

TOWN OF GREENFIELD

PLANNING BOARD

OCTOBER 9, 2007

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, Dan Cochran, Lorna Dupouy, John Streit, Michael Thrailkill, Tonya Yasenchak and Michael Ginley, Alternate. Thomas Siragusa is absent. Gerry McKenna, Zoning Administrator, and Charlie Baker, Town Engineer, are present.

SEPTEMBER 25, 2007 MINUTES

MOTION: D. Cochran

SECOND: J. Streit

RESOLVED, that the Planning Board waives the reading of and accepts the minutes of September 25, 2007 with the following correction:

D. & L. Tracy – Discussion after resolution – change “he does have some equipment...” to “ he does have some **traffic...**”

VOTE: Ayes: Dake, Cochran, Dupouy, Ginley, Streit, Thrailkill, Yasenchak

Noes: None

Absent: Siragusa

T. Siragusa arrives.

DISCUSSION

G. Dake states that since the meeting is largely people who are here under Section 105-22-C-3, he wants to reiterate for the Board his understanding of that section and he did have a conversation with the Supervisor regarding this. Section 105-22-C-3, the “free-ride clause” as G. McKenna calls it, was intended to be about continuing existing operations. The Supervisor, who is present this evening as an applicant, is also of the understanding that what we are trying to do there is allow the continuation of something that is already happening. If one wishes to expand there is nothing wrong with considering an expansion, but a somewhat different standard applies as far as do they get their fees waived, and do we get to waive some of the other requirements as far as submissions go. If someone is looking to expand their operation, they need to provide a greater level of detail so that the public can adequately comment on what is going to be there. The discussion we had was great on the Darren Tracy application because he was a really good example of where a neighbor actually came and spoke in favor of the application because of what existed there now. If D. Tracy stated that he wanted to do the same thing but wanted to have the right to expand it to park a piece of equipment, etc., the Planning Board would have been happy to look at it under the clause, but look at greater detail so that the neighbors would be able to adequately comment on the proposed plan. All of the cases this evening, from what G. Dake read in the applications, are really just for continuations of what already exist.

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PLANNING BOARD CASES

RALPH BARSS – Special Use Permit/Site Plan Review

South Greenfield Road

Ralph Barss is present. G. Dake explains that this application is for an existing logging operation, he has been there for some period of time and we are required to hold a public hearing. G. Dake opens a public hearing at 7:06 p.m. R. Barss explains that this would be for a continuation of use. He is in the logging, excavating, log hauling, timber brokering business and has been for 30-plus years. He began this operation at this location in 1974. D. Lindemann, S. Greenfield Road, states that he has lived across the street for more than 25 years and he has never been disturbed by noise, lights or odors. Once in 1983 at 5:15 a.m. he thought that he heard R. Barss' logging trucks coming down the road, but it was the earthquake. He states that R. Barss is a fine neighbor and he supports his applicaiton. There being no further public comments, this public hearing is closed at 7:08 p.m.

G. McKenna and C. Baker have no issues with this application. The Board has no questions or concerns.

RESOLUTION – R. Barss, Special Use Permit/Site Plan Review

MOTION: M. Thrailkill

SECOND: L. Dupouy

RESOLVED, that the Planning Board grants a Special Use Permit to Ralph and Angela Barss at 110 South Greenfield Road, TM#138.-1-51.221, for the continuation of their existing logging business as it currently exists.

VOTE: Ayes: Dake, Cochran, Dupouy, Siragusa, Streit, Thrailkill, Yasenchak
Noes: None

MICHAEL BALDWIN – Special Use/Site Plan Review

Hyspot Road

Michael Baldwin is present. G. Dake states that this application is also under Section 105-22-C-3 for continuation of an existing auto restoration business. A public hearing is opened at 7:10 and M. Baldwin explains that he has been doing auto restoration at this address for the last 5 to 10 years. This is for classic cars and trucks, 25 years or older, with some non-classics, and they are restored back to their original condition. There being no public comment, this public hearing is closed at 7:11 p.m.

G. Dake states that at the last meeting we talked about the number of cars and about getting copies of the Board minutes for the Cornell application, which the Board has, which was a very similar application. G. Dake states that he thinks that at the last meeting we adequately covered the disposal of any hazardous materials and as M. Baldwin owns a commercial garage at another location he has the resources to take care of that appropriately. There was the question of limiting the number of cars. M. Baldwin states that maximum would be 5 and he would be fine with 4. T. Yasenchak asks if there are hours of operation. M. Baldwin states that he would be fine with whatever was given to K. Cornell. G. Dake states that in looking through the Cornell motion, because the work was indoors, it does not appear that we put times in the motion and limited it to continuing it as it exists today on the assumption that as there had been no complaints and no one spoke against the continuation of the existing use, that we would simply call it as it exists and the hours were not changing from what they had been in the past rather than narrow him down to a time. K. Cornell did not have set hours, he just worked on it when he had a chance to work on it. M. Baldwin states that he works fulltime Monday through Friday at the garage. J. Streit comments that this garage is 150' back from the Road and his nearest neighbor is his mother. T. Yasenchak states that she believes no hours were put on

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Cornell's because he does all the work indoors. G. Dake asks if the Board is comfortable not putting a time limit. L. Dupouy states that she believes that we should put a time limit on the applicant, 10 or no later than 11 p.m. She states that one of the other reasons we didn't put a time limit on Cornell is because his mother lives upstairs from the garage. G. Dake asks if a 10 p.m. limit would be a problem for the applicant. M. Baldwin states it would not and that he would not start until 8 or 9 a.m. G. Dake asks about helpers. L. Dupouy states that she would think that the applicant would need a helper from time to time.

RESOLUTION – M. Baldwin, Special Use/Site Plan Review

MOTION: L. Dupouy

SECOND: J. Streit

RESOLVED, that the Planning Board grants a Special Use Permit under section 105-22-C-3 to Michael Baldwin for property located at 326 Hyspot Road, TM#150.-2-12.2, for the continuation of his existing car restoration business, contingent upon:

- **No more than 5 cars**
- **Activity not to begin before 8:00 a.m. and end no later than 11:00 p.m.**
- **No more than 1 helper**

T. Yasenchak states that she wants to make sure that the 5 cars do not include his personal vehicle. M. Baldwin states that he does not park there.

VOTE: Ayes: Dake, Cochran, Dupouy, Siragusa, Streit, Thrailkill, Yasenchak

Noes: None

JOHN UNSER – Special Use Permit/Site Plan Review

Cohen Road

John Unser is present. G. Dake states that this application is also under Section 105-22-C-3 and that Mr. Unser cuts meat. A public hearing is opened at 7:15 p.m. J. Unser explains that he would like to continue his existing operation, it is seasonal from approximately September through January, with the occasional work from local animal raisers outside of that time period. He states that he processes wild game and farm animals that individuals raise for their consumption - pigs, beef, lamb, deer, caribou, bear and moose. He states that he fills a need for the local people since the Corner Post ceased operation. He has worked at Hanaford Brothers for the last 20 years and with that brings the experience of running a clean operation. He tries to clean up the place a lot; tries to follow sanitation rules, waste is removed daily. He does have a couple of coolers for refrigeration. He is the only processor who belongs to the venison donation program in Saratoga County. He also follows all the rules currently set by DEC, he has a good rapport with them, any problems that arise or if he has issues with animals coming from certain areas of the State they get back to him to let him know if he can take the animals. His biggest concern would be the loss of his service to the local and surrounding communities. There being no public comment, this public hearing is closed at 7:18 p.m.

G. Dake states that C. Baker is a neighbor on Cohen Road and C. Baker states that he has no issues. G. McKenna states that he has no problems with this application.

RESOLUTION – J. Unser, Special Use Permit/Site Plan Review

MOTION: D. Cochran

SECOND: L. Dupouy

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RESOLVED, that the Planning Board grants a Special Use Permit to John Unser under section 105-22-C-3 for property located at 26 Cohen Road, TM#100.-2-10, for the continuation of a meat processing facility as it currently exists.

T. Yasenchak questions that this should be for animal and meat processing because the code specifically states it as animal processing. G. McKenna states that the code states agricultural processing. T. Yasenchak states that she is just looking for the correct term. G. Dake states that most people on the Board would recognize that all meat was animals at one time. He states that he does not believe that either is particularly defined as it was not something that was anticipated in the writing of the Zoning Ordinance.

VOTE: Ayes: Dake, Cochran, Dupouy, Siragusa, Streit, Thraikill, Yasenchak
Noes: None

CARL & RICKI ARCIPRETE – Special Use Permit

Grange Road

Carl Arciprete is present and states that he is replacing a mobile home with a new one. A public hearing is opened at 7:21 p.m. The applicant states that the existing home is close to 40 years old, it is falling down and is about 1600 square feet. The new one is a brand new double wide at 2200 square feet. There being no public comments, this public hearing is closed at 7:22 p.m.

G. McKenna states that the applicant is replacing an existing mobile home; Section 105-132 allows that with no size limitation, that was removed from the old zoning; and it cannot be older than 10 years from current date and this is a brand new one. There will be a new septic and they are using the existing well. C. Baker has no concerns.

RESOLUTION – C. & R. Arciprete, Special Use Permit

MOTION: J. Streit

SECOND: T. Siragusa

RESOLVED, that the Planning Board grants a Special Use Permit to Carl & Ricki Arciprete for property located at 350 Grange Road, TM#151.-2-49, to replace a mobile home.

VOTE: Ayes: Dake, Cochran, Dupouy, Siragusa, Streit, Thraikill, Yasenchak
Noes: None

JON & KAREN FOSTER – Special Use Permit

Middle Grove Road

Jon Foster is present. G. Dake states, for the record, that he rents two storage units on behalf of his two sons from the applicant at the storage facility on Route 9N. J. Foster states that he is trying to conform with the contractor's storage yard at 110 Middle Grove Road which is a property they purchased in the fall. He is going to put up a pole barn to keep his equipment in. G. Dake asks the type of equipment. J. Foster states backhoes, air compressors, etc. G. McKenna states that he has not had any complaints, he knows there is a backhoe over there, a dump trailer, a van, his truck, etc. G. Dake asks if this is a 105-22-C-3 application or is this a contractor's storage yard new application. G. McKenna states that he was a little confused after reading the application as well. He states that he knows that the applicant has his equipment there, but the application says 'proposed'. J. Foster states that he has always had the stuff at 111 Middle Grove Road. G. McKenna states that the pole barn is not there yet, but he does not need a special use permit for that, just for the use of the lot as a storage facility. G. Dake questions that G. McKenna is determining, as the Code Enforcement Officer and Zoning Official, whether this is 105-22-C-3 or if this is Site Plan Review under

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contractor's storage yard so that the Board knows whether or not to collect fees and what level of site plan review is required. G. McKenna states that he thinks it is 105-22-C-3 because he knows that the applicant has had his equipment there. D. Cochran asks about hours of operation and whether the applicant has a lot of cars, people, things going in and out, people visiting, employees, anything of that nature? J. Foster states just himself, a place to keep his equipment and to be in conformance with the Town. There would be no one coming in and out. T. Siragusa asks what the frequency of equipment moving, or the earliest or latest that equipment could move in and out. J. Foster states 7:00 to 7:00, no later than that, and that it is not very frequent. This is not his full time profession, barely once a week probably. T. Yasenchak asks if he lives in this house. J. Foster states that they are actually living out of two houses, but yes. T. Yasenchak asks if this is for his own personal equipment. J. Foster states that he is not renting the space out to any other contractors. T. Yasenchak questions where the existing road/access leads, to the back of the property? J. Foster states that it is not an easement, it is just a lane that was there, the curb cut has been there as long as the property has been there, he believes. M. Thrailkill asks what is there for equipment. J. Foster states that there is a backhoe, a dump trailer, a construction van. M. Thrailkill asks if the applicant anticipates any increase in equipment. J. Foster states he also has a compressor, but nothing major. T. Yasenchak asks about maintenance and waste oil. J. Foster states that he takes the oil to Baldwin's Garage for disposal. A public hearing is scheduled for October 30, 2007 at 7:00 p.m.

ALBERT JANIK – Special Use Permit/Site Plan Review
King Road

Albert Janik is present and states that he buys and sells contractor's equipment and small tools – anything from a smaller compressor for a shop to a back hoe. He states that he got into this when he needed equipment for himself to upgrade, he would go out and find bargains. After a while he has too many bargains to store and then he peddles them, generally at auction. He states that he has accumulated quite a few items, he has two barns and he generally stores inside the barns if he can. Right now there are a couple of blacktop rollers out in the back that he cannot fit in the barn. He states that he rarely sells anything from his home, everything goes to auction. Once in a while he gets something that is of fairly high quality that he is not afraid to stand behind and peddle privately, but generally it is auction. G. McKenna states that he has received no complaints about this. G. Dake asks if this falls under Section 105-22-C-3. J. Streit questions that this has been happening, everything is stored inside and nothing is changing or different. A. Janik states that there is not going to be any change at all in the scope of the operation. He does occasionally have equipment outside but generally most of the items for resale are inside the barns. L. Dupouy asks if the items that he has outside are behind any type of screening or something like that, can they be put behind the barn or are they out of sight of the road? A. Janik states that most of the items that he leaves outside will be stored in back of the second barn which is approximately 500 feet from the property line. G. Dake questions that that is the area marked as storage behind barn 2 on the map. C. Baker asks if the applicant does any maintenance on the vehicles. A. Janik states that he is not much of a mechanic and he does not weld, he leaves that to others. G. Dake states that we are talking about leaving this as it currently exists. He asks the applicant if he would be comfortable with a condition that all storage will be behind the second barn. A. Janik states that right now he has stuff stored to the side of it on a trailer. G. Dake asks about all storage being greater than 500' from the road. A. Janik states that he will measure the distance. A public hearing is set for October 30, 2007 at 7:00 p.m.

ALAN BURTON - Special Use Permit/Site Plan Review
Woodland Road

Alan Burton is present and states that he lives at 5 Woodland, has been there for over 30 years, he runs a small excavation/landscaping business, he parks his dump truck, trailer, back hoe and dozer there. He states that customers do not come to his residence. G. Dake comments that this is also an application under

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Section 105-22-C-3. G. McKenna states that A. Burton has been there so long that, as with Ralph Barss, he does not believe that the applicant needs to be here. T. Yasenchak states that this is a low traffic road and she does not believe that people even know it is there. G. McKenna states that he has had no complaints. T. Siragusa asks if the equipment is inside. A. Burton states that it depends, sometimes he pulls in, leaves it parked and pulls out the next morning for the next project. T. Siragusa asks the earliest and latest that equipment might be coming in and out. A. Burton states that it depends - it could be 5:00 a.m. and midnight – it depends on where the job is. He states that it is just a small dump truck. A public hearing is set for October 30, 2007 at 7:00 p.m.

ZBA REFERRAL

John Couse, Area Variance – G. McKenna states that the location of the home is so far back off the road and when the applicant built it it was in the R-1 Zone. The applicant needs a 45' right side yard variance and a 70' rear yard variance. There is nothing but woods behind this and it is over near the town park. This is a simple area variance and there are no Planning Board issues.

David Murray, Area Variance - G. Dake states that the Board members have a copy of the August 28th Planning Board minutes regarding the David Murray application for a subdivision. This is a very unusual piece of property. It currently has a couple of mobile homes on it. What the Zoning Board is looking for is that, while the Planning Board talked about the project and acknowledged that the ZBA would have a copy of those minutes, the Planning Board did not give them an actual recommendation. G. Dake states that this is very unusual in that there will be one completely land locked parcel with zero frontage and the Board talked about it being a fair tradeoff at the meeting. We would not be changing the overall density – 4 existing residences, 4 proposed residences – and from a Planning prospective, not a significant impact; that from a neighborhood impact the homes would be spaced out a little bit more and upgrading of the residences. M. Thrailkill asks if we had discussed three vs. four residences. G. Dake states that the applicant has to come back to the Planning Board, his sense from the Board was that the consensus was that they were in favor of it and at the end of the meeting C. Baker had cautioned the Board about what we are doing as far as setting precedent. G. Dake states that the Board is aware of his views on that. M. Ginley states that it was discussed that this would be an improvement because the applicant will be removing some older mobile homes, so we were weighing the good vs. the bad. D. Cochran asks what the trade off is. G. Dake states the replacement of the older mobile homes with stick built homes which will be of greater tax base probably, cutting down on curb cuts was discussed, etc. D. Cochran states that since this will come back to the Planning Board, we could do no recommendation and just let the ZBA do their thing. G. Dake states that the ZBA specifically has asked for a recommendation from the Planning Board and while we could do no recommendation, out of fairness to the ZBA and to the applicant we should do a recommendation. If we are in favor, the rationale for granting the variance would be that there is a net improvement to the community character, no greater density and you are spacing out the homes. If you are opposed, your position would be that you are creating a landlocked parcel which is generally poor planning. There are wetlands to the north of this property and the buffer comes onto it. The total acreage is approximately 17+ acres. The front of the property is in MDR1 and the rear is LDR. M. Ginley states that if the choice is that the only way this will be worth it to the applicant is to give him the fourth lot or he will leave it the way it is, he would be in favor of giving him the fourth lot.

RESOLUTION – D. Murray, ZBA Referral

MOTION: D. Cochran

SECOND: J. Streit

RESOLVED, that while the Planning Board has concerns about creating a land locked parcel, they feel that the greater good is served by replacement of the existing structures with new structures, each on their own lot, that there is the potential for the reduction of a curb cut, and that as long as the applicant is meeting the acreage requirements, the Planning Board is comfortable with the granting of a frontage

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variance. As there has been no engineering review, the Planning Board does not know that this configuration will work and are assuming that it will be based on representations made at a preliminary stage.

VOTE: Ayes: Dake, Cochran, Dupouy, Siragusa, Streit, Thraikill, Yasenchak
Noes: None

G. Dake states that the ZBA is not bound by the Planning Board's recommendation and it is entirely possible that this could still be denied.

DISCUSSION

G. Dake states that he spoke with Mike Hill regarding Grace Estates and M. Hill's conclusion is the applicant would be back to square one. The approval has expired and they are subject to new zoning and a new application. G. Dake provides a copy of a memo from M. Hill.

G. Dake states that when he debriefed C. Baker after the last meeting, they had a discussion about the typical notes and the SWPPP. C. Baker is working on whether we have an addition to the typical notes to go on every subdivision map saying that 'the disturbance of over an acre of land triggers'... That is something that G. Dake believes this board can do without any Town Board action. The rules about what goes on with a SWPPP are changing later this year and once those are adopted by the Town Board we will make sure that the Planning Board members are aware of the new rules.

G. Dake reminds the Board, they should have received a memo back in April, regarding the State law that was passed and adopted by the Town Board, requiring that all members of Planning and Zoning Boards obtain 4 hours of education and document that. G. Dake states that he has gone to the occasional seminar but never bothered to document it. He states that we should start thinking about and talking about what we have, and suggests that the Board members get any documentation to R. Rowland if not to MaryAnn Johnson. G. Dake states that he went to one at the New York Planning Federation yesterday that was atrocious. He did attend one that the DOT had last week, which had a limit as to the number of attendees so he did not pass it on, and while there was some interesting stuff, if it becomes applicable he will bring it up. There was some good information on grants that triggered some thoughts. He is going to go back and talk to the powers that be about whether we want to revisit some of the questions as the County develops its walking/biking/ hiking trail through the County, that has a gap in Greenfield, as to whether we go back and try to apply for some grant money to try to figure out how Greenfield can help complete that route. The water line is running right through there. G. Dake may try to spearhead this and meet with the Putnam Brook Civic Assoc., the residents of Prestwick Chase and Skidmore College and try to figure out who the stakeholders are there and how to go about making that a reality.

The Board members received a memo about the upcoming January 30th Saratoga County Planning Board conference, which G. Dake has been told is a very good conference. He asks if the Board is interested in trying to come up with some mini trainings to do here and G. Dake would propose to the Town Board, who decides whether something meets the requirements or not, to have C. Baker or Blue Neils or somebody come in and talk about storm water management for an hour. At the end of a meeting we could have a training session to meet some of our requirements. He asks if it would make sense to have someone come in and talk to the Board about what the conditions are for a variance. M. Thraikill states that he attended one that Mark Schachner did. G. Dake states that we could ask M. Schachner to do a session on SEQRA, he does a brilliant job at that. G. Dake states that if the Board is interested, he can start pursuing that – coming up with a list of proposed trainings. L. Dupouy comments on attending 2 trainings that were horrible, boring speakers, not well organized and she would look forward to doing something that was pertinent to what the Planning Board does here. M. Ginley suggests wind power as a topic and also ACOE. G. Dake states that he will put together a preliminary list for the Planning Board to review. T. Siragusa asks about inviting

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neighboring towns. G. Dake states that we could, that would be up to this Board to decide but he does not want to get it over-subscribed. The ZBA is also required to have training and the Town Board should be interested at least, although they are not subject to the regulation.

C. Baker asks where we stand as far as approval for Triple J Way as the applicant has contacted C. Baker about this. C. Baker had done a review letter a couple of months ago and has received no response to that letter. G. McKenna states that as far as he can remember, the applicant was sent away to get more information for the Board. R. Rowland states that they had come in because there were variances that had expired and there was a timeframe attached to those re-approvals. R. Rowland will look up the files. G. Dake suggests forwarding some of the information to M. Hill for a status report on that project as to where it stands legally.

Meeting adjourned 8:10 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary