

**Town of Greenwich
Planning Board Meeting Minutes
12/17/2009**

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

Members Present: William Tomkins, Jeff Duxbury, Carl Thygesen and John Mattison.

Members Absent: Dan Spigner, Kyle Vandewater and Michelle Wright.

Also Present: Clerk Kellie Blake and Code Enforcement Officer Dan O'Connor.

Members of the public who signed the attendance sheet: Nick Vooris, Frank Shaw, Susie & George Polchowski, Joe Wilbur and Stan & JoAnn Matyka.

Minutes: The minutes of the November 19, 2009 meeting were previously submitted to the Board for review.

Resolution # 46
Acceptance of Minutes

Resolution by Jeff Duxbury
Seconded by John Mattison

and passed unanimously by said Board;

RESOLVED, that the minutes of the November 19th Planning Board Meeting be approved as submitted.

**Old Business:
12/17/2009**

Minor Subdivision # 476 – Rosalie Cristaldi. (Designated Agent: Nick Vooris) Proposal for a two lot subdivision of a 36.43+/- acre parcel located on Fiddlers Elbow Road. One lot of 9.62 +/- acres with an existing house, garage and driveway. One lot of 26.81 +/- acres with an existing barn & driveway and a proposed house, septic and well site. Hamlet/Mixed Use Zoning District. Tax Map ID # 228.-2-2.6. The application and map were reviewed at last week's workshop meeting. The items needed were:

- perc test results, location and whom performed them on the map.
- Minor Subdivision # 476 delineated on the map.
- Town of Greenwich Driveway Permit

Mr. Vooris supplied the perc test results and a driveway permit. New maps will be brought to the office by January 11, 2010. The parcel is not located in an agricultural district.

Resolution # 47
Application Complete/Public Hearing Set

Resolution by Jeff Duxbury
Seconded by John Mattison

and passed unanimously by said Board;

RESOLVED, that contingent upon receipt of updated maps containing perc test results and subdivision number that Minor Subdivision # 476 be deemed complete and a public hearing be set for 7:30 pm on Thursday, January 21, 2010.

The clerk will contact Mr. Vooris with the amount needed for Public Hearing Notices.

Fees Received: \$100.00 Application Fee.

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Old Business:

12/17/2009

Minor Subdivision # 479 – Donald & Thelma Rymph. (Designated Agent: Frank Shaw) Proposal for a two lot subdivision of a 102 +/- acre parcel located off of State Route 4. One lot of 8.137 +/- acres to be conveyed to Mr. Shaw and one lot of 93.863 +/- acres to be retained. Rural Agricultural Zoning District. Tax Map ID # 219.-1-8.2. The application and map were reviewed at last week's workshop meeting. The items needed were:

- Entire parcel to be subdivided needs to be delineated on the map with the adjoining parcel owners identified along with the 911 addresses.
- Subdivision # 479 delineated on the map.
- Percolation test results need to be on the map, place, who performed and when.

Mr. Shaw supplied the updated maps which included the above items.

Resolution # 48
Application Complete/Public Hearing Set

Resolution by John Mattison
Seconded by Carl Thygesen

and passed unanimously by said Board;

RESOLVED, that Minor Subdivision # 479 be deemed complete and a public hearing be set for 7:45 pm on Thursday, January 21, 2010.

The clerk will contact Mr. Shaw with the amount needed for Public Hearing Notices.

Fees Received: \$100.00 Application Fee

Old Business:

12/17/2009

Minor Subdivision # 480 – George & Susie Polchowski. Proposal for a three lot subdivision of a 6.20+/- acre parcel located on NYS Route 40 with two existing homes on the parcel. One lot of 3.35 +/- acres with an existing house, one lot of 1.26 +/- acres with an existing house and one lot of 1.59 +/- acres to be joined to Tax Map ID # 228.-2-6. Parcel Tax Map ID # 228.-2-7. The application and map were reviewed at a previous meeting. The application was referred to the Zoning Board of Appeals for an area variance as the existing homes would not meet the current set back specifications.

- The variance was granted by the Zoning Board of Appeals.
- Subdivision # 480 needs to be delineated on the map.

Resolution # 49
Application Complete/Public Hearing Set

Resolution by John Mattison
Seconded by Carl Thygesen

and passed unanimously by said Board;

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RESOLVED, that contingent upon receipt of maps with Subdivision # 480 being added that Minor Subdivision # 480 be deemed complete and a public hearing be set for 7:45 pm on Thursday, January 21, 2010.

The clerk will contact the Polchowski's with the amount needed for Public Hearing Notices.

Fees Received: \$100.00 Application Fee

Discussion:

The Zoning Board of Appeals would like to hold a joint meeting with the Planning Board. The clerk was instructed to invite them to the Planning Board's Organizational Meeting on 01/14/2010.

Training:

Chairman Tomkins asked where everyone stood on the training requirements. Carl Thygesen will be finished tomorrow. Kyle and Dan still need to provide the Clerk with training verification. Chairman Tomkins asked the Clerk to remind Kyle and Dan that their training verification is required.

Correspondence:

A letter was received from Benjamin's Fine Flooring regarding their Special Use Permit Application. Mr. Grieco stated that he has decided to close his retail business for good and is abandoning the showroom. He will continue with the commercial part of the business and his current warehouse was in existence prior to the Zoning Regulations being adopted.

Public Hearing

12/19/2009

Special Use Permit # 2009-04 – Joseph Wilbur. Proposal for an automotive repair shop in an existing 576 Sq. Ft. garage, Home Occupation Type 2. Parcel is located at 1440 North Road. Tax Map ID # 198.-1-15. Chairman Tomkins opened the public hearing for Special Use Permit 2009-04 at 7:30 pm. He called for all interested members of the public to step forward and examine the maps. Three out of three of the adjoining property owners responded to the certified mailings of the public hearing notices. The following comments/concerns were made from the public:

Scott & Christa Campbell could not be at the meeting but submitted a letter which Chairman Tomkins read. They stated that:

- Business will be a great addition to their area.
- Concerned with appearance and potential environmental impact.
- Abide by regulations imposed with permit.
- Would not like to see a buildup of vehicles.
- Wish Joe and Vanessa the best of luck.

Stanley and JoAnn Matyka – stated that he had no problems. Same concerns as the Campbells. Wondered if business would remain with the property or the owner. Chairman Tomkins stated that the use does remain with the property. Mr. Matyka was concerned that another owner not as caring as Joe may establish a business that would turn into a fiasco. Chairman Tomkins stated that with a similar business on County Route 77, the Planning Board had stipulated that only three non-residential vehicles could be on the lot at any one time. Mrs. Matyka was concerned that state regulations be followed regarding the disposal of waste, such as oil. She was also concerned that the property was not surveyed. Chairman Tomkins stated that a survey is not required for a Special Use Permit. With no further comments from the public, Chairman Tomkins closed the Public Hearing at 7:37 pm.

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Resolution # 50
Negative Declaration SEQR – SUP 2009-04

Resolution by Jeff Duxbury
Seconded by Carl Thygesen

Discussion:

Jeff Duxbury stated that on Part II, C. *Could action result in any adverse effects associated with the following?*
C. 1 – Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste disposal, potential for erosion, drainage or flooding problems? Explain Briefly. He wrote: The applicant has provided for waste removal, fluid according to NYS regulations.

C. 2 – Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly. He wrote: The building is existing.

and passed unanimously by said Board;

RESOLVED, that pursuant to part 617 of the New York State Environmental Conservation Law and upon review of the Short EAF by the Town of Greenwich Planning Board, that Special Use Permit # 2009-04 be granted a negative declaration.

Resolution # 51
Approval of SUP # 2009-04

Resolution by Carl Thygesen
Seconded by John Mattison

and passed unanimously by said Board;

RESOLVED, that Special Use Permit # 2009-04 be approved with the condition that there be no more than 3 non-residential vehicles on the property at any one time.

A motion to adjourn the meeting at 7:45 pm was made by John Mattison, 2nd by Carl Thygesen.

Respectfully Submitted,

Kellie Blake
Planning Board Clerk