

TOWN OF GREENFIELD

PLANNING BOARD

MARCH 14, 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, Thomas Siragusa, Michael Thrailkill, Tonya Yasenchak, and Mark Young. Charlie Baker, Town Engineer, and Gerry McKenna, Zoning Administrator are present. Deane Pfeil, Lorna Dupouy, and Melissa Vacula, Alternate, are absent.

FEBRUARY 28, MINUTES

MOTION: M. Young

SECOND: T. Siragusa

RESOLVED, that the Planning Board waives the reading of and accepts the minutes of February 28, 2006 as submitted.

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

Absent: Dupouy, Pfeil

Noes: None

CORRESPONDENCE

G. Dake refers to the correspondence received from Delhi regarding water treatment training and the information from DOT regarding a round-about design seminar.

SPRING SITE WALK

G. Dake states that he would like to set up the spring site walk and the Board discusses dates. April 15 at 1:00 is discussed as a possibility. Some possible locations are: J. Witt, Lester Park Road; A. Stephens, Middle Grove Road; C. Glessing, Locust Grove Road; J. Collura, Locust Grove Road and Medbury Estates. As most of these applicants are on tonight's agenda they will be asked for permission as their applications are discussed.

PLANNING BOARD CASES

ALEC STEPHENS – Major Subdivision

Middle Grove Road (The Point at Moss Creek)

Peter Loyola, Mary Moore Wallinger and Alec Stephens are present. G. Dake asks the applicant to give a brief overview for the public. P. Loyola explains that this is an 86-acre parcel that the applicant would like to subdivide into 13 lots; they have prepared a storm water management report and have also submitted a traffic study for sight distance.

G. Dake opens the public hearing and refers to the two letters already received from Damian & Carolyn Ann Fantauzzi, Ashlor Drive and from Stanley & Marie Weeks, Ashlor Drive. Stan Weeks, Ashlor Drive posts a copy of the map that he has stating that he feels it shows the wetlands much more accurately

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than the map posted by the applicant. He states that he would like to address the issue of process first of all as he feels that the public hearing is being held too early as DEC has not visited the site yet as discussed at the last meeting and he would like to request another public hearing be held. He also comments on the public hearing notice printed in the newspaper and states that there has to be a better way to communicate with the people in the Town. He would like to see readable copies of public notices posted on the Town's website and to be posted on the Town Hall bulletin board in the entryway. He states that this should be done by the Town Board, Planning Board, Zoning Board and even the Fire Department. S. Weeks distributes two handouts to the Planning Board. One is information from the Town Code regarding: wetland resources - he states that his reaction to the first map was that it did not give any indication of an area of wetlands, which he objects to; and Section 90-13, regarding topography - he states that the map does not contain the 200' of topo called for. He states that this is critical because there is a drainage easement between lots 9 and 10 on Ashlor Drive. He states that the driveway on lot 13, as shown, is on the side of a pretty steep hill at the wetland boundary. He also asks about the requirements for road width for lot 13. G. Dake states that there is no requirement, this is only a private driveway and that the zoning rewrite committee is looking at this. C. Baker states that there is a keyhole lot requirement. G. Dake states that this is not a keyhole lot. S. Weeks states that this Board needs to take that into consideration as this driveway is at least 1000' long. He states that the location for Moss Creek Road is in a dangerous location in a 55 mph zone and notes the danger of pulling out of Ashlor Drive, which is in a 40 mph zone. At Ashlor, the bus no longer stops on Middle Grove Road because of the danger. He also indicates that the well on lot 9 of the subdivision is less than required from a septic system. S. Weeks distributes a copy of a letter from Seth Conley who could not be present and asked S. Weeks to read it for him, which he does. Scott Florence, Ashlor Drive, provides a written statement, states that he is of the same opinion as S. Weeks and that he works for the State DEC. He believes that the subdivision is inconsistent with the neighborhood and that the driveway on lot 13 will have 90% of the impact on the wetlands. He explains that there is a stream on the property which is not shown on the maps which contains beaver dams that block the water and it backs up. The beaver dams are fairly low and what they have seen in the past is that when you put a road in with a culvert the beavers dam up the culvert. If that happens you will be pushing water back into Ashlor Drive. He comments that the roadway on lot 13 is being proposed in between a hill and the wetland, and it won't fit there. He believes that they are going to have to rip out the hill or move into the wetland. As far as a pre-existing logging road, the only thing there is a location where the previous owner tried to get a skidder across, cut through the sand hill and pushed that, illegally, out into the wetland on both sides. He states that if the applicant is allowed to put a road in there, that is going to completely cut off an area where the wetland will die off along with another area, which are critical to the wetlands. He states that right now, and he is not sure why, all the beaver dams are gone and all the water is significantly lower than it has been in the past. He has been there 7 years and has never seen it this low. He states that when the beaver come back and reestablish themselves, all the water is going to go back up to its normal height, the roadway will always have problems and the proposed septic systems on the other portion which are not 10' above the water level will get flooded out. He states that you will have individuals trying to protect their properties and the beavers and their dams will be destroyed from that area. He states that it is important for the Town to protect wetlands, this area flows directly into the Kayaderosseras and is a significant wetland. He also feels that the road for lots 1 - 12 is in a dangerous location. He believes it is too early for a public hearing without DEC comment and he states that he has heard nothing regarding the ACOE as this is their jurisdiction also. Heidi Dziendziel, distributes a statement and also provides a photo of her husband standing on a dry area, which in 16 years has never been dry. She reads from her letter regarding how dry the wetlands are for the first time in 16 years, their concern for the wetlands, the animals and the bridge turning the wetlands into a stagnant pond. She also expresses concern for the dangerous curve and that the speed limit on Middle Grove Road would have to be lowered. Harry Brand, 12 Ashlor Drive, provides a written statement with his concerns regarding Middle Grove Road, the amount and speed of traffic, and his concerns for the wetlands. He states that it is very difficult to turn into Ashlor now without someone being right behind you and there are many times where they pull out into oncoming traffic because they do not want to slow down. He reiterates the concerns for lot 13 and that the wetlands have never been this dry in the 14 years that he has lived there. He questions that there is nothing in code about the type of driveway that will be placed on lot 13 and that this should be run by the Fire

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Department to see how they feel about it. Chris Benton, states that his family owns property on Middle Grove Road and he is the realtor representing Toni Richter in the sale of the property. He states that the owner has the right to develop their property and that the developer has met or exceeded all of the governmental restrictions. Regarding the driveway coming out on what is a busy road, they have met or exceeded the line of sight for DOT. He states that there is no question that they are not asking for a variance, they are meeting or exceeding what the law requires. He states that painstaking measures have been taken to make sure in the placement of the road, that it is as safe as it could be and they have achieved that. He comments that 13 lots is a wonderful size development for 86 acres, and is within the governmental restrictions and they meet all the guidelines. He states that they have taken painstaking measures with lot 13 to try to preserve the wetlands and not disturb Ashlor Drive residents. He reiterates that he is speaking in favor of what will be a high quality development, the developer has done everything that the Board has requested, that this will expand the tax base and the seller does have a right to develop her land. There being no further public comments, this public hearing is closed at 7:33 p.m.

P. Loyola states that they are aware that lot 13 is, without a doubt, one of the largest issues in regard to hydrology. He states that he did walk the whole driveway today and provides the Board with some photos that were taken. The photo with A. Stephens standing on Middle Grove Road is indicating the location of the proposed entranceway into lot 13. Other photos are taken from Ashlor Drive of the property. He explains that there is a pretty good land form on lot 13 and he points this out on the map. He indicates the location where they intend to put the house and states that it rises 10 to 12 feet. He comments on a "land bridge" and that he is not sure what happened, but it was obviously somewhat man-made at some point as there is a 4" pvc pipe that allows some drainage to go back and forth. He states that they have delineated all of the wetlands and that is how they were able to locate the driveway. They are not going to be culverting, they are not proposing to fill, they are meeting with DEC on March 21 to talk about what can be done with the driveway. They are proposing bridges so there is not going to be any impact whatsoever to the hydrologic condition at all. A. Stephens states that they are scheduled to meet with DEC on March 21st and that the bridges that they are proposing are of the caliber of those at the National Golf Course, so not only is there a low impact on the environment but they are very attractive. P. Loyola states that it will be very difficult to see the bridges. Between a couple of the lots in the dead of winter, there is no question that there might be some visibility and that this is all very thickly wooded in here. He states that he was surprised at how high and dry this area actually was. The site visit will tell, but there is very clear delineation of the wetlands and with the buffer area, they might be able to move the house a bit. Regarding sight distance, they have provided a report from Mark Gregory. G. Dake asks the applicant if the Board can visit the property on April 15th and A. Stephens agrees. P. Loyola provides draft copies of the Part 2 as requested, the SWPPP has been forwarded to C. Baker and they are working on review comments from C. Baker's last letter. He states that they have revised the drawings and are going to submit those. The right of way and the cul-de-sac will be to Town requirements; the deeds for the lots with wetlands will be submitted; they have shown the limit of clearing lines on the drawings; they will provide a cost estimate and letter of credit. They have no problem with any of the other comments. He states that they would like the access roads to be grass. C. Baker states that what he is looking for is to have a crushed stone base with topsoil and then seeded, so that there is a stable base. P. Loyola states that they will be happy to do that. G. Dake states that C. Baker will need some time to review the submittals and make comments. T. Yasenchak states that she is a little wary of lot 13 and would like to see additional topo. She asks C. Baker about the driveway being within the 100' setback. C. Baker states that issue will be reviewed by DEC. T. Yasenchak questions the limit of clearing and that she would like to see measurements, by lot, so that the Town has some guarantee. Discussion takes place about property owners' rights to clear additional property and the possibility of deed restrictions. T. Siragusa states that he would like to review the additional information and has concerns with lot 13, which seems to be a stretch to him. He is worried about setting precedent and that while everything can be mitigated he is also wary. He would like to see what DEC has to say and is concerned about the public hearing comments that the neighbors have noticed that it is drier than ever before. He would like to see the map shading consistent to make the delineation clear. M. Thrailkill agrees with the Board members' comments, states that he would also like to see what DEC has to say and reiterates the concern that the property is drier than it has been in

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the past. He comments on the height of the water and if DEC will look at the history of the site. He also questions the comment about the separation distance on Lot 9. P. Loyola states that he will check that. M. Thraikill questions the driveway and whether it has to meet regulations for a fire truck. G. Dake states that the Code does not require it but he thinks it would be prudent as it has been past practice to ask applicants to provide that certification. This is also being contemplated in the new zoning. M. Moore Wallinger states that they did add a turn around. G. Dake asks if P. Loyola is familiar with the keyhole regulations. P. Loyola states that regarding the question about fluctuation in water levels and states that is one of the things that they will be charged with, is to make sure that the hydrology and the connections between the opposite sides of the driveway are not impeded in any way. He states that is one of the benefits of using a bridge. A. Stephens states that part of the wetlands delineation is that the environmental engineer takes into account where water levels have been and identifies various vegetation, so they are not just looking at the current level. M. Young states that the cul-de-sac has been taken care of and as to sight distance, the Planning Board has to go by the regulations, always has in the past and he states that this spot meets regulations. Regarding lot 13, the applicant can go forward and that is the challenge, but at some point you push the envelope too far. While he would not suggest the applicant stop going forward with getting information, at some point things become too much, cumulatively, and that could happen very easily as the applicant moves forward. He states that he remembers very well that several years ago there was an incident where, suspiciously, the dam was either dynamited out or aggressively taken out, and it flooded Middle Grove Road. He states that he is sure that the water has been at different levels over the course of those years. G. Dake states that he is very sensitive to property rights and that if an owner has a project that meets the code, it is very difficult to say that you cannot do something. He does agree with M. Young's comments that while this is a building lot on 30 acres, it is an unusual 30 acres. He states that there are a number of issues still to be addressed on lots 1 – 12. He questions if ACOE has been delineated. P. Loyola states that the environmental engineer's report addresses this. A. Stephens states that the Board should have that by next week. P. Loyola states that he thinks that the report criteria meets DEC and ACOE. C. Baker states that is generally a separate report with a map that accompanies it. G. Dake asks what happens after the site walk by DEC. A. Stephens states that they should be able to give him a pretty good determination of whether what he is proposing is acceptable. P. Loyola states that the applicant will have to put together details based on discussions and then DEC would go through the formal application, which DEC has. G. Dake reiterates that the key issues are the wetlands, and he agrees with M. Young that the Board has lived by the AASHTO standards. M. Moore Wallinger states that they submitted plans to the County and that T. Serbalik was fine with the sight distance and they need to place a stop sign at the entrance. G. Dake states that it is inappropriate to take any action on SEQRA before doing the site walk, but the Board can look at the proposed Part 2 to give the applicant some direction. M. Young states that we should wait for DEC in case there are changes. P. Loyola asks if they can quickly get the Board's input. Lead Agency letters are discussed and will be sent to DEC, County Planning and County Highway. The Board goes through Part 2 with a few answers being changed and others to be further discussed at the time of the formal review. T. Yasenachak questions that the Board will have to have another public hearing at the time of the formal SEQRA review or does the Planning Board have to have another public hearing at all. G. Dake states that we do not have to have a public hearing on SEQRA but that the Board does have the option to open the public hearing if they so choose and by then there may not be a lot 13. P. Loyola states that the Board is welcome to join them on March 21 for the site visit from DEC.

CHARLES GLESSING – Major Subdivision

Locust Grove Road (Grace Estates)

Dave Myers is present and reviews this project for the public. A public hearing is opened at 8:23 p.m. There being no public comment, this public hearing is closed at 8:24 p.m.

D. Myers states that he has not yet responded to C. Baker's comments of February 22 but will do so. He states that he has finished the topo survey of Mr. Hall's property and has added this to the grading plan. There is a well-defined swale that runs into the wetlands. The Lead Agency letters are discussed and will be

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sent to DEC and County Planning. The SEQRA is briefly reviewed with comments being made to some of the responses. C. Baker questions that the building department is listed under other involved agencies. D. Myers explains his answer to the possible archaeological significance based on the 'Circles and Squares' map. C. Baker states that he is familiar with the map referred to, but cannot think of anything within that area that would apply. G. Dake suggests that the response to #19 should be changed to yes, as it does not match with the new Comprehensive Plan which suggests that this area should not be developed this intensely although it does meet zoning. He did check this with the Town Attorney. G. Dake states that the applicant still has to address C. Baker's comments and that the Board will have to await a response from DEC before formally reviewing the SEQRA. G. Dake asks if the Planning Board can visit the site on April 15. D. Myers states that he will make arrangements. G. Dake states that one of the unresolved issues is the easement on the driveway for lot 1. D. Myers states that he has changed that.

THOMAS ELLIS – Site Plan Review

Maple Avenue

Tom Ellis is present. G. Dake states that T. Ellis was granted variances by the ZBA at their March 7, 2006 meeting. G. Dake asks G. McKenna for his interpretation regarding the driveway. G. McKenna states that there are supposed to be only 6 parking spaces and that the driveway, while not being shorter than 60', is wider than 12' (Section 105-121). G. McKenna states that there is also proposed future development to the north and there is a provision that allows the Planning Board to join the parking areas of adjacent commercial properties. His suggestion would be that the entrance to this property be one way in and then have the exit through J. Dorsey's property onto Hillside. T. Ellis has also had the handicapped ramp and sidewalk changed to the opposite side of the building from the driveway. M. Young states that he is happy with the sidewalk and while the access is borderline with the driveway, the issue of the access has been solved. He states that he does not have a problem with the driveway. M. Thraikill states that he is okay with this and it is a busy road. T. Siragusa states that everything that was discussed is covered here and he asks about the screening. T. Ellis explains the screening on the plans and states that he will add more. T. Yasenchak asks about a response to C. Baker's comments about drainage and that a trash area is not indicated. T. Ellis states that this is going to be an insurance office, that they shred 95% of the material, that he plans to take it home and put it in his garbage. He does not want to have a garbage dumpster here. C. Baker states that drainage arrows have been added which can be satisfactory if you have a competent contractor although it is not always desirable to leave it up to the contractor. He states that what he was looking for is some spot elevations. G. Dake questions lighting. T. Ellis states that there is a light on the rear of the building and he will add pagoda lights along the sidewalk. The applicant has provided a rendering of the sign and G. Dake asks if that is to be lit. T. Ellis states that it is not, he does not think it is beneficial. G. McKenna states that the sign does meet code. G. Dake states that the applicant should have the plans show the change from 7 to 6 spaces and that he would like something pretty clear on the plans indicating that T. Ellis will allow to be constructed a connection to the property to the north. Even given that, G. Dake states that he is opposed to this driveway configuration. It is a little too long for a 13' wide driveway, even though the business will not be high traffic, but because this is a high volume road. He is concerned with someone pulling out onto Maple Avenue. He states that J. Dorsey is able, if he chooses, to give T. Ellis a few more feet so that two cars could pass. He would be more comfortable with the full 18' required driveway. G. Dake states that he is reasonably comfortable with the drainage arrows on the plans. T. Yasenchak questions that the Code allows the Planning Board to require the joining of properties. G. Dake states that there is a provision for that and the concern has been for liability. He states that is why he would like to get the affirmative from Mr. Ellis now and that way if J. Dorsey comes in and says that it cannot be done, the applicant will only be allowed to have a single family home on that property. T. Ellis questions that he needs an easement from J. Dorsey. G. Dake states that he is requesting that the applicant acquire, either by easement or by deeded right, five more feet along the driveway so that he has the required 18' for the driveway. T. Ellis comments that this is the character all along Route 9. G. McKenna reiterates his reasoning that the Planning Board make the applicant join his driveway to the property to the north. G. Dake states that he would like to have a note that

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states that will take place. T. Ellis states that from conversations with J. Dorsey, that should not be an issue. G. Dake states that it would suffice to have a note on the plan. A public hearing is discussed and scheduled for March 28, 2006. T. Yasenchak asks about putting the variances on the site plan. G. Dake states that is not required. T. Siragusa questions that if the applicant gets the 18', does the seventh parking space become moot. G. McKenna states that if the applicant gets 18' he can have 7 or more parking spaces.

CHRISTOPHER & COLLEEN SANITA – Minor Subdivision

North End Road

Christopher and Colleen Sanita, and Jay Bowman, Surveyor, are present. C. Sanita reviews the project and that the proposed house and septic locations have been noted. C. Baker reviews his comment letter of March 9, 2006 and his concern regarding the keyhole lot regulations for the driveway on lot 2. G. Dake states that because this is not a Town Road the applicant received a frontage variance on both lots and neither is technically a keyhole or a conventional lot. C. Baker also commented on the septic layout and that when it comes time for the building permit, the applicant will have to demonstrate that there is adequate separation between the well and septic to the wells and septic on adjoining property. **The Board completes Part II of the Short Form SEQRA. All questions are answered “no”. 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 if we received anything from emergency services and whether we had sent them a letter. The Board had not sent them a letter but members of the Fire Company met the applicant at the site. It was the applicant's understanding that the fire company was to send a letter to the Planning Board. Nothing has been received. G. Dake asks the Board how they feel about adding the typical notes as if this were a keyhole lot. G. McKenna states that he does not think that they can get a fire truck up there. The Board discusses septic placement and it is felt that with a 9-acre lot there should not be a problem in achieving the required separation. Discussion takes place regarding the 20' width for the driveway on lot 2 and Christopher Sanita states that the hill is further back on the parcel and not in the area of the driveway. Public hearing is discussed. M. Young comments that these are probably the largest lots up there and he does not know what the argument would be from someone sitting on a smaller lot.

RESOLUTION – C. & C. Sanita, Minor Subdivision

MOTION: M. Young

SECOND: M. Thrailkill

RESOLVED, that the Planning Board grants a Minor Subdivision to Christopher and Colleen Sanita for property located on North End Road, TM#122.-1-33 per the map submitted and waive a public hearing.

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

Noes: None

Absent: Dupouy, Pfeil

HARRY VRADENBURG – Major Subdivision

Dunham Pond, S. Greenfield and King Roads

No one is present representing this application.

JEFFREY COLLURA – Major Subdivision

Locust Grove Road

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Jeffrey Collura is present and reviews the new map submitted today. The applicant has completed the SEQRA long form and has included Phase 2. M. Young states that all the accesses look pretty good. He comments that the driveway for lot 2 curves the way it does to come out at the top of the hill. He asks the applicant about the large lot on Phase 2 and if the applicant intends to retain that. J. Collura states that he is not sure about that at the present time, it might be a Phase 3. He states that he is not trying to overbuild. T. Siragusa asks about the configuration of lot 5. J. Collura explains that is the one keyhole lot and that he has moved the access to the rear away from the neighbor to the north. G. Dake explains that there is a large landlocked parcel to the east of this and the applicant had expressed interest in leaving a second access should that become available for sale. T. Yasenchak comments that there does not seem to be an issue with sight distance, she would like to see some clearing lines on this and reiterates her concern for people clearing lots. G. Dake comments from a developers stand point that you may not know where a prospective homeowner will want a house built or the length of the driveway. He states that when the Board asks for house locations it is usually to be able to prove that one exists. He states that during the Master Plan process they talked a lot about what do you restrict when it comes to cutting land and this gets into one of those property rights things but it eventually crosses into an environmental issue as to when do you start having an impact, how does the SWPPP fall into that, where are you imposing on someone's rights. He states that if there is an environmental reason, such as being adjacent to wetlands, that is a different situation. T. Yasenchak states that her concerns are from an environmental standpoint and how it changes how the Board looks at the long form. C. Baker states that the figures on the long form are ballpark numbers and that in most cases you try to overestimate. He states that to look at that number and think that it is a definitive number is a little unrealistic. He states that he has seen in other towns' requirements for grading and limit lines. When you do that you are really being very restrictive. It becomes very cumbersome and very restrictive. He states that in the Town of Greenfield, we have asked for grade limits at times. He states that it is certainly realistic to ask the applicant to show a line, but it should be understood that that is an approximation of where clearing and grading are going to occur. G. Dake states that the size of the house, the amount of lawn, etc. would vary the amount of clearing. J. Collura states that to help ease the Board member's minds, there is probably about \$50,000 worth of timber left on the property that he has chosen not to cut. T. Yasenchak states that her question is, what if all the people decide to clear cut, then that changes the impact. J. Collura states that he can put deed restrictions on the property. G. Dake states that it is a judgment point and that you are not dealing with 100% certainty on things. He states that it is unlikely that 4 people on the road are going to decide to clear-cut their property. M. Young states that he thinks that if this were built out, chances are that one person may want to clear a little more than everybody else along there, and that is what Locust Grove is. It is that way around the Town of Greenfield. He states that he is not very comfortable dictating that you cannot clear a certain amount. G. Dake asks J. Collura if the Board can visit the site on April 15th. He states that one of the things that he wants the Board to think about, and he does not know the solution, is that Griffen Road is currently a Town Road and is not currently paved. The applicant owns the land immediately to the South of Griffen Road and the proposed possible future road to the east of Locust Grove Road does not currently line up, would we be better off leaving ourselves the flexibility to move Griffen Road so that it lines up with the possible future road? Discussion takes place about the offset. M. Young states that we would have to consider the property owner to the North of Griffen Road. G. Dake states that he wants to see where driveways and houses are before closing any doors, and any action to move the road would require Town Board approval. G. Dake states that the Board and C. Baker need time to review the SEQRA. J. Collura asks if he should go ahead with an engineering study for Phase 2. G. Dake states that he can but he suggests waiting for the Board to review the SEQRA. M. Young states that the applicant should also be aware that by the time he starts on Phase 2, the zoning is going to change and he will be dealing with larger lots. Lead Agency letters are discussed and will be sent to the County Planning Board. A public hearing is discussed and scheduled for March 28th at 7:00 p.m. The Board would like to wait for the engineering review before sending this for County referral. J. Collura states that he would like to be present on April 15th for the site walk.

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JOHN WITT – Major Subdivision
Lester Park Road (Olde Stone Ridge)

John Witt and Frank Palumbo are present and distribute a new map. F. Palumbo indicates that the main change is the more substantial boulevard at the entrance. It is very close to existing grade and they are seeking to get scheduled for a public hearing at the next meeting. Lead Agency is discussed, the letters were sent out January 11, 2006 and the SHPO letter is discussed as it did not respond to the question of lead agency. They were looking for more information. F. Palumbo reviews that with the change to the boulevard the length of the road, from tip to tip, will be 1125-feet which is 5 times the frontage for the underlying zone and should meet code. He states that they have revised and changed the two lanes on the cul-de-sac and does not think that should change whether or not we would hold a public hearing but they would like to further consult with C. Baker and W. Barss regarding the absolute need for its width. F. Palumbo explains that on the map with the pink and orange highlighting, the pink indicates where C. Baker's March 2nd letter referenced that the applicant needed to get Creighton Manning to assess the differential between the where the roadways were when they had written the report and where they are on the plans. He states that the orange color indicates the new locations of the road and he provides a letter from Creighton Manning, dated today, based on their review of the current site plan. Regarding storm water management, he states that one of the appendixes in the SWPPP contained the storm water management report and he will get another copy to C. Baker. F. Palumbo states that Aztech Technologies is going to be doing the archaeological and geologic review. He states that they have concurred with what he has previously said, that there will need to be some excavation in the area and he indicates the area that could potentially be of a sensitive nature connected with Lester Park. He believes that this should also not impede the SEQRA process. He indicates that DOH will not sign off until SHPO signs off. C. Baker states that he would like an item-by-item response. G. Dake states that he believes that this project will be an asset to the community, but given the complexity, the Board must make sure that it is done right. F. Palumbo states that a visual analysis had been discussed, he displays a map, reviews the area of the road cut and that from the top will be the superior view. There is not a higher point in the area looking back towards where that cleared area will be. He explains how they have tried to minimize the grade and maintain as much of the vegetation as possible, and also the fact that this was done as a cluster and they have a minimum 100' buffer all around it. T. Yasenachak states that she likes the larger boulevard. M. Thrailkill states that this will be a very good project. M. Young states that he has not had much discussion about the lanes with W. Barss and will do that, but because of the size he is uncomfortable with one lane. J. Witt states that this is not the average cul-de-sac and that he will do two lanes if necessary, he would like it to feel more like a boulevard. Public hearing is discussed and scheduled for March 28th at 7:00.

RESOLUTION – J. Witt, Major Subdivision Lead Agency

MOTION: M. Young

SECOND: T. Yasenachak

RESOLVED, that the Planning Board declares itself as lead agent on the application of John Witt for a major subdivision of property located on Lester Park Road, TM# 164.-1-82.

VOTE: Ayes: Dake, Siragusa, Thrailkill, Yasenachak, Young,

Noes: None

Absent: Dupouy, Pfeil

G. Dake states that he would like to wait until after the public hearing to review the long form and suggests that the applicant review that due to the changes that have been made to the plans. F. Palumbo states that he will do that. J. Witt asks G. McKenna about getting a building permit for a Showcase Home on this property and he states that he will remove the existing house if necessary. G. Dake asks for permission to visit the property on April 15 and J. Witt states that he will be out of town but will have someone available to meet the Board.

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KAREN SHOOK – Planned Unit Development
Wilton Road

Karen Shook and Lisa Nagle, ELAN, are present. The PUD language will be forwarded to the Town Attorney for review. G. McKenna states that everything that K. Shook wants to do is in the language; everything was designed and built for this use. The septic, building and parking are all existing. C. Baker concurs that this is an existing condition. G. Dake states that this is somewhat unusual in that the language is intended to allow what is a pre-existing, non-conforming condition. G. McKenna states that the applicant is expanding the use as well. G. Dake states that the Board had discussed whether or not to do the long form or short form EAF but it seemed odd to do the short form on a PUD. Lead Agency letters will be sent to the County Planning Board and County Highway Department. G. McKenna questions that the applicant is only seeking 4 days per year with 100 people. L. Nagle states that the applicant does not have the infrastructure to do more than that. Discussion takes place about the property listed as belonging to Jill Shook and that he would like to see something in writing from Dale Shook and Jill Shook that they are in agreement with this project and that K. Shook is representing their interest. T. Yasenchak states that she would like to see some of the uses defined a little bit closer. She states that she has no objections; she is just concerned that there may be some public comment or concern that the applicant is going to build something like a hotel. She also states that she lives just over the hill, she thinks this is wonderful and it is not noisy. She suggests that the applicant not limit herself too much and keep options open a little. T. Siragusa asks if there is anticipation of negative feedback. G. Dake states that it is possible, that the Planning Board is not required to hold a public hearing but he thinks it might be in the best interest of the applicant. T. Siragusa states that he has only heard positive feedback from anyone who has been there. M. Thraikill asks about an alcohol license. K. Shook states that she does not intend to pursue one. Public hearing is scheduled for March 28, 2006 at 7:00 p.m.; that lead agency could be acted on at the April 25th meeting and the PUD could be turned over to the Town Board at that time. The applicant is asked to grant the Board a couple of extra meetings to act on this due to the meeting schedule. G. McKenna states that he thinks that the lots have to be joined and that the applicant received the variance for acreage. L. Nagle states that she has done other PUDs on multiple lots.

ZBA REFERRALS

Nick & Susan Washco – No Planning Board issues.

Rose Schumacher – No Planning Board issues.

Anthony Vaccarielli – Discussion takes place that this property was formerly owned by John Jordan and was subdivided in the 1990's. It has received variances for frontage a number of times and the new owner, A. Vaccarielli, had come to the Planning Board to revise the subdivision. G. McKenna states that this is not a town road, was never proposed to be a town road and the applicant does have a building permit for lot 3. G. Dake states that he would recommend denial of the variances and ask the applicant to come back to the Planning Board to discuss the proposed changes to the subdivision. C. Baker states that his concern is with the cul-de-sac configuration which has to change from what was presented if they want this to be a Town Road, and that will change the frontages also. The Board agrees with G. Dake's recommendation regarding denial and asking the applicant to return to the Planning Board.

Meeting adjourned 10:33 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary