



City of  
**GREENFIELD, MASSACHUSETTS**

**Roxann Wedegartner**  
Mayor

**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.

Gilkes, Debra (2025)  
Maloney, Mark (2025)  
Singer, David (2024)  
Winn, James (2023)  
Wozniak, Peter (2023)

**ZONING BOARD OF APPEALS**  
**Minutes of October 13, 2022**  
**2nd Floor Meeting Room 20 Sanderson Street**

The meeting was called to order by Chairman Mark Maloney at 7:00 p.m. with the following members:

**PRESENT:** Mark Maloney, Chairman James Winn, Clerk Peter Wozniak Debra Gilkes

**ABSENT:** David Singer

**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. (Continued from September 8, 2022):** Application of SunBug Solar WM, LLC for property located at 75 Prospect Street (Assessor’s Tax Map 53, Lot 11), which is located within the Urban Residential (RA) Zoning District, for a variance and site plan approval pursuant to Sections 200-4.4(C19); 200-8.4 and 200-8.7 of the Zoning Ordinance, in order to allow the installation of a 11.745 kW DC solar PV array (27 panels) on the roof of a carport structure with a reduction of the required side yard setback from 10 feet to 3.75 feet at this location.

At a public meeting on Thursday, October 13, 2022 at 7:00 p.m., in the 2<sup>nd</sup> Floor Meeting Room of 20 Sanderson Street, the Greenfield Zoning Board of Appeals held a public hearing on the application of SunBug Solar WM, LLC for property located at 75 Prospect Street (Assessor’s Tax Map 53, Lot 11), which is located within the Urban Residential (RA) Zoning District, for a variance and site plan approval pursuant to Sections 200-4.4(C19); 200-8.4 and 200-8.7 of the Zoning Ordinance, in order to allow the installation of a 11.745 kW DC solar PV array (27 panels) on the roof of a carport structure with a reduction of the required side yard setback from 10 feet to 3.75 feet 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; Peter Wozniak; and Debra Gilkes. The following project proponent was present: Adam Thurrell, Director of Operations, SunBug Solar WM, LLC, Applicant; and Evelyn R. Wulfkuhle, property owner. Chairman Maloney

**Maloney** Read the memo from the Director of the Department of Planning and Development stating why there is now a request for a variance when the ZBA previously granted a special permit for this project. He stated that in Massachusetts, variances are difficult to obtain given that all three criteria need to be met.

**Thurrell** Stated that he was not the original project manager for this project so some of things he will state may be second hand information. He stated that it is his understanding that a portion of the deed



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suggested that the property line was located at the foundation of the abutting house. This was used for the site plan submitted for the special permit application that was approved by the ZBA. When a new survey was done by request of the Inspector of Buildings, it showed that the property line is further from the neighboring house foundation than was originally determined.

- Maloney Inquired if the footings have been installed at this time.
- Thurrell Responded no.
- Maloney Inquired that since the project hasn't been built, why couldn't they just move it to meet the setback requirement.
- Thurrell Responded that it is technically feasible to do that but due to the configuration of the existing driveway, if they did that, the carport would be 4 feet off the driveway. It doesn't fit well with the way that the property is laid out. Secondly, since this is a solar project, if the carport was moved closer to the house, shading from the house would affect its efficiency.
- Maloney Asked if his recollection that there are no lights proposed is correct.
- Thurrell Responded that no lighting is being proposed.
- Maloney Asked about the trench for the electric connection.
- Thurrell Stated that the trench has been completed and backfilled already.
- Maloney Inquired on why the solar wasn't installed on the house roof.
- Wulfkuhle Responded that the house is an older house with a beautiful slate roof. They did have someone come to look at the roof for a solar installation and they also mentioned that the slate which is in great condition would have to be removed. She stated that the house is large enough for an in-law apartment for their mother which is why they want to install the carport.
- Chairman Maloney asked if the Board members have any questions at this time.
- Wozniak Asked for clarification if this is a ground-mounted solar system or a roof-mounted system. A special permit is not required for a residential-scale roof-mounted solar system.
- Maloney Clarified that the original request was to allow the carport with solar on top to be 8 feet from the neighboring property line. Only the 20% reduction of the side yard setback required a special permit.
- Wozniak Asked how moving the carport structure would impact the solar array.



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- Thurrell            Responded that the energy production would be reduced by about 20 percent.
- Maloney            Inquired on the proposed dimensions of the carport and solar array.
- Thurrell            Responded 32' x 20' for the roof plane which will be pitched.
- Maloney            Inquired if the orientation of the roof to north-south instead of east-west could be done to give the setback of 8 feet and provide more sun with less shade.
- Thurrell            Responded that this would impact the use of the driveway as currently configured.
- Maloney            Stated that he is trying to come up with a way that this project can still move forward since an approval of a variance is difficult to obtain and requires a supermajority of the Board (4 yes votes). He stated that he recalls that the carport would have only four posts. He asked how many spaces would be under the carport.
- Wulfschuhle        Responded that the carport would have six posts for two parking spaces.
- Maloney            Stated that they could move the entire structure 4.25 feet to meet the setback requirement.
- Thurrell            Stated that turning the carport 90 degrees would not work aesthetically as the current proposal works well with the layout of the property.
- Wulfschuhle        Stated that turning the carport structure would make it difficult to maneuver into the parking spaces.
- Winn                Read review comments from the Fire Prevention Officer and the Engineering Superintendent who both had no comments or issues with this request; Wendy and Ben Marsden who support the project; and Anna and Chris Goudreau who support the project.
- Chairman Maloney opened up the public hearing to public comment at 7:25 p.m.
- No public comment
- Chairman Maloney closed public comment at 7:25 p.m.
- Chairman Maloney asked if the Board members have any additional questions at this time.
- Wozniak            Inquired if 20 feet is necessary to park a car.
- Thurrell            Responded yes.
- Wozniak            Inquired if the footings of the carport determine the setback or the overhang of the solar panels.



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Thurrell            Responded the footings.

Wozniak            Suggested that the footings be moved to give the required setback but still keep the overhang to allow for the solar panels as long as the overhang isn't over the neighboring property line. This would reduce the area for parking.

Maloney            He restated Wozniak's proposal and stated that if they go with this idea, they could request to withdraw their current application without prejudice which would allow them to come back before the Board if this idea doesn't work out. If the Board votes to deny the variance request, then they could not come back with the same plan for a period of two (2) years.

Wulfkuhle        Asked if she could confer with her consultant on this.

The Board took a ten minute recess.

Wulfkuhle        Asked the Board if they were to rotate the carport structure as suggested, would they need a new permit.

Wozniak            Clarified that if they do what is suggested, then they are done with the ZBA but would still need to work with the Building Department which may require a new Building Permit.

Wulfkuhle        Inquired if this would also be the case if they moved the posts as suggested.

Maloney            Responded yes. He stated that they could either request to continue the public hearing to another date or request to withdraw without prejudice. He then read the three criteria for granting a variance that would need to be met.

The Applicant requested to continue the public hearing to the next meeting date.

**MOTION:        Moved by Gilkes, seconded by Winn, and voted 4:0:0 to continue the public hearing to the next regular ZBA meeting.**

Adjournment:

**Without objection the meeting was adjourned at 7:54 p.m.**

Respectfully Submitted,

Eric Twarog, AICP  
Director of Planning and Development