

**TOWN OF GREENFIELD**

**PLANNING BOARD**

**JANUARY 29, 2008**

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Planning Board is called to order by Gary Dake at 7:00 p.m. On roll call, the following members are present: Gary Dake, Lorna Dupouy, Thomas Siragusa, John Streit, Michael Thrailkill, Tonya Yasenchak and Michael Ginley, Alternate. Gerry McKenna, Zoning Administrator is present. Charlie Baker, Town Engineer, is absent.

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**JANUARY 8, 2008 MINUTES**

MOTION: T. Yasenchak

SECOND: T. Siragusa

RESOLVED, that the Planning Board waives the reading of and accepts the minutes of January 8, 2008 as submitted.

VOTE: Ayes: Dake, Dupouy, Ginley, Siragusa, Streit, Thrailkill, Yasenchak

Noes: None

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**SALVATORE LOMONACO - SPECIAL USE PERMIT/SITE PLAN REVIEW**

Porter Corners Road

Salvatore Lomonaco is present and is applying under Section 105-22-C-3. A public hearing is opened at 7:01 p.m. S. Lomonaco explains that he does welding and fabrication on all types of vehicles and machinery at this property on Porter Corners Road. There being no public comments, this public hearing is closed at 7:02 p.m.

T. Yasenchak states that we had discussed at the last meeting that this is not visible from the road, the applicant has no fuel storage, and he has been there for quite a while. G. McKenna states that he has no issues.

**RESOLUTION – Salvatore Lomonaco, Special Use Permit/Site Plan Review**

MOTION: M. Thrailkill

SECOND: T. Yasenchak

RESOLVED, that the Planning Board grants a Permanent Special Use Permit/Site Plan Review to Salvatore Lomonaco under Section 105-22-C-3 for property located at 115 Porter Corners Road, TM#125.-1-51, contingent upon:

- **The continuation of the hours of operation not expanding beyond 8:00 a.m. to 5:00 p.m.**
- **Continuing to keep the operation not visible from the road**

VOTE: Ayes: Dake, Dupouy, Ginley, Siragusa, Streit, Thrailkill, Yasenchak

Noes: None

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**DAWN & DANIEL RODECKER – SITE PLAN REVIEW**

Middle Grove Road

Dawn and Daniel Rodecker are present. Dawn Rodecker states that they are looking to purchase the house at 194 Middle Grove Road and they would like to be able to have small non-domestic animals, specifically goats. They have a couple children who are interested in having animals, they are outgrowing their current house and they like this house. She states that they also have an application in for an area variance. J. Streit states that he and T. Siragusa would consider goats to be domestic animals. G. McKenna explains that this is in the MDR1 and a site plan review is required for an agricultural use with 5 acres and 175 feet of frontage. This parcel has 4.62 with 200+ feet of road frontage. Daniel Rodecker states that they currently have a detached carport that they would use for the goats. G. Dake refers to the two letters in the file in support of the application – one from Jeff and Gaetana Reville and one from Krista and Christopher Reville. J. Streit states that he has read the proposal and sees no possible objections. L. Dupouy states that she thinks this is wonderful and it is what we want here. It's great for the kids. M. Thraikill asks how many goats they are planning to have. Dawn Rodecker states probably 10 to 15. She provides photos to the Board of the carport and states that they would close in the two open sides. They would probably have Lamanchas or Nubians. She had goats growing up. T. Yasenchak questions what else we would need to require for the site plan review. She states that it is good that a direct neighbor is in favor of the application. Dawn Rodecker states that there is another neighbor who has goats and she will come to the public hearing. T. Yasenchak questions that they will be raising the goats to sell. Daniel Rodecker states no, that the kids may take them to 4H or something like that. M. Ginley asks if the applicant has a contract pending on this property and if it is contingent on these approvals. The applicant concurs. T. Yasenchak questions where manure would be kept. Dawn Rodecker explains that goats do not produce a great deal of manure and that they will either remove it or find a location to the rear of the property. M. Ginley asks if they will be using the goats for milk. Dawn Rodecker states that they will. She drank goat's milk as a child and it is very healthy. Public hearing is discussed. The ZBA will have to have a public hearing but that will deal specifically with the area variance. M. Thraikill asks if the letter received is from the neighbor on the house side or the carport side. Dawn Rodecker states the house side. G. Dake states that he agrees with L. Dupouy's comments that this is exactly what we want in the Town of Greenfield, it sounds like a great project, it sounds like the Board is happy with this and he does not anticipate any problems. A public hearing is set for March 11<sup>th</sup> at 7:00 p.m.

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**EILEEN LEARY-KELLY – Special Use Permit**

Bockes Road

Dr. Eileen Leary-Kelly is present and states that she has had a private psychotherapy practice in Town for 20 years. She is an expert in trauma and loss. She would like to move her practice to Bockes Road, which has 13 acres, and allow her to have a private stable so that she can have therapeutic animals. She states that it has been statistically shown that with trauma victims, if they build a relationship with an animal that that helps them to re-establish trust with people. They plan to have maybe 3 or 4 horses, a small donkey and maybe some alpaca eventually. G. McKenna states that there are a couple of things going on here. One would be a Type 2 Home Occupation with a special use permit and the other would be Special Use/Site Plan Review for either an agricultural use or large stable. The applicant can make a choice, but large stable would give more flexibility than the small stable. They both require 5 acres with 250' of frontage and this is 13 acres with 250.94 frontage. G. McKenna states that the only issue he would have is that there are a lot of floodplain and wetlands on this parcel. Under Home Occupation and with the size of the house, the applicant could only have an office of approximately 561 square feet. Dr. Leary-Kelly states that because there is a lot of land she would like to build a small building adjacent to the house that would be a separate office. Initially she would practice from the house. She only sees about 30 patients a week because she also teaches college. G. McKenna states that it would still be limited to that 561 square feet which is about the size of a two car garage. M. Thraikill states that he has no questions, it seems like the

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applicant has been in business for years and the animals make sense. L. Dupouy states that she knows a little bit about this kind of trauma therapy with animals and humans having just served on a National Veteran's committee and she thinks this area is perfect for it. Dr. Leary-Kelly states that she has not worked specifically with veterans in this area but she does consulting for the Department of Justice and for the Department of Home Land Security. M. Ginley asks if the Fresca's live there. Dr. Leary-Kelly states that they do but they are moving. She would be buying the house contingent upon getting the special use permit. M. Ginley states that he has no problem with this. Dr. Leary-Kelly states that their offer has been accepted and they are just waiting for this piece to be able to close. T. Siragusa questions that the applicant sees 30 patients per week. Dr. Leary-Kelly confirms this. She has off-street parking certainly adequate enough to handle a person coming and going so it will not impact on the traffic. She, her husband and her secretary have cars and then one patient per hour. She states that she also teaches college so her patients are scheduled around that teaching schedule. She sees the bulk of her patients Friday during the day and Saturday morning. The office is open from 8:00 – 4:00 but she also sees patients in the evening a couple of nights per week to accommodate working people. T. Yasenachak asks if there is a barn. Dr. Leary-Kelly states that there is not. Her plan would be to erect the little office building first that would be handicap accessible, and then the next would be to get the barn. T. Yasenachak asks about a proposed location for the barn. Dr. Leary-Kelly states that they have not been able to see the land without the snow so she needs to wait until the spring to do that. She states that she is only looking for the approval to move her practice and conduct business there. G. Dake states that the initial step, if he understands the applicant, is going to be to move to the property and start seeing patients in the house as it currently exists. The second step is to build the second building which would become the office, and the third would be to add horses and a barn. Dr. Leary-Kelly concurs. G. Dake states that it might be easier to go back, grant the Home Occupation and then come back for the agricultural use later. He states that as the applicant has identified in their application that this property is adjacent to a protected stream and while it is a long piece of property and he is sure there won't be an impact, but we have to show on a site plan where things will be located. Rather than hold up the first half of the move, it might be easier to break this into two components. Dr. Leary-Kelly states that she can't imagine even thinking about horses until the fall and she has to get her patients re-acclimated to a new place. T. Yasenachak states that she thinks what the applicant is proposing is great, we have to balance that with what the Town regulations are. Dr. Leary-Kelly states that will work well. G. Dake asks about a sign. Dr. Leary-Kelly states that she would like to move the existing sign. G. Dake asks if there have ever been any complaints regarding the business at the current location. G. McKenna states there have not. G. Dake states that he thinks this would be a nice, low impact operation, especially if we start out small with doing this as a Type 2 Home Occupation allowing us to phase into the larger pieces. A public hearing is set for February 12, 2008 at 7:30 p.m. T. Siragusa states that he has been to this house and there is plenty of room for parking.

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**WILLOW POND PROPERTIES LLC – Special Use Permit/Site Plan Review**  
Grange Road

Donna Shorkey, Willow Pond Properties, is present and states that they have a contract to purchase the property at 105 Grange Road, Dr. Leary-Kelly's current property. She states that she has a tenant lined up to live in the upstairs which is the first floor of a one-story building and there is a walk-out basement which is currently being used for the psychotherapy practice right now. The applicant wants to gut it and turn it into medical offices. The doctor would be the tenant. The applicant also has a variance application before the ZBA for lot size. G. McKenna states that even though there has been a medical office there, it was never completely legal, because you cannot have living area over an office in that zone. Home occupations are not allowed in that zone. G. McKenna states that the applicant would have to get a use variance. He states that he did not realize until looking at this today that they intended to have living space upstairs. He states that the Town Center District does not allow for this. Discussion takes place regarding the definition of mixed use and the requirements for primary and secondary uses. G. Dake states that in town center you would want to have mixed use and that in the City of Saratoga it is a requirement at this point in

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time. G. McKenna states that he has no concerns and would love to see it happen, but questions how it fits into the code. T. Yasenchak reads from the definition and that the principle use is the use which is primary and dominate to the lot. She thinks the primary and secondary uses would be determined by which use has the most impact on the property. G. Dake states that the parking required would determine that the medical office would be the primary use. D. Shorkey explains that both levels are the same square footage and that some of the upstairs would also be used as storage, and they would also need to install a generator. G. Dake states that he believes this is the type of thing that was intended for a mixed use structure. G. McKenna reiterates that he has no problem with the use. He questions if the tenant remains living there and the office space gets leased to someone else, maybe a law firm, now is it still secondary and primary. J. Streit states that it is similar to what has been going on there for some time and this would be a good way to legitimize it. G. Dake states that it is significantly different as the psychotherapy practice only sees one patient at a time with only one part time staff member. What this applicant is proposing is a full-fledged doctor's office that would have significantly more parking and traffic. G. Dake states that he believes we are going to have to take a look at stormwater. J. Streit asks if the applicant is discussing any different structures or alterations on the existing property. D. Shorkey states only the renovation of the existing ground floor, nothing outside. G. Dake states that the parking requirement is probably greater as a mixed use building. Parking is discussed and they would need 8 parking spaces for the office and 2 for the residence. The site map indicates residence parking on one side and 9 spaces for the office. Paving and stormwater management are discussed. Board members will make a site visit on February 2<sup>nd</sup> at 10:00 to take a look at the site and sight distance. L. Dupouy states that she was driving past there the other day and purposely looked at the distance from the top of the hill to the entrance, it is lower from the top of the hill than what you think. G. Dake asks for verification that the potential tenant would be Dr. Peacock and if the applicant could ask her to give an estimate of traffic volume based on her current business. T. Yasenchak states that we will have to wait to hear from C. Baker if he has any comments or concerns regarding septic, stormwater, etc. D. Shorkey states that the septic does need to be expanded and updated, and they are working on the requirements for that with the architect/engineer. T. Yasenchak suggests the applicant go through the requirements for site plan review. T. Siragusa asks if there is a separate entrance for the residence. D. Shorkey confirms that there is. M. Ginley asks if the parking is currently paved. D. Shorkey states that it is partially. M. Ginley states that he would like to see Dr. Peacock stay in Town. L. Dupouy states that, for disclosure, D. Shorkey is her accountant, but does not feel that influences what we are discussing here. She states that she hopes that we can find a way to do this so that we can keep Dr. Peacock in town. She states that she thought it was a great coup when we got her and her business here. She thinks that this is an important element to having a thriving community and whatever we can do to further that, she thinks it is important for the Board to do so. G. Dake states that while this is not as simple as it looks. There are going to be engineering issues. He states that all of us would like to see Dr. Peacock stay in Town, the problem is that the engineering is still the engineering. He states that sight distance is important and that the Board has denied projects on this issue before. He believes that it is unlikely to be wrapped up by the end of March, maybe April, but with a lot of hard work that does not mean that it cannot be done. G. Dake states that we are a little handicapped by the fact that the Town Engineer is not present this evening. We will check to see if he will be at the next meeting and if he cannot be here, we will get someone else from his office to be here. C. Baker recently had surgery. G. Dake states that the applicant is probably going to have to engage the services of an engineer on top of an architect. He reiterates that the Board is friendly to the project, but that doesn't mean that we can ignore the rules. A public hearing is set for February 12, 2008 at 7:30 p.m. M. Thraikill encourages the applicant to try to work with an engineer who has worked with the Board before.

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### **SARATOGA POLO – Site Plan Review**

G. Dake states that as it is still unclear whether his company will be in negotiations over some of the infrastructure on this project, he recuses himself. L. Nagle states that they are here to give an update. She states that at the last meeting they presented a revised site plan drawing and C. Baker had stated that he had not seen any engineering. L. Nagle states that she did speak with Jim Mitchell and she was hoping that he

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would be here as well. They have done the finer details on their work as far as engineering –revised the grading plan, the center road layout, the parking layout internally and from that they had the engineers do a revised stormwater plan. They have made a water application to the DEC. They are looking to build stage one – the event hall, the lodge, one of the pods and one of the carports. They got the go ahead from the DOH to submit an application for stage one because they have proven that they have enough water for those uses. That application was made to DEC. The stormwater was revised and submitted to EDP last week and she spoke with J. Mitchell who was reviewing it and formulating his questions. L. Nagle states that they have finished addressing all the Saratoga County Sewer District comments regarding the pump station and they had to realign the sanitary lines on the site with the stormwater revisions. They were thinking of doing all subterranean stormwater as it is a large site, but it isn't by the time you add all these things. Land becomes valuable in terms of parking and for Polo because they need the area at the end of the field for the run-off for the horses. They investigated and pursued the idea of doing an underground stormwater detention basin and it has worked out from an engineering perspective. They continue to meet with Putnam Brook Transportation Corporation and it is going along well. They are in the final negotiations of money. They have yet to meet with W. Barss, the Planning Board chair or vice-chair, and C. Baker. T. Yasenchak states that the last time the applicant was before the Board they were discussing the option of the contingencies and we want to be able to protect the interest of the Town as well as see businesses continue. We would like to be prepared, would like to see plans come in before hand so that the Planning Board can really think about it and what the individual thoughts are about those contingencies. L. Nagle states that although they have site plan approval, they want to make sure that the stormwater systems work, etc. They are preparing the construction level detail documents right now. She would say that over the next month or so they would work with EDP and make sure that the engineering is good from their perspective, the Saratoga County Sewer District as well. Had they not changed the site plan, she thinks they would have been done with the Sewer District comments. Now they have to go back for some of their on-site comments. She would expect that that maybe at the last meeting in February or first meeting in March we could revisit the idea of the contingencies. Then the Board might be more comfortable in terms of the engineering. It is still the owners thought to break ground when winter allows. Perhaps with the road there might be the idea of bonding so that the money and then the other things are sort of process oriented. T. Yasenchak states that some of these contingencies are related to different departments – Saratoga County Sewer, etc. L. Nagle mentioned at the last meeting that the applicant wanted the Board to think about possibly waiting on the bond for another time and allowing for building permits. L. Nagle states that they still have to have a meeting on the road and come to an agreement on pricing. The work cannot be done until June because of groundwater. M. Ginley asks for an explanation on the water situation and that Polo has made application to DEC for the amount of well water that they have for phase 1. He asks what is going on with the county line. G. Dake states that he has had been trading voice mails with Jack Lawler, the head of the county water authority, and it has been very on again/off again. G. Dake wants to get directly from J. Lawler what the probability is at this point, because talking to him back in November or December, he was actually fairly pessimistic about the line actually even getting completed much less completed this year. If the applicant is moving forward, and they contemplated this from the beginning, they would start with well water and then as they reach further expansion, connect to the county line. There is no guarantee at this point that there will ever be county water available and if he understands correctly from multiple conversations with multiple entities, there would have to be a Town water authority or some other mechanism established to allow the sale. M. Ginley asks L. Nagle if they are optimistic that if the county line does not come through, that they will be able to find water. L. Nagle states that they have found water. The first stage is a good portion of the project. M. Thrailkill asks how the pre-selling is going in Florida. L. Nagle states that it is going ok, they have gotten rained out 2 weekends, but they actually built a model unit inside a tent. L. Nagle asks how many copies of plans the Board would like – engineering drawings, grading plans, water layouts, sanitary layout, stormwater layout, etc. T. Yasenchak suggests one full set for the file copy, one set for C. Baker and copies of the revised site plan for the Board members. T. Yasenchak asks when the applicant might be coming back. L. Nagle asks if Jim Mitchell is filling in for C. Baker right now, and if they can get comments from him on the stormwater submission. She states that if they can get comments on that they would like to come back in February.

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## DISCUSSION

G. Dake states that he spoke with Mike Chandler from the Greenfield Fire District and did set up a ½ hour presentation that will take place at 7:00 at the February 12, 2008 meeting. The official meeting will start at 7:30 p.m. We do not know if it is going to count towards official training or not. The Fire District has some concerns such as driveway lengths and narrow entrances; concerns about the Lake Desolation area; etc.

G. Dake states that since Dan Cochran has been elected to the Town Board, the Planning Board has a vacancy. He states that we have 10 applicants including Mike Ginley, that he is aware of – Jim Older, Al Janik, Mike Gyarmathy, Kurt Kolakowski, Richard Gardiner, Nathan Duffney, Dan Mock, Stan Weeks and Phil Gargan. He states that the Town Board is struggling with how they want to handle all the interviews and G. Dake states that is a nice problem to have, because there have been times when there are no applicants. He thinks it is great that there is this much interest. There has been discussion, and one of the things he has tried to strive for is to get a geographic proportional representation. There has been discussion about whether we have a set of too much upper middle class professional people and should we have a mix of long term residents, blue collar residents – also an important consideration because of the diversity of the Board. G. Dake states that he has expressed in the past that he craves a diverse Board as that makes for good discussion and better decisions. G. Dake asks the Board to think about what criteria they think are important, questions the Board would like to see asked of these folks, anything process wise that he might relay to the Town Board when he meets with them next Thursday about the process of selecting the new Board member. Perhaps things we should be concerned about that we might be missing on this Board. He thinks that having an engineer is helpful and having an attorney has proven to be helpful. T. Yasenchak states it should be someone who is willing to help the community and a willingness to learn. She states that she trusts the Town Board to make an informed decision. J. Streit suggests whether they are happy or unhappy with the way the Town is developing and whether they would like to see a change and what that would be. G. Dake states that those are the types of questions he and the Town Board have normally asked. M. Ginley states that someone who just moved to Town should not necessarily be excluded. L. Dupouy states that it shows a great deal of dedication when you have someone who volunteers over and over and over again, but sometimes if those people are selected, all you get is the same thing over again. She states that you can be surprised if you pick the candidate who is different than what you would expect, you can get a greater variety that way. When the process comes, don't shut the door because it wouldn't be your first choice. G. Dake states that his recommendation will be that if Al Janik were to be appointed, given the fact that he does have years of experience on the Planning Board, and he has discussed this with M. Ginley, he would recommend that M. Ginley remain as the alternate. That is similar to what we did when D. Cochran rejoined the Planning Board. He states that in any other case his recommendation would be to promote M. Ginley and he has expressed to Town Board members that he does not think that it should be automatic that the alternate be moved up, because an alternate is a nice way to try out a Board member.

G. Dake states that the Town Hall will be closed on February 12, 2008, but we will have our Planning Board meeting.

T. Yasenchak states that she has received her P.E.

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Meeting adjourned 8:23 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland  
Secretary