

TOWN OF GREENFIELD

PLANNING BOARD

August 10, 2010

REGULAR MEETING

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

MINUTES – July 27, 2010

MOTION: T. Siragusa

SECOND: B. Duffney

RESOLVED, that the Planning Board waives the reading of and approves the minutes of July 27, 2010, with a minor change.

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

Absent: Thraikill

Noes: None

PLANNING BOARD CASES

TONI HOLBROOK – Minor Subdivision

Locust Grove Road

Toni Holbrook and Gerhard Tubbs are present. J. Streit states that he is a neighbor of T. Holbrook but that will not influence his decision. T. Holbrook explains that G. Tubbs will be subdividing the east side of the property into 3 lots in addition to his existing home lot, each at 6+ acres, and that she will be buying the acreage on the west side of the road. G. Dake reads from G. McKenna's notes. C. Baker states that he would be concerned about lot 1 because of the wetlands. When we reach that point, he would want to see a building envelope. G. Dake asks if this will be attached to T. Holbrook's other property. T. Holbrook states that she owns two lots behind it and has no intention of building on any of it, that it would be forever wild. G. Dake explains that the Planning Board cannot create a lot that cannot be a buildable lot. If it cannot be proven that it can be buildable, it would have to either be attached to something else or state that it will never be built on. T. Yasenchak questions the lots that T. Holbrook owns and where her house is located. T. Holbrook explains that the lots are just woodlots with a deeded right of way, which will no longer be necessary once she owns this other parcel. T. Yasenchak states that she has a concern with lot 2 and making sure that there is enough room for a driveway, etc. T. Siragusa asks if there are any sight distance issues with this property. T. Holbrook states that that would have to be firmed up by the surveyor. B. Duffney states that the west side of the property has had hayfields to the north and the south of the wetlands. He believes that two homes could go there if it were further subdivided at some time in the future. The stonewall on the east side of the property is at the crest of the hill and the driveway for lot 3 would have to be towards the north. T. Holbrook asks if there is a recommendation as far as how to actually survey and verify the driveway positions. G. Dake states that the first thing would be to get the survey done and then someone could take a look at the driveway locations. He states that there are vertical and horizontal sight distance issues throughout this entire property, but if it is determined that there is a problem, it would have to be an engineer who is willing to sign off that it meets the AASHTO requirements. G. Dake suggests that shared

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curb cuts could also be a solution. J. Streit states that he sees no problem with this, as it is, the road subdivides the property already. The applicant will contact the office to be back on the agenda.

ELIZABETH HUNTLEY – Site Plan Review

Route 9N

Ralph Federiconi is present for the applicant. J. Streit states that he also knows this applicant very well, but it will not influence his decision. R. Federiconi states that they have purchased this structure, would like to remodel the farmhouse, add a 6' mudroom and they have an application before the Zoning Board for variances. G. Dake comments that the applicant is proposing to have a farm stand and a residence. R. Federiconi states that it will be exactly the way it was before. G. Dake states that it is not that way now and has not been that way for more than a year. He reads from G. McKenna's notes that the applicant would like to reestablish a farmstand/food market at this location. M. Gyarmathy states that we are going to have some parking issues here. R. Federiconi states that there will be 4 to 6 spaces on the Route 9N side and 2 on the Spier Falls side for the residence. G. Dake states that we will need to see that on a site plan and that we need to go through the requirements, as listed, for a site plan review. M. Gyarmathy states that he thinks it is a wonderful idea if we can work through it with the applicant. B. Duffney states that this was an old country store and they were built very close to the roads so that they could put in gas pumps. Route 9N will be the toughest side. He does not believe that there will be any site distance problems there. T. Siragusa questions where the farm stand would be and who would operate it. R. Federiconi states that the farm stand is allowed there under the Zoning laws; there was a grocery store there for 70 to 90 years and eventually the family died off and the place was empty for 2 or 3 years. He states that he and E. Huntley are the adjoining property owners and decided to buy it and renovate it. He personally thinks that a farm stand would make a lot of sense considering the way organic is coming along. T. Siragusa asks if this is something that R. Federiconi would operate. R. Federiconi states that he would set it up and rent it to someone either on a monthly or seasonal basis. T. Siragusa states that we have a way to go and we did have concerns with the ice cream place in terms of access because it is 55 mph. R. Federiconi states that there is a caution light on that corner, he has spoken with the sheriff and it is the site of numerous incidents. T. Yasenchak states that we do have some more detail that we need to see as far as the site plan is concerned so that we meet the list of requirements. She states that she thinks in concept it is a good idea to be able to have this type of farm stand here, but we need to make sure that we get all those things on the list on the plot plan – lighting, signage, handicapped accessibility, parking, etc. She agrees with T. Siragusa and thinks that the applicant should look at some options for the parking because that intersection is busy, to have another exit onto 9N when there may be people coming and pulling out of Spier Falls, she is concerned with that traffic. R. Federiconi states that there is an existing driveway there, he is not creating something new. T. Yasenchak states that she understands that. When we dealt with the ice cream stand there was a lot of public controversy about that driveway leading out onto 9N. This hasn't been used for so long with cars, people are not expecting right off the bat to see cars coming out and people coming from Spier Falls turning south are not expecting to see cars coming out of a driveway there. R. Federiconi states that he will do whatever is suggested, but they have been using that driveway all along whenever the place was occupied. T. Yasenchak suggests exploring some options. R. Federiconi states that he could do a circular driveway coming in on 9N and then out onto Spier Falls Road. T. Yasenchak states that that would be an option. G. Dake questions that the applicant is saying that there is an existing driveway on 9N. R. Federiconi states that there is one on 9N and one on Spier Falls Road also because they had access to both doors. G. Dake states that right in/right out on both might be a good solution. C. Baker states that this would require both DOT and County review because this is a State highway and County road. R. Federiconi questions why he needs permits from them as the driveways are already there. G. Dake states that it is not currently a business. C. Baker states that the applicant will have to show us a detailed site plan showing parking, how they are going to handle drainage as there are wetlands on the property, septic and well locations, etc. He suggests that the applicant could take a look at the site plan for the Chwaz ice cream stand.

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LOUISE BUBLAK – Site Plan Review
Locust Grove Road

Louise and Richard Bublak and Philip Gargan are present. L. Bublak explains that they are looking to move back to Greenfield. They currently live in Burnt Hills and have 3 goats, and would like to continue to have them here. P. Gargan states that he intends to deed 2 lots to his daughter for a total of 8-plus acres and 6 are required for an agricultural use. G. Dake reads from G. McKenna's notes that the applicant is also before the ZBA for a frontage variance. C. Baker questions the access to these lots. P. Gargan explains that they have an area variance application before the ZBA for frontage and he explains on the aerial photo. There are three houses down that road with his being the last. T. Yasenchak asks if the goats are family pets, if they are milked? L. Bublak states that they will breed them in the fall. C. Baker asks how long the driveway is. From the plans it is determined to be 2000+ feet and P. Gargan states that it has been this way for 30+ years. G. Dake states that P. Gargan was granted an approval for a home occupation. It is determined that the applicant would have to put in approximately 600 additional feet of driveway to their proposed house location. C. Baker states that he is unsure how the Zoning Board will react to this; there is no legal frontage on a town road so it will be interesting to see how they react. L. Dupouy states that it is a great concept, the applicant wants to live by her parents, she wants to have goats, farm animals, and that is what we are all about. She hopes it works out. J. Streit asks for clarification regarding the road length and the 1500' town road regulation, and clarification of which lots are to be joined. B. Duffney states that this is a shared driveway. P. Gargan states that it is owned by Mr. Desrocher and himself. G. Dake states that these are existing lots to be combined, we are not doing a subdivision and creating lots that are landlocked. We are actually talking about a site plan review for an agricultural use on those lots. A home is a principal permitted use; the agricultural use would be something additional. While there is a zoning issue, that is a germane zoning issue as to how do you go back and add something to a land locked parcel, from a site plan review standpoint it is whether those 8 acres will support those goats and not bother the neighbors, to a large extent. He states that he would be a little more concerned if he thought that raising goats was a high customer traffic operation, but it does not tend to be. T. Yasenchak states that she does not have any issues with this, they are making it less dense by combining the lots, and it is not high traffic even if they sell a couple goats a year to someone. T. Siragusa asks if the goats are only for the applicant's use. L. Bublak states that they are just for her use – goat's milk, goat cheese. T. Yasenchak asks if this is just for the applicant's use, why does it not fall under Personal Farming. The definitions are checked and personal farming has to do with raising of crops. L. Bublak states that as far as she knows, New York State does not allow the sale of raw milk and she is unsure of goat's milk. T. Siragusa states that it seems totally reasonable except for the zoning issues that need to be worked out. B. Duffney states that there are 3 homes on a shared driveway and this would be a fourth home. He does not believe that this would be the first one to be before the Zoning or Planning Boards. He comments on the issues that have come up, and we spoke about it at the last meeting on J. Dorsey's project, of marking the roadways for the Fire Department. B. Duffney explains that they have requested that these long roads be marked out every 500'. He states that this is not a requirement, but 5 or 10 minutes for the Fire Department can mean the difference in saving a home. He feels that everyone in Town should have farm animals. G. Dake states that it sounds like the use is something that everyone is happy with, there are going to be the Zoning Board issues and the applicant will be on the September 14, 2010 agenda.

MULHOLLAND ENTERPRISES – Special Use Permit/Site Plan Review
NY Route 9N

Quinn Mulholland is present for this application. G. Dake reads from G. McKenna's notes stating that the applicant has an approved special use permit under Section 105-22-C-3 and would like to expand the current use to add wood/coal stoves and a propane refilling station. C. Baker states that his only question is that when the applicant was here previously they had a storm water management plan and SWPPP that they were working on. He believes that there was a time schedule associated with that, asks where they are in that process and asks for an updated letter from the engineer. B. Duffney states that he sees no problem with the

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addition of wood and coal stoves. This was previously a hardware store where they sold just about everything. He questions how big a propane tank the applicant is looking at. Q. Mulholland states a 1000-gallon above-ground tank with a fill station. It will be 10' from the north side of the building and will not be visible to any of the neighbors. It will need an electrical inspection. B. Duffney states that he does not see a problem with that, as it has always been commercial. T. Siragusa asks if other permits are required. G. Dake states that he believes that under EPA, from what he knows about refrigeration, at 10,000 pounds is where you hit reporting requirements. Representative from the propane company states 4000 pounds for propane. Q. Mulholland states that the application states wood/coal stoves, but it is not just wood and coal, it would be propane, natural gas, pellet, accessories, chimneys, etc. – anything to do with a stove shop and landscape supplies. T. Siragusa states that two years ago the list was really long, he asks what has changed? Are these additions? Is he swapping things out? Q. Mulholland states that he is just asking to be allowed to sell a few more products. T. Siragusa states that originally some things were retail; some things were services like excavating, things like that. He just wanted to get a sense of it, whether the applicant was adding products or changing the business. Q. Mulholland states that they are doing all of the services. They will use the same trucks to install the stoves that they use for the other services. He would just like to add some more products to the product line. The only thing that will physically change on the site is the propane tank. T. Siragusa asks about the landscaping and excavating that was going on on the property at that time and it was unknown how long that was going to take. Q. Mulholland states that they are real close. He just brought in 1400 pounds of stone and he is almost done. The neighbors are real happy; he went through and spoke with 7 out of 8 of them. He has been working on it during normal business hours. T. Siragusa asks if he has had any complaints from the neighbors. Q. Mulholland states none. T. Yasenchak states that she does not see a problem with it because of the previous use. She does have questions about the parking as he is now going to be a little more retail oriented and they have most of their stock piled in front of the building. She kind of thought before when it was approved that that was supposed to happen in the barn. She didn't expect to see the piles but doesn't really mind them. Q. Mulholland states that the barns were for parking their vehicles. He states that he has probably 1-1/2 acres of parking down below. T. Yasenchak states that she realizes that, but where are they going to park in relation to the piles. Q. Mulholland states that they are very concerned about trucks coming in and stopping the flow of traffic on Route 9N. They instruct all drivers to call 10 minutes before they arrive so that they can have a flag person standing out front. B. Duffney states that he has actually seen that. Q. Mulholland states that they get them right in and right out. So there is plenty of room for them and their biggest concern is getting the bigger vehicles off the road. T. Yasenchak states that her concern is that if this is going to be more retail oriented it just seems that it is getting really busy right up in the front as far as the stock piles of things and people picking that merchandise up, the trucks getting there and the retail. Q. Mulholland states that those piles are going to get pushed back and neatened up so that there is a lot more room in front of the building. T. Yasenchak states that it just seems to her that there are a lot of different lumberyards with their stockpiles somewhere else where you may have to drive around a barn. He could have a space just for that, a space just for the retail so that he would not be worrying about flagging people down. G. Dake states that when the applicant comes back, he can show the Board parking – customer vehicles, bringing in a propane tank. Q. Mulholland states that the LA Group designed a cut-fill system and they have been cutting from one side of the property to fill the other side so it uses up a lot of the useable land. G. Dake states that he can show temporary and ultimate parking. T. Yasenchak states that since they are making this more retail, she would just like to see something more defined on how they are going to treat the two different types of clients. M. Gyarmathy states that he thinks that it is great that the applicant is expanding the products. His concern is with the location of the propane tank. He thinks that the applicant can run into some problems with large trucks coming in and turning around there. He does not know what the requirements are as to bollards around it or is it going to sit on a cement pad and how it is anchored down, etc. Q. Mulholland states that it is going to be surrounded by mafia blocks and it has to be able to withstand a car going 5 mph. He states that he can put two layers around it, dig them into a trench and have an engineer sign off on it if that is what the Planning Board would like. M. Gyarmathy states that he is wondering if the applicant should slide it back. Q. Mulholland states that there is a double door that comes off the building right there and that is his mother's garden area. Mafia blocks are 1 yard of concrete, 2' x 2' x 6' and weigh approximately 4000 pounds. They interlock and if you dig them into the grade, it

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creates even more resistance. He states that this is where there is the least amount of traffic and that is why they put it there. He states that all you would see is the stainless steel front which is 4' x 4'. J. Streit comments that with the exception of the propane, everything is inside the existing building. He has no objections. L. Dupouy states that she couldn't be prouder of the applicant. The place looks better and better all the time. For him to be bringing in more product, that means he is being successful. She hopes his success continues. She thinks he should listen to everything the Board has to say and it will be a great place. She states that the applicant is young, he is what this town needs, he works hard and has a great work ethic. She hopes he gets every single success in the world. G. Dake states C. Baker is correct and we should get an update from the engineer. We also need a parking plan for the long and short term, to make sure that we have safe ingress/egress for people coming in and out of the building as well as customers coming in to get propane. Traffic flow is something you want to think about. He states that we should have a public hearing. T. Siragusa states that he thinks that the applicant should be prepared with the before and after information before we have a public hearing. Q. Mulholland would like to have the public hearing at the next meeting, August 31, 2010. The Board agrees that if the applicant can have all of the requested information in by August 20, 2010, we will continue with the public hearing. If he is unable to get the information in by that date the public hearing will be at a later date.

SAMUEL CHANDLER – Special Use Permit

Chandler Lane

No one is present for this application.

JAMES DORSEY – Major Subdivision

Locust Grove Road

James Dorsey is present. The public hearing is reopened at 7:56 p.m. There being no public comment, this public hearing is closed at 7:57 p.m.

B. Duffney states that for disclosure, J. Dorsey did ask him about possibly doing some work at this site in the future. J. Dorsey states that regarding Q. Mulholland's application, he would like to speak in favor of the application. He states that Q. Mulholland is a very industrious young guy and someone who has a future in this town.

J. Dorsey states that the only change is to lot 2. They have added a wooded section to increase that lot size to 6.8 acres. G. Dake states that it is no longer a cluster because the lots all meet. G. Dake reads from G. McKenna's notes. T. Siragusa asks if there was a reason to change it other than the obvious that it didn't comply. What was the driving factor? J. Dorsey states that they wanted to comply with the 6 acres. They also looked at the lot, it had no wooded acreage with it and they thought that as a family living there if they wanted to access the woods, it would be nice to have that parcel. They looked at the concept next door of Maddy Groves Road. He states that it is like something you would see on a lake where you have a parcel in the woods and a right of way down to the water. This parcel is connected by a 21' piece back to a 2-¼ acre wooded section which would remain undisturbed, not buildable. He states that he thinks that everyone who has been there has seen the existing trail between the two stonewalls so it is sort of a natural connection between those areas. He states that the 21' strip also acts as a buffer to the homestead. T. Yasenchak comments on the barns on the property line. J. Dorsey states that the one will be moved to another location and someone is interested in purchasing parts of the other. The long form SEQRA is reviewed. In Part 1, Project Description, the maximum height for the Town of Greenfield is 35' and the form is changed to reflect that. T. Yasenchak questions that the culverts are correct. J. Dorsey explains and states that C. Wilkinson will certify this.

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RESOLUTION – James Dorsey, SEQRA

MOTION: L. Dupouy

SECOND: T. Siragusa

RESOLVED, that the Planning Board completes the Long Form SEQRA and motion is made to check Box A that a negative declaration will be prepared for the Major Subdivision for James Dorsey for property located at 266 Locust Grove Road, TM#151.-3-11.

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

Absent: Thraikill

Noes: None

G. Dake reviews the items still needed on the plans: Note regarding keyhole lots, Note regarding no further subdivision of lot 6 and the shared driveway language to be submitted to the Town Attorney for approval.

RESOLUTION – James Dorsey, Major Subdivision

MOTION: J. Streit

SECOND: T. Siragusa

RESOLVED, that the Planning Board grants final approval for the Major Subdivision for James Dorsey for property located at 266 Locust Grove Road, TM#151.-3-11, contingent upon the following:

- **Addition of note regarding no further subdivision of lot 6**
- **Addition of note regarding keyhole lots**
- **Shared driveway language to be submitted to the Town Attorney for approval**

Discussion takes place regarding the barns on the property line being removed or relocated. Motion is amended to add:

- **Barns on property line to be relocated**

C. Baker states that the applicant has volunteered the 100' buffer around the stream on lot 4. C. Wilkinson asked C. Baker today if someone were to buy that lot today and wanted to go to the expense of having that wetland delineated, how the Planning Board feels about that. G. Dake states that we have discussed this on other projects but does not recall anyone ever doing it. While we cannot commit future boards, but it would seem that if someone wants to, at their own expense, have it delineated to the actual edge, it would seem that a logical board would allow them to do that. T. Yasenchak states that it might not always be to their advantage.

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

Absent: Thraikill

Noes: None

ZBA REFERRALS

Dr. Frank Akawi – This application is for an area variance for the signs for the proposed Veterinary Hospital. The applicant is requesting the same variances granted to Dr. Peacock. No Planning Board issues.

Elizabeth Huntley – G. Dake states that this is a tricky intersection, it is a commercial business. T. Yasenchak states that the ZBA can make a decision on the zoning portion of it and then the Planning Board can make the decision on how we allow the applicant to lay out the site. She feels those are two different

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issues. G. Dake states that is true because the zoning variances are just for the location of the building. C. Baker states that shouldn't the ZBA know if the applicant does not have adequate room for parking on this site. L. Dupouy asks how this is going to be any different from the guys across the street with the ice cream shop, in that the onus is on them to bring the Board and show the Board that he has the adequate land for the parking. C. Baker states that if he were sitting on the ZBA he would want to at least have a general idea of what is going to be required for the applicant for parking. G. Dake states that we are not saying that there is anything wrong with the parking, we need more information. The Planning Board has traffic and parking concerns and has asked for these concerns to be addressed.

Louise Bublak – No Planning Board issues.

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

Respectfully submitted,

Rosamaria Rowland