



William F. Martin
Mayor

City known as the Town of **GREENFIELD, MASSACHUSETTS**

PLANNING BOARD

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.gov • www.greenfield-ma.gov

Members:
Twarog, Eric
Director, Planning & Dev.

Desorgher, Virginia (2016)
Newton, Mary (2015)
Pottern, Jamie (2016)
Sibley, Clayton (2015)
Smith, Linda (2016)
Touloumtzis, George (2014)
Wedegartner, Roxann (2014)

GREENFIELD PLANNING BOARD Minutes of May 1, 2014

Department of Planning and Development 114 Main Street, Greenfield

The meeting was called to order by Chairperson at 7:12 p.m. after a site visit of properties on Warner Street. The following members were present:

PB MEMBERS PRESENT: Roxann Wedegartner, Chair; Linda Smith, Vice-chair; Mary Newton, Clerk Clayton Sibley and Virginia DeSorgher

ALSO PRESENT: George Touloumtzis and Jamie Pottern, Planning Board Alternates.
Also present are members of the public: Eileen Deveney, Alexander Duda, Mary Anne Duda, Tom Peckett and Chris Arena.

Approval of Minutes of April 3, 2014 and April 17, 2014:

MOTION: Moved by Sibley, seconded by DeSorgher and voted 5:0 to approve the meeting minutes of April 3, 2014 and April 17, 2014.

ZBA Recommendations:

- a. Application of Larry and Sue Channel for property located at 9 Holland Avenue (Assessor's Map 43, Lot 10), which is located in the Suburban Residential (RB) Zoning District, for a special permit pursuant to Sections 200-4.3(C16) and 200-8.3 of the Zoning Ordinance for a kennel license to allow nine (9) dogs at this location.

The Board discussed the number of dogs and that the owners had moved here from another state and were unaware of the town's dog licensing regulations. DeSorgher indicated that 9 dogs is a large number. Newton agreed, but yet she and other members of the Board, being pet owners, understood the difficulty in giving up a pet. However the Board was in agreement that a kennel license is not ideal for their location in a close neighborhood. Sibley suggested a temporary permit under the condition that as the number of dogs naturally diminishes over time, that they eventually get the number of dogs down to 4 which is the maximum without a kennel license.

MOTION: Moved by Newton, seconded by Smith, and voted 5:0 to send no recommendation to the ZBA due to a lack of info on age and breeds of dogs and lack of opinions from



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abutters. Although a kennel license seems inappropriate for the neighborhood, perhaps a temporary arrangement could be made to let owners dwindle the number of dogs either by giving some away or the natural reduction in the number of animals as they pass away (however ages are unknown).

- b. Application of Cumberland Farms, Inc. for property located at 315-317 Federal Street (Assessor's Map 94, Lot 41 and 42), which is located in the Limited Commercial (LC) Zoning District, for a special permit pursuant to Sections 200-4.8(C8); 200-6.7(F), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to use the premises as a convenience store with gas pumps, and to permit exception to the sign requirements.

George Touloumtzis said he was impressed by the plans as (crosswalk) sidewalks go right into the property making it pedestrian friendly. However he was concerned that the plan did not include bicycle parking as it is first designed as a convenience store and secondly as a gas station. He would like to see the bike rack reviewed as recommended by Sarah Campbell. The Board also discussed the location of the dumpsters near the back property line abutting the homeowners in the RA zone.

MOTION: Moved by Smith, seconded by Newton, and voted 5:0 to send a positive recommendation to the ZBA. With a friendly amendment to follow the Tech Review suggestions recommending a bike rack be kept on the property and that the timing of the dumpster pick-ups be arranged keeping in mind the proximity of the neighbors. Also new fencing and natural plant screening, especially on the sides abutting neighbors needs to be considered.

Discussion Items:

- a. Potential Re-zoning of Parcel 108-42 (104 Silver St) for Lundgren Honda from Urban Residential (RA) to Limited Commercial (LC).

Attorney David Singer asked that if we deliberate and it is not positive, to not put forward a negative recommendation at this time and have that go into the "system". He stated that his client, Mr. Lundgren, has no desire to battle a negative recommendation. That this was put forward through the Planning Board to test the waters and get feedback from neighbors, etc.

Smith asked if the ZBA would be discussing this issue at their next meeting. Wedegartner stated that she spoke with Tom McClellan regarding his letter and the subsequent e-mail that she wrote to him, where she had cc'd the Planning Board members. She indicated that Tom was going to put this issue on the May 8th agenda for the ZBA, as he never intended his informal conversations or previous letter to indicate a formal recommendation from the ZBA to the Planning Board.



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Wedegartner asked George Touloumtzis to please run any future questions through her and then possibly the Town's Attorney before taking the step of contacting the Attorney General's office in the future. Touloumtzis stated that he thought that he had done nothing improper as the attorney general's office was listed as a resource.

Maryanne Duda entered a petition into the record that is signed by 82 neighbors that are against the re-zoning. DeSorgher said that after seeing the lots behind 104 Silver and Lundgren Honda that she had concerns for additional water due to paving, etc., causing more difficulties for the neighbors, who already have very wet, back yards. Smith stated that her concern in changing the zone for 104 Silver to LC zone for Lundgren prior to him obtaining possession of the lot on the corner, is that then there is a possibility of creating 2 separate commercial lots. Especially if the corner lot decides not to sell to Lundgren but to another entity, then you still have an incongruous couple of properties on the corner of Federal and Silver Streets. Newton added that then you would still have a commercial corner lot that is too small to really support a worthwhile enterprise, which is one of the reasons it has remained vacant for so many years. Newton indicated that she sees the neighbors side of the issue as they bought homes knowing that they abutted a residential property, and now that game plan may be changing, which rings unfair for them. Yet, she can see Mr. Lundgren's need for additional space and the desire for the Town to keep a vital business in town. However, Mr. Lundgren knew when he purchased Don Lorenz car dealership that he had less than 2 acres at this location, so he knew what he was getting into. Jamie Pottern said how do you take the side of 1 business owner who purchased a property that he knew had a site too small to operate a growing business, against 82 homeowners/ taxpayers that signed a petition indicating that they don't want this re-zoning change. Also, given the slope or difference in grade between Lundgren Honda on Federal Street and the homes on Silver and Warner Street, how would that be graded and be reconciled to not cause more water issues for the homeowners. Wedegartner stated that Smith made two good points regarding Lundgren not owning the corner lot yet and that even if the re-zoning change were made at this junction, Lundgren would not be able to put together a cohesive site plan without that corner piece. The Board appears to feel that there are too many unanswered questions without a full plan and that once Lundgren retains ownership of the corner lot and more research is done into the wetlands/drainage issue, that perhaps we could revisit this re-zoning issue at a future time.

David Singer stated that it sounds like he and his client need to do more homework on the wetlands issue. He did want to bring up a final point in that the Gunn property at 104 Silver Street is somewhat isolated already due in part to neglect and because there is no barrier between it and the corner property (LC zone). He also stated that Eileen's property on the other side, with her tree line and stone wall separates her property from the other two properties on Silver Street. Newton stated that there had been a fence between the Gunn property and the corner lot but it became dilapidated and was taken down, and Mrs. Gunn was elderly and the house fell into disrepair over time.



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Wedegartner closed the discussion.

MOTION: Moved by Smith, seconded by Newton, and voted 4:1:0 (Sibley voted against) to not move forward with the re-zoning of 104 Silver Street at this time.

Correspondence:

None.

Board and Staff Reports:

Wedegartner had none. George said he is on a regional Transportation Committee run by FRTA & FRCOG and that there was going to be a Greenfield session coming up on May 14th.

Next Meeting was set Thursday, May 15, 2014 at 7:00 PM to be held at the Department of Planning and Development located at 114 Main Street.

Adjournment:

MOTION: Moved by Sibley, seconded by DeSorgher, and voted 5:0 to adjourn the Planning Board meeting at 8:40 p.m.

Respectfully Submitted,

Mary S. Newton
Secretary
Greenfield Planning Board