

**TOWN OF GREENFIELD**

**PLANNING BOARD**

**January 11, 2011**

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Planning Board is called to order by G. Dake at 7:00 p.m. On roll call, the following members are present: Gary Dake, Tonya Yasenchak, Nathan Duffney, Lorna Dupouy, Michael Gyarmathy, Thomas Siragusa, John Streit and John Bokus, Alternate. Charlie Baker, Town Engineer, is present.

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**MINUTES – December 14, 2010**

MOTION: T. Siragusa

SECOND: T. Yasenchak

RESOLVED, that the Planning Board waives the reading of and approves the minutes of December 14, 2010.

VOTE: Ayes: Dake, Duffney, Dupouy, Gyarmathy, Siragusa, Streit, Yasenchak

Noes: None

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**PLANNING BOARD CASES**

**MIKE REMILLARD – Minor Subdivision**

Wilton Road

No one is present for this application.

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**ZBA REFERRAL**

**Daren & Bonnie Murtlow, Area Variance** – T. Siragusa states that there is a comment in the application that there is an approval from May 2010 and he is wondering what was approved. There is a letter in the file from the Adirondack Park Agency from May 3, 2010 regarding Jurisdictional Determination. No Planning Board issues.

**Robert Clukey, Area Variance** – G. Dake reviews that this is a request for area variance so that the applicant can keep the chickens they already have. He states that he left this one for second because he knows that some of the Board members are passionate about keeping animals. T. Siragusa asks what brought them to the Board. R. Rowland states that there was a complaint from a neighbor. The application states that they have two hens. B. Duffney states that this is a problem in other communities, where people have 2, 3, 6 chickens in their backyards and zoning does not allow for this. T. Yasenchak states that she has two dogs and she believes that they make more noise, fuss and smell than chickens. Board agrees. G. Dake states that he is not sure that we want to make that an official recommendation to the Zoning Board. J. Streit states that this is a Zoning issue. T. Yasenchak asks what the minimum acreage requirement is for chickens. B. Duffney states that it is 6 acres in the LDR. T. Yasenchak states that she thinks that is excessive. T. Siragusa asks about a recommendation to the Town Board to review it because it is a common issue in even more urban areas. On the surface he thinks that 6 acres is excessive. G. Dake states that there is a line somewhere where 2 chickens is not excessive or goats, etc. T. Siragusa states that somewhere someone has

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done some work on this. L. Dupouy questions that doesn't this come back to when we were doing that property on Wing Road and we were saying "X" number of each animal per acre. G. Dake states that was animal units and that was clearly a farm versus this being someone with a house who wants to have a couple of chickens. G. Dake states that he felt the same way about P. Gargan's daughter who wanted to have a couple of goats and that it wasn't a big deal. Part of it becomes what is the break point or do you pick out common animals such as goats, sheep, chickens, and say you may have up to "X" number. Should we, as part of the Planning process, develop some language and see what other communities are doing, do some research on what is being done about animals. He states that the question is, if you can have 2 dogs, why can't you have 2 goats? What makes them different? J. Streit asks if we should say that the Planning Board feels that the present requirement of 6 acres for a small number of chickens is excessive and we take the issue under advisement. G. Dake states that the Planning Board could say that without knowing all the facts of the case, based on the application, 2 hens does not seem like they should require 6 acres, however the Planning Board will start investigating the ordinance and look at possible revisions, but we don't have any specific referrals on this case. J. Bokus asks if the size of the animal is a factor. Chickens are fairly small, his neighbor has a Mastiff. G. Dake states that this is a good job for the Planning Board and we will put it on the agenda for next time to talk about this. He states that this is why it got so complex on Wing Road, how do you define it as 1 cow, 4 chickens, 2 goats, total number of accumulated pounds, where do dogs, cats and parakeets fit into the whole mix? He states that there is going to be an animal that we are not going to think of. J. Streit questions that we should focus on chickens. G. Dake states that he doesn't remember where this came up in the code before, but maybe what we want to do is create a table, list animals and how many you can have on a 1 acre lot, 2 acre lot, etc., and then as new ones come in that you didn't think of, we go to the Town Board and make a recommendation. Over time you would have the ability to build the table. B. Duffney states that an issue might be that someone wants to have ducks, and then it turns into geese. Geese are noisy. L. Dupouy states that the other thing we will have to do on that is domesticated animals versus farm animals. For example, if we talked to this applicant, she would probably argue that those hens are family pets. G. Dake states that to several of the points, what makes a barking dog better than a squawking chicken or a mooing cow. For the purposes of tonight for the Clukey application, let's say we have no specific recommendation, but we recognize the complexity of the issue and it is a traditional agricultural animal kept as a pet, and therefore we are going to take a stab at clarifying the issue for the future. He states that he would bet that there are 50 people in town who have some sort of animal that they don't have any kind of approval for and it probably never occurred to them that they needed one - they live in the country. J. Streit asks if it might be beneficial to send an inquiry to the neighbor asking the nature of the complaint. G. Dake states that we will get that from the zoning minutes once they actually hear the case. T. Yasenchak questions that the applicant will have to come to the Planning Board for a Special Use permit if they receive zoning approval and then the Planning Board can make a determination per the site, the neighbors, etc. Rather than dictating it by the number, sometimes you have to play it by the site. G. Dake states that is true and that may be what is determined after thinking about this for a while. T. Yasenchak states that 1.5 acres is one thing on North Creek Road and different in a subdivision. B. Duffney states that is similar to the wood boiler issue if you have a lot in a high-density area like Hemlock Drive versus having the same size lot in the middle of State land. J. Bokus states that there is the question of having a horse on enough land for it to graze versus having a horse in a paddock that you are going to feed. G. Dake states that the challenge we are going to run into is exactly what the Board faced with the application on Locust Grove Road wherein you have neighbors who are city folk and that's where it starts to get difficult. He understands that people are scared of manure contaminating wells, he understands the fear, but he does not share that fear. That is based on having a different background. Part of the Planning Board's job and what the Board was leaning towards in that case is how does the applicant demonstrate that there is not a problem. He states that is ultimately what the Board has to do in those cases dealing with bigger animals like horses. He states that it got silly when we were talking about the goats, it wasn't silly for the neighbors to bring it up it is there right to be concerned, but two or three goats 1000 yards away and you are worried about your well? But we have to recognize that not everyone knows what the Board knows. B. Duffney states that Dan Cochran is looking at other items for revisions for the Town Code. C. Baker states that where he lives on Cohen Road with 6-acre lots, a neighbor two properties over has roosters, which he could hear, but it didn't bother him. He states that

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even 6 acres does not stop the sound. L. Dupouy states that in this particular case she thought that roosters were the ones that made the noise and not hens.

**REFERRAL** – The Planning Board is not taking a position on this application, but will research it further.

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### **PLANNING BOARD CASES**

Mike Remillard is still not present at 7:18 p.m. His application will be adjourned to the January 25, 2011 meeting.

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### **DISCUSSION**

T. Yasenchak asks if the roads in Old Stone Ridge have been turned over to the Town. C. Baker states that they are not yet. T. Yasenchak states that she was over there the other night and that on her way out in the dark it was very complicated because the street signs are not up that say which is One Way. There were very small signs in the snow bank and when you are coming out you have no idea where you are going or which road is which. She is concerned that in the case of an emergency, which is the reason why he split the road, vehicles would not know where to go. G. Dake states that in the future when we allow a subdivision to put in houses before the road is dedicated, we may want to ask for some signage, depending on road systems. We could make it as a condition for the future.

T. Siragusa states that he saw an article about Carter Yepsen putting in a private ski slope. B. Duffney states that he was speaking with Jim Dorsey who said that C. Yepsen wants to put the ski slope in again. T. Siragusa states that the article states that it is going to be private, but there is clearing involved, there is height involved, and then there was a comment from C. Yepsen saying that he might even put lights up. G. Dake states that we should refer that to the Code Enforcement Officer. R. Rowland states that G. McKenna is aware and spoke to the Supervisor about it today.

T. Siragusa also states that he keeps a folder of active applications and he was wondering if we could spend some time at a meeting going through what is still active. G. Dake states that he would love that. Discussion takes place about some of the cases that are still believed to be active. R. Rowland is asked to generate a list from the files she keeps.

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Meeting adjourned 7:25 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland  
Secretary