

**TOWN OF GREENFIELD**

**PLANNING BOARD**

**April 27, 2010**

**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, Nathan Duffney, Lorna Dupouy, Thomas Siragusa, and John Streit. Tonya Yasenchak and Michael Thraikill are absent. Charlie Baker, Town Engineer, is present.

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**MINUTES – March 30, 2010**

MOTION: L. Dupouy

SECOND: T. Siragusa

RESOLVED, that the Planning Board waives the reading of and approves the minutes of March 30, 2010, as submitted.

VOTE: Ayes: Dake, Dupouy, Duffney, Siragusa, Streit

Absent: Thraikill, Yasenchak

Noes: None

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**MINUTES – April 13, 2010**

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Planning Board waives the reading of and approves the minutes of April 13, 2010, as submitted.

VOTE: Ayes: Dake, Dupouy, Duffney, Siragusa, Streit,

Absent: Thraikill, Yasenchak

Noes: None

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**PLANNING BOARD CASES**

**RYAN CHRISTOPHER – SPECIAL USE PERMIT**

Murray Road

Ryan and Helen Christopher are present. A public hearing is opened at 7:02 p.m. R. Christopher explains that he would like to put an 18' x 40' addition on his existing garage. Lynn Baker, Grange Road, states that she thinks it is a great idea, that R. Christopher is very professional, a great worker and we need more people like him in Greenfield. She feels that he should be allowed to have as many employees as he wants, and that he should not have to get a Special Use Permit to add employees to the business since he already has a permit. She would like to see a proposal that allows residents of Greenfield to not have to pay fees to get permits to do business especially when it is in their own home on their own property. She feels that this is good for the community; the applicant is giving jobs to people. Mike LaGalles, South Creek Road, states that he feels that less government involvement there is with private property owners, the better off we are. He has no objection to what the applicant is doing and that the application process is a forced

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delay. Chris Baker, Grange Road, states that a man with the applicant's talents is sorely needed in the community. There being no further public comments, this public hearing is closed at 7:05 p.m.

Charlie Baker states that he has no engineering issues. J. Streit states that, not speaking for the rest of the Board, while he agrees that the less government interference, the better, the general feeling on this Board is that we use this position only to protect the rights of other property owners in this Town. He states that with this project, as in most projects that come before us, we are trying to protect the rights of the other property owners around there and it certainly isn't because we enjoy interfering in peoples lives. We are here to help fellow Greenfield residents with their lives. T. Siragusa reiterates his comments that he is in favor of the project, it looks like a good project, from the road you cannot tell that it is a business, it looks very neat. B. Duffney agrees with the public comments and states that he is all for the young people in this Town to expand and take care of their families. G. Dake reiterates that the applicant is seeking a Special Use Permit to add two mechanics and operate the hours of 8:00 to 5:00 Monday thru Saturday. The applicant is on the May 4, 2010 agenda for his variance.

**RESOLUTION – R. Christopher, Special Use Permit**

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Planning Board approves the application of Ryan Christopher for a Special Use Permit to expand his business on property located at 983 Murray Road, TM#162.12-1-24, as follows:

- **Addition of 2 mechanics**
- **Hours of operation to be Monday thru Saturday 8:00 a.m. to 5:00 p.m.**

This approval is contingent upon:

- **Receipt of area variance from Zoning Board of Appeals for addition to building**

VOTE: Ayes: Dake, Dupouy, Duffney, Siragusa, Streit,

Absent: Thraikill, Yasenchak

Noes: None

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**MARK TETREULT – Minor Subdivision**

Kircher Road

M. Tetreault is present. He states that Walt Barss looked at the driveway and did not see a problem. He is selling the property as is and the purchaser would then have to get a driveway permit at the time of construction. C. Baker states that he also spoke with W. Barss and agrees with him. They discussed that at the time that the driveway is constructed; it can be sloped away from the road and in towards the lot, maybe 50 or 60 feet. B. Duffney states that he has no problems, he also spoke to W. Barss. He states that W. Barss is the professional, he is our Highway Superintendent and we should follow his lead. (T. Yasenchak arrives at 7:11 p.m.)

**The Board completes Part II of the Short Form SEQRA. All questions are answered “no”. J. Streit makes a motion to check Box B, indicating that this will not result in any significant negative environmental impacts. B. Duffney seconds the motion. All present in favor.**

**RESOLUTION – M. Tetreault, Minor Subdivision**

MOTION: B. Duffney

SECOND: L. Dupouy

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RESOLVED, that the Planning Board grants a minor subdivision to Mark Tetreault for property located at 25 Kircher Road, TM# 163.-2-49 per the plans submitted.

VOTE: Ayes: Dake, Dupouy, Duffney, Siragusa, Streit, Yassenchak  
Absent: Thraikill  
Noes: None

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**JAMES DORSEY – Major Subdivision**

Locust Grove Road

James Dorsey is present. C. Baker provides the Board a copy of a review letter. J. Dorsey explains that he owns a parcel of approximately 71 acres on Locust Grove Road with approximately 1553 feet of road frontage and he has owned it since September of 2008. Since then he has studied the property and walked it a zillion times trying to decide what to do with it. He states that they took a simple approach looking at two options – the first being a higher impact which would be a public road with 8 to 10 additional lots: the second was private drives and 5 additional lots. He states that once they decided on the private drives they set out to work on the natural characteristics of the property. The primary focus was the preservation of the character of the old farmstead, which will remain intact with some natural detailing on the north and the south. The farmstead lot will consist of the farmhouse, the apple orchard, the parking lot, and the field behind the farmhouse. The view from the road will remain intact. They next looked at the existing open fieldstone walls that separate the fields and the existing farm road that leads to the top field. Keeping zoning regulations in mind, they determined that they had enough frontage for six 6-acre lots at 250' of frontage per lot. So they set out to stay within those boundaries. J. Dorsey states that he did talk with C. Wilkinson regarding some of C. Baker's notes and has some photographs regarding the issue of the topo. He states that he believes it is a little off and was taken from USGS. The bulk of the topo is correct. He states that they tried to place the houses, driveways, etc., so that they really maintained the characteristics of the property. They are really interested in keeping the open field look on the south with the two fields, really interested in keeping the farmstead with the field behind it and the mountains so that the character stays intact. The big thing is the 6 units that they are proposing. Across the street there is a 5 unit that exists right now. He felt that there is a real need in Town for some affordable senior housing. He draws on that from Dale Pettit who owned the farm and the difficulties he had in finding a place to move to that would accommodate him, and the older folks in the area who might want to remain in the Town of Greenfield and live on one story, maybe have a little garden, but be maintenance free. J. Dorsey states that he put this on here as an option. There are other options - a single-family house with 6-plus acres. C. Baker reviews his letter and states that he does not have issue with the overall concept. The County map viewer does show some wetlands in the back. C. Baker asks if it was actually field delineated. J. Dorsey states that they are not delineated because it is mostly on the Maddy Grove property. He states that if you walk the property you would see where the top ridge is where the wetlands are. He states that the exit of the wetlands comes onto his property in through a stream through the corner of the property. C. Baker states that he is not as concerned with the ones on the west, but the channel that runs down through the center of the property. J. Dorsey states that there is a small stream that runs through the property and a 60" culvert that was installed under the guidance of Soil & Water and DEC. C. Baker asks that this be delineated. J. Dorsey states that he will contact Thompson and Fleming. C. Baker states that what he is looking for is a Federal and State delineation of the wetlands. C. Baker states that as this is a major subdivision, a long form SEQRA should be done. G. Dake reads from G. McKenna's notes with a suggestion that the applicant might want to consider a PUD because of the 6 units. C. Baker states that if the applicant decides to go with the apartments he agrees that the applicant should go to the Town Board to establish a PUD. Also, one of the lots is not 6 acres. J. Dorsey states that the reason they left it like that is because of the natural boundaries of the property, but there is plenty of property to add, if they need to change some lines. He states that this is just a proposal as it is the most natural. G. Dake

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states that if the applicant wants this lot to stay at less than 6 acres, he would have to get a variance for the Planning Board to approve the subdivision. C. Baker states that while the lot at the top looks flat, the applicant should have Thompson Fleming shoot a few topos to verify. Regarding the very long common driveway, C. Baker states that we should have emergency services take a look at this. He notes that there are pull off areas on the plans to allow for two way traffic, which is a good thing, and our code does also require that there be a turn around area within 100-feet of each of those houses so that fire trucks can be turned around if necessary. C. Baker asks why the two lots with frontage are tied to the common driveway. J. Dorsey states that they have done numerous revisions to this plan and that was to be changed. C. Baker comments on the legal issues with common driveways. The driveway will need to be certified by a PE. A SWPPP will be required for this project. C. Baker states that we typically don't require septic details up front. As the lots are built the applicant would be required to provide a plot plan providing individual septic designs and well locations at that time. G. Dake suggests that this is the type of property that the Board should probably get out and do a site walk on. (C. Wilkinson arrives – 7:30 p.m.) T. Yasenchak states that she likes the low impact on a whole, so that the appearance of farmland remains and there are not houses lined up along the road. She does question the sight distance on the lot that is directly south of the existing house. It has its own driveway. C. Wilkinson states that he has not measured it. The existing driveway was there and it is already recognizable that there is a driveway there so he tried to keep them fairly close. G. Dake states that there are a lot of vertical sight distance problems on that road and that it should be verified. T. Yasenchak questions why the lot in the back, the farthest north, wraps around the other one. C. Wilkinson states that was done intentionally as they are trying to keep the balance of the property undisturbed under one owner so that they have total control over it. J. Dorsey's intention, currently, is to build his house there. T. Yasenchak states that she understands, but if someone were to buy a 6+-acre lot, she is unsure that they would want someone else to own the piece wrapped around them. She states that it looks like it could be set up for another out and partial subdivision down the road. J. Dorsey explains that they tried to limit the joint access as much as possible so that once it got over the culvert it opened up. The only way to do that is to keep the 41 acres with lot 6 and making lot 5 a true flag lot surrounded by a larger parcel. T. Yasenchak states that makes more sense. C. Wilkinson states that they are using the existing farm road to minimize impact. T. Yasenchak states that her only other concern was for the six units on the north. It is a dense use, she knows that there is a need for it and across the street there are several units, but it looks like one building rather than looking like something that you see in the suburbs of Saratoga. If this were made to look like a country farmhouse that was one building, she feels it would have less of a visual impact and be more consistent with the character of the neighborhood. J. Dorsey states that his thought was to keep it farm looking, to have the units on one level and maybe have a garden, a walkout, have some light, etc. He states that he is not stuck on the idea. T. Yasenchak states that she feels it is too dense and out of character for the neighborhood. J. Dorsey states that it is not really a financial winner. T. Yasenchak states that she agrees that it is needed, but if it were done more in character with the neighborhood. T. Siragusa states that then this would not be assisted living, but just senior housing. C. Wilkinson states that it would be up to the Board how they wanted to word it. J. Dorsey states that it would be for someone who could care for themselves, does not want to maintain a house, but does not want to move into an apartment. T. Siragusa asks if it would be for single occupancy or two people. C. Wilkinson states that they would be one-bedroom units, handicapped accessible. T. Siragusa states that he likes the idea, if it were done right, done in character with the neighborhood. T. Siragusa states that he likes the idea that the project is trying to follow the lay of the land. He states that if the lay of the land looks the way the applicant likes it for that southeast lot, then he might want to ask the Zoning Board before changing it. B. Duffney states that, as he has said before, we need to help our young people starting their lives and raising their families, but we also need to help our seniors maintain their standard of living in our Town. It would be nice to have something like that for seniors to be able to have their gardens because many move to places like Wesley, Home of the Good Shepard or Prestwick Chase. Here they would have their own little world. B. Duffney states that as T. Yasenchak said, the sight distance on the driveway by the house should be checked into. He reiterates the need for turn arounds for emergency services and states that the project looks good to him. L. Dupouy states that it looks like a good project, she would just ask that the applicant be timely in getting things to the Board. J. Streit states, in looking at the concept, when he drove by it today the first thing that came to mind was a

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site walk. He states obviously he had assumed that the 6-unit lot would be controversial. He thinks that the applicant has made some very cogent suggestions why it might be desirable. He assumes it would have to go through at least ZBA. It would help the Board to absorb all that was presented tonight by a site presentation. A lot of the arguments for the 6 unit were very interesting and one has to evolve and absorb those ideas, and the comments made by the Board to make it compatible with the existing architecture and so forth are well taken also. Overall he thinks it is an interesting concept, he sees nothing wrong and he feels he could make a much more mature decision after a site walk. G. Dake states that he thinks the Board should get out there and see the lay of the land. He states that there are a couple of zoning issues that do arise. He agrees with T. Siragusa, he would rather see us preserve the 4.67 acre piece; maintain the lot lines along the stone walls as presented. He feels that would be an excellent case for a variance, to go back and preserve that lot. He states that he does not know that the Zoning Board would go along with that, he cannot speak for them, but he certainly thinks that being able to preserve the fields as they are makes a lot more sense than ripping down stone walls and making artificial boundaries. The multi unit parcel, if done appropriately, there is nothing wrong with it. The math is going to be tough, some of the engineering might be tough, he does not know what the soils are like and from a zoning issue, he does believe that the way it is written that would require 36 acres to have 6 living units. That would be a zoning issue, can you get the variance, is there an argument for some sort of technical cluster, but he does not think that even a cluster works because by the time you take 6 dwelling units plus the other lots you are at a total of 11, 66 acres. Theoretically it might work as a cluster, but you have undevelopable, slopes, etc. C. Baker asks if the ZBA can grant a variance on a lot that doesn't exist. C. Wilkinson states that the short answer is yes, but it becomes very complicated, are you self-creating, etc. G. Dake states that, as G. McKenna stated, the other way around it that G. Dake does not like, although it would work, is a PUD, because then you really are spot zoning. There are some complexities to this project, which the applicant knew coming in. He states that we might want to do, instead of a public hearing early in the process, a public comment period before we get too far. J. Streit asks if the applicant has spoken with his neighbor, Dr. Flynn. J. Dorsey states that he has not spoken with the Flynn's about the 6 unit just because he has been on the fence about it. He has spoken with Dr. Flynn about the subdivision and that he is looking to build his own house there also. G. Dake asks how the applicant feels about have a public comment meeting; it would not be an official public hearing. It would give the Board the opportunity to see how the public feels about the project. J. Dorsey questions if this would be on the 6 units. G. Dake states that it would be on the whole project. He would start by presenting that the applicant is up in the air about this, he doesn't want to spend a lot of time and energy on something that the neighbors are going to fight. J. Dorsey states that he brought it to the Planning Board to see whether the Board would shoot it down or say it was feasible, before talking to the neighbors, because before you bring it to the neighbors you want to have somewhat of a final plan of what you have in mind to do. He was not sure how the Board would embrace the 6 units. G. Dake states that it is more of a zoning challenge than anything else. Then there is going to be a certain amount of design. J. Dorsey states that it is a financial challenge too. G. Dake asks if the applicant wants to wait and reflect on the Board's comments before we schedule something so that the applicant can decide if he wants to show it to the public. J. Dorsey states that it might be something he wants to discuss with C. Wilkinson. G. Dake states that there is no rush. J. Dorsey states that there is a good chance that he might come back and have that proposed as a single family. G. Dake states that the applicant needs to firm up his plans a little bit before the Board has a public comment or site walk so that the Board knows what they are looking at. He states that sight distance needs to be looked at. The Planning Board has killed subdivisions for lack of safe egress. C. Baker states that when they do the evaluation it should be based on the 85<sup>th</sup> percentile for speed. G. Dake states that there is also the issue of the 4.67-acre lot, and what happens if we do go with the multi family lot as to zoning. We also need to have the wetlands delineation done. J. Streit questions that G. Dake suggested putting off the site walk. He states that he would like to do the site walk as we are considering all the different options so we can absorb this. A site walk is discussed and scheduled for May 15<sup>th</sup> at 1:00 p.m. G. Dake states that this is a complex proposal which will take some time. B. Duffney states that the property is unique because of the contours of the land. He states that the applicant is preserving history by leaving the stone walls. T. Yasenchak states that if the applicant decides to go forward with the zoning variance, there is the Historical Society in Greenfield and they may be able to

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help the applicant find more of the history for this particular property. C. Wilkinson asks if this lot goes to a single family lot, does that give any more leeway to this Board as far as considering this under the cluster regs. G. Dake states that he thinks it would be easier to call it a cluster, but he has to review the cluster regs again. This application will be on the May 11, 2010 agenda.

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### **DISCUSSION**

Sarah Lieberman, Environmental Commission, states that they would like the opportunity to look at the subdivision further and she provides a copy of an article to the Board regarding the demise of wood burning furnaces. Mike LaGalles states that the Fire Department would probably like to take a look at this subdivision plan. G. Dake states that in addition to the comment periods we will get a copy to the Fire Department representative for review.

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Meeting adjourned 8:03 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland