



City known as the Town of
GREENFIELD, MASSACHUSETTS

ZONING BOARD OF APPEALS

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

William F. Martin
Mayor

Members:
Twarog, Eric
Director, Planning & Dev.

Allis, Brickett (2018)
Conti, Scott (2016)
Joseph, Christopher (2014)
Maloney, Mark (2016)
Winn, James (2017)

ZONING BOARD OF APPEALS
Minutes of August 13, 2015
Department of Planning & Development
114 Main Street

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

PRESENT: Mark Maloney, Chairman Scott Conti Christopher Joseph
James Winn Brickett Allis

ALSO PRESENT: Applicants

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:

1. Application of Dan McCarthy for property located at 85 Shelburne Road (Assessor's Map 61, Lot 15), which is located within the General Commercial (GC) Zoning District for a Special Permit pursuant to Sections 200-4.9(C7) and 200-8.3 of the Zoning Ordinance in order to allow the re-construction of a single-family dwelling to a two-family dwelling.

Members sitting were Mark Maloney, Chair; Scott Conti; Christopher Joseph; James Winn; and Brickett Allis. Also in attendance were Applicants, Dan and Monica McCarthy; and members of the public.

- 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.
- McCarthy Stated before he purchased the property a few years ago, there was a house on the property. Stated the house flooded away during Hurricane Irene. Stated he had permission from the town to rebuild the house on the same footprint, but while submitting his building permit, he did not realize he only had permission to rebuild a single family home, not a two-family home. Therefore, he would like to request a special permit to build the two-family dwelling unit on the existing footprint.
- Maloney Inquired when the original house was built there.
- McCarthy Responded the house was built sometime in the 1900s and the existing garage was built in 1901.
- Maloney Stated the structures were built before zoning.
- Maloney Inquired whether the original house was used as a single family house.



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- McCarthy Responded, yes. Originally, it was used as a single family house. Sometime in the 1900s, the original owners built a second single family house on the property. Later, the property was subdivided into two separate properties.
- Winn Inquired whether the applicant will be the owner-occupier.
- McCarthy Responded, yes and perhaps rent the apartment to his son, Matthew McCarthy.
- McLellan Read correspondence from the DPW, Board of Health, and Fire Department.
- Maloney Inquired whether the footprint for the two-family home would remain the same as the original single family home.
- McCarthy Responded, yes.
- Allis Inquired how many other two family homes are in the neighborhood.
- McCarthy Responded there are approximately ten 2-family homes in the neighborhood.

Chairman Maloney opened up the hearing for public comment.

No comments

Public Hearing closed at 7:13 p.m.

Discussion/Decision

Dan McCarthy for property located at 85 Shelburne Road (Assessor's Map 61, Lot 15)

The Board had no issues with this request.

MOTION

Moved by Conti, seconded by Joseph, and voted 5-0 to approve the application of Dan McCarthy for property located at 85 Shelburne Road (Assessor's Map 61, Lot 15), which is located in the General Commercial (GC) Zoning District, for a special permit pursuant to Sections 200-4.9(C7) and 200-8.3 of the Zoning Ordinance in order to allow the re-construction of a single-family dwelling to a two-family dwelling.

- Application of Terry Gray and Mary Marynuk for property located at 62 Graves Road (Assessor's Map R12, Lot 71), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-6.2(E) and 200-8.3 of the Zoning Ordinance in order to allow the erection of eight (8) foot high fence within eight (8) feet of the side lot line.

Members sitting were Mark Maloney, Chair; Scott Conti; Christopher Joseph; James Winn; and Brickett Allis. Also in attendance were Applicants, Terry Gray and Mary Marynuk; and members of the public. Maloney



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- 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.
- Gray Stated they need to replace a fence surrounding their pool. The abutting property has been vacant for many years, with vegetation overgrown and the house falling apart. Since they need to replace the fence, they figured they would like it to be 8-feet high in order to block the view of the blighted property. The length of the 8-foot high fence would be 35 feet long. Stated there are some existing arborvitae that blocks a section of the abutting property, but given the topography for the particular 35-foot section, the applicant feel the 8-foot fence would be best.
- Maloney Inquired what kind of fencing would be installed.
- Marynuk Responded it would be a stockade fence, which will match the existing fencing on the property.
- Conti read correspondence from the DPW, Planning Board, and the Building Inspector.
- Chairman Maloney opened up the hearing for public comment.
- No comments
- Public Hearing closed at 7:25 p.m.

Discussion/Decision

Terry Gray and Mary Marynuk for property located at 62 Graves Road (Assessor's Map R12, Lot 71)

The Board had no issues with this request.

MOTION Moved by Joseph, seconded by Allis, and voted 5-0 to approve the application of Terry Gray and Mary Marynuk for property located at 62 Graves Road (Assessor's Map R12, Lot 71), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-6.2(E) and 200-8.3 of the Zoning Ordinance in order to allow the erection of eight (8) foot high fence within eight (8) feet of the side lot line

Action Items:

1. Re-affirming the Annual Reorganization

MOTION: Moved by Joseph, seconded by Conti, and voted 5:0 to elect Mark Maloney as Chair.

MOTION: Moved by Joseph, seconded by Winn, and voted 5:0 to elect Scott Conti as Clerk.



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Approval of Minutes:

MOTION: Moved by Joseph, seconded by Conti, and voted 5:0 to approve the Minutes from June 25, 2015.

Adjournment:

MOTION: Moved by Conti, seconded by Winn, and voted 5-0 to adjourn the meeting at 7:36 p.m.

Respectfully Submitted,

Maureen Pollock
Assistant Planner & Conservation Agent