

# ZONING BOARD OF APPEALS

TOWN OF GREENFIELD, MASSACHUSETTS  
14 Court Square, Greenfield, MA 01301

413-772-1548  
413-772-1309 (fax)



## Zoning Board of Appeals Minutes of April 14, 2011 Police Station Meeting Room 321 High Street

Chairman McLellan called the regular meeting to order at 7:06 p.m. with the following members present:

**PRESENT:** Tom McLellan, Chair                      Mark Maloney, Clerk                      Scott Cote  
                  Howard Barnard                              Scott Conti                                  Christopher Joseph

Chairman McLellan announced that the meeting was being recorded and asked if anyone else was recording the meeting. No one responded.

### Public Hearings:

**7:00 p.m.** Application of James and Denise Elwell for property located at 275 Wells Street, which is located in the General Industry (GI) Zoning District, for a variance pursuant to Section 200-8.7 and the Table of Dimensional Requirements Footnote #2 of the Zoning Ordinance in order to allow a reduced side yard setback from fifty (50) feet to fifteen (15) feet.

**MOTION:** Moved by Maloney, 2<sup>nd</sup> by Joseph and voted 5:0 to approve the application of James and Denise Elwell for property located at 275 Wells Street, which is located in the General Industry (GI) Zoning District, for a variance pursuant to Section 200-8.7 and the Table of Dimensional Requirements Footnote #2 of the Zoning Ordinance in order to allow a reduced side yard setback from fifty (50) feet to fifteen (15) feet with the condition that the roof be sloped so that it drains toward the railroad property.

**7:15 p.m.** Application of William Gordon for property located at 559 Country Club Road, 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 an animal kennel to allow up to ten (10) dogs.

**MOTION:** Moved by Cote, 2<sup>nd</sup> by Maloney and voted 5:0 to approve the application of William Gordon for property located at 559 Country Club Road, 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 an animal kennel to allow up to eight (8) dogs with the following conditions:

- 1) The applicant shall put up a six (6) foot stockade fence along the north side of the kennel;
- 2) The Kennel shall be set back according to the setback requirements of the Greenfield Zoning Ordinance; and
- 3) The dogs shall not be left outside overnight.

**7:30 p.m.** Application of Gas Development, LLC for property located at 488 Bernardston Road, which is located in the Limited Commercial (LC) Zoning District, for a special permit and site plan approval pursuant to Sections 200-6.1(C1), 200-8.3, and 200-8.4 of the Zoning Ordinance in

order to allow the change, extension or alteration of a legal non-conforming use (gas station) within the Limited Commercial (LC) Zoning District.

**MOTION:** Moved by Maloney, 2<sup>nd</sup> by Cote and voted 5:0 to approve the application of Gas Development, LLC for property located at 488 Bernardston Road, which is located in the Limited Commercial (LC) Zoning District, for a special permit and site plan approval pursuant to Sections 200-6.1(C1), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the change, extension or alteration of a legal non-conforming use (gas station) within the Limited Commercial (LC) Zoning District with the following conditions:

- 1) The applicant shall comply with all requirements of the Department of Public Work's memo dated March 29, 2011;
- 2) The applicant shall submit as-built plans certified by a licensed engineer to the Zoning Board of Appeals once construction is complete;
- 3) Fuel delivery shall be conducted during off-peak hours;
- 4) There shall be no light spillover onto neighboring properties;
- 5) All outside area lighting excluding the canopy shall be a maximum of fifteen (15) feet in height; and
- 6) Hours of operation shall be from 6:00 AM to 11:00 PM seven (7) days a week.

Planning Board Recommendation:

Application of Wedgewood Gardens, Inc. for a special permit pursuant to Sections 200-6.11(D) and 200-8.3 of the Zoning Ordinance to allow a common driveway to serve three (3) residential lots at 220 Silver Street which is located within the Urban Residential (RA) Zoning District.

The Board discussed the issue of traffic congestion in this area of Town and recommended that the proposed common driveway be extended to loop back to Silver Street to give the residents another way to exit the site.

Minutes:

**MOTION:** Moved by Maloney, seconded by Cote, and voted 5:0 to approve the meeting minutes of February 10, 2011.

Adjournment:

**MOTION:** Moved by Maloney, seconded by Cote, and voted 5:0 to adjourn the meeting at 9:10 p.m.

Respectfully submitted,

Eric Twarog, AICP  
Director of Planning and Development