

TOWN OF GREENFIELD

PLANNING BOARD

MAY 30, 2006

REGULAR MEETING

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

MAY 9, MINUTES

MOTION:

SECOND:

RESOLVED, that the Planning Board waives the reading of and accepts the minutes of May 9, 2006, with the following corrections:

- To the sentence – C. Baker states that the traffic engineer’s report... and it meets.” Add “**AASHTO requirements**”

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

Noes: None

Absent: Dake, Pfeil

PLANNING BOARD CASES

SCOTT FORO – Site Plan Review

Whispering Pines, Sand Hill Road

A public hearing is opened at 7:03 p.m. Scott and Kim Foro are present and S. Foro reviews that they reopened the campsite just over 10 years ago and are looking for a 50-site expansion which would be for mostly seasonal sites. Deborah Curtis, Sand Hill Road, asks where the sites are going to be located and has there been any consideration for the additional traffic on the road. She has a concern with the speed limit as there are children in the area; the increase in noise; the road is posted for a weight limit and she believes that a lot of the campers exceed that limit. K. Foro states that there is an issue with speeding on the road but it is not due to the campers. She states that there are people who live on the road who do not observe the speed limit. M. Thrailkill asks what the speed limit is. M. Young states that section of Sand Hill Road is not posted, it has suggested speed limits, and therefore it is legally 55 mph. He also states that the road is only posted for weight in the spring, but it does not have a ton limit on it. K. Foro states that as to the noise D. Curtis mentioned, her property borders the playground for the campsite. She states that being a campground in a residential area, they have to deal with noise from the neighbors as well that irritate the campers. S. Foro states that they have been under some legal litigation with this resident regarding encroaching on the Foro’s property and for issues with her dog. M. Thrailkill asks D. Curtis how long she has lived here. D. Curtis states 8 ½ years. M. Thrailkill asks if the campground was up and running when she moved in. D. Curtis states that it was. Bernadette Drumm, Sand Hill Road, asks the location of the new sites. S. Foro explains. T. Belisario, Sand Hill Road, asks about groundwater runoff and sewage. T. Yasenchak explains that the applicant is proposing additional septic systems which will have to meet DOH and Town regulations. There

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are State regulations regarding run off which have to be met. Gerald Case, Sand Hill Road, states that his property borders the area of the new sites and he asks about screening between the campsites. He questions the increase in headlights and noise. T. Yasenchak asks where his house is located and explains that screening and buffers are things that the Board will be discussing. A letter from Kenneth and Nancy Waite is read into the record in support of the application. There being no further public comment, this public hearing is closed at 7:15 p.m.

T. Yasenchak reviews that the Board had asked the applicant for several items at the last meeting. S. Foro states that they have secured an engineer, and a survey and wetlands delineation are to be done. T. Siragusa asks about noise regulations. T. Yasenchak explains that there is no noise ordinance in the current regulations, however this issue has been discussed with other applicants and they have been asked to self regulate and to not have noise after a certain time. M. Young explains that the new version of the Master Plan does not have any specific regulations and will continue to be looked at on a case-by-case basis. S. Foro states that they do have specific quiet hours from 11 p.m. to 8 a.m., and that the volume of noise should not exceed beyond your specific site. He states that if he hears music he has it shut off and has even taken possession of radios at times. L. Dupouy asks about the screening. S. Foro states that as any clearing is done on any part of the campgrounds, he has flagged the area to make sure that buffers are kept between and to the rear of sites. He states that he believes in this case there will be a lot of buffer with the wetlands. Some of what the neighbor mentioned about headlights is when he does rounds. L. Dupouy states that she would think that for better business, the applicant is going to want to have the property insulated as much as he can to provide that campground feeling. K. Foro states that they are very aware that they are a commercial business in the middle of a residential area and have encouraged the neighbors that if they (the Foro's) are not aware of something that is going on, to make them aware of it. They cannot fix something if they do not know. S. Foro states that on particular weekends, like when the Dave Mathews concert is in town, that is when things are likely to get out of hand and they hire extra people to make sure they are maintaining the peacefulness of the neighborhood. L. Dupouy reads from Section 105-125 regarding buffers. S. Foro asks what designates what would be the boundary of a specific site. T. Yasenchak states that she believes that the farthest portion of a campsite where they could park on would need to be 100'. S. Foro states that is yet to be surveyed and would possibly involve the 6 sites along the property line. They may have to take another look at those sites and they may have to be removed from the plans. M. Thraikill addresses the public and states that there is still a lot of review on this project in addition to DOH approvals that are required. M. Young discusses the possibility of requesting a speed reduction and believes that the increase in traffic would warrant this request. He states that the last couple of requests that the Town has made have received quick responses. S. Foro reiterates that these new sites are geared towards the seasonal campers and that there should not be a lot of additional traffic. M. Thraikill states that G. McKenna had been questioned regarding any violations or complaints and had stated that there were some complaints when the campgrounds initially opened, but that there had been none in the last 8 years. M. Thraikill reiterates that if anyone had issues, they should have spoken with the applicant or come to the Town. Further discussion takes place regarding the speed limit. M. Young states that the entrance is away from the curve in the hill probably just enough that it is not completely blind, but it is at the bottom of a hill and a slight "S" curve, then up another hill. It is not a perfect road access, but it is ok and he does not know of any accidents there. He states that he assumes that the expansion is because they know that there are enough customers that on the weekends they are expecting to be over 100. To look at this without the full engineering, it seems like a lot of sites at full capacity and that it seems that is asking a lot of the increase to Sand Hill Road, the increase to the area – at full capacity, fully booked. S. Foro states that even with the expansion, they are one of the smallest parks in the area. M. Young asks if they are closed after October. S. Foro states that they are completely closed in the winter and the property is posted. M. Young states that he weighs that while there is a higher impact in the summer, it is almost forever wild with nothing going on in the winter. M. Young reiterates that he would like to see the Planning Board ask for a speed reduction. S. Foro states that they have made several complaints to the Sheriff and the school district about buses coming down the wrong side of the road. C. Baker states that all the issues have been addressed and he will need to see more details. R. Rowland will send a letter to the Town Board requesting the reduction in speed to 40 mph for Sand Hill Road from North

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Creek Road to Coy Road. T. Yasenchak reviews what had been requested of the applicant. S. Foro states that a traffic study had been done and he wasn't sure what additional information would be needed. T. Yasenchak states that the minutes state the Board wanted to see what we had for a traffic study as we do not have a copy of that, and that the applicant may want to go back to see what would be needed to update it. She discusses the increase in usage, the existing roadway and that the Board would like to see the implications of the additional traffic at the intersection and on that road. T. Yasenchak reads from G. McKenna's notes regarding fire department access. S. Foro states that they have covered that issue from day one, and have actually just had a meeting with their seasonal campers with this being one of the topics. He states that he came into this business from being a fireman and driver of the first responding apparatus, so he is quite familiar with what they need. The fire department has actually been on the property three or four times a season and he has never had any complaints. T. Yasenchak asks that something be shown on the plans designating these areas. She states that we do have a requirement of 2 weeks to get the plans in so that they can be reviewed by C. Baker. S. Foro questions that he will then not be able to be on the next agenda. T. Yasenchak states that if he has additional information we can continue on, but we will need a complete application. In order to deem it complete there are regulations spelled out in the code. She explains that we cannot make a decision until we have complete information. S. Foro states that the engineer's have just begun their work so he does not think he can get anything together over the next week or two. He will get the information in as soon as possible. M. Thrailkill states that it is in the minutes, but reiterates the request for the locations of the houses on the plans. S. Foro states that he mentioned that to the surveyor.

PATRICIA GUARNIERI – Major Subdivision

Daketown Road

Patricia Guarnieri is present and reviews that she is seeking to subdivide 8 lots, she submitted an engineer's booklet two weeks ago and all of the large scale maps that went along with it and some smaller maps. R. Rowland indicates that some of the pages P. Guarnieri had submitted were blank. C. Baker states that he has not done the detailed review yet. P. Guarnieri discusses the stopping distance and the sight distance report from M. Chevalier and Ms. McGiver. Ms. McGiver also addressed the size of the cul-de-sac at the end for emergency vehicles, she enlarged that and made sure that she matched the mandates that were put out in the publications here at the town. Ms. McGiver also spoke with John Connell regarding the wetlands and made sure that her storm water design met his specifications. She also did a detailed road plan, which also adhered to the Town's regs. Discussion takes place regarding deeming the application complete and setting a public hearing. C. Baker states that he believes that there is enough information to do a public hearing. This application will be sent to the County for referral. Lot sizes are discussed and the applicant states that she may combine the two 1 acre lots at the entrance, possibly after the fact. P. Guarnieri states that this has become very expensive and she had no idea what she was getting into. If she can get two houses there, the profit margin will be a little higher. A public hearing is scheduled for June 13, 2006 at 7:00 p.m. T. Yasenchak asks for additional copies of the maps for the Board. C. Baker states that he does not have a complete set of plans, asks the applicant for the additional pages and states that the applicant should complete the SEQRA long form. He also suggests that the applicant can send information directly to him instead of through the Planning Board office. P. Guarnieri asks if the Planning Board file has a complete set of everything. R. Rowland suggests that P. Guarnieri come in to the office to review the file.

CHAD LOYA – Special Use Permit

Sand Hill Road

No one is present for this application

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CHARLES GLESSING – Major Subdivision

Locust Grove Road

Postponed to June 13, 2006.

THOMAS JOHNSTON – Minor Subdivision

Allen Road

Thomas Johnston is present and is seeking to subdivide his property of 13+ acres into 3 lots. T. Yasenchak reviews G. McKenna's notes that this is in the R2 zone and complies with zoning. T. Siragusa asks about seeing proposed house locations. T. Johnston states that there are no plans to build on the lots presently. C. Baker states that the topo should be added to the plans to help determine the buildable area. T. Siragusa asks about wetlands. M. Young states that this property is heavily wooded and he does not believe there are wetlands. Large lots are proposed here and he believes that the topo should show any problems. M. Thrailkill states that he lives in this area and believes there are no wetlands, it is fairly level and he has no issues. M. Young states that there should be no issue with sight distance or access. T. Yasenchak asks if the Board wants to see driveways or limits of clearing. L. Dupouy reiterates that the applicant stated he was not going to build here. T. Johnston states that he is simply trying to set up his estate. M. Young states that the Board generally requests this information if there is some concern or issue with the property that the Board is aware of. The Board discusses a public hearing and one is set for June 13, 2006 at 7:00 p.m.

JOHN WITT – Major Subdivision

Lester Park Road

John Witt and Frank Palumbo are present. T. Yasenchak reviews G. McKenna's notes. Discussion takes place regarding Prof. Lindemann's letter, cluster development, Home Owner's Association, etc. J. Witt states that he has not finalized the HOA, however he is doing a simplified version that does not require the Attorney General's approval. He will provide a copy to the Board and Mark Schachner as soon as possible. C. Baker states that they did additional borings on May 16, 2006 and that he is satisfied with the locations identified for septic systems and he believes that the DOH was satisfied as well. F. Palumbo distributes copies of the plans and indicates that along lower Meadow Lane the storm water basin has been moved from the center of the cul-de-sac to the periphery. He states that the wetlands were walked and flagged in the area of the drainage ravine in the upper area. F. Palumbo states that what is not on the plans yet is that on lots 13, 14 and 16 they had some difficulty with finding soils for the deep hole test pits. These are the only ones that they are struggling with. It had rained, so even getting around on those lots was difficult and getting the backhoe through was difficult. He states that he has called Mike Shaw again to find out what would be acceptable for locations. If they can find a spot that would be suitable that is what they would like to do and get M. Shaw back out there. If not, what are their alternatives, is there something they can do with conditioning these lots for placement of fill, etc. They may have to reconfigure those lots. He states that he does not believe that any of these things preclude a decision on SEQRA. C. Baker states that he agrees with F. Palumbo's summary. He states that they may want to get a soil scientist out there and they may be able to find areas where they can make things work. F. Palumbo states that all the work that Prof. Lindemann has come out to see has not required any blasting that was discussed as possibly being necessary. He states that the material being removed has been crushed and is being reused at the site as a fill on the road. T. Yasenchak states that she spoke with G. Dake, the Board is aware of the additional engineering that needs to be completed and will need to see the details prior to final approval. C. Baker states that if the three lots are reduced to one lot, that would be less of an impact so as far as the intent of SEQRA, it would be less intense. The Long Form SEQRA is reviewed and discussed. A note is added to Part 1, question #12 that this is per the May 22, 2006 letter from D. Lindemann. Discussion takes place that if something is addressed as a potentially large impact; the Part 3 is automatically going to be done to explain it. C. Baker reviews that the

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Board checked potentially large on two of the items and if everyone agrees with those, the Board is then to go to Part 3. C. Baker suggests for the description to Impact on Land that road construction will create areas of cuts and fills on slopes that will range from 10 to 15%. In addition you are supposed to describe if the impact can be mitigated or reduced by a project change. He states that in this particular case he does not believe that it can because he does not believe that the applicant has another access to that upper area. The third part is to discuss whether or not the Board thinks it is important. He states that due to the engineering that has been done, the preparation of the SWPPP and the engineered slopes that they are proposing for the steep slopes using engineered products that are designed for those steep slopes, and they are going to be implementing storm water erosion control measures and inspections are required. For the next item, Drainage flow, he would suggest the same. Drainage flow was checked as potentially large due to erosion and the explanation for that would be that it has been engineered, there is a SWPPP in action, there will be construction inspections that go along with that to make sure that the measures are being implemented and that can be considered to be relatively not important because it will be monitored closely during construction. The Board consensus is that the items marked as small to moderate are not important. C. Baker offers to write up something more formally to attach. The Board consensus is that they are comfortable with what has been discussed, they have gone through item-by-item and are aware that the applicant has mitigated in areas.

RESOLUTION – John Witt, SEQRA

MOTION: T. Siragusa

SECOND: M. Young

RESOLVED, that the Planning Board votes to check Box A that a negative declaration will be prepared on the application of John Witt for a major subdivision on property located at 6 Lester Park Road, TM# 164.-1-82.

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

Noes: None

Absent: Dake, Pfeil

This application will be placed on the agenda for June 13, 2006. T. Yasenchak reviews that the Board will need to see C. Baker's letter regarding his review and the applications report on what happens with the further research on the three lots with issues.

JEFFREY COLLURA – Major Subdivision

Locust Grove Road

Jeffrey Collura is present. T. Yasenchak reviews G. McKenna's notes and asks the applicant if he has an updated map per his conversation with W. Barss. J. Collura states that he has not changed the map yet as there are several revisions and he wants to get one final map. He explains that he would be expanding the frontage on two lots to 250' each in order to get 500' away from Griffen Road and then put the keyhole access between lots 2 and 3. Discussion takes place about frontages and J. Collura states that each frontage will exceed the required amount. T. Yasenchak explains that the Board is not inferring that they will approve that keyhole access as a future road. J. Collura asks C. Baker if he needs to include any information regarding drainage or a future catch basin for this possible future road in order to get this approved. C. Baker states that for now it is a right of way for the lot, but suggests that the applicant keep in mind that if the applicant's intention is to put a road there in the future, he will have to demonstrate how he is going to handle the drainage for that road. C. Baker states that he does not believe that the applicant will be able to do it within a 60' right of way. G. McKenna's notes state that the standard notes need to be added to the final plans. C. Baker states that the keyhole requirement also needs to be on the final map. T. Yasenchak states that as was discussed with the applicant, the SEQRA review will be for the east side of the road and that the west may be part of a future plan. J. Collura states that he only left responses blank on questions he was not sure of. Discussion takes place regarding the percentage of slopes. C. Baker suggests in the Description of

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Action including '5 lots limited exclusively to the east side of Locust Grove Road' be added. Total acreage responses are completed. Part 2 is reviewed and completed.

RESOLUTION – Jeffrey Collura, SEQRA

MOTION: M. Thraikill

SECOND: L. Dupouy

RESOLVED, that the Planning Board votes to check Box A that a negative declaration will be prepared on the application of Jeffrey Collura for a major subdivision on property located at 937 Locust Grove Road, TM# 112.-2-24.

VOTE: Ayes: Dupouy, Siragusa, Thraikill, Yasenchak, Young

Noes: None

Absent: Dake, Pfeil

The applicant will have the surveyor make the changes necessary to the map and submit that for C. Baker to review any outstanding issues.

ZBA REFERRALS

WILLIAM BOKUS – Area Variance – T. Yasenchak reviews that the application is seeking area variances for side, front and rear setbacks. G. Dake had indicated that there is a question as to whether or not this particular lot was designated for drainage. G. McKenna's notes indicate that the Town has a problem with the drainage basin. C. Baker states that this was a difficult subdivision. There is a drainage easement and a storm water management basin, which really is not doing much of anything. There is a present problem with flooding on Barney Road, which is part of the problem the Town has had to deal with a number of times. The Town has tried to discuss the issue with Mr. Bokus who has not been very forthcoming in working with the Town on it. He has basically taken the position that he built it according to the plan and it is the Town's problem. C. Baker states that he does not know how this affects the Planning Board's referral, other than that he looked at the problem a couple weeks ago with W. Bars and there is an issue with drainage that somehow we need to get some cooperation to get it corrected. If holding up these potential variances is one way to get the applicant to cooperate with the Town, then may the Planning Board should take that position. He states that he has discussed this with the Town Supervisor as well who has tried to talk to Mr. Bokus as well. M. Thraikill asks what needs to be done at the site. C. Baker states that there has been a lot of erosion that has occurred over the years, the applicant is doing mining up on top of the hill which is not part of the subdivision, there is erosion that has occurred in the drainage channel that comes down along the side of this basin and C. Baker thinks that what the Town needs to do is get the applicant to repair that channel so it more effectively carries water and possibly divert it into the storm water basin so that is utilized. M. Young states that this is a perfect opportunity and he believes that T. Conard, ZBA Chair, is aware of the issues also.

RECOMMENDATION – There are outstanding issues and the applicant should work with the Town to correct them before any approvals are given. The applicant should conform to the Town Engineer's recommendation regarding storm water drainage issues.

MARYANN DOGIAS – Area Variance – No Planning Board issues

CARL & RICKI ARCIPRETE – Area Variance – No Planning Board issues. Applicant should indicate location of septic system

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TOM MERRILLS, JR. – Area Variance – T. Yasenchak reads from G. McKenna’s notes that the applicant would like to build a house and that the septic as proposed is a fill style with a pump. C. Baker does not believe that there is an area on this lot with less than a 15% grade for the septic system and he does not know how they will be able to do it. T. Yasenchak states that even if the ZBA gives the variances, it will still be up to the applicant to prove that he can get that on there for a building permit. L. Dupouy asks about the concerns with the Lake Desolation area. C. Baker explains. L. Dupouy asks about “eco-environmental systems”. C. Baker states that they are available, but they are not very practical. M. Young explains the way that the Master Plan has handled it is that they are creating a district that overlays the Lake Desolation area, that any building permit pulled for anything – deck, pool, roof, anything – is going to trigger that you have to prove that your septic system works. He states that this is one step that can be taken to try to help with the issues. C. Baker has concerns that once the variance is issued, that the applicant may not be able to put in the septic system.

RECOMMENDATION – That the Planning Board has concerns that a septic system can be located on this property and that the options for a septic should be reviewed. That information will have to be provided for the building permit process.

Meeting adjourned 10:09 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary