

TOWN OF GREENFIELD

PLANNING BOARD

February 28, 2006

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, Deane Pfeil, Thomas Siragusa, Michael Thrailkill, Tonya Yasenchak, Mark Young and Melissa Vacula, Alternate. Charlie Baker, Town Engineer, is present. Lorna Dupouy and Gerry McKenna, Zoning Administrator, are absent.

JANUARY 31, MINUTES

MOTION: M. Young

SECOND: D. Pfeil

RESOLVED, that the Planning Board waives the reading of and accepts the minutes of January 31, 2006 as submitted

VOTE: Ayes: Dake, Pfeil, Siragusa, Thrailkill, Young, Vacula

Noes: None

Absent: Dupouy

Abstain: Yasenchak

PLANNING BOARD CASES

ANDREA MANN – Site Plan Review

Mann Wireless, Middle Grove Road

Andrea Mann is present. T. Siragusa recuses himself. G. Dake explains that this is a re-approval on a project that has in no way changed from the time that it was approved, it has simply elapsed.

RESOLUTION – Andrea Mann, Site Plan Review

MOTION: M. Thrailkill

SECOND: D. Pfeil

RESOLVED, that the Planning Board reapproves the Site Plan Review of Andrea Mann, Mann Wireless, for property located at 437 Middle Grove Road, TM#162.12-1-17.

VOTE: Ayes: Dake, Pfeil, Thrailkill, Yasenchak, Young, Vacula

Noes: None

Absent: Dupouy

Abstain: Siragusa

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GEORGE VANDER PLOEG – Minor Subdivision
Wilton Road

G. Vander Ploeg is present and explains that he would like to subdivide a 4.034-acre lot in an R1 zone into two lots of 2.5 and 1.5 acres. G. Dake questions the location of the mobile home that crosses the property line on the opposite side of this lot. G. Vander Ploeg explains that his father owned all of this property and he believes when it was subdivided the surveyor just put the line there because of the lay of the land. He states that the mobile home has been there since 1973 and is to be removed in a couple of years. His son currently lives there. T. Yasenchak questions the sight distance at the proposed driveway. G. Vander Ploeg explains that he will have to build up the driveway where it will meet the road and he states that he did have County driveway permits for this area. He explains the contour of the road. T. Yasenchak asks about the house location in relation to the slope of the land. G. Vander Ploeg explains that the land slopes away from the house location to the rear and towards Wilton Road. C. Baker states that he will need a better plan with topo and typical notes added. M. Young states that this will need to be sent to the County and does not think that sight distance will be a problem. G. Dake explains to the applicant that the Board does not seem to have an issue conceptually and would like to know from G. McKenna that he is comfortable with the fact that there is a structure on the opposite lot line. If G. McKenna is okay with this, G. Dake will be ok with it as the work being proposed is on the far side of the property. He states that once we have a better plan from a surveyor, we will have to send this to the County Planning Board and County Highway Department for driveway permits. G. Vander Ploeg states that in around 1991 the County did give permission and that was about 100' further towards Wilton. C. Baker would like 2' topo lines. D. Pfeil asks about clearing. G. Vander Ploeg states that there will not be much clearing. G. Dake asks the applicant to put a limit of clearing on the plans.

ALEC STEPHENS – Minor Subdivision
Greene Road (The Point at Greene Road)

Peter Loyola and Mary Moore Wallinger from CLA Site, and Alec Stephens are present. P. Loyola gives an overview of the project.

A public hearing is opened at 7:14 p.m. Stanley Weeks, Ashlor Drive, states that he hopes that shared driveways do not become the standard and that they can cause problems down the road for the Town. There being no further public comments, this public hearing is closed at 7:15 p.m.

G. Dake states that there are a number of Board members who share the concerns about shared driveways, that there are some individual projects that become challenging without them, and that this is something that the Board has discussed at length. C. Baker reviews his comment letter of 2/21/06. There is a concern with the potential runoff from the driveways and he would like to see some additional details on this. He would also like to see a hydraulic analysis. P. Loyola states that was not required by DEC, but that they have done an analysis and will provide that to C. Baker. He has prepared a written response to C. Baker's letter. C. Baker would like to have the shared driveway agreement reviewed by the Town Attorney. G. Dake comments that this is one of the situations that the Board is concerned with the shared driveway because when this driveway needs to be redone, it will be costly. P. Loyola distributes his responses to C. Baker's comment letter and reviews these. He states that they will include the blind driveway sign as requested and will work with W. Barss on the placement. Regarding the deed language, this has been provided to the Town Attorney and was returned with some additional language being requested. P. Loyola states that they submitted the driveway profile to Mike Chandler, Fire Department, and only one change was requested. T. Yasenchak questions the inspection of a driveway. G. Dake states that the only thing that is reviewed is the actual entrance to the road unless the Board puts some other condition on it and how people construct their driveway is not regulated under today's code. He comments on the keyhole standard and that they should probably on these plans. T. Yasenchak states

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that is on the plans and was questioning who would be inspecting that. C. Baker states that G. McKenna looks for that certification before issuing a permit. T. Siragusa asks about the sight distance where the two driveways split off. P. Loyola states that there is quite a bit of sight distance and they show a little bit of the details. That is where the fire department asked for a 30' radius for emergency access. D. Pfeil questions if this meets AAHSTO, why is the signage required? C. Baker reads from the traffic report that it does meet AAHSTO but that they recommend a sign. He believes that this is for further assurance. M. Young states that there are instances where people call the Highway Department and request a blind driveway sign because they are concerned with their driveways. He states that it is a 'can't hurt' type of thing and this would be one of those instances where it technically does meet, but it is a rolling crest of a hill. **The Board completes Part II of the Short Form SEQRA. All questions are answered "no" with the exception of C1 stating that a SWPPP has been completed and a stream-crossing permit is required. M. Young makes a motion to check Box B, indicating that this will not result in any significant negative environmental impacts. T. Yasenchak seconds the motion. All present in favor.** G. Dake questions that the deed will reflect the changes suggested by the Town Attorney. A. Stephens confirms that those additions will be made. G. Dake comments that we have the applicant's assertion, although we do not have anything in writing from the Greenfield Fire Department, that they have indicated one change. P. Loyola confirms that there was only the one change requested. Discussion takes place regarding approving the subdivision contingent upon C. Baker getting any additional information he needs and signing off that all engineering issues are resolved.

RESOLUTION – A. Stephens, Minor Subdivision

MOTION: T. Siragusa

SECOND: D. Pfeil

RESOLVED, that the Planning Board approves the minor subdivision of Alec Stephens for property located at 43 Greene Road, The Point at Greene Road, TM# 125.-2-47 contingent upon:

- **Satisfaction of the Town Engineer**

VOTE: Ayes: Dake, Pfeil, Siragusa, Thrailkill, Yasenchak, Young, Vacula

Noes: None

Absent: Dupouy

ALEC STEPHENS – Major Subdivision

Middle Grove Road (The Point at Moss Creek)

The SEQRA long form is distributed to the Board. G. Dake reads from G. McKenna's notes. P. Loyola states that they have made changes per C. Baker's review letter of February 3, 2006 and that the final SWPPP is not yet completed. P. Loyola explains that A. Stephen spoke with DEC and that they would prefer to see bridge crossings versus fill. Disturbance has been calculated at .04 acre. A. Stephens reiterates that DEC would like to do a site visit prior to granting permits and that they were not receptive to fill. P. Loyola states that they will have deed restrictions for lots 9, 12 & 13. C. Baker points out that item #12 of his letter should read 'shoulders should be revised to ¼" per foot.' He states that there is a revision to the asphalt requirements and that should be 1 ½" top and 3 ½" binder coarse. P. Loyola states that they have revised the cul-de-sac to 205' and they would like to propose a maintenance easement around the cul-de-sac rather than readjust all the lot lines and the right of way within the cul-de-sac. He states that based on their layout, they had a smaller cul-de-sac and now the 205' was creating some problems with the frontages and lot lines. They are requesting 3 ½-feet from the edge of shoulder to the right of way and the remainder be handled as a maintenance easement as opposed to an actual right of way with deed language that states that there is an easement. He states that the area being proposed for the cul-de-sac is currently pretty devoid on vegetation and they will clear out

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any trees that might be close to that easement so that there would not be an issue. G. Dake states that is unusual and will have to be discussed. He states what the applicant is suggesting is that instead of owning it, the Town would have an easement within which to do the maintenance. It is almost to the Town's benefit. M. Young states that would be similar to Plank Road where the Highway Department was given the ability, on a very steep slope, to cut more on the extra easement. C. Baker states that he has discussed this with W. Barss who does not see a problem, but the issue is that the Highway Department has run into problems with residents on other roads where they feel they have a right to the trees in the rights of way and they do not want the Town to take them down. C. Baker suggests that perhaps if the applicant took down any trees now there might not be a problem in the future. P. Loyola reviews the remainder of C. Baker's letter. T. Yasenchak asks about the hydraulic calculations. M. Moore Wallinger states that they have been completed. P. Loyola states that they will meet all the requirements for storm water regulations and that they are prepared to submit the revised plans that they have. G. Dake asks the Board to take the time to read the SEQRA before the next meeting. A public hearing is discussed and set for March 14th at 7:00 p.m. Lead Agency letters are discussed and will be sent to DEC, Saratoga County Highway Department and County Planning. This application also needs to be sent as a referral to County Planning. M. Young states that C. Baker's letter covered pretty much all the issues and that he does not have an opinion on the cul-de-sac proposal. G. Dake asks C. Baker to speak with either M. Schachner or M. Hill about this and get their input. M. Thrailkill asks who would take care of the center of the cul-de-sac. C. Baker states that is part of the road dedication to the Town. M. Young states that generally the Town takes care of it, however there are a couple in Town where the residents have landscaped and planted flowers and are taking care of it. D. Pfeil comments on the concerns for the basins, the expense and maintenance involved. G. Dake states that he and C. Baker have received e-mails from T. Kinsella that the Town Board will be discussing special tax districts. Should they not act on this and do not put a law into place, G. Dake suggests that the Planning Board not just pass on this, but put together a recommendation. D. Pfeil asks about a cost estimate. M. Young states that the Highway Department did put together some figures and that went to the Town Board. T. Siragusa asks when the site visit from DEC will take place. A. Stephens states that he is waiting to hear from DEC. T. Siragusa states that the public might want to know the details of that visit. G. Dake states one of the things that the Planning Board struggles with is when to have a public hearing. The Board likes to have as complete an application as possible but would prefer to do the public hearings early so that if there are issues that need to be looked into further that can be done. He states that the Board can always hold a second public hearing. If, in this case, DEC has not visited the site prior to the public hearing and there are issues that the Board would like them to take a look at, that information can be forwarded. P. Loyola states that regarding the bridges, while they are expensive, they are low impact and that DEC looks favorably on bridges. T. Siragusa asks if they have suggested a specific number. P. Loyola states that they have not gotten that specific and points out areas on the map that are possibilities. T. Siragusa asks about the water flow. P. Loyola explains that the bridges would allow them to maintain the hydraulic connections and that they will have to address this along the road with erosion and sediment control measures. T. Yasenchak asks about the limit of clearing, how precise that is and comments that there is no way to measure it. M. Moore Wallinger states that if this is not on the plans it can be added. T. Yasenchak comments on the future homeowners making changes to that. G. Dake states that there is very little to prevent a homeowner from clearing their property if they wish to. T. Yasenchak states that her concern is from an environmental impact and that if the Planning Board is assuming a certain impact now and 10 out of 13 people want a field, then that is a different impact. G. Dake states that this will be looked at under SEQRA, we may not end up with 13 lots if things are changed throughout the process. M. Moore Wallinger states that there is a number showing the before and after. G. Dake asks the Board to read through the SEQRA document as proposed and he asks C. Baker if we should have the applicant prepare the Part II. C. Baker states that he just attended a SEQRA seminar at which it was not recommended that the applicant should do that, however, as the Planning Board reviews it item by item, he does not see a problem with it. There is a concern from a litigation standpoint. G. Dake reiterates that it is a draft and that the Planning Board does review it line by line. The applicant is asked to prepare the Part II with the understanding that it is a draft and that some of their

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answers may be changed. G. Dake states that this might be a project that the Board wants to visit for their Spring Site Walk. G. Dake states that the file is accessible to the public and encourages anyone interested to come in and read the files and look through the submitted documents prior to the public hearing.

CHARLES GLESSING – Major Subdivision

Locust Grove Road (Grace Estates)

Dave Myers is present. G. Dake reads from G. McKenna's notes. D. Myers states that the wetland delineation report showed that one of the wetlands has grown somewhat. This is located in the southeast corner and he has had to turn the basin 90-degrees and move it 50 or so feet up the road. G. Dake asks if that is wetland 7. D. Myers states that it is and will change. He states that he gave C. Baker a full size set of plans and they are going to be impacting about .27 acres. The Army Corp has been notified and the applicant has yet to hear back from them regarding an onsite verification some time early spring. He indicates that once the wetlands work was done, the land surveyor tied in the boundaries and identified the lot lines and perimeter boundaries. He has changed the one easement that was split on either side of a lot line and has moved it all to one side. C. Baker had asked for clarification on the outlets of two of the basins and D. Myers states that is on sheet 8. He also points out that the grade plan has changed in one location. Discussion takes place regarding EDP's request for information for rip rap outfalls and how D. Myers proposes to handle that. C. Baker comments that it will be difficult for a contractor to lay it out at the site. D. Myers states that he will have to be present or the surveyor. D. Myers states that the gravel access road will have a vegetative cover. Discussion takes place regarding basin #8 on lot 1 and how there is an old natural trough where the water dumps into the wetlands after crossing Mr. Hall's property. D. Myers asks rather than approaching Mr. Hall and working on his property, if there is concern regarding this, that the a site visit be scheduled and he believes that it could be verified in 5 minutes that the water is traveling as he has indicated. C. Baker states that his concern is with the water getting there. The basin will concentrate the water and he asks if there is a defined channel. D. Myers states that there is. C. Baker asks why it cannot be shown on the map. Once this is built and turned over to the town, if there is ever an issue he wants to make sure that there is a defined channel. G. Dake states that it has been requested to be on the plan and should be shown in an appropriate way, and he asks if there is any reason Mr. Hall would not allow D. Myers on the property to verify this. D. Myers states there is the question of time, expense and whether Mr. Hall will allow this or not. G. Dake states that storm water is the biggest issue on this project. C. Baker states that it is the developers' responsibility to show that water leaving the site gets where it should. If there is a problem in the future, what defense does the Town have if it is not on the map? G. Dake states that he stands behind C. Baker's comments. Regarding C. Baker's comment #7 regarding the removal of the septic design information from the subdivision plans, D. Myers states that the owner prefers to leave this information as it was provided as backup to the grading plan. He states that he would propose a note that these are illustrative only and not final design documents. C. Baker states that he does not have a problem with this. D. Myers states that he should be able to have these technical details answered in a week's time, a public hearing has not been held on this project and they would like to request that one be scheduled. A public hearing is scheduled for March 14, 2006 at 7:00 p.m. G. Dake reviews that there is a November 17, 2005 transmittal from the applicant with a long form; depending on where we are with engineering review we may be able to take a look at the EAF. G. Dake reiterates that the Board will be looking at how the applicant and future owners can help pay for the future maintenance of the drainage basins and that will be further discussed after the Town Board has discussed it.

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CHARLES GERBER – Minor Subdivision/Lot Line Adjustment
Greene Road

Charles Gerber and Pete Nicholas are present. G. Dake reads from G. McKenna's notes. C. Gerber states that their initial goal was to take 2 non-conforming lots and a third large lot and create all conforming lots so that they could purchase land to the south of the road from Mr. Dzurek. They had not anticipated the level of engineering details that the Town has requested. He states that he understands that they are important details and while we are approaching the building season, with the notes that have been added here, they realize that any technical issues are going to come before the building department prior to the issuance of a building permit. The builder that they are negotiating with right now to purchase these two lots is fully aware of what issues he is going to have to deal with in construction to the satisfaction of the Town Attorney and the Town Engineer. He states that there was a question on lot 1 regarding the depth to ground water so they added #6 to the notes that prior to the issuance of building permit there would need to be a plot plan showing the percolation results, etc., to meet the Town's code. He states that a traffic study has been ordered and whatever the results of that are, there may be minimal change to the driveway location or the recommendation to put a sign to mitigate any shortage of sight distance. G. Dake explains that if there is any shortage of sight distance, there may not be a subdivision and that the Board has denied based on not meeting AASHTO. C. Gerber states that regarding the driveway deed, the developer is going to put that together and he will transfer that to the homeowners. G. Dake states that the Board is going to want to see deed language before granting an approval. He explains that the Board is reticent to have shared driveways and wants to make sure of the deed language. C. Gerber asks if that can be part of a conditional approval. G. Dake states that it could be. C. Gerber states that they would like to ask for a preliminary and final approval conditioned on the items that are lacking in their engineering. The deed language could be one of those, the traffic study and anything else that the Board deems appropriate. C. Baker states that the soils are not a big issue; as far as the wetland crossing, that could be a big issue and that needs to be taken into account, it has to be part of the subdivision requirements. C. Gerber asks if it wouldn't automatically default to a bridge rather than a culvert. C. Baker states that is a detail that the Planning Board needs to know going into this subdivision, as with the SWPPP. These need to be incorporated into the subdivision plans. He explains that the shared driveway language would be very important if for some reason that bridge crossing were washed out, and needed to be repaired or replaced. G. Dake states that generally the Board has limited contingencies to the approval of 1 or 2 issues related to waiting for something from an outside agency. He states that even if it is granted, the applicant needs to get all the information to the Board before G. Dake signs the Mylar. C. Gerber was under the impression that the project would come back to the Board as a Site Plan Review from the builder after the approval. G. Dake states that the house locations requested are just to show a house can be built on the property, the stream crossing is an important issue. If building envelopes are shown to the front of the stream, the applicant does not have to show the stream crossing. If a future purchaser wants to build on the rear of the property, then it would become their problem because the applicant would have demonstrated the building envelope to the front of the stream.

UNITED MOBILE HOMES – Site Plan Review
Route 9N

Attorney Dave Engle is present for the applicant and states that they had hoped to have a full submission for the Board, but are still working on those. He states that regarding the traffic and sight distance, the Board had indicated that they wanted to see an application that was fully AASHTO compliant or some sort of signoff from DOT. There are now 5 roadways that go in and out of Brookview Mobile Home Park and it has been their view all along that that was too many. They have retained traffic engineers and presented a submission to DOT to take the entrances down to 4, eliminating two and putting in a new one. DOT commented back that they would like to see the whole front end of the park cleaned up. UMH's has undertaken preparing a new plan to satisfy DOT, the

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management of UMH and the Planning Board. He states that this will take a couple more months. Regarding the wetlands, ACOE has visited the site and made comments that UMH is moving ahead with. They are still awaiting DEC who has indicated that they want to come out once the seasons change – sometime after the middle of April. He states that will have an impact on the final design of the project and impact on the final storm water management plans. They hope to be back by May. G. Dake comments on the letter received by the Town from DOT asking where they stand on SEQRA and he explains that the Planning Board has not gotten that far along.

PATRICIA GUARNIERI – Major Subdivision

Daketown Road

No one is present representing this application.

THOMAS ELLIS – Site Plan Review

Maple Avenue

Tom Ellis is present. G. Dake asks if this is the property that James Dorsey recently subdivided. T. Ellis states that he would like to convert this to office space and needs to put in a handicapped ramp; parking, and he needs a handicapped bathroom. G. Dake comments that T. Ellis' application is on tonight's agenda for a ZBA referral also, and explains why a variance is needed. C. Baker states that he has a concern for the drainage and the grade of the parking lot. T. Ellis states that he believes that the storm water is to run to the back. Screening is discussed and G. Dake states that the section on screening is Section 105-106-G, 9 and 10. He states that depending on G. McKenna's determination, the applicant may need a variance from the screening. G. Dake comments on the Maple Avenue area and the character of the lots. M. Young states that he thought that the Board has shown some leniency in this area on screening for that reason. The Board would like G. McKenna to clarify the screening issues. T. Ellis states that there are some trees to the south side of the property and asks if he can put up a fence. G. Dake states that it is an alternative to trees. G. Dake reiterates that it would be G. McKenna's call and the Board recognizes that this is a pre-existing driveway. T. Yasenchak questions that a new septic system will be put in. T. Ellis explains that the current septic is in the area of the proposed parking. G. Dake states that conceptually, from a Planning standpoint, the Board does not have an issue with the proposed use, the issues in the EDP review letter should be taken care of and that the Board would like to see what the sign will look like. He explains what the Board likes to see for signs. T. Yasenchak questions if signage would be needed, as the driveway will not be two lanes. Discussion takes place about the possibility of widening the driveway entrance. This application will be sent to the County for their input and they will probably address traffic. T. Yasenchak comments that pedestrians will also be walking on this driveway and there could be issues with that. C. Baker states that J. Dorsey owns the property to the north and that perhaps something could be worked out with that property. M. Young suggests moving the pedestrian traffic to the other side of the building with a sidewalk. Section 105-121 A, 2, b also discusses driveway size requirements and that an applicant can have a 12' driveway with no more than 6 parking spaces. The Board would like the applicant to discuss this with G. McKenna in addition to the screening issues. D. Pfeil asks if the entrance could be at the back of the building. T. Ellis states that they would have to make changes to the interior.

JOE MOORE – Minor Subdivision – Preliminary

Wilton Road

Joe Moore is present and would like the Board's input on subdividing a 4-acre lot into three lots. G. Dake reads from G. McKenna's notes. M. Vacula recuses herself. J. Moore states that he would like

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to renovate the house, restore it and keep it as his residence. He would like to subdivide two other lots of similar size using the abandoned road as a private road. He would like to move the barn to an area behind the house or possibly convert it into a residence. G. Dake states that the main problem, as G. McKenna has noted, is that zoning in this area requires that lots be 3 acres so the applicant would need a variance for all three lots. From a frontage standpoint, the private road would have to be built to town road specs to have it qualify as frontage and he would need to provide a turnaround at the end of it which will take up more space. He states that the applicant will have to demonstrate that there is adequate sight distance where the road enters Wilton Road. G. Dake states that this looks like a real long shot. J. Moore states that he believes there are a few things going in his favor – the proximity the Brittany Chase and he understands that was developed in 1984, and given the overall view of it, it seems to him that it is not too much of a long shot. He states that he wants to buy it anyway. He believes that there is sufficient sight distance, at least ½ a mile in each direction. T. Yasenchak states that there is very stringent criteria for the ZBA to grant variances and she is aware that this has been on the market for a long time. T. Siragusa states that he hopes the applicant can find a way to restore this, but he would maybe prefer 2 lots instead of 3 and that a private road and turnaround could be tough. D. Pfeil states that at best this could be a 2-lot subdivision and she questions using the abandoned highway. J. Moore questions if he got a 2-lot subdivision, would it be ok with the town to turn the barn into a workshop? G. Dake states that he would suggest that there are many people with workshops in their garages, and he believes it to be an appropriate use for a building such as that. M. Young states that there would be a frontage issue with 2 lots and comments on a possible keyhole. He states that 3 lots do not work for him and that he believes that a keyhole would be much simpler. He does not see how building a private road to Town specifications would work for 2 lots. G. Dake states that he is not even sure about 2 lots in the R3 zone and the applicant would be requesting a good size variance. He explains that the current Master Plan is suggesting this area could be going to 6-acres and he thinks it will be tough to get any variance. Brittany Chase will be facing this also if they come back to see how they can progress. He states that 3 is a no shot and that 2 is a stretch. T. Yasenchak states that she does not have a problem with 2 lots but there is bedrock at about 18' across the street. G. Dake states that if the applicant can get a variance on the lot size, it could possibly work as a 2-lot subdivision. He states that he has a concern that the zoning rewrite committee has said that 3 acres is not enough in this area. He explains for the applicant that he has to go to the ZBA with specifics for the area variances. G. Dake asks if the applicant spoke with G. McKenna about this project. J. Moore states that G. McKenna said that it would be a keyhole possibility. G. Dake recommends that the applicant design what he would like before going to the ZBA.

SARATOGA POLO – Site Plan Review

Bloomfield Road

G. Dake states that he received an e-mail that Saratoga Polo would not be here this evening.

JOHN WITT – Major Subdivision

Lester Park Road

Frank Palumbo is present representing this application. D. Pfeil recuses herself. F. Palumbo provides C. Baker with a set of plans and states that there are some minor physical changes to the plan, they are still conducting the archaeological survey and would like to come back to the next meeting. They sent a report to C. Baker with the traffic analysis. C. Baker states that he did receive it. F. Palumbo states that they will be providing sight distance at the interior roadway, however, J. Witt has asked F. Palumbo to look at another configuration for that intersection. He states that they have added the DEC wetlands areas that are off of the property, there may be Federal present and they are confident that this is not in the areas they are developing. They will provide those details to C. Baker. They have added some detail to the roadside drainage. F. Palumbo questions the comment in C. Baker's 2/15/06

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letter regarding the County Highway Department and C. Baker states that was in the letter in error. C. Baker states that G. McKenna brought up another issue to him – the road length exceeds the current requirements. He states that he has seen other Towns incorporate an emergency access road in plan such as these, that possibly this could be considered coming in from Middle Grove Road using the existing driveway and having it chained off so that it is only used for emergencies. G. Dake states that he has also seen this done before, the road is maintained and used as a fire lane with a chain between bollards at the end. F. Palumbo states that he will bring this up to J. Witt and comments that if they split the road again, per J. Witt's suggestion, that may change the measurement. He states that he understands that the concern is safety and that there may be a way to connect this with the walking trails that they are planning. G. Dake states that the zoning rewrite committee has been discussing setting a specific maximum figure such as 1250' for dead end roads in all zones. M. Young states that if the applicant creates more divided highway, they are solving the problem in that way. F. Palumbo states that he does not believe that we have to hold up the SEQRA due to wetlands delineation, because it is an administrative action under the Corp and that if we end up having wetlands, the risk falls back on the developer to a degree. Such as the areas that he is saying are outside the area of development and they are not going to have an impact on, if that were to change the applicant would still have to get a permit for disturbance from the Corp. The same applies to DOH who will not signoff until they get a satisfactory report from SHPO. G. Dake states that the Board can begin the SEQRA process and see what we have for information, but the Board needs to know what issues need to be mitigated and will not know this without a report. G. Dake states that SEQRA can always be reopened if some new information does come in. C. Baker asks if there has been any thought to doing a visual analysis. His concern is primarily with the access road that will be in a steep area and could be quite visible. This will come up in SEQRA. F. Palumbo states that they have determined that the road will be seen, but one of the things that was discussed with the Board was that they were keeping the impact to a minimum and that the access road will not be visible from any known public areas. G. Dake states that the Board may be asking the applicant for that.

CHATFIELD ROCKWELL – Lot Line Adjustment

North Greenfield Road

Attorney Larry Hamilton is present representing this application. G. Dake states that he has discussed with the Town Attorney the ability and the legality of doing lot line adjustments administratively. M. Hill suggested that barring objection from the rest of the Planning Board on a simple lot line, there is nothing wrong with G. Dake doing this as long as G. McKenna has looked at it and it complies with zoning. G. Dake states that the one that L. Hamilton is representing, he would not sign, he would bring to the Planning Board. L. Hamilton states that this was a three lot subdivision approved in 1990 and subsequent to the approval the zoning was changed. The application is proposing combining lots 2 and 3. There is an existing house on lot 1 with a two-family house and an easement to the rear. G. Dake states that this is why we now have keyhole lots available in Town. You used to be able to use an easement for frontage and this became a rather abused provision of the code. L. Hamilton states that this would create a 4-acre lot in a 5-acre zone. G. Dake states that it is appropriate to grant a lot line adjustment, but he is unsure if that creates a building lot. He states that he believes that the Zoning Board would grant a frontage variance, if one is needed, because that was the law of the land at the time. The easement through lot 1 is discussed and the size required for a keyhole driveway. L. Hamilton states that the easement is in the deed.

RESOLUTION – Chatfield Rockwell, Lot Line Adjustment

MOTION: M. Young

SECOND: M. Thrailkill

RESOLVED, that the Planning Board grants a lot line adjustment to Chatfield Rockwell for property located at 110 North Greenfield Road, TM#125.1-1-24.2 and TM#125.1-1-24.3.

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VOTE: Ayes: Dake, Pfeil, Siragusa, Thraikill, Yasenchak, Young, Vacula
Noes: None
Absent: Dupouy

PAUL & PATRICIA KOMORNY – Lot Line Adjustment

Lake Desolation Road

Patricia Komorny is present and explains that they have purchased a 20' strip of land from the neighbor so that their daughter can build a home and be able to get the correct separation between the well and septic. The well will be in this 20' strip.

RESOLUTION – P. & P. Komorny, Lot Line Adjustment

MOTION: D. Pfeil

SECOND: M. Young

RESOLVED, that the Planning Board grants a lot line adjustment to Paul & Patricia Komorny for property located at 147 Lake Desolation Road, TM#149.-1-56.1 per the map submitted.

VOTE: Ayes: Dake, Pfeil, Siragusa, Thraikill, Yasenchak, Young, Vacula
Noes: None
Absent: Dupouy

RALPH MACCHIO – Lot Line Adjustment

Locust Grove Road

No one is present representing this application as they were told they did not need to be present since G. Dake can approve lot line adjustments administratively. G. Dake explains on the map that the applicant will be purchasing a 250' strip of land from the neighbor, Fred Caldwell, in order to gain frontage.

RESOLUTION – R. Macchio, Lot Line Adjustment

MOTION: T. Siragusa

SECOND: T. Yasenchak

RESOLVED, that the Planning Board grants a lot line adjustment to Ralph Macchio for property located on Locust Grove Road, TM#112.-2-61 and TM#112.-2-21 per the map submitted.

VOTE: Ayes: Dake, Pfeil, Siragusa, Thraikill, Yasenchak, Young, Vacula
Noes: None
Absent: Dupouy

ZBA REFERRALS

Thomas Ellis, Area Variance – The Planning Board has asked the Code Enforcement Officer to interpret the driveway and screening, and would like the ZBA to consider pedestrian access to the handicapped ramp as part of their review.

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Richard & Diane Euler, Interpretation – G. Dake reviews that this is before the Planning Board again as a written determination has been prepared by G. McKenna and M. Hill has advised that the Planning Board make a recommendation on that written determination to the Zoning Board.

RESOLUTION – R. & D. Euler, Interpretation

MOTION: T. Yasenchak

SECOND: M. Young

RESOLVED, that the Planning Board, having reviewed the application and the Zoning Officer's interpretation, concurs with the Zoning Administrator's interpretation and recommends its adoption by the Zoning Board of Appeals.

Discussion – T. Yasenchak states that it is too bad that this has had to reach this point as it was very clear from the beginning. G. Dake states that he agrees.

VOTE: Ayes: Dake, Pfeil, Siragusa, Thraikill, Yasenchak, Young, Vacula

Noes: None

Absent: Dupouy

G. Dake reviews that the Zoning Board will have to have a public hearing, then it has to come back to the Planning Board and he believes that another public hearing is required at that time.

DISCUSSION

G. Dake comments on the correspondence from Richard Spackmann to Assistant Chief Michael Chandler appointing him to be Liaison to the Planning Board.

G. Dake suggests that the Board start thinking about the Spring site walk. He has written down Stephens, Glessing and Witt. M. Young suggests Medbury Estates.

G. Dake discusses providing feedback to Planning Board members regarding their performance on the Board and that he does not currently do that as he is not the boss. He states that he had a conversation with a current Board member about the process. He states that this is not an employer/employee relationship. G. Dake states that he can ask for input as someone comes up for reappointment. He states that it should not be just his input, but it should be what the members think of each other. D. Pfeil states that the members are all volunteers and it is unfair to add this to G. Dake's responsibilities. Discussion takes place that this should be ongoing and that any issues should be addressed as they come up. T. Yasenchak states that if someone says something that is totally out of line, then someone should take them aside and say something to them. G. Dake states that we have had a very good Board. He states that this does not have to do with liking or disliking a project, but with appropriately interacting with each other and the applicants.

Meeting adjourned 10:38 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary