

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

**October 27, 2020**

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:06 p.m. The following members are present, Charlie Dake, Mike Gyarmathy, Robert Roeckle, and Nick Querques. Karla Conway, Butch Duffney, and Joe Sabanos are absent. Mike Waldron, Code Enforcement Officer, is present.

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**Minutes**

September 29, 2020 Minutes

MOTION: Roeckle

SECOND: Dake

RESOLVED that the Town of Greenfield Planning Board waives the reading of and approves the minutes of the September 29, 2020 meeting, with minor corrections.

**VOTE:** Ayes: Dake, Gyarmathy, Roeckle, Yasenchak, and Querques

Noes: None

Absent: Conway, Duffney, and Sabanos

Abstain: Conway

October 13, 2020 Minutes

October 13, 2020 minutes will be reviewed at the next meeting.

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**ZBA REFERRAL**

**Kirchhoff, D. Case #1020**  
**TM# 124.-1-48**

**187 Plank Road**  
**Area Variance**

T. Yasenchak states that this is for an Area Variance for 187 Plank Road. This parcel is in the LDR District. One of the lots will have the acreage that is required which is 6 acres. The other lot which has the house and an existing garage will have 4.238 acres existing septic system, and well. K. Conway joins the meeting. The new lot that is being created lot 2 is 6.026 acres. The new lot will be in compliance with the LDR Zoning District. They are asking for a Variance on lot 1. The ZBA asked the Planning Board to review this case as an advisory opinion. Typically the Planning Board will ask to see site distance for the proposed new driveway. There is more than enough frontage. She does not feel that it affects the Variance at all. The applicant's will be coming in front of the Planning Board for subdivision approval as they go forward. Lot 1 that will be getting the Variance already has an existing driveway and is not changing. R. Roeckle states that he was reading the ZBA minutes and they mentioned there was a lot that was divided in 2012 that has 120' of frontage. He asks if that will be an

issue because the lot that is now on the map is an unimproved wood lot that would have allowed the lot to have adequate acreage. Why is there a lot that doesn't have proper frontage? That is his only concern. If the Board needs to address that lot at the same time in looking at the map in configuration looks weird too. The wooded lot goes up behind the other lots even further to the east. He does not have a problem with the way they are dividing the lot now. He is just concerned how that lot was done 8 years ago could affect this. It should have been addressed by the Town 8 years ago. T. Yasenchak states that she is not sure, but from reading it, it was owned by different people. R. Roeckle states that D. Kirchhoff stated the lot was originally divided it was a subdivision. He does not know who did it and when it was done. He does not think it will impact, but it is an illegal lot because it does not have adequate frontage. That should be noted. Maybe they need to get a Variance. M. Gyarmathy asks if it was subdivided already wouldn't have had a Variance. R. Roeckle states that D. Eskoff said she does not ever remember it going in front of the ZBA before. T. Yasenchak asks if it was a subdivision or possibly a lot line adjustment. R. Roeckle states that the Board does not know the verification of that. They just said it was done in 2012. M. Waldron states at the ZBA meeting D. Kirchhoff stated that it was a subdivision that allowed for that less conforming lot. He did not describe what lot it was and he believes Chair Eskoff said that is something the ZBA could give it consideration. The concern there is a president could be set. The applicant was pressing the issue that then it was non-conforming was acceptable for going forward now. That may be the same issue we are speaking about. He can't be sure if it is the same issue or not. D. Kirchhoff indicated that 2 or 3 years ago a non-conforming lot that was granted subdivision without zoning relief. T. Yasenchak states that she does not see where that would concern the Planning Board. If it happened 8 years ago it must have had been approvable in some fashion. She does not know how the Planning Board can go back to a different party if it was the same owner. She does not think the Planning Board can do that now. There are a lot of different things that can happen. Maybe it was land locked. At the time maybe it was considered some type of a flag lot. She is not sure. She does not think it is relevant now for what in front of the Planning Board. M. Waldron states in addition to that he made another connection between the Building Department, Planning, Zoning, as well as the Assessor's Office in his administration. That may have been one of those things that slipped through the cracks not to set a president. It may have been filed with the County without 1 of 3 of the boxes checked. He has had that occur a number of times which he is actively pursuing. T. Yasenchak states yes, the Board has seen that. M. Gyarmathy states that he really doesn't have anything. T. Yasenchak mentioned site distance, but that will come to them with the subdivision. It's a zoning issue he does not have a problem with it. K. Conway does not have a problem with it. N. Querques states he does not have a huge issue with it and without having the information from 2012. He does not love cutting up lots given the information the Planning Board has. He asks if there is any special consideration of the cemetery taken in to account is adjacent to the property. T. Yasenchak states the Board will probably be looking at that when the Board gets into the subdivision process. That is probably more when they review SEQRA. She is not sure if it is affected by the Variance itself. N. Querques states he doesn't think so. He is just mentioning it. He thinks that the owner wants to see if he can do it. He is not sure how much of a need it is. If that is the case he does take that into account. He does not feel the owner needs this. T. Yasenchak states that is something the ZBA will look at as far as their criteria and the zoning questions that they ask. M. Gyarmathy states that he thinks the Board is going to need to know how the cemetery will be accessed. T. Yasenchak states it looks like there is an access and there is a deed reference along the eastern side. It does look like there might be a little road. That is on the neighbor's property. K. Conway states that it doesn't look like it is delineated. T. Yasenchak states it doesn't she is assuming that it's because the surveyor did the survey of the property for the applicant and not for the adjacent property which is someone else's property. M. Waldron point out on the plans that there is a note on the plans on the right side notes the

site distance. It does look like it does work, but they are not looking at it at this time. The Town Engineer is not present and he has not commented. She is not sure if that is the stopping site distance. The Town Engineer typically asks for that. At least they are headed in the right direction. C. Dake asks if it was subdivided in 2012 was it 6 acres in 2012. T. Yasenchak states yes, it was. M. Waldron states the last time the Town had a zoning change was March 22, 2007. T. Yasenchak states she has no other questions, but states the applicant has to go through Planning Board for subdivision approval. This is up the ZBA to feel if it is excessive or if it can be done in any other fashion. One of the questions the ZBA looks at is if there is anything else feasible. Perhaps there is additional land to be purchased. That is always one of the questions. T. Yasenchak states as far as an advisory opinion the Board can have the minutes to read as there advisory opinion. R. Roeckle asks the building on the lot that is remaining when it becomes a new lot should the ZBA note the location of those and grant variances for those as they are located, because the lot will no longer the same lot. T. Yasenchak states that the Board can note that in their opinion, but that is something that falls under their purview rather than the Planning Board's. R, Roeckle states that he is wondering if it should be noted or should the ZBA grant a Variance for the garage if it is going to continue as a pre-existing non-conforming structure. The Board agrees that the minutes will be their advisory opinion.

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T. Yasenchak asks if all the Board members have picked up their packet for the next meeting. She reminds everyone if they have not yet picked it up please do so.

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The Board adjourns at 7:27 p.m. All member's in favor.

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Respectfully submitted,

Kimberley McMahon  
Planning Board Administrative Assistant