

**Town of Greenville Planning Board
December 4, 2019
Minutes**

Attendees: Planning Board Members: Don Teator, Bud Bear, Brian Wickes, Ken Elsbree, Jay Goodman

Guests: Gary Harvey (for Mr. Channing), Chuck Holtz (for Mr. Crudele), Angel Wang, and 6 audience members

Meeting Opened: *by Don Teator at 7:00 p.m. with the Pledge of Allegiance*

Norman Channing – Altered Lot Line – 25.00-4-39

Mr. Harvey appeared on behalf of Mr. Channing. Mr. Harvey described the proposal to alter a lot line and presented a map depicting the proposed change. According to Mr. Harvey, the Planning Board recently approved a subdivision for this parcel, whereby the owner separated a 5-acre parcel for conveyance to his children. The owner subsequently realized that 2.6-acres of the conveyed property should have been kept with his parcel. Mr. Harvey explained that the purpose of this proposal is to add the 2.6-acre portion of conveyed property back to Mr. Channing's parcel. The proposal would not have any impact on land use or result in any other change or impact.

Motion: Ken motioned that the Planning Board be declared Lead Agency.

Second: Bud

Favor: 5

Oppose: 0

Don explained the Environmental Assessment Form and read same for the audience, noting that the process was just followed for the same property two months ago.

Motion: Brian motioned that the Planning Board issue a Negative Declaration regarding the environmental impacts potentially associated with the altered lot line proposal.

Second: Ken

Favor: 5

Oppose: 0

Motion: Brian motioned that the Planning Board waive the requirement for a public hearing prior to acting on an altered lot line proposal.

Second: Bud

Favor: 5

Oppose: 0

Motion: Ken motioned that the Planning Board approve the proposed lot line alteration.

Second: Bud

Favor: 5

Oppose: 0

Mr. Harvey stated that he does not have a mylar copy of the map and will return to give Hope all necessary map copies.

Vincenzino Crudele – Subdivision 0 23.00-5-24

Mr. Holtz appeared on behalf of Mr. Crudele to explain the proposed subdivision of an approximately 15-acre lot with existing house, and he presented a map that depicts the proposed change. According to Mr. Holtz, the owner would like to subdivide the property to split a 4.7-acre field, located in front of the house, off his property. The proposed subdivision would leave Mr. Crudele with road access via a 50-foot wide driveway. The owner might consider building a new house on the subdivided parcel. Don explained that there is no definite plan now so the Planning Board does not need to address this potential future use at this time.

Brian noted that the zoning laws used to allow a lot width of 300 feet at the site of the house as a way of approving a proposed new lot in a subdivision, although the proposed subdivision satisfies the applicable minimum for driveway width. The Planning Board discussed how the road frontage should be calculated. Don called Tal Rappleyea, the Town Attorney who could not attend the meeting, to discuss the question. Don put Tal on speakerphone so that Mr. Holtz and the audience could hear the conversation. Tal replied that the minimum road frontage is 150-feet, so the proposed subdivision could not be approved without a variance from the Zoning Board of Appeals. Tal was asked if road frontage could be measured at the house, where the lot width is approximately 300-feet. Tal was unsure and stated that he would research the question and call Don back with an answer. Planning Board members continued discussing the question. A member of the audience questioned whether the property address is accurate and Don made a note to check the address and property location. The discussion of Mr. Crudele's proposal was then tabled while waiting for Tal's answer and the Planning Board addressed Ms. Wang's agenda item.

The Planning Board resumed discussion of Mr. Crudele's proposal after completing discussion of Ms. Wang's item. Tal, on speakerphone so that all present could hear him, reported that he could not find the answer despite reading the entire subdivision law. Tal concluded that the 150-foot minimum road frontage standard cannot be interpreted as allowing measurement along a line that is setback from the road and advised Don that a waiver of this requirement would require action by the Zoning Board of Appeals. Don informed Mr. Holtz that the Planning Board could vote to deny the map if he would like to seek a Zoning Board of Appeals waiver. Mr. Holtz declined this offer so that he may consult with the owner before deciding how to proceed.

After further discussion of potential options, Don called Tal and had a discussion on speakerphone so that all present in the room could hear the conversation. Don asked Tal if a straight line drawn from the 150-foot mark to extend diagonally away from the road, thus making a wedge ending at a point that would maintain the 50-foot driveway width, would satisfy applicable requirements. Tal advised that this would satisfy applicable requirements and repeated that the Planning Board cannot waive any requirement to allow approval of the map presented at the meeting. Don informed Mr. Holtz that the Planning Board could hold a public hearing on the proposed subdivision at its January 2020 meeting if Mr. Holtz provides a revised map and satisfies all applicable zoning ordinances. Tal agreed that this would be feasible and Brian explained the process to Mr. Holtz.

Motion: Ken motioned that the Planning Board should schedule a public hearing at its January 2020 meeting subject to the following conditions: (1) the new subdivision line must be drawn to result in a minimum road frontage of 150-feet for both parcels; (2) the acreage of the new

parcel must meet the 2-acre minimum requirement; and (3) the parcel address must be confirmed.

Second: Ken

Favor: 5

Oppose: 0

Angel Wang – Possible Event Venue – 11-00-4-14

Ms. Wang provided an update on her proposed event venue and sought additional input from the Planning Board. Ms. Wang explained that she plans to renovate the house to live in and for use as an event venue. The exterior will be painted but otherwise not be changed. A barn across the street will not be changed at this time but could be renovated in the future for use as additional event space. Ms. Wang reported that she might construct an approximately 3,000 square foot pavilion at the back of the property that would not be visible from the road, and is still considering a tent as an alternative – or an addition – to the pavilion.

Don read the unofficial minutes from the November 2019 meeting to remind everyone of potential issues that would need to be addressed, including parking; times; size, and types of events; noise; lighting; well/septic; and impacts to wetlands. Ms. Wang provided a letter from the New York State Department of Environmental Conservation (NYSDEC) stating that she might need to obtain an Article 15 Protection of Waters Permit if the pavilion is located sufficiently close to a stream, and a State Pollutant Discharge Elimination System permit will be needed for wastewater discharges. Ms. Wang provided additional information on wetlands, parking, operating times, noise control, lighting, and well/septic to address concerns raised at the prior meeting. Currently, Ms. Wang anticipates adding a parking lot with 18 spots, including one that complies with the Americans with Disabilities Act (ADA), and notes that the caterer will park in a designated space adjacent to the house. Onsite parking will be reserved for house guests and the remainder of event guests will be bussed in by a shuttle service. There will be no parking on the street.

Operating time will be 9:00 a.m. to midnight, although event guests will be required to start leaving by 11:00 p.m. The Planning Board noted that the shutdown time for this venue probably should be consistent with the limit it recently imposed for a different event venue near the Rainbow Lodge on Route 26. Brian expressed concern that the septic tank and leach field will not be adequate to handle usage by event guests. Ms. Wang explained that house guests would use the septic system whereas event guests would use portable toilets brought in for the event. The Planning Board and Ms. Wang discussed how many bathrooms the house will have after renovation.

Don noted that the Town Attorney previously recommended that the Planning Board consider the project as a whole for approval. This would require certainty as to whether the pavilion will be constructed, and detailed plans if it will be built. Brian noted that a tent may be put up at any time, including now, without Planning Board approval.

The Planning Board told Ms. Wang that the following list of open questions must be addressed before it can act on her proposal: (1) pavilion proposal and design, if applicable; (2) septic system modifications, if any, that will be needed, including a report to the Planning Board of guidance that Ms. Wang receives from the State Department of Health (DOH); (3) the number and location of abutting neighbors; and (4) all items on the site plan review checklist included on pages 65-67 of the Town's zoning law. Ms. Wang presented questions from her engineer, and received the following answers to same: (1) information required for site plan review may be found on pages 65-66 of the zoning law; (2) the DOH should be

consulted for guidance on what requirements the venue has to satisfy to comply with the ADA; (3) consult the applicable law, Department of Transportation, and/or Town Supervisor Macko to find out what driveway requirements must be satisfied; and (4) the proposal will require a public hearing. Don explained the next steps and remaining process and noted that Ms. Wang submitted a State Environmental Quality Review form, which the Planning Board will complete after the public hearing.

Old Business

Motion: Ken motioned that the Planning Board should accept minutes from the November 6, 2019 meeting.

Second: Bud

Favor: 5

Oppose: 0

Discussion

Don thanked Jay for taking notes at the meeting. An audience member asked Ms. Wang if her venue would include any signage, and if the signage would require any Town approval. Don explained that signage would have to comply with applicable laws but may be addressed after the Planning Board acts on the venue proposal. Members of the audience had questions and concerns regarding new signs that the School District is constructing. It was noted that the next regularly-scheduled meeting would be January 1, 2020. The meeting will be rescheduled and the date remains to be determined, although it is anticipated that the Planning Board will meet again on January 8, 2020.

Close Meeting

Motion: Ken motioned at 8:40 p.m. that the Planning Board should adjourn.

Second: Bud

Favor: 5

Oppose: 0