

TOWN OF GREENFIELD

PLANNING BOARD

October 28, 2014

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: John Bokus, Nathan Duffney, Michael Gyarmathy, Thomas Siragusa, John Streit, Tonya Yasenchak, Stan Weeks and Robert Roeckle, Alternate. Charlie Baker, Town Engineer, is present.

MINUTES – October 14, 2014

MOTION: B. Duffney

SECOND: J. Bokus

RESOLVED, that the Planning Board waives the reading of and approves the minutes of October 14, 2014, as submitted.

VOTE: Ayes: Duffney, Bokus, Gyarmathy, Roeckle, Streit, Yasenchak

Noes: None

Abstain: Siragusa, Weeks

PLANNING BOARD CASES

RONALD MOREHOUSE – Minor Subdivision – Re-approval

NYS Rt. 9N

T. Yasenchak states that R. Morehouse will not be present due to illness, however G. McKenna did receive a statement that the applicant would allow the Planning Board to proceed with the discussion and act on his project in his absence. She states that we have received the deed restriction information that was asked for and we also received an e-mail from ACOE that the applicant has met with their requirements. C. Baker states that the applicant has satisfied everything we were looking for.

RESOLUTION – R. Morehouse, Minor Subdivision

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Planning Board reapproves the application of Ronald Morehouse for a Minor Subdivision of his property located at 1560 NYS Route 9N, TM#151.-2-105, the Board finds that they do not have to reopen the SEQRA and agree with their previous negative declaration.

VOTE: Ayes: Duffney, Bokus, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak

Noes: None

ACTIVE SOLAR/DAVID ROJEK – Site Plan Review/Lot Line Adjustment

Kilmer Road

David Rojek is present. T. Yasenchak recuses herself as her company works with Active Solar on a regular basis. D. Rojek states that he forwarded the Board's concerns to David Barass, who then prepared

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the survey and site plan. C. Baker states that the site plan looks very good; everything is on there that was asked for. The amount of disturbance is well under an acre so he has no more concerns as far as engineering. S. Weeks thanks the applicant for getting this to the Board in such good order. He apologizes that we didn't make it very clear that this is what we needed. We have it now. D. Rojek states that he understands that it is setting a precedence in Greenfield, but he did try to respond to the concerns. S. Weeks states that it is all because of the road involvement and crossing the road. J. Bokus states that everything looks alright to him. B. Duffney asks about clearance from the Highway Department. D. Rojek states that was provided. R. Rowland confirms that there is a letter from W. Barss. S. Weeks states that he has no further questions now that we have the site plan and that we can establish that the application is complete.

RESOLUTION – D. Rojek, SEQRA

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Planning Board completes Part II of the Short Form SEQRA. All questions are answered "no" and the second box is checked, indicating that this will not result in any significant negative environmental impacts for the Site Plan Review and Lot Line Adjustment of David Rojek for property located at 96 Kilmer Road, TM#149.-1-117.

VOTE: Ayes: Duffney, Bokus, Gyarmathy, Roeckle, Siragusa, Streit, Weeks
Noes: None
Abstain: Yasenchak

RESOLUTION – D. Rojek, Lot Line Adjustment

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board approves the Lot Line Adjustment application for David Rojek for property located at 96 Kilmer Road, TM#149.-1-117, per the map submitted.

VOTE: Ayes: Duffney, Bokus, Gyarmathy, Roeckle, Siragusa, Streit, Weeks
Noes: None
Abstain: Yasenchak

RESOLUTION – D. Rojek, Site Plan Review

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board approves the Site Plan Review for David Rojek for a solar panel array for property located at 96 Kilmer Road, TM#149.-1-117, per the site plan submitted.

VOTE: Ayes: Duffney, Bokus, Gyarmathy, Roeckle, Siragusa, Streit, Weeks
Noes: None
Abstain: Yasenchak

J. Streit asks where the panels are manufactured. F. McCleneghen states that they are manufactured in Oregon. J. Streit asks if that is the cheapest place to buy them or do they manufacture them in other locations. F. McCleneghen states that they are manufactured in Germany, China or Oregon. J. Streit states they are also manufactured in Rwanda. J. Streit states that one would think that with all the projects we have seen coming up, that that would be a stimulus to manufacture them here.

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GERRY FERRIS – Minor Subdivision
North End Road

Jason Bowman, Surveyor, is present for the application. He states that he spoke with C. Baker regarding the contour lines and that C. Baker was looking for something regarding DEC wetlands. He submits a letter at this time. C. Baker confirms that he did speak with J. Bowman regarding the contour lines, he is satisfied that any wetlands are far enough in the back of the project and he does not believe that they have any intentions of going back that far. These are large enough lots that they would be able to avoid any of those wet areas. He is satisfied with the information submitted. T. Siragusa asks if this property falls in the KROD district. T. Yasenchak states that this falls outside the KROD. C. Baker asks if this has received ZBA approval. R. Rowland states that area variances were granted and the Town Board also granted the Open Development Area permit.

RESOLUTION – G. Ferris, SEQRA

MOTION: J. Streit

SECOND: B. Duffney

RESOLVED, that the Planning Board completes Part II of the Short Form SEQRA. All questions are answered “no” and the second box is checked, indicating that this will not result in any significant negative environmental impacts for the Minor Subdivision of Gerald Ferris for property located at 571 North End Road, TM#122.-1-22.1.

VOTE: Ayes: Duffney, Bokus, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak
Noes: None

RESOLUTION – G. Ferris, Minor Subdivision

MOTION: S. Weeks

SECOND: J. Streit

RESOLVED, that the Planning Board approves the application of Gerald Ferris for a Minor Subdivision for property located at 571 North End Road, TM#122.-1-22.1, per the map submitted.

VOTE: Ayes: Duffney, Bokus, Gyarmathy, Siragusa, Streit, Weeks, Yasenchak
Noes: None

DISCUSSION

T. Yasenchak states that she did ask the Board at the last meeting to look at the Zoning regulations because the Town Board is going to start reviewing the zoning for any changes. J. Streit suggests that the Town should look at alternative sources of energy and incorporate that into the Code. S. Weeks states that he would like to see continued discussion about the 6 acre lot size, which he has some major concerns about, when we have seen some of the applications that have come in to try to fit the 6 acre lot with 250’ of frontage. There was the one with the triangular lots trying to fit them in. He is not at all sure that we need 6 acre lots for residential house lots. He thinks that will change the characteristic of the Town, maybe in a way we don’t want it to be changed. J. Streit questions that S. Weeks is saying that he feels that the 6 acre minimum is too big. S. Weeks states that is correct, he does not see a reason for 6 acre lot sizes. He knows that there is a lot of thought about keeping the Town more rural, but he thinks that you need to consider that with the 6 acre lots, that probably are not going to be under \$150,000 to \$200,000 houses, because of the price of the lot and also, in other places where they have tried to zone with large lots they find out that if people really want to be there, it just eats up the land faster. J. Streit states that the 6 acre lot size was just a compromise down from the 8 acre zoning. He questions that S. Weeks is suggesting going back to 5 acres. S. Weeks states that is not what he is saying, he would just think it needs to be discussed and visited again

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because he feels 6 acres is excessive. S. Weeks states that in Suffield, CT they have come up with their new requirements for shared driveways, they call them common driveways, and one part of that was that they would be limited to no more than 2 lots sharing a driveway. That is something that comes up again and again, and he feels that is something that maybe the Town should take a look at. S. Weeks states that he also feels that the Small and Large Contractor Storage yards definitions should be reviewed, should be clearer. B. Duffney states that farming is a big issue to him, when it comes before the Board that someone wants to have a half-dozen laying hens and the neighbors are having a meltdown. T. Yasenchak agrees that that needs to be looked at also. B. Duffney states that as to small farm animals, when you can have laying hens in the Bronx. T. Yasenchak states that a lot of the Board members went to that Planning Conference and she and T. Siragusa both spoke to the people from Cornell. T. Siragusa got a whole lot of information and brought it to the Town Board. It didn't seem to be listened to. She states that she owns 1 ½ acres and can't have chickens and would like to. J. Streit states that T. Yasenchak has nothing but woods behind her so that is a completely ridiculous law. B. Duffney states that T. Yasenchak's property is also right next to a horse farm. J. Streit states that then the Board is saying that people should be encouraged, within reasonable limits, to have farm animals. R. Roeckle states that perhaps it should be 'not discouraged' vs. 'encouraged'. B. Duffney states that as far as he is concerned, anyone who has children should have farm animals. It teaches them responsibility. R. Roeckle states that he has a couple of pages of comments on the definitions because he believes they need to be clarified or supplemented. He was looking at the Mining and Extraction law which does not include oil and gas, and the Town may want to somehow look at that. Mining is mining under the laws, and now with the new case law rulings, fracking is being treated identical to soil extraction. R. Roeckle states that we talk about dimensions, but we never clarify how to measure a dimension. Are we going purely by a survey or can someone go out and measure? Also, the word 'customarily' is used in many definitions and he believes that should be removed. There are also words that are used and not defined. T. Yasenchak states that currently the requirements that need to be included in a site plan refer one back to the special use permit and it is very complicated. She would like to see it clarified. Also, perhaps a check-list could be developed to go along with applications. She states that she also has some things about definitions that are just not clear. T. Yasenchak states that the Town does not have a noise ordinance and, not saying that we should, because being out in this area, people have different machines and things like that, and she thinks it is ok but it should maybe be limited to what is typical. She also would like to see the mini farm revisited. She would like to have chickens. R. Roeckle states that another thing that he has noticed is that a lot of uses are allowed by Special Use Permit but we have no real standards for each of those uses. Some do. He states that in Wilton certain things were only allowed with access on a County or State Road. B. Duffney states that with Stewart's and Mulholland's being exceptions, a lot of our businesses are run from homes, from properties that have been there. T. Yasenchak states that if you look at what uses are allowed in what districts, when you look at the special use permits, it may be better to define that a little bit. Recreational facilities are allowed in an LDR, which is great, because we are thinking more outdoors. Do we really want to see an indoor soccer field in an LDR or is that for something that is a little more suburban? R. Roeckle states that hospitals are allowed in 4 zones, but what would be a reason to deny it in those zones, if they meet all the landscaping or setbacks – there is a huge traffic issue. What are the reasons for granting a special use permit? Are you exceeding a certain threshold? She asks if anyone is interested in being on the committee – B. Duffney, J. Bokus, R. Roeckle, S. Weeks, M. Gyarmathy and T. Yasenchak are interested.

T. Siragusa asks what the status of the Rocky Daniels site is on Daniels Road. He asks because when he thinks about the actions that we do, that was, in his recollection, a part time, 3 or 4 day a week operation that is not that anymore. What is the linkage between what the Planning Board enacts and someone actually does? Is that particular case more than just enforcement or did something else happen there that what the Planning Board said got misinterpreted, etc. C. Baker states that that was a system failure and that he was taken to court numerous times and not DEC or anyone would back us up on violations. C. Baker states that he was in clear violation of the SWPPP, etc. T. Siragusa questions that 'no one backs us up' meaning that they won't take any action? C. Baker states that is correct, right up through the courts. T. Siragusa states that that undermines everything that we do and if that is a subject for the Town, that would be

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on the top of his list. He drives by there often and he just does not see how it got like that. He also questions the Sara Spa Rod and Gun Club appears to have purchased the property across the street and he does not believe that anyone has come in to say that they would like to extend the use, because he believes that is a special use permit. They have target practice; there is a deer "gallows" there. It just seems like, right or wrong, that there is a use of land there that has not come before the Board. T. Yasenachak states that we can have G. McKenna look into that.

Meeting adjourned 8:00 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary