



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 April 14, 2016
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:

Application of Summit Distributing, LLC C/O Thomas J. Frawley for property located at 109 Mohawk Trail (Assessor’s Tax Map 46, Lot 42), which is located in the General Commercial (GC) Zoning District, for a special permit pursuant to Sections 200-6.1(C), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the existing service station to be converted to a convenience store with the addition of a drive-thru window for a donut shop at this location.

Members sitting were Mark Maloney, Chair; Scott Conti; Christopher Joseph; James Winn; and Brickett Allis. The Applicant was not in attendance.

Maloney read correspondence from the Applicant requesting a continuance to the next regularly scheduled meeting.

MOTION: Moved by Joseph, seconded by Winn, and voted 5-0 to continue the public hearing until May 12, 2016

The Board requests that the Applicant provide the following information prior to the May 12th meeting: current traffic counts; construction details on the curbing between where the Applicant proposes to cut the corner of the building and the adjacent hotel parking lot; and plans for what the Applicant proposes do where they propose to remove the light pole by the adjacent hotel.

Application of Steven B. Finer for property located at 38 Grinnell Street (Assessor’s Map 27, Lot 1), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections 200-6.1(C) and 200-8.3 of the Zoning Ordinance in order to allow the change, extension or alteration of a legal nonconforming property that doesn’t meet the current frontage requirement at this location. The applicant is proposing a one-story addition to the single family home.



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Members sitting were Mark Maloney, Chair; Scott Conti; Christopher Joseph; James Winn; and Brickett Allis. Also in attendance was the Applicant, Steven Finer; 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.

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Finer Stated he wants to put a one-story addition onto the back of his house. It will have a single room to serve as his office, laundry, and bathroom. The Applicant submitted the elevation plan to the proposed house addition.

Maloney Inquired whether this is a legal nonconforming property because of the dimensional setbacks.

Finer Responded, yes. That is correct.

Maloney Inquired when the house was originally built.

Finer Responded it was built around 1905.

Maloney Stated the house pre-dates zoning.

Maloney Inquired whether they will rent out the addition or other portions of the house.

Finer Responded, no. The intent of the addition is to make the house more habitable for him and his wife.

Conti Read correspondence from the Board of Health, Inspector of Buildings, and DPW. Read letters of support from Randy Ward of R. Ward and Company and Brian & Suzanne Whitehouse of 34-36 Grinnell Street.

Chairman Maloney opened up the hearing for public comment. No comment

Public Hearing closed at 7:29 p.m.

Discussion/Decision

Steven B. Finer for property located at 38 Grinnell Street (Assessor's Map 27, Lot 1)

The Board had no issues with this request.

MOTION Moved by Conti, seconded by Winn, and voted 5:0 to approve the application of Steven B. Finer for property located at 38 Grinnell Street (Assessor's Map 27, Lot 1), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections



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200-6.1(C) and 200-8.3 of the Zoning Ordinance in order to allow the change, extension or alteration of a legal nonconforming property that doesn't meet the current frontage requirement at this location. The applicant is proposing a one-story addition to the single family home.

Discussion Items

Permit Fees

The Planning Department is compiling a list of permit fees in other towns for the Board to compare. Conti stated that the State mandates that abutters from 300-feet of the project site need to be notified. They can be notified by Regular Mail opposed to Certified Mail, which would save the Applicant a lot of money. The Board discuss will discuss this further once the list is submitted.

Proposed ADU Ordinance

The Board is not ready to make any recommendations to the Planning Board. The Board expressed serious concerns with it, as drafted and would like to provide the Planning Board substantial recommendations to change the Ordinance. The Board will put this item on its May 12th meeting agenda for further discussion and will red-line any changes that they would like to recommend.

Medical Marijuana

Someone has expressed interest in opening a medical marijuana dispensary at the Sandri gasoline station on Main Street, which is located next to Holy Trinity Church. According to Zoning Ordinance Section 200-7.17(E4) "No Registered Marijuana Dispensary shall be located within a radius of one-hundred (100) feet of school, daycare center, park, playground, or youth center. The one-hundred (100) foot distance under this section shall be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed RMD." Maloney inquired if the dispensary could be located next to the church as it does hold youth events. According to the Town's Attorney the dispensary may be located next to the church because it is not a school, daycare center, park, playground, or youth center.

Approval of Minutes:

MOTION: Moved by Joseph, seconded by Allis, and voted 5:0 to approve the Minutes from March 23, 2016.

Adjournment:

MOTION: Moved by Joseph, seconded by Winn, and voted 5-0 to adjourn the meeting at 8:22 p.m.

Respectfully Submitted,

Maureen Pollock, Assistant Planner & Conservation Agent