

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

**Call to Order:** Chairman Tomkins called the meeting to order at 7:00 pm.

**Members Present:** Jeff Duxbury, Kyle Vandewater, Dan Spigner, John Mattison, and Michelle Wright (7:03).

**Members Absent:** Erika Sellar Ryan.

**Also Present:** Clerk Kellie Blake, Supervisor Sara Idleman, Code Enforcement Officer Dan O'Connor and Planning Board Engineer John Hartnett.

**Members of the public who signed the attendance sheet:** Eric Lerner, Allan Smith, Dan Clarey, Stephen & Lady Rucinski, Leon Barkley, Kyle McPhail, Steve Johnson, Michael Parker and Mark Anderson.

**Correspondence:**

- Letter received from Washington County Planning Board: **Stephen's Chrysler** – matter of local concern. **Greenwich Partners (Tractor Supply)** –approved with conditions. 1) Make sidewalk access clear and pedestrian friendly and if they have any rights to the road to Hannaford Plaza think of instituting sidewalk from Tractor Supply to the Plaza. 2) The board would like to see avoid creating "hotspots" in existing plaza and use proper lighting to avoid spillage off site.

REMINDER: Thursday March 24<sup>th</sup> there is a joint meeting with the Town Board, Planning Board and Zoning Board of Appeals. Supervisor Idleman asked that anyone with agenda items to please get them to her by Monday, March 21, 2011.

**Old Business:  
03/17/2011**

**Special Use Permit 2011-01: Steve Coffin 379 Anthony Road (designated agent: Michael Parker). Proposal for a closed course motocross recreational facility. No new buildings will be erected. Tax Map ID # 212.-1-4.**

The following is an excerpt from the March 10, 2011 Meeting: *"Given the nature of this Special Use Permit the Board asked the Clerk to take a tax map and circle the applicant's parcel within ½ mile and 1 mile to see how many parcels could possibly be affected by the noise. The applicant is required to pay for certified mailings to the adjoining owners within 500 feet. Any additional letters would be mailed regular mail at a cost to the Town."* Clerk Kellie Blake supplied the Board with a tax map with parcels within ½ mile and 1 mile of 379 Anthony Road circled. Within one mile there are approximately 20 more property owners to notify. The Board decided that based on the nature of the business and the possible noise issue that they would like to maximize the opportunity for the public to know this has been proposed and to give them an opportunity to comment. Therefore the Board will contact all adjoining owners within the one mile radius.

John Mattison stated that he did some research and there is a "silencer" available for the dirt bikes. The expense per unit is \$130-\$140. John would like to ask Mr. Parker if these work if it is something he would consider for his track; restrictions on the track with silencers only.

Kyle Vandewater stated that he didn't have time to totally review the parcel. He did find a spot where jumps were made but it didn't seem to match the area delineated on the map. Kyle feels that Dan Spigner and he need to go out there with Mr. Parker and look at the location.

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

John Mattison stated that without Mr. Parker here it would be difficult to set hours of operation. Chairman Tomkins stated that the Board could propose certain hours, assuming there are not lights it would only be open in the daylight. Possibly have a maximum number of hours in a week, like 20 hours, if that wasn't too restrictive.

Michelle Wright stated that Mr. Parker had said that he and his friends already use the track privately. The Board can only limit the number of hours commercially, so there would be no way to enforce maximum hours per week.

Mr. Parker was not in attendance at this time but came in later in the meeting. Please see continuation of this application later in the minutes.

Acceptance of Minutes:

Resolution # 09-2011  
Approval of Minutes

Resolution by John Mattison  
Seconded by Jeff Duxbury

and passed unanimously by said Board;

RESOLVED, that the minutes of the February 10<sup>th</sup> and February 17<sup>th</sup> Planning Board Meetings be approved as submitted.

**Public Hearing:  
03/17/2011**

**Site Plan Review # 2011-01: Greenwich Partners, LLP (designated agent: Bohler Engineering, LLC). Proposal for the construction of a one-story 19,100 sq. ft. retail building with a 14,500 sq. ft. outdoor storage area adjacent to the existing CVS Plaza on State Route 29. The proposed retail building will replace an existing 3,200 sq. ft. office building. Tax Map ID #'s 228.-3-9.12 & 9.10.** Chairman Tomkins opened the public hearing for Site Plan Review # 2011-01 at 7:17 p.m. Chairman Tomkins read the comments from Washington County which stated that the application was approved with the following conditions. *1) Make sidewalk access clear and pedestrian friendly and if they have any rights to the road to Hannaford Plaza think of instituting sidewalk from Tractor Supply to the Plaza. 2) The board would like to see avoid creating "hotspots" in existing plaza and use proper lighting to avoid spillage off site.*

He called for all interested members of the public to step forward and examine the maps. All eleven of the adjoining owners had responded to the notice of the public hearing. Chairman Tomkins asked Dan Clarey, Engineer for the applicant, to explain the project. Mr. Clarey stated that the proposal is to construct a "Tractor Supply" and demolish the existing Doctor's Office. The new building is approximately 19,000 sq. ft. with a 14,500 sq. ft. outdoor display area. There will be a connecting road between Advance Auto and the Tractor Supply. The existing driveway to the Doctor's Office will be eliminated. There will be a new driveway behind the CVS plaza for Truck traffic and additional parking behind CVS will be added. There are full site design plans for lighting, grading, drainage and septic. The Planning Board's Engineer has reviewed the project and supplied comments that will be answered prior to the next meeting. We are proceeding with this plan but because the changes to the plan have to be approved by Tractor Supply Mr. Lerner is asking that the Board does not vote on the application this evening. Mr. Clarey then asked if anyone had any questions for him.

Mrs. McShane asked what the comments from the Planning Board Engineer were.

**Town of Greenwich**  
**Planning Board Meeting Minutes**  
**03/17/2011**

Planning Board Engineer John Hartnett stated that some of the items he found were items that may not have been noted correctly on the site plan which would not change the footprint or location of the building. Items that will change the site plan which are required in the Zoning Ordinance are:

- Interior landscaping in the parking lot and there wasn't much showing.
- Snow storage removal area indicated on the site plan.
- Location of solid waste dumpster.
- Location of proposed propane facility storage.

Mrs. McShane asked about the location of the outdoor storage area. John Hartnett stated that the beginning of the storage area was close to the property line which is near where the embankment starts to come down towards Route 29.

Chairman Tomkins stated that when Advance Auto was constructed the Planning Board required them to provide a potential access point to this parcel for future development.

Mr. McShane asked if the new roadway was going behind CVS. Mr. Clarey stated that it was basically for deliveries and fire safety.

Mr. McShane stated that he thought the area wasn't large enough to have a wider road behind CVS. He also asked if there would be increased truck traffic there.

Mr. Clarey stated that the road was not changing at all there. There would be additional parking. He further stated that the truck deliveries at that entrance would be for the CVS plaza not the Tractor Supply so there wouldn't be any additional traffic.

Mr. McShane asked if the trucks would use the entrance off of Route 29 (at the traffic light) to enter the plaza for deliveries. Mr. Clarey stated that yes that would be the way they would enter and exit.

Mr. McShane asked if Mr. Clarey thought that would be a lot of excess traffic coming into the area.

Mr. Clarey stated that Tractor Supply generates much less traffic than CVS plaza. A traffic study was completed.

Supervisor Idleman asked how the interior parking lot plantings would be accomplished.

Mr. Clarey stated that there were several "island" areas striped on the site that could be planted.

Mr. McShane asked if the owners would be paying taxes on this building at 100% assessment.

Mr. Clarey stated that he was unaware of any special tax incentives involved in this project.

Chairman Tomkins stated that he was unaware of anything either, unless there was something automatic that commercial spaces received.

Mr. McShane asked if the application required any variances.

Mr. Clarey stated that no, this was an allowed use in the Commercial Zone and they had met all the setback requirements.

Jeff Duxbury asked what the County meant by "pedestrian friendly" in their comments.

Chairman Tomkins stated that was an unusual condition; the Town Planning Board is supposed to meet it or can't approve the application without a super majority vote. In addition the second comment "possibly think of" is not a condition.

Mr. Clarey stated that in his conversations with the County Planning Board they would like to see a sidewalk that extends up past Tractor Supply towards Hannaford to reduce walking in the parking lot.

Mrs. McShane stated that there is no sidewalk to walk into Hannaford now.

Chairman Tomkins stated that Hannaford was constructed prior to Site Plan Review regulations and the Board did not have the ability to require sidewalks at the time. That project was one of the reasons the Town passed Site Plan Review Regulations. Hannaford was, however, reviewed under SEQR for water, sewage, impact on the environment, etc. The current regulations provide for pedestrian access where feasible. The Planning Board has the ability to waive the requirement. Further, the Board can't ask Tractor Supply to provide a sidewalk to another business, such as Hannaford.

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

Mr. Clarey stated that they will look at the feasibility of extending the sidewalk. This would have to be approved through the Town and the State.

Mr. McShane stated that there were problems with the septic in the CVS Plaza now.

Mr. Clarey stated that they found that the grease trap in front of the Whipple City Pizza had not been cleaned out in awhile and that was corrected. Further the proposed septic system is all new.

Mr. McShane asked what the time frame for the building would be and if there would be certain hours that the construction could take place.

Mr. Clarey stated that the project would start this summer and take about six months to complete. Typically towns allow construction during the hours of 7 am to 5 pm.

Chairman Tomkins stated that the Board had not discussed that but they certainly could.

Jeff Duxbury asked what the County meant when they said "avoid creating hot spots".

Mr. Clarey stated that he would have to look at the lighting plan to see what they meant. The goal of the lighting plan is to have 0% illumination at the property line.

Chairman Tomkins asked what Planning Board Engineer John Hartnett felt about the comment.

John Hartnett stated that he wondered if the County had seen the lighting plan, he didn't think there were any "hot spots".

Jeff Duxbury stated that he wanted to make sure the Board was clear about these items because the County is requiring these things.

Chairman Tomkins stated that the requirement is that the County would like to see avoiding hotspots, but the comment asserts that there are hotspots that need to be removed.

Mr. Clarey stated that he would contact the County Planning Board Chairman for clarification to determine if there was a specific issue with the design or it was a general comment.

Mrs. McShane asked if this was "a done deal" this building is going in there?

Chairman Tomkins stated that the Board had not approved it yet, there are some small issues that need to be resolved. Nothing has come up to make it inappropriate; they have met the requirements of the ordinance so the Board can't say no.

Mr. McShane asked how tall the building was.

Mr. Clarey stated that the tallest point of the building was 24 feet; the majority of the building is approximately 20 feet 8 inches tall.

Mrs. McShane stated that she feels bad for people like John Rieger (Country Power) that this is coming in. She is disappointed.

With no further comments or questions from the public Chairman Tomkins closed the public hearing for Site Plan Review # 2011-01 at 7: 40 p.m.

After the public hearing was closed Mr. McShane came back into the meeting and asked if Tractor Supply was required to put a buffer up between the private property and the commercial property.

Chairman Tomkins stated that there was a buffer requirement in the ordinance.

Mr. McShane asked if it would be waived.

Chairman Tomkins stated that the buffer would be discussed.

John Mattison stated that there are trees there now.

Mr. McShane stated that the trees are on the private property not the commercial property and he asked if he could get a copy of Planning Board Engineer John Hartnett's findings. Mr. McShane was supplied with a copy.

**Fees Received: \$300 Application Fee (check # 1063) \$1,500 Escrow for Engineering Fees, \$60.94 for certified mailings of the public hearing notices to 11 adjoining owners.**

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

**Public Hearing  
03/17/2011**

**Site Plan Review 2011-02 – Stephen’s Chrysler Jeep Dodge – 2551 State Route 40. Tax Map ID # 228.-2-5. Proposal for an approximately 5,000 sq. ft. addition to the service department to allow for a drive thru service area as well as two additional service bays.** Chairman Tomkins opened the public hearing for Site Plan Review # 2011-02 at 7:42 p.m. He called for all interested members of the public to step forward and examine the maps. All nine of the adjoining owners had responded to notice of the public hearing. Chairman Tomkins stated that the County found this to be a matter of local concern therefore the local Board may take action on the application. With no comments or questions from the public Chairman Tomkins closed the public hearing for Site Plan Review # 2011-02 at 7:44 p.m.

Resolution # 10-2011  
Negative Declaration SEQR Site Plan Review # 2011-02

Resolution by Jeff Duxbury  
Seconded by Michelle Wright

and passed unanimously by said Board;

RESOLVED, that pursuant to part 617 of the New York State Environmental Conservation Law and upon review of the Short EAF by the Town of Greenwich Planning Board, that Site Plan Review # 2011-02 be granted a negative declaration.

Resolution # 11-2011  
Approval of Site Plan Review # 2011-02

Resolution by Michelle Wright  
Seconded by Kyle Vandewater

and passed unanimously by said Board;

RESOLVED, that Site Plan Review # 2011-02 be approved.

**Fees Received: \$100 Application Fee (check # 18104) Certified Mailing Fees \$49.86.**

**Old Business:  
03/17/2011**

**Minor Subdivision # 491 – Steven Johnson – Proposal for a four lot subdivision of two parcels located on Christie Road. Parcel ID # 214.-1-9.9 consisting of 10.48 Acres and Parcel ID # 214.-1-9.8 consisting of 6.81 Acres. Parcel is located in the Rural Agricultural Zoning District.** The following item was supplied by Mr. Johnson:

- Driveway permit signed by Highway Superintendent Rick Sullivan for lots 2 & 4.

Resolution # 12-2011  
Application Deemed Complete Public Hearing Set

Resolution by Michelle Wright  
Seconded by Kyle Vandewater

and passed unanimously by said Board;

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

RESOLVED, that Minor Subdivision # 491 is deemed complete and that a public hearing be set for Thursday April 21, 2011 at 7:15 pm.

**Fees Received: \$100 Application Fee (ck. # 706) Certified Mailing Fees \$ 49.86 (ck. # 3917)**

**Old Business: - Continued  
03/17/2011**

**Special Use Permit 2011-01: Steve Coffin 379 Anthony Road (designated agent: Michael Parker). Proposal for a closed course motocross recreational facility. No new buildings will be erected. Tax Map ID # 212.-1-4.** Chairman Tomkins read the minutes from the last meeting which stated: *"The Board reviewed the application and the following items are needed:*

- *Hours and days of operation that can be reviewed at a later date.*
- *Delineate on the tax map where the location of the track and parking will be.*
- *Signed Driveway Permit from Highway Superintendent Rick Sullivan and note location on map.*
- *Front, rear and south side setbacks on map – 50 ft.*
- *Adjoining owners of parcels located in Fort Edward* – the Clerk stated that she had spoken to NYS Planning Federation and the requirement is to inform an adjoining Town Board of the application not the individual property owners.
- *Evidence of Insurance will be a condition of the approval.* This will be contingent on opening the business not approval of the Special Use Permit.

Chairman Tomkins stated that the Board had been speaking about what the hours of operation might be and that Mr. Parker had been concerned that his own personal use of the track not be constricted. Discussion ensued and the Board and Mr. Parker were in agreement that the hours of operation be: any day between 10:00 am and sunset. It was also pointed out that a Special Use Permit can have term limits and be reviewed periodically if the hours were an issue.

John Mattison stated that he had been reading about motocross tracks and found that one of the biggest problems was riders with vehicles that did not have legal exhausts. He asked Mr. Parker about silencers on the exhausts and possibly restricting "after market" exhausts.

Mr. Parker stated that the focus now is towards controlling the sound. Mr. Parker further stated that the problem with limiting bikes with "stock" exhausts is that some manufacturer's stock exhausts are actually louder than some of the after market exhausts. Obviously if someone showed up with a cut off silencer we would ask them to leave. He further stated that he does not want to upset his neighbors; he is a part of the community with a local business and doesn't want to be the "jerk" in Bald Mountain making everyone mad. Generally the way tracks work is the owners have the final say, they can ask people to leave at any time.

John Mattison stated that he was glad to hear Mr. Parker's commitment to keep the sound as low as possible.

Resolution # 13-2011  
Application Deemed Complete Public Hearing Set

Resolution by Michelle Wright  
Seconded by John Mattison

Discussion: Kyle Vandewater stated that he thinks the scale of the map is off and would like to look at the parcel with Mr. Parker before this application is sent to the County.

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

and passed unanimously by said Board;

RESOLVED, that contingent on the items listed above being provided or delineated on the map that Special Use Permit 2011-02 is deemed complete, referred to the County and a public hearing be set for Thursday April 21, 2011 at 7:30 pm.

**Fees Received: \$100 Application Fee (ck. # 1962)**

**Old Business: Continued...**

**03/17/2011**

**Site Plan Review # 2011-01: Greenwich Partners, LLP (designated agent: Bohler Engineering, LLC). Proposal for the construction of a one-story 19,100 sq. ft. retail building with a 14,500 sq. ft. outdoor storage area adjacent to the existing CVS Plaza on State Route 29. The proposed retail building will replace an existing 3,200 sq. ft. office building. Tax Map ID #'s 228.-3-9.12 & 9.10.** Jeff Duxbury stated there are many trees to buffer this property from the residential property but they are on the private property.

Mr. Clarey stated that there is a 15 foot set back but there weren't plans to put trees in there, but if it was desired by the adjoining owner he didn't see why they couldn't plant a few trees.

Chairman Tomkins read from Section 190-43 C. of the Zoning Ordinance which states: *"Screening/buffering. A screening buffering area may be required to screen and protect neighboring residential properties from the view of facilities, buildings, and parking areas on the site development as warranted. These areas are subject to the following:*

*1. Unless waived by the Planning Board, a minimum permanent vegetated buffer of a width of not less than 10 feet nor more than 30 feet shall separate nonresidential uses from adjacent residential properties. Planting shall be indicated on the site plan and shall meet the following standards:*

*(a) Plant materials shall be at a minimum of four feet in height when planted and shall be spaced to form a continuous, solid screen at maturity. Generally, plants/trees shall be spaced apart at distances no greater than 10 feet on center.*

*(b) Where appropriate, a wall, fence or earthen berm of location, height, and design approved by the Planning Board may be substituted for the required planting.*

*2. Modifications. Where the existing topography and/or landscaping provide adequate screening, the Planning Board may modify the planting and/or buffer area requirements."*

Chairman Tomkins stated that the actual development is next to a parcel that is in a hamlet/mixed use district. There will be a wall between the two properties. The other property that adjoins the CVS Plaza property is in the residential district and the Board would require some trees planted as a buffer.

Kyle Vandewater stated that he is not in support of requiring buffers to a property that already has trees on it. Where the development adjoins the Hamlet/Mixed Use District the Board will not require a buffer. Where the development adjoins the Residential District the Board will require a buffer.

Mr. Clarey stated that in regards to John Hartnett's findings, most of them are technical issues that can be addressed. There may be some that are changes to the plan or explained on the plan. That process will be done before the next meeting.

Chairman Tomkins stated that the septic issue is the most important to him. In discussing this last week with John Hartnett the Board understands that there are solutions; you just need to let us know what they are.

Discussion ensued regarding the one way vs. two way traffic access from Advance Auto. The general consensus of the Board was that the intent of the connection is there. Traffic can go around behind Tractor Supply to go to Advance Auto and traffic can go from Advance Auto to Tractor Supply.

Mr. Clarey stated that all things considered, the intent of the connection is there and Tractor Supply will not want to decrease the size of the outdoor storage space. The connection is a functional solution.

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

At the meeting last week the parking requirements were discussed, the following is an excerpt from the meeting:

*Chairman Tomkins read from the Zoning Ordinance: Section 190-42 B. which states "Maximum standard. "Where two or more different uses occur on a single lot, the total maximum amount of parking may be reduced by a specific finding of the Planning Board." The applicant has indicated that there are 170 parking spaces for both uses. Planning Board Engineer John Hartnett stated that he would rather not see more parking than indicated. There hasn't been an issue with parking even when the plaza was completely rented. Chairman Tomkins stated that the Planning Board could decide that the 170 spaces indicated on the application are adequate for the combine uses of this Site Plan Application.*

Resolution # 14-2011  
Parking Requirement Waived

Resolution by Michelle Wright  
Seconded by Jeff Duxbury

and passed unanimously by said Board;

RESOLVED, that pursuant to Section 190-42 B. that the Planning Board finds that the combined parking requirements for the two uses are more than adequately met.

Resolution # 15-2011  
Circulation Pattern between Advanced Auto and Tractor Supply

Resolution by Jeff Duxbury  
Seconded by John Mattison

and passed unanimously by said Board;

RESOLVED, that the circulation pattern providing the access drive connecting Greenwood Properties (Advance Auto) to Tractor Supply meets the intent of the Planning Board's previous requirement that an access road be made available.

Jeff Duxbury stated that the applicant asked that this application not be acted on until the April Meeting, does the Board wish to review the SEQR tonight or next meeting.

Chairman Tomkins stated that the SEQR could be reviewed at the next meeting. Chairman Tomkins consulted the Zoning Ordinance regarding the time frame in which the Planning Board has to render a decision. He read Section 190-23 of the ordinance which states: *"Following conclusion of the SEQRA review process and following its receipt and acceptance of the complete application for site plan approval or, if a public hearing is held, after the close of the hearing, in accordance with Town Law Section 274-a, the Planning Board shall, within 62 days, render its decision to either approve, approve with modifications, or disapprove the Site Plan."*

**New Business:  
03/17/2011**

**Notice of illegal subdivision received from Washington County Real Property. Parcel is located on Christie Road.** Clerk Kellie Blake supplied maps of the illegal subdivision. Without coming to the Planning Board for a Minor Subdivision Application and approval, Mr. Lacy filed a deed with the county dividing off a 49 ft by 48 ft section, which has a house on it, from a 79.7 Acre parcel located on Christie Road. The parcel in question does not meet the setback requirements for the Rural Agricultural District; in addition it is a "land locked" parcel.

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

Planning Board Attorney Izzo stated that the Board could send a letter to Mr. Lacy stating that it looked like this parcel was created in violation of the Subdivision Regulations, citing what those regulations were and asking him to come speak with the Board. If he does not reply, then the Board could send an official Notice of Violation giving him a period of time to correct it and how to do so.

Kyle Vandewater stated that the Board just went through this with the Sloan Subdivision. A notice was received from the County approximately 5 years ago stating that an illegal subdivision had been done and Kyle thought it had been dealt with then. A few months ago the Sloan's approached the Board about how to make this subdivision legal, went through the application process, met the Subdivision Regulation requirements and were approved.

Chairman Tomkins stated that he thought the Board should send a Notice of Violation, we know it is illegal, it is land locked and non-conforming and would never have been approved to begin with.

Code Enforcement Officer Dan O'Connor has a Notice of Violation Form that could be delivered.

Subdivision Regulations Section 167.26 Penalties for offenses; enforcing officer. B states: *"There shall be a person designated as the Code Enforcement Officer for the Town of Greenwich who shall have the authority to enforce the provisions of this chapter and to issue appearance tickets for such violations."*

Kyle Vandewater asked how far is the Town willing to go to do anything about these illegal subdivisions. This parcel was created and now has many obstacles and Mr. Lacy really doesn't have many options on what he can do with this parcel.

Chairman Tomkins stated that we now have a Zoning Ordinance and he not only created an illegal subdivision under the Subdivision Regulations but a non-conforming lot under the Zoning Ordinance.

Jeff Duxbury stated that Mr. Lacy could go to the ZBA for a variance.

Chairman Tomkins stated that he couldn't because under the Subdivision Regulations a sub-standard lot can not be created. If it were an existing lot that can not meet setbacks he could go to the ZBA for a variance.

Planning Board Attorney Tony Izzo stated that the Notice of Violation should be specific in stating that if you want to avoid a fine and or other penalties you must undo what you did.

Resolution # 16-2011  
Refer Illegal Subdivision to Code Enforcement Officer

Resolution by John Mattison

Seconded by Dan Spigner

and passed unanimously by said Board;

RESOLVED, that after review of the illegal subdivision created by Mr. Lacy the Planning Board refers the issue to Code Enforcement Officer Dan O'Connor for issuance of a "Notice of Violation".

**New Business:**

**03/17/2011**

Michelle Wright stated that the farm that has a riding stable on it on Spraguetown Road which was subdivided by Andy Grimes has Battenkill Community Services buses parked on it. Wouldn't that be considered a change in use and require a Site Plan Review?

Jeff Duxbury asked if there had been a Site Plan Review done on the riding stable.

Chairman Tomkins stated that as he remembered, they were boarding horses not having lessons and it was an agricultural use and didn't require a Site Plan Review. If it is other than an agricultural use they would need a Site Plan Review.

The following is an excerpt from the meeting of 10/21/2004.

**Town of Greenwich  
Planning Board Meeting Minutes  
03/17/2011**

*"Mr. Edward Kamm attended this meeting to continue discussion from the 9/16/04 meeting regarding his plan for a riding arena. Mr. Kamm stated that Mr. Grimes is withdrawing his proposal for a boundary line adjustment. Mr. Kamm has decided to revise his plan to use property he already owns. There was discussion about whether this proposal was a commercial activity or a home occupation. The Board looked up the definitions and discussion ensued. Mr. Kamm stated that the arena was for his own use and he was renting extra stalls (about 10) to defray some of the cost of construction. He will have no employees. The Board expressed concern regarding increased vehicle and pedestrian traffic on the road (the rented stalls are across the road from the arena). Finally, the Board concluded that this project did meet the criteria for a home occupation. However, the Board was concerned about the potential for this operation to grow and what impacts that would have. The Board agreed to write Mr. Kamm a letter outlining their finding so that he could obtain a building permit from the code enforcement officer.*

*Motion by K. Vandewater to authorize the clerk to send a letter of finding to Mr. Kamm, 2nd by P. Mollnow. Motion unanimously adopted. The letter sent is quoted below.*

*"It is our understanding that the horse arena currently proposed is intended for the use of the owners of the property and the persons renting the approximately 10 stalls you have for rent.-*

*As described, this activity does not meet the minimum threshold of being a commercial activity. A commercial activity would be covered under the Town of Greenwich Site Plan Review Law. The Board finds that this project, at this time, meets the criteria for a home occupation, as defined in the Town of Greenwich Site Plan Review Law. Among the changes which would cause this project to be subject to site plan review are including, but not limited to: 1) significant increase in generation of vehicle and foot traffic, 2) the addition of two or more employees and 3) creation of a substantial number of new stalls.*

*The Planning Board requests a driveway approval from the Town Highway Superintendent, appropriate signage consistent with the MUTCD and striping of a crosswalk for horse/pedestrian traffic. These measures are requested to make vehicle and pedestrian traffic as safe as possible."*

Jeff Duxbury asked if Dan O'Connor should go talk to them. Dan stated that he would go talk to them.

A motion was made by Jeff Duxbury, Seconded by Michelle Wright that the meeting be adjourned at 9:20 pm.

Respectfully Submitted,

Kellie A. Blake  
Planning Board Clerk