

**TOWN OF GREENFIELD**

**PLANNING BOARD**

**May 11, 2010**

**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, Tonya Yasenchak, Nathan Duffney, Lorna Dupouy, Thomas Siragusa, and John Streit. Michael Thraikill is absent. Charlie Baker, Town Engineer, is present.

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**MINUTES – April 27, 2010**

MOTION: T. Yasenchak

SECOND: T. Siragusa

RESOLVED, that the Planning Board waives the reading of and approves the minutes of April 27, 2010, with minor corrections

VOTE: Ayes: Dake, Dupouy, Duffney, Siragusa, Streit, Yasenchak

Absent: Thraikill

Noes: None

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**PLANNING BOARD CASES**

**MICHAEL MANEY – Special Use Permit**

Locust Grove Road

Michael Maney is present. G. Dake recuses himself as this property is in proximity to the Stewart's plant. T. Yasenchak states that this is for a Type 1, Home Occupation. M. Maney explains that he has a firearms based business. It is a mail order gunsmithing business and he works mostly for police departments and government agencies. There is no traffic and no signage, mostly an out-of-state business. T. Yasenchak states that the application indicates that he repairs for other Federal dealers. M. Maney states that he does, but a majority is for law enforcement and he receives deliveries approximately once a week. T. Yasenchak reads from G. McKenna's notes that the applicant is also before the ZBA for an area variance. R. Rowland states that she believes because M. Maney's ATF license is for manufacturing that is why G. McKenna is having the applicant apply for the Special Use Permit. M. Maney states that it does say manufacturing on the license, but that is just the license required by the ATF in order to refinish or repair firearms, but he does not actually manufacture anything. T. Yasenchak states that the ZBA application is for a variance for acreage and frontage, and that the public hearing has been scheduled for the June 1, 2010 meeting. T. Siragusa questions that this is an existing business and asks how long the applicant has been doing this. M. Maney states 5 years. T. Siragusa asks for an example of the type of repairs that are done. M. Maney states that he recently had a police department contact him as the firearms they were to use for training did not work properly. They will send these to the applicant, with the proper paperwork and information; he will inspect them, repair them, and then he has gages and tooling that he uses to determine whether they are safe and functioning correctly without firing them. He also does any refinishing that has to be done with a gunsmithing chemical that is rubbed onto the guns. He does some older guns but chooses not to do antiques as a rule. He can legally, but chooses not to as he has to keep records of serial numbers, etc. T. Siragusa questions that any of the arms are test fired on site. M. Maney states that he does not and reiterates that there are tools and gages that make firing unnecessary. L. Dupouy asks how much of the work done is not for

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police or government agencies. M. Maney states about 10%. L. Dupouy questions that, with the climate of the world, with this type of business are there certain parameters/rules they go by and is he restricted in the area in which he can work, such as being within a certain number of miles of convicted felons, etc. M. Maney states that he can operate wherever he wants, within zoning laws, but as far as where the arms go, that is restricted. As far as the firearms and inventory, there are no restrictions on who lives nearby. L. Dupouy states that she was thinking in terms of if someone knows what he does and they break in. M. Maney states that he has a very secure safe. Anything left in inventory that does not belong to him is in that safe. His own are in a gun safe also. The safe was from an old bank in Troy, which required a forklift to move. It is huge, and takes a key and a code. L. Dupouy asks about hours of operation. M. Maney states that he works 2:00 to 10:00 Tuesday thru Thursday. C. Baker states that his only questions are related to the security issue, as well, and asks if the applicant also has a security system. He asks how approximately how many guns the applicant has. M. Maney states that he usually has about 30 and he did not have a security system, but that the ATF has suggested that he have more security. He is working on this. He reiterates that the safe could not be moved without a forklift and 18-wheeler. T. Yasenchak states that as this is a special use permit, a public hearing is required. One is scheduled for May 25, 2010 at 7:00 p.m. The Planning Board will probably not vote until after the ZBA acts. J. Streit states that while the Town will be notifying the neighbors of the public hearing, he suggests that the applicant speak to his neighbors about the business also.

**ZBA REFERRAL** - The Planning Board discusses that they have no objections to the continuation of this business as it has been conducted.

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**CYNTHIA GIRARD – Special Use Permit**

Spier Falls Road

Cynthia Girard and Bill Flansburg are present. G. Dake states that the application states that the applicant had a fire in her mobile home and would like to replace it. C. Girard confirms this and states that the new one will be a little larger than the existing home. C. Baker questions that the septic system has been certified. C. Girard states that there are records on file from the septic renovation. G. Dake reads from G. McKenna's notes. G. Dake states that since this is a special use permit it must have a public hearing and one is set for May 25, 2010. L. Dupouy states that in a situation like this it seems really bad that it has to be a "shall" on a public hearing. G. Dake states that when some of the mobile home regs were changed it was made so that G. McKenna could do some of this without coming to the Board and questions why this is even here as a special use permit. R. Rowland states that when the zoning regs were changed, while it was the intention of the committee to have mobile home application go only through G. McKenna, that change never took place in the code. J. Streit and G. Dake, who were both on the zoning committee, agree that that was to be done. L. Dupouy states that we should make a note to see that that changes. The Board agrees.

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**JAMES DORSEY – Major Subdivision**

Locust Grove Road

James Dorsey and Clark Wilkinson, Paragon Engineering, are present. C. Wilkinson distributes revised plans and reviews that the applicant owns approximately 71 acres, which the applicant would like to subdivide into 6 single-family residential lots. The applicant has decided to pull the multi-family lot and it will now be a single-family lot. They discussed and decided to voluntarily place an environmental easement of 100' on each side of the stream that runs through the property. The only thing that exists in this buffer is the existing crossing and existing driveway that they are going to widen slightly to make sure that they meet the width and weight requirements. They have obtained topo for the top of the hill for lots 5 and 6 at 2' contours and it shows that there is a relatively good plateau up there. They have also shifted the shared driveway for lots 5 and 6 to the North approximately 90' and adjusted the lot lines accordingly. After walking the site and hearing the discussion, they felt that they should do that now because C. Wilkinson

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thinks that will be suggested by the traffic engineer. All the lots are over 6 acres except for lot 2 and with all this being single family now, C. Wilkinson states that it is possible that they could have this approved under the cluster regs. They have added turn around areas that are minimum 18 x 30 to all of the lots that are not within 100' of Locust Grove Road. He states that he has not prepared the long form EAF yet, but will do so. C. Baker states that he did speak with C. Wilkinson and agrees with the current plan. They came up with the suggestion that in lieu of delineating the stream corridor down through the center since it is a perennial stream, the applicant was willing to put in the conservation easement which C. Baker felt was an adequate way of addressing the stream. The sight distance is still the biggest issue. C. Wilkinson states that they are in the process of hiring a traffic engineer. C. Baker states that as far as he is concerned, engineering wise, he thinks that we are down to the traffic analysis. C. Wilkinson states that he will be preparing a SWPPP. T. Yasenchak states that looking at the conservation easement around the stream, she believes that lot would have been too dense with the multi-family residence. She questions that even though the applicant is planning to own lot, isn't it an awfully long driveway to maintain? Discussion takes place that they are trying to work with the roadway that is already there and that there would have to be additional grading, clearing, etc. if they were to try to take a more direct route. T. Yasenchak states that when the Board is looking at subdivisions, we are trying to make things easier for a homeowner rather than go out of the way to make it more difficult. To her this looks like a ¼ mile extra of driveway that is kind of superfluous. G. Dake asks about the length of the driveway. J. Dorsey states that it is 4/10<sup>th</sup> of a mile to the top house and 3/10<sup>th</sup> to lot 5. T. Yasenchak states that she understands that the applicant intends to be there, but the Board tries to minimize shared driveways and it looks like it could be further subdivided. J. Dorsey states that if it would alleviate the concerns, he would be willing to restrict no further subdivision to those 42 acres. T. Yasenchak states that she does not doubt the applicant's intentions, but things change. J. Dorsey states that he would be willing to deed restrict it. T. Siragusa states that he likes the changes, it would have been interesting to see whether the 6 unit could be figured out, he likes the idea of going with the lay of the land. B. Duffney states that he understands the lay of the land and that farmers took the easiest route to get to the top. He states that he is not real familiar with shared driveways regarding who maintains them, etc. C. Wilkinson states that there are standard notes that are applicable to this that will be included on the plan. Basically up to a certain point is shared and then one property owner takes care of the rest of it. He states that the easement language will describe this and be clear. G. Dake states that the Town's responsibility is to make it a situation that is going to create the least potential for there to be conflict. C. Baker states that one of the comments in his review letter is that the Town Attorney should also review that easement language. L. Dupouy states that she is not thrilled with this. Lot 5 is somehow going against her common sense by having that other piece of property wrap around it. Also, she would not be inclined to give a variance for lot 2. The stonewall is not a good enough reason in her mind. She feels that the applicant is just trying to get another lot. She states that it would be more appealing to her if the applicant combined the 4-acre lot with the 6-acre lot to the rear of it. J. Streit states that in principle he agrees with L. Dupouy, but in this instance, he has driven by this a number of times and does not think that you could even see that proposed house, because it is a very steep incline. To him it seems like a natural subdivision, even though it goes against the intent of the original regulation. He was there at the time that the regulation was formed, but the individual merits of the way this lot is, makes him lean towards that direction. G. Dake states that in principle, and he has not reread the cluster regs, it makes sense and using the total acreage and total lots you would come out to an average of about 11 acres per lot. The cluster regs are to allow a little more creative use. He states that the sight distance could still kill this subdivision. The Board will have to go back and look at the applicability of the cluster. G. Dake states that he will take the applicant up on the no further subdivision of lot 6 and encourages J. Dorsey to go ahead and add that. We discussed the shared driveway language. A copy of this plan will be forwarded to the Greenfield Fire Department. G. Dake states that, as oddly as this is configured, it is not an overly complex subdivision – there is not a tremendous amount of density; as far as wells and septic, they are big lots; it is not difficult engineering wise. He does think that it will be very beneficial for the Board to do the site walk. Discussion takes place that it is premature to have the public hearing until we get the sight distance information and long form EAF. This will be on the May 25, 2010 agenda. C. Wilkinson states that the intent behind lot 5 was to conserve and preserve the land. L. Dupouy states that she could feel completely different about this after she sees it at the site walk. J. Dorsey states that you have neighbors

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typically, wherever you live, to the sides, the front and/or to the back. So he looks at it as what is the difference with his lay out and that of a typical layout. G. Dake states that the principle of what the applicant is saying is that when you get into a lot of odd configurations, no one really sees the lot lines.

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**FREDERICK CALDWELL – Minor Subdivision**

Locust Grove Road

F. Caldwell is present. C. Baker explains that the map that the applicant left off does not really address the question that the Planning Board had. The Board would like to see what is specifically on his parcel to be located on the subdivision map. There is a stream that runs along the property line. C. Baker gives F. Caldwell his business card and suggests have the surveyor call him. F. Caldwell states that the contractor has measured it out and the house will be 120' from the stream and the septic 140'. This application will be on the May 25, 2010 agenda.

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**ZBA REFERRALS**

**Christopher and Catherine Lamica** – Applicant would like to have chickens, needs a minimum of 6 acres and they have less than 1 acre. No Planning Board issues.

**J. TABOR ELLSWORTH** – Applicant would like to have a 4' x 8', removable letter sign to advertise what type of agricultural products he is going to be selling there. L. Dupouy states that she has no objection as long as the sign meets the other Town Code sign regulations. No Planning Board issues

**RODNEY & MARYBETH RENN** – Applicants would like to install a pool and needs an area variance. No Planning Board issues.

**PAUL & PATRICIA BAKER** – Applicants would like to build a porch and need an area variance. No Planning Board issues.

**MICHAEL MANEY** - see discussion above. No Planning Board issues.

**CHRISTOPHER & DEBORAH ATTEY** - Applicants would like to build a garage and need an area variance. No Planning Board issues.

**GUY & HELEN MASTRION** – Applicants are selling this property and have interested buyers who would like to have horses. Applicant needs ½ acre area variance. No Planning Board issues.

**CYNTHIA GIRARD** – see discussion above. No Planning Board issues.

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**DISCUSSION**

Site walk at J. Dorsey's property is discussed for May 15, 2010 at 1:00. Board will meet at the site.

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Meeting adjourned 7:57 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland