



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.

Allen, Jim (2019)
Desorgher, Virginia (2019)
Moscaritolo, David (2020)
Pottern, Jamie (2018)
Roberts, Charles (2020)
Smith, Linda (2019)
Touloumtzis, George (2018)

GREENFIELD PLANNING BOARD Minutes of November 2, 2017

Department of Planning and Development 114 Main Street, Greenfield

The meeting was called to order by the Planning Board Chairperson at 7:07 p.m.

PB MEMBERS PRESENT: Linda Smith, Chair; Jamie Pottern, Clerk; George Touloumtzis, Vice-chair; and Alternates Charles Roberts and Jim Allen

ABSENT: Virginia Desorgher and David Moscaritolo

ALSO PRESENT: Aviva Luttrell of the Greenfield Recorder; Kris Warner, Developer of McHard Acres Subdivision; Attorney Kevin Parsons; Cathy Gouch; Trouble Mandeson; Katherine Conant; and James Thompson.

Approval of Minutes:

The October 19, 2017 minutes had not been received by the Board and so were not voted on.

Action items:

a. Update on the Status of Phase 2 of McHard Acres Subdivision (Verde Drive).

Chairwoman Smith moved Alternate Charles Roberts into a voting seat, as he had been present at previous meetings on McHard Acres Subdivision. Mr. Warner shared updates to Phase 2, including:

- 1) the road has been completed;
- 2) houses are currently being built on Lots 20, 21, 23, and 27;
- 3) a house has been completed on Lot 22;
- 4) Ten Lots remain that do not have houses built on them yet;
- 5) Mr. Warner expressed that he had not been aware that he needed an extension until Mr. Twarog called him;
- 6) Mr. Warner said that he has since restored the slope per Form E from the August 18, 2016 meeting, and has submitted an "as-built grading plan," showing a few trees that were newly planted.

Upon review of the order of conditions of Form E and through discussions with Mr. Warner and Attorney Parsons, the Board concluded that conditions #3 and #4 of Form E had not been met, and



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.

Allen, Jim (2019)
Desorgher, Virginia (2019)
Moscaritolo, David (2020)
Pottern, Jamie (2018)
Roberts, Charles (2020)
Smith, Linda (2019)
Touloumtzis, George (2018)

that trees had been planted without any plan being produced by Mr. Warner or approved by the Board. The conditions were:

#3. The Applicant shall prepare a Planting and Landscaping Plan showing the proposed location of trees to be planted as required by this decision to be approved by the Planning Board;

#4. The Applicant shall prepare a final grading plan to include top of slope erosion control measures to be approved by the Planning Board.

Abutters present shared their viewpoints:

Abutter Cathy Gouch shared her concerns about Mr. Warner's track record of proceeding without approval. She stated that the slope was disturbed without approval, and earth was removed as were approximately 15 old-growth trees. She would like Mr. Warner to do what was required of him by the Planning Board.

Abutter Trouble Mandeson agreed with Ms. Gouch and expressed her feeling of frustration that Planning Board staff has not acted strongly enough with Mr. Warner, and made abutters feel excluded from the process. She added that trees have come down as a result of the changing of the slope, which was done by Mr. Warner originally without permission. Ms. Mandeson expressed anger with the Planning Board for the number of infractions, but she also expressed that she feels the Planning Board is listening better now.

Planning Board member Touloumtzis reiterated that the Board and the Town have made a commitment to inform abutters, beyond what is legally required, due to the nature of the continued violations.

Abutter Jim Thompson expressed that he is upset with the Planning Board and Planning Department. He echoed Mandeson that it feels good to be listened to.

Abutter Kate Conant shared similar concerns. She had felt good about the agreement between Mr. Warner and the Planning Board, and is upset with the Planning Board that they did not require Mr. Warner to follow through. She expressed that she would like the subdivision completed.

Attorney Parsons expressed the desire of Mr. Warner to meet the Planning Board's requirements and requested greater specificity of what the Planning Board would like to see in regard to the two Plans.

Attorney Parsons articulated that Mr. Warner would like to get approval in two weeks' time, but in discussion, members of the Planning Board agreed that Mr. Warner had had over a year to produce



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.

Allen, Jim (2019)
Desorgher, Virginia (2019)
Moscaritolo, David (2020)
Pottern, Jamie (2018)
Roberts, Charles (2020)
Smith, Linda (2019)
Touloumtzis, George (2018)

the plans and get them approved, and reiterated the importance that they are done thoughtfully and done well. Planning Board members, proposed the following conditions, per the vote below.

- MOTION:** Moved by Touloumtzis, 2nd by Pottern and voted 4:0 to give specificity to the conditions in Form E #3 and #4 for the Board's approval as follows:
- 1) **#4 Erosion Control Plan:** A licensed and registered Civil Engineer will produce an Erosion Control Plan and Details as appropriate for the existing slope and soil conditions in the disturbed areas as described in Form E, Item #1 of August 18, 2016.
 - 2) **#3 Planting & Landscape Plan:** Applicant shall prepare a Planting & Landscape Plan produced by a professional landscaper showing the proposed location of trees to be planted. The objective of the Plan is to recreate the buffer between the properties. The Plan shall include:
 - a. No less than 20 mixed trees to match forest type that was removed (e.g. hemlock, spruce, white pine, maple trees). Landscaper shall take care to consider trees less susceptible to common diseases/pests.
 - b. Utilize nursery stock trees.
 - c. Add soil preparation/amendments that maximize the health and longevity of the chosen trees.
 - d. Caliper of the trees should be at least 1.5 inches, subject to the landscaper's recommendation for different tree types.
 - e. Trees must be between 5 and 10 feet in height.
 - f. Trees must be located and spaced within a reasonable distance as dictated by the requirements of the species.
 - g. Trees will be maintained and replaced if necessary from the date of planting until the point of sale of the property to a new owner.

The Board also reminded Mr. Warner of condition #5 of Form E "The Applicant shall prepare an as-built topographic plan once all corrective measures have been completed to be approved by the Planning Board". He will submit a revised Plan based on the Board's request for a separate Planting and Landscape Plan.

- b. Request for an extension by Kris Warner of Phase 2 of McHard Acres Definitive Subdivision Plan to December 31, 2018.

In regard to the request for an extension of the project, Chairwoman Smith proposed a short-term approval that would enable Mr. Warner to work on the site legally, but would encourage Mr. Warner to adhere to the timeframe and produce the Plans for the Board's approval in a timely fashion.



City known as the Town of
GREENFIELD, MASSACHUSETTS

PLANNING BOARD

William F. Martin
Mayor

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.

Allen, Jim (2019)
Desorgher, Virginia (2019)
Moscaritolo, David (2020)
Pottern, Jamie (2018)
Roberts, Charles (2020)
Smith, Linda (2019)
Touloumtzis, George (2018)

MOTION: Moved by Touloumtzis, 2nd by Roberts and voted 4:0 to approve the request for an extension by Kris Warner of Phase 2 of McHard Acres Definitive Subdivision Plan to December 31, 2017, with plans required by the previous vote to be submitted and approved by that time.

Public Hearings:

- a. **7:45 p.m.:** Application of International Container Corporation (ICC) for property located at 180 Laurel Street (Assessor's Map R41, Lot 2), which is located in the General Industry (GI) Zoning District, for a special permit pursuant to Sections 200-4.11(B15), 200-7.12, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the construction of a manufacturing building and associated site improvements at this location.

Smith read a request by the Applicant for a withdrawal of the application without prejudice.

MOTION: Moved by Pottern, 2nd by Touloumtzis and voted 4:0 to accept the request to withdraw the application without prejudice.

Action Items (Cont.):

- a. Application of Leonard Gould for Approval Not Required (ANR) Plan endorsement for a non-buildable lot at 26 Champney Road.

MOTION: Moved by Touloumtzis, seconded by Pottern, and voted 4:0 to approve the application of Leonard Gould for Approval Not Required (ANR) Plan endorsement for a non-buildable lot at 26 Champney Road and to authorize the Chair to sign the plan on behalf of the Board.

Adjournment:

MOTION: Moved by Pottern, seconded by Roberts, and voted 4:0 to adjourn the Planning Board meeting at 9:29 p.m.

Respectfully Submitted,

Jamie Pottern, Clerk
Greenfield Planning Board