

GREENFIELD CITY COUNCIL
Regular Meeting Minutes
May 20, 2020

Webex Conferencing System

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:02 p.m. by President Stempel.

CHAIRS STATEMENT: This meeting is being recorded and videotaped by the City Council and GCTV-15. If any other persons present are doing the same you must notify the chairperson at this time.

ROLL CALL OF MEMBERS: Roll Call was taken. All Councilors were present.

ALSO PRESENT: Mayor Roxann Wedegartner; City Clerk Kathryn J. Scott; Finance Director/City Auditor/City Accountant Elizabeth Gilman; School Committee Chairperson Amy Proietti; DPW Director Marlo Warner; GCTV-15 staff and members of the public.

The Pledge of Allegiance was held.

ACCEPTANCE OF MINUTES: On a motion by Councilor Mayo, second by Councilor Guin, it was unanimously,

VOTED: TO ACCEPT THE CITY COUNCIL MINUTES OF APRIL 15, 2020.

COMMUNICATIONS:

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: School Committee Chairperson Proietti reported the following:

- Business Manager Steve Nembirkow had resigned from the Greenfield School district and had taken a position in the Andover School district.
- Greenfield School contracted with TMS for 1 month to aid in the transition with Mr. Nembirkow.
- Negotiations with GEA had begun in anticipation of the reduction of work force in the Greenfield School district.

Ms. Proietti answered the following questions:

- Were there any updates or information for the Schools to re-open in September.
- Could the City assist the Schools in any way with the financial workload now that Mr. Nembirkow had resigned.

MAYOR, CITY OFFICERS AND EMPLOYEES: Mayor Wedegartner reported the following:

- The City had distributed about 730 masks to the Greenfield citizens.
- Some City buildings would begin to re-open starting May 27th. The City offices would be open to the public on Monday, Wednesday and Friday from 10:00 am to 1:00 pm.
- Provided guidelines for the public to follow when they enter City buildings and offices.
- The Micro Enterprise loan program process had begun and 25 applications had been received and more loan programs would be forthcoming.

Mayor Wedegartner answered the following questions:

- Was there free COVID-19 testing available for the citizens of Greenfield.
- Could the Councilors be included with the preparation of a public statement by the City to commemorate the Memorial Day observance.

OTHER CITY EMPLOYEES AS NEEDED, BY INVITATION: None.

PUBLIC COMMENT: President Stempel asked if anyone from the public wishes to speak. It was noted that no one signed up to speak.

PUBLIC HEARINGS: President Stempel opened the public hearing at 7:32pm.
Vice President Wheeler read the second reading and public hearing:

City Council –Second Reading- May 20, 2020

- Authorize payment of \$67.33 for FY15 Eversource Invoice outstanding balance

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., May 20, 2020, at 7:00 p.m. at John Zon Community Center, 35 Pleasant Street, or Remote Access, if required:
<https://greenfieldma.my.webex.com/greenfieldma.my/j.php?MTID=m276dff06659e817f5f25e0a606c49899> to receive public input on the following:

- Authorize payment of \$67.33 for FY15 Eversource Invoice outstanding balance

The City Council may consider the same on Wed., May 20, 2020, at 7:00 p.m. at John Zon Community Center, 35 Pleasant Street, or Remote Access, if required:
<https://greenfieldma.my.webex.com/greenfieldma.my/j.php?MTID=m276dff06659e817f5f25e0a606c49899> Materials can be obtained from the City Clerk’s Office, 14 Court Sq. from 8:30 a.m.-5:00 p.m., Mon. - Fri. or phone 413-772-1555, x. 6163.

Ashley Stempel, Greenfield City Council President

President Stempel stated no one signed up to speak. She would keep the public hearing open until the Councilors begin their deliberations on the issue.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 20-112

MOTION: On a motion by Councilor Dolan, second by Councilor Desorgher, it was,

MOVED: THAT THE CITY COUNCIL OF GREENFIELD AMEND ZONING ORDINANCE, CHAPTER 200, BY AMENDING THE FOLLOWING SECTIONS AND AS INDICATED ON THE ATTACHED EXHIBIT A:

- 200- 2.1- TERMS AND WORDS
- CHAPTER 200: SCHEDULE OF USES
 - 200-4.7 CENTRAL COMMERCIAL DISTRICT (CC)
 - 200-4.8 LIMITED COMMERCIAL DISTRICT (LC)
 - 200-4.9 GENERAL COMMERCIAL DISTRICT (GC)
 - 200-4.2 RURAL RESIDENTIAL DISTRICT (RC)
 - 200-4.3 SUBURBAN RESIDENTIAL DISTRICT (RB)
 - 200-4.4 URBAN RESIDENTIAL DISTRICT (RA)
 - 200-4.5 SEMI-RESIDENTIAL DISTRICT (SR)
 - 200-4.6 HEALTH SERVICE DISTRICT (H)

AND FURTHER AMEND THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

**Proposed amendment to the ‘Definitions’ section
of the Greenfield Zoning Ordinance, Chapter 200**

Proposed by Councilors Dolan and Wheeler
12/8/2019

200-2.1 TERMS AND WORDS—————

Add the following definitions:

DWELLING, THREE-FAMILY -- A detached building containing three (3) dwelling units, intended and designed to be occupied by three (3) families, where each of the three (3) units, or any portion thereof, must be above or below at least one (1) of the other units.

SINGLE HOUSEKEEPING UNIT -- An interactive group of any number of persons jointly occupying a dwelling unit, including joint access to and use of common areas within the dwelling unit, and sharing household activities and responsibilities such as meals, chores, expenses and maintenance, and whose makeup is determined by the members of the unit rather than by the landlord, property manager, or other third party.

Remove the following definition:

~~**FAMILY**—Any number of individuals related by blood or marriage or not more than four (4) individuals not so related, living and cooking together on the premises as a single housekeeping unit. Each additional unrelated individual over four (4) shall constitute another family.—————~~

Amend the following definitions:

DWELLING, MULTIFAMILY -- A structure containing ~~three (3)~~ **four (4)** or more dwelling units, irrespective of ownership or tenure including apartments, efficiency apartments, and townhouses.

LODGING/BOARDING HOUSE -- ~~A building containing more than two (2) rooms for semi-permanent residence [longer than one (1) week] not having cooking facilities in the rooms (microwave ovens excepted), not shared as a single housekeeping unit, and the occupants thereof not being within the second degree of kindred to the proprietor.~~ **where tenants negotiate individual tenancy agreements with the landlord, property manager, or any third party conducting business on behalf of the building owner.** Included in this definition are fraternity houses, sorority houses, and dormitories of educational institutions. It does not include dormitories of charitable or philanthropic institutions, convalescent or nursing homes, group residences licensed or regulated by agencies of the Commonwealth under § 71 of chapter 111, or rest homes so licensed. This also does not include ~~apartments,~~ motels, hotels, tourist homes, inns, bed & breakfasts, or congregating housing.

- 200-4.7 CENTRAL COMMERCIAL DISTRICT
 - Add the existing use category “single-family dwelling” as a use allowed by special permit from the Zoning Board of Appeals; and
 - Add the existing use category “two-family dwelling” as a use allowed by special permit from the Zoning Board of Appeals. Currently, this use is not allowed within the CC District;
 - Add a new use “three-family dwelling” as a use allowed by right within the CC District;
 - Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by special permit from the Zoning Board of Appeals;
- 200-4.8 LIMITED COMMERCIAL DISTRICT;
 - Add a new use “three-family dwelling” as a use allowed by right within the LC District.
 - Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by right within the LC District;
- 200-4.9 GENERAL COMMERCIAL DISTRICT
 - Add the existing use category “Two-family dwelling” as a use allowed by right within the GC District. Currently, this use is only allowed by special permit in this district.
 - Add a new use “three-family dwelling” as a use allowed by right within the GC District.

- Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by right within the GC District. Currently, this use is only allowed by special permit in this district.

- 200-4.2 RURAL RESIDENTIAL DISTRICT (RC);
- 200-4.3 SUBURBAN RESIDENTIAL DISTRICT (RB);
- 200-4.4 URBAN RESIDENTIAL DISTRICT (RA);
- 200-4.5 SEMI-RESIDENTIAL DISTRICT (SR);
- 200-4.6 HEALTH SERVICE DISTRICT (H)
- Add a new use “three-family dwelling” as a use allowed by right within the RC, RB, RA, SR, and H Districts.

DISCUSSION: EDC Chairperson Dolan provided rationale for the proposed amendment. He read the proposed recommendations submitted by the Planning Board. The Economic Developments Committee forwarded a majority positive recommendation with 4 yes, 1 no, with the March 4th revision at their April 14th meeting. Councilor Elmer noted that he voted no at the April 14th EDC meeting as he wanted to wait for the Planning Board’s recommendations.

MOTION: On a motion by Councilor Dolan, second by Councilor Mayo, it was,
MOVED: TO REPLACE THE VERSION DATED DECEMBER 8, 2019 IN ITS ENTIREITY WITH THE REVISED VERSION DATED MARCH 4, 2020.

DISCUSSION: It was noted the definition of family was removed due to its archaic meaning of what constitutes a family unit.

It was by roll call, 13 yes, 0 no,
VOTED: TO APPROVE AMENDMENT.

Order no. FY20-112 as amended was on the floor.

MOTION: On a motion by Councilor Dolan, second by Councilor Guin, it was,
MOVED: TO AMEND CHAPTER 200 SECTION 4.9: GENERAL COMMERCIAL DISTRICT (GC) BY ADDING “ADD THE EXISTING USE CATEGORY “SINGLE-FAMILY DWELLING” AS A USE ALLOWED BY RIGHT WITHIN THE GC DISTRICT. CURRENTLY THIS USE IS ONLY ALLOWED BY SPECIAL PERMIT IN THE DISTRICT.”

DISCUSSION: The amendment would allow different types of housing to be built in more areas in Greenfield. It was noted that if the Planning Board introduced this change after the public hearing process it would be considered a substantive change; and therefore could not be considered at this time.

Councilor Dolan withdrew this motion to amend, Councilor Guin withdrew his second, respectively.

It was by roll call, 13 yes, 0 no,
VOTED: TO APPROVE ORDER NO. FY20-112, AS AMENDED: THAT THE CITY COUNCIL OF GREENFIELD AMEND ZONING ORDINANCE, CHAPTER 200, BY AMENDING THE FOLLOWING SECTIONS AND AS INDICATED ON THE ATTACHED EXHIBIT A:

- 200- 2.1- TERMS AND WORDS
- CHAPTER 200: SCHEDULE OF USES
 - 200-4.7 CENTRAL COMMERCIAL DISTRICT (CC)
 - 200-4.8 LIMITED COMMERCIAL DISTRICT (LC)
 - 200-4.9 GENERAL COMMERCIAL DISTRICT (GC)
 - 200-4.2 RURAL RESIDENTIAL DISTRICT (RC)
 - 200-4.3 SUBURBAN RESIDENTIAL DISTRICT (RB)

- 200-4.4 URBAN RESIDENTIAL DISTRICT (RA)
- 200-4.5 SEMI-RESIDENTIAL DISTRICT (SR)
- 200-4.6 HEALTH SERVICE DISTRICT (H)

AND FURTHER AMEND THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

Exhibit A

DWELLING, THREE-FAMILY -- A detached building containing three (3) dwelling units, where each of the three (3) units, or any portion thereof, must be above or below at least one (1) of the other units.

~~**FAMILY** -- Any number of individuals related by blood or marriage or not more than four (4) individuals not so related, living and cooking together on the premises as a single housekeeping unit. Each additional unrelated individual over four (4) shall constitute another family.~~

DWELLING, MULTIFAMILY- A structure containing ~~three (3)~~ **four (4)** or more dwelling units, irrespective of ownership or tenure including apartments, efficiency apartments, and townhouses.

200-4.7 CENTRAL COMMERCIAL DISTRICT

- Add the existing use category “single-family dwelling” as a use allowed by special permit from the Zoning Board of Appeals; and
- Add the existing use category “two-family dwelling” as a use allowed by special permit from the Zoning Board of Appeals. Currently, this use is not allowed within the CC District;
- Add a new use “three-family dwelling” as a use allowed by right within the CC District;
- Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by special permit from the Zoning Board of Appeals;

200-4.8 LIMITED COMMERCIAL DISTRICT

- Add a new use “three-family dwelling” as a use allowed by right within the LC District.
- Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by right within the LC District;

200-4.9 GENERAL COMMERCIAL DISTRICT

- Add the existing use category “Two-family dwelling” as a use allowed by right within the GC District. Currently, this use is only allowed by special permit in this district.
- Add a new use “three-family dwelling” as a use allowed by right within the GC District.
- Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by right within the GC District. Currently, this use is only allowed by special permit in this district.

200-4.2 RURAL RESIDENTIAL DISTRICT (RC);

200-4.3 SUBURBAN RESIDENTIAL DISTRICT (RB);

200-4.4 URBAN RESIDENTIAL DISTRICT (RA);

200-4.5 SEMI-RESIDENTIAL DISTRICT (SR);

200-4.6 HEALTH SERVICE DISTRICT (H)

- Add a new use “three-family dwelling” as a use allowed by right within the RC, RB, RA, SR, and H Districts.

Order no. FY 20-114

MOTION: On a motion by Councilor Dolan, second by Councilor Mayo, it was, **MOVED:** THAT THE CITY COUNCIL OF GREENFIELD AMEND ZONING ORDINANCE, CHAPTER 200-6.5 PARKING REQUIREMENTS, AS INDICATED ON THE ATTACHED EXHIBIT A, AND FURTHER AMEND THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

Exhibit A

**Proposed amendment to the 'Table of Required Off-Street Parking Spaces'
section of the Greenfield Zoning Ordinance, Chapter 200**

Proposed by Councilors Dolan and Wheeler
12/8/2019

200-6.5 PARKING REQUIREMENTS

Use	Required Parking Space
Dwellings	Two (2) parking spaces per unit
Uses accessory to the above	In addition to the above, one (1) space plus one (1) space for each nonresident employee.
Boardinghouse, lodging house, rooming house, bed-and-breakfast/tourist home	Two (2) spaces plus one (1) space per rooming unit.
Dormitory	One (1) space for each occupant.
Housing for the elderly	One and one-half (1 1/2) spaces per unit.
Hotel, motel, inn	One (1) space for each bedroom, plus three (3) spaces for each two hundred (200) square feet of floor area available for meetings and functions and one (1) space for each four (4) employees on the largest shift.
Convalescent, rest or nursing home	One (1) space for each four (4) beds, plus one (1) space for each employee on the largest shift.
Hospital, sanitarium or similar institution	One and one-half (1 1/2) spaces per bed capacity plus one (1) space for each employee on the largest shift.
Church or similar place of assembly	One (1) space for each three (3) seats in the largest assembly room.
Funeral home or chapel	One (1) space for each three (3) seats, or one (1) space for each forty (40) square feet of floor area open to the public, whichever is greater.
Community center, auditorium, gymnasium, theater, or places of public assembly	One (1) space for each three (3) seats or five (5) linear feet of bench area or one (1) space for every forty (40) square feet of floor area open to the public whichever is greater.
Public library, museum, or similar institution	One (1) space for each four hundred (400) two hundred (200) square feet open to the public.
Retail business, commercial use	One space for each three hundred (300) square feet of floor area up to fifty thousand (50,000) square feet plus one (1) space for each six hundred (600) square feet thereafter.
Personal service establishment	One and one-half (1 1/2) spaces per chair and one (1) space for each employee on the largest shift.
Office, professional, business or public	One (1) space for each three hundred (300) square feet of floor area up to fifty thousand (50,000) square feet plus one (1) space for each

	six hundred (800) feet of floor area , thereafter:
Medical or dental office or clinic	One (1) space for each practitioner, four (4) patient spaces per practitioner, and one (1) space for each employee on the largest shift.
Restaurant, taverns, clubs, or other places serving food or beverages	One (1) space for each three (3) seats, permanent or otherwise, plus one (1) space for each employee on the largest shift.
Industrial, manufacturing, warehouse storage, laboratories or similar use	Three-quarters (3/4) space for each employee on the two (2) largest shifts combined.
Automobile washing and waxing establishment	Two (2) waiting spaces per stall equipped for washing or waxing.
Repair garages and gasoline service stations	Two (2) waiting spaces for each pump, plus two (2) spaces for each service bay and one (1) space for each employee on the largest shift.
Bowling alleys	Five (5) spaces for each alley.
Schools, preschool through middle or junior high	One (1) space for each teacher or other employee anticipated during normal school hours excluding students and one (1) space for each six (6) seats in the largest auditorium or gymnasium.
Schools, senior high, places of higher education, professional schools	One (1) space for each teacher or other employee anticipated during normal school hours, plus one (1) space for each five (5) students in a senior high school or one (1) space for each two (2) students in any other such institution plus one (1) space for each three (3) seats in the largest auditorium or gymnasium trade school.

DISCUSSION: EDC Chairperson Dolan provided rationale for the proposed amendment. He read the proposed recommendations submitted by the Planning Board. The Economic Developments Committee forwarded a unanimous positive recommendation, with the March 4th revision at their May 19th meeting.

MOTION: On a motion by Councilor Dolan, second by Councilor Jarvis, it was by roll call, 13 yes, 0 no,
VOTED: TO REPLACE THE VERSION DATED DECEMBER 8, 2019 IN ITS ENTIRETY WITH THE REVISED VERSION DATED MARCH 4, 2020.

It was by roll call, 13 yes, 0 no,
VOTED: TO APPROVE ORDER NO. FY20-114, AS AMENDED: THAT THE CITY COUNCIL OF GREENFIELD AMEND ZONING ORDINANCE, CHAPTER 200-6.5 PARKING REQUIREMENTS, AS INDICATED ON THE ATTACHED EXHIBIT A, AND FURTHER AMEND THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

Exhibit A

200-6.5 PARKING REQUIREMENTS
Table of Required Off-Street Parking Spaces

Use - Required Parking Space

Dwellings - ~~Two (2) parking spaces per unit.~~ **One (1) parking space per unit**

Uses accessory to the above - In addition to the above, one (1) space plus one (1) space for each nonresident employee.

Boardinghouse, lodging house, rooming house, bed-and-breakfast/tourist home -

Two (2) spaces plus one (1) space house, rooming house, bed- per rooming unit

Dormitory - One (1) space for each occupant

Housing for the elderly - One and one-half (1 1/2) spaces per unit

Hotel, motel, inn - One (1) space for each bedroom, plus three (3) spaces for each two hundred (200) square feet of floor area available for meetings and functions and one (1) space for each four (4) employees on the largest shift.

Convalescent, rest or nursing home - One (1) space for each four (4) nursing home beds, plus one (1) space for each employee on the largest shift.

Hospital, sanitarium or similar institution - One and one-half (1 1/2) spaces per bed capacity plus one (1) space for each employee on the largest shift.

Church or similar place of assembly - One (1) space for each three (3) seats in the largest assembly room.

Funeral home or chapel - One (1) space for each three (3) seats, or one (1) space for each forty (40) square feet of floor area open to the public, whichever is greater.

Community center, auditorium, gymnasium, theater, or places of public assembly - One (1) space for each three (3) seats or five (5) linear feet of bench area or one (1) space for every forty (40) square feet of floor area open to the public whichever is greater.

Public library, museum, or similar institution - One (1) space for each ~~two hundred (200)~~ **four hundred (400)** square feet open to the public.

Retail business, commercial use - One space for each three hundred (300) square feet of floor area up to fifty thousand (50,000) square feet plus one (1) space for each six hundred (600) square feet thereafter.

Personal service establishment - One and one-half (1 1/2) spaces per chair and one (1) space for each employee on the largest shift.

Office, professional, business or public - One (1) space for each three hundred (300) square feet of floor area up to fifty thousand (50,000) square feet plus one (1) space for each thereafter.

Medical or dental office or clinic - One (1) space for each practitioner, four (4) patient spaces per practitioner, and one (1) space for each employee on the largest shift.

Restaurant, taverns, clubs, or other places serving food or beverages - One (1) space for each three (3) seats, permanent or otherwise, plus one (1) space for each employee on the largest shift.

Industrial, manufacturing, warehouse storage, laboratories or similar use - Three-quarters (3/4) space for each, employee on the two (2) largest shifts combined.

Automobile washing and waxing establishment - Two (2) waiting spaces per stall equipped for washing or waxing.

Repair garages and gasoline service stations - Two (2) waiting spaces for each pump, plus two (2) spaces for each service bay and one (1) space for each employee on the largest shift.

Bowling alleys - Five (5) spaces for each alley.

Schools, preschool through middle or junior high - One (1) space for each teacher or other employee anticipated during normal school hours excluding students and one (1) space for each six (6) seats in the largest auditorium or gymnasium.

Schools, senior high, places of higher education, professional schools -One (1) space for each teacher or, other employee anticipated during normal school hours, plus one (1) space for each five (5) students in a senior high school or one (1) space for each two (2) students in any other such institution plus one (1) space for each three (3) seats in the largest auditorium or gymnasium trade school.

Order no. FY 20-111

MOTION: On a motion by Councilor Dolan, second by Councilor Desorgher, it was,

MOVED: THAT THE CITY COUNCIL OF GREENFIELD AMEND ZONING ORDINANCE, CHAPTER 200, REGULATIONS RELATING TO ACCESSORY DWELLING UNITS, BY AMENDING THE FOLLOWING SECTIONS AND AS INDICATED ON THE ATTACHED EXHIBIT A:

- 200- 2.1- TERMS AND WORDS
- 200-8.4 – SITE PLAN REVIEW AND APPROVAL
- 200-7.18 – ACCESSORY DWELLING UNITS
- ARTICLE IV: USE REGULATIONS (200-4.1 - 200-4.17)
- CHAPTER 200: SCHEDULE OF USES
 - 200-4.2 RURAL RESIDENTIAL DISTRICT (RC)
 - 200-4.3 SUBURBAN RESIDENTIAL DISTRICT (RB)
 - 200-4.4 URBAN RESIDENTIAL DISTRICT (RA)
 - 200-4.5 SEMI-RESIDENTIAL DISTRICT (SR)
 - 200-4.8 LIMITED COMMERCIAL DISTRICT (LC)
 - 200-4.11 GENERAL INDUSTRY DISTRICT (GI)
 - 200-4.6 HEALTH SERVICE DISTRICT (H)
 - 200-4.7 CENTRAL COMMERCIAL DISTRICT (CC)
 - 200-4.9 GENERAL COMMERCIAL DISTRICT (GC)

AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

Exhibit A

**Proposed Amendment to the
Regulation of Accessory Dwelling Units**

Proposed by Councilors Dolan and Wheeler
12/8/2019

200-2.1 TERMS AND WORDS

Remove the following definitions:

~~**ACCESSORY DWELLING UNIT, WITHIN**—An Accessory Dwelling Unit that is within a single family home is a self contained housing unit incorporated within the single family home that is clearly a subordinate part of the single family home and complies with each of the criteria stated in this ordinance.~~

~~**ACCESSORY DWELLING UNIT, ATTACHED**—An attached Accessory Dwelling Unit is a self contained housing unit added as an addition to a single family home that is clearly a subordinate part of the single family home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.~~

Amend the following definition:

~~**ACCESSORY DWELLING UNIT, DETACHED**~~ -- A detached **An** Accessory Dwelling Unit is a self-contained housing unit that is located on the same lot as the structure of a single-family **or two-family** home, and may be incorporated within a garage or carriage house or other accessory structure or as a stand-alone structure that is clearly subordinate to the primary use as a single-family **or two-family** home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

200-8.4 SITE PLAN REVIEW AND APPROVAL

Add the following:

B: Projects requiring site plans. The creation, expansion, substantial alteration, or change in use of the following uses shall require site plan review and approval:

5) Creation of an Accessory Dwelling Unit.

200-7.18 ACCESSORY DWELLING UNITS

Amend as follows:

A. Purpose. The purpose of permitting accessory dwelling units (aka accessory apartments or in-law apartments) is to:

- (1) Develop housing units ~~in owner-occupied single family homes~~ that are appropriate for households at a variety of stages in their life cycle;
- (2) Provide older homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- (3) Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to low and moderate income households who might otherwise have difficulty finding housing;
- (4) Provide housing units for persons with disabilities;
- (5) Protect stability, property values, and the residential character of a neighborhood.
- (6) Encourage increased housing density; and
- (7) Legalize existing conversions to encourage compliance with the State Building Code.

B. Definitions.

~~ACCESSORY DWELLING UNIT, WITHIN—An Accessory Dwelling Unit that is within a single family home is a self-contained housing unit incorporated within the single family home that is clearly a subordinate part of the single family home and complies with each of the criteria stated in this ordinance.~~

~~ACCESSORY DWELLING UNIT, ATTACHED—An attached Accessory Dwelling Unit is a self-contained housing unit added as an addition to a single family home that is clearly a subordinate part of the single family home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.~~

~~ACCESSORY DWELLING UNIT, DETACHED -- A detached~~ **An** Accessory Dwelling Unit is a self-contained housing unit that is located on the same lot as the structure of a single-family home **or two-family home** and may be incorporated within a garage or carriage house or other accessory structure or as a standalone structure that is clearly subordinate to the primary use as a

single-family **or two-family** home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

C. Applicability.

~~(1) Accessory Dwelling Unit, Within. The Inspector of Buildings may issue a Building Permit authorizing the installation and use of an Accessory Dwelling Unit within an existing or new owner-occupied, single-family home within the Urban Residential (RA), Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), and Limited Commercial (LC) Zoning Districts.~~

~~(2) Accessory Dwelling Unit, Attached. An attached Accessory Dwelling Unit shall require a Special Permit granted by the Zoning Board of Appeals within the Urban Residential (RA), Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), and Limited Commercial (LC) Zoning Districts.~~

~~(3) Accessory Dwelling Unit, Detached. A detached **An** Accessory Dwelling Unit **shall require a site plan review.** shall require a Special Permit granted by the Zoning Board of Appeals within the Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), Limited Commercial (LC), and Zoning Districts.~~

(4) Any proposed non-conforming attached or detached ADU is subject to a Special Permit from the Zoning Board of Appeals.

D. Accessory Dwelling Unit Standards.

(1) The Accessory Dwelling Unit shall be a complete, separate housekeeping unit containing both kitchen and bath.

(2) Only one Accessory Dwelling Unit may be created within a single-family **or two-family** house or house lot.

~~(3) The owner(s) of the residence in which the Accessory Dwelling Unit is created must continue to occupy at least one of the dwelling units as their primary residence.~~

(4) The Accessory Dwelling Unit shall be designed so that the appearance of the building remains that of a single-family residence as much as feasibly possible. Any new entrances shall be located on the side or rear of the building. A detached accessory dwelling unit shall be compatible in design with the primary residence. Any stairways, access, or egress alterations serving the Accessory Dwelling Unit shall be enclosed, screened, or located so that visibility from public ways is minimized.

- (5) The maximum gross floor area of Accessory Dwelling Units shall be 900 sq. ft. or one-third the total gross floor area of the single family home, whichever is greater.
- (6) ~~Once an Accessory Dwelling Unit has been added to a single family residence or lot, the Accessory Dwelling Unit shall never be enlarged beyond the square footage of the original permit for the Accessory Dwelling Unit.~~
- (7) ~~An Accessory Dwelling Unit may not be occupied by more than three (3) people nor have more than two bedrooms.~~
- (8) ~~A minimum of two (2) but no more than four (4) off-street parking spaces must be available for use by the owner occupants and tenants.~~
- (9) The construction of any Accessory Dwelling Unit must be in conformity with the State Building Code, Title V of the State Sanitary Code, 527 CMR – MA Fire Prevention Regulations and other local ordinances and regulations.
- (10) ~~Prior to issuance of a permit, the owner(s) must send a notarized letter to the appropriate permitting authority stating that the owner(s) will occupy one of the dwelling units on the premises as the owner's permanent/primary residence.~~
- (11) ~~When a structure which has received a Permit for an Accessory Dwelling Unit is sold, the new owner(s), if they wish to continue to exercise the Permit, must, within thirty (30) days of the sale, submit a notarized letter to the Inspector of Buildings stating that they will occupy one of the dwelling units on the premises as their primary residence. This statement shall be listed as condition on any Permits which are issued under this Section.~~
- (12) ~~Permits issued under this section shall specify that the owner must occupy one of the dwelling units. The Special Permit and the notarized letters must be recorded in the Franklin County Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Inspector of Buildings, prior to the occupancy of the Accessory Dwelling Unit.~~
- (13) ~~Prior to issuance of a Special Permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.~~
- (14) For dwellings to be served by on-site septic system, the owner must obtain a letter from the Board of Health stating that the existing sewage disposal system is adequate for the proposed Accessory Dwelling Unit before a **Building Special Permit** can be obtained.
- (15) In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the Inspector of

Buildings or Zoning Board of Appeals may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.

~~E. Existing Owner Occupied Single Family Dwellings within Non-Residential Zoning Districts~~

~~(1) The Zoning Board of Appeals as SPGA may authorize the use of an attached or detached Accessory Dwelling Unit for an existing owner occupied single family home or lot within non-residential zoning districts provided that all provisions of this ordinance are met.~~

F. Accessory Dwelling Units in Existence before the Adoption of the Accessory Dwelling Unit Ordinance

(1) To ensure that Accessory Dwelling Units or conversions in existence before the adoption of this Accessory Dwelling Unit ordinance are in compliance with the State Building Code the following application process is available.

(a) The Zoning Board of Appeals may authorize, ~~under a Special Permit and~~ in consultation with the Inspector of Buildings, a use known as an Accessory Dwelling Unit in an Owner-Occupied, Single-Family **or Two-Family** Dwelling. The Board in consultation with the Inspector of Buildings will review each existing use on a case-by-case basis to determine if the dwelling conforms to State Building Code.

~~(b) The applicant must follow the same procedure described in this ordinance including the submission of a notarized letter declaring owner occupancy.~~

G. Administration and Enforcement.

(1) It shall be the duty of the Inspector of Buildings to administer and enforce the provisions of this ordinance.

(2) No building shall be constructed or changed in use or configuration, until the Inspector of Buildings has issued a permit. No permit shall be issued until a sewage disposal works permit, when applicable, has first been obtained from the Board of Health and the proposed building and location thereof conform with the City's laws and ordinances. Any new building or structure shall conform to all adopted state and City laws, ordinances, codes and regulations. No Accessory Dwelling Unit shall be occupied until a certificate of occupancy has been issued by the Inspector of Buildings where required.

(3) The Inspector of Buildings shall refuse to issue any permit, which would result in a violation of any provision of this ordinance or in a violation of the conditions

or terms of any special permit or variance granted by the Special Permit Granting Authority or its agent.

(4) The Inspector of Buildings shall issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.

(5) Upon request of the homeowner applicant, the Zoning Board of Appeals as SPGA may, after making findings of fact that a waiver is merited given the totality of circumstances based on any or all of the following factors, waive standards of Section D of this ordinance.

(a) The showing of good and sufficient cause that a waiver is not inconsistent with the purposes of this chapter as a whole;

(b) A determination that failure to grant the waiver would result in exceptional hardship to the applicant;

(c) Danger to life or property;

(d) The necessity to accommodate requests of the Conservation Commission, Planning Board or Historical Commission or any municipal department;

(e) Extraordinary expense which is undue given the purpose of the provision(s) waived;

(f) The availability of alternative methods to substantially meet the purpose of the provision(s)

waived;

(g) No municipal function, nor any direct abutter, will be substantially affected by the waiver.

Article IV: USE REGULATIONS (200-4.1 - 200.4-17)

Remove all instances of the following:

- "Accessory Dwelling Unit, Attached."
- "Accessory Dwelling Unit, Within."

Amend all instances of the following:

- Accessory Dwelling Unit, ~~Detached~~.

Chapter 200: SCHEDULE OF USES

Proposed by Councilors Dolan and Wheeler

12/8/2019

- 200-4.2 RURAL RESIDENTIAL DISTRICT (RC);
- 200-4.3 SUBURBAN RESIDENTIAL DISTRICT (RB);
- 200-4.4 URBAN RESIDENTIAL DISTRICT (RA);
- 200-4.5 SEMI-RESIDENTIAL DISTRICT (SR);
- 200-4.8 LIMITED COMMERCIAL DISTRICT (LC)
- 200-4.11 GENERAL INDUSTRY DISTRICT (GI)
 - Add the amended use category “accessory dwelling unit” as a use allowed by right within the RC, RB, RA, SR, H, CC, LC, GC, and GI districts. Currently, this use is only allowed by special permit in these districts.
- 200-4.6 HEALTH SERVICE DISTRICT (H)
- 200-4.7 CENTRAL COMMERCIAL DISTRICT (CC)
- 200-4.9 GENERAL COMMERCIAL DISTRICT (GC)
 - Add the amended use category “accessory dwelling unit” as a use allowed by right within the H, CC, and GC districts. Currently, this use is not allowed within these districts.

DISCUSSION: EDC Chairperson Dolan provided rationale for the proposed amendment. He read the proposed recommendations submitted by the Planning Board. The Economic Developments Committee forwarded a majority positive recommendation, 4 yes, 1 no, with the March 4th revision at their May 19th meeting. It was noted that the March 4th revised version maintains the Detached Accessory Dwelling Unit by right and the Planning Director’s version in his memo dated May 12th had Detached Accessory Dwelling Unit by special permit.

MOTION: On a motion by Councilor Desorgher, second by Councilor Jarvis, it was,

MOVED: TO ADOPT THE MARCH 4TH VERSION CONTAINED IN THE COUNCILOR’S PACKET STARTING ON PAGE 33.

DISCUSSION: Rationale was provided on the proposed amendment to adopt the March 4th version of the zoning amendments. Other discussion included:

- Concern was raised that detached ADUs by right could undermine that right of neighboring properties to request a hearing. Councilors were encouraged to support detached ADUs by special permit.
- A concern was raised that neighbors should not have unbalanced control as to what citizens were able to do on their own property.

It was by roll call, 9 yes, 3 no,

VOTED: TO APPROVE AMENDMENT.

MOTION: On a motion by Councilor Dolan, second by Councilor Wheeler, it was by roll call, 12 yes, 0 no,

VOTED: TO STRIKE THE LINE CHAPTER 200 SECTION 4.11; GENERAL INDUSTRY DISTRICT (GI)

It was by roll call, 10 yes, 2 no, 1 abstention,

VOTED: TO APPROVE ORDER NO. FY20-111, AS AMENDED: THAT THE CITY COUNCIL OF GREENFIELD AMEND ZONING ORDINANCE, CHAPTER 200, REGULATIONS RELATING

TO ACCESSORY DWELLING UNITS, BY AMENDING THE FOLLOWING SECTIONS AND AS INDICATED ON THE ATTACHED EXHIBIT A:

- 200- 2.1- TERMS AND WORDS
- 200-8.4 – SITE PLAN REVIEW AND APPROVAL
- 200-7.18 – ACCESSORY DWELLING UNITS
- ARTICLE IV: USE REGULATIONS (200-4.1 - 200-4.17)
- CHAPTER 200: SCHEDULE OF USES
 - 200-4.2 RURAL RESIDENTIAL DISTRICT (RC)
 - 200-4.3 SUBURBAN RESIDENTIAL DISTRICT (RB)
 - 200-4.4 URBAN RESIDENTIAL DISTRICT (RA)
 - 200-4.5 SEMI-RESIDENTIAL DISTRICT (SR)
 - 200-4.8 LIMITED COMMERCIAL DISTRICT (LC)
 - 200-4.11 GENERAL INDUSTRY DISTRICT (GI)
 - 200-4.6 HEALTH SERVICE DISTRICT (H)
 - 200-4.7 CENTRAL COMMERCIAL DISTRICT (CC)
 - 200-4.9 GENERAL COMMERCIAL DISTRICT (GC)

AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

Exhibit A

~ 200-2.1. Terms and words.

ACCESSORY DWELLING UNIT, WITHIN – An Accessory Dwelling Unit that is within a single-family **or two-family** home is a self-contained housing unit incorporated within the single-family **or two-family** home that is clearly a subordinate part of the single-family **or two-family** home and complies with each of the criteria stated in this ordinance.

ACCESSORY DWELLING UNIT, ATTACHED -- An attached Accessory Dwelling Unit is a self-contained housing unit added as an addition to a single-family **or two-family** home that is clearly a subordinate part of the single-family **or two-family** home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

ACCESSORY DWELLING UNIT, DETACHED -- A detached Accessory Dwelling Unit is a self-contained housing unit that is located on the same lot as the structure of a single-family **or two-family** home and may be incorporated within a garage or carriage house or other accessory structure or as a stand-alone structure that is clearly subordinate to the primary use as a single-family **or two-family** home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

~ 200-8.4. Site plan review and approval.

B. Projects requiring site plans. The creation, expansion, substantial alteration, or change in use of the following uses shall require site plan review and approval:

- (1) All uses requiring a special permit;
- (2) Any business, commercial, industrial, or institutional use (except home occupations not requiring a special permit);
- (3) Any residential use of two (2) or more units including subdivisions;

(4) Any site containing more than one (1) principal use.

(5) Creation of an Accessory Dwelling Unit.

~ 200-7.18. Accessory Dwelling Units

A. Purpose. The purpose of permitting accessory dwelling units (aka accessory apartments or in-law apartments) is to:

(1) Develop housing units in owner occupied single-family **or two-family** homes that are appropriate for households at a variety of stages in their life cycle;

(2) Provide older homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;

(3) Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to low and moderate income households who might otherwise have difficulty finding housing;

(4) Provide housing units for persons with disabilities;

(5) Protect stability, property values, and the residential character of a neighborhood.

(6) Encourage increased housing density; and

(7) Legalize existing conversions to encourage compliance with the State Building Code.

B. Definitions.

ACCESSORY DWELLING UNIT, WITHIN – An Accessory Dwelling Unit that is within a single-family **or two-family** home is a self-contained housing unit incorporated within the single-family **or two-family** home that is clearly a subordinate part of the single-family **or two-family** home and complies with each of the criteria stated in this ordinance.

ACCESSORY DWELLING UNIT, ATTACHED -- An attached Accessory Dwelling Unit is a self-contained housing unit added as an addition to a single-family **or two-family** home that is clearly a subordinate part of the single-family **or two-family** home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

ACCESSORY DWELLING UNIT, DETACHED -- A detached Accessory Dwelling Unit is a self-contained housing unit that is located on the same lot as the structure of a single-family **or two-family** home and may be incorporated within a garage or carriage house or other accessory structure or as a stand-alone structure that is clearly subordinate to the primary use as a single-family **or two-family** home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

C. Applicability.

~~(1) Accessory Dwelling Unit, Within. The Inspector of Buildings may issue a Building Permit authorizing the installation and use of an Accessory Dwelling Unit within an existing or new owner occupied, single-family home within the Urban Residential (RA), Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), and Limited Commercial (LC) Zoning Districts.~~

~~(2) Accessory Dwelling Unit, Attached. An attached Accessory Dwelling Unit shall require a Special Permit granted by the Zoning Board of Appeals within the Urban Residential (RA), Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), and Limited Commercial (LC) Zoning Districts.~~

~~(3) Accessory Dwelling Unit, Detached. A detached Accessory Dwelling Unit shall require a Special Permit granted by the Zoning Board of Appeals within the Urban Residential (RA), Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), and Limited Commercial (LC) Zoning Districts.~~ **An Accessory Dwelling Unit of any type shall require a site plan review by the planning board prior to construction.**

(4) Any proposed non-conforming ~~attached or detached~~ ADU is subject to a Special Permit from the Zoning Board of Appeals.

D. Accessory Dwelling Unit Standards.

(1) The Accessory Dwelling Unit shall be a complete, separate housekeeping unit containing both kitchen and bath.

(2) Only one Accessory Dwelling Unit may be created within a single-family **or two-family** house or house lot.

(3) The owner(s) of the residence in which the Accessory Dwelling Unit is created must continue to occupy at least one of the dwelling units as their primary residence.

(4) **The Accessory Dwelling Unit** ~~shall be designed so that the appearance of the building remains that of a single family residence as much as feasibly possible. Any new entrances shall be located on the side or rear of the building. A detached accessory dwelling unit shall be compatible in design with the primary residence. Any stairways, access, or egress alterations serving the Accessory Dwelling Unit shall be enclosed, screened, or located so that visibility from public ways is minimized.~~

(5) The maximum gross floor area of Accessory Dwelling Units shall be 900 sq. ft. or one-third the total gross floor area of the ~~single family~~ **largest existing unit in the** home, whichever is greater.

~~(6) Once an Accessory Dwelling Unit has been added to a single-family residence or lot, the Accessory Dwelling Unit shall never be enlarged beyond the square footage of the original permit for the Accessory Dwelling Unit.~~

~~(7) An Accessory Dwelling Unit may not be occupied by more than three (3) people nor have more than two bedrooms.~~

(8) A minimum of two (2) but no more than four (4) off-street parking spaces must be available for use by the owner-occupants and tenants.

(9) The construction of any Accessory Dwelling Unit must be in conformity with the State Building Code, Title V of the State Sanitary Code, 527 CMR – MA Fire Prevention Regulations and other local ordinances and regulations.

(10) Prior to issuance of a permit, the owner(s) must send a notarized letter to the appropriate permitting authority stating that the owner(s) will occupy one of the dwelling units on the premises as the owner's permanent/primary residence.

(11) When a structure which has received a Permit for an Accessory Dwelling Unit is sold, the new owner(s), if they wish to continue to exercise the Permit, must, within thirty (30) days of the sale, submit a notarized letter to the Inspector of Buildings stating that they will occupy one of the dwelling units on the premises as their primary residence. This statement shall be listed as condition on any Permits which are issued under this Section.

(12) Permits issued under this section shall specify that the owner must occupy one of the dwelling units. The Special Permit and the notarized letters must be recorded in the Franklin County Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Inspector of Buildings, prior to the occupancy of the Accessory Dwelling Unit.

(13) Prior to issuance of a permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.

(14) For dwellings to be served by on-site septic system, the owner must obtain a letter from the Board of Health stating that the existing sewage disposal system is adequate for the proposed Accessory Dwelling Unit before a ~~Special~~ **Building** Permit can be obtained.

(15) In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the Inspector of Buildings, **the Planning Board**, or Zoning Board of Appeals may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.

~~E. Existing Owner-Occupied Single Family Dwellings within Non-Residential Zoning Districts~~

~~(4) The Zoning Board of Appeals as SPGA may authorize the use of an attached or detached Accessory Dwelling Unit for an existing owner-occupied single family home or lot within non-residential zoning districts provided that all provisions of this ordinance are met.~~

F. Accessory Dwelling Units in Existence before the Adoption of the Accessory Dwelling Unit Ordinance

(1) To ensure that Accessory Dwelling Units or conversions in existence before the adoption of this Accessory Dwelling Unit ordinance are in compliance with the State Building Code the following application process is available.

(a) The Zoning Board of Appeals may authorize, ~~under a Special Permit and~~ in consultation with the Inspector of Buildings, a use known as an Accessory Dwelling Unit in an Owner-Occupied, Single-Family or **Two-Family Dwelling**. The Board in consultation with the Inspector of Buildings will review each existing use on a case-by-case basis to determine if the dwelling conforms to State Building Code.

(b) The applicant must follow the same procedure described in this ordinance including the submission of a notarized letter declaring owner occupancy.

G. Administration and Enforcement.

(1) It shall be the duty of the Inspector of Buildings to administer and enforce the provisions of this ordinance.

(2) No building shall be constructed or changed in use or configuration, until the Inspector of Buildings has issued a permit. No permit shall be issued until a sewage disposal works permit, when applicable, has first been obtained from the Board of Health and the proposed building and location thereof conform with the City's laws and ordinances. Any new building or structure shall conform to all adopted state and City laws, ordinances, codes and regulations. No Accessory Dwelling Unit shall be occupied until a certificate of occupancy has been issued by the Inspector of Buildings where required.

(3) The Inspector of Buildings shall refuse to issue any permit, which would result in a violation of any provision of this ordinance or in a violation of the conditions or terms of any special permit or variance granted by the Special Permit Granting Authority or its agent.

(4) The Inspector of Buildings shall issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.

(5) Upon request of the homeowner applicant, the Zoning Board of Appeals as SPGA may, after making findings of fact that a waiver is merited given the totality of circumstances based on any or all of the following factors, waive standards of Section D of this ordinance.

(a) The showing of good and sufficient cause that a waiver is not inconsistent with the purposes of this chapter as a whole;

(b) A determination that failure to grant the waiver would result in exceptional hardship to the applicant;

(c) Danger to life or property;

(d) The necessity to accommodate requests of the Conservation Commission, Planning Board or Historical Commission or any municipal department;

(e) Extraordinary expense which is undue given the purpose of the provision(s) waived;

(f) The availability of alternative methods to substantially meet the purpose of the provision(s) waived;

(g) No municipal function, nor any direct abutter, will be substantially affected by the waiver.

~ 200-4.2. **Rural Residential District (RC).**

~ 200-4.3. **Suburban Residential District (RB).**

~ 200-4.4. **Urban Residential District (RA).**

~ 200-4.5. **Semi-Residential District (SR).**

~ 200-4.8. **Limited Commercial District (LC).**

○ Add the amended use categories "accessory dwelling unit, attached", and "accessory dwelling unit, detached" as uses allowed by right within the RC, RB, RA, SR, and LC districts. Currently, these uses are only allowed by special permit in these districts.

~ ~~200-4.11. **General Industry District (GI).**~~

~ 200-4.6. **Health Service District (H).**

~ 200-4.7. **Central Commercial District (CC).**

~ 200-4.9. **General Commercial District (GC).**

○ Add the amended use categories "accessory dwelling unit, within", "accessory dwelling unit, attached", and "accessory dwelling unit, detached" as uses allowed by right within the H, CC, and GC districts. Currently, these uses are not allowed within these districts

Order no. FY 20-113

MOTION: On a motion by Councilor Dolan, second by Councilor Wheeler, it was,

MOVED: THAT THE CITY COUNCIL OF GREENFIELD AMEND ZONING ORDINANCE, CHAPTER 200-5.2 TABLE OF DIMENSIONAL REQUIREMENTS, AS INDICATED ON THE ATTACHED EXHIBIT A, AND FURTHER AMEND THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING

OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

Exhibit A

Proposed amendment to the 'Table of Dimensional Requirements' section of the Greenfield Zoning Ordinance, Chapter 200

Proposed by Councilors Dolan and Wheeler
12/8/2019

200-5.2 TABLE OF DIMENSIONAL REQUIREMENTS

District	Minimum Lot Area in Sq. Ft. ⁽¹⁾	Minimum Lot Frontage in Ft. & Lot Width ⁽¹⁾	Minimum Yard in Feet			Maximum Height in Ft.	Minimum Landscaped Open Space ⁽²⁾
			Front	Side ⁽²⁾	Rear ⁽²⁾		
RA	8,000 2,000 40,000 3,000	65 30	25 10	40 5	30 10	35	40% 20%
SR	8,000 2,000 40,000 3,000	65 30	25 10	40 5	30 10	35	40% 20%

1 The first number is for all principal uses including single-family dwellings. The second number is for two-family dwellings. For **three-family and** multifamily structures there shall be the minimum requirement for two-family dwellings plus an additional increase in lot area for each additional unit equal to the following:

- RA, SR - 1,000 square feet**
- ~~RA, SR; H~~ - 2,000 square feet
- RB, LC, GC - 4,000 square feet
- RC - 5,000 square feet

Frontage for three-family lots shall be as follows:
RA, SR, H, LC, GC - 50 feet RB - 140 feet RC - 200 feet

Frontage for multifamily dwelling lots shall be as follows:
RA, SR, H, LC, GC - 100 feet RB - 140 feet RC - 200 feet

DISCUSSION: EDC Chairperson Dolan provided rationale for the proposed amendment. He read the proposed recommendations submitted by the Planning Board. The Economic Developments Committee forwarded a unanimous positive recommendation with the revised language from their May 19th meeting.

MOTION: On a motion by Councilor Dolan, second by Councilor Jarvis, it was,
MOVED: TO STRIKE THE DECEMBER 8, 2019 VERSION AND REPLACE WITH THE ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDATIONS FROM THEIR MAY 19, 2020, MEETING.

DISCUSSION: It was noted that the proposed amendments in the March 4, 2020, revised version received overwhelming support at the public hearings and by a majority of the Greenfield Community; however, there should continue to be more study and research on this issue. Other discussion included:

- It would be more beneficial to have the zoning dimension study done before any amendments were proposed.
- How long would it take to perform a zoning dimension study.
- It was suggested by the Planning Director to form a committee that could perform a study on this issue.

Councilor Dolan accepted a friendly amendment made by Councilor Wheeler to change the frontage for three - family lots from 50 to 75 feet RB

It was by roll call, 10 yes, 2 no,
VOTED: TO APPROVE AMENDMENT.

Order no. FY20-113, as amended, was on the floor.

It was by roll call, 10 yes, 2 no,
VOTED: TO APPROVE ORDER NO. FY20-113, AS AMENDED: THAT THE CITY COUNCIL OF GREENFIELD AMEND ZONING ORDINANCE, CHAPTER 200-5.2 TABLE OF DIMENSIONAL REQUIREMENTS, AS INDICATED ON THE ATTACHED EXHIBIT A, AND FURTHER AMEND THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

Exhibit A

200-5.2 TABLE OF DIMENSIONAL REQUIREMENTS

Minimum Yard in Feet

District	Minimum Lot Area in Sq. Ft. (1)	Minimum Lot Frontage in Ft. & Lot Width (1)	Front	Side (2)	Rear (2)	Height in Ft.	Minimum Landscape d Open Space (3)
RA	8,000 10,000	65	25	10	30	35	40%
SR	8,000 10,000	65	25	10	30	35	40%

1 The first number is for all principal uses including single-family dwellings. The second number is for two-family dwellings. For **three-family and** multifamily structures there shall be the minimum requirement for two-family dwellings plus an additional increase in lot area for each additional unit equal to the following:

- RA, SR, H - 2,000 square feet
- RB, LC, GC - 4,000 square feet
- RC - 5,000 square feet

**Frontage for three-family lots shall be as follows:
RA, SR, H, LC, GC – 75 feet RB - 140 feet RC - 200 feet**

Frontage for multifamily dwelling lots shall be as follows:
RA, SR, H, LC, GC - 100 feet RB - 140 feet RC - 200 feet

President Stempel closed the public hearing at 9:14 pm.

Order no. FY 20-118

MOTION: On a motion by Councilor Wheeler, second by Councilor Forgey, it was,
MOVED: THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, ORDERED THAT THE COUNCIL AUTHORIZES THE PAYMENT OF FY15 EVERSOURCE BILLS FOR \$67.33 FROM THE FY20 ENERGY DEPT BUDGET.

DISCUSSION: Vice-President Wheeler reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was by roll call, 12 yes, 0 no,
VOTED: TO APPROVE ORDER NO. FY20-118.

Order no. FY20-165

MOTION: On a motion by Councilor Guin, second by Councilor Forgey, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING RE-APPOINTMENTS BY THE MAYOR FOR A THREE YEAR TERM TO EXPIRE JUNE 30, 2023:

- Phillip Corrinet, Board of License Commissioners
- Ruth Henry, Board of License Commissioners
- Patricia Jordan, Council on Aging
- Mark Maloney, Franklin County Tech School Committee
- William Benson, Public Library Board of Trustees
- James E Winn, Zoning Board of Appeals
- William Phelps, Trustees of Soldier’s Memorial
- Charles Roberts, Planning Board
- Virginia DeSorgher, Commission on Disability Access
- Frederick Clark, Public Safety Commission
- Jean Wall, Planning and Construction Commission
- Peter Miller, Cemetery Commission
- Tim Blagg, Historical Commission
- Arthur Ruggles, Historical Commission
- Peter Wozniak, Zoning Board of Appeals
- Jonathan Cohen-Gorczyca, Public Library Board of Trustees

DISCUSSION: Chairperson Guin reported the Appointment & Ordinance Committee forwarded a unanimous positive recommendation. It was noted that A&O had decided to change the language in the order to replace the word “accepts” with the word “affirms”.

It was by roll call, 12 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY20-165.

Order no. FY20-172

MOTION: On a motion by Councilor Guin, second by Councilor Forgey, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING RE-APPOINTMENTS BY THE MAYOR FOR A THREE YEAR TERM TO EXPIRE JUNE 30, 2023:

- Ginger Carson, Council on Aging
- Marsha Stone, Council on Aging
- Donna DuSell, Recreation Commission
- Rachel Kashner, Recreation Commission

DISCUSSION: Chairperson Guin reported the Appointment & Ordinance Committee forwarded a unanimous positive recommendation.

Councilor Hirschfeld stated that he would recuse himself from the vote due to the fact that his wife was listed as a re-appointment and left the rail.

It was by roll call, 11 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY20-172.

Councilor Hirschfeld returned to the rail.

Order no. FY20-166

MOTION: On a motion by Councilor Guin, second by Councilor Forgey, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENTS BY THE MAYOR FOR A THREE YEAR TERM TO EXPIRE JUNE 30, 2023:

- Janine Greaves, Library Board of Trustees
- Margo Jones, Historical Commission
- Mark Maloni, Planning Board Alternate
- Nancee J. Bershof, Board of Health

DISCUSSION: Chairperson Guin reported the Appointment & Ordinance Committee did not receive this order before they had their meeting and therefore no recommendation was forwarded.

Councilor Elmer stated that he would recuse himself from the vote due to the fact that his wife was listed as an appointment and left the rail.

It was by roll call, 11 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY20-166.

Councilor Elmer returned to the rail.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairperson Gilmour reported on the discussions from the last meeting in regards to the Greenfield Mask program and the 2020 Federal Census. She offered information on how the City Council could communicate the Mask Program to the public. She would also receive updates monthly in regards to the number of Greenfield residents who have answered the Federal Census.

ECONOMIC DEVELOPMENT COMMITTEE – None

APPOINTMENTS AND ORDINANCE COMMITTEE- None

WAYS AND MEANS COMMITTEE – None

TREASURER REPORT - None

UNFINISHED BUSINESS: - None.

OLD BUSINESS: - None.

NEW BUSINESS: Vice-President Wheeler held the following first reading:

- Appropriate \$95,000 from 911 Contributory Retirement to offset deficit in 151 Legal in FY20 Operating Budget.
- Appropriate \$76,000 from 911 Contributory Retirement to offset deficit in 914 Health Insurance in FY20 Operating Budget.
- Appropriate \$12,000 from 1627 Bond Premium to offset deficit in Bonded Debt Pay Downs in FY20 Operating Budget.
- Appropriate \$82,086 from 1627 Bond Premium for GCET to run Fiber.
- Appropriate \$60,000 from DPW Accounts to 01004700 Trash Disposal Account for Shortfall.

MOTION: On a motion by Councilor Dolan, second by Councilor Wheeler, it was by roll call, 12 yes, 1 no,

MOVED: TO INTRODUCE THE FOLLOWING RESOLUTION:

The Greenfield City Council hereby recommends the immediate formation of an ad hoc committee to study the Greenfield zoning ordinance and to recommend changes to said ordinance with the purpose of encouraging the development of new housing and the concomitant expansion of the tax base.

The committee shall be a joint committee of the legislative and executive branches, and shall include: a member of the City Council, the Planning Board and the Zoning Board of Appeals; a City Employee from the Planning Department, the Economic and Community Development Department and the Department of Public Works; and at least one Greenfield resident from each of the 9 Precincts.

Changes that the Committee present may include, but shall not be limited to: zone boundaries; dimensional requirements; parking minimums and maximums, regulation of accessory dwelling units; and the implementation of SmartCode of a form-based code.

Councilor Dolan accepted a friendly amendments made by Vice-President Wheeler to strike “at least” before “one Greenfield resident”, and to insert language that the Mayor appoint the members of this committee.

It was by roll call, 12 yes, 1 no,

VOTED: TO ACCEPT THE RESOLUTION AS AMENDED: THE GREENFIELD CITY COUNCIL HEREBY RECOMMENDS THE IMMEDIATE FORMATION OF AN AD HOC COMMITTEE TO STUDY THE GREENFIELD ZONING ORDINANCE AND TO RECOMMEND CHANGES TO SAID ORDINANCE WITH THE PURPOSE OF ENCOURAGING THE DEVELOPMENT OF NEW HOUSING AND THE CONCOMITANT EXPANSION OF THE TAX BASE.

THE COMMITTEE SHALL BE A JOINT COMMITTEE OF THE LEGISLATIVE AND EXECUTIVE BRANCHES, AND SHALL INCLUDE **THE FOLLOWING MAYORAL APPOINTMENTS:** A MEMBER OF THE CITY COUNCIL, THE PLANNING BOARD AND THE ZONING BOARD OF APPEALS; A CITY EMPLOYEE FROM THE PLANNING DEPARTMENT, THE ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT AND THE DEPARTMENT OF PUBLIC WORKS; AND ~~AT LEAST~~ ONE GREENFIELD RESIDENT FROM EACH OF THE 9 PRECINCTS.

CHANGES THAT THE COMMITTEE PRESENT MAY INCLUDE, BUT SHALL NOT BE LIMITED TO: ZONE BOUNDARIES; DIMENSIONAL REQUIREMENTS; PARKING MINIMUMS AND MAXIMUMS, REGULATION OF ACCESSORY DWELLING UNITS; AND THE IMPLEMENTATION OF SMARTCODE OF A FORM-BASED CODE.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Ricketts, second by Councilor Desorgher, it was unanimously,

VOTED: TO ADJOURN THE MEETING AT 9:35 P.M.

A true copy,

Attest: _____
Kathryn J. Scott, City Clerk

GREENFIELD CITY COUNCIL MEMBERS

Webex Conferencing System
 Regular Meeting
 May 20, 2020

	Attendance	FY20-112 Amendment	FY20-112 As Amended	FY20 114 Amendment	FY20-114 As Amended	FY 20-111 Amend March 4th	FY20-111 Strike 2.- 4.11	FY20-111 As Amended	FY20-113 Amendment	FY20-113 As Amended	FY20-118	FY20-165	FY20-172	FY20-166	Resolution
1. Jarvis, Edward	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
2. Guin, Daniel	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3. Desorgher, Virginia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4. Bottomley, John	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Dolan, Timothy	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
6. Gilmour, Sheila	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
7. Wheeler, Otis	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y
8. Mayo, Douglas	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
9. Hirschfeld, Norman	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Rec	Y	Y
10. Elmer, Philip	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Rec	Y
11. Forgey, Christine	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
12. Ricketts, Penny	Y	Y	Y	Y	Y	N	Y	Abs	N	N	Y	Y	Y	Y	Y
13. Stempel, Ashley	Y	Y	Y	Y	Y	----	----	Y	----	----	----	----	----	----	Y
		13 y 0 no	13 y 0 no	13 y 0 no	13 y 0 no	9 yes 3 no	12 y 0 no	10 y 2 no 1 abs	10 y 2 no	10 y 2 no	12 y 0 no	12 y 0 no	11 y 0 no	11 y 0 no	12 y 1 no