

# ZONING BOARD OF APPEALS

TOWN OF GREENFIELD, MASSACHUSETTS  
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## ZONING BOARD OF APPEALS Minutes of April 12, 2012 Police Station Meeting Room 321 High Street

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

**PRESENT:** Tom McLellan, Chairman  
Scott Conti  
Christopher Joseph  
Howard Barnard  
**ABSENT:** Mark Maloney  
**ALSO PRESENT:** Laura DiNardo, Conservation Agent, and members of the public.

**7:00 p.m.** Mark and Tracy Sirum, 10 Park Street – Request for a Special Permit pursuant to Sections 200-4.5 (C9), 200-6.1 (C1), and 200-8.3 of the Zoning Ordinance in order to allow 1) the conversion of a two-family home to a three-family home, and 2) to allow the change, extension or alteration of a legal nonconforming use at this location. This property currently does not meet the lot area requirement for a three-family home.

McLellan explained public hearing process to applicant and the need for four out of the five members to vote in favor to have project approved. In Maloney's absence, all members must vote in favor. Applicant chose to continue.

McLellan read the notice of hearing.

Applicants introduced themselves, Mark and Tracy Sirum.

Sirum explained that the home currently has three floors, the first and second are already full living units. The third floor will need to be converted. The only potential change to the exterior would be outside stairs leading from the second to the third floor.

McLellan reminded applicants they would need six parking spaces. Sirum stated that the plan shows seven.

Joseph verified that there was a handicap ramp and some cement slabs were proposed parking would be. Sirum confirmed.

Conti asked about the exterior staircase. Sirum stated that the interior will have a staircase for all residents to exit front of building but might potentially install exterior on rear.

Joseph asked is applicant lived in building. Applicant stated no, they live on Bernardston Road; all three apartments would be rented.

McLellan read correspondences.

McLellan asked about the drainage problem. Sirum stated that there is a pipe coming from the funeral home that is creating problems that should be easily addressed.

McLellan asked if the parking section was paved. Sirum stated that it is currently in rough shape; they will need to re-grade and re-pave.

McLellan asked about trash pick-up. Sirum stated it would be collected by Town of Greenfield as a normal residence. McLellan asked if town would pick-up for a three-family dwelling. Sirum confirmed that they would unless it was a four-family or greater.

Barnard expressed concern about the layout of the interior of the home, no drawings were submitted.

Sirum explained the layout of the first and second floors. The third floor will be almost identical but smaller.

McLellan asked about the exits and entrances.

Sirum explained that the interior staircase is in the front of the house and they will need to extend the stairs from the second floor to the third floor. All floors are currently connected to a back staircase. The back staircase from the first to second floor is exterior and the back staircase from the second to the third floor is interior.

Barnard asked about roof leaking or stains from moisture. Sirum explained the roof and water damage was fixed after the winter of 2009-2010. They have plans to paint the exterior in the future.

Barnard asked applicant to sketch the third floor plan.

Joseph asked about the driveway, the lighting, and if they own other rental properties/have had problems with tenants. Sirum stated that the driveway is very narrow, they have only owned for two weeks but need to find solution. The guardrail is not their property. Could become dangerous in winter. Sirum explained that the property is surrounded by well-lit parking areas and they have a motion light on back porch. Sirum stated that they own eight other rental properties and have never had problems with tenants especially where town became involved. They shovel, plow, and mow their properties.

McLellan invited community members to speak. A resident from 14 Park Street expressed concern about parking on the street, poor drainage, and inappropriate behavior from previous tenants. Joseph agreed that the drainage problems need to be addressed. Sirum stated if the pavement was re-graded they would be able to direct water to existing basins. Sirum explained there would only be five bedrooms total for all three floors.

### **Hearing closed at 7:30 PM**

Barnard stated that neighbors did not express concern about problems specific to the applicants. Conti stated that the applicants obviously care about their properties.

Joseph expressed concern about parking; if proposed area is not fixed, the drainage problem will remain and tenants will eventually park on street.

McLellan stated that the drainage and guardrail are creating problems; the applicant has limited control over either. McLellan expressed concern about one-way street. Board discussed potential conditions.

Board expressed other potential parking locations; this is the most reasonable area.

Board expressed concern about snow removal; the spot is already small and space is limited. Joseph stated that applicant could get into parking area with a F350 and a trailer but in bad weather it might be different.

Board expressed concern about the size of the driveway, does it meet regulations. Conti stated that the requirement is 10 feet width and the current driveway is around 9 feet. This will be determined and enforced by Mark Snow, Build Inspector.

**MOTION:** **Moved by Joseph, seconded by Conti, and voted 4:0 approve the request for a Special Permit pursuant to Sections 200-4.5 (C9), 200-6.1 (C1), and 200-8.3 of the Zoning Ordinance in order to allow 1) the conversion of a two-family home to a three-family home, and 2) to allow the change, extension or alteration of a legal nonconforming use at this location with the following conditions (this property currently does not meet the lot area requirement for a three-family home):**

- 1. Proposed parking area shall be leveled and graded to prevent water pooling.**
- 2. Snow removal and storage shall not take up more than one parking space.**

**7:15 p.m.** Joseph P. Mattei, 15 Greenfield Street – Request for a Variance pursuant to Section 200-8.7 of the Zoning Ordinance in order to allow the construction of an addition to the existing building for manufacturing purposes and to expand the capacity of the existing facility within the required fifty (50) foot front yard setback.

McLellan explained public hearing process to applicant and the need for 4 out of the 5 members to vote in favor to have project approved. In Maloney's absence, all members must vote in favor. Applicant chose to continue.

McLellan read the notice of hearing.

Applicants introduced themselves, Joseph Mattei and Steven Capshaw.

Capshaw explained his history with the company; have moved from multiple locations as their company has expanded. They maintain and improve facilities well and create jobs for the Greenfield area. They own property towards Agritech but there is a town drainage easement to the right and there wetlands behind the building. Their only option is to expand westward towards Adams road. Capshaw explained that they could not split the business into two buildings to work around easement.

Joseph expressed concern about bushes being removed for access. Capshaw stated a very small section would be removed and they are adding fencing around receptacles to improve the exterior.

Mattei displayed floor plan to the Board.

McLellan asked how many employees. Capshaw stated 32 full-time and 3 part-time. They are still hiring; anticipate 5-7 new employees in the next 10 years. Conti asked what shifts they worked. Capshaw stated most first, some second, zero third and a few on Saturdays rarely Sundays.

McLellan read correspondences.

McLellan explained the process and conditions for a Variance to be approved. The applicant has very limited alternatives with the easement and the wetlands.

Joseph asked about the propose access and the marked parking spaces. Capshaw stated that this would be used once a year, provides enough room for turn around and the parking spaces will rarely, if ever, be used.

Joseph asked about the maple tree on site. Capshaw will not be removing the tree.

**Hearing closed at 7:55 PM**

Board agreed that this is a good use of property.

**MOTION: Moved by Joseph, seconded by Conti, and voted 4:0 approve the request for a Variance pursuant to Section 200-8.7 of the Zoning Ordinance in order to allow the construction of an addition to the existing building for manufacturing purposes and to expand the capacity of the existing facility within the required fifty (50) foot front yard setback.**

Approval of Minutes:

**MOTION: Moved by Barnard, seconded by Conti, and voted 4:0 to approve the Minutes from March 8, 2012.**

Adjournment:

**MOTION: Meeting adjourned at 8:22 p.m.**

Respectfully Submitted,

Laura DiNardo  
Conservation Agent