



Roxann Wedegartner
Mayor

City of GREENFIELD, MASSACHUSETTS

PLANNING BOARD

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.

Allen, Jim (2022)
Maloni, Mark (2022)
McMahan, Amy (2021)
Pottern, Jamie (2021)
Roberts, Charles (2020)
Touloumtzis, George (2021)

GREENFIELD PLANNING BOARD Minutes of July 16, 2020 6:00 p.m.

Webex Meeting

Chairman Charles Roberts called the Planning Board meeting open at 6:02 p.m.

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.

PB MEMBERS PRESENT: Charles Roberts, Chairman; Jamie Pottern, Clerk; and Alternate Mark Maloni

PB MEMBERS ABSENT: George Touloumtzis, Jim Allen, and Alternate Amy McMahan

ALSO PRESENT: Eric Twarog, Director of Planning and Development; Councilor Philip Elmer; and Councilor Otis Wheeler

Chairman Roberts moved Mark Maloni up as a voting member of the Board.

Approval of Minutes:

MOTION: Moved by Roberts, seconded by Maloni, and voted 3:0:0 to approve the meeting minutes of July 2, 2020.

ZBA Recommendation:

- a. Application of Timothy Carle for property located at 25 Prospect Avenue (Assessor's Map 27, Lot 29), which is located in the Urban Residential (RA) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E2), and 200-8.3 of the Zoning Ordinance in order to allow a twenty percent reduction of the southerly side yard setback from 10 to 8 feet at this location.

The Applicant did not attend the Webex meeting. Director Twarog reviewed the special permit application request with the Board. The Board had no issues or concerns with the request.

MOTION: Moved by Pottern; seconded by Maloni; and voted 3:0:0 to forward a positive recommendation to the ZBA on the application of Timothy Carle for property located at 25 Prospect Avenue (Assessor's Map 27, Lot 29), which is located in the Urban Residential (RA) Zoning District, for a Special Permit pursuant to Sections



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200-5.3(E2), and 200-8.3 of the Zoning Ordinance in order to allow a twenty percent reduction of the southerly side yard setback from 10 to 8 feet at this location.

Action Items:

- a. Permit Extension Request for 125 Mohawk Trail.

Director Twarog stated that he received a call from the owner of 125 Mohawk Trail explaining that due to the COVID-19 pandemic as well as financing issues, the project at 125 Mohawk Trail has been delayed. The owner stated that they do plan on moving forward with this project but need an extension of the approved special permit. The Board had no issues with this request.

MOTION: Moved by Roberts, seconded by Pottern, and voted 3:0:0 to approve the request for an extension of the special permit approval for 125 Mohawk Trail to December 31, 2021.

- b. Planning Board recommendation on the potential sale of City owned property (188 Main Street, Parcel 58-41).

The Board discussed various options for city use of 188 Main Street such as leasing to food vendors, creating an urban pocket park, and creating a public art display. Director Twarog explained to the Board that the idea of an urban pocket park at this location is no longer being considered by the City and that at this time, the City would like to put the property back on the tax rolls. He explained that the first step is a 30-day comment period for city departments and boards/commissions to comment on the proposed sale. The Board questioned why the urban pocket park is no longer being considered. Director Twarog responded that the city has higher priorities and doesn't have the resources to move such a project forward at the present time. Maloni suggested that the City get comments from other entities that have an interest in the Downtown such as the Downtown Vitalization Group and Chamber of Commerce. The Board reached consensus to table this to their next meeting. The Board directed Director Twarog to prepare a draft recommendation for review at the next meeting.

Discussion Items:

- a. Discussion of the recent legal opinion on Condominiumization of Accessory Dwelling Units.

Chairman Roberts summarized the legal opinion that the city received on this to the Board which is that it is legal to condominiumize Accessory Dwelling Units. The Board reached consensus that this goes beyond the intent of Greenfield's Accessory Dwelling Unit ordinance. Chairman Roberts stated that he contacted planning staff at the City of Northampton to discuss their ADU ordinance and condominiumization of Accessory Dwelling Units. He stated that both the City of Newton and the City of Northampton have language in their ADU ordinances that close this loophole. Councilor



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Elmer gave an overview of the recent meeting of the Economic Development Committee to the Board during which Christopher Lee of Easthampton gave a presentation to the EDC on condominiumization of Accessory Dwelling Units. Councilor Elmer stated that the EDC members reached consensus that condominiumization of Accessory Dwelling Units goes beyond the intent of Greenfield’s Accessory Dwelling Unit ordinance. Councilor Wheeler concurred that this goes beyond the original intent of the ADU ordinance but stated that he would not vote on closing this loophole without first adopting other zoning amendments that deal with housing such as the dimensional requirements of the Urban Residential and Semi-Residential Zoning Districts.

b. Discussion and prioritization of potential amendments to the Zoning Ordinance.

Director Twarog reviewed the memo he prepared for the Board on zoning amendments dated July 8, 2020. He stated that the priority is to first adopt the amendments to the Floodplain District Ordinance of the Zoning Ordinance as required by the recent Community Assistance Visit (CAV) by FEMA.

The second priority is to amend the section on nonconforming uses by clarifying that nonconforming structures can only be rebuilt if destroyed by fire or other causes. Director Twarog stated that due to several inquiries from residents about rebuilding dilapidated buildings on nonconforming lots, the City obtained a legal opinion from City Counsel. The legal opinion stated that the language “other causes” means “other natural causes”. The Board expressed concerns that this would provide a disincentive for residents to renovate their properties. Director Twarog concurred and offered to research other communities zoning bylaws/ordinances to see how they handle rebuilding of dilapidated buildings on nonconforming lots.

Director Twarog reviewed the history of the Low Impact Development recommendations for the City of Greenfield prepared by the Franklin Regional Council of Governments through a MA DEP 319 grant. He stated that the Department of Public Works has reviewed these recommendations of amendments to Greenfield’s subdivision regulations and Zoning Ordinance. The next step in the process is for the Board to review these recommendations, make final adjustments, and to initiate the zoning and subdivision regulation amendment process.

The Board reached consensus to move forward with the amendments to the Floodplain District and Low Impact Development recommendations as well as amendments to the nonconforming section of the Zoning Ordinance after researching options to allow dilapidated building to be rebuilt on nonconforming lots.

The Board discussed the focus group to be formed to study potential amendments to the dimensional requirements of the RA and SR Districts as well as an analysis of potential amendments to district boundaries as well as potential new district(s). Director Twarog stated that he would discuss this with Mayor Wedegartner at his next meeting with her and report back to the Board.



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Chairman Roberts gave an update on the Library construction project.

Director Twarog gave an update on the Fire Station/Public Safety Complex project.

Adjournment:

MOTION: Moved by Pottern, seconded by Maloni, and voted 3:0:0 to adjourn the Planning Board meeting at 7:50 p.m.

Respectfully Submitted,

Eric Twarog, AICP
Director of Planning and Development