

TOWN OF GREENFIELD
PLANNING BOARD

January 28, 2025

REGULAR MEETING

A regular meeting of the Town of Greenfield Planning Board is called to order by Robert Roeckle Vice-Chair at 7:00 p.m. On roll call the following members are present. Charlie Dake, Butch Duffney, Steve Licciardi, Beth Podhajecki, Joe Sabanos, Robert Roeckle, and Clyde Ronk, alternate. T. Yasenchak is absent. Justin Reckner, Zoning Administrator/Code Enforcement Officer is present. Clyde Ronk has full voting privileges for the entirety of the meeting.

Minutes

Minutes to be reviewed at the next meeting.

Old Business

Peyser, C. Case # 741
TM# 138.-2-29

Minor Subdivision
137 Wilton Road

Paul Davis and Cathy Peyser are present. P. Davis states that the Board wanted to see the driveways on the plan for the future if they are needed. C. Dake states the reason he wanted to show the interim work without the shared driveway. He states that he sees that there is going to be an easement for the driveway. He asks if the Board has the easement, because he did not see it. P. Davis states that we have talked to the attorney about that just have not got it. C. Dake states that they are going to put the easement for the stand-alone driveway. P. Davis states correct. C. Dake states that he is fine with this.

MOTION: C. Dake

SECOND: B. Duffney

RESOLVED, that the Planning Board hereby grants approval for a Minor Subdivision for Paul Suchow, located at 130 Wilton Road, TM# 138.-2-29 contingent upon:

- SWPPP and Engineering comments needed to be addressed by C. Baker prior to plans being submitted for signing.
- Receiving a copy of easement for the stand-alone driveway

VOTES:

Ayes: C. Dake, B. Duffney, S. Licciardi, B. Podhajecki, J. Sabanos, R. Roeckle, and C. Ronk

Noes: None

Absent: Tonya Yasenchak

Abstain: None

Cartier, C. Case #730
TM# 150.-3-25.40, 150.-3-99, 163.-2-22, & 163.-2-22.2

Major Subdivision
1 Sand Hill Road

Cohen Cartier, Melissa Cartier, Justin Grassi, and Aaron Vera are present. J. Grassi states that they have a sight distance conundrum. They have received 7 driveway permits for the lots on Sand Hill Road. They have not received the driveway permits for the other 3 lots yet. They are not getting the sight distance from AASSHTO Standard, but DOT Standards. Their goal is to develop lots that are more attractive. R. Roeckle states that he wants to verify that the original subdivision from 40 years ago had how many lots? A. Vera states 18. R. Roeckle states they are proposing 8. One is existing. 3 lots are in limbo on the cul-de-sac. R. Roeckle asks if they have driveway permits for the 7 lots that are on Sand Hill Road. A. Vera states yes. The lots that they applied for in the cul-de-sac were not denied just held up in limbo. R. Roeckle asks on the original subdivision map there was a specific note on the plan states that those lots are lots to use Beaver Run. A. Vera states correct. R. Roeckle states that on the original subdivision lots were meant to come out on Beaver Run. A. Vera states correct and he believes that they are lots 5, 6, and 7. R. Roeckle states that the Board received a letter from C. Baker, Town Engineer, and asks they applicant received it. A. Vera states yes. B. Duffney asks the way that they have the lot divided is how they want it to be. A. Vera states that the orange overlay are the driveways, and the gray overlay is the new driveways. Lots 5 and 6 they have not received driveway permits. They did for lot 4, 3, 2, along with the lots further up the road. B. Duffney states that the orange overlay are the driveways that they received driveway permits for. A. Vera states correct. B. Duffney asks if they have a driveway permit for lot 3. A. Vera states that they have a driveway permit for lot 3, but it has less sight distance than the driveway they are proposing. They proposed if they could get the driveways permitted they would come back to the Board they would like the Board to consider their original proposal for the subdivision. R. Roeckle asks if the proposal with the driveways proposed on the 8 lots how does the sight distance appear on the map as opposed to the exiting sight distance. A. Vera states that he knew that the Board would ask for that information and he obtained the information after he submitted the information. The driveway that they have approval for that has the worst site distance is the one that corresponds to lot 4. The sight distance for lots 5 and 6 are less than an approved driveway that they received approval on. He believes that difference is 50'. The approved driveway has 280'. B. Duffney asks how many driveway permits have they received. A. Vera states 7 lots with 7 driveway permits. C. Dake states that now that it is on paper and you can see that it is an improvement on what they can already do. Their plan would make it better than they already have. B. Duffney states the way he is looking at it everyone knows his feeling on safety. If someone is giving driveway permits it's on him. How can he say that they can't do it? R. Roeckle states that you are on the Planning Board you can. B. Duffney states that he is not going to. Someone else is permitting these driveways. He will have a clean conscious knowing that he did not approve the driveway permits. C. Ronk asks if Town Counsel has reviewed this. J. Grassi states that Town Counsel was cc'd on the email from C. Baker. B. Podhajecki agrees and feels that Town Counsel should review this, and C. Baker mentions the wetlands. A. Vera states that they did the wetland delineation and NYS DEC said that there are no impacts proposed. They will need to file an Article 24 Permit with DEC. B. Podhajecki asks why are there no homes proposed for a couple of lots. A. Vera states the wetland disturbances are significant. J. Sabanos asks when was the delineation done. A.

Vera states last year. They had North Country Ecological Services go out there and a local surveyor go out. J. Sabanos states that he is under the impression what is going to be there is going to be there. It is whether they could make it better and feels they have. R. Roeckle states that they are requesting lot line adjustments from what was originally approved. He asks what does the Planning Board want to do, they want to allow 8 driveways instead of 7. S. Licciardi asks procedurally how can one department issue driveway permits when there has not been a decision from a Board. A. Vera states because they are existing lots. That subdivision was filed with the county 30-40 years ago. Because the lots exist and are taxable and the addresses are on Sand Hill Road. S. Licciardi asks aren't we reviewing this as a new subdivision. R. Roeckle states the Board has not moved past sketch plan. The driveway permits are not for the new lots they are for the existing lots. C. Dake states that he does not think he cannot issue them. R. Roeckle states that the 3 lots that were coming out on Beaver Run are still not issued. S. Licciardi states that the sight distances are such a big component to this subdivision. He would like to see this work he is not opposed. C. Dake states that he wants to make it clear that he is not approving one lot. What he is saying is they have something in front of them and he asks the Board if this is better than what the original subdivision is. He feels that it is head and shoulders better. Having this in place is a definite improvement. Otherwise the applicant can do what they want with the property. It is not what the Board would approve with one giant lot and this isn't one lot. R. Roeckle asks if C. Dake is saying that the new proposed driveways appear to be in better locations. The existing lots that have poor sight distance are there. C. Dake states given the driveways and the plan as a whole appears to be better. B. Duffney asks how many driveways come out on Sand Hill Road. A. Vera states they received 7 driveway permits for the original subdivision 3 lots they have not yet received driveway permits for the lots that come out on Beaver Run. J. Grassi states that the Beaver Run access to Sand Hill Road would not meet ASSHTO Standards sight distance. A. Vera states that is correct. He states that 119 Sand Hill Road is the smallest lot he believes it is a half of an acre. That is within the buffer area and they would not disturb any wetlands, but they would have to apply for an Article Permit from DEC. B. Duffney states that you are not changing anything from the original subdivision. A. Vera states they are proposing 8 driveways coming out on Sand Hill Road. The other benefit is that they encapsulate all the land into 8 lots. B. Duffney asks if they are not planning on building on lot and the lot to the left. A. Vera states no. R. Roeckle states that they have 7 driveway permits and are proposing 8 lots. J. Reckner states the Highway Superintendent is required to give driveway permits he was not able to give them. Technically those lots are buildable and those 7 lots can move forward providing that they get DEC Permits/approval. R. Roeckle states they have 8 proposed lots. They have 7 driveway permits. Technically 7 houses could be built if they meet all DEC requirements. B. Duffney asks if there is a class the Board can attend next week at the County Planning and Zoning Conference. R. Roeckle states no the Board spoke to the Town Counsel and the Town Engineer. B. Duffney states that ASSHTO Standards have been brought up and if we could know the difference between ASSHTO Standards and DOT Standards. If he heard from a professional would help him. R. Roeckle states that the Town has used ASSHTO Standards for driveway locations for over 20 years. B. Duffney states that he knows. R. Roeckle states that is the question the Board has whether or not to move forward with this subdivision. Does the Board hold the applicant to ASSHTO Standards that the Board has used for the last 20 years or because of the fact that there is an existing subdivision on this property where they can build 7 houses that may not meet ASSHTO Standards? R. Roeckle states that 3 lots did not receive driveway permits. He would like to see the sight distance on the map. A. Vera states 280' is the smallest sight distance proposed. Using DOT guidance, it is 205' which is compliant for DOT Standards. J. Sabanos states that he does not want to make the sight distance worse. He feels that the site plan is appropriate for the use. He does not want to be in a predicament where the Board is stuck. B. Duffney asks if they have marked out the driveways so that they can be seen from the

road. A. Vera states no if you drive by you may see some flags as they are wetland flagging. B. Duffney states maybe just a flag or something. He is not one to make people spend money. M. Cartier states that Paul Pilekas built a home a couple of years ago across the street from this project. B. Duffney states that the Town Engineer recommended that Town Counsel review this. R. Roeckle states that he would like to refer it to Town Counsel to make sure they are on solid ground if the Board chooses to deviate from ASSHTO Standards requirements. C. Dake states that he feels it does not set a precedent. B. Duffney states that the permitted driveways are close to what is already there. On a whole it makes things better. However, he does not want to compromise safety. He feels in the grand scheme of things it is better. R. Roeckle states that deviating from ASSHTO Standards Town Counsel will let the Board know if it could be approved. This is a unique situation. C. Dake states that sketch plan review can move forward to preliminary review. B. Duffney asks if Town Counsel review this. R. Roeckle states that the Board can ask Town Counsel to review this project. B. Duffney would like the Town Counsel to review this. R. Roeckle states that Town Counsel will let them know if the Board this is defensible in court if there is litigation in court. B. Duffney states that at least it gives the applicant moving forward. J. Grassi states that they recognized the Board is cautionary. R. Roeckle states that Town Counsel will let the Board know if they are in a defensible position if there is litigation regarding this. R. Roeckle states the Board will be referring this to Town Counsel and would like to know the sight distance for the lots verses the sight distance should be on the map. They have an 18-lot subdivision merging to 8-lots for ASSHTO Standards or a Lot Line Adjustment.

MOTION: C. Dake

SECOND: B. Duffney

The Planning Board will refer this project to Town Counsel.

VOTES:

Ayes: C. Dake, B. Duffney, S. Licciardi, B. Podhajecki, J. Sabanos, R. Roeckle, and C. Ronk

Noes: None

Absent: Tonya Yasenchak

Abstain: None

Vera asks about scheduling a public hearing. R. Roeckle states he would prefer to hold off on a public hearing until the submission is complete and they hear back from Town Counsel.

Advisory Opinion

Conant, E. Case 750
TM# 139.-1-35.1 & 35.2

Advisory Opinion
163 & 175 Wilton Road

Elizabeth Conant and Alisa Dalton are present. R. Roeckle states this is an Advisory Opinion to the ZBA. A. Dalton states that she has read the ZBA minutes and sees that they have this for an Area Variance she is not sure what an area variance would do because the lot is not substandard. R. Roeckle states that lot 1 is for frontage at the road. A. Dalton states that she hopes they have the same map as her, lot 1 has frontage to the north. R. Roeckle states that there is 417'. A. Dalton states that there is wetlands to the north. The prior maps didn't have this configuration. Lot 1 will have 6 acres lot 2 will have 6 acres and 1 house on it. Each parcel will have its own home. There is already an easement to the house in the back. It would

result in having each lot with a house on it. They are adding a driveway to lot 1. She feels that this does not need any variances. R. Roeckle states that there is only 46' from the property line (on what will be the foundation parcel) to the property line. He asks what are they considering the Studio? Previously there was a house on it. He believes this was done before zoning. This may have been a pre-existing non-conforming use at the time. A. Dalton states the Studio is a house. J. Reckner states what is what ever the last use was is what it would be. B. Duffney asks if there is a bathroom in the Studio. E. Conant states that there are 2 bathrooms, kitchen, bedroom, and a large living room. R. Roeckle states the original parcel with the Studio is 4.97 acres and the new lot will be 6 acres. Lot 1 needs side yard variance they have 47.1' and need 50'. The existing house in the back has 46.4' and 42.7'' and they need 50'. The well at the Studio is 10' from the property line. The well seems too close and with the Health regulations he is not sure that meets the setbacks or even if there are setbacks for a well to require setbacks. This is coming back to the Planning Board for the subdivision the Board will need to see sight distance. They will have a shared driveway. B. Duffney states that he does not have an issue with the shared driveway. C. Dake states that there could be 2 driveways it is a pre-existing non-conforming lot. R. Roeckle this has had a shared driveway for 39 years. C. Dake states that there is a shared driveway and an easement. He is more comfortable seeing the 2 driveways. This will be coming back to the Board for a subdivision and a lot line adjustment this will become 3 lots with 3 separate houses. A. Dalton states that they can do a keyhole lot. R. Roeckle asks if they are keeping the existing driveways. Lot 2 will need a side yard variance. B. Duffney states if they do a keyhole lot for lot it can be subdivided at some point. The Board's Advisory Opinion for the ZBA

- 1 Variance needed 47.1' for lot 1 needing 2.9'
- 2 Variances needed 46.4' and 42.7' needing 3.6' and 7.3' for the Studio
- The distance between what the new lot line is going to be to the Studio

J. Reckner states that he will check to see if there is a setback needed to a well. A. Dalton asks if they need revised maps for the ZBA. R. Roeckle states no.

Meeting adjourned at 8:10 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
 Planning Board
 Executive Secretary