



Virginia Desorgher
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 (2026)
Wozniak, Peter (2026)

ZONING BOARD OF APPEALS
Minutes of April 11, 2024
2nd Floor Meeting Room at City Hall at 14 Court Square

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

PRESENT: David Singer, Chair James Winn Debra Gilkes Mark Maloni Victor Moschella

ABSENT: Peter Wozniak, Clerk

ALSO PRESENT: Mayor Virginia Desorgher and members of the public.

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 PV Squared for property located at 50 Raymond Road (Assessor’s Tax Map R12, Lot 65), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-7.16; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow a 14.7 kW DC ground-mounted PV array consisting of 35 Qcell 420W panels at this location.

On Thursday, April 11, 2024 at 6:30 p.m., in the 2nd Floor Meeting Room of City Hall located at 14 Court Square, the Greenfield Zoning Board of Appeals held a public hearing on the application of PV Squared for property located at 50 Raymond Road (Assessor’s Tax Map R12, Lot 65), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-7.16; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow a 14.7 kW DC ground-mounted PV array consisting of 35 Qcell 420W panels at this location. Maloni read the public notice into the record. Members of the Board sitting were David Singer, Chair; James Winn; Debra Gilkes; Mark Maloni; and Victor Moschella. The following project proponent was present: Jeannine Haendiges, PV Squared.

Singer Introduced the Board members sitting and asked the Applicant to introduce herself and explain what she wants to do, where she wants to do it, and why.

Haendiges Ms. Haendiges presented the proposed project to the Board. She reviewed the site plan and specification of the system with the Board as well as showing photos of the site location and surrounding area.

Winn Inquired on the life expectancy of the solar panels.

Haendiges Responded 25 years for both the panels and inverters.



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- Winn Asked what happens to the panels after their life expectancy.
- Haendiges Responded that the panels may last longer than 25 years. After that, the owners would decide if the panels would be replaced with newer technology.
- Singer Inquired if this is the disc golf property.
- Haendiges Responded yes.

Maloni read review comments from MassDOT, Inspector of Buildings, and from the Fire Prevention Officer, Engineering Superintendent, Department of Planning and Development, and Health Department who all had no comments or issues with the project.

Chairman Singer opened the public hearing up to public comment at 6:40 p.m.

Terry Gray, 62 Graves Road, Greenfield

Mr. Gray asked if the solar array is for personal use or for the grid. Ms. Haendiges responded that it is for personal use with any excess energy being sold back to the grid which is standard practice. Mr. Gray asked about future expansion of the solar array. Chairman Singer responded that the Zoning Ordinance regulated both residential scale and commercial scale solar systems. The system being proposed at 50 Raymond Road is a residential scale solar array.

Mary Marynk, 62 Graves Road, Greenfield

Ms. Marynk asked how far the solar array would be from their rear property line. Ms. Haendiges responded about 640 feet through the woods.

Chairman Singer closed the public hearing at 6:48 p.m.

Chairman Singer asked the Board if they have any additional questions at this time. The Board had no additional questions.

Board Discussion/Decision

PV Squared for property located at 50 Raymond Road (Assessor’s Tax Map R12, Lot 65)

- MOTION** **Moved by Maloni, 2nd by Moschella, and voted 5:0:0 to approve the application of PV Squared for property located at 50 Raymond Road (Assessor’s Tax Map R12, Lot 65), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-7.16; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow a 14.7 kW DC ground-mounted PV array consisting of 35 Qcell 420W panels at this location with the following condition:**
- 1) The project shall be done as presented to the Board and according to the submitted site plan dated 11/30/2023.**



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- b. **6:45 p.m.:** Application of 15 Arch Street, LLC for property located at 15 Arch Street (Assessor’s Map 69, Lot 74), which is located in the General Industry (GI) Zoning District, for a Special Permit pursuant to Sections 200-4.11(C18), 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the additional use of marijuana product manufacturing to the existing use of marijuana cultivation at this location.

On Thursday, April 11, 2024 at 6:45 p.m., in the 2nd Floor Meeting Room of City Hall located at 14 Court Square, the Greenfield Zoning Board of Appeals held a public hearing on the application of 15 Arch Street, LLC for property located at 15 Arch Street (Assessor’s Map 69, Lot 74), which is located in the General Industry (GI) Zoning District, for a Special Permit pursuant to Sections 200-4.11(C18), 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the additional use of marijuana product manufacturing to the existing use of marijuana cultivation at this location. Maloni read the public notice into the record. Members of the Board sitting were David Singer, Chair; James Winn; Debra Gilkes; Mark Maloni; and Victor Moschella. The following project proponents were present: John Hadden, Josh Levin, and Dan Sullivavan, Business owners.

- Singer 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.
- Hadden Mr. Hadden presented the project to the Board. He stated that they have a license from the CCC and special permit from the ZBA to operate a Tier 1 Indoor Marijuana cultivation facility at 15 Arch Street. Under this license, they are allowed to grow, process, and package. They are seeking another license and special permit approval to add marijuana product manufacturing to their existing cultivation facility. Under this license they would be able to grow, process, manufacture, and package. He stated that their business is an organic cultivation business using organic soils with no pesticides. Mr. Hadden explained the process of fresh frozen live rosin manufacturing (hash) to the Board.
- Moschella Inquired if any changes will be made to the building or interior spaces as a result of adding rosin manufacturing.
- Hadden Responded no.
- Singer Inquired if any additional smell(s) would result from adding product manufacturing.
- Hadden Responded none.
- Singer Inquired if there will be any changes to the existing HVAC system.
- Hadden Responded no.
- Winn Asked about the original special permit approval relative to the HVAC system and whether there will be any additional noise.



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- Hadden Responded that the grow lights are on from 8:00 a.m. to 8:00 p.m. and that the units on the outside of the building are used for the grow lights to reduce the interior temperature.
- Singer Asked the Applicant to explain how the existing HVAC system works and any noise associated with it.
- Hadden Mr. Hadden explained the use of the existing HVAC system to the Board. He stated that the units are supposed to start slowly, not on full at startup. He stated that the fan controllers will be replaced so that the units start as intended. He also stated that they are looking into purchasing new blades for the units to help reduce noise.
- Singer Inquired on when the fan controllers (motherboards) would be replaced.
- Hadden Responded about 6-8 weeks. He also stated that the units could not be placed on the roof of the building due to structural issues reviewed by a structural engineer. He stated that there is not enough land on the opposite side of the building as the building itself encroaches on railroad land.

Maloni read review comments from the Mark Snow, Inspector of Buildings; Department of Planning and Development; and from the Fire Prevention Officer and Engineering Superintendent who both had no comments or issues with the project.

Chairman Singer opened the public hearing up to public comment at 7:40 p.m.

Michelle Ozdarski, 19 Arch Street, Greenfield

Michelle had a question for the Applicant: she doesn't understand how the additional use of product manufacturing will not increase the use of the air conditioners. Mr. Hadden responded that the unit, which is a 5-ton unit, used to cool the room where the product manufacturing would occur is further up the driveway and that its use would not increase. Mr. Hadden reviewed the unit types and functionality to the Board.

Singer Summarized that the additional use of product manufacturing will not increase the use of the air exchange units.

Richard Ozdarski, 19 Arch Street, Greenfield

He stated that the proposed screening fence would have been a chain link fence which they were not interested in. That is why they signed off on waiving the fence. He went into detail about the smell issues, drainage issues, snow plowing issues, and noise issues at 15 Arch Street. He stated that his family is not able to sleep without the use of a radio. They have purchase special curtain as well to reduce noise.

Ryan Whitney, 166 Chapman Street, Greenfield

Mr. Whitney stated that he supports the business at 15 Arch Street but is concerned about the approval process within the City, particularly relative to pavement.



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Stephanie Duclos, 166 Chapman Street, Greenfield

Ms. Duclos expressed concerns about drainage on Arch Street as well as noise concerns.

Deborah Rossman, 16 Arch Street, Greenfield

Ms. Rossman spoke against the project. She stated that the business owners promised that they would not expand but are now requesting to do so. She expressed concerns about the noise from the air exchange units and stated that she is not able to use the front portion of her home without significant noise from these units. She stated that the units sometimes come on every 10-15 seconds. She expressed concerns about tractor trailer deliveries to the site when they are supposed to use smaller box trucks. She stated that this business is located within a residential neighborhood. She also expressed concerns about security as the building has been vandalized with graffiti several times.

Hadden Responded that he has provided the video of the vandals to the Greenfield Police Department. He stated that they have notified all of their delivery operators that only box trucks can be used for deliveries to the site.

Mayor Virginia Desorgher, 43 Silver Crest Lane, Greenfield

Mayor Desorgher stated that she provided a video to the Board relative to the noise issue at 15 Arch Street. She expressed concerns about the noise issue and stated that she feels bad for the abutters to this property. Chairman Singer asked the Mayor if she has a recommendation to the Board. The Mayor responded that she recommends that the air exchange units be moved to the opposite side of the building.

Ann Mayo, 143 Wells Street, Greenfield

Ms. Mayo expressed concerns about the noise and its impact on the neighbors.

Zaccheo Ozdarski, 19 Arch Street, Greenfield

Expressed his concerns about the noise and how he is unable to sleep much of the time due to this noise.

Winn Inquired on the distance between the building and the railroad property.

Hadden Responded about 18 inches.

Moschella Asked the Applicant if he has reached out to the railroad about this.

Hadden Responded no.

Singer Asked Ms. Rossman that if the business owners were more responsive, would that make a difference with this application.

Rossmann Responded no, that she doesn't have any faith in this business.

Hadden Mr. Hadden made a statement to the Board that he has made himself available to the neighbors; that the filters used were replaced with high quality carbon filters in order to reduce any smell;



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and that they have made provisions to replace the mother boards and blades of the air condenser units. He stated that the business has spent about \$25,000 already on HVAC repairs with an additional \$25,000 that will go into HVAC upgrades.

Chairman Singer closed the public comments portion of the public hearing at 8:15 p.m.

The Board discussed whether to continue the public hearing to the next meeting.

MOTION: Moved by Winn, seconded by Gilkes, and voted 5:0:0 to continue the public hearing to May 16, 2024.

Approval of Minutes:

MOTION: Moved by Gilkes, seconded by Winn, and voted 5:0:0 to approve the meeting minutes of February 8, 2024.

Adjournment:

MOTION: Moved by Gilkes, seconded by Winn, and voted 5:0:0 to adjourn the meeting at 8:40 p.m.

Respectfully Submitted,

Eric Twarog, AICP
Director of Planning and Development