



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.

 Gilkes, Debra (2025)
 Maloni, Mark (2025)
 Moschella, Victor (2025)
 Singer, David (2024)
 Winn, James (2023)
 Wozniak, Peter (2023)

ZONING BOARD OF APPEALS
Minutes of June 8, 2023
2nd Floor Meeting Room 20 Sanderson Street

The meeting was called to order by Chairman David Singer at 6:30 p.m. with the following members:

PRESENT: David Singer, Chairman Peter Wozniak, Clerk James Winn
 Debra Gilkes Mark Maloni Victor Moschella

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. **6:30 p.m.:** Application of Susan and Wilfred Voss for property located at 158 Log Plain Road (Assessor’s Tax Map R11, Lot 69), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-4.2(C1); 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow horses and goats with accessory structures on land less than five (5) acres in size at this location.

At a public meeting on Thursday, June 8, 2023 at 6:30 p.m., in the 2nd Floor Meeting Room of 20 Sanderson Street, the Greenfield Zoning Board of Appeals held a public hearing on the application of Susan and Wilfred Voss for property located at 158 Log Plain Road (Assessor’s Tax Map R11, Lot 69), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-4.2(C1); 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow horses and goats with accessory structures on land less than five (5) acres in size at this location. Chairman Singer explained the public hearing process to the Applicants. Wozniak read the public hearing notice into the record. Members of the Board sitting were David Singer, Chairman; Peter Wozniak, Clerk; James Winn; Debra Gilkes; and Mark Maloni. The following project proponents were present: Susan and Wilfred Voss, Applicants.

- Singer 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.
- Ms. Voss Ms. Voss stated that she recently received certification as a horseback riding instructor so they would like to have a barn and riding area for horses and to give horseback riding lessons. She stated that there is an existing line of trees that they plan on keeping to screen their property from neighbors. They would like to have a riding stall and 3 paddock areas for the horses. They are also requesting to put up a goat paddock in the front yard area of their property which is about 3.4 acres in size. Their driveway is about 185 feet in length. There is an existing barn on the property that is used for both storage and a home office for Mr. Voss. She stated that waste will be kept away from the neighbor’s properties. She stated that if the goats are a problem, they are willing to forego the goats.



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- Mr. Voss He stated that they have designed the site so that there is about 30 feet from their fences to the neighboring property lines. Also, the existing tree belt is about 20-30 feet wide to provide screening.
- Winn Inquired on the number of horses that they would like to have.
- Ms. Voss Responded 3-4 horses.
- Winn Inquired on the number of goats that they would like to have.
- Ms. Voss Responded 2-3 Nigerian Goats which are smaller goats.
- Gilkes Inquired on the removal of waste from the property.
- Ms. Voss Stated that they plan on removing waste on a bi-monthly basis.
- Wozniak Asked about the number of students they plan on having at one time for the horseback riding lessons.
- Ms. Voss Responded 2-3 students at a time.
- Wozniak Inquired about any waste leaching into the ground.
- Ms. Voss Responded that they will be using material to separate the waste from the ground.
- Mr. Voss Stated that there will be a concrete floor area for the barns.
- Wozniak Inquired about noise from the animals.
- Ms. Voss Responded that the horses are quiet animals and noise will not be an issue.
- Gilkes Inquired on the size of the proposed horse paddocks.
- Ms. Voss Responded that the small one proposed would be 72' x 48'.
- Gilkes Asked for confirmation that the other paddocks are about 3 times this size.
- Ms. Voss Responded yes.
- Moschella Asked the Applicants if the goats could be moved to the back yard area.
- Mr. Voss Responded yes and that they would have no problem doing that if the Board wants that.



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Singer Asked about horse boarding at the property.

Ms. Voss Responded no, they will own the horses.

Chairman Singer opened up the public hearing for public comment at 6:50 p.m.

Richard Peterson, 43 Severance Street, Greenfield

Asked about the height of the proposed fencing. Ms. Voss responded 5-6 feet in height. He expressed concerns about the goats jumping the fence and odor.

Don Creek, 49 Severance Street, Greenfield

He expressed concerns about the number of animals proposed at the property as well as odor. Patrick (Hunter) Voss responded that he currently works on a horse farm and that the horse farm is well kept with little odor from the horses. Smell would be minimal.

John Markoski, 164 Log Plain Road, Greenfield

He stated that he has about 150-175 feet of road frontage and is the direct abutter to 158 Log Plain Road. He expressed concerns that summer winds will blow the odor from the property his way. He expressed concerns about the noise from truck traffic for removal of waste and delivery of feed. He expressed concerns about property values in the area decreasing as a result of the animals. He stated that one of the proposed horse paddocks is about 150 feet away from his property. He is concerned about the animals attracting wild predators to the neighborhood. He expressed concerns about the animals escaping the property.

Laurie Markoski, 164 Log Plain Road, Greenfield

She expressed concerns about the number of animals on limited acreage of land. She stated that when she grew up, her family had 1-3 horses on about ten acres of land. She doesn't think 3.4 acres is enough land for the number of proposed animals.

Patrick (Hunter) Voss, 158 Log Plain Road, Greenfield

He stated that he works on a farm and that the odor from the horses is not bad at all. He works limited hours at the farm so he hasn't become nose blind to the smell. He also stated that he did some research into the land area requirements for horses. In Massachusetts, one must have one acre of land per horse so the 3.4 acres is enough for 3 horses.

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

Wozniak Stated that he is concerned about the lack of specifics on how the property will be managed in terms of waste placement, removal, feed storage and deliveries. He also stated that the horseback riding lessons was not indicated on the special permit application form.

Maloni Asked the abutter present if they would still have an issue if the number of horses was reduced to one or two.



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All abutter responded that they still have their stated concerns.

Chairman Singer closed the public hearing at 7:01 p.m. He stated to the applicants that the Board will deliberate on the application after hearing the next agenda item. He gave the Applicants 3 options: 1) to withdraw without prejudice at this time which would allow them to re-apply with additional information and to include the horseback riding lessons, 2) to wait for the Board’s deliberation and make a decision to withdraw without prejudice before the Board takes a vote, and 3) to wait for the Board’s vote. If the Board denies the application, they would not be able to re-apply for a period of two years. The Applicants withdrew their application without prejudice and will re-apply at some future date.

- b. **6:45 p.m.(Continued from May 18, 2023):** Application of Wilson’s on Main, LLC c/o The Community Builders for property located at 242-262 Main Street (Assessor’s Tax Maps 51 and 57, Lots 53, 56, 57, and 95), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-4.7(B7); 200-7.12; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow the rehabilitation of the existing vacant Wilson’s Department Store building into a mixed-use property containing the relocated Franklin Community Co-op occupying the first floor and lower level and the creation of 65 mixed income, affordable rental apartments on Floors 3-5 of the existing building as well as within a newly proposed addition fronting on Chapman Street at this location. The project will include the historic renovation of the existing Main Street façade as well as redevelopment of a previously abandoned foundation along Chapman Street.

At a public meeting on Thursday, June 88, 2023 at 6:45 p.m., in the 2nd Floor Meeting Room of 20 Sanderson Street, the Greenfield Zoning Board of Appeals held a public hearing on the application of Wilson’s on Main, LLC c/o The Community Builders for property located at 242-262 Main Street (Assessor’s Tax Maps 51 and 57, Lots 53, 56, 57, and 95), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-4.7(B7); 200-7.12; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow the rehabilitation of the existing vacant Wilson’s Department Store building into a mixed-use property containing the relocated Franklin Community Co-op occupying the first floor and lower level and the creation of 65 mixed income, affordable rental apartments on Floors 3-5 of the existing building as well as within a newly proposed addition fronting on Chapman Street at this location. The project will include the historic renovation of the existing Main Street façade as well as redevelopment of a previously abandoned foundation along Chapman Street. The following project proponents were present: John Williams, Franklin Community Co-op; Rachana Crowley, The Community Builders; Julia Scannell, Project Manager, The Community Builders; Chris Legiadre, Senior Design/Construction Manager, The Community Builders; Henry Albin, Jones Whitsett Architects; and Aaron Keegan, Fuss & O’Neil.

Keegan Mr. Keegan presented the updated traffic study to the Board. He stated that the levels-of-service (LOS) at all study area unsignalized intersections is projected to be maintained for AM and PM weekday peak hours except for the Pleasant St at Federal intersection during the PM peak hour. At the Pleasant St and Federal St intersection in the PM period, newly generated eastbound traffic on Pleasant St exiting the Wilson’s redevelopment site results in a LOS E condition. LOS E is not a failing condition, but does reflect urban congestion during the PM peak hour. This is a decrease in level of service compared to the former Department Store, which would have produced traffic



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resulting in a LOS D for eastbound Pleasant St at Federal St. The No Build condition has a LOS C on eastbound Pleasant St at Federal St. The results show that the projected LOS at the intersection of Pleasant St and Federal St may require mitigation per Greenfield ordinance. This may be accomplished by a plan to calm traffic on Federal St by adding intersection warning signage, reduced speed warning signage, or dynamic speed signs which flash measured vehicle speeds to vehicles on Federal St. The goal would be to calm traffic on Federal St to make it safer for turning vehicles from Pleasant St to complete their movements onto Federal St. Based on the results of the foregoing analysis, it is the professional opinion of Fuss & O'Neill, Inc. that the proposed development, along with the recommendations outlined above, will not have a significant impact to traffic operations within the study area.

- Gilkes Asked for clarification on how the number of trips projected in the traffic study could have no impact to the street network other than the Pleasant Street/Federal Street intersection.
- Keegan Mr. Keegan responded that even though the number of trips will increase in the study area, the increase does not degrade the Level of Service (LOS) for these intersections with the exception of the Pleasant Street/Federal Street intersection.
- Winn Asked Mr. Keegan if he would recommend retiming the signal light at the intersection of Main Street and Bank Row.
- Keegan Responded no. He mentioned that retiming this signal may happen as the result of the 2026 Main Street Complete Streets TIP Project.
- Singer Inquired on the delays for a LOS intersection levels D, E, and F.
- Keegan Responded that a LOS of D for unsignalized intersections is 26-35 second wait time, E is 36-50 second wait time while a LOS F is a >50 second wait time.

Chairman Singer opened the public hearing up for continued public comment at 7:32 p.m.

Don White, 21 Crescent Street (business at 10 Chapman Street), Greenfield

Mr. White expressed concerns on the following:

Traffic: He expressed concerns about traffic on Pleasant Street as he has direct experience using this route. He also expressed concerns about both truck and emergency vehicle traffic on Chapman Street which is heavy. He is more concerned about the size of the vehicles using Chapman Street over the number of vehicles using it. He suggested getting rid of what he calls the brick tree belt along Chapman Street which are about 9-10" in width. This would require moving utility poles but would give an extra couple of feet in width for Chapman Street.

Parking: He expressed concerns about parking both on Chapman Street and the area in general. He suggested starting Saturday parking enforcement.



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Water/Sewer: He expressed concerns about the increased use of both water and sewer in this area. He stated that the area already experience periodic water/sewer issues. He suggested that Chapman Street be included in any city water/sewer study for Main Street.

Wozniak Asked the project proponents about any water/sewer improvements as a result of this project.

Scannell Responded that the project went through a Technical Review Group meeting with the City which included staff from the DPW as well as project review from the Engineering Superintendent for the special permit application. She stated that the City is confident that the city’s infrastructure can handle the new development.

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The Mayor stated that a water/sewer study is now being completed for Main Street. She stated that the DPW has reviewed the water/sewer needs for the project both at the Technical Review Group meeting and for this project review and they have no issues with the proposed project.

Kerry Semaski, 58 Highland Avenue (business at 248 Main Street), Greenfield

Ms. Semaski read from a written statement and stated that she is owner of Cleary Jewelers in Greenfield which is a business that has been in Greenfield for 95 years and is the oldest jewelry store in Franklin County. She stated that they have been negotiating with the new owner of the building, MassDevelopment, on relocating the business. MassDevelopment suggested several new locations but none were appropriate for the business. They did find a new suitable location but could not reach an agreement with MassDevelopment.

Moschella Asked if TCB will be paying property taxes.

Scannell Responded yes.

The project proponents reviewed the plan for Chapman Street with the audience.

Richard Kuklewicz, Past President of the Moose Lodge and current member of the Montague Selectboard

Expressed concerns about both parking and traffic as a result of the project.

Chairman Singer closed the public hearing at 8:09 p.m.

Board Discussion/Decision

Wilson’s on Main, LLC c/o The Community Builders for property located at 242-262 Main Street (Assessor’s Tax Maps 51 and 57, Lots 53, 56, 57, and 95)

Wozniak Read the conclusions from the updated traffic impact study prepared by Fuss & O’Neil.

Chairman Singer stated that the Board has received additional comments that they will now read into the record.

Wozniak Read public comment from Laraine Wade, Kayla Lapine, and Mora Morrison.



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Singer Inquired about a performance bond for the project.

Scannell Responded yes for the selected contractor.

Chairman Singer stated that the project falls under Major Development Review (MDR) because the project proposes more than fifty (50) dwelling units. Under MDR, the Board has the following options:

- (1) Deny the special permit, stating specific conditions which cannot be sufficiently mitigated, or
- (2) Grant the special permit with conditions, safeguards and/or limitations, stated in writing, or
- (3) Grant the special permit as presented.

Chairman Singer stated that the Board may issue a special permit for a major development only after finding that the proposed project will not create a materially adversely impact on adjacent properties, the neighborhood, the City, or the environment. He reviewed the following criteria of approval for Major Development Review projects:

- (1) The special permit criteria in § 200-8.3F of the Zoning Ordinance.
- (2) The site plan approval guidelines in § 200-8.4 of the Zoning Ordinance.
- (3) The standards for evaluating the impacts of a project set forth in the Major Development Review Rules and Regulations for Impact Statements.

The Zoning Board of Appeals finds that: (i) the public convenience and welfare will be substantially served by its action hereunder, (ii) the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the City of Greenfield Zoning Ordinance, (iii) the application of Wilson’s on Main, LLC c/o The Community Builders for property located at 242-262 Main Street (Assessor’s Tax Maps 51 and 57, Lots 53, 56, 57, and 95), meets the criteria established in Sections 200-4.7(B7), 200-7.12, 200-8.3, and 200-8.4 of the Zoning Ordinance, and (iv) the proposed use or structure will not adversely impact adjacent properties, the neighborhood, the City of Greenfield, or the environment.

Special Permit Criteria of Approval:

- (1) Provision shall be made for convenient and safe vehicular and pedestrian circulation within the site and in relation to adjacent streets and property. The service level of adjacent streets shall not be significantly reduced due to added traffic volume or type of traffic in accordance with the most recent edition of the Highway Capacity Manual;

Singer Stated that based on the updated traffic impact study, the only impacted intersection is the Pleasant Street/Federal Street intersection for which the LOS will drop from a D to an E.

Wozniak He stated that he has lived in Greenfield for about 50 years and can remember when the downtown was full and vibrant. People back then accepted the amount of traffic in the downtown area. He suggested a promotion campaign to educate people on the potential new traffic pattern in the downtown area for people to better accept the change.

Winn Suggested limiting truck traffic on Chapman Street.



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- Gilkes Stated that she supports the project and suggested looking at the sidewalk network in the Chapman Street area to potentially improve pedestrian/traffic flow.
- Maloni Questioned what traffic mitigation the ZBA should do relative to the Pleasant Street/Federal Street intersection.
- Wozniak Suggested flashing yellow/red lights at this intersection.
- Moschella No questions or comments.
- Scannell Ms. Scannell offered a self-imposed condition of approval to offer a financial contribution up to \$20,000.00 for the mitigation of the Pleasant Street/Federal Street intersection.

The Board reached consensus to add a condition of approval to mitigate the Pleasant Street/Federal Street intersection.

- (2) The proposed use shall not overload the capacity of water and sewer systems, storm drainage, schools, solid waste disposal facilities, and other public facilities;

Criteria met.
- (3) The design of the project shall provide for adequate methods of disposal of sewage, refuse, or other wastes generated by the proposed use;

Criteria met.
- (4) The proposed project shall not increase erosion, flooding, or sedimentation either on-site or on neighboring properties and shall be consistent with the Massachusetts Wetlands Protection Act (MGL c. 131, ~ 40) and Chapter 423 of the Greenfield Code;

Criteria met.
- (5) The proposed project shall not create a significant adverse impact on the quality of the natural environment including wildlife, vegetation, air, surface and groundwater, during or after construction;

Criteria met.
- (6) The design of the project shall minimize earth removal, volume of cut and fill, grade changes, and the removal of existing trees and vegetation;

Criteria met.
- (7) The proposed project shall not have a significant adverse fiscal impact on the City in terms of balancing as near as possible the cost of public services and public revenue provided through taxes and other income;



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Criteria met.

- (8) The project shall be compatible with existing uses and other uses allowed by right in the district, and shall not detract from the character and scale of neighboring properties;

Criteria met.

- (9) The design of the project shall minimize the visibility of visually degrading elements and maximize the use of screening, vegetated buffer zones, and open space;

Criteria met.

- (10) The proposed project shall be consistent with the purposes and intent of this ordinance.

Criteria met.

Site Plan Approval Guidelines:

- (1) Provision for integrating the project into the existing terrain and surrounding landscape by minimizing use of wetlands, steep slopes, and hilltops; protecting visual amenities and scenic views; preserving unique natural or historical features; minimizing tree, vegetation and soil removal; and minimizing grade changes;

Criteria met.

- (2) The use of landscaping to establish buffers between incompatible land uses and to screen unsightly features;

Criteria met.

- (3) The provision of open spaces and pedestrian amenities available to the public;

Criteria met.

- (4) The arrangement of access points, service roads, driveways, parking areas, lighting, and pedestrian walkways in a manner which maximizes the convenience and safety of pedestrian and vehicular movement within the site and in relation to adjacent ways;

Criteria met.

- (5) Ease of access, travel and on-site movement for fire and police equipment and other emergency services for public safety;



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Criteria met.

- (6) Provisions for underground placement of utilities;

Criteria met.

- (7) Provisions for surface runoff and drainage which protects the site and adjacent properties from erosion, maximizes groundwater recharge through Low Impact Development (LID) stormwater techniques, and prevents the collection of surface runoff on paved surfaces which may obstruct pedestrian or vehicular flow;

Criteria met.

- (8) The siting of buildings, structures, and open spaces to permit maximum use of passive solar energy, to permit maximum protection from adverse impacts of winds, vapors or other emissions, shadows and noise, and to provide for adequate light, air and circulation;

Criteria met.

- (9) Protection of historic features and design which does not detract from properties in the area;

Criteria met.

- (10) Measures to prevent pollution of surface or groundwater, and to prevent increased flooding;

Criteria met.

- (11) Compliance with the parking, loading, dimensional, performance standards and all other sections of this ordinance.

Criteria met.

MOTION: Moved by Winn, seconded by Maloni, and voted 5:0:0 to approve the application of Wilson’s on Main, LLC c/o The Community Builders for property located at 242-262 Main Street (Assessor’s Tax Maps 51 and 57, Lots 53, 56, 57, and 95), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-4.7(B7); 200-7.12; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow the rehabilitation of the existing vacant Wilson’s Department Store building into a mixed-use property containing the relocated Franklin Community Co-op occupying the first floor and lower level and the creation of 65 mixed income, affordable rental apartments on Floors 3-5 of the existing building as well as within a newly proposed addition fronting on Chapman Street at this location with the following conditions:



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- 1) **The Applicant shall within one (1) year after total project completion evaluate the intersection of Pleasant Street and Federal Street and shall contribute up to \$20,000.00 for any required mitigation which may include any of the following: a plan to calm traffic on Federal Street by adding intersection warning signage, reduced speed warning signage, or dynamic speed signs which flash measured vehicle speeds to vehicles on Federal Street;**
- 2) **All documents submitted in the application packet and listed in Appendix A of this decision are hereby incorporated into this special permit approval.**

Approval of Minutes:

MOTION: Moved by Winn, seconded by Maloni, and voted 5:0:0 to approve the meeting minutes of May 18, 2023.

Adjournment:

MOTION: Moved by Winn, seconded by Gilkes, and voted 5:0:0 to adjourn the meeting at 9:01 p.m.

Respectfully Submitted,

Eric Twarog, AICP
Director of Planning and Development