



**Roxann Wedegartner
Mayor**

City of
GREENFIELD, MASSACHUSETTS

ZONING BOARD OF APPEALS

City Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
eric.twarog@greenfield-ma.gov • www.greenfield-ma.gov

Members:
Twarog, Eric
Director, Planning & Dev.

Boyd, Walter (2023)
Gilkes, Debra (2022)
Maloney, Mark (2022)
Popkin, Julia (2023)
Singer, David (2021)
Winn, James (2023)
Wozniak, Peter (2023)

**ZONING BOARD OF APPEALS
Minutes of May 12, 2022
Via Webex**

The meeting was called to order by Chairman Mark Maloney at 7:02 p.m. with the following members:

PRESENT: Mark Maloney, Chairman James Winn, Clerk David Singer Debra Gilkes

ABSENT: Peter Wozniak and Julia Popkin

ALSO PRESENT: Eric Twarog, Director of Planning and Development

CHAIRS STATEMENT: This meeting is being recorded, if any other persons present are doing the same, you must notify the chairperson at this time. No one responded.

Public Hearings:

- a. **7:00 p.m.:** Application of Katrina Pacheco, RA of Pacheco Ross Architects, P.C. (on behalf of the City of Greenfield) for property located at 10 & 12 Coombs Avenue, 33 & 35-39 Main Street, which is located in the Central Commercial (CC) Zoning District, for a variance and site plan approval pursuant to Sections 200-8.4 and 200-8.7 of the Zoning Ordinance, in order to reduce the 8 foot landscape buffer requirement along Coombs Avenue to 0; and to reduce the required open space from 15% for new development to 7% at this location.

At a public meeting on Thursday, May 12, 2022 at 7:00 p.m., via Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of Katrina Pacheco, RA of Pacheco Ross Architects, P.C. (on behalf of the City of Greenfield) for property located at 10 & 12 Coombs Avenue, 33 & 35-39 Main Street, which is located in the Central Commercial (CC) Zoning District, for a variance and site plan approval pursuant to Sections 200-8.4 and 200-8.7 of the Zoning Ordinance, in order to reduce the 8 foot landscape buffer requirement along Coombs Avenue to 0; and to reduce the required open space from 15% for new development to 7% at this location. Chairman Maloney explained to the Applicant that due to a Board member being absent and another Board member having to go to the hospital, that the Board doesn't have the required number of members to hear this request this evening. The Board discussed potential dates for a special meeting to review this request. Without objection, the Board continued the public hearing to Wednesday, June 1, 2022 at 7:00 p.m. via Webex.

- b. **7:15 p.m.:** Application of PV Squared for property located at 382 Adams Road (Assessor's Tax Map R07, Lot 3), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-4.2(C17); 200-7.16; and 200-8.3 of the Zoning Ordinance, in order to allow the installation of a 8.1 kW DC ground-mounted PV array consisting of 18 panels at this location.

At a public meeting on Thursday, May 12, 2022 at 7:15 p.m., via Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of PV Squared for property located at 382 Adams Road (Assessor's Tax Map R07, Lot 3), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to



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Sections 200-4.2(C17); 200-7.16; and 200-8.3 of the Zoning Ordinance, in order to allow the installation of a 8.1 kW DC ground-mounted PV array consisting of 18 panels at this location. Chairman Maloney explained the public hearing process to the Applicant. Winn read the public notice into the record. Members of the Board sitting were Mark Maloney, Chairman; James Winn, Clerk; David Singer; and Debra Gilkes. The following project proponents were present: Madeleine Geschwind from PV Squared and Dan Carew, property owner. Chairman Maloney explained to the Applicants that approving a special permit application requires a supermajority of the Board which is four (4) members. He stated that the Board only has four members this evening so applicants have a choice to wait for the next meeting for a full five member Board or proceed this evening with four members. The Applicants chose to proceed this evening with four members.

- Maloney Introduced the Board members sitting and asked the Applicants to introduce themselves and explain what they want to do, where they want to do it, and why.
- Geschwind Ms. Geschwind presented the proposed solar project to the Board and stated that there will be 18 panels in total with a dimension of 31' by 13'. The height of the panels will be 9.6 feet. She shared her screen and reviewed the site plan and aerial photography of the area with the Board.
- Maloney Inquired on screening between the proposed solar array and the neighbor to the northeast.
- Carew Responded that there is a natural buffer of vegetation in this area that screens the proposed array from this neighbor. He stated that the field shown at the back of his property is part of Rainbow Harvest Farm.
- Maloney Inquired on the length of the trench of the electric line for the solar array.
- Geschwind Responded about 200 feet.
- Maloney Inquired if a trench permit from the DPW is required for the electrical trench.
- Geschwind Responded that she doesn't believe so and that it would be part of the electrical inspection.
- Chairman Maloney asked if the Board members have any questions at this time.
- Winn Inquired on the location of the septic system.
- Carew Responded between the house and the trampoline shown in the aerial photo.
- Singer Inquired if the property owner at 390 Adams Road was notified about this proposed solar project.
- Carew Responded that he spoke with all of his direct neighbors about this project and that they had no concerns.



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Winn Read review comments from the Planning Board which forwarded a positive recommendation to the ZBA, Health Department, Fire Prevention Officer, and the Engineering Superintendent who all had no comments or issues with this request.

Chairman Maloney opened up the public hearing to public comment at 7:29 p.m. No public comment. Chairman Maloney closed the public hearing at 7:30 p.m.

Chairman Maloney asked if the Board members have any additional questions at this time.

Winn No additional questions at this time.

Gilkes No additional questions at this time.

Singer No additional questions at this time.

c. **7:30 p.m.:** Application of Daniel Kelleher & Frank Trapanese for property located at 40 Stetson Drive (Assessor’s Tax Map R20, Lot 34), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-4.2(C13); and 200-8.3 of the Zoning Ordinance, for a kennel license to allow for four (4) dogs at this location.

At a public meeting on Thursday, May 12, 2022 at 7:30 p.m., via Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of Daniel Kelleher & Frank Trapanese for property located at 40 Stetson Drive (Assessor’s Tax Map R20, Lot 34), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-4.2(C13); and 200-8.3 of the Zoning Ordinance, for a kennel license to allow for four (4) dogs at this location. Chairman Maloney explained the public hearing process to the Applicant. Winn read the public notice into the record. Members of the Board sitting were Mark Maloney, Chairman; James Winn, Clerk; David Singer; and Debra Gilkes. The following project proponents were present: Daniel Kelleher & Frank Trapanese, property owners. Chairman Maloney explained to the Applicants that approving a special permit application requires a supermajority of the Board which is four (4) members. He stated that the Board only has four members this evening so applicants have a choice to wait for the next meeting for a full five member Board or proceed this evening with four members. The Applicants chose to proceed this evening with four members. Chairman Maloney disclosed that Board member Debbie Gilkes works with one of the Applicants.

Maloney Introduced the Board members sitting and asked the Applicants to introduce themselves and explain what they want to do, where they want to do it, and why.

Kelleher Mr. Kelleher stated that they currently have four (4) pet Labrador Retriever dogs that they would like to keep as pets. Two of their dogs are older and recently had puppies so the other two are six (6) months old. He stated that they are both home most of the time so the dogs are rarely left alone.

Maloney Inquired on how they obtained the dogs.



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Kelleher Responded that they have had the two older dogs for a while and that they are the parents of the two 6 month old dogs. The mother has been spade and the father is older with failing health. He stated that they do not plan on getting any additional dogs and do not plan on breeding any dogs.

Maloney Inquired on dog waste disposal.

Kelleher Responded that they have a compost area in the back yard area that they dispose of this waste.

Chairman Maloney asked if the Board members have any questions at this time.

Winn No questions.

Gilkes Asked if the fenced area is closed in so that the dogs cannot enter the front yard area.

Kelleher Responded yes.

Singer No questions.

Winn Read review comments from the Planning Board which forwarded a positive recommendation to the ZBA, Health Department, Fire Prevention Officer, and the Engineering Superintendent who all had no comments or issues with this request.

Chairman Maloney opened up the public hearing to public comment at 7:40 p.m. No public comment.

Chairman Maloney closed the public hearing at 7:41 p.m.

Board Discussion/Decision

Daniel Kelleher & Frank Trapanese for property located at 40 Stetson Drive (Assessor's Tax Map R20, Lot 34)

Maloney Stated that he supports this request.

Winn Stated that he also supports this request.

Gilkes No issues with this request.

Singer Stated that he also has no issues and supports this request.

The Board discussed potential conditions of approval.

MOTION: Moved by Maloney, seconded by Winn, and voted 4:0:0 to approve the application of Daniel Kelleher & Frank Trapanese as presented for property located at 40 Stetson Drive (Assessor's Tax Map R20, Lot 34), which is located in the Rural Residential (RC) Zoning



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District, for a special permit pursuant to Sections 200-4.2(C13); and 200-8.3 of the Zoning Ordinance, for a kennel license to allow for four (4) dogs at this location with the following conditions:

- 1) The Applicant shall not obtain any additional dogs at this location;**
- 2) The special permit approval is for this property;**
- 3) The special permit approval to allow the four (4) dogs is for the Applicant’s personal and residential use only.**

- d. **7:45 p.m.:** Application of Roundabout Books, Inc. for property located at 85 Pierce Street (Assessor’s Tax Map 82, Lot 43), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections 200-6.1(C1); 200-6.1 (E); 200-6.5(A6); and 200-8.3 of the Zoning Ordinance, in order to change the existing non-conforming use from approximately 50% warehousing, 25% offices, and 25% fabrication to approximately 40% warehousing, 50% retail, and 10% offices; and to continue the existing non-conforming rear yard setback of 10 feet; and to allow the reduction of off-street parking from 21 to 12 spaces at this location.

At a public meeting on Thursday, May 12, 2022 at 7:45 p.m., via Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of Roundabout Books, Inc. for property located at 85 Pierce Street (Assessor’s Tax Map 82, Lot 43), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections 200-6.1(C1); 200-6.1 (E); 200-6.5(A6); and 200-8.3 of the Zoning Ordinance, in order to change the existing non-conforming use from approximately 50% warehousing, 25% offices, and 25% fabrication to approximately 40% warehousing, 50% retail, and 10% offices; and to continue the existing non-conforming rear yard setback of 10 feet; and to allow the reduction of off-street parking from 21 to 12 spaces at this location. Chairman Maloney explained the public hearing process to the Applicant. Winn read the public notice into the record. Members of the Board sitting were Mark Maloney, Chairman; James Winn, Clerk; David Singer; and Debra Gilkes. The following project proponents were present: Stephen Flickenschild, Thomas Douglas Architects; and Raymond Neal, property owner. Chairman Maloney explained to the Applicant that approving a special permit application requires a supermajority of the Board which is four (4) members. He stated that the Board only has four members this evening so applicants have a choice to wait for the next meeting for a full five member Board or proceed this evening with four members. The Applicant chose to proceed this evening with four members.

Maloney Introduced the Board members sitting and asked the Applicant to introduce himself and explain what he wants to do, where he wants to do it, and why.

Flickenschild Mr. Flickenschild presented the project to the Board. He shared his screen with the Board and reviewed the existing conditions, proposed site layout, interior layout, and proposed landscaping. The existing gravel parking area will remain gravel except for the ADA parking spaces which will be asphalt. There will be five (5) parking spaces provided for employees and seven (7) parking spaces for patrons. 528 square feet of existing paving will be removed for a landscaped area. He reviewed existing screening and proposed landscaping with the Board. Currently, there is no site pole lighting for the property which will remain the same. They are only proposing building mounted lighting for the site. He stated that there will only be 1-2 truck deliveries per



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week. He reviewed the floor plans with the Board. A bicycle rack will be provided for the facility. There are two bathrooms that exist; however, one of them is currently not ADA accessible. This one will be enlarged to meet ADA accessibility. The existing conveyor belt area in the basement will be removed for a lift for patrons to access the second floor. He reviewed snow storage areas with the Board. The existing entrance covered area will be maintained and a new uncovered one will be constructed.

Maloney Inquired on hours of operation.

Neal Responded 10:00 a.m. to 6:00 p.m. Monday through Sunday.

Maloney Inquired on the location of the existing book store.

Neal Responded that 26 Kenwood Street is the current location for Roundabout Books.

Maloney Inquired on signage.

Neal Responded that no signage requiring a special permit will be provided.

Chairman Maloney asked if the Board members have any questions at this time.

Winn No questions.

Gilkes No questions.

Singer No questions.

Winn Read review comments from the Planning Board which forwarded a positive recommendation to the ZBA, Health Department, Fire Prevention Officer, and the Engineering Superintendent who all had no comments or issues with this request.

Chairman Maloney opened up the public hearing to public comment at 8:01 p.m. No public comment.

Chairman Maloney closed the public hearing at 8:02 p.m.

Board Discussion/Decision

Roundabout Books, Inc. for property located at 85 Pierce Street (Assessor's Tax Map 82, Lot 43)

Maloney Stated that he has no issues with the plan as presented to include the reduction of off-street parking.

Winn Stated that he supports the proposed hours of operation.



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Gilkes Stated that she agrees with the Chairman.

Singer Stated that he supports this request.

MOTION: Moved by Maloney, seconded by Gilkes, and voted 4:0:0 to approve the application of Roundabout Books, Inc. as presented for property located at 85 Pierce Street (Assessor’s Tax Map 82, Lot 43), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections 200-6.1(C1); 200-6.1 (E); 200-6.5(A6); and 200-8.3 of the Zoning Ordinance, in order to change the existing non-conforming use from approximately 50% warehousing, 25% offices, and 25% fabrication to approximately 40% warehousing, 50% retail, and 10% offices; and to continue the existing non-conforming rear yard setback of 10 feet; and to allow the reduction of off-street parking from 21 to 12 spaces at this location with the following conditions:

- 1) Hours of operation shall be 10:00 a.m. to 6:00 p.m. Monday through Sunday;
- 2) The Applicant shall follow all requirements of building coeds, fire codes, and related codes and ordinances.

Board Discussion/Decision

PV Squared for property located at 382 Adams Road (Assessor’s Tax Map R07, Lot 3)

Maloney Stated that he has no issues with this request and mentioned a potential condition of approval of additional screening between the solar array and the closet neighbor.

Winn No issues with this request.

Gilkes No issues with this request.

Singer Stated that based on correspondence received and the public hearing, he assumes that the neighbors are okay with the current screening on the property. He suggested a condition that the approval is based on the submitted site plan.

MOTION: Moved by Maloney, seconded by Singer, and voted 4:0:0 to approve the application of PV Squared as presented for property located at 382 Adams Road (Assessor’s Tax Map R07, Lot 3), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-4.2(C17); 200-7.16; and 200-8.3 of the Zoning Ordinance, in order to allow the installation of a 8.1 kW DC ground-mounted PV array consisting of 18 panels at this location with the following conditions:

- 1) The Applicant shall check with the Department of Public Works whether a trench permit is required for the electrical trench;
- 2) The Zoning Board of Appeals recommends that the Applicant consider providing additional coniferous screening of the solar array.



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Approval of Minutes:

MOTION: Moved by Singer, seconded by Winn, and voted 4:0:0 to approve the meeting minutes of March 10, 2022.

Adjournment:

MOTION: Without objection the meeting was adjourned at 8:17 p.m.

Respectfully Submitted,

Eric Twarog, AICP
Director of Planning and Development