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A special meeting of the Town Board was held at the Greenfield Elementary School Cafeteria on Thursday March 22nd, 2007 with the following members present: Albert Janik, Supervisor; Carol Osborne, Daniel Pemrick, Peter Coseo and Thomas Kinsella, Councilman. Also present was Stu Meissinger, Consultant and approximately 200 residents.

A public hearing opened at 7:00 PM. Clerk presented proof of legal publication. Supervisor Janik reviewed the changes that had been made since the last public meeting. The Office Residential Zone in the Use and Area Tables is listed as OC and needs to be changed to OR. On the continuation sheets for the Use Tables, the Zone headings should be added. In the Industrial Zone, both large and small contractor storage yards will be allowed with a Special Use Permit. The Area Table for the LDR, MDR1 & MDR2 Zones be amended to 10 acres for a Large Contractor Storage Yard and 6 acres for a Small Contractor Storage Yard, making it uniform in all three zones. Supervisor Janik stated that in the LDR Zone an agricultural use is a Principle Permitted Use with 20 Acres. He suggested that it also be allowed on a smaller parcel, 6 acres, with a Site Plan Review. Coseo, C. stated that in the LDR District there are several uses allowed on 5 acres, however 6 acres is required for a house. He did not feel that there should be anything less than 6 acres and suggested that they all be changed to 6 acres. Supervisor Janik stated that he had received a recommendation from the Planning Board regarding the implementation of the new law. It was their suggestion that the cut off point for any applications made to the Planning Board or Zoning Board of Appeals should be at the point where they are accepted as complete. All applications that have been accepted as complete will proceed forward under the old zoning law. Any application that has not been accepted as complete would have to comply with the new zoning law. All Board members were in agreement with that recommendation.

Supervisor Janik stated that the initial public hearing on the proposed zoning law was held on 11/29/06. It was discussed at a special meeting held on 1/25/07, a workshop meeting held on 2/15/07 and at all Town Board agenda and regular monthly meetings. Based on the public comments received, substantial changes were made to the initial document. The public hearing this evening was scheduled to allow Town residents an opportunity to voice their concerns and make comments concerning the revised draft. He asked that anyone interested in addressing the Board please sign in and due to the large number of residents please limit your comments to three minutes. If time permits, the Board will try to answer their questions. Supervisor Janik stated that one of the recent changes that was not discussed earlier was made to outdoor furnaces. The proposed zoning changes will impact new installations only. The changes will not pertain to existing furnaces. Supervisor Janik felt that the principle opposition to the zoning proposal concerned the requirements for Special Use Permits. These permits are commonly used in zoning as they act as a safety net for neighbors, Towns and applicants. Special Use Permits and Site Plan Reviews work to ensure that the concerns of the neighbors and the environment are addressed. It gives area residents a forum in which to voice their concerns, and enables the Town, through its Planning and Zoning Boards, the opportunity to mitigate the impact of the use on neighbors.

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Russell Peacock, South Greenfield Road – Mr. Peacock stated that after speaking with several people, he has found that the people of the Town have lost confidence in the Town Board and they do not feel that they are being represented. Agriculture and Type 2 Home Occupations were two issues that were brought up and these people were questionably represented on the committee that set up this draft law. They do not feel that they had an adequate amount of input. He felt that the outdoor boiler issue was still in contention. He stated that the majority of the people wish to have the community stay rural and they do not want suburbia. He added that it really didn't matter what the Town Board did because the people still have the capacity, through legal means, to rescind, change, modify or completely control what happens.

James VanDyk, Daniels Road – Mr. VanDyk stated that about 3 months ago he became concerned with what he was hearing regarding the impacts on agriculture. His property was now going to be zoned MDR1, the highest density residential, despite having been a farm dating back to the 1800's. He would be allowed to keep farming there, but he would have to get a Special Use Permit and he would not be allowed to increase or change the scope or focus of his farm. Mr. VanDyk added that as he spoke with other residents, the one concern he heard over and over again was that Greenfield would become overdeveloped. He felt that the proposed zoning was an unimaginative and uninspired touchup of the old one. The Town was missing an opportunity to protect Greenfield from the "Clifton Park sprawl". The Town relied on one engineering firm for guidance and they were not rural planning experts. He felt that the document was more concerned with the comfort level of subdivisions not yet built then protecting citizens already here. He stated that the Town Board should be protecting the current residents and not the future developers. He added that two months ago the Board agreed to send the proposed draft back to committee. He felt that it was time that this be sent back to get some fresh ideas with some fresh faces. He further suggested that the Town consider adopting a one year moratorium while they craft the new legislation.

Doug Dupouy, South Greenfield Road – Mr. Dupouy stated that he has been a resident for 3 years. He had 2 questions for the Board; what were they trying to achieve and what is the problem they are trying to solve. He stated that by looking at the zoning map it was very clear that they were trying to group density housing and density business. He added that he took a drive around Town and found that there is some high density housing in some of the outlying areas and there are some less populated areas in some of the proposed high density zones. He felt that a zoning scheme like this would be understandable if they were starting from a blank slate, however Greenfield already had a housing character. Mr. Dupouy stated that Greenfield was rural, but not residential and he would like to see it stay that way. The proposed zoning calls for smaller lot sizes in MDR1, however you may no longer be allowed to conduct your business. Type 2 businesses will be restricted. He felt that this area was rural and quite suitable to operate a truck in connection with someone's livelihood. He has heard that the Board needs to get this zoning law passed because there were several developers waiting. He hoped that the Board would not push this through for the developers at the expense of the residents. He agreed that the Town needs a vision, but he did not believe that the vision should be to make this a bedroom community. He added that for some of the people who make a

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living here, their families have been here for generations and have made Greenfield what it is. His concern was that their sons and daughters will have the same opportunity to stay here, start businesses and raise families in the same environment enjoyed today. He could understand the methods and goals if this were a plan to be implemented over decades. However, this plan is to be implemented immediately and tells him that lot size and potential opinion of those that buy these lots take immediate precedence over existing residents and the livelihoods to support their families. He would like to see zoning codes that encourage courtesy among neighbors and ensure harmony to the surrounding area. He felt that the codes needed to evolve with the Town. They need to exist with small businesses and give people opportunity, as well as preserve the character of the Town. He requested that before the Board adopt this new law that he be given the opportunity to understand the motivation behind the changes. He felt that the Board would have preferred to have slipped this zoning change by the Town. He added that what the Board should have done was to present it an open forum, presenting the goods and the bads so that you can justify the gains versus the losses. He stated that he did not feel that there was any zoning law that could not be fixed or undone.

Kim Hilliker, Ballou Road – Mrs. Hilliker stated that they lived on a 5 acre parcel on Ballou Road. They moved here from Saratoga Springs for a more rural lifestyle and the ability to have a horse. She stated that although she had been to other zoning meetings prior to this evening in support of change of other issues, she was here tonight regarding the future of agriculture in Greenfield. She previously sent an email to Supervisor Janik regarding her concerns. She is very interested in the future of agriculture in the Town. She stated that currently agricultural uses are allowed on various sized parcels throughout the Town. According to the Comprehensive Plan, there are only six large scale agricultural parcels consisting of 356 acres or approximately .8% of the land in Town. Her concern was that although agricultural uses would be allowed in most zones in the new Zoning Law, 20 acres would be required in the LDR. There are 267 +/- 20 acre parcels in the proposed LDR Zone. These include rear landlocked parcels, swaps, rocky mountains, non-buildable areas, etc. She questioned why such strict limits were being placed in the LDR Zone. She referred to comments made at the February 13th Planning Board meeting by John Streit and Tonya Yasenchak, both in support of farming/agricultural uses. She also noted that at the February 8th Town Board meeting, Councilman Coseo commented regarding the acreage requirements for agricultural uses in all of the zones. Mrs. Hilliker stated that as she becomes increasingly aware of how meat, poultry and produce are commercially raised and processed, her desire increases to raise her own. Mrs. Hilliker also stated that she was bothered by a paragraph in Chapter 6 of the Comprehensive Land Use Plan entitled “Future Land Use Plan”.

Butch Duffney, Brigham Road – Mr. Duffney commented on a packet of information that was distributed by a resident of Braim Road. He added that he knew the property. The owner built a beautiful garage to work on his vehicles. The yard is kept perfectly clean. The fuel tanks are located behind the fences and the equipment perfectly lined up in a straight row. Mr. Duffney clarified with the Town Board that as far as existing wood furnaces were concerned, that whole section has been removed.

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Supervisor Janik stated that is was no longer in the Code. The Code only pertains to new installations. Someone with an existing outdoor wood furnace could use it in the summer to heat their water, pool, etc. Mr. Duffney stated that prior generations have built this Town to what it is today. He stated that Donald Chandler started his logging business with nothing and built his business up to a point where at the peak of his business he had 14 men working for him. He added that a business has to be able to expand. Anyone that starts a business wants it to grow and be successful. Mr. Duffney stated that at the last Town Board meeting they were looking for volunteers to work on the caboose but stated that they wanted someone who knew what they were doing and would follow through to the finish. He added that the Town was full of professional craftsmen. They could and would be more willing to work on the caboose, but unfortunately the citizens can work on a project for the Town but they can not run their business in the Town. Mr. Duffney stated that the Town may be able to hold up their little law of Zoning, but he had a little book of his own which states that he was entitled to life, liberty and the pursuit of happiness. He suggested that the Town modify the Zoning Law to support the whole community and further suggested that it be sent back to the committee for further review.

Robert Smero, Grange Road – Mr. Smero stated that his grandparents came here from Slovakia about 100 years ago. They came here because everything in Slovakia was being controlled by the government. It seemed to him that this Board was trying to control everything that the citizens of the Town can do. He stated that this Town was built by people who had their independence and were able to start a little business. He felt that the Board was looking for something that wasn't there and that they did not have to make a law for every complaint. Mr. Smero wanted to see the Board send this proposal back to the drawing board and asked that they start listening to the people and come up with something that everybody wants.

Lynn Baker, Grange Road – Mrs. Baker stated that they ran a little farm and just recently found out that they are non-conforming and that use was not allowed in the current zone. Their property has always been part of a farm and there is farmland all around them. She did not feel that the proposed zoning map with the three zones, LDR, MDR1 & MDR2, was appropriate and that it should be scrapped and start over. She added that the MDR1 is proposed for her area. That area is totally rural and most of the land is forever wild or farmland. Any land that is not used as farmland contains wetlands, swamps, etc. She felt that it should be an agricultural zone. She believed that there should be agricultural zones on the map so that anyone that wants to move in to the Town to live in the country, but not next to a farm, will know where they are located. Mrs. Baker felt that the Chazen Group grossly misrepresented Greenfield by saying that 0.8% is used for agriculture. She did not feel that the Town should micro manage people. She stated that even though she had 17 acres and a farm, she could not have a farm store and sell sweaters, socks, etc. because that would be considered manufacturing. She could have a farm stand however and sell raw fiber from shearing her alpaca's. If the Town wanted to have ordinances for business' that was fine, but separate it from Zoning. She felt that this whole thing needed to go back to the drawing board.

Chris Baker, Grange Road – Mr. Baker stated that he grew up on a farm located on Grange Road. It was from that farm that he learned his work ethic, how to

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treat his neighbors, how to take care of animals and how to be a good person. He felt that the entire area of Greenfield should be zoned agricultural. You should be allowed to farm anywhere in this Town. There is a Right to Farm Act in this country. Mr. Baker stated that where he lives was zoned R1 back in the 1970's. All the farms are down in that area but for some reason it was labeled residential. This set a precedent and when the area was rezoned back in the 1980's it was kept residential. Southern Greenfield is full of farms and all these people pay Greenfield taxes. They should have some say in what can be done in that area. Mr. Baker also questioned the figure in the Comprehensive Land Use Plan regarding agricultural uses. He drove around the Town and counted 98 parcels of land with animals on them. He also counted about 20 or 30 old farms that are still pasture clippings. He did not understand why the Board was in such a hurry to adopt this law. He wanted to see everyone work together and come up with a workable plan.

Lorna Dupouy, South Greenfield Road – Mrs. Dupouy stated that she was a member of the Planning Board and that it takes a lot for people to come and spend their time on a Board and handle the boring details of the Town's business. She does not agree with everything that they have to say and that is why she is here. However you have to give them credit for showing up continuously every single month. Article 4 – Administration & Enforcement – 105-22 - Subsection C – Subparagraph 3. She did not understand why the business had to be in operation for 3 years. She felt that it should be from the day that the law is adopted. Section 105-127 – Contractor Storage Yard Standards – Subsection B. She stated that there are some citizens that do not have enough land and/or the way that their land is configured does not allow for them to park their vehicles in the rear of their property and can only park them on the side of their property. Mrs. Dupouy provided the Board with a proposed amendment to this section and section 105-128 Home Occupations. She proposed a Type III Home Occupation which would regulate home occupations that have a greater impact on the surrounding neighborhood than Type I Home Occupations but less than Type II Home Occupations. She had talked to many people who operate businesses and they seemed to be in agreement with her proposal. She hoped that the Board would consider her proposal. Mrs. Dupouy stated that in Section C Subparagraph 4 – Type II Home Occupations it states that you may only have up to three employees. She runs an etiquette school and sometimes needs 4 or 5 people. She asked whether this limitation pertained to 3 full time employees or 3 part time employees. In Subparagraph 5 of that section, it states that a business can not operate any later than 6 pm. Mrs. Dupouy stated that when she has adults come, they typically come after work and the class can not be held prior to 6 pm. Mrs. Dupouy stated that she filed a FOIL request and found out that Chazen Companies was paid \$52,000. for their services. She felt that it was a fair amount if they did a good job. Her problem was that at least in 3 different places in the document there was not the right measurement for acreage and there are many typographical errors. She asked what their form of restitution to the Town would be for this less than perfect job.

Vincent Walsh, Greene Road – Mr. Walsh stated that he was very impressed with the turnout this evening and the comments that had been made. He has been to many of the meetings and hearings at which he has expressed his concerns.

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However, all the Board does is listen and he never receives any feedback. None of these concerns are being mitigated. He did not feel that the Board was listening to what the residents had to say. He was not 100% against development, however he would like to see things remain pretty much like they are. The urban sprawl is pushing and coming our way. There are going to be many impacts on the rural character of this community. There are many areas of Town which are currently zoned 8 acres and the proposal is to reduce the lot size in the LDR Zone to 6 acres. There are developers who can't wait for this to pass so that they can get more lots. Recently the Board agreed to send this back to the committee for further review and he volunteered to serve on that committee. He asked why the Board did not do that? Mr. Walsh stated that he was a member of the Historical Society. Supervisor Janik attended their last meeting and discussed the caboose issue. Mr. Walsh felt that they received more answers in the 20 minutes or so that he was there then he has received in the last 9 months regarding the zoning issue. He would like to see the Town Board hold question and answer sessions. Mr. Walsh stated that Cluster Developments are already an option in the current Zoning Law. He suggested that they be made mandatory and has found out that this is something that the Town can do. He was very frustrated with the process. He questioned why the Board would want to vote on this just to get it passed and then have to go back later and make changes. Why not do it right the first time.

Paul Davis, Locust Grove Road - Mr. Davis thanked the Board for going back and taking a look at the Outdoor Furnace issue and grandfathering the existing furnaces. He wanted to make sure that he was clear that he could operate his furnace during the summer and that he would not be required to obtain a permit. He questioned whether he had to conform to Paragraph B. Kinsella, C. stated that the intent is that existing furnaces could be used year round, burning wood only and no garbage, and that they could reword that section if necessary. Mr. Davis was a little concerned regarding the overall cost of what the economic impact would be on the taxpayers when this law goes into effect. He questioned whether or not the Town was going to have to hire additional Code Enforcement Officers to implement and enforce this new law.

Supervisor Janik stated that time permitting the Board would try to answer some of these questions at the end. Residents requested that all of the questions either be answered here this evening or be put in writing and posted on the website.

Deborah Fellows, Miner Road – Mrs. Fellows read a statement regarding civil liberties and stated that this Board has the liability of preserving what this Town stands for. She felt that the way the majority of the Board has handled this responsibility has encouraged this distrustful attitude of the residents of the community. She stated that this Board was elected to represent the people of this Town. They needed to stop listening to outside influences and listen to the residents of this community. Mrs. Fellows stated that the Board must table any decision on this proposed law and send it back to the committee and do what the people want.

Heidi Andolina, Pineridge Court – Mrs. Andolina stated that this was the first meeting that she had attended. She was concerned regarding one aspect of the Zoning Law, In-law apartments. She has lived her for 10 years and would really like to be able to stay here. They are looking to purchase some land to build a new home

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and they would like to be able to bring her in-laws into their home. Under the current zoning law and the new proposed zoning law, you are only allowed 800 square feet. She asked the Board to consider some additional square footage. At this time, they are not allowed to have their own garage or even their own entrance.

Walt Chandler, Sand Hill Road – Mr. Chandler stated that he knew the Board was working hard on this law and thanked the Board for the changes that they had made. He asked that the Board to stop and think about who was going to perform the principle services in this Town. Someone has to build the new homes, clear the land, build the roads, etc. Mr. Chandler stated that his family has been here for 3 generations. He attended Greenfield Elementary School. In 1998-99, the Greenfield Elementary School earned a National Blue Ribbon Award. The principal, the teachers, the parents and the students were all involved. The Town Board was also involved and he would like to see that continue. In order for that to happen, the Town Board has to support the people in this Town. He would like to see his children have the right to live here and work here, if they choose to do so. Mr. Chandler added that one of the allowed uses in the Master Plan was Adult Use. If the Board can make room for this type of use then they can make room for the children of this Town.

Chad Jorgensen, Daniels Road – Mr. Jorgensen stated that as elected members of the Town Board you are supposed to make decisions that are in the best interest of the Town and the people who live here. Many residents are expressing issues that are in the best interest of the Town. He added that some have become involved a little later than others and he felt that in the Town Board's point of view it was a little too late. Mr. Jorgensen felt that when they voice their concerns, they are falling on deaf ears because it does not align with the personal interests of the Planning Board members. Many of the board members have expressed their interest in increasing the tax base with development. He felt that this ultimately would ruin the rural character of the Town and cost more money with the need to provide more services. Mr. Jorgensen stated that the individuals on the various boards do not live in the southern portion of Greenfield and the decision to allow increased development in that area does not affect them. He did not want to see another Geyser Crest. Mr. Jorgensen would like to see the Town impose a moratorium.

Kevin Chandler, Allen Road – Mr. Chandler stated that at the 1/25/07 meeting, one of the Town Board members concluded that despite their best efforts they did not get enough input from the community. At the end of that meeting, all four Board members present voted to send this proposal back to the committee. The residents who were there trusted that the leaders would do so. At the agenda meeting on 2/1/07, the Board placed this item on the 2/8/07 agenda and stated that they were going to try and work out the new Zoning Law without sending it back to the committee. At the March 1st meeting, the Board decided to rescind the motion and not send the law back to the committee for review. Another issue was discussed at both the 1/25 and 2/1 meetings and that was "trust". One of the things that surprised one of the councilmen was the lack of trust that existed between the community and the Town Board. This is in part due to the fact that the Board did not send this matter back to the committee and disregarded the interests of the community. Mr. Chandler felt that the Board needed to

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take the time to send this back to the committee as they promised and get more input from the community, and that then and only then would they begin to build back the trust.

Supervisor Janik stated one of the things that impacts or drives the public regarding Zoning and what the committee has come up with, is what is in existence right now. When you look to change zoning you have to consider not only the wishes of the community. You have to consider the impact on adjacent property owners. They have built their homes under the rules and regulations of a particular zone, i.e. R1. Now the Town is proposing to change that zone and allow uses, such as agriculture, which were not allowed before. He felt that this is what has impacted a lot of people. What uses are permitted right now and where the Board is headed in response to the concerns raised by the citizens and how these decisions will impact the residents of the Town as well as future generations. Supervisor Janik stated that he heard a lot of comments regarding what is the motivation for the change and it was suggested that it was all about developers and money. The Master Plan is what motivated this change. Coseo, C. addressed the question of who was they, as far as who the members of the Master Plan and Zoning Review Committees were. He stated that some of the members of these committees have lived here longer than anyone in this room and had a lot of experience and knowledge of the Town. There has been Zoning in this Town for more than 25 years. Some of the proposed new zoning regulations are less restrictive than the current zoning. Stu Meissinger, Chazen Companies, stated that one of the things that people have stated was that this was a plan for suburbia and there could be nothing farther from the truth. They used a geographic information system, wetlands maps, slope maps, etc. to calculate how much development could occur under the existing zoning in comparison to what could occur under the proposed zoning. The proposed zoning would allow 1,600 less units than the current zoning. The purpose of this plan was to try and keep the rural character of the Town. Mr. Messinger stated that there was also some concern regarding the proposed MDR1 and MDR2 zones, where it seemed like development was being concentrated. He noted that the current zoning map is a patchwork quilt of zones. There are 1 acre lots, next to 5 acre lots, next to 3 acre lots. In the 2 districts where the higher density is being proposed, there is a proposed reduction of 10 lots. Mr. Messinger stated that as far as the question regarding the number of farms and percentage of farmlands in the Town, this number was obtained from the Assessor. This represents the number of properties in the Town with an agriculture property class code. This does not take into account the personal hobby farms that are not assessed as farms. Zoning allows someone who is doing personal farming to do it anywhere. It is not regulated. Zoning regulates the larger scale farming. The Board needs to decide how to address the issue raised regarding farming in the LDR Zone as far as acreage and what permits if any will be required. Mr. Meissinger stated that as far as the question regarding the size of the in-law apartment was concerned, this was a very common size in most zoning laws. The concern is that people convert a large in-law apartment and rent it out and turn the home into a duplex. If there is not some sort of restriction, you may wind up living in a neighborhood full of duplexes rather than the single family home neighborhood that you moved into. As far as Cluster Development was concerned, clusters are allowed. Mr. Meissinger stated that he has never seen a zoning law where cluster developments were

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mandatory. He felt that to do it in this Town, where there is such a variety of land and so many ways that you can develop it, this would be an example of the Town being overly restrictive. The Planning Board should have the flexibility to use this type of development based on the character of the land. As far as Home Occupations were concerned, Mr. Meissinger stated that there was a question regarding the number of employees allowed. He suggested that the Board consider changing the wording in that section to state "full time equivalent employees". The Board will have to address the issues raised regarding time limits. Supervisor Janik stated that one of the other items raised was non-conforming uses and the requirement to provide evidence that establishes continuous and uninterrupted use for a period in excess of 3 years. He noted that this was actually a compromise that the Board arrived at. Initially they talked about a longer period of time and based on public input it was cut back to 3 years. Supervisor Janik stated that many of the activities that did not fall under this 3 year non-conforming use regulation may fit in under a Type 2 Home Occupation or Contractor Storage Yard. He felt that the Board addressed the concerns raised regarding being able to make a living here and/or providing for a way for future generations to make a living here by adding the contractor storage yards. Anyone with a current non-conforming activity that has been in business for more than 3 years and wants to be considered in compliance has the opportunity, within the next 180 days, to file for a Special Use Permit at no fee and get a quick review of the Planning Board. Supervisor Janik felt that what was proposed was a great improvement from the current code. Russell Peacock felt that the Board was approaching the problem a little bit differently than the group of citizens was trying to tell the Board. He felt that what they would really like is for this to go back to the committee. He stated that it was a very good committee however there needed to be more representation from this group of people. Supervisor Janik stated that a comment was made regarding answering some of the questions brought up this evening. He noted that once they receive the minutes of this meeting, they will try and address some of the answers to the questions that have not been answered this evening in the newsletter, which is in the process of being put together. Donald Chandler asked why the Town Board did not send this back to the committee when they voted to do so. Supervisor Janik stated that when the vote was taken to send it back to committee, it appeared that the only thing that needed to be worked out was the contractor storage yard. He thought that this issue was resolved when the Town Board went back and met with the committee and worked out this possible solution. At the next Board meeting, the Board decided to rescind the motion and set up another public hearing so that the residents could comment on the proposed solution. Mr. Chandler stated that he would like to see this go back to the committee. Janet Nevitt wanted to know why the Board could not take this back to the committee and have these people come in and talk to them and tell them what they want. Her son moved here because he was able to park his truck at home. He used to live in Wilton and he could not do so there. Peter Stewart stated that he has lived here since 1979. When he got his permit for his house and garage no one told him that he needed to get a special permit. Now he is being told that he has to get one. He stated that he was not going to do that. He has been in business for years and will go to court if he

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has to. What is going to happen when there is a new Town Board, are they going to change this all again? Coseo, C. stated that currently anyone living in the Allen Road/Ballou Road area has to have 10 acres on which to farm and 20 acres to keep a non-domestic animal. He felt that the LDR, MDR1 and MDR2 districts should have a consistency with respect to agricultural uses with a Site Plan Review. He proposed that in the LDR zone, if you have 6 to 20 acres it would require a Site Plan Review and if you have over 20 acres it should be a principle permitted use. Osborne, C. stated that she was also a 3rd or 4th generation resident. She understands that you want to keep Greenfield the way it is. The Board wants to help the citizens that are here and that is what they have been trying to do. Back in November, there was nothing in the proposed law to give any type of amnesty to those people operating a non-conforming use. The Town did not have a lot of enforcement then and still does not now, but that is something they are trying to work on. With all the new people moving into our Town, the Board was trying to develop regulations that would help protect the current residents who operate trucking businesses from their homes. Under the current zoning, many of these businesses are not allowed and the Town would have to enforce that if someone new came in to Town and challenged the law. The Board felt that this compromise would provide protection for the current residents. The intention is to have the businesses on record so that when someone moves into the Town and does not like the fact that you start your trucks at 5 am, etc. they can not come in and complain. You have a legal business allowed by zoning. The Board is trying to prevent problems in the future. Kinsella, C. stated that Zoning is tough and the Board is never going to be able to come up with a solution that will make 100% of the people happy. He stated that there was nothing sinister going on here and the Board was not trying to undermine anything or be devious. He was on the Master Plan Committee and the Zoning Review Committee. There were many open meetings and some input was received from the residents. He felt that many of the problems that are being experienced are communication problems. The proposed law does take care of many of the issues that were brought up by the residents. There may have to be a few minor adjustments made like they did with the outdoor furnaces and the contractor storage yards. Pemrick, C. stated that it was hard to believe, listening to all the comments, that we all want the same thing for Greenfield. The Board has been characterized as being connected to people from Long Island to cronyism, etc. and he did not know what the Board could say at this point so that they do not appear to be talking at the public rather than to the public, to try and change their minds. He agrees with what everyone has said here this evening. He stated that he knows what the Town has with its current zoning and it does not protect the rural nature of this Town as it should. He felt that what the Board has included in the proposed zoning law was a remarkable improvement over what is currently in place and will provide for this Town in terms of its future defense against the encroachment or kind of growth that we do not want. Environmentally it protects Lake Desolation and the Kayaderosseras Ridge. The Planning Board can require Cluster Development if there is a sensitive area. Pemrick, C. stated that everything in this new proposed zoning law is not what he wants either, however it is a good compromise. The Town Board received a proposed plan that did not take into consideration existing businesses or businesses that have evolved from their original intent and became more

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than they originally were. No protection is allowed them in the current zoning and none was provided in the draft that the Town Board received. Over the past 5 months the Town Board has been looking for a way that will accommodate not only the current people, but also have put into place a way that will allow a business to evolve with the addition of contractor storage yards. He understood that this was probably not everything that the residents wanted, however it was a gigantic leap forward from what was currently allowed. Pemrick, C. noted that there is nothing in this proposed law that can not be changed in the future if the Board finds that it is unreasonable, etc. The Board knows that the Town is being pushed from what's outside and what is being proposed will make great strides in protecting the Town from that. Pemrick, C. reiterated that we are not all going to agree. The individual Board members did not get everything that they would like. However, he felt that what was being proposed was a far cry better and better serves this Town, then the one that is currently in place. This Town Board is not deliberately and intentionally trying to do something that will make your life miserable or place an undo burden on the residents of this community. Kinsella, C. stated there were many comments regarding why the Board did not take this back to the committee. The Master Plan Committee started over 3 years ago. He has been working on this and looking at it for 3 or 4 years. The Town Board did get together with the Zoning Review Committee members and talked with them about these issues. He stated that maybe it was a half step back to the committee, but they did go back and talk to the committee. Paul VanArnum, Wilton Road, stated that he has been in business for over 40 years and he came here to find out how this was going to affect him. Coseo, C. stated that Mr. VanArnum would be grandfathered in as long as he was a legally existing business now. A resident asked if everyone was grandfathered in. Coseo, C. explained that if you are operating a business that is not allowed in a current zone, the Board has added the provision that allows you to apply for a special use permit. He was not aware of any other Town that allows this. As long as you can document that you have been in business for 3 or more years, you can come in and apply for a relaxed special use permit with no fee. Supervisor Janik added that you could choose to ignore this and continue operating and not come in for a permit. However, you would not have any protection from complaints in the future because you would continue to be operating in violation of zoning. Donald Chandler stated that a young man was living in his brothers' old home. He asked what would happen if he does well and gets 8 or 10 trucks and his kids want to stay in this Town and make a living. Adam Dingmon stated that he was here this evening to show support for his brother-in-law. He has been in the military for 12 years and he enlisted because he truly believed in the American way. He stated that it was his brother-in-laws dream to be able to own his own business. If this law goes into effect he will loose everything. He has not been in business for 3 years. Mr. Dingmon stated that he fights for the American dream and his brother-in-laws dream is going to be snatched from him. He asked that if the Board was going to make changes and put something into effect, that they do not hurt the people who have already started their business. Philip Gargan, Locust Grove Road – Mr. Gargan stated that he had also heard that Saratoga County was one of the fastest growing counties in the State. He felt that that was all the more reason for the Board to put a lot of care in what they do in Greenfield. He added that maybe, as

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suggested by several other people, the Town should enact a short moratorium. Mr. Gargan questioned Osborne, C. about her comments regarding code enforcement. Osborne, C. stated that when the residents were asking questions as to whether or not this proposed plan was going to cost the Town more for enforcement, what she said was that a lot of the regulations and zoning laws have not been micro-managed and enforced. Mr. Gargan stated that he must have misunderstood and noted that that was when the Town Board fired him because he tried to enforce some building code violations at Prestwick Chase. John Davis asked why the Board was in such a hurry to push this law through. Supervisor Janik did not feel that 3 ½ years of review could be looked at as a rush. Mr. Davis noted that Kinsella, C. has stated that he was tired of working on this and suggested that the Board start a new committee. He asked how the young man they spoke about earlier was ever going to make it in this Town. Coseo, C. noted that he was located in the proposed LDR zone and there was nothing in the law that would prohibit him from having a small contractor storage yard. He would have to apply to the Planning Board for a special use permit. Marianne Pompa-LaRoche stated that she learned a lot this week when she was in looking at the proposed new assessments. She was told that the assessments were based on current property owners and the current property uses. She stated that the Board needed to keep that in mind. Some of these people have invested a lot of money. Supervisor Janik stated that if you take a look at the assessment rolls you will find that the majority of the residents are coded as residential even though they are operating a business from their home. Pemrick, C. stated that a few people have expressed a concern regarding a particular individual being able to run his business in the Town since he has only been in business for 1 year. He noted that he could apply for a special use permit. The purpose of a special use permit was not to find a way to deny somebody of something, but to help the person find a way to make it fit. He added that at least 20 people in this community apply for special permits each year through the Planning Board and receive them. He could not guarantee that everyone would be approved, however based on past practice in this Town, whether it is a Zoning Board request or a Planning Board request, the initial thought is not to deny but to find a way to make it fit because that person is a citizen of this community. Coseo, C. stated that if you review the Planning Board minutes when Mr. Chandler and Mr. Wardell were in front of them recently, they will find that they were extremely accommodating to the 2 applicants. They did not look for ways to shut them out and bent over backwards to help them. The fact that someone has to get a special use permit does not tell them that they can not do anything in the Town.

RESOLUTION # 75 – Take No Action on Proposed Law

Motion: Kinsella, C.

Seconded: Osborne, C.

RESOLVED, That the Town Board will take no action on the Proposed Local Law adopting the Revised Zoning Law.

Discussion: Kinsella, C. was not convinced that a lot of changes needed to be made. One of the primary reasons he did not want to act on this tonight was because he felt that there was a lot of poor communications going on. He felt that the Board

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could do some things over the next couple of weeks to enhance those communications. He added that he would be more than happy to try and answer any questions from the public, however it had to be a reasonable, non-threatening 2 way communication. He felt that pushing forward would only reinforce the poor communications. He did not think that waiting 3 weeks or so until the next Board meeting was going to make much of a difference. Supervisor Janik asked from the issues raised, what he felt needed to be further developed. Kinsella, C. answered that he was not sure that anything needed to be further developed. However, he was sure that there were a lot of people out there who do not understand what is in proposed zoning. He felt that it was much better than what the previous version was, but he did not feel that the Town has done a good job of communicating that. Osborne, C. stated that if the Board is going to have this “workshop”, people need to look at their zone right now and find out what they legally should be allowed to do and how that was going to change. Kinsella, C. stated that he has heard rumors that people think they are not going to be able to sell vegetables on a stand in front of their home and that is not true, but people have to believe in that. Supervisor Janik wanted to move this forward. He stated that one thing that he wanted to absolutely commit to was that if someone shows him that the Board overlooked something or there is an issue in the law that doesn't fit, the Board is committed to changing it.

VOTE: Ayes: Osborne, Kinsella

Noes: Janik, Pemrick, Coseo

Kinsella, C. stated that if the Board is going to go ahead with a vote this evening, he would like to propose a couple of changes. He would like to see the non-conforming use requirement change from 3 years to the date of enactment. Coseo, C. clarified that basically what was being proposed was that every use, whether it was allowed or not in this Town and that may be in violation of zoning is going to be grandfathered in. Kinsella, C. stated that he is proposing that the 3 year requirement be eliminated, however they would still have to come in and get a special use permit. Coseo, C. asked what the use would be to come in a get a special use permit if you were grandfathered. Kinsella, C. stated that by getting a special use permit, if someone challenges their business somewhere down the road they will have proof that they are a legal business. Coseo, C. clarified that everyone, no matter how egregious the business may be, will be grandfathered. Kinsella, C. understood, however, in driving around the Town he did not feel that there were many egregious businesses' out there. He felt that the Board needed to draw the line somewhere and start off fresh with a new set of laws that the Town will enforce. Supervisor Janik felt that this was a pretty dramatic change. He was concerned with the number of applications that may come before the Planning Board. Stu Meissinger added that if this change were made, the young man that we spoke about earlier would not have to apply for a special use permit because he would now be a conforming use. If he expands his business he would then have to get a special use permit. Mr. Meissinger also clarified that this only applies to non-conforming uses. What the Board is trying to do is make you legal if you are not currently legal now. Kinsella, C. felt that as far as putting a burden on the Planning Board, if they received so many applications that they could not handle them all in 180 days, they could come to the

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Town Board and ask for the time limitation to be extended. Kinsella, C. stated that after hearing some of the debates the last couple of meetings regarding contractor storage yards and the number of vehicles stored there, he recommended that the Board change the number of vehicles allowed on the small contractor storage yard from 4 to 2 and that the allowed use in the LDR Zone be changed from a special use permit to a principle permitted use. This would mean that they would not have to get a permit for a small storage yard in the LDR zone. The minimum lot size in that zone for a small contractor storage yard is 6 acres. Supervisor Janik felt that he could go along with that if buffers are established to lessen the impacts on the neighbor. Coseo, C. noted that built into the small contractor storage yard were several things such as the storage of material inside, buffers, setbacks, etc. He did not have a problem with that proposal. Pemrick, C. was also in agreement with the proposed changes. Mr. Meissinger suggested that the language regarding the number of employees allowed for a home occupation be changed to read "full time equivalent" and also suggested that the Board consider extending the hours of operation for them. Kinsella, C. felt that since a Type 2 Home Occupation has to go to the Planning Board for a Site Plan Review the language should be changed to read "as determined by the Planning Board". Different businesses have different operating hours and the Planning Board can best determine what best fits the business and the neighborhood. Coseo, C. asked if all Board members were in agreement that in the LDR Zone agricultural uses would be allowed with a Site Plan Review on a minimum of 6 acres and as a Principle Permitted Use with 20 or more acres. All Board members were in favor of that change. A discussion was held regarding the maximum square footage of an in-law apartment. Coseo, C. noted that currently you are allowed 30% of the square footage of the house with a maximum of 800 feet. He stated that he could understand the concern regarding someone using this to turn the home into a duplex. Pemrick, C. stated that there was still the option of creating a detached apartment. Coseo, C. noted that a duplex was allowed in the LDR Zone if you had 12 acres. Mr. Meissinger felt that it would just be an issue in the MDR1 and MDR2 zones as to whether or not the Board wanted to increase the square footage. Pemrick, C. suggested that they just leave this alone. If they see that it is not working, the Board can go back and take a look at it. Board reviewed proposed changes: Change Area and Use Tables to OR rather than OC; Allow Contractor Storage Yards, Small and Large, in the IM Zone with a Special Use Permit; Add headings on continuation sheets on the Use and Area Tables; Change the Area Table to allow for Large Contractor Storage Yards on 10 Acres and Small Contractor Storage Yards on 6 acres in the MDR1 and MDR2 zones making it uniform in all 3 zones; Reduce the number of trucks allowed in a Small Contractor Yard from 4 to 2; Allow Small Contractor Storage Yard as a Principle Permitted Use in the LDR Zone; Change all the odd uses in the LDR Zone such as churches, restaurants, etc. to 6 acres so that they are consistent with the minimum lot size for a single family home; Amend 105-22C3 to delete the 3 year requirement from date of enactment; Amend Home Occupation by changing the number of employees to full time equivalent employees; Amend Home Occupation to change the hours of operation to be as determined by the Planning Board; and Amend the Use Table to allow agricultural

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uses in the LDR Zone as a Principle Permitted Use with 20 acres and by Site Plan Review with 6 acres.

The Board reviewed Part II of the Full Environmental Assessment Form. Questions 1 to 18 were answered “No”. Question 19 was answered “Yes”. Items 1, 6, 7 & 8 were checked as a Small to Moderate Impact and Item 4 was checked as a Potential Large Impact. Question 20 was answered “Yes”. Part III was reviewed

RESOLUTION # 76 –SEQRA Determination

Motion: Pemrick, C.

Seconded: Coseo, C.

RESOLVED, That the Town Board hereby checks Box A of the Full Environmental Assessment Form indicating that the project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

RESOLUTION # 77 – Adopt Local Law #1-2007 – Revised Zoning Law

Motion: Coseo, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby adopts Local Law #1-2007 as revised this evening.

Discussion: Kinsella, C. stated that as he indicated earlier with the previous motion, he believed that waiting 3 weeks until the normal April meeting would not change much and there should be an opportunity to explain to the community the changes that are being made. This way we can make sure that they understand the changes being made and why they are being made.

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo

Noes: Kinsella

On motion of Pemrick, C. and seconded by Coseo, C., the meeting was adjourned at 10:05 PM.

Town Clerk