

**TOWN OF GREENFIELD
PLANNING BOARD**

September 26, 2017

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by T. Yasenchak at 7:09 p.m. On roll call, the following members are present: Tonya Yasenchak, John Bokus, Nathan Duffney, Michael Gyarmathy, Robert Roeckle, Thomas Siragusa, and Stan Weeks. Charlie Baker, Town Engineer, is present.

MINUTES – September 12, 2017

MOTION: B. Duffney

SECOND: M. Gyarmathy

RESOLVED, that the Planning Board waives the reading of and approves the minutes of September 12, 2017 as submitted.

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

Noes: None

Absent: None

OLD BUSINESS

DAVID VANDERZEE – Open Development Area

Case#609, Squashville Road

George Smith is present for the application. T. Yasenchak states that this is before the Planning Board for an advisory opinion to the Town Board for an Open Development on a pre-existing, non-conforming, land-locked parcel. The applicant has proposed an easement that would go across pre-existing, subdivided lot #3 off of Squashville Road to the Niagara Mohawk Power Corporation property, over which the applicant has provided language that states that they have an easement to cross that property to the back lot. At the last meeting we did ask the applicant to provide information about the driveway sight distances and they have provided us with information that both of the adjacent lots, lot #2 and #3, have been issued approved driveway permits by the Town of Greenfield Highway Department and that those permits were provided and granted in June and August. The applicant is using that information as proof of safe driveway access for a driveway that would be in between those two driveways. C. Baker states that it is not what we asked of the applicant, but he believes in this particular case, since the Town did issue the permits for both of those driveways and this proposed access is located in between those driveways, he would say that it is sufficient. Board members have no additional questions. T. Yasenchak states that the uniqueness of this project also stems from the fact that if National Grid had an easement and then the applicant could actually subdivide a portion of lot 3 and provide a keyhole access, but it is subdivided from the front by National Grid. The applicant has no other means but to have an easement through lot #3. When this was referred to us from the ZBA, they did grant the Planning Board lead agent for SEQRA. She states that we do not typically do SEQRA for an advisory opinion; however, they asked us to do it. The applicant submitted both a long and short form SEQRA. C. Baker concurs that the short form would be sufficient for this project.

RESOLUTION – D. Vanderzee, SEQRA

MOTION: B. Duffney

SECOND: J. Bokus

RESOLVED, that the Planning Board completes Part II of the Short Form SEQRA. All questions are answered and the second box is checked, indicating that this will not result in any significant negative environmental impacts for the Open Development request of David Vanderzee for property located at 30 Squashville Road, TM# 137.-2-49.

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

RESOLUTION – D. Vanderzee, Open Development Report and Recommendations

MOTION: T. Siragusa

SECOND: S. Weeks

RESOLVED, that the following Open Development Report and Recommendations for the application of David Vanderzee for property located off of Squashville Road, TM#137.-2-49, be forwarded to the Town of Greenfield Town Board.

WHEREAS, David Vanderzee (“Applicant”) submitted an application to the Greenfield Zoning & Town Boards in accordance with NYS Town Law Section 280-a for an Open Development Permit (“Application”) to enable development of Applicant’s property, located off of Squashville Road and identified as Tax Map Number 137.-2-49 (“Property”), which lacks frontage on any Town, County or State road or highway and which will be accessed solely by means of a keyhole and easement extending through private property owned by others, and

WHEREAS, the Zoning Board referred the Application to the Planning Board for SEQRA review, its report and recommendations, and

WHEREAS, the Town’s Highway superintendent has approved driveway permits to both lots adjacent to the proposed keyhole access; inferring safe driveway access off of Squashville Road to the proposed access to the Property,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board makes the following findings, which shall constitute its “report” under NYS Town Law Section 280-a:
 - A. The Planning Board has reviewed SEQRA and determined that no significant environmental impacts will occur, and therefore issued a Negative Declaration of SEQRA for the project on September 26, 2017.
 - B. The Town Highway Superintendent has approved driveway permits to both lots adjacent to the proposed Property; inferring safe driveway access off of Squashville Road to the driveway.
 - C. The Applicant has provided documentation of easement access across National Grid property to the Property.
2. The Planning Board hereby recommends that the Town Board approve the Applicant’s request for an Open Development for the Property.

Discussion: T. Yasenchak states that as she was using a template provided by the Town Attorney, reference is made to NYS Town Law Section 280-a and Section 290-a. This will have to be reviewed and corrected. R. Roeckle questions that the Town Attorney should review the easement language from National Grid to make sure it is acceptable to him. T. Yasenchak states that no, the same with the other project, we are not the

ones who have to say whether or not it is legal if the applicant has provided documentation. It is not up to the Town to prove whether that is right or wrong.

The resolution was duly adopted by the following roll call vote:

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

T. Yasenchak explains the remaining process for the applicant.

G. DAVID EVANS – Open Development Area

Case#607, Plank Road

G. David Evans is present. T. Yasenchak explains that we have been discussing safe access to his property and we did ask about the driveway safety, which D. Evans did provide us with a letter from his engineer stating that in his professional opinion, “the bed of the old Plank Road can be made accessible for a 50,000-pound, 30 foot long emergency vehicle and can be provided with turnouts and a turnaround. Therefore the road can meet Section 511 of the NYS Uniform Fire Prevention and Building Code for emergency vehicle access for detached one and two-family dwellings as well as Section 105-143 of the Town’s driveway standards.” We also did receive information from D. Evans’ attorney stating that in their opinion they have right-of-way access to their property across the old abandoned Plank Road. We did have questions about the bridge and T. Yasenchak states that the Board did not come to any conclusion about the bridge. We do have a letter from the Fire Chief stating that in his opinion it was not safe for fire vehicles to go across. She states that there was discussion at the last meeting and definite concern about the bridge and whether or not that would fall into the responsibility of the driveway or if that would fall under safe access to the property of which we have the ability to ask for in our review, as well as the Town Board, in reviewing any open development project. S. Weeks states that we have a letter from D. Evans, dated September 13, 2017, with some additional information and he would like to discuss that. T. Yasenchak reads the letter. Also provided were sketches and notes that typically go on a site plan for driveways and information that would be required prior to issuance of a building permit. Also provided was a copy of the resolution when the Town Board abandoned a portion of Plank Road. S. Weeks indicates that he needs clarification of the note that there is “258’ from “end of pavement”. He asks if it is the applicant’s contention that that is still a town road to that point or what does it mean. D. Evans states that there is a map done by Terry Humiston that indicates that the turnaround is past the bridge. S. Weeks asks if he is stating that the Town goes over that bridge and turns the plow around. D. Evans states that they do not go over it right now, they used to. B. Duffney asks if that was after they abandoned it. D. Evans states no, they abandoned a major portion, 2 ½ miles or so going over to Mount Pleasant. More recently in 2005 they abandoned, he assumes they intended to abandon the western last 500’ or so, instead they abandoned the eastern end. T. Yasenchak states that in all the documentation it does talk about the distance from the intersection of Plank and Ridge, so that is the east side. D. Evans states that is correct. S. Weeks states that it is confusing. D. Evans states that they described what they abandoned. T. Yasenchak states that it still says on the far side of the bridge. D. Evans is saying that the abandonment is on the other side of the bridge. D. Evans states that he is saying that they abandoned from Porter Corners; if you go to Ridge Road, go down the hill from there 3200’, that is where the abandonment starts and it runs eastward from there all the way to the eastern terminus of that road which is in Porter Corners. That is what has been abandoned. S. Weeks asks where the bridge is in that. D. Evans states that the bridge has not been abandoned properly as the road has not been abandoned. T. Yasenchak states that there is a complication. She states that there is an end of pavement, there is a turnaround that is paved, the Town recently repaved Plank Road, but did not go to the bridge. D. Evans states that they could have gone over the bridge to the next turn around and paved that, but they didn’t. B. Duffney states that he was up that way and he believes that he saw a sign, just past where the Town pavement ends that states

something such as – no unauthorized vehicles beyond this point. He did take a look at the bridge and as you are going across it into D. Evans lot, to the left side it drops from the deck of the bridge to the water approximately 3’ but on the other side it is 5 or 6’. T. Yasenchak states that the tax map shows the road ending and not going over the stream. R. Roeckle states that to D. Evans statement that the road abandonment was done improperly, that is not the purview of this Board. Our issue is that we are assuming that this lot is on an abandoned portion of town road. D. Evans states that it is an abandoned portion of town road, what we disagree on is whether or not the bridge was properly abandoned. B. Duffney asks if this should be turned over to the Town Board and the Town Attorney and let them go through it. T. Yasenchak states that they asked us for an advisory opinion and so it is up to us to provide that. If we have questions about where the Town responsibility ends, we can include that in our recommendation. M. Gyarmathy states that he sees the only issue that we have left to discuss here is the safe access and the only thing left stopping safe access is the ability for the fire trucks to go over the bridge. That seems to be the only issue in front of this Board, the road abandonment issue is not up to this Board to decide. T. Siragusa states that it is the road and the bridge. The road can be improved, but right now the road is not safe access and the bridge is not safe. M. Gyarmathy states that town trucks do not go across the bridge since 2005 apparently. C. Baker states that he thinks that there used to be a big issue with snowmobilers parking trailers up there and blocking the turn around, and he thinks that the sign says something to that effect on it. S. Weeks states that he sees no reason that we can’t grant approval contingent on the bridge being approved by a structural engineer, it seems to him that that covers the situation. T. Yasenchak states that when the attorney’s looked at it, it was about when that should be approved; if it should be something that should be done prior to an approval or something that would be contingent. B. Duffney states who does the bridge repair responsibility fall upon – D. Evans or the builder? If someone buys that lot and then all of a sudden they have to sink additional thousands of dollars into the bridge. M. Gyarmathy states that if we make it a contingency, it won’t be our concern who fixes the bridge. S. Weeks states that they won’t give the open development approval until that contingency is met, that would be his assumption. T. Yasenchak states that an open development permit could be granted with the contingency that the bridge be repaired. She does not want to get into who is responsible to fix it or when, it definitely needs to be fixed but she is not going to argue about if it is the Town or D. Evans. B. Duffney questions if someone is to repair that bridge and there are other lots behind there, he does not know if this could come back on the Planning Board by whoever repairs the bridge saying that other adjoining landowners cannot cross his bridge. He understands that is not the Planning Board’s responsibility. T. Yasenchak states it is not, there is even the question that just because someone fixes it, it does not mean it is their bridge. It may be on someone’s private property and that is all not the Planning Board’s responsibility. We are only looking at this as an open development permit for D. Evans property, anyone else who wanted to do anything back there with land locked property would have to go through the same process. T. Yasenchak states that we do have something that the Town Attorney drafted and we can modify that.

RESOLUTION – D. Evans, Open Development Report and Recommendations

MOTION: R. Roeckle

SECOND: J. Bokus

RESOLVED, that the following Open Development Report and Recommendations for the application of G. David Evans for property located off of Plank Road, TM#123.-2-21, be forwarded to the Town of Greenfield Town Board.

WHEREAS, G. David Evans (“Applicant”) submitted an application to the Greenfield Town Board in accordance with NYS Town Law Section 280-a for an Open Development Permit (“Application”) to enable development of Applicant’s property, located off of Plank Road and identified as Tax Map Number 123.-2-21 (“Property”), which lacks frontage on any Town, County or State road or highway and which is accessed solely through private property owned by others, and

WHEREAS, the Town Board referred the Application to the Planning Board for its report and recommendations, and

WHEREAS, the Town’s Fire Department has advised that: 1) the steel deck bridge on the private road which provides access to the Property is inadequate to carry fire trucks due to deficiencies in guide rails, angle of approach, weight certification and in other respects, and 2) that the condition of the private driveway providing access to the Property is itself deficient and inadequate for access by fire trucks and emergency response vehicles, but which may be fixed to be satisfactory for the fire department.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board makes the following findings, which shall constitute its “report” under NYS Town Law Section 280-a:
 - A. The Town’s Fire Department has inspected the private driveway providing access to the Property and determined that its condition does not allow safe access to the Property by the Town’s fire trucks and other emergency vehicles. However, the Fire Department has noted that the driveway may be fixed to be satisfactory. The applicant has also provided a letter from a licensed Professional Engineer stating that the driveway can be made accessible to meet the NYS and Town requirements for an emergency vehicle access.
 - B. The Town’s Fire Department has inspected the steel deck bridge on the private access driveway which provides access to the property and determined that the bridge is inadequate to carry fire trucks due to deficiencies in guiderails, angle of approach, weight certification and in other respects.
 - C. The applicant has provided language that there is access to the Property.
2. The Planning Board hereby recommends that the Town Board approve the Applicant’s request for an Open Development for the Property contingent upon:
 - A. That the driveway and the steel deck bridge shall be designed and certified by a licensed engineer to hold a 50,000 pound, 30-foot long vehicle. In addition, the driveway shall have facilities for turning around available within 100’ of any structure and shall comply with Town of Greenfield driveway specifications. Driveways in excess of 500’ in length shall be marked at 500’ intervals as provided by the Town of Greenfield Fire Department.
 - B. That the applicant provide certification for the driveway and steel deck bridge as previously stated, and in accordance with Note #3 of the Town of Greenfield Driveway standards, and to any existing house or houses or proposed locations for houses on the property to the satisfaction of the Town’s Fire Department and the Town Engineer.
 - C. That said improvements are to be completed prior to the issuance of a building permit.

Discussion: D. Evans asks if there are time limits on this or if this is forever. T. Yasenchak states that that would be up to the Town Board.

The resolution was duly adopted by the following roll call vote:

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

T. Yassenchak recuses herself. S. Weeks states that he does not believe that the public hearing was adjourned at the last meeting, that it just sort of petered out when discussing a site visit, and there are some letters to be read into the record. A letter from Leonard Muller in support of the request; a letter from Scott Souza in support of the request; a letter from Gregory Chaplain in support of the request; a letter from Sandra Arnold-Spaulling clarifying her previous comments. S. Weeks states that a site visit was done on a Saturday morning at 9:00 when at least 4 people were shooting skeet. Site visits are always an eye-opener. The Board members appreciate the Rod & Gun Club hosting them at the site and it was very worthwhile. S. Weeks states that we have received information from neighbors; the applicant has heard some concerns from the Board itself saying what can we maybe do, what can the club do when they hear the concerns from the neighbors and the Board. Have they considered things that they might do - might they adjust the hours on shot gun, increasing them maybe or 'x' number of hours per week, post on the property, etc? Are they able to talk about hours that maybe are not as long as the rifle hours but that would still give them the flexibility that they need? G. Moser states that after the last meeting he contacted Stewart's and asked if they were looking for somewhere to get rid of that fill and they could bring someone in to build the berms up higher. Also, they had discussed possibly putting some berms around the outside of the shotgun field and hopefully help to mitigate some of that noise also. Whether or not he can get the fill from Stewart's or what their process is, but they have e-mailed back and forth regarding that. He thought that the berm could be a definite possibility as far as mitigating some noise. S. Weeks asks if currently there are any berms around the shot gun field. G. Moser states there are not and traditionally there are not because it is not a solid projectile going in one direction. Since it is a pellet it does not go that far and they just land on the field, but by putting something softer out there figuring that it would knock down the carrying of the sound. He explains that the trailer knocks down some of the noise. He states that they do not necessarily have the fill on the property to do that, so they would need to bring fill in. S. Weeks asks about the issue of posting - G. Moser had stated that there were some signs but it might not be completely posted. G. Moser states that it is not completely posted. The original property at one point was fully posted; the first 75 acres that they purchased were partially posted. The newest parcel has not been posted. He states that they had stated that they would post that one property line; they do have a work party in October. B. Duffney asks what is a mega and a 'panarite' target. S. Arnold-Spaulling states that those are targets that people bring into Rod & Gun Clubs, she does not know if they have the targets there. They make noise, they enhance the noise and when S. Lieberman had stated that her windows were shaking, S. Arnold-Spaulling researched why this could happen. G. Moser states that they only allow paper targets. They do not allow steel targets, tanarite; they do not allow their members to bring anything in other than paper targets to shoot at. The clay targets are purchased by the club and those are for shotgun only. B. Duffney states that he was pretty impressed at the site visit the way that everything was maintained for the overshot, etc. G. Moser states that nothing can leave the property. B. Duffney states that when they left the site visit he drove towards Porter Corners and went towards the nearest house and pulled off the side of the road, shut the truck off and sat there knowing that they were still shooting skeet. The sound was a 'pop'; it is not like standing beside a gun shot when they were in the yard. He is sure that the rifles are much louder. J. Bokus states safety and noise - he is not sure what they could do to make it any safer, we were there and saw their operation. The posting and the hunting is not an issue of the application or of the range. It is a separate issue of safety being an adjacent land owner. He does not think that the noise is that loud and definitely not louder than a centerfire rifle. R. Roeckle apologizes for missing the site visit and does not have any comments. He hears gun shots all around his house and he is miles away from the club. M. Gyarmathy thanks the gentlemen for taking the Board members on tour of the facility and he was very impressed with what they have going on and the safety precautions that they have installed. He is happy that there is someone like the club out there teaching gun safety as it is very important. He thinks if we can follow through on some of these mitigation efforts that would go a long way to help the neighbors closer to them and he thinks that the posting of the property is very important, that will help limit the noise and the club won't get accused of making noise that they are not making. He would be fine with those things if we could agree to implement them in some way. T. Siragusa asks how many members the club has today. G. Moser states right now 1100. T. Siragusa states that in reading the minutes from August 28, 2001 when those hours came up in question, there is a note and it does not sound right to him, but it says that membership is 140. He asks if that is possible. G. Moser states that it

could have been. He thinks that they were somewhere around 200 when they first moved from West Avenue to Greenfield. He was not around then so he could not really confirm that. T. Siragusa asks how long the club has been at this location. G. Moser states 1984. T. Siragusa states that he does not know if it is relevant but he is trying to get a sense of the size and increase in activity. There is a question of whether there would be an increase of activity based on the request for additional hours or not. Clearly the membership has gone up and there was some indication that the activities did come up, with one example being the women's club, etc. He has some concern over increased activity with the increased hours. He asks if the applicant can state again whether that might be possible. G. Moser states that nationally, women's interest in firearms had its highest growth area right now. Generally women are at home with the children and have concerns with the safety of firearms, this is where a lot of this started and they were one of the first clubs to actually do an NRA Women on Target program in this area, which is dedicated to just women coming and learning firearm safety and handling. T. Siragusa states that he was not trying to single out women, it was just an example of increased activity. The applicant hadn't anticipated any increased activity. G. Moser states that at one point they were running all 4 days and the ladies are only shooting right now during the summer months. Once the weather gets colder, they will not shoot shotgun, which is their choice. Because it is a women's program they like having a day where just the ladies shoot, it is not as competitive, it is more social and a skilled learning event. If we had that Wednesday available, that is when they do shoot. They want to shoot 3 Wednesdays a month and 2 games in 2 hours vs the men doing 4 games in 2 hours. T. Siragusa asks if they would say that their original comment that if the hours increased and with membership increasing and some evidence of interest, such as the women's club increasing, would they anticipate other increases of activities if the hours were expanded. G. Moser states no, they are looking for the flexibility and they are not using all of the hours that they already have available to them. They do not anticipate and they are a volunteer organization. If one of the gentlemen that are trained and certified on that can't be there, it is not going to run. T. Siragusa read about safety in the minutes that in the record there was a discussion of a stray bullet hitting a neighbor's house on Bockes Road. G. Moser states that was investigated by the NYS Police and it was determined that there was no way that it came from the Club, they actually found the person who did it and someone was on the power lines shooting at bleach bottles on trees. The bleach bottles were found, the individual was found because the rounds went to ballistics and it was determined that it was not a bullet that came from the range. T. Siragusa states that he was pretty taken aback at the last couple of meetings that there was no flexibility in trying to mitigate sound or listen to the neighbors. He really appreciates the applicant coming tonight with some ideas about building up a berm around the shot gun, etc. He thinks that paying attention to the neighbors, some of the neighbors were there before the club, but others have come after, but things change. When they got there it was 200 members and now it is 1100 members, that is a lot more firing. Paying attention to the neighbors, you are only going to have more neighbors and this discussion is going to keep coming up. He really appreciates their mitigation thoughts. Overall, the presentation that was made at the last meeting was really thorough, he thinks a lot of the testimonial from others who spoke like safety officers, etc., and what he is hearing tonight from the site visit is pretty encouraging. He states that he is optimistic that there is something that can be done for sound; safety – maybe posting he thinks would be pretty easy to do. T. Siragusa asks about the rest of the property and if there are any development plans. G. Moser states that there are no plans at this point. T. Siragusa asks what the decoys are that are set up. G. Moser states that is for archery and has been there since day one and one of the neighbors, within the first month of them buying the property, had it there. G. McKenna came out and looked at it, said there is no issue, it is not in violation of any town code, it does not make any noise and it has been fine. They have owned the property since 2012 and it has been sitting there since. S. Weeks states that he also read the prior minutes and on January 29, 2002 when approval was given at that time the paragraph that stuck out to him was when they were talking about the hours, they said 'After much discussion, it was agreed upon that the hours of operation would be from 9:00 a.m. to 8:00 p.m. on any given day. Skeet is in operation on Tuesday and Wednesday from 6:00 p.m. to 9:00 p.m. and on Saturdays and Sundays from 9:00 a.m. to 2:00 p.m. Skeet will remain on these days and 8:00 p.m. will be the latest that they shoot.' That is all that is in the minutes, but when it states 'after much discussion' he assumes that there was a lot of back and forth about what hours are really appropriate, do you really want to go until 9:00 p.m., etc. Clearly it was thoroughly discussed, that is the message he gets from the minutes. It was not something

that was just pulled out of the air. S. Weeks states that he spent some time in that area since we did the site visit and first of all, 2 or 3 times that he was up there there was not any noise at all and that was a little discouraging, but he went up there tonight and west of the club, he found the noise level to be pretty low. When he came back on the east side however, the one place where he could safely pull off was right along the power lines and you really do get some increase in noise on the power line. It is not quite an echo, but the noise level is significantly higher. When you talk about doing something berm wise, he thinks that would do a great deal. G. Moser reiterates he has reached out to Stewart's. S. Weeks asks if the club members have noticed the power line issue. G. Moser states that he does not usually go that way. S. Weeks suggests they check that out and that the berm approach would be a pretty good idea. B. Duffney asks if they were shooting shotgun or rifles tonight. S. Weeks states it was around 6:00/6:15. It is stated that it was shotgun – there might have been people on the 50 or the 200. B. Duffney questions that they shoot shotgun and rifle simultaneously. This is confirmed. S. Weeks states that at the site visit you recognized that when they are shooting the rifles they are under a roof. He thinks a berm would be very helpful. His bottom line comment would be, in terms of these hours, he knows that the Board was told that they are not going to be shooting many more hours but they want flexibility. Would there be any interest in saying 'x' of hours during the week? Do they track hours when someone is shooting? G. Moser states that they don't. There might be a day where there might be 2 or 3 people and they might shoot for an hour, then there might be that day on a Saturday where they are done by 1:00 and others it is 2:00. Statement is made that on a majority, they are done by noon.

The public hearing is reopened at 8:43 p.m. Lorraine Fiorino, Porter Corners Road, states that S. Weeks kind of made her point because she was at the meeting where there was 'much discussion'. Those hours were a caveat, a restriction that the neighbors won. She is not against the Rod & Gun Club, she is not against what they do, she is one of the neighbors who came after they were there, she understands she has to co-exist with them, but she does not want to see expansion of the hours. Someone mentioned in one of the letters that Zurlo had come to the SaraSpa Rod and Gun Club one evening. That evening there were cars lining Porter Road on both sides, so with all the land they purchased, none of it was used for the overflow parking. She does think that they need to be more aware sometimes of the neighbors. She does not want to hear any more shooting than she already hears. She is happy to co-exist with them as it is, but every time they talk about expansion or extended hours, she is going to be here. Sandra Arnold-Spaulling, Porter Corners Road, states she does not know if when it was tested if both ranges were shooting at the same time, but if they are all shooting at the same time, the noise would be louder. On the google map, on the west side of the club, and she lives on the north side, the before and after of where the trees were cut down, she did not see that on the north side and she knows there have been an awful lot of trees that have gone out. She is wondering if they filed a timber harvesting plan. The course is a very good course. It is offered all over the place, Greenfield is not the only one that offers it. There being no other public comments, this public hearing is closed at 8:45 p.m.

J. Bokus states that he is in favor of the Club being granted their request because he believes that they are sincere that it is mostly flexibility. The ability to have the programs that they want to have and not get closed out by weather conditions. They have 1100 members, he does not know if they have any idea of how many are active. He has friends who have not been in years, but they are members. There is a waiting list. G. Moser states that there is no waiting list presently. When the Safe Act went into effect, that is where the increase came with people wanting to get into clubs. He states that he was approached by officials asking the club to take on more members because they found that there were a lot of people shooting in places where they shouldn't be shooting. There was an interest in having people join clubs; they grew very slowly because they wanted to insure that they were not going to go beyond what they could manage. J. Bokus states that he thinks it is a very good facility. He grew up with guns, he still shoots a little bit and he has always owned property where he could go shoot and a lot of people don't have that, and he thinks it is important. Again, it comes down to strictly the shotgun being restricted. You still have quite the hours on the other ranges. R. Roeckle states that the hours that they have don't make sense but he would probably be uncomfortable making it 7 days a week full time, but 2 hours on Tuesday and Wednesday and then 5 hours

on Saturday and Sunday is still very restrictive as far as he can see especially when the other range is open 9:00 to 8:00, 7 days a week. S. Weeks asks if he has a specific suggestion. R. Roeckle states that the hours seem amazingly narrow. S. Weeks asks if then he would like to see something in between. R. Roeckle states something between full and that. J. Bokus states that if you had 'x' number of people looking to shoot shotgun, and they look at the hours, which are very limited, so they have to go at these limited hours, you could have non-stop firing for all those hours where if your hours are expanded, what people would hear would be spread out. T. Siragusa states that is not how it works. A representative states that everything is volunteer supervised, you have to be a range safety officer and they are working it so that you have to be a shotgun instructor to actually run the field, setting up the equipment, signing everyone in, etc. T. Siragusa states they are asking for flexibility because of weather, etc. M. Gyarmathy states that he appreciates all the things that the club has done, they bought land so that they won't be intrusive on others, they have agreed to post their property, and they are also investigating ways to increase the berms around the shotgun range. He thinks the hours are restrictive. If a rifle is so much louder than a shot gun, it really doesn't make sense to limit the shot gun shooting at all. He thinks it makes more sense to have these facilities open so that people can learn proper gun safety. He shares the concerns of the neighbors but he also sees that the club is willing to do what it takes to mitigate those concerns. He is not in favor of restricting those hours. T. Siragusa states that he totally gets the inflexibility. If it is only Tuesday and Wednesday and you get rained out on Wednesday, you have to wait until the next Tuesday, Saturday or Sunday. He would be more looking for does it have to be all 7 days or can it be something else. He sees that Saturday and Sunday goes just until 2:00 and that seems restrictive, could it go to 4:00 or 6:00, could we add an extra day instead of – he is just trying to find a way, something to maybe give the neighbors a night off that they can count on. B. Duffney states that rifle can shoot 7 days a week and rifles are a lot louder than shot guns. Rifles can go 7 days a week with the hours of 9:00 to 8:00. The range is supervised and if that person is not there no one can shoot. If you are going to restrict for the shot gun, why not restrict for everything. He would ask if there are bigger events with a lot of attendance, park the cars across the road, they have plenty of parking there. G. Moser explains that they had not anticipated the attendance at that event. B. Duffney states with the timber harvesting, when a logger goes on a property, it is up to the logger to go to the town and turn in a timber harvesting permit. He is in favor of expanding the hours for shot gun as much as the other hours. S. Weeks states that compromise is good, listening to neighbors is good, you must get along with your neighbors and he would agree with everyone here that the shot gun hours they currently have are very restrictive. He thinks they are restrictive way beyond where they need to be. On the other hand he hears neighbors saying that this noise at times can get pretty intense and he does not believe that they are making that up. Being parked by the power lines convinced him that there is significant noise which was from shot gun as far as he knows. He does think noise is an issue, he does think that the neighbors' concerns are real and he would really like to see the applicant recognize that by saying here is what we absolutely can live with that would expand the shotgun hours shy of saying anytime we shoot rifle we can shoot shot gun. He thinks that would be the best of all worlds for us, for the applicant to say they could live with a certain time period and that would acknowledge what the neighbors are saying – rifles and shotguns any time is a little more intense than they would like to have in this neighborhood and can't we do something shy of that. He states that in looking at the prior approval which states that there was a lot of discussion, he thinks that reflected folks saying can we get some relief from some of this noise some of the time. He states that seems to make sense to him, it seems to be a plus for everybody, we can't make everything an absolute win-win situation, but let's recognize that neighbors don't get upset over nothing and they have come to the Board asking to be listened to and give us a bit of a break. M. Gyarmathy asks if the applicant would be willing to take 2 days a week off the table. G. Moser states that he would have to discuss that with the Board, he is not authorized to make decisions for the entire club, but he would be willing to propose whatever the Planning Board would like or suggest. He is sure there is a compromise we can come to. J. Bokus states that it would be best for the applicant to come up with the hours. M. Gyarmathy states an example would be a Friday and a Monday, off – no shot gun, if they could come up with something like that. S. Weeks states that we can indeed continue this. G. Moser states that their next meeting is actually a week from tomorrow. They can get the Board members together and make a presentation to them. S. Weeks states that the applicant has heard the concerns and we need to have a

compromise here. He believes that everyone will be pleased and the applicant will have more flexibility. Discussion takes place that the public hearing can be reopened if necessary.

PRESTWICK CHASE – PUD AMENDMENT

Case#595, Denton Road

T. Yasenchak states that there is no one present representing the application and we have not received anything from them. R. Roeckle asks if they knew they would be on the agenda. T. Yasenchak states that at the last meeting we ended that we were coming back and making our determination tonight. She spoke with Mike Hill by phone out in the hallway and asked him about what we should do if the applicant is not here. If we had made it known that we were coming back at the next meeting to discuss the project, then it would be up to us to continue or if we felt that it was not appropriate, if the Board felt more comfortable waiting until the next meeting and contacting the applicant and reminding them that we are discussing this project, we may do that as well. She reads from the end of the minutes of September 12, 2017, stating that **'we will come to the next meeting and take our chances. Discussion takes place as to who has which copy of the draft. The Board will be providing their final recommendation and we feel that we need to have our attorney make some revisions and we need to review those. We will be providing that document at our next meeting. Unfortunately it was 11:20 when the Chair attempted to contact the attorney.'** M. Gyarmathy states that he would feel more comfortable if the applicant were present when we go through this process. Board agrees. T. Yasenchak states that since we had stated that we were not going to reopen SEQRA and have since been advised by the Town Attorney that we should review it, she does not think it would be fair to open that discussion without the applicant here. They may have left thinking that we were just going to provide that documentation. R. Roeckle asks if we can have the attorney draft a letter to the applicant stating that based on legal advice we have been told we need to reopen SEQRA and request their presence at the meeting on October 31st unless we want to do it on the October 10th meeting, with a copy to the Town Board. T. Yasenchak states that she thinks we should do it at the next meeting just so that they don't feel that we are dragging and she understands that they did ask to be on the Town Board agenda meeting. This would give us an opportunity to have our meeting before the Town Board. T. Yasenchak reiterates for the record that there is no applicant or representative present to represent this project and because of that there is a unanimous consensus that the Board would feel more comfortable having the applicant here as we proceed with the review. S. Weeks states that maybe we should consider having our Town Attorney at the next meeting, he was here with us through the whole previous PUD amendment. T. Yasenchak states that he is not local, he cannot be here. They would send another representative from the firm. We could ask for that. B. Duffney suggests maybe Mark Schachner. T. Yasenchak states we will ask for that for the next meeting.

Meeting adjourned, 9:11 p.m. All members in favor.

Respectfully submitted,

Kimberly McMahan

Rosamaria Rowland