

GREENFIELD TOWN COUNCIL  
Regular Meeting Minutes  
March 17, 2010

GCTV-15

7:00 pm

**CALL TO ORDER:** Meeting was called to order at 7:15 p.m. by President Farrell.

**ROLL CALL OF MEMBERS:** Roll Call was taken. Councilor McLellan was absent.

**ALSO PRESENT:** Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Assistant Town Clerk Deborah Tuttle; Public Safety Commission Chairman Gary Longley; Police Chief David Guilbault; Police Captain John Newton; Executive Assistant to the Police Chief Christine Scott; Deputy Fire Chief Robert Strahan; Department of Public Works Superintendant Sandra Shields; Planning Board Chairwoman Roxanne Wedegartner; Federal Census Outreach Program Partnership Specialist Western Massachusetts US Department of Commerce Census Bureau, Susan B. Hagen; Massachusetts Department of Energy Regional Coordinator, Jim Berry; GCTV-15 staff; and members of the public.

**PUBLIC HEARINGS:** Councilor Maloney read the following: In accordance with Home Rule Charter the Greenfield Town Council will hold a public hearing on the following at the Town Council Meeting on Wednesday, March 17, 2010 beginning at 7:00 p.m. at GCTV-15, 393 Main Street to consider the following:

- ✧ Appropriate \$48,000 to repair the roof on the Greenfield Police Station.
- ✧ The Police Department Salary & Wages be reduced by \$150,000.00 from the FY 2010 operating budget.

The Town Council will consider the same at their meeting on Wednesday, March 17, 2010 which begins at 7:00 p.m. at the GCTV-15 Studio, 393 Main Street.

A full copy of the proposals are available for review in the Greenfield Town Clerk's Office, 14 Court Square, Greenfield, MA, between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday.

President Farrell opened the Public Hearing at 7:22 pm. He asked if anyone from the public wished to speak. Captain John Newton informed the Council of the requirements pertaining to the use of the \$107,000.00 ARRA Grant which had been received from the State. Nancy Hazard, 30 Spring Terrace – questioned if the Police Department Roof was going to be insulated? Gary McClenna, 45 Grinnell Street– suggested the Mayor show the Town his proposal for reducing all departments before cutting \$150,000 from the Police Department. President Farrell closed the Public Hearing at 7:35 pm.

Councilor Maloney held the second reading:

- ✧ Appropriate \$48,000 to repair the roof on the Greenfield Police Station.
- ✧ The Police Department Salary & Wages be reduced by \$150,000.00 from the FY 2010 operating budget.

**COMMUNICATIONS:**

**MAYOR:** Mayor Martin shared the following information:

- His steps and suggestions for the Fiscal Year 2010 and 2011 budget constraints.
- Greenfield needs to find ways to generate their own revenue to lessen the need for State support.
- The request relating to the Police Department salary and wages was due to definitive deficits which exist now in unemployment, Veterans Department, overtime at the Fire Department, and Snow and Ice removal.
- A decision would have to be made to reduce department budgets within the near future. If the funds were not cut now it will need to be done in the future.
- The Town of Greenfield confirmed a loss in Local Aid and Chapter 70 funds of approximately \$600,000.
- He thanked all of the Town Council subcommittees for the work done with items relating to the Green Communities Act and the proposed Sale of Town Owned Land.
- The Leyden Road and Glenbrook Drive APR would bring income to the Town. He suggested if the Council was of the mind to defeat the order, the issue should be tabled for further information.
- The Request for Proposals for a Solar Farm at the Land Fill closed today. Six bids were received.

President Farrell introduced Ms. Hagen of the Federal Census Bureau Outreach Program. Ms. Hagan discussed:

- The 2010 Federal Census forms had been mailed and were due back by April 1, 2010. If forms were not returned people will knock on doors asking people to fill them out and return them.
- The Benefits for returning the forms were State and Federal funding and Representatives in the Senate.
- Census forms were confidential information and not shared with any local or state agencies.

SCHOOL COMMITTEE CHAIRMAN: None.

TOWN OFFICERS: None.

**MOTIONS, ORDERS, AND RESOLUTIONS**

**Order no. FY 10 - 049**

**MOTION:** On a motion by Councilor Maloney, second by Councilor Allis, it was,  
**MOVED:** UPON RECOMMENDATION OF THE MAYOR, THAT IT BE ORDERED THAT THE SUM OF \$48,000 BE APPROPRIATED TO REPAIR THE ROOF ON THE GREENFIELD POLICE STATION, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$48,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (3A) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THIS PROJECT.

**DISCUSSION:** Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. The original borrowing was authorized in Fiscal Year 2006 however the work was done in Fiscal Year 2009. This amount represented an increase due to additional damage and increased cost between the original approval and the work completion date.

It was unanimously

**VOTED:** TO APPROVE THE MOTION ORDER NO. FY 10 -049.

**Order no. FY 10-061**

Financial Order FY10

**MOTION:** On a motion by Councilor Maloney, second by Councilor Alice, it was,  
**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL, UPON RECOMMENDATION OF THE MAYOR, THE POLICE DEPARTMENT SALARY & WAGES BE REDUCED BY \$150,000.00 FROM THE FISCAL YEAR 2010 GENERAL FUND OPERATING BUDGET.

**DISCUSSION:** Councilor Maloney stated the Ways and Means Committee forwarded a split vote, 1 yes and 3 no. The Committee held discussion with the Police Chief, Captain Newton and Public Safety Commissioner Gary Longley. Councilor Maloney reviewed the Mayor's intent to elevate overages in the 2010 budget and start the 2011 budget in better fiscal condition. The proposed reduction was not linked to the American Recovery and Reinvestment Act (ARRA) Grant; it would be illegal to link the reduction to the grant. The Police Department Fiscal Year 2010 budget had been structured to absorb the funding reductions by the State related to the Quinn Bill. In response to Councilor Joseph, the Mayor stated the Local Options Meals Tax may have to be supported. Councilor Maloney noted grant funding could not be used to supplement funding in the original budget. President Farrell suggested in Fiscal Year 2011, there would be cuts and people will lose their job. Councilors Guin, Sutphin, Allis, Sullivan, Siano and President Farrell would vote in opposition of this order.

It was by majority, 1 yes and 11 no,

**DEFEATED:** TO APPROVE THE MOTION ORDER NO. FY 10 -061

**Order no. FY 10 -050**

**MOTION:** On a motion by Councilor Guin, second by Councilor Allis, it was,  
**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD, ZONING ORDINANCE CHAPTER 200, SECTIONS 2.1, 4.9, 4.11, 4.12; ADD SECTION 7.15, AS WRITTEN IN THE STRIKETHROUGH DOCUMENT ATTACHED HERETO AS "EXHIBIT A" TITLED "PROPOSED ZONING AMENDMENT TO THE GREENFIELD ZONING ORDINANCE RELATIVE TO THE GREEN COMMUNITIES ACT" AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE.

**PROPOSED ZONING AMENDMENTS TO THE GREENFIELD ZONING ORDINANCE RELATIVE TO THE GREEN COMMUNITIES ACT  
1-5-10**

**Note:** Text with a ~~strikethrough~~ is text to be deleted, ***bold italic*** text is proposed new text.

**\*\*\*\*\***

Amend Section 200-2.1 of the Greenfield Zoning Ordinance by adding the following new definitions:

**RENEWABLE ENERGY** – *The following shall be considered renewable energy:*

- *Solar – photovoltaic (PV) and thermal*
- *Wind*
- *Biomass power conversion or thermal technologies, including R&D related to, or the manufacture of wood pellets*
- *Ultra low emissions high efficiency wood pellet boilers and furnaces*
- *Low Impact Hydro – electric and kinetic*
- *Ocean thermal, wave or tidal*
- *Geothermal*
- *Landfill gas*
- *Fuels cells that use renewable energy*
- *Advanced biofuels*

**ALTERNATIVE ENERGY** -- *The following shall be considered alternative energy:*

- *Combined heat and power*
- *Electric and hydrogen powered vehicles and associated technologies including advanced batteries and recharging stations*

**LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION** -- *A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.*

**RATED NAMEPLATE CAPACITY** -- *The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).*

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**Amend Section 200-4.9**, General Commercial District (GC), Subsection C, Uses permitted by special permit, of the Greenfield Zoning Ordinance by adding “**Renewable/alternative energy R&D facility**” as a use permitted by special permit.

**Amend the Table of Uses to state that “Renewable/alternative energy R&D facility” is a use permitted by special permit in the General Commercial (GC) District.**

~ 200-4.9. General Commercial District (GC).

C. Uses permitted by special permit.

- (1) Farms or the keeping of livestock or poultry on parcels of less than five (5) acres. [Amended by Town Council on July 15, 2009]
- (2) Public or private utility or substation.
- (3) Radio, television transmission or other communications use including towers.
- (4) Private school not exempt from zoning under ~ 200-4.1B(1).
- (5) Multifamily dwelling in accordance with ~ 200-7.2.
- (6) Single-family dwelling.
- (7) Two-family dwelling.
- (8) Lodging/boarding/rooming house.
- (9) Dormitories.
- (10) Bed-and-breakfast or tourist home.
- (11) Mixed residential/business uses in accordance with ~ 200-7.10.
- (12) Automotive repair and servicing shop.
- (13) Gas station.
- (14) Bulk storage and/or sale of fuel or other fluid other than waste.
- (15) Indoor recreation.
- (16) Newspaper, printing, publishing.
- (17) Wholesale laundry or dry cleaning plant.
- (18) Wholesale trade and distribution.
- (19) Waste hauling establishment.
- (20) Warehouse or freight transport terminal.
- (21) Assembly, bottling, packaging or finishing plant in an enclosed building.
- (22) Research and development facilities.
- (23) Contractor's yard or other open storage of raw materials, finished goods, or equipment.
- (24) Animal kennel or hospital.
- (25) Light industry, manufacturing or processing plant which will not be offensive, noxious, or hazardous.

(26) Assisted living facility. [Added by Town Council on July 15, 2009]

(27) **Renewable/alternative energy R&D facility**

**\*\*\*\*\***

**Amend Section 200-4.11**, General Industry District (GI), Subsection B, Uses permitted, of the Greenfield Zoning Ordinance by adding **“Large-Scale Ground-Mounted Solar Photovoltaic Installations”**, **“Renewable/alternative energy R&D facility”** and **“Renewable/alternative energy manufacturing facility”** as uses permitted by right.

**Amend the Table of Uses to state that “Large-Scale Ground-Mounted Solar Photovoltaic Installations”, “Renewable/alternative energy R&D facility” and “Renewable/alternative energy manufacturing facility” are uses permitted by right in the General Industry (GI) District.**

~ 200-4.11. General Industry District (GI).

B. Uses permitted.

- (1) Greenhouse, nursery or farmstand where fifty percent (50%) or more of the products for sale have been produced on the premises.
- (2) Home occupation.
- (3) Philanthropic institution.
- (4) Photocopying and data processing.
- (5) Newspaper, printing, publishing.
- (6) Business and professional offices.
- (7) Office park.
- (8) Research and development facilities.
- (9) Wholesale trade and distribution.
- (10) Assembly, bottling, packaging, or finishing plant in an enclosed building.
- (11) Warehouse or freight transport terminal.
- (12) Trucking firm (on public sewer only).
- (13) Construction supply establishment.
- (14) Contractor's yard or other open storage of raw materials, finished goods, or equipment.
- (15) Light industry, manufacturing or processing plant which will not be offensive, injurious, noxious, or hazardous.
- (16) Trade shop including carpenter, builder, electrician, plumber, landscaper or similar trade with indoor storage of tools, supplies, and equipment.
- (17) Cafeterias for employees, automatic teller machines, day-care centers and other normal accessory uses to a nonresidential use.
- (18) Self storage.
- (19) Medical center/clinic including accessory research.
- (20) **Large-Scale Ground-Mounted Solar Photovoltaic Installations**
- (21) **Renewable/alternative energy R&D facility**
- (22) **Renewable/alternative energy manufacturing facility**

**\*\*\*\*\***

**Amend Section 200-4.12**, Planned Industry District (PI), Subsection B, Uses permitted, of the Greenfield Zoning Ordinance by adding **“Large-Scale Ground-Mounted Solar Photovoltaic Installations”**, **“Renewable/alternative energy R&D facility”** and **“Renewable/alternative energy manufacturing facility”** as uses permitted by right.

**Amend the Table of Uses to state that “Large-Scale Ground-Mounted Solar Photovoltaic Installations”, “Renewable/alternative energy R&D facility” and “Renewable/alternative energy manufacturing facility” are uses permitted by right in the Planned Industry (PI) District.**

B. Uses permitted.

- (1) Home occupation.
- (2) Business and professional offices.
- (3) Office park.
- (4) Photocopying and data processing.
- (5) Newspaper, printing, publishing.
- (6) Research and development facility.

- (7) Wholesale trade and distribution.
- (8) Trucking firm (on public sewer only).
- (9) Warehouse or freight transport terminal.
- (10) Assembly, bottling, packaging or finishing plant in an enclosed building.
- (11) Light industry, manufacturing or processing plant.
- (12) Retail sales which are incidental to a permitted use or use allowed by special permit.
- (13) Private/public utility or substation in an enclosed building.
- (14) Philanthropic or charitable institution.
- (15) Cafeterias for employees, automatic teller machines, day-care centers and other normal accessory uses to a nonresidential use.
- (16) **Large-Scale Ground-Mounted Solar Photovoltaic Installations**
- (17) **Renewable/alternative energy R&D facility**
- (18) **Renewable/alternative energy manufacturing facility**

**Table of Uses**  
Town of Greenfield  
Ch. 200, Zoning  
(cont'd)

<b>Industrial Uses (Cont.)</b>	<b>RC</b>	<b>RB</b>	<b>RA</b>	<b>SR</b>	<b>H</b>	<b>CC</b>	<b>LC</b>	<b>GC</b>	<b>O</b>	<b>GI</b>	<b>PI</b>
Contractor's yard	N	N	N	N	N	N	N	SP	N	Y	N
Open storage of raw materials, finished goods, or equipment	N	N	N	N	N	N	N	SP	N	Y	SP
Light industry, manufacturing or processing plant	N	N	N	N	N	N	N	SP	N	Y	Y
Research and development facilities	N	N	N	N	SP <sup>11</sup>	SP	SP	SP	SP	Y	Y
Salvage/junkyard	N	N	N	N	N	N	N	N	N	SP	N
Waste hauling establishment	N	N	N	N	N	N	N	SP	N	SP	N
<i>Large-Scale Ground-Mounted Solar Photovoltaic Installations pursuant to ~ 200-7.15</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>Y</i>	<i>Y</i>
<i>Renewable/alternative energy R&amp;D facility</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>SP</i>	<i>N</i>	<i>Y</i>	<i>Y</i>
<i>Renewable/alternative energy manufacturing facility</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>Y</i>	<i>Y</i>
<b>Other Uses</b>											
Conservation area	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Processing of earth authorized for removal under the Town of Greenfield Soil Removal Ordinance	SP	N	N	N	N	N	N	N	N	SP	N
Mixed residential/business uses	N	N	N	SP <sup>12</sup>	SP <sup>12</sup>	Y	SP	SP	N	N	N
Private club or membership organization	N	N	N	SP	N	Y	Y	Y	N	N	N

<sup>(11)</sup>Medical research and development only.

<sup>(12)</sup>Mixed residential/office use only in accordance with § 200-7.10.

Amend the Greenfield Zoning Ordinance by adding the following new Section:

*~ 200-7.15. Large-Scale Ground-Mounted Solar Photovoltaic Installations.*

- A. **Purpose.** *The purpose of this ordinance is to promote the creation of new large-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations. The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.*
- B. **Applicability.** *This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.*
- C. **General Requirements for all Large Scale Solar Power Generation Installations.**
- (1) **Compliance with Laws, Ordinances and Regulations.** *The construction and operation of all large scale solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.*
  - (2) **Building Permit and Building Inspection.** *No large scale solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.*
  - (3) **Site Plan Review.** *Ground-mounted large scale solar photovoltaic installations with 250 kW or larger of rated nameplate capacity shall undergo site plan review by the Planning Board prior to construction, installation or modification as provided in this section.*
  - (4) **All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.**
  - (5) **Required Documents.** *In addition to the submittal requirements under ~ 200-8.4 of the Zoning Ordinance, the project proponent shall provide the following documents:*
    - (a) *Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;*
    - (b) *One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;*
    - (c) *Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;*
    - (d) *Name, address, and contact information for proposed system installer;*
    - (e) *Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;*
    - (f) *The name, contact information and signature of any agents representing the project proponent;*
    - (g) *Documentation of actual or prospective access and control of the project site;*
    - (h) *An operation and maintenance plan;*
    - (i) *Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);*
    - (j) *Proof of liability insurance; and*
    - (k) *Description of financial surety that satisfies Subsection (13)(c) of this ordinance.*

*The Planning Board may waive documentary requirements as it deems appropriate.*
  - (6) **Site Control.** *The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.*

- (7) **Operation & Maintenance Plan.** *The project proponent shall submit a plan for the operation and maintenance of the large- scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.*
- (8) **Utility Notification.** *No large- scale ground –mounted solar photovoltaic installation shall be constructed until evidence has been given to the Site Plan Review Authority that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.*
- (9) **Dimension and Density Requirements.**
- (a) **Setbacks.** *For large - scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:*
- i *Front yard: The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.*
  - ii *Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.*
  - iii *Rear yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.*
- (b) **Appurtenant Structures.** *All appurtenant structures to large- scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.*
- (10) **Design Standards.**
- (a) **Lighting.** *Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.*
- (b) **Signage.** *Signs on large-scale ground-mounted solar photovoltaic installations shall comply with ~ 200-6.7. A sign consistent with ~ 200-6.7 shall be required to identify the owner and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.*
- (c) **Utility Connections.** *Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.*
- (11) **Safety and Environmental Standards.**
- (a) **Emergency Services.** *The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Greenfield Fire Chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.*
- (b) **Land Clearing, Soil Erosion and Habitat Impacts.** *Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large – scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.*
- (12) **Monitoring and Maintenance.**
- (a) **Solar Photovoltaic Installation Conditions.** *The large - scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include,*

*but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Greenfield Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.*

*(b) Modifications. All material modifications to a solar photovoltaic installation made after issuance of the required building permit shall require approval by the Planning Board.*

**(13) Abandonment or Decommissioning.**

*(a) Removal Requirements. Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Subsection (13)(b) of this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal.*

*Decommissioning shall consist of:*

- i Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.*
- ii Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.*
- iii Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.*

*(b) Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may enter the property and physically remove the installation.*

*(c) Financial Surety. Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.*

**DISCUSSION:** Councilor Guin reviewed discussion held at the Public Hearing and the EDC meeting. The Economic Development Committee forwarded a positive recommendation for the Green Communities. He noted the Planning Board and Zoning Board also recommended the approval of the Green Communities Act to the Town Council.

**MOTION:** On a motion by Councilor Allis, second by Councilor Wood, it was unanimously,

**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD, ZONING ORDINANCE CHAPTER 200, SECTIONS 2.1, 4.9, 4.11, 4.12; ADD SECTION 7.15, AS WRITTEN IN THE GREEN COMMUNITIES ACT F 2008 AS ORIGINALLY PROPOSED BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT IN A DOCUMENT DATED JANUARY 5, 2010 DOCUMENT ATTACHED HERETO AS "EXHIBIT A" TITLED "PROPOSED ZONING AMENDMENT TO THE GREENFIELD ZONING ORDINANCE RELATIVE TO THE GREEN COMMUNITIES ACT" AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE.

**DISCUSSION:** Councilor Canteen clarified Biomass, as defined under Renewable Energy would not be applicable if the State determined Biomass was not acceptable. She further stated the Town could make an amendment to the ordinance after the State ruling. Councilor Singer spoke regarding the definition of Renewable Energy. He proposed the following amendment be inserted at the end of sections 200-2.1 Renewable Energy and Alternative Energy definition and 200-4.9 General Commercial (GC) C. Uses permitted by special permit: "Notwithstanding the above, "renewable/alternative energy R & D facility" or "renewable/alterative energy manufacturing facility" as used in this Zoning Ordinance shall not mean or include uses for the generation of electricity, heat and/ or the production of fuels."

Councilor Singer was advised by the Senior Town Planer Eric Twarog that the Town Council could make an amendment without jeopardizing the town's ability to be identified as a Green Community. Councilor Singer believed this would be a clear way to identify the intent of the definitions. Councilor Singer proposed another amendment to insert the following language: "which will not be offensive, injurious, noxious or hazardous" after #27 in 200-4.9 General Commercial (GC) C.; #22 in 200-4.11 General Industry (GI) B.; and 200-4.12 Planned Industry District (PI) B.

President Farrell, Councilors Guin, Wood, and Letourneau agreed with the first suggestion by Councilor Singer. President Farrell, Councilors Guin, and Wood expressed reservation for the second proposals. Councilor Letourneau suggested removing the word "offensive" from the second amendment.

**MOTION:** On a motion by Councilor Singer, second by Councilor Letourneau, it was,

**MOVED:** TO INSERT THE FOLLOWING LANGUAGE AT THE END OF SECTIONS 200-2.1 RENEWABLE ENERGY AND ALTERNATIVE ENERGY DEFINITION AND 200-4.9 GENERAL COMMERCIAL (GC) C. USES PERMITTED BY SPECIAL PERMIT: "NOTWITHSTANDING THE ABOVE, "RENEWABLE/ALTERNATIVE ENERGY R & D FACILITY" OR "RENEWABLE/ALTERATIVE ENERGY MANUFACTURING FACILITY" AS USED IN THIS ZONING ORDINANCE SHALL NOT MEAN OR INCLUDE USES FOR THE GENERATION OF ELECTRICITY, HEAT AND/ OR THE PRODUCTION OF FUELS".

**DISCUSSION:** Special Permit uses were discussed. Councilor Singer did not want the Greenfield community to be a "test area" for green energy by allowing uses by right.

It was unanimously, (Councilor Maloney abstained)

**VOTED:** TO INSERT THE FOLLOWING LANGUAGE AT THE END OF SECTIONS 200-2.1 RENEWABLE ENERGY AND ALTERNATIVE ENERGY DEFINITION AND 200-4.9 GENERAL COMMERCIAL (GC) C. USES PERMITTED BY SPECIAL PERMIT: "NOTWITHSTANDING THE ABOVE, "RENEWABLE/ALTERNATIVE ENERGY R & D FACILITY" OR "RENEWABLE/ALTERATIVE ENERGY MANUFACTURING FACILITY" AS USED IN THIS ZONING ORDINANCE SHALL NOT MEAN OR INCLUDE USES FOR THE GENERATION OF ELECTRICITY, HEAT AND/ OR THE PRODUCTION OF FUELS".

**MOTION:** On a motion by Councilor Singer, second by Councilor Letourneau, it was,

**MOVED:** TO INSERT THE FOLLOWING LANGUAGE "WHICH WILL NOT BE INJURIOUS OR HAZARDOUS" IN THE TABLE OF USES AFTER THE FOLLOWING LANGUAGE "RENEWABLE/ALTERNATIVE ENERGY R& D FACILITY" AND "RENEWABLE/ALTERNATIVE ENERGY MANUFACTURING FACILITY".

**DISCUSSION:** President Farrell, Councilors Joseph, Guin, and Allis would vote in opposition to this proposed amendment. Councilor Letourneau believed the definition of noxious was appropriate.

It was by majority 3 yes and 8 no, (Councilor Maloney abstained)

**DEFEATED:** TO INSERT THE FOLLOWING LANGUAGE "WHICH WILL NOT BE INJURIOUS OR HAZARDOUS" IN THE TABLE OF USES THE FOLLOWING LANGUAGE "RENEWABLE/ALTERNATIVE ENERGY R& D FACILITY" AND "RENEWABLE/ALTERNATIVE ENERGY MANUFACTURING FACILITY".

President Farrell stated the Town Council would now vote on the entire order as amended.

It was unanimously

**VOTED:** TO APPROVE THE AMENDED MOTION ORDER NO. FY 10 -050.

**ZONING AMENDMENTS TO THE GREENFIELD ZONING ORDINANCE RELATIVE TO THE GREEN COMMUNITIES ACT**

\*\*\*\*\*

Section 200-2.1

RENEWABLE ENERGY – The following shall be considered renewable energy:

- Solar – photovoltaic (PV) and thermal
- Wind
- Biomass power conversion or thermal technologies, including R&D related to, or the manufacture of wood pellets
- Ultra low emissions high efficiency wood pellet boilers and furnaces
- Low Impact Hydro – electric and kinetic
- Ocean thermal, wave or tidal
- Geothermal
- Landfill gas
- Fuels cells that use renewable energy

- Advanced biofuels

Notwithstanding the above, “renewable/alternative energy R & D facility” or “renewable/alternative energy manufacturing facility” as used in this Zoning Ordinance shall not mean or include uses for the generation of electricity, heat and/ or the production of fuels.

ALTERNATIVE ENERGY -- The following shall be considered alternative energy:

- Combined heat and power
- Electric and hydrogen powered vehicles and associated technologies including advanced batteries and recharging stations

Notwithstanding the above, “renewable/alternative energy R & D facility” or “renewable/alternative energy manufacturing facility” as used in this Zoning Ordinance shall not mean or include uses for the generation of electricity, heat and/ or the production of fuels.

LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION -- A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

RATED NAMEPLATE CAPACITY -- The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

\*\*\*\*\*

~ 200-4.9. General Commercial District (GC).

C. Uses permitted by special permit.

- (1) Farms or the keeping of livestock or poultry on parcels of less than five (5) acres. [Amended by Town Council on July 15, 2009]
- (2) Public or private utility or substation.
- (3) Radio, television transmission or other communications use including towers.
- (4) Private school not exempt from zoning under ~ 200-4.1B(1).
- (5) Multifamily dwelling in accordance with ~ 200-7.2.
- (6) Single-family dwelling.
- (7) Two-family dwelling.
- (8) Lodging/boarding/rooming house.
- (9) Dormitories.
- (10) Bed-and-breakfast or tourist home.
- (11) Mixed residential/business uses in accordance with ~ 200-7.10.
- (12) Automotive repair and servicing shop.
- (13) Gas station.
- (14) Bulk storage and/or sale of fuel or other fluid other than waste.
- (15) Indoor recreation.
- (16) Newspaper, printing, publishing.
- (17) Wholesale laundry or dry cleaning plant.
- (18) Wholesale trade and distribution.
- (19) Waste hauling establishment.
- (20) Warehouse or freight transport terminal.
- (21) Assembly, bottling, packaging or finishing plant in an enclosed building.
- (22) Research and development facilities.
- (23) Contractor's yard or other open storage of raw materials, finished goods, or equipment.
- (24) Animal kennel or hospital.
- (28) Light industry, manufacturing or processing plant which will not be offensive, noxious, or hazardous.
- (29) Assisted living facility. [Added by Town Council on July 15, 2009]
- (30) Renewable/alternative energy R&D facility

\*\*\*\*\*

~ 200-4.11. General Industry District (GI).

B. Uses permitted.

- (1) Greenhouse, nursery or farmstand where fifty percent (50%) or more of the products for sale have been produced on the premises.
- (2) Home occupation.
- (3) Philanthropic institution.
- (4) Photocopying and data processing.
- (5) Newspaper, printing, publishing.

- (6) Business and professional offices.
- (7) Office park.
- (8) Research and development facilities.
- (9) Wholesale trade and distribution.
- (10) Assembly, bottling, packaging, or finishing plant in an enclosed building.
- (11) Warehouse or freight transport terminal.
- (12) Trucking firm (on public sewer only).
- (13) Construction supply establishment.
- (14) Contractor's yard or other open storage of raw materials, finished goods, or equipment.
- (15) Light industry, manufacturing or processing plant which will not be offensive, injurious, noxious, or hazardous.
- (16) Trade shop including carpenter, builder, electrician, plumber, landscaper or similar trade with indoor storage of tools, supplies, and equipment.
- (17) Cafeterias for employees, automatic teller machines, day-care centers and other normal accessory uses to a nonresidential use.
- (18) Self storage.
- (19) Medical center/clinic including accessory research.
- (20) Large-Scale Ground-Mounted Solar Photovoltaic Installations
- (21) Renewable/alternative energy R&D facility
- (22) Renewable/alternative energy manufacturing facility

\*\*\*\*\*

**Section 200-4.12**

- B. Uses permitted.
  - (1) Home occupation.
  - (2) Business and professional offices.
  - (3) Office park.
  - (4) Photocopying and data processing.
  - (5) Newspaper, printing, publishing.
  - (6) Research and development facility.
  - (7) Wholesale trade and distribution.
  - (8) Trucking firm (on public sewer only).
  - (9) Warehouse or freight transport terminal.
  - (10) Assembly, bottling, packaging or finishing plant in an enclosed building.
  - (11) Light industry, manufacturing or processing plant.
  - (12) Retail sales which are incidental to a permitted use or use allowed by special permit.
  - (13) Private/public utility or substation in an enclosed building.
  - (14) Philanthropic or charitable institution.
  - (15) Cafeterias for employees, automatic teller machines, day-care centers and other normal accessory uses to a nonresidential use.
  - (16) Large-Scale Ground-Mounted Solar Photovoltaic Installations
  - (17) Renewable/alternative energy R&D facility
  - (18) Renewable/alternative energy manufacturing facility

**Table of Uses**  
Town of Greenfield  
Ch. 200, Zoning  
(cont'd)

<b>Industrial Uses (Cont.)</b>	<b>RC</b>	<b>RB</b>	<b>RA</b>	<b>SR</b>	<b>H</b>	<b>CC</b>	<b>LC</b>	<b>GC</b>	<b>O</b>	<b>GI</b>	<b>PI</b>
Contractor's yard	N	N	N	N	N	N	N	SP	N	Y	N
Open storage of raw materials, finished goods, or equipment	N	N	N	N	N	N	N	SP	N	Y	SP
Light industry, manufacturing or processing plant	N	N	N	N	N	N	N	SP	N	Y	Y
Research and development facilities	N	N	N	N	SP <sup>11</sup>	SP	SP	SP	SP	Y	Y
Salvage/junkyard	N	N	N	N	N	N	N	N	N	SP	N
Waste hauling establishment	N	N	N	N	N	N	N	SP	N	SP	N
Large-Scale Ground-Mounted Solar Photovoltaic Installations pursuant to ~ 200-7 15	N	N	N	N	N	N	N	N	N	Y	Y
Renewable/alternative energy R&D facility	N	N	N	N	N	N	N	SP	N	Y	Y
Renewable/alternative energy manufacturing facility	N	N	N	N	N	N	N	N	N	Y	Y
<b>Other Uses</b>											
Conservation area	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Processing of earth authorized for removal under the Town of Greenfield Soil Removal Ordinance	SP	N	N	N	N	N	N	N	N	SP	N
Mixed residential/business uses	N	N	N	SP <sup>12</sup>	SP <sup>12</sup>	Y	SP	SP	N	N	N
Private club or membership organization	N	N	N	SP	N	Y	Y	Y	N	N	N

<sup>(11)</sup>Medical research and development only.

<sup>(12)</sup>Mixed residential/office use only in accordance with § 200-7.10.

~ 200-7.15. Large-Scale Ground-Mounted Solar Photovoltaic Installations.

- A. Purpose. The purpose of this ordinance is to promote the creation of new large-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations. The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.
- B. Applicability. This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.
- C. General Requirements for all Large Scale Solar Power Generation Installations.
- (1) Compliance with Laws, Ordinances and Regulations. The construction and operation of all large scale solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.
  - (2) Building Permit and Building Inspection. No large scale solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
  - (3) Site Plan Review. Ground-mounted large scale solar photovoltaic installations with 250 kW or larger of rated nameplate capacity shall undergo site plan review by the Planning Board prior to construction, installation or modification as provided in this section.
  - (4) All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
  - (5) Required Documents. In addition to the submittal requirements under ~ 200-8.4 of the Zoning Ordinance, the project proponent shall provide the following documents:
    - (a) Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;
    - (l) One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
    - (m) Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
    - (n) Name, address, and contact information for proposed system installer;
    - (o) Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
    - (p) The name, contact information and signature of any agents representing the project proponent;
    - (q) Documentation of actual or prospective access and control of the project site;
    - (r) An operation and maintenance plan;
    - (s) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
    - (t) Proof of liability insurance; and
    - (u) Description of financial surety that satisfies Subsection (13)(c) of this ordinance.

The Planning Board may waive documentary requirements as it deems appropriate.

- (6) Site Control. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.
- (7) Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the large- scale ground-mounted solar photovoltaic installation, which shall include measures for

maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

- (8) Utility Notification. No large- scale ground –mounted solar photovoltaic installation shall be constructed until evidence has been given to the Site Plan Review Authority that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- (9) Dimension and Density Requirements.
- (a) Setbacks. For large - scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:
- i Front yard: The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
  - ii Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
  - iii Rear yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
- (b) Appurtenant Structures. All appurtenant structures to large- scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.
- (10) Design Standards.
- (a) Lighting. Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- (b) Signage. Signs on large-scale ground-mounted solar photovoltaic installations shall comply with ~ 200-6.7. A sign consistent with ~ 200-6.7 shall be required to identify the owner and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.
- (c) Utility Connections. Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
- (11) Safety and Environmental Standards.
- (a) Emergency Services. The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Greenfield Fire Chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- (b) Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large – scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.
- (12) Monitoring and Maintenance.
- (a) Solar Photovoltaic Installation Conditions. The large - scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Greenfield Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

(b) Modifications. All material modifications to a solar photovoltaic installation made after issuance of the required building permit shall require approval by the Planning Board.

(13) Abandonment or Decommissioning.

(a) Removal Requirements. Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Subsection (13)(b) of this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal.

Decommissioning shall consist of:

- i Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- ii Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- iii Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

(b) Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may enter the property and physically remove the installation.

(c) Financial Surety. Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

**Order no. FY 10-066**

**MOTION:** On a motion by Councilor Guin, second by Councilor Allis, it was,

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ADOPTS THE GREENFIELD GREEN COMMUNITIES ACTION PLAN REPORT, DATED FEBRUARY 2010, PREPARED BY THE TOWN OF GREENFIELD AND THE FRANKLIN REGIONAL COUNCIL OF GOVERNMENTS, ATTACHED HERETO AS EXHIBIT A.

**DISCUSSION:** Councilor Guin stated the EDC forwarded a positive unanimous recommendation for approval.

It was unanimously

**VOTED:** TO APPROVE ORDER NO. FY 10 -066.

**Order no. FY 10 -067**

**MOTION:** On a motion by Councilor Guin, second by Councilor Allis, it was,

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ADOPTS APPENDIX 120 AA (STRETCH ENERGY CODE) OF THE INTERNATIONAL ENERGY CONSERVATION CODE (IECC) 2009, ATTACHED HERETO AS EXHIBIT A.

**DISCUSSION:** Councilor Guin stated the EDC forwarded a positive unanimous recommendation for approval. He reviewed discussion with the State Official and public during meetings regarding the Stretch Code. Mayor Martin and Mr. Berry spoke with the Town Council regarding the following:

- Overall energy savings.
- Pursue an “energy efficiency mortgage” with local banks.
- Set aside funds in the CDB Grant for residential home insulation.
- Homeowners being able to afford a better energy system due to the savings.

- Public safety issues in the code as well as energy savings issues.
- Additions and renovations would be required to meet the State 2009 code. Windows were required to be Energy Star qualified.
- All historic buildings were exempt from the Stretch Code.
- Tax credits for energy efficiency upgrades for citizens.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 10 -067.

Councilor Sutphin thanked the Greening of Greenfield Committee and Nancy Hazard for all of their work on the Green Communities act.

**Order no. FY 10-063**

**A 1**

**MOTION:** On a motion by Councilor Guin, second by Councilor Wood, it was,

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL REAL ESTATE ON 51 ALLEN STREET, BEING SHOWN ON ASSESSORS MAP 083, LOTS 1 & 2, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

**DISCUSSION:** Councilor Guin stated the EDC forwarded a positive unanimous recommendation for approval.

**MOTION:** On a motion by Councilor Singer, second by Councilor Letourneau it was,

**MOVED:** AMEND THE MOTION TO HAVE THIS PROPERTY SUBJECT TO THE DEMOLITION DELAY ORDINANCE.

**DISCUSSION:** Councilor Guin stated he did not believe it would be affordable to renovate the building. Councilor Maloney acknowledged the Council had carefully considered the buildings listed in the Demolition Delay Ordinance (DDO). Councilor Letourneau suggested there may be language in the DDO which states if the building was identified as significant, it could be put under the DDO. Councilor Allis suggested if people wanted this building on the DDO the property should not be sold. Councilors Maloney and Guin would vote in opposition of this amendment. Ms. Kelly stated the building had lead paint and asbestos which would make the building prohibited from use for Town offices. It was noted the Historical Commission had not been asked to comment on the proposed sale. Councilors Singer and Letourneau withdrew their amendment respectively.

It was by majority, 8 yes, 3 no, and 1 abstention,

**VOTED:** TO APPROVE ORDER NO. FY 10 -063 A 1.

**Order no. FY 10-063**

**A 2**

**MOTION:** On a motion by Councilor Guin, second by Councilor Singer, it was,

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL 51 ALLEN STREET, ASSESSORS MAP 083, LOTS 1 & 2, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZES THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

**DISCUSSION:** Councilor Guin stated the EDC forwarded a positive unanimous recommendation for approval. Councilor Maloney stated the Ways and Means Committee discussed all of the properties and forwarded a positive unanimous recommendation for sale with the exception of the Walnut Street property.

It was by majority, 6 yes, 5 no and 1 abstention,

**VOTED:** TO APPROVE ORDER NO. FY 10 -063 A 2.

**Order no. FY 10-064**

**A 1**

**MOTION:** On a motion by Councilor Guin, second by Councilor Wood, it was,

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON BANK ROW, BEING SHOWN ON ASSESSORS MAP 051, LOT 16, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

**DISCUSSION:** Councilor Guin stated the EDC forwarded a positive unanimous recommendation for approval for the Bank Row and Olive Street properties. The properties would be sold to the GRA for \$1.00 for the development of a parking garage.

It was unanimously, Councilor Singer abstained,  
**VOTED:** TO APPROVE ORDER NO. FY 10 -064 A 1.

**Order no. FY 10-064**

**A 2**

**MOTION:** On a motion by Councilor Guin, second by Councilor Sutphin, it was unanimously, (Councilor Singer abstained)  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL BANK ROW, ASSESSORS MAP 051, LOT 16, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZES THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

**Order no. FY 10-065**

**A 1**

**MOTION:** On a motion by Councilor Guin, second by Councilor Sutphin, it was unanimously, (Councilor Singer abstained)  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON OLIVE STREET, BEING SHOWN ON ASSESSORS MAP 051, LOTS 21, 22, 23, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

**Order no. FY 10-065**

A 2

**MOTION:** On a motion by Councilor Guin, second by Councilor Sutphin,, it was unanimously, (Councilor Singer abstained)  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL OLIVE STREET, ASSESSORS MAP 051, LOTS 21, 22, 23, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZES THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

**Order no. FY 10-062**

**A 1**

**MOTION:** On a motion by Councilor Guin, second by Councilor Sutphin, it was,  
**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE LOCATED ON:

- Bernardston Road - Map R14, Lot 29 B
- Oak Street - Map 069, Lots 20 and 22
- Arnold Lane - Map R33, Lot 72 B
- 21 Cypress Street - Map 101, Lot 5
- Walnut Street - Map 75, Lot 45
- Marshall Street - Map 23, Lot 47

SHOWN ON ASSESSORS MAPS AND LOTS AS REFERENCED, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

**MOTION:** On a motion by Councilor Maloney, second by Councilor Guin, it was,  
**MOVED:** TO DELETE WALNUT STREET – MAP 75, LOT 45 FROM THE MOTION.

**DISCUSSION:** Councilor Guin reported due to water and easement problems with the Walnut Street property the EDC felt it was better for the town to retain the lot.

It was unanimously, Councilor Allis abstained,  
**VOTED:** TO APPROVE THE AMENDMENT.

It was unanimously, Councilor Allis abstained,  
**VOTED:** TO APPROVE THE AMENDED MOTION ORDER NO. FY 10 -062 A 1.

**Order no. FY 10-062**

**A 2**

**MOTION:** On a motion by Councilor Guin, second by Councilor Wood, it was,  
**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL:

Bernardston Road - Map R14, Lot 29 B  
 Oak Street - Map 069, Lots 20 and 22  
 Arnold Lane - Map R33, Lot 72 B  
 21 Cypress Street - Map 101, Lot 5  
 Walnut Street - Map 75, Lot 45  
 Marshall Street - Map 23, Lot 47

PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZES THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

**MOTION:** On a motion by Councilor Maloney, second by Councilor Canteen, it was unanimously, (Councilor Allis abstained)

**VOTED:** TO DELETE WALNUT STREET – MAP 75, LOT 45 FROM THE MOTION AS IT WAS NOT DECLARED SURPLUS.

It was unanimously, (Councilor Allis abstained)

**VOTED:** TO APPROVE THE AMENDED MOTION ORDER NO. FY 10 -062 A 2.

**Order no. FY 10-068**

**MOTION:** On a motion by Councilor Guin, second by Councilor Allis, it was,  
**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO TAKE SUCH ACTION AS IS NECESSARY WITH THE MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES FOR ESTABLISHING AN AGRICULTURAL PRESERVATION RESTRICTION FOR PROPERTY CONSISTING OF APPROXIMATELY 50 ACRES OF LAND OWNED BY THE MUNICIPALITY LOCATED AT LEYDEN ROAD/GLENBROOK DRIVE, ASSESSORS MAP R31, LOTS 1 AND 5, AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

**DISCUSSION:** President Farrell recommended the Town Council table the next order until the following information was submitted to the Town Council:

1. A written agreement between the Town and Camp Kewanee for use of the Town land.
2. An appraisal between the State and Town for what kind of funds the town would receive.
3. Additional discussion was held regarding: the parcel was 60 acres; 50 acres were for the proposed APR; and 34 acres were prime agricultural soils. Questioned whether all of the property needed to be included in the APR?

Councilor Guin stated EDC forwarded a negative recommendation from EDC.

**MOTION:** On a motion by Councilor Sutphin, second by Councilor Allis, it was unanimously,  
**TABLED:** ORDER NO. FY 10 -068

**PRESENTATION OF PETITIONS AND SIMILAR PAPERS** None.

**REPORTS OF COMMITTEES**

**APPOINTMENTS AND ORDINANCE COMMITTEE-** Chairman Singer stated the committee would hold a Public Hearing on Monday, April 12, 2010 at 6:30 pm in the Greenfield Police Department meeting room relative to a proposed Naming Ordinance.

**UNFINISHED BUSINESS:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** As required by M.G.L.c. 7 § 40I, President Farrell announced the intent of the Department of Agriculture Resources to purchase, rent, sell or significantly change the use of one or more acres of real estate in Greenfield. The land was located on Leyden Road & Glenbrook Drive, Assessors Assessor Map R33, Lot 3 - Plain Road.

**MOTIONS FOR RECONSIDERATION:** None.

**PUBLIC FORUM:** Christine Scott distributed a Youth in Action publication. Madeline Cantwell, 136 Lovers Lane - Thanked the Town Council for adopting the orders relating to the Green Communities Act. She also requested the Council consider reversing Public Forum and Motions for Reconsideration on the agenda to advance citizen engagement. Howard Clark, 121 Conway Street- Spoke regarding the Town Farm land for a Community Garden/Farm.

Councilor Allis recognized the Police, Fire, DPW, and Mayor for their efforts during the State of Emergency in early March.

**ADJOURNMENT:** On a motion by Councilor Allis, second by Councilor Maloney, it was unanimously **VOTED: TO ADJOURN THE MEETING AT 10:25 P.M.**

A true copy,

Attest: \_\_\_\_\_  
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15  
Regular Meeting  
March 17, 2010

1. Wood, Peter	P						
2. McLellan, Thomas	A						
3. Allis, Brickett	P						
4. Maloney, Mark	P						
5. Singer, David	P						
6. Letourneau, Danielle	P						
7. Canteen, Jeanne	P						
8. Joseph, Christopher	P						
9. Sullivan, Mary-Catherine	P						
10. Farrell, Timothy	P						
11. Guin, Daniel	P						
12. Siano, Alfred	P						
13. Sutphin, Tracey	P						

