibration, etc., then in terms of potential impacts on neighbors, doing the 5 smaller ones would be a way that the applicant could explain to the Board that you are going to seek to mitigate the potential effect of the blasting by making a bunch of smaller ones rather than one huge one. So, to the extent that you can put all that into written form for the Board so that they understand where that is going to occur for building foundations, utilities, the extent, how you propose to go about it, the advance notification, etc. All that type of information so that the Board can really get a complete sense of the scope of blasting and how they propose to control and minimize the effects. M. Hill asks if there is an executive summary in the geo-technical report that might be less technical that the Board members might find helpful. C. Baker states that he does not recall seeing an executive summary. M. Hill asks if the applicant can distill the technical information for the Board Members, as average citizens, to understand. The length of the

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project is discussed. C. Baker states that this is important because you will hear more on that when you get into the detailed site plan review, especially with regards to the SWPPP. If you are looking at a 5 year construction period where you are going to have ground open and disturbed for 5 years, and ask for a 5 year waiver, possibly, there is no way you are going to be granted that. L. Palleschi states that that will not happen. The Board would like Impact on Water to note that there are ACOE wetlands on the property and that there will be a small to moderate impact. Board concern is that while the question refers to NYS wetlands, the ACOE wetlands need to be noted somewhere. L. Palleschi states that the existing PUD allows for a disturbance of 1 acre. M. Hill states that this is the first time dealing with this distinction that the wetland disturbance has been so small that it only affects ACOE jurisdictional wetlands and not NYS DEC wetlands. He hasn't seen this particular circumstance in prior reviews. If the purpose here is to make anyone who comes after us, whoever wants to look at this Part 2, aware that we considered and recognized that there are ACOE wetlands that are being disturbed, his inclination would be to check the main box yes, to make a notation under 'Other impacts' that it will affect ACOE jurisdictional wetlands of approximately 1/10th of an acre at road crossings and the Board deemed that any potential impact would be small to moderate at most, or something to that affect. This does not then require any further review under Part 3 of the SEQRA. J. Streit states that the answer should be no, because it specifically addresses NYS wetlands. M. Hill states that the only reason he suggests the answer as yes is because if the answer is no, no one is going to bother to look any farther. If the answer is yes, someone is going to look and see the explanation. M. Hill states that he thinks it could be handled either way as there is a note that it will be ACOE wetlands. Board consensus is to check no and make a note under 'Other impacts'. T. Yasenchak states we will then check the no box and indicate that there has been identified in the area less than 1/10th of an acre of ACOE jurisdictional wetlands that will be disturbed at road crossings. This affect is small to moderate and does not affect any NYS DEC jurisdictional wetlands. The applicant will be required to have DOH approval of the wells for the expansion. M. Hill asks if there are backup generators, if they are diesel powered and what the holding capacity is. L. Palleschi states that he does not know how many generators are on the site but he believes it is less than 1100 gallons. M. Hill asks if that can be confirmed for the Board for the next meeting. T. Yasenchak states that they have natural gas on site so they probably don't have diesel. C. Baker states that he believes that the sewer pump station is run on natural gas. Discussion takes place regarding whether the project is obviously different from the current surrounding land uses and what buffers will remain and what will be added. Applicant is asked to make a revision to the plans showing where the vegetation will be maintained at the Daniels Road entrance. T. Yasenchak states that she would like to note that the Saratoga Farmstead is mentioned in the Comprehensive Plan as a significant resource. We will find that notation and add it to the SEQRA. T. Yasenchak asks if when the traffic study was done for Prestwick Chase they included school bus traffic. She just read a traffic report that was done by the Town when the neighbors went to the Town Board for a speed limit reduction on Daniels Road. The Highway Department conducted a traffic study and found that in the week of doing the study there were an extreme number of school busses on this road. She is wondering if the Prestwick study, which was done in August, took buses into consideration. L. Palleschi states that he is unsure and will have to check. It is noted that the over 50% of the school buses were speeding vs. the regular traffic. L. Palleschi does not believe that there will be that much impact as the buses are an existing condition but he will look into it. It may already be factored into the study. Regarding the Impact on Energy, M. Hill states that the Board can ask themselves if they believe, based on what they do know, if the impact would be likely to be more than a small to moderate and if they do not think that it is the Board can check small to moderate and let it go at that. Regarding density of land use, M. Hill states that we have an existing PUD and we are proposing to make a change to that PUD so we have to think about what the density of the land use is in the PUD now and whether this is going to change that density of use. The original PUD approval is discussed vs. the requested changes, and the number of units and possible number of people. L. Palleschi states that he does not believe that they are adding to the number of buildings that were originally approved. The existing PUD site plan and the proposed plan are compared. A. McKnight states that there would be 36 buildings with the new plan and 34 with the old plan, so that is essentially no change. M. Gyarmathy states that he believes that the number of units needs to be taken into consideration. A. McKnight states that he counted 550 people with the old plan and 600+ for the new plan. S. Weeks asks if the density is the people or is it the buildings. L. Palleschi states that with this density they have shown

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that they can support the sewer capacity, water capacity, traffic so it does support this density, if that helps the Board's decision. M. Gyarmathy states that, as J. Streit just stated, he thinks that we have to look at what is there now, not what was approved to be there, compared to what is being proposed in the amendment. That would make it potentially large. J. Streit states that otherwise you would have to say that there is no change because those buildings were already approved but not built. It is a real change to what is there now. B. Duffney states that they are also taking more of the land, which was not covered by the PUD and using it for the PUD amendment. L. Palleschi states that he does not see this as a potentially large impact as a majority of what they are developing is within the existing PUD line. A. McKnight asks how the applicant can answer the question of whether they can mitigate the Board's perception. M. Hill suggests that the Board could ask counsel if they can find any further guidance in DEC's handbooks and reference materials as to what you use as a frame of reference for this question. He would then bring back any additional information to help the Board with their decision making on this question or any resources to help answer the question. J. Streit states that it also depends on how you define community. S. Weeks states that for any major subdivision you would have to say it was large, so you have to have a way to deal with it. Regarding the demand for additional community services, the Board feels that this is a potentially large impact and T. Yasenchak states that there is no way to mitigate that as the Town has already said that they don't want an ambulance location on site. C. Baker states that they could reduce the number of units and that could mitigate the problem. M. Hill states that the other question is, is what we are talking about in terms of services, do those requests for services come about by reason of alarm pulls or calls to 911? T. Yasenchak states ambulance services. M. Hill states that he is thinking in terms of fire alarms. Is part of what we are talking about fire calls that are generated by smoke detectors going off, etc? T. Yasenchak states that we did not address that, we are talking about emergency services, ambulance services that would fall under the 'etc.'. They already account for 1/3 of the calls in Greenfield. M. Hill states that is EMS related calls and we are anticipating that as the population increases there that the EMS calls will go up also. M. Gyarmathy states that he does not see how the last couple of these questions would make a difference whether we say it can be mitigated or not mitigated. This is definitely a change to our community and that is all we are saying, that it is a change. A. McKnight states that he agrees. M. Gyarmathy states that certain things will be able to be mitigated and certain will not. J. Streit states that a change can be desirable or undesirable. T. Yasenchak states that we can't approve a project if the Town can't provide enough services to manage, then we are actually creating a problem for the Town. J. Streit states that then the Town Board would vote no. T. Yasenchak states that it will then affect the rest of the inhabitants of Greenfield. M. Gyarmathy states that in this instance, we are only giving a recommendation and it would be the Town Board's responsibility to look through this. T. Yasenchak states that the difference is that the Town has given us Lead Agency on SEQRA. When we are doing SEQRA it is all us, we are lead agency, we are answering these questions. A. McKnight states that then we have to come up with a 'yes' answer. T. Yasenchak states that we have to come up with an answer to finish SEQRA. A. McKnight states a 'yes' answer for project can be mitigated. He believes that that is what M. Gyarmathy is saying. T. Yasenchak states that then we have to address that in SEQRA. A. McKnight asks how we address that. S. Weeks states that you eliminate it by adding more community services. T. Yasenchak states that it has to be by project change. A. McKnight states that he thinks that what M. Gyarmathy is saying, and he is agreeing with him, is that we can say no, it can't be mitigated and then we inform the Town as to what the problem is. M. Hill states that before you get to that stage, and the point that C. Baker is making is, that if you decide that this is a potentially large impact and that there is no mitigation possible, then you move to part 3, which is determining whether or not this particular impact is important. That is the determination. A. McKnight states that for an ambulance, for example, if we say that it is a potentially large impact and no it cannot be mitigated, then in Part 3 our answer to that question might be that yes, it is important and then we are telling that to the Town Board. M. Hill states at that point you are telling the applicant that they are going to have to prepare an environmental impact statement with regard to this project because this process that we are going through has identified a potential impact that is important, that can't be mitigated and further review, study, of this problem is required. That's the next procedural step, preparation of an environmental impact statement, before it gets referred to the Town Board. T. Yasenchak states that part of that is that if any applicant is asked to do an environmental impact statement, they bring that back to the Lead Agency for review. We would review that before giving a recommendation to the

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Town. M. Hill states that back at the beginning of tonight's discussion, wasn't there some reference made to EMS. L. Palleschi states that the applicant is still working on getting a letter from 911 and the Fire Department. M. Hill states that he thought that there was some discussion about Prestwick Chase contributing somehow or helping with an expansion of emergency services for the purpose of covering this type of situation. L. Palleschi states that that was something that the applicant offered, but it was something that the Town decided not to accept. B. Duffney confirms this and states that he believes that F. McNeary had discussed hiring an ambulance service to be on site. That would be a mitigation. J. Streit states that we can get more information from the applicant for the next meeting and that would be a self-mitigation from the applicant or not. M. Hill states that the Board has identified a potential impact and indicated that it is a potentially large impact. There is likely to be an increase in the demand for emergency medical services. J. Streit is suggesting that we put the question to the applicant and give him an opportunity to respond. M. Hill asks if there are any other kinds of community services such as fire that we would need information on. L. Palleschi reiterates that we are waiting to hear from the Fire Department and hopefully by the next meeting we can have that. S. Weeks asks if the Fire Department responds to every ambulance call. The belief is that they do. M. Hill states that would be a question for the Fire Department so that that could be clarified. T. Yasenchak reviews which questions need more clarification: site plan showing where the test pits were and more specifically where the bedrock is and the blasting will need to be; confirming storage of fuel for any kind of generators; M. Hill is going to get back to the Board about a few things; we are adding Saratoga Farmstead; the applicant is going to talk to the transportation engineer about the inclusion of the traffic study including school buses and checking with the Town Clerk as far as the traffic study that was done by the Town; the applicant is going to get information about the phasing of the infrastructure and construction of the housing units, etc; air conditioner noise volume mostly for the buildings that are closer to Daniels Road; information/mitigating measures that the applicant can take regarding EMS/ambulance services and Fire Department. M. Hill states that, for question 11, the applicant was going to show the additional screening or vegetation that will be kept for the units on Daniels Road. T. Yasenchak states that M. Hill was going to look into the density of land use. Discussion takes place regarding whether or not the Town can dictate to a contractor the size of a charge used in blasting. M. Hill states that the Board needs to have sufficient information regarding what the likely impacts are going to be in terms of noise, vibration, etc. and if based on that information it can be reasonably determined that a certain size charge is going to produce noise and vibration that is going to be excessive to the neighborhood and have an adverse effect on the neighbors, and if the blasting can be accomplished by using a different charge and maybe more of them, that the blasting won't generate as much impact, and the effects would be reduced, then M. Hill would say that the Town would be within its authority to say to a developer that we will approve a project subject to the condition that the blasting be conducted in this way so that it will minimize the adverse effects. L. Palleschi states that there are certain guidelines that a licensed contractor has to follow. T. Yasenchak states that once we see the extent of blasting that is going to be required, a report that indicates how much impact there will be, if we feel that that is still potentially large then we ask how that can it be mitigated.

The meeting is adjourned at 9:59 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary