

**Town of Greenwich  
Planning Board Meeting Minutes  
04/15/2010**

**Call to Order:** Chairman Tomkins called the meeting to order at 7:00 pm.

**Members Present:** William Tomkins, Jeff Duxbury, Carl Thygesen, Kyle Vandewater (7:03), and John Mattison.

**Members Absent:** Dan Spigner and Michelle Wright.

**Also Present:** Clerk Kellie Blake.

**Members of the public who signed the attendance sheet:** Rick Harris, Stephen Pucinski and Matthew Van Doren.

**Old Business:**

**04/15/2010**

**Minor Subdivision # 483 – Wendy Higgins (designated agent: Ben Grieco and Rick Harris). Proposal for a two lot subdivision of a 4.06 +/- acre parcel located on Riddle Road. One lot of 2.62 +/- acres with an existing house and one lot of 1.44 +/- acres with a proposed house, well & septic. Tax Map ID # 198.-1-12.1.** Mr. Harris was in attendance. He stated that on the original maps submitted that the surveyor had mistakenly labeled the existing septic system as proposed and that had been changed on the updated maps. Kyle Vandewater stated that he, Carl Thygesen and Dan Spigner had visited the site to view the proposed driveway location. Kyle stated that the location would be fine. Other items that were needed were corrected.

Resolution # 18-2010  
Application Complete/Public Hearing Set

Resolution by Jeff Duxbury  
Seconded by John Mattison

and passed unanimously by said Board;

RESOLVED, that Minor Subdivision # 483 be deemed complete and a public hearing be set for 7:15 pm on Thursday, May 20, 2010.

**Fees Received: \$100 application fee (check # 338) Public Hearing Notice Fees - \$27.70 (check # 368).**

**Old Business:**

**04/15/2010**

**Site Plan Review # 2010-01 Stephen's Chrysler – 2551 State Route 40. Proposal to construct a new façade on the current building. No additional square footage to be added. Tax Map ID # 228.-2-5.** Mr. Pucinski was in attendance and submitted a Site Plan Review Application. Chairman Tomkins stated, for the Board Members that were not in attendance last week, that it was decided that there were two aspects to this application, one was the façade and one was the sign. The sign does not conform to the Zoning Ordinance and was referred to the Zoning Board of Appeals. The façade part of the application does conform to the Zoning Ordinance and the Planning Board can proceed with that part of the application. Mr. Pucinski supplied the Board with a sample of the "Alucobond" which is an aluminum polymer laminate, which will be used on the exterior façade as well as stucco. The Board reviewed the application.

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Resolution # 19-2010  
Application Complete/Public Hearing Set

Resolution by Jeff Duxbury  
Seconded by Carl Thygesen

and passed unanimously by said Board;

RESOLVED, that Site Plan Review Application 2010-01 be deemed complete, not including the sign application, and be referred to the County Planning Board for review and a public hearing be set for 7:30 pm on Thursday, May 20, 2010.

**Fees Received: \$100 application fee (check #16015) Public Hearing Notice Fees - \$49.86 (check # 16017).**

**Old Business:  
04/15/10**

**Minor Subdivision # 484 – Gary Moore, trustee for the Vincent M. Cristaldi Children’s Trust. Property located on Spraguetown Road, Tax Map ID # 213.-2-12. Proposal for a boundary line adjustment of an 133.32 +/- acre parcel, 1.824 +/- acres to be combined with Robert and Barbara Fish’s parcel across the street, Tax Map ID # 213.-2-12.1. Remaining 131.50 +/- acres to be retained.** Designated agent Matthew Van Doren was in attendance. The application was reviewed and the additional adjoining owners were added to the plat map and the document naming Gary Moore as trustee of the Trust was supplied.

Resolution # 20-2010  
Application Complete/Public Hearing Set

Resolution by Kyle Vandewater  
Seconded by Jeff Duxbury

and passed unanimously by said Board;

RESOLVED, that Major Subdivision # 484 be deemed complete and a public hearing be set for 7:45 pm on Thursday, May 20, 2010.

**Fees Received: \$75.00 Boundary Line Adjustment Application Fee (cash) and Public Hearing Notice Fees \$60.90 (cash)**

**New Business:  
04/15/2010**

**Informal Review** – Town Councilman Steve Patrick – Hardscrabble Lane Redirection – Councilman Patrick stated that there are two property owners who are deeding land to the Town in order to redirect the road. Marta Ward and Richard Allen. Chairman Tomkins stated that essentially each of them is subdividing land and deeding it to the Town. Councilman Patrick stated that the Town’s Attorney Alan Wrigley thought that it would not be considered a subdivision. Councilman Patrick was asked to have Attorney Alan Wrigley speak with Planning Board Attorney Tony Izzo to discuss if this would indeed be considered a subdivision. More discussion ensued regarding closing the section of the road that led to State Route 29 and where the driveways for the homes would be relocated to.

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**Acceptance of Minutes:** The minutes of the February and March meetings were previously submitted to the Board for their review.

Resolution # 21-2010  
Acceptance of Minutes

Resolution by Carl Thygesen  
Seconded by Jeff Duxbury

and passed unanimously by said Board;

RESOLVED, that the minutes of the February 11<sup>th</sup> & 18<sup>th</sup> and the March 11<sup>th</sup> and 18<sup>th</sup> Planning Board Meetings be approved as submitted.

**Recommended Changes to the Zoning Ordinance:**

A memo was received from Town Clerk Elaine Kelly stating that the Town Board had reviewed the recommended changes to the Zoning Ordinance. The Board accepted the recommendations to items:

- (2) Livery: Add definition of Livery to Article II, Definitions, Section 167-3.
- (3) Agricultural Structure: Change definition of Agricultural Structure in Article II, Definitions, Section 167-3.
- (4) Auction Facility: Add definition of Auction Facility to Article II, Definitions, Section 167-3.
- (5) Signs: Change – Article VIII Signs. D. (1).

The Town Board requests that you reconsider item (1) 190-77, B. Substantial damage or destruction, with the following:

“Such structure shall not be restored unless, if within 6 (six) months after the substantial damage, the owner of said nonconforming use notifies the Code Enforcement Officer, in writing, of his intent to restore said nonconforming use substantially to the conditions existing prior to the disaster.”

Planning Board Clerk Kellie Blake, who was at the Town Board Meeting, stated that Attorney Alan Wrigley had expressed his concern in allowing someone one year in which to notify the Code Enforcement Officer. After the Code Enforcement Officer is notified a building permit would be issued and is good for one year. Therefore, the structure could be in disrepair for up to two years. Clerk Kellie Blake further stated that she had gone back to the Planning Board minutes of the joint meeting with the Zoning Board in which this change was discussed and Zoning Board Chairman John Farndell had stated that the ZBA would like to extend the time frame from 30 days to six months. John then asked Code Enforcement Officer Dan O’Connor what he thought would be a good time frame and he stated that he would like to see it extended to one year. Chairman Tomkins had stated that six months would be fine, but deferred to Dan O’Connor. The Planning and Zoning Board Members present agreed to the one year.

Chairman Tomkins stated that he was fine with six months instead of one year. The rest of the Board agreed.

A motion to adjourn the meeting at 7:36 pm was made by Carl Thygesen, 2<sup>nd</sup> by Jeff Duxbury.

Respectfully Submitted,

Kellie Blake  
Planning Board Clerk