

TOWN OF GREENFIELD

PLANNING BOARD

September 25, 2012

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by T. Yasenchak at 7:00 p.m. On roll call, the following members are present: Tonya Yasenchak, Nathan Duffney, Lorna Dupouy, Michael Gyarmathy, Stan Weeks and John Bokus, Alternate. Thomas Siragusa and John Streit are absent. Charlie Baker, Town Engineer, is present.

MINUTES – September 11, 2012

MOTION: B. Duffney

SECOND: S. Weeks

RESOLVED, that the Planning Board waives the reading of and approves the minutes of September 11, 2012, with minor changes.

VOTE: Ayes: Duffney, Dupouy, Gyarmathy, Weeks, Yasenchak

Noes: None

Absent: Siragusa, Streit

PLANNING BOARD CASES

CASEY CORNELL – MINOR SUBDIVISION

South Greenfield Road

Casey Cornell is present and states that he is currently under contract to purchase the property at 77 South Greenfield Road, TM# 138.-1-51.11. He is trying to see if they can subdivide the property into three lots and sell the two lots. He has provided a rough sketch, but states that they are still working on where the frontage is going to come from, etc. This is just preliminary. The first hurdle that has come up is the 5 year rule that was stamped on the original subdivision map of Mary DeLaTorre (4/22/2010), which subdivided the property into the north side and the south side. C. Cornell states that before getting into a discussion about frontage, etc., he wanted to see what the Planning Board had to say about the 5 year rule. T. Yasenchak states that this property was approved as a two lot subdivision. There was property on both the north and the south side of South Greenfield Road. It was a natural subdivision as the road runs through the property. There is a barn on the south side. At the time we did have the requirement of the 5 year rule, which was that you could not subdivide again in that 5 year period. Since then, the Town Board has rescinded that and the code now reads differently. She reads from the code: "Any minor subdivision, resubdivided into a cumulative total of four or more lots within a five-year period, will be considered a major subdivision." It does not restrict someone from subdividing within the 5 years, it just looks at the total number of lots that will result so as to classify it as a major or minor subdivision. We will have a total of 4 lots that we are looking at now – the one across the street and then the three on the north. C. Cornell states that there is one and three will result. T. Yasenchak states that within that five year period we subdivided once so we have 2 lots. The code states a 'cumulative total of four' so it is not just that one and she thinks it would include the other side. She states that she will call the Town Attorney and find out. C. Cornell questions that because the five year rule is on the subdivision plan, if it still applies. T. Yasenchak states that she will have to ask that. In the past, this Board has allowed for a re-subdivision in that five years if the original was a natural subdivision. She just wants to make sure that we are following the correct process so she will run it by the

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Town Attorney, but she would like the Board's comments. L. Dupouy questions that the issue here is because the 5 year rule is on the original subdivision and if that has now been changed, how is it still affective in this case. T. Yasenchak asks that is the question that needs answering. It was part of the approval at that time. L. Dupouy states that as to the project itself, she loves the stone house also and sees no issue with this project. M. Gyarmathy states that regarding the original subdivision, it was a natural subdivision and he would look at this separately. He states that it looks good to him, he does not see any problems; there is good sight distance. S. Weeks states that he would be interested in what the Town Attorney has to say, that is a key thing. B. Duffney states that we have had natural subdivisions before us in the past and allowed further subdivision. It looks like C. Cornell is trying to do the same thing and he sees no issues with it. There is plenty of sight distance, he sees no issues with that. He believe it looks good and we will wait to hear from M. Schachner. J. Bokus states that he is a little confused about paragraphs A and B of 90-6. Paragraph A states that a minor subdivision is two but not more than four lots and paragraph B says that a cumulative total of four is considered a major. He states that it would seem to him that B should read a cumulative of more than four would be a major. T. Yasenchak states that there is a little bit of a gap there and she will ask for clarification. J. Bokus states that other than that, he thinks it is a good idea. T. Yasenchak states that the Board does not have any problems with this. We have in the past, where there has been a natural subdivision, granted the applicant the ability to further subdivide. We just want to make sure that we can do that. T. Yasenchak states that it looks like the applicant is trying to create two flag lots and acquiring some property from the neighbor. C. Cornell states that this is preliminary and has probably already changed. They were looking for two keyhole lots, but he does not think that they have the right formula right now but he wanted to bring something so that at least the Board had something to look at. He wasn't even thinking about major or minor until the Board brought it up, his main concern was the 5 year rule. He asks the Board's thought about a common driveway. T. Yasenchak states that each lot would still need to have the correct frontage and that typically we do not approve common driveways unless there is a reason. S. Weeks states that he always has concerns about shared driveways, he is concerned about the future issues with neighbors. C. Cornell states that he will come back with 2 separate driveways. T. Yasenchak states that listening to the Board, no one really has a problem with this and she reiterates that in the past we have waived the 5 year rule when it has had a natural subdivision. She states that she is pretty sure that the Board would be ok with going ahead with the subdivision and that we still have to check on the major vs. minor issue. B. Duffney states that the original subdivision was done by a different owner. He would lean towards a minor subdivision and if we can find out from the Town Attorney, can we get that information to the applicant soon. T. Yasenchak states that as soon as she can get a response, we will contact the applicant.

THEODORE MAKKAY – Major Subdivision

Goose Hollow Road

Rob Fraser, LA Group, is present for the application and presents revised copies of information to the Board. He states that at the last meeting, the Board required that they provide profiles of the proposed road to confirm that this could be a 23 lot conventional subdivision. They also cleaned up the overlay items that were not necessary and confusing. T. Yasenchak states that there is a letter from C. Baker. C. Baker states that he reviewed the plans that are before the Board – the conventional subdivision layout, the storm water plan and the road profiles. The road profiles show that if a conventional subdivision were to be built as proposed, that the road grades would meet the Town's minimum standards so it does look like the roads that they have shown on there could theoretically work as town roads. He also looked at whether the lots would work with the storm water management plan that has been presented and it does appear that the 23 lots that they are showing in the conventional plan could theoretically work if we were to approve the conventional plan. The letter is saying that he is in agreement with number of lots for a proposed cluster if the Board so chooses to allow a cluster subdivision. It seems as though that would be the appropriate number of lots to proceed with. T. Yasenchak states that it seems the applicant has provided what was asked for. L. Dupouy agrees that the applicant has come back with what the Board asked of him, C. Baker has no problem with this

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and she is fine with it. S. Weeks states that he appreciates that the applicant cleaned up the maps, they are a lot easier to read. He states it seems pretty straightforward. B. Duffney states that if C. Baker says it is ok, we will follow his lead.

RESOLUTION – T. Makkay, Conventional Plan for Cluster Subdivision

MOTION: L. Dupouy

SECOND: B. Duffney

RESOLVED, that the Planning Board accepts the conventional subdivision plan of 23 lots as presented and allows the application to proceed for a cluster subdivision for the application of Theodore Makkay for property located at 60 Goose Hollow Road, TM#150.-2-2.

VOTE: Ayes: Duffney, Dupouy, Gyarmathy, Weeks, Yasenchak

Noes: None

Absent: Siragusa, Streit

T. Yasenchak suggests the Board review the Cluster Subdivision regulations so that when the applicant comes back with their plans the Board will be prepared to discuss.

Meeting adjourned 7:24 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary