

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
March 18, 2009

GCTV-15

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:04 p.m. by President Maloney.

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

ALSO PRESENT: Mayor Christine Forgey; Director of Municipal Finance and Administration Marjorie L. Kelly; School Committee Chairman Dalton Athey; Assistant Town Clerk Deborah Tuttle; Department of Public Works Superintendent Sandra Shields; GCTV-15 staff; and members of the public.

ACCEPTANCE OF MINUTES: On a motion by Councilor Allis, second by Councilor Letourneau, it was unanimously **VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF FEBRUARY 18, 2009.

PUBLIC HEARINGS: Councilor Joseph read the following Public Hearing notice:

In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wednesday, March 18, 2009, beginning at 7:00 p.m., at GCTV-15, 393 Main Street to consider the following:

- ❖ The sum of \$192,350 be transferred from Free Cash to the General Fund for FY09
- ❖ The Fiscal Year 2009 Operating Budget be reduced by \$192,650 by reducing the following lines:
 - ❖ Office of the Mayor - Expenditures \$1,000
 - ❖ Assessor Salary and Wages- \$11,800
 - ❖ Treasurer Expenditures - \$8,000
 - ❖ MIS Expenditures - \$5,300
 - ❖ Town Clerk Salary and Wages - \$5,200
 - ❖ Registrars Expenditures - \$2,500
 - ❖ Licensing Salary and Wages - \$4,950
 - ❖ OPCD Salary and Wages - \$31,500
 - ❖ Police Salary and Wages - \$12,350
 - ❖ Police Expenditures - \$16,950
 - ❖ Parking Enforcement Salary & Wages - \$10,000
 - ❖ Dispatch Expenditures - \$4,200
 - ❖ Building Inspector Salary and Wages - \$9,450
 - ❖ DPW Salary and Wages - \$14,000
 - ❖ DPW Expenditures - \$4,500
 - ❖ Council on Aging Salary and Wages - \$22,750
 - ❖ Library Salary and Wages - \$8,520
 - ❖ Library Expenditures - \$3,580
 - ❖ Recreation Salary and Wages - \$10,100
 - ❖ Baptist Church Parking Lot Annual Lease - \$1,400
 - ❖ Worker's Compensation - \$4,600
- ❖ \$ 35,400 be transferred from Worker's Compensation budget to the Unemployment Compensation Budget for FY2009

President Maloney opened the Public Hearing at 7:09 pm. He asked if anyone from the public would like to speak. No public spoke. President Maloney closed the Public Hearing at 7:10 pm.

Councilor Joseph held the second reading on the following as written in the packet:

- ❖ The sum of \$192,350 be transferred from Free Cash to be used as another financing source in the General Fund for FY09.
- ❖ The Fiscal Year 2009 Operating Budget be reduced by \$192,650 by reducing the following lines:
 - ❖ The Office of the Mayor Expenditures by \$1,000
 - ❖ Assessor Salary and Wages \$11,800
 - ❖ Treasurer Expenditures by \$8,000
 - ❖ MIS Expenditures by \$5,300
 - ❖ Town Clerk Salary and Wages by \$5,200
 - ❖ Registrars Expenditures by \$2,500
 - ❖ Licensing Salary and Wages by \$4,950
 - ❖ OPCD Salary and Wages by \$31,500
 - ❖ Police Salary and Wages by \$12,350
 - ❖ Police Expenditures by \$16,950

- ❖ Parking Enforcement Salary & Wages by \$10,000
- ❖ Dispatch Expenditures by \$4,200
- ❖ Building Inspector Salary and Wages by \$9,450
- ❖ DPW Salary and Wages by \$14,000
- ❖ DPW Expenditures by \$4,500
- ❖ Council on Aging Salary and Wages by \$22,750
- ❖ Library Salary and Wages by \$8,520
- ❖ Library Expenditures by \$3,580
- ❖ Recreation Salary and Wages by \$10,100
- ❖ Baptist Church Parking Lot Annual Lease by \$1,400
- ❖ Worker's Compensation by \$4,600
- ❖ \$ 35,400 be transferred from Worker's Compensation budget to the Unemployment Compensation Budget for FY2009.

COMMUNICATIONS:

MAYOR: Mayor Forgey stated:

- ❖ She hoped to have the Fiscal Year 2010 budget to the Town Council by Monday, March 30, 2009.
- ❖ Meetings had been held with unions informing them of options for Health Insurance.
- ❖ The goal for Fiscal Year 2010 was to keep government stable and services flowing in the community.
- ❖ The departments and employees have assisted each other to that the Fiscal Year 2009 cuts were not as noticeable to the public.
- ❖ Spoke of viable projects in Greenfield:
 - Upper story development.
 - Transportation hub.
- ❖ She forwarded a request to purchase town owned property to the Town Council and hoped this request would be dealt with in an expedited process.

SCHOOL COMMITTEE: Mayor Forgey responded to questions from Councilors:

- ❖ She noted she was not speaking as a representative of the School Committee.
- ❖ Discussed proper posting of meetings.
- ❖ The School Committee Rules of Procedure state the agendas were supposed to be set and distributed no later than 48 hours prior to the meeting date and time.
- ❖ Discussed the difference between working meetings and regular session meetings. Votes were always made during regular meetings.
- ❖ Discussed the process from this time forward for discussion/decisions regarding a joint superintendent.
- ❖ The Executive and Legislative bodies would have a role in forming a joint superintendent. ‘
- ❖ There was a difference from Superintendence Union and School Regionalization.
- ❖ A state grant had been awarded to Greenfield to allow a person to be hired to take minutes and do work relative to regionalization.
- ❖ Pot-Hole funding should be received sometime in March.

The Council requested Legal Opinion regarding the Charter and possible superintendent consolidation.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 09 -025

Financial Order 09-16

MOTION: On a motion by Councilor Joseph, second by Councilor Farrell, it was,

MOVED: THAT IT BE ORDERED THAT THE FISCAL YEAR 2009 OPERATING BUDGET BE REDUCED BY \$192,650 BY REDUCING THE FOLLOWING LINES.

DISCUSSION: Councilor Joseph stated the Ways and Means Committee forwarded unanimous positive recommendations to the Town Council for the next three orders. He noted the next three orders were “pieces in a puzzle” to bring the town into compliance with the Governor’s 9 C budget reductions. President Maloney reviewed the history related to the Baptist Church Parking Lot Annual Lease.

It was unanimously

VOTED: THAT IT BE ORDERED THAT THE FISCAL YEAR 2009 OPERATING BUDGET BE REDUCED BY \$192,650 BY REDUCING THE FOLLOWING LINES:

- THE OFFICE OF THE MAYOR EXPENDITURES BY \$1,000
- ASSESSOR SALARY AND WAGES \$11,800
- TREASURER EXPENDITURES BY \$8,000
- MIS EXPENDITURES BY \$5,300
- TOWN CLERK SALARY AND WAGES BY \$5,200
- REGISTRARS EXPENDITURES BY \$2,500
- LICENSING SALARY AND WAGES BY \$4,950
- OPCD SALARY AND WAGES BY \$31,500
- POLICE SALARY AND WAGES BY \$12,350
- POLICE EXPENDITURES BY \$16,950
- PARKING ENFORCEMENT SALARY & WAGES BY \$10,000
- DISPATCH EXPENDITURES BY \$4,200
- BUILDING INSPECTOR SALARY AND WAGES BY \$9,450
- DPW SALARY AND WAGES BY \$14,000
- DPW EXPENDITURES BY \$4,500
- COUNCIL ON AGING SALARY AND WAGES BY \$22,750
- LIBRARY SALARY AND WAGES BY \$8,520
- LIBRARY EXPENDITURES BY \$3,580
- RECREATION SALARY AND WAGES BY \$10,100
- BAPTIST CHURCH PARKING LOT ANNUAL LEASE BY \$1,400
- WORKER’S COMPENSATION BY \$4,600

Order no. FY 09 -070

Financial Order 09-17

MOTION: On a motion by Councilor Joseph, second by Councilor Farrell, it was,

MOVED: THAT IT BE ORDERED THAT THE SUM OF \$192,350 BE TRANSFERRED FROM FREE CASH TO BE USED AS ANOTHER FINANCING SOURCE IN THE GENERAL FUND FOR FY09.

DISCUSSION: Councilor Joseph stated if this vote was passed, an approximant balance of \$250,000.00 would remain in Free Cash. Vice-President Martin would vote in favor of this order. He plead with the Unions of the Town of Greenfield to come to contractual agreements with the Town to allow “solvency for the years to come.”

It was unanimously

VOTED: THAT IT BE ORDERED THAT THE SUM OF \$192,350 BE TRANSFERRED FROM FREE CASH TO BE USED AS ANOTHER FINANCING SOURCE IN THE GENERAL FUND FOR FY09.

Order no. FY 09 -068

Financial Order 09-18

MOTION: On a motion by Councilor Joseph, second by Councilor Farrell, it was, unanimously

VOTED: THAT IT BE ORDERED THAT \$ 35,400 BE TRANSFERRED FROM WORKER’S COMPENSATION BUDGET TO THE UNEMPLOYMENT COMPENSATION BUDGET FOR FY2009.

Order no. FY 09-074

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

MOVED: THAT IT BE ORDERED THAT THE CITY OF GREENFIELD KNOWN AS THE TOWN OF GREENFIELD THROUGH ITS TOWN COUNCIL TAKE BY EMINENT DOMAIN SO MUCH OF THE FEE SIMPLE INTEREST IN DAVENPORT WAY AND CHAMPNEY ROAD (AKA CHAMPNEY EXTENSION) AS WELL AS EASEMENTS DESCRIBED ON THE ATTACHED EXHIBIT A AND MADE PART OF THIS MOTION FOR THE PURPOSE OF A PUBLIC WAY.

DISCUSSION: Councilor Allis stated the Economic Development Committee forwarded a unanimous positive recommendation for approval of this and the next order.

It was unanimously,

VOTED: THAT THE CITY OF GREENFIELD KNOWN AS THE TOWN OF GREENFIELD THROUGH ITS TOWN COUNCIL TAKE BY EMINENT DOMAIN SO MUCH OF THE FEE SIMPLE INTEREST IN DAVENPORT WAY AND

CHAMPNEY ROAD (AKA CHAMPNEY EXTENSION) AS WELL AS EASEMENTS DESCRIBED ON THE ATTACHED EXHIBIT A AND MADE PART OF THIS MOTION FOR THE PURPOSE OF A PUBLIC WAY.

Exhibit A

PETITION – PUBLIC WAY



Re: Lauren Acres – Davenport Way / Champney Road

Date: November 28, 2008

PURSUANT to section 880-39 - NOW COMES the Petitioner, Christopher Davenport and hereby requests the Inhabitants of Greenfield through its Town Council to accept and approve to take the premises in said Lauren Acres encompassing the roadways now known as Davenport Way and Champney Road (aka Champney Extension) as public ways and to accept and approve to take all of the existing drainage easements thereto

Attached hereto please find proposed deed with necessary legal description for said Davenport Way and Champney Road (aka Champney Extension).

Also please find mylar plan for each of the two roadways and three copies of each.

Further, the following are the names of owners abutting any portion of said Davenport Way and/or Champney Road (aka Champney Extension).

EXHIBIT A

TRACT ONE: - Davenport Way

BEGINNING at a concrete bound set in the southerly sideline of South Shelburne Road;

thence with a curve turning to the left; with an arc length of 37.83'; a radius of 30.00'; a chord bearing of S 31°45'27" W, a chord length of 35.37' to a concrete bound set;

thence S 04°22'02" E a distance of 331.09' to a concrete bound set;

thence with a curve turning to the left with an arc length of 100.78'; a radius of 125.00'; a chord bearing of S 27°27'50" E, a chord length of 98.07' to a concrete bound set;

thence with a curve turning to the left with an arc length of 19.75'; a radius of 30.00'; a chord bearing of S 69°25'08" E, a chord length of 19.39' to a concrete bound set;

thence with a curve turning to the right with an arc length of 296.80'; a radius of 60.00'; a chord bearing of S 53°26'08" W, a chord length of 74.35' to a concrete bound set;

thence with a curve turning to the left with an arc length of 30.45'; a radius of 30.00'; a chord bearing of N 13°55'33" W, a chord length of 29.16' to a concrete bound set;

thence with a curve turning to the right with an arc length of 118.00'; a radius of 175.00'; a chord bearing of N 23°41'00" W, a chord length of 115.77' to a concrete bound set;

thence N 04°22'02" W a distance of 300.86' to a concrete bound set;

thence with a curve turning to the left with an arc length of 53.40'; a radius of 30.00'; a chord bearing of N 55°21'38" W, a chord length of 46.62' to a concrete bound set on the southerly sideline of South Shelburne Road;

thence N 73°38'27" E a distance of 46.68' to an unmarked point;

thence N 67°52'57" E a distance of 65.51' to a concrete bound at the place of beginning, the last two courses being along the southerly sideline of South Shelburne Road..

The land in Greenfield, Franklin County, Massachusetts, as more specifically shown on a Plan entitled "STREET ACCEPTANCE PLAN, DAVENPORT WAY" TOWN OF GREENFIELD, MASS., FRANKLIN COUNTY, dated Oct. 15, 2008 and recorded at the Franklin County Registry of Deeds in Plan Book _____ Page _____

TRACT TWO - Champney Road (aka Champney Extension)

BEGINNING at a concrete bound set in the southerly sideline at the end of the existing 1935 layout of Champagne Way;

thence N 67°54'15" W a distance of 77.83' to a concrete bound set;

AFFECTED PREMISES:
Davenport Way / Champney Road (aka Champney Extension)
Greenfield, MA

QUITCLAIM DEED

I, CHRISTOPHER DAVENPORT of Shelburne, Massachusetts 01370, for no monetary consideration paid, no documentary stamps required grant to THE INHABITANTS OF GREENFIELD, MASSACHUSETTS, Town Hall, 14 Court Square, Greenfield, Massachusetts 01301.

with QUITCLAIM COVENANTS.

The land in Greenfield, Franklin County, Massachusetts, bounded and described as follows:

SEE ATTACHED EXHIBIT "A" INCORPORATED HEREIN BY REFERENCE

BEING a portion of the premises conveyed to CHRISTOPHER DAVENPORT by deed of Avis M. Kirchofder, Executor of the Estate of Sebastian J. Ruggeri, dated August 29, 2005 and recorded at the Franklin County Registry of Deeds in Book 4937, Page 23.

The land in Greenfield, Franklin County, Massachusetts, as more specifically shown on a Plan entitled "Plan of Land in GREENFIELD (Franklin Co.), MA Surveyed For CHRIS DAVENPORT" dated 08/21/2008 and recorded at the Franklin County Registry of Deeds in Plan Book 122, Page 4. Also see plans recorded in said Registry of Deeds in Plan Book 120, Page 69; Plan Book _____ Page _____ and Plan Book _____, Page _____

Executed as a sealed instrument this _____ day of November, 2008

WITNESS _____ CHRISTOPHER DAVENPORT

County of Franklin
COMMONWEALTH OF MASSACHUSETTS
November _____, 2008

On this _____ day of November, 2008, before me, the undersigned Notary Public, personally appeared CHRISTOPHER DAVENPORT, proved to me through satisfactory evidence of identity, which was PERSONALLY KNOWN to be the person whose name is signed on this document and acknowledged to me that he signed it voluntarily for its stated purpose.

Kenneth H. Chaffee
Notary Public
My Commission Expires: January 12, 2012

thence with a curve turning to the left with an arc length of 92.36', a radius of 200.00', a chord bearing of N 81°08'00" W, a chord length of 91.54' to a concrete bound set;

thence S 85°38'16" W a distance of 94.40' to a concrete bound set;

thence with a curve turning to the left with an arc length of 47.13', a radius of 30.00', a chord bearing of S 40°38'07" W, a chord length of 42.43' to a concrete bound set in the easterly sideline of Davenport Way;

thence N 04°22'02" W a distance of 110.00 to a concrete bound set in the easterly sideline of Davenport Way;

thence with a curve turning to the left with an arc length of 47.12', a radius of 30.00', a chord bearing of S 49°21'53" E, with a chord length of 42.42' to a concrete bound set;

thence N 85°38'16" E a distance of 94.40' to a concrete bound set;

thence with a curve turning to the right with an arc length of 115.44', a radius of 250.00', a chord bearing of S 81°08'00" E, a chord length of 114.42' to a concrete bound set;

thence S 87°54'15" E a distance of 59.06' to a concrete bound set in the northerly sideline at the end of the existing 1935 layout of Champagne Way,

thence S 01°30'47" W a distance of 53.41' along Champney Road to a concrete bound at the place of beginning.

The land in Greenfield, Franklin County, Massachusetts, as more specifically shown on a Plan entitled "STREET ACCEPTANCE PLAN, CHAMPNEY ROAD" TOWN OF GREENFIELD, MASS., FRANKLIN COUNTY, dated Oct. 15, 2008 and recorded at the Franklin County Registry of Deeds in Plan Book _____, Page _____

TRACT ONE and **TRACT TWO** above being a portion of the premises conveyed to CHRISTOPHER DAVENPORT by deed of Avis M. Kirchofder, Executor of the Estate of Sebastian J. Ruggen, dated August 29, 2005 and recorded at the Franklin County Registry of Deeds in Book 4937, Page 23.

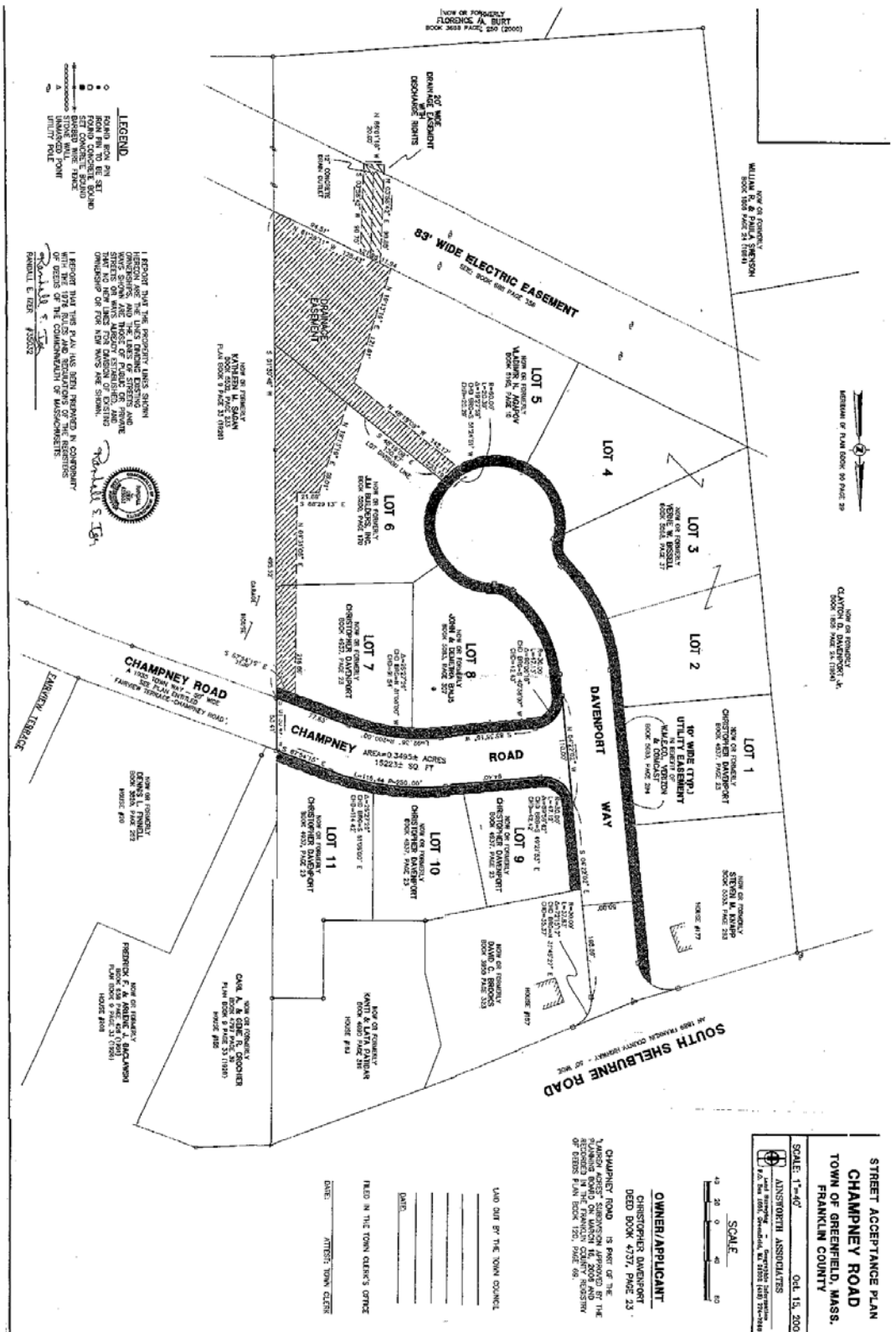
TOGETHER with drainage easements all as more specifically set forth on plans recorded in said Registry of Deeds in Plan Book 120, Page 69; Plan Book 122, Page 4, Plan Book _____, Page _____ and Plan Book _____, Page _____

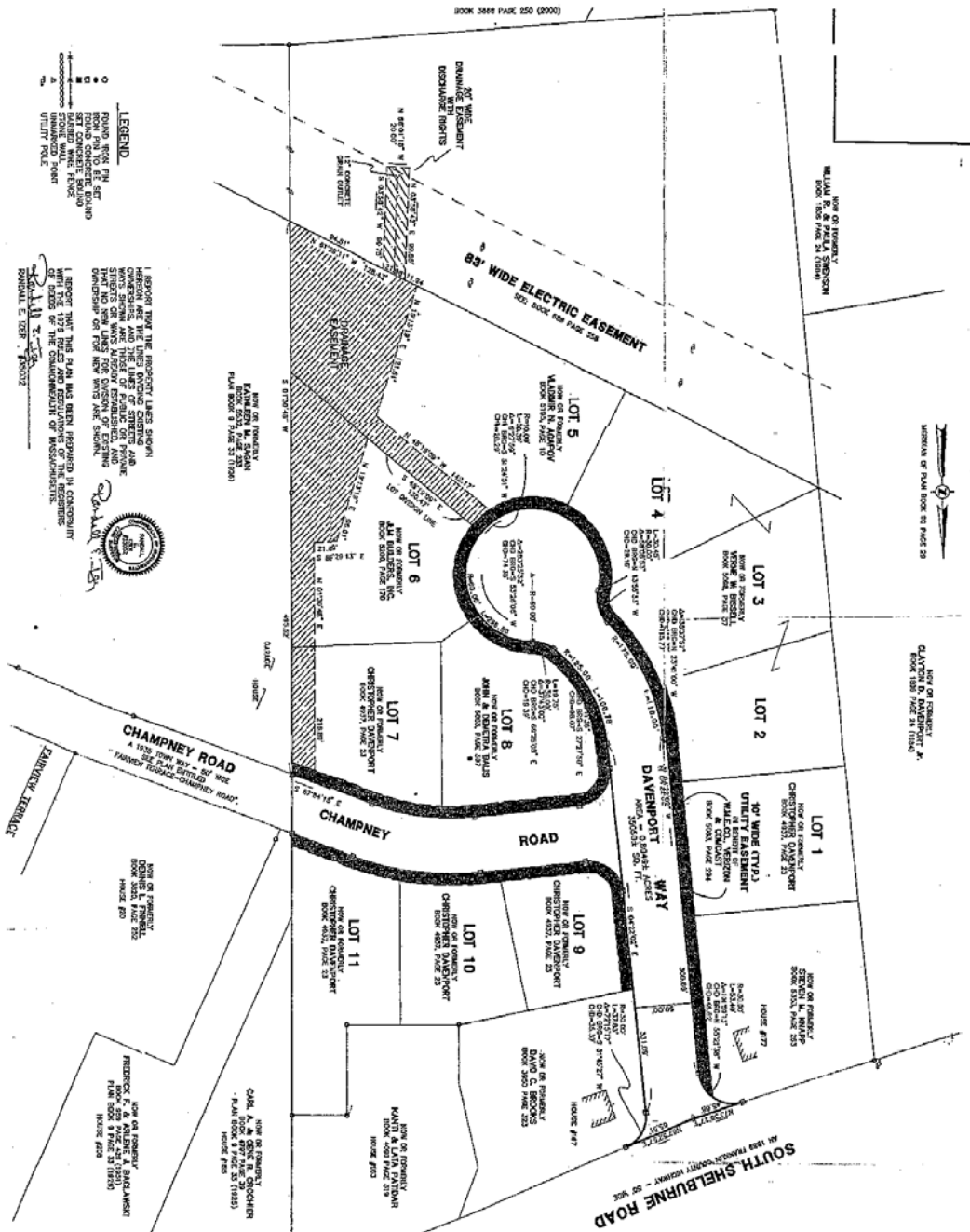
The above two tracts are subject to the following:

SUBJECT to the rights of others to pass and repass over Davenport Way and Champney Road (aka Champney Extension) as shown on the aforesaid plan recorded in said Registry of Deeds at Plan Book 120, Page 69.

SUBJECT to a utility easement granted by Christopher Davenport to Western Massachusetts Electric Company, Verizon New England, Inc. and Comcast of Massachusetts/Virginia, Inc. dated April 18, 2006 and recorded in the Franklin County Registry of Deeds in Book 5083, Page 294.

SUBJECT to a utility easement as more specifically set forth in instrument recorded at the Franklin County Registry of Deeds in Book 688, Page 356.





LEGEND

- ROAD BOX PI SET
- ROAD CONCRETE EASED
- STAKE AND MARKERS
- STAKE WALL
- STAKE
- UTILITY POLE

I REPORT THAT THE PROPOSED LINES SHOWN ON THIS PLAN ARE THE RESULT OF A VISUAL SURVEY AND THE LINES OF STREETS SHOWN ARE THE LINES OF STREETS AS SHOWN ON THE RECORD MAPS AND PLANS ON FILE IN THE OFFICE OF THE TOWN ENGINEER. I HAVE NOT CONDUCTED A SURVEY OF THE PROPOSED LINES AND I HAVE NOT CONDUCTED A SURVEY OF THE PROPOSED LINES TO DETERMINE IF THEY ARE THE SAME AS THE LINES SHOWN ON THE RECORD MAPS AND PLANS ON FILE IN THE OFFICE OF THE TOWN ENGINEER. I HAVE NOT CONDUCTED A SURVEY OF THE PROPOSED LINES TO DETERMINE IF THEY ARE THE SAME AS THE LINES SHOWN ON THE RECORD MAPS AND PLANS ON FILE IN THE OFFICE OF THE TOWN ENGINEER.

DATE: _____
 TOWN ENGINEER: _____

OWNER/APPLICANT
 CHRISTOPHER DAVENPORT
 DEED BOOK 4737, PAGE 23

DAVENPORT WAY IS PART OF THE TOWN ENGINEER'S SURVEY AND IS SHOWN AS SHOWN ON THE RECORD MAPS AND PLANS ON FILE IN THE OFFICE OF THE TOWN ENGINEER.

STREET ACCEPTANCE PLAN
DAVENPORT WAY
 TOWN OF GREENFIELD, MASS
 FRANKLIN COUNTY

SCALE: 1"=40'
 DATE: Oct. 15, 2008

AMSWORTH ASSOCIATES
 145 BRIDGE STREET, SUITE 200
 GREENFIELD, MASSACHUSETTS 01302



MADE IN THE TOWN CLERK'S OFFICE
 DATE: _____
 TOWN CLERK: _____

Order no. FY 09-075

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

VOTED: THAT THE CITY OF GREENFIELD KNOWN AS THE TOWN OF GREENFIELD THROUGH ITS TOWN COUNCIL ACCEPTS A QUITCLAIM DEED FROM CHRISTOPHER DAVENPORT OF SHELBURNE MASSACHUSETTS, TO THE TOWN OF GREENFIELD AND AUTHORIZE THE MAYOR AND TREASURER TO TAKE SUCH OTHER ACTION TO ACCOMPLISH THE SAME.

Order no. FY 09 -076

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

MOVED: THAT THE TOWN COUNCIL OF GREENFIELD HEREBY INITIATES AND FORWARDS THE ATTACHED "EXHIBIT A" "PETITION TO ACCEPT PROPOSED AMENDMENTS TO THE ZONING ORDINANCE" TO THE ECONOMIC DEVELOPMENT COMMITTEE AND PLANNING BOARD FOR CONSIDERATION AND RECOMMENDATION IN ACCORDANCE WITH M.G.L.C 40A SECTION 5.

DISCUSSION: Vice President Martin requested the Planning Board and Attorney confirm these changes will not affect Subdivisions 43 D.

It was by unanimous consent,

THAT THE TOWN COUNCIL OF GREENFIELD HEREBY INITIATES AND FORWARDS THE ATTACHED "EXHIBIT A" "PETITION TO ACCEPT PROPOSED AMENDMENTS TO THE ZONING ORDINANCE" TO THE ECONOMIC DEVELOPMENT COMMITTEE AND PLANNING BOARD FOR CONSIDERATION AND RECOMMENDATION IN ACCORDANCE WITH M.G.L.C 40A SECTION 5.

EXHIBIT A**PROPOSED ZONING AMENDMENTS TO THE GREENFIELD ZONING ORDINANCE**

February 19, 2009

Note: Text with a ~~strike through~~ is text to be deleted, ***bold italic*** text is proposed new text, and ***BOLD ITALIC CAPITAL TEXT*** highlighted in ***RED*** has been added by the Planning Board as their additional or new recommendations.

Amendment #1

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

ACCESSORY STRUCTURE – A COMBINATION OF MATERIALS ASSEMBLED AT A FIXED LOCATION TO GIVE SUPPORT OR SHELTER AND IS INCIDENTAL AND SUBORDINATE TO THE PRINCIPAL BUILDING, LOT OR USE. ACCESSORY STRUCTURE CAN BE, BUT IS NOT LIMITED TO, A BUILDING, BRIDGE, TRESTLE, TOWER, FRAMEWORK, RETAINING WALL, TANK, TUNNEL, TENT, STADIUM, REVIEWING STAND, PLATFORM, BIN, FENCE, SIGN, OR FLAGPOLE.

ASSISTED LIVING FACILITY -- A special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. A facility with a central or private kitchen, dining, recreational, and other facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential.

AUTOMOTIVE REPAIR AND SERVICING SHOP -- The use of a site for the repair of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. This use includes muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities, but excludes dismantling or salvage.

BED AND BREAKFAST/TOURIST HOME -- Generally small, owner-operated ***TOURIST LODGING BUSINESSES ***WHERE*** the owner usually lives on ***OR NEAR*** the premises. The building's primary ***BUSINESS USAGE*** is as a Bed and Breakfast. Breakfast is the only meal served and only to overnight guests. The ***BED AND BREAKFAST*** may host ***CATERED*** events such as weddings, small business meetings, etc. The number of rooms allowed are one to ~~six (6)~~ ***TEN (10)*** in accordance with Section 200-7.5 of the Zoning Ordinance.***

BUSINESS AND PROFESSIONAL OFFICES -- A business that offers any type of personal service to the public which requires as a condition precedent to the rendering of such service the obtaining of a license or other legal authorization. By way of example, and without limiting the generality of this definition, business and professional offices include

services rendered by certified public accountants, public accountants, engineers, chiropractors, dentists, osteopaths, physicians and surgeons, podiatrists, chiropodists, architects, attorneys at law, physical therapists, and life insurance agents.

BUS OR RAILROAD PASSENGER TERMINAL -- *A facility or location where the principal use is the handling, receiving, and transfer of bus and/or railroad passenger traffic, and may include as an accessory use the loading, unloading, storing, receiving, assembling, dispatching, weighing, consolidating, classifying, switching, distribution, movement, or transfer of freight, as well as all equipment and facilities used to accomplish the foregoing activities.*

CAR WASH -- *A building or portion thereof containing facilities for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment using production line methods. The use of personnel for one or more phases of this operation in conjunction with or without complete automatic or mechanical devices does not alter its classification. For the purpose of this ordinance, coin-operated devices . . . operated on a self-service basis shall be construed to be the same.*

CEMETERY -- *Land used for the burial of the dead, and dedicated for cemetery purposes, excluding columbariums, crematories, mausoleums, and mortuaries.*

COMMERCIAL CAMPING -- *Any parcel or tract of land under the control of any person, organization, or governmental entity . . . wherein sites are offered for the use of the public or members of any organization for the establishment of temporary living sites for two or more recreational vehicles or camping units. Commercial Camping is allowed by special permit in accordance with Section 200-7.9 of the Zoning Ordinance.*

CONFERENCE CENTER -- *A facility used for service organizations, business and professional conferences, and seminars limited to accommodations for conference attendees. The accommodations can include sleeping, eating, and recreation. A conference center is not designed to be only utilized by the general public for overnight purposes.*

CONSERVATION -- *The management of natural resources to conserve and enhance natural or scenic resources, protect streams and water supplies, or preserve sites designated as historic.*

CONSERVATION AREA -- *Land maintained for conservation uses.*

CONSTRUCTION SUPPLY ESTABLISHMENT -- *Establishments or places of business primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, but specifically excluding automobile or heavy equipment supplies. Typical uses include building material stores and home supply establishments.*

CREMATORY -- *A location containing properly installed, certified apparatus intended for use in the act of cremation.*

DRIVEWAY -- *A private access way, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel in which it is located.*

DWELLING, MANUFACTURED HOME -- *A single family structure produced by companies on the Commonwealth's list of approved Manufactured Home Builders and certified by the Commonwealth of Massachusetts. Also: a dwelling unit that is factory-fabricated and transportable, designed to be permanently located on a permanent foundation. For the purpose of this ordinance, a modular unit shall not be deemed a "mobile home" but shall be regarded as a conventional dwelling, subject to the rules and regulations contained herein.*

ENTRANCE – ANY ACCESS POINT TO A BUILDING OR PORTION OF A BUILDING OR FACILITY USED FOR THE PURPOSE OF ENTERING.

FARM STAND -- *A building or structure used for the retail sales of fresh fruits, vegetables, flowers, herbs, or plants. May also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces, or baked goods, and home-made handicrafts. The floor area devoted to the sales of these accessory items shall not exceed 50 percent of the total sales area.*

FORESTRY -- *The management of forest and timberlands when practiced in accordance with sound forest management practices . . . through developing, cultivating, harvesting, transporting, and selling trees for commercial purposes, which does not involve any existing, proposed, or future land development.*

FUNERAL HOME -- *A building or part thereof used for human funeral services. Such building may contain space and facilities for (a) embalming and the performance of other services used in the preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral supplies; and (d) the storage of funeral vehicles; Where a funeral home is permitted, a funeral chapel shall also be permitted.*

GARDEN CENTER -- *A place of business where retail and wholesale products and produce are sold to the consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.*

GAS STATION -- *An establishment where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity and may also include a freestanding automatic car wash.*

GREENHOUSE -- *An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are grown both in open and enclosed buildings.*

HOSPITAL -- An institution where sick or injured persons are given medical care and, in the course of same, are housed overnight, fed, and provided nursing and related services. This definition shall not include drug rehabilitation facilities, halfway houses, convalescent or nursing homes, institutions for mentally ill individuals, or other similar facilities.

LIGHT INDUSTRY -- *Uses engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, or distribution of such products. Further, "light industrial" shall mean uses such as the manufacture of electronic instruments, preparation of food products, pharmaceutical manufacturing, research and scientific laboratories, or the like. "Light industrial" shall not include, **AMONG OTHERS**, uses such as mining and extracting industries, petrochemical industries, rubber refining, primary metal, or related industries.*

LIVESTOCK -- **ANIMALS RAISED FOR SALE OR FOOD OR OTHER PRODUCTS, OR KEPT FOR USE, ESPECIALLY FARM ANIMALS, SUCH AS MEAT AND DAIRY CATTLE, PIGS, HORSES AND POULTRY.**

LIVE/WORK UNIT – **A COMBINATION WORKING STUDIO AND DWELLING UNIT FOR ARTISTS, CRAFTSPEOPLE, AND PERFORMANCE ARTISTS. AN ARTIST’S DWELLING UNIT CONSISTS OF A ROOM OR SUITE OF ROOMS ON ONE OR MORE FLOORS DESIGNED FOR AND OCCUPIED BY NOT MORE THAN ONE FAMILY AND INCLUDING ADEQUATE WORKING SPACE RESERVED FOR THE ARTIST OR ARTISTS RESIDING THEREIN. LIVE/WORK UNITS MAY BE LOCATED IN MIXED RESIDENTIAL/BUSINESS USE BUILDINGS AS DEFINED IN THIS ORDINANCE AND REGULATE BY SECTION 200.7.10 OF THE ZONING ORDINANCE.**

LOT WIDTH -- *The horizontal distance between the two side boundary lines of a lot, measured at the front building setback line.*

MANUFACTURED HOME – **FACTORY-BUILT OR PREFABRICATED HOUSING, A STRUCTURE THAT HAS BEEN PARTIALLY OR ENTIRELY CONSTRUCTED AT ANOTHER LOCATION AND MOVED ONTO THE PROPERTY ONTO A PERMANENT FOUNDATION. A MANUFACTURED HOME MAY OR MAY NOT BE A MOBILE HOME.**

MANUFACTURING -- *The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials including but not limited to oils, plastics, resins, etc.*

MIXED RESIDENTIAL/BUSINESS USES – A BUILDING(S) THAT CONTAIN(S) DWELLING(S) LOCATED ABOVE THE GROUND FLOOR OF AN INSTITUTIONAL, CIVIC, OFFICE, COMMERCIAL, OR RETAIL USE. MIXED RESIDENTIAL/BUSINESS USES CAN BE, BUT ARE NOT LIMITED TO, LOCATIONS IN CITY/TOWN CENTERS. MIXED RESIDENTIAL/BUSINESS USES SHALL BE IN ACCORDANCE WITH SECTION 200-7.10 OF THE ZONING ORDINANCE.

NEWSPAPER -- *A publication, printed on newsprint, intended for general circulation, and published regularly at short intervals, containing information and editorials on current events and news of general interest. The term “newspaper” does not include: magazines, trade publications or journals, credit bulletins, advertising inserts, circulars, directories, maps, racing programs, reprints, newspaper clipping and mailing services or listings, publications that include an updating or revision service, or books or pocket editions of books.*

NURSERY -- *An operation for the cultivating, harvesting, and sale of plants, bushes, trees, and other nursery items grown on site or established in the ground prior to sale, and for related accessory sales and uses.*

OFFICE PARK -- *A development which contains a number of separate office buildings, accessory and supporting uses, and open space all designed, planned, constructed, and maintained on a coordinated basis.*

OPEN SPACE/CLUSTER DEVELOPMENT -- *An open space/cluster development shall mean a residential development in which the buildings are clustered together into one (1) or more groups on reduced lot sizes with the remaining land permanently undeveloped.*

PHOTOCOPYING AND DATA PROCESSING -- *A retail establishment that provides duplicating services using photocopying, blueprint, and offset printing equipment and may include the collating and binding of booklets and reports. This does not include sign shops, printing establishments, or similar large-scale operations.*

POWER PLANT -- *A facility that converts one or more energy sources, including but not limited to water power, fossil fuels, nuclear power, or solar power, into electrical energy or steam. A power generation plant may also perform either or both of the following: (a) operation of a transmission system that conveys the energy or steam from the generation facility to a power distribution system; (b) operation of a distribution system that conveys energy or steam from the generation facility or the transmission system to final consumers.*

PRINT SHOP -- *A commercial printing operation involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including but not limited to offset printing, lithography, web offset, flexography, and screen process printing.*

PRIVATE CLUB OR MEMBERSHIP ORGANIZATION -- *Buildings and facilities, owned or operated by a corporation, association, person or persons, for a social, educational, or recreational purpose, to which membership is required for participation and not primarily operated for profit nor to render a service that is customarily carried on as a business, excluding golf courses.*

PROCESSING PLANT -- *A building or an enclosed space used for the collection and processing of recyclable material. “Processing” means the preparation of material for efficient shipment, or to an end-user’s specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing.*

PUBLIC OR PRIVATE UTILITY/SUBSTATION -- *The use of land for public utility purposes by an entity providing pipeline, gas, electrical, telephone, telegraph, water, or sewage service. “Public utility” also includes the use of land for utility purposes, whether or not owned, controlled, or operated by a public entity, whose services are performed for or commodities delivered to the public or any portion thereof. Private energy production, transmission relay, repeater, translator, radio and television towers and equipment, and cable television facilities are also considered public utilities. “Public utility” does not include airports or television, radio or community television antenna systems administration offices, or other types of administrative offices or maintenance yards.*

PUBLIC RIGHT-OF-WAY -- *An area that allows for the passage of people or goods. Right-of-way includes passageways such as freeways, streets, bike paths, alleys, and walkways. A public right-of-way is a right-of-way that is dedicated or deeded to the public for public use and under the control of a public agency. In no case shall a right-of-way be construed to mean an easement.*

RESEARCH AND DEVELOPMENT FACILITY -- *A structure or group of structures used primarily for applied and developmental research, where product testing is an integral part of the operation and goods or products may be manufactured as necessary for testing, evaluation, and test marketing.*

SALVAGE/JUNKYARD -- *A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment. . . . Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment, and appliances. The term includes facilities for separating trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products which can be returned to a condition in which they may again be used for production.*

SELF STORAGE FACILITY -- *A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.*

TAXI DISPATCH -- *A service that offers transportation in passenger automobiles and vans to persons including those who are handicapped in return for remuneration. The business may include facilities for servicing, repairing, and fueling the taxicabs or vans.*

THEATRE -- *A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.*

TRUCKING FIRM -- *Any premises operated by a motor freight company . . . as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.*

WASTE HAULING ESTABLISHMENT -- *A place or facility where hazardous and non-hazardous solid waste materials are taken from a collection vehicle, temporarily stored or stockpiled, and ultimately placed in a transportation unit for movement to another facility.*

WHOLESALE TRADE AND DISTRIBUTION -- *An establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies, including moving and storage facilities, warehousing, and storage activities.*

And by amending the following definitions to read as follows:

ABANDONMENT -- *The cessation of a nonconforming use or structure as indicated by the visible or otherwise indicated intention to discontinue a nonconforming use of a structure or lot, or the cessation of a nonconforming use or structure by its replacement with a conforming use or structure. **Abandonment shall also include nonconforming businesses closed for business for a period of two (2) years or more. The nonconforming use shall not be re-established if the nonconforming use has either been abandoned or discontinued for a period of two (2) years or more.***

BULK STORAGE AND/OR SALE OF FUEL OR OTHER FLUID OTHER THAN WASTE -- *An establishment where commodities, including both liquids and solids, are received by pipelines, tank car, tank vehicle, or other container, and are stored or blended in bulk for the purpose of sale and/or distribution by pipeline, tank car, tank vehicle, or container.*

STRUCTURE -- *Anything constructed or erected, the use of which requires location on the ground, or attachment to something located on the ground except a boundary wall or fence, or a road and any fixtures appurtenant thereto.*

And by removing the following definition:

~~**ROOMING HOUSE** — A building where the taking of lodgers is considered accessory to the use of a single family dwelling in accordance with §200-6.4 of the zoning ordinances of the City of Greenfield. **Amended — added definition by Town Council February 15, 2006.**~~

Amendment #2

Amend Section 200-3.3, Interpretation of district boundaries of the Greenfield Zoning Ordinance by adding a new paragraph "E." to reads as follows:

E. Whenever any uncertainty exists as to the exact location of a district boundary line, the location of such line shall be determined by the Inspector of Buildings, provided, however, that any person aggrieved by his decision may appeal to the Board of Appeals, as provided in Section 200-8.6 of this Ordinance.

Amendment #3

Amend Section 200-3.4 of the Greenfield Zoning Ordinance by deleting the words “provided the lot has frontage in the more restricted district” so that it reads as follows:

~ 200-3.4. Lot divided by a district boundary.

When a district boundary divides a lot of record, the use of land and the requirements of the least restricted district may extend fifty (50) feet into the more restricted district ~~provided the lot has frontage in the more restricted district.~~

Amendment #4

Amend Sections 200-4.1 D (2), 200-4.2 C (1), 200-4.3 C (1), 200-4.4 C (1) 200-4.5 C (1), 200-4.6 C (1), 200-4.7 C (1), 200-4.8 C (1), 200-4.9 C (1), 200-4.10 C (1), 200-4.11 C (1), Section 200-4.12 C (1), and the Table of Uses of the Greenfield Zoning Ordinance by deleting in its entirety and replacing with the following:

~~Farms on parcels of less than five (5) acres with livestock or poultry.~~

Farms or the keeping of livestock or poultry on parcels of less than five (5) acres.

Amendment #5

Amend Section 200-4.4, Urban Residential District (RA), Subsection C, Uses permitted by special permit, of the Greenfield Zoning Ordinance by adding “Lodging/boarding house” as a use permitted by special permit.

Amend the Table of Uses to state that “Lodging/boarding house” is a use permitted by special permit in the Urban Residential (RA) District.

Amendment #6

Amend Sections 200-4.4, Urban Residential District (RA) and 200-4.5, Semi-Residential District (SR), Subsections C, Uses permitted by special permit, of the Greenfield Zoning Ordinance by adding “Animal kennel or hospital” as a use permitted by special permit.

Amend the Table of Uses to state that “Animal kennel or hospital” is a use permitted by special permit in the Urban Residential (RA) District and the Semi-Residential (SR) District.

Amendment #7

Amend Sections 200-4.3, Suburban Residential District (RB); 200-4.4, Urban Residential District (RA); 200-4.5, Semi-Residential District (SR); and Section 200-4.7, Central Commercial District (CC) of the Greenfield Zoning Ordinance by deleting the use “Multifamily dwelling in accordance with Section 200-7.2” under Subsection C, Uses permitted by special permit, and by adding “Multifamily dwelling in accordance with Section 200-7.2, Subsections B (1, 4-9)” as a permitted use under Subsection B.

Amend the Table of Uses to state that “Multifamily dwelling” is a permitted use in the Suburban Residential (RB) District, Urban Residential (RA) District, the Semi-Residential (SR) District, and Central Commercial (CC) District.

Amendment #8 (As per recommendations of Richard R. Zingarelli of the MA Flood Hazard Management Program resulting from the Community Assistance Visit for Greenfield held on May 24, 2007 as required under the National Flood Insurance Program)

Amend Section 200-4.13, Floodplain District (F), of the Greenfield Zoning Ordinance by adding the following new Subsection, Notification of Watercourse Alteration, as Subsection C and renumbering the subsequent sections:

- C. ***In a riverine situation, the Inspector of Buildings shall notify the following of any alteration or relocation of a watercourse:***
- ***Adjacent Communities***
 - ***Bordering States (optional)***
 - ***NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104***
 - ***NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110***

And by amending Section 200-4.13 B, District Delineation, by adding the following new Subsection B (3):

- (3) Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.***

And by amending Section 200-4.13 C by replacing the words “(currently Section 744)” in the last line with the words “(Section 5323 of the 7th Edition of the MA State Building Code)” so that it reads as follows:

- C. Use regulations. The Floodplain District is established as an overlay district to all other districts. The requirements of the underlying district shall govern subject to the provisions of this section. All development, including structural and nonstructural activities, whether permitted by right or by special permit shall be in compliance with the Wetlands Protection Act, MGL c. 131, ~ 40, and with the requirements of the Massachusetts State Building Code pertaining to construction in the floodplains (~~currently Section 744-5323 of the 7th Edition of the MA State Building Code~~).

Amendment #9

Amend Section 200-4.16, Corridor Overlay District (CO), Subsection I (1) by deleting it in its entirety and replacing with the following:

- I. Procedural requirements.

~~(1) — The Zoning Board of Appeals shall be the Site Plan Approval Authority and the Special Permit Granting Authority in the Corridor Overlay District. Any new development or changes to existing development excluding single family residences but including signs shall require site plan approval.~~

(1) Uses that are allowed by right shall be governed by the Planning Board. Uses that require a special permit shall be governed by the Special Permit Granting Authority. Any new development or changes to existing development excluding single-family residences but including signs shall require site plan approval.

Amendment #10

Amend Section 200-6.2 B of the Greenfield Zoning Ordinance to regulate accessory structures less than 120 square feet, allowing them to have a three foot rear and side setback and by inserting a new paragraph C to regulate accessory structures greater than or equal to 120 square feet, and renumbering the subsequent sections.

- B. Accessory structures.

- (1) Accessory structures ***less than 120 square feet.***

(a) No accessory structure, except a permitted sign or roadside stand, shall be located within a required front yard area and no accessory structure shall be located closer than ~~ten (10)~~ ***three (3)*** feet to any side or rear lot line.

(b) An accessory structure attached to its principal structure or within ten (10) feet of it shall be considered an integral part thereof and as such shall be subject to the front, side and rear yard requirements applicable to the principal structure.

(c) A private garage providing only for the storage of motor vehicles shall be considered a permitted accessory structure provided that no garage for the storage of more than three (3) automobiles shall be erected or used unless authorized by the Board of Appeals in accordance with ~ 200-8.3.

(2) Accessory structures greater than or equal to 120 square feet.

(1) No accessory structure shall be located within a required front yard area and no accessory structure shall be located closer than ten (10) feet to any side or rear lot line.

(2) An accessory structure attached to its principal structure or within ten (10) feet of it shall be considered an integral part thereof and as such shall be subject to the front, side and rear yard requirements applicable to the principal structure.

(3) A private garage providing only for the storage of motor vehicles shall be considered a permitted accessory structure provided that no garage for the storage of more than three (3) automobiles shall be erected or used unless authorized by the Board of Appeals in accordance with ~ 200-8.3.

Amendment #11

Amend Section 200-6.2 of the Greenfield Zoning Ordinance by adding the following new paragraph "E" regulating fences:

E. Fences.

~~**(1) Fences shall be considered accessory structures and shall be subject to the following regulations.**~~

(1) All fences shall be erected on private property and shall be no closer to any public sidewalk than thirty (30) inches.

(2) Fences shall not exceed four (4) feet in height along the front lot line and that portion of the side lot lines between the front lot line and the minimum front setback line. Fences shall not exceed six (6) feet in height along that portion of side lot lines between the minimum front setback line and rear lot line, and along the rear lot line.

(3) Fences located within the side or rear yards and exceeding six feet in height shall be set back a distance equal to their height.

(4) On corner lots, no fence shall be located higher than three (3) feet within the triangle of clear site so as to obstruct visibility at the intersection in a manner that will jeopardize the safety of vehicles and pedestrians. The triangle of clear site is that area formed by the intersecting street lines and a straight line joining said street lines at a point twenty-five (25) feet distant from the point of intersection of street lines.

(5) All fences greater than six feet in height shall require a building permit.

(6) Temporary fences on construction sites may be a maximum height of eight (8) feet to protect the site.

Fence requirements may be modified by the Zoning Board of Appeals by the issuance of a Special Permit, based upon finding that such modification is not detrimental to the neighborhood nor that such modification will jeopardize vehicular and/or pedestrian traffic.

Amendment #12

Remove Section 200-6.4 of the Greenfield Zoning Ordinance in its entirety

~~**~200-6.4. Rooming house.**~~

~~In any district the taking of roomers or boarders shall be considered accessory to the use of a single family dwelling provided that:~~

~~A. There shall be no more than two (2) rooms for rent by no more than four (4) roomers or boarders at any one (1) time;~~

- ~~B. There shall be no new cooking facilities established in the building to serve the two (2) rooms;~~
~~C. There shall be a resident owner responsible for the operation of the accessory use;~~
~~D. Rooms for rent shall be located in the same building as the owner's living quarters;~~
~~E. One (1) off street parking space shall be provided for each rented room.~~

Amendment #13

Amend Section 200-6.5 Subsection D (2a) of the Greenfield Zoning Ordinance by changing the minimum required number of parking spaces for an interior planted lot area from five (5) parking spaces to seven (7) parking spaces so that the sentence reads:

- (a) ~~Five (5)~~ **Seven (7)** to twenty (20) parking spaces shall have five (5%) planted lot area;

Amendment #14

Amend Section 200-6.7, Sign Regulations, Subsection A (1a) of the Greenfield Zoning Ordinance by replacing the words "street line" in the third line with the words "public right-of-way" so that it reads as follows:

- (a) One (1) identification sign per dwelling unit for single and two family residences not exceeding two (2) square feet in area. If freestanding, it shall not be higher than four (4) feet and shall be set back at least three (3) feet from the ~~street line~~ **public right-of-way** and shall also be in accordance with § 200-5.3D, corner lots. Such signs shall be for identification purposes only, displaying the number or name of the occupant.

And by amending Section 200-6.7, Sign Regulations, Subsection A (1c) of the Greenfield Zoning Ordinance by replacing the words "street line" in the third line with the words "public right-of-way" so that it reads as follows:

- (c) One (1) entrance sign identifying the name of a subdivision, multifamily or condominium development not to exceed twelve (12) square feet in area and four (4) feet in height and shall be set back at least three (3) feet from the ~~street line~~ **public right-of-way**.

And by amending Section 200-6.7, Sign Regulations, Subsection A (1d) of the Greenfield Zoning Ordinance by replacing the words "street line" in the third line with the words "public right-of-way" so that it reads as follows:

- (d) One (1) bulletin or announcement board or identification sign not exceeding ten (10) square feet in area for each permitted nonresidential building or use provided that such sign, if freestanding, shall not be located nearer to a ~~street line~~ **public right-of-way** than one-half (1/2) the depth of the required front yard. Churches, public educational and other institutional uses shall be permitted two (2) such bulletin or identification signs provided one (1) does not exceed twenty (20) square feet in area and the other ten (10) square feet in area. Such signs shall not exceed six (6) feet in height if freestanding.

And by amending Section 200-6.7, Sign Regulations, Subsection A (1e) of the Greenfield Zoning Ordinance by replacing the words "street line" in the third line with the words "public right-of-way" so that it reads as follows:

- (e) One (1) sign in connection with a lawfully maintained nonconforming use or in connection with a greenhouse, nursery, or farm stand not exceeding twenty (20) square feet in area or six (6) feet in height if freestanding and shall be set back at least three (3) feet from the ~~street line~~ **public right-of-way**.

And by amending Section 200-6.7, Sign Regulations, Subsection A (1f) of the Greenfield Zoning Ordinance by replacing the words "street line" in the third line with the words "public right-of-way" so that it reads as follows:

- (f) One (1) sign in connection with a home occupation not exceeding three (3) square feet in area. If freestanding, it shall not be higher than four (4) feet and shall be set back at least three (3) feet from the ~~street line~~ **public right-of-way** and shall also be in accordance with § 200-5.3D, corner lots. Such signs shall be for identification purposes only, displaying any of the following the name of the home occupation, phone number and/or website address.

And by amending Section 200-6.7, Sign Regulations, Subsection A (2c) of the Greenfield Zoning Ordinance by replacing the words "street line" in the third line with the words "public right-of-way" so that it reads as follows:

- (c) One (1) freestanding sign identifying the establishments on the premises not to exceed twenty-five (25) square feet in total area and ten (10) feet in height. Such sign shall be placed at least three (3) feet from the

~~street line~~ **public right-of-way** and shall not overhang the sidewalk. Premises occupied by more than one (1) establishment shall share one (1) freestanding sign.

And by amending Section 200-6.7, Sign Regulations, Subsection A (3c) of the Greenfield Zoning Ordinance by replacing the words “street line” in the third line with the words “public right-of-way” so that it reads as follows:

(c) One (1) freestanding sign identifying the establishment(s) on the premises not to exceed forty (40) square feet in area and fifteen (15) feet in height. Such sign shall be placed at least three (3) feet from the ~~street line~~ **public right-of-way** and shall not overhang the sidewalk. Premises occupied by more than one (1) establishment shall share one (1) freestanding sign.

Amendment #15

Amend Section 200-6.7, Sign Regulations, Subsection E (9) of the Greenfield Zoning Ordinance by deleting it in its entirety, renumbering Subsection E (9), and by adding a new Subsection C (17) so that it reads as follows:

E.

~~(9) — Sandwich board signs are permitted directly in front of the place of business in the Central Commercial and Limited Commercial Districts only. All sandwich board signs in the public right of way must receive a license from the Greenfield Licensing Commission. A reproduction of such license shall be attached to the sign.~~

C.

(17) Sandwich board signs are permitted directly in front of the place of business in the Central Commercial and Limited Commercial Districts only. All sandwich board signs in the public right of way must receive a license from the Greenfield Licensing Commission. A reproduction of such license shall be attached to the sign. All sandwich board signs on private property shall not exceed three (3) feet in height and two (2) feet in width.

Amendment #16

Amend Section 200-6.8, Performance Standards, Subsection C (8) of the Greenfield Zoning Ordinance to be more clearly spelled out by deleting it in its entirety and replacing it with the following:

~~(8) — Whenever the existing contours of the land are altered; grading, site design, and construction shall be designed to prevent soil erosion, sedimentation, uncontrolled surface water runoff or alteration of runoff to or from abutting properties. Erosion of soil and sedimentation of streams and water bodies shall be minimized by using the following erosion control practices:~~

~~(a) — The duration of exposure of disturbed areas due to stripping of vegetation, soil removal, and regrading shall be kept to a minimum;~~

~~(b) — During construction, temporary vegetation and/or mulching shall be used to protect exposed areas from erosion. Until a disturbed area is permanently stabilized, sediment in runoff water shall be trapped by using a siltation barrier of hay bales, siltation fences, or sedimentation traps;~~

~~(c) — Permanent erosion control and vegetative measures shall be in accordance with the Erosion and Sediment Control and Vegetative Practices in Site Development Guides published by the U.S. Department of Agriculture, Soil Conservation Service;~~

~~(d) — Dust control shall be used during grading operations if the grading is to occur within five hundred (500) feet of an occupied residence or place of business. Dust control methods may consist of grading fine soils on calm days only or dampening the ground with water;~~

~~(e) — The construction of roads or structures on slopes of fifteen percent (15%) or greater shall require a special permit from the Planning Board. Such permit shall only be granted if the Board finds that adequate provisions have been made to protect against soil erosion and sedimentation, soil instability and uncontrolled surface water runoff.~~

8. *Whenever the existing contours of the land are altered; grading, site design, and construction shall be designed to prevent soil erosion, sedimentation, uncontrolled surface water runoff or alteration of runoff to or from abutting properties. The primary reasons for having erosion and sedimentation control measures in place are to:*

- *prevent topsoil from migrating off a construction site,*
- *protect the Town's streets and storm water systems,*
- *protect adjacent property from siltation, and*
- *protect fish and other wildlife from siltation of ponds, lakes, streams and rivers.*

Procedure:

These standards shall pertain to all building sites under new construction or redevelopment. The applicant shall submit an erosion and sedimentation control plan to the Inspector of Buildings for approval. If Site Plan Review and Approval is required under the Greenfield Zoning Ordinance, an erosion and sedimentation control plan shall be submitted to the reviewing authority along with all other submittal requirements.

The Inspector of Buildings or any of his designees shall conduct a site visit to ensure that all temporary erosion and sedimentation control measures required under this policy are properly installed prior to and maintained throughout construction. Failure to comply with these standards may result in a stop work order or the revocation of permits.

Erosion of soil and sedimentation shall be minimized by using the following erosion control standards, which are in addition to any erosion control measures required by the Greenfield Conservation Commission as part of the issuance of a wetland related permit (Negative Determination of Applicability with Conditions or an Order of Conditions):

- (a) *Temporary erosion control measures shall be installed for the following:*
 - *All construction areas that slope toward the road or an abutting property shall require a properly installed siltation fence and/or baled hay barrier to prevent siltation of the roadway or neighboring property.*
 - *All wetland areas shall be protected by a properly installed siltation barrier. Work that occurs in or within 100 feet of a wetland resource area or within 200 feet of a perennial river or stream requires filing with the Greenfield Conservation Commission. In areas outside the jurisdiction of the Conservation Commission but where the ground slopes toward a wetland area, a properly installed siltation fence and/or baled hay barrier shall be required.*
 - *Stockpiles of loam shall be protected by a siltation fence and/or baled hay barrier. Stockpiles that remain on site for longer than 30 days shall also be seeded to prevent erosion. These measures shall remain until all material has been placed or disposed off site.*
- (b) *The smallest practical area of land shall be disturbed at any one time.*
- (c) *The duration of exposure of disturbed areas due to stripping of vegetation, soil removal, and regarding shall be kept to a minimum.*
- (d) *Baled hay barriers and siltation fencing are to be maintained and cleaned until all slopes have a healthy stand of grass or other approved vegetation.*
- (e) *Baled hay and mulch shall be mowings of acceptable herbaceous growth, free from noxious weeds or woody stems. No salt hay shall be used.*
- (f) *All disturbed areas shall be loamed and seeded with grass or other approved vegetation.*
- (g) *After all disturbed areas have been stabilized, the temporary erosion control measures are to be removed. Disturbed areas resulting from removal of the temporary erosion control measures shall be repaired and seeded.*
- (h) *A temporary mud tracking bed (construction entrance) shall be put in place at each site entrance where necessary. This tracking bed shall consist of a four (4) inch minimum layer of 1 ¾ inch crushed stone and shall be a minimum of twenty (20) feet in length and fifteen (15) feet in width. This bed shall be maintained during construction to prevent tracking or flowing of sediment onto the public right-of-way and shall be removed prior to the placement of a gravel base and pavement.*

(i) *It shall be the responsibility of the contractor to control blowing dust and soil. Dust control shall be used during grading operations if the grading is to occur within five hundred (500) feet of an occupied residence or place of business and may consist of grading fine soils on calm days only or dampening the ground with water.*

(j) *Permanent erosion control and vegetative measures shall be in accordance with the Erosion and Sediment Control and Vegetative Practices in Site Development Guides published by the U.S. Department of Agriculture, Natural Resources Conservation Service.*

(k) *The construction of roads or structures on slopes of fifteen (15) percent or greater shall require a special permit from the Planning Board. Such permit shall only be granted if the Board finds that adequate provisions have been made to protect against soil erosion and sedimentation, soil instability and uncontrolled surface water runoff.*

Amendment #17

Amend Section 200-6.11, Driveways and entrances, of the Greenfield Zoning Ordinance by deleting Subsection D (8) in its entirety and renumbering the subsequent section.

~~(8) Common driveways permitted under this section shall be limited to single and two-family dwellings;~~

Amendment #18

Amend Section 200-7.5. of the Greenfield Zoning Ordinance ***AS FOLLOWS:***

- A. The ***BED-AND-BREAKFAST SHALL BE OWNER-OPERATED AND MAY BE OWNER OCCUPIED.***
- B. No more than ***ten (10)*** rooms may be rented for transient occupancy. Such rooms shall share a common entrance, shall not have individual cooking facilities, and shall be served by private or shared bath/toilet facilities separate from those required for single family dwelling;
- C. ***THE USE OF THE SINGLE FAMILY DWELLING FOR TRANSIENT OCCUPANCY SHALL NOT ALTER THE SINGLE-FAMILY RESIDENTIAL APPEARANCE OF THE BUILDING;***
- D. One (1) off-street parking space shall be provide for each room;
- E. If the building is not served by public sewers, the Board of Health shall certify that the on-site sewage disposal system meets the requirements of the State Environmental Code and local Board of Health regulations;
- F. A sign identifying the operation shall not exceed the sign requirements for the district in which it is located in accordance with 200-6.7 of this ordinance.

Amendment #19

Amend Section 200-7.7, River and stream protection, of the Greenfield Zoning Ordinance by deleting this section in its entirety.

~~**200-7.7. River and stream protection.**~~

~~A. Purpose. The purpose of river and stream protection is to:~~

- ~~(1) Enhance and preserve scenic or environmentally sensitive areas along the shoreline;~~
- ~~(2) Protect vegetation, fisheries, and wildlife habitat within and along rivers and streams;~~
- ~~(3) Encourage well designed developments;~~
- ~~(4) Control erosion and siltation and prevent destabilization of the bank;~~
- ~~(5) Prevent water pollution.~~

~~B. Application. All buildings, structures, parking areas, and any open storage of materials or equipment, except docks or other uses requiring proximity to a watercourse, located less than one hundred (100) horizontal feet from the bank of the Connecticut, Deerfield, Green, and Fall Rivers and fifty (50) horizontal feet from the bank of any other year round stream shall require a special permit from the Zoning Board of Appeals.~~

~~C. Special permit conditions. The Zoning Board of Appeals shall consider the following when granting a special permit under this section:~~

- ~~(1) The proposed use is integrated into the existing landscape so as to minimize its visual impact and to maintain scenic and environmentally sensitive shoreline areas through the use of screening, landscaping, and grading;~~
- ~~(2) Cutting of vegetation and disruption to wildlife habitat shall be minimized;~~
- ~~(3) The project shall not result in erosion, sedimentation or destabilization of the stream or river bank;~~
- ~~(4) Runoff shall be directed towards areas covered with vegetation for surface infiltration. Piped storm sewers which discharge directly into a watercourse shall be used only where other methods are infeasible;~~
- ~~(5) The project shall not result in water pollution;~~
- ~~(6) On-site sewage disposal systems shall be located as far from any watercourse as possible;~~
- ~~(7) The project shall be in compliance with the Wetlands Protection Act, MGL c. 131, --40A, and all other sections of this ordinance.~~

Amendment #20

Amend Section 200-7.10, Mixed residential/business uses, Subsection D of the Greenfield Zoning Ordinance by replacing the words "for residential units" in the third line with the words "for residential units or commercial units" so that it reads as follows:

ELIMINATE SECTION B. AND RE-LETTER.

- C. Mixed uses requiring building permits shall require two (2) off-street parking spaces for each residential unit, ***EXCEPT IN THE CENTRAL COMMERCIAL (CC) DISTRICT.*** Mixed uses in the Central Commercial District shall not be required to have off street parking spaces for residential units ***OR COMMERCIAL UNITS.*** Mixed uses shall not be exempt from parking regulations, s.s. 200-6.5.

Amendment #21

Amend Section 200-8.4, Subsection D of the Greenfield Zoning Ordinance by deleting Subsection D(2) and by moving Subsection D(2) paragraphs (a), (b), (c), and (d) so they fall under the Subsection D(1) so that it reads as follows:

(1) All site plans shall be prepared to scale and shall, at a minimum, accurately show the following information if applicable:

- (a) A locus map;

(b) The name of the applicant and property owner, the name of the person preparing the plan, the scale, north arrow, and the date of plan;

- (c) The location and boundaries of the lot, adjacent streets or ways, and the location and owners' names of all adjacent properties;

(d) Existing and proposed topography including contours, the location of wetlands, streams, water bodies, drainage swales, areas subject to flooding, and unique natural land features, ***SHOWING HOW IT ENHANCES AND PRESERVES SCENIC OR ENVIRONMENTALLY SENSITIVE AREAS ALONG THE WATER FRONTAGE;***

- (e) Existing and proposed structures including dimensions and interior layout of proposed structures;

(f) AN ELEVATION PLAN SHOWING FRONT, SIDE AND REAR VIEWS OF THE PROPOSED STRUCTURE TO BE BUILT.

- (g) The location of parking and loading areas, driveways, walkways, access and egress points and distance to the nearest driveways and intersections;

- (h) The location and a description of all proposed septic systems, water supply, storm drainage systems, utilities, lighting, and refuse and other waste disposal methods;
- (i) Proposed landscape features including the location and a description of screening, fencing and plantings;
- (j) The location, dimensions, height and characteristics of proposed signs;
- (k) The location, **DESCRIPTION AND PERCENTAGE OF PROPOSED OPEN SPACE** or recreation areas;
- (l) *A snow removal plan;*
- (m) *Handicapped parking/access;*
- (n) *Bicycle Parking;*
- (o) *The location and description of all existing and proposed exterior storage;*
- (p) *The location and description of all existing and proposed easements;*
- (q) Measures to prevent pollution of surface and groundwater, increased runoff, changes in groundwater levels, and flooding;
- (r) Design features which will integrate the proposed development into the existing landscape, maintain neighborhood character, enhance aesthetic assets and screen objectionable features from neighbors and roadways;
- (s) Control measures to prevent erosion and sedimentation during and after construction and the sequence of grading and construction activities, location of temporary control measures, and final stabilization of the site;
- (t) Estimated average daily and peak hour vehicle trips to be generated by the site and traffic flow patterns for both vehicles and pedestrians showing adequate access to and from the site and adequate circulation within the site.
- (u) Any other information required by the reviewing authority in its rules and regulations.

Amendment #22

Amend Section 200-8.7, Variances, Subsection A of the Greenfield Zoning Ordinance by deleting the words “including variances from the provisions of Article IV, Use Regulations,” so that it reads as follows:

A. The Zoning Board of Appeals shall hear and decide appeals or petitions for variances from the provisions of this ordinance with respect to particular land or structures, ~~including variances from the provisions of Article IV, Use Regulations,~~ provided that no variance within the Water Supply Protection District will be allowed by the Zoning Board of Appeals without a written advisory report from the Board of Health and the Greenfield Department of Public Works. Review and recommendation of the Planning Board and the Conservation Commission shall also be considered in the granting of the variance. Such variance shall be granted only in cases where the Board of Appeals finds all of the following:

Amendment #23

Amend the Table of Dimensional Requirements to change the heading “Open Space in % of Minimum Lot Area” to “Minimum Landscaped Open Space” and further amend the amount required for each zoning district as follows:

- RA: 40%**
- RB: 40%**
- RC: 40%**
- SR: 40%**
- H: 25%**
- CC: 15%**

LC:	0
GC:	0
O:	25%
GI:	0
PI:	30%
WP:	80 %

Amendment #24

Amend Table of Dimensional Requirements, Footnote 1, to change the “CC” “LC” and “GC” requirement from 2,000 square feet to 4,000 square feet.

RA, SR, H, ~~CC, LC, GC~~ - 2,000 square feet
 CC, LC, GC, RB - 4,000 square feet
 RC – 5,000 square feet

NOTE: If this amendment is not made, then Section 200-5.3 A. must be changed from “Residences permitted in the CC, LC, GC, O, and GI Districts must comply with the requirements of the RB District...” to “...must comply with the requirements of the RA District” as follows:

~ 200-5.3. Additional dimensional provisions.

- A. Residences in nonresidential districts. Residences permitted in the CC, LC, GC, O, and GI Districts must comply with the requirements of the ~~RB RA~~ District ~~or with the requirements of the RA District if the lot is abutting an RA District or separated from it only by a street.~~

Amendment #25

Amend Sections 200-4.2 C, 200-4.3 C, 200-4.4 C, 200-4.5 C, 200-4.6 C, 200-4.7 C, 200-4.8 C, 200-4.9 C, and the Table of Uses of the Greenfield Zoning Ordinance by adding the use of “assisted living facility” as a use allowed by special permit.

Amendment #26

Amend the Table of Uses by updating all changes made in Section 200-4.1 through 200-4.17

Amendment #27

Amend Section 200-5.3(A) of the Greenfield Zoning Ordinance by adding the Health Service and Planned Industry Districts so that it reads as follows:

~ 200-5.3. Additional dimensional provisions.

- A. Residences in nonresidential districts. Residences permitted in the CC, LC, GC, GI, **H**, O, and **PI** Districts must comply with the requirements of the RB District or with the requirements of the RA District if the lot is abutting an RA District or separated from it only by a street.

Amended Table of Uses
Town of Greenfield
Ch. 200, Zoning

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Agricultural uses											
Farms	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Farms on parcels of less than five (5) acres with livestock or Poultry Farms or the keeping of livestock or poultry on parcels of less than five (5) acres	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Greenhouse, nursery, or farm stand where fifty percent (50%) or more of the products for sale have been produced on the premises	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Greenhouse, nursery, or farm stand where fifty percent (50%) or more of the products for sale have not been produced on the premises	SP	SP	SP	SP	N	Y	Y	Y	N	N	N
Forestry	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Residential Uses											
Single-family dwelling	Y	Y	Y	Y	Y	N	Y	SP	N	N	N
Two-family dwelling	Y	Y	Y	Y	Y	N	Y	SP	N	N	N
Multifamily dwelling	SP	SPY	SPY	SPY	SP	SPY	SP	SP	N	N	N
Congregate housing for the elderly or handicapped	N	SP	SP	SP	SP	SP	N	N	N	N	N
Family day-care home	SP	SP	SP	Y	Y	N	N	N	N	N	N
Lodging/boarding/rooming house	N	N	NS P	SP	N	SP ¹	N	SP	N	N	N

⁽¹⁾Only as a mixed residential/business use in accordance with § 200-7.10.

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

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Dormitories	SP	SP	N	N	SP ²	N	N	SP	N	N	N
Shared housing	SP	SP	SP	SP	SP	SP	N	N	N	N	N
Open space/cluster development	Y	Y	Y	N	N	N	N	N	N	N	N
Home occupation (Certain uses require a special permit. Refer to § 200-6.3)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Bed-and-breakfast or tourist home	SP	SP	SP	SP	N	N	SP	SP	N	N	N
Institutional and Municipal Uses											
Hospital	N	SP	SP	N	Y	N	N	N	N	N	N
Educational or religious uses exempt from zoning regulation under the Zoning Act, MGL c. 40A, §3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<i>Assisted living facility</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>N</i>	<i>N</i>	<i>N</i>
Nursing home, convalescent home, rest home	N	SP	SP	N	Y	N	N	N	N	N	N
Philanthropic or charitable institution	N	N	N	Y	N	Y	Y	Y	Y ³	Y ³	Y
Private school not exempt from zoning under § 200-4.1B(1)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP ⁴
Cemetery	SP	SP	SP	N	N	N	N	N	N	N	N

⁽²⁾In conjunction with a medical training facility only.

⁽³⁾Philanthropic institution only.

⁽⁴⁾Industrial or trade school only.

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

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Recreational Uses											
Crematory	SP	SP	N	SP	SP	N	Y	Y	N	N	N
Municipal uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Municipal or commercial parking lot or garage	N	N	SP ⁵	N	N	Y	Y	Y	N	N	SP
Indoor recreation	N	N	N	N	N	SP	SP	SP	N	N	N
Outdoor recreation	SP	SP	N	N	N	N	N	N	N	N	N
Commercial camping	SP	N	N	N	N	N	N	N	N	N	N
Public park, public playground or other public recreational facility	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Communication, Utility, and Transportation Uses											
Radio, television transmission or other communications use:											
Excluding towers	SP	SP	SP	SP	N	SP	SP	SP	SP	SP	SP
Including towers	SP	N	N	N	N	N	N	SP	N	SP	SP
Power plant	N	N	N	N	N	N	N	N	N	SP	SP
Public or private utility, substation	SP	SP	SP	SP	N	N	SP	SP	SP	SP	Y ⁶
Bus or railroad passenger terminal or taxi dispatch	N	N	N	N	N	Y	Y	Y	N	N	N

⁽⁵⁾Municipal parking lot or garage only.

⁽⁶⁾In an enclosed building only.

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

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Commercial Uses											
Adult entertainment ⁷	N	N	N	N	N	N	N	SP	N	N	N
Animal kennel or hospital	SP	SP	NS P	NS P	N	N	N	SP	N	N	N
Automotive repair and servicing shop	N	N	N	N	N	N	SP	SP	N	SP	N
Bulk storage and/or sale of fuel or other fluid other than waste	N	N	N	N	N	N	N	SP	N	SP	SP
Car wash (on public sewer only)	N	N	N	N	N	N	Y	Y	N	N	N
Construction supply establishment	N	N	N	N	N	N	Y	Y	N	Y	N
Funeral home	N	N	SP	SP	SP	SP	Y	Y	N	N	N
Gas station	N	N	N	N	N	N	SP	SP	N	N	N
Hotel, motel, inn	N	N	N	N	N	SP	Y	Y	N	SP	N
Conference center	N	N	N	N	N	SP	Y	Y	N	SP	N
Medical center/clinic including accessory research	N	N	N	N	Y	SP	SP	SP	Y	N	N
Photocopying and data processing	N	N	N	N	N	Y	Y	Y	Y	Y	Y

⁽⁷⁾Only adult bookstore, adult video store, and adult paraphernalia store. See the Entertainment Overlay District § 200-7.13C for adult cabaret, adult motion-picture theater and establishments which display live nudity for their patrons.

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

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Newspaper, printing, publishing	N	N	N	N	N	SP	SP	SP	Y	Y	Y
Business and professional offices	N	N	N	Y ⁸	Y ⁹	Y	Y	Y	Y	Y	Y
Office park	N	N	N	N	N	N	N	N	Y	Y	Y
Personal and consumer service establishment	N	N	N	N	N	Y	Y	Y	N	N	N
Retail establishment	N	N	N	N	N	Y	Y	Y	N	N	N
Restaurant, bar or lounge for serving food or drinks primarily within the building	N	N	N	N	N	Y	Y	Y	N	N	N
Take-out restaurant	N	N	N	N	N	Y	Y	Y	N	N	N
Drive-in or drive-through restaurant	N	N	N	N	N	N	Y	Y	N	N	N
Sale or leasing of motor vehicles, boats, farm implements, campers or other vehicles or heavy equipment	N	N	N	N	N	N	Y	Y	N	N	N
Sale, leasing, repair and servicing of new and used motor vehicles with a Class 1 Motor Vehicles License issued by the Town of Greenfield ¹⁰	-	-	-	-	-	SP ¹⁰	-	-	-	-	-
Service and repair shops for appliances, small equipment, business and consumer products	N	N	N	N	N	Y	Y	Y	N	N	SP
Theatre	N	N	N	N	N	Y	Y	Y	N	N	N

⁽⁸⁾Offices requiring ten (10) or less parking spaces only.

⁽⁹⁾Offices related to health services only.

⁽¹⁰⁾This use only applies to the Central Commercial District.

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

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Trucking firm (on public sewer only)	N	N	N	N	N	N	N	N	N	Y	Y
Warehouse or freight transport terminal	N	N	N	N	N	N	N	SP	N	Y	Y
Wholesale laundry or dry- cleaning plant	N	N	N	N	N	SP	SP	SP	N	SP	SP
Wholesale trade and distribution	N	N	N	N	N	SP	SP	SP	Y	Y	Y
Self storage	N	N	N	N	N	N	Y	Y	Y	Y	N
Trade shop including carpenter, Builder, electrician, plumber, Landscape or similar trade with indoor storage of tools, supplies, and equipment	N	N	N	N	N	SP	Y	Y	N	Y	N
Garden center	N	N	N	N	N	Y	Y	Y	N	N	N
Industrial Uses											
Accessory activities connected with scientific research	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Assembly, bottling, packaging or finishing plant in an enclosed building	N	N	N	N	N	N	N	SP	SP	Y	Y

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

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
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 ¹¹	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
Other Uses											
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	SP	N	N	N	N	N	N	N	N	SP	N
Mixed residential/business uses	N	N	N	SP ¹²	SP ¹²	Y	SP	SP	N	N	N
Private club or membership organization	N	N	N	SP	N	Y	Y	Y	N	N	N

⁽¹¹⁾Medical research and development only.

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

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

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Accessory Uses											
Cafeterias for employees, automatic teller machines, day-care centers and other normal accessory uses to a nonresidential use	N	N	N	N	Y ¹³	Y	Y	Y	Y	Y	Y
Retail sales incidental to a permitted use or use allowed by special permit	N	N	N	N	N	N	N	N	N	SP	Y
Uses Not Elsewhere Classified	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

⁽¹³⁾Not including automatic teller machines.

Order no. FY 09 -078

MOTION: On a motion by Councilor Joseph, second by Councilor Farrell, it was, **MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR SMITH VOCATIONAL AND AGRICULTURAL HIGH SCHOOL FOR VOCATIONAL TUITION IN THE AMOUNT OF \$13,365.00.

DISCUSSION: Councilor Joseph stated the Ways and Means Committee forwarded a positive unanimous recommendation to the Town Council for approval. It was confirmed these funds like all school choice funds, would come from the town budget, not the School budget.

It was unanimously

VOTED: THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR SMITH VOCATIONAL AND AGRICULTURAL HIGH SCHOOL FOR VOCATIONAL TUITION IN THE AMOUNT OF \$13,365.00.

Order no. FY 09 -077

MOTION: On a motion by Councilor Martin, second by Councilor Allis, it was, unanimously **VOTED:** THAT IT BE ORDERED, THE GREENFIELD TOWN COUNCIL HEREBY APPROVES THE ATTACHED APRIL 21, 2009 TOWN PRELIMINARY ELECTION WARRANT AND AUTHORIZES THE PRESIDENT TO SIGN THE WARRANT ON BEHALF OF THE TOWN COUNCIL.

**TOWN PRELIMINARY ELECTION WARRANT
TOWN OF GREENFIELD
COMMONWEALTH OF MASSACHUSETTS**

Franklin, ss

To either of the Constables of the Town of Greenfield, County of Franklin

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said town, who are qualified to vote in elections, to meet at the polling places designated for the several precincts in said Town as follows:

Greenfield Senior High School
1 Lenox Avenue

On TUESDAY, THE TWENTY-FIRST DAY OF APRIL, 2009 from 7:00 a.m. to 8:00 p.m. for the following purpose:

To choose by ballot the following Town Office:

ONE MAYOR **3 year term**

Given under our hands this 18th day of March, 2009.

Mark M. Maloney, Town Council President

A true copy,
Attest:

PRESENTATION OF PETITIONS AND SIMILAR PAPERS –none.

REPORTS OF COMMITTEES

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairman Allis stated the committee met on March 9, 2009 and discussed the proposed Tree Ordinance, Demolition Delay Ordinance, and School Transportation Legislation. A special meeting would be scheduled to discuss the Demolition Delay Ordinance with affected property owners. The tentative date for this meeting was April 7, 2009. The next regular meeting will be held on April 13, 2009.

WAYS AND MEANS COMMITTEE – Chairman Joseph reported the committee began discussion and gathering information regarding a local meals tax. The committee would be meeting at least once a week for departmental budget discussions.

EDUCATION TASK FORCE COMMITTEE- Chairman Joseph announced the March 11, 2009 had been cancelled to allow the committee members to attend the Emergency Working Session of the School Committee.

COMMUNITY RELATIONS COMMITTEE- President Maloney confirmed the committee would meet with the Recreation Department at the next regularly scheduled meeting.

ECONOMIC DEVELOPMENT COMMITTEE – President Maloney noted the committee would hold a Public Hearing on Thursday, March 26, 2009 regarding the Discontinuance/Abandonment of a portion of Silvio O. Conte Drive.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: President Maloney forwarded a request to purchase Town Owned Land on Bank Row to the Committee Chairs and the Economic Development Committee.

Councilor Joseph requested the “taking of eminent domain” be forwarded to Committee Chairs and Ordinance Committee for review.

President Maloney noted the unemployment rate in Greenfield had risen from 4.6% to 7.4% since January 2008. He mentioned this to remind the Councilors during budget session

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: None.

ADJOURNMENT: On a motion by Councilor Allis, second by Councilor Joseph, it was unanimously
VOTED: TO ADJOURN THE MEETING AT 8:22 P.M.

A true copy,

Attest: _____
 Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
 Regular Meeting
 March 18, 2009

1. Lashier, Dennis	P						
2. McLellan, Thomas	Ex						
3. Allis, Brickett	P						
4. Maloney, Mark	P						
5. Singer, David	P						
6. Letourneau, Danielle	P						
7. Martin, William	P						
8. Joseph, Christopher	P						
9. Sullivan, Mary-Catherine	P						
10. Farrell, Timothy	P						
11. Guin, Daniel	Ab						
12. Siano, Alfred	P						
13. Mason, John	P						