



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.

Conti, Scott (2016)  
Joseph, Christopher (2014)  
Kimball, Russell (2015)  
Maloney, Mark (2016)  
McLellan, Thomas (2016)  
Ronhave, Steven (2015)  
Winn, James (2015)

**ZONING BOARD OF APPEALS**  
**Minutes of May 14, 2015**  
**Department of Planning & Development**  
**114 Main 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  
Mark Maloney, Clerk      Steve Ronhave      Russell Kimball

**ALSO PRESENT:** Maureen Pollock, Assistant Planner & Conservation Agent and Applicants.

**ABSENT:** James Winn

**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 CIL Realty of MA, Inc. for property located at 111 Summer Street (Assessor’s Map 114, Lot 41), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections 200-5.3 (E2), 200-7.2, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the reduction of the dimensional setback requirements by 20% and the development of multi-family units at this location.

Members sitting were Tom McLellan, Chair; Mark Maloney, Clerk; Scott Conti; Christopher Joseph; and Steve Ronhave. Also in attendance was Russell Kimball, ZBA alternate; Applicant, Ed Porter, United Arc Executive Director; representative to the Applicant, Anthony Wonseski, SVE Associates; and members of the public.

McLellan      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.

Wonseski      Stated the applicants would like to construct 3 small duplexes which will have two single-occupancy units in each duplex. The duplexes will be one story. Stated the building facade facing Summer Street will be designed to look like the front of a single-family residential home; the entrance to this building will be located on the west side of building. The two building fascades facing the northwestern boundary will be designed to look like the front of a single-family residential home; the entrances to these buildings will be located on the east side of the buildings. Stated there will be an outdoor courtyard in the center of the property for residential use. The space is located in the interior of the property, not by the street or abutting properties. There will be a pedestrian pathway to connect the residents to the adjacent United Arc building and parking lot.



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Stated all dimensional requirements have been met with the exception of the following setbacks for which the Applicant is seeking a twenty (20) percent reduction:

	Required	Proposed
Front Yard Setback:	25'	20'
Rear Yard Setback:	30'	26'
Separation between Multi-family buildings:	40'	32' (for 2 of the 3 proposed buildings)

Stated Parcel 114-41 will need to be separated through the Approval Not Required (ANR) process through the Planning Board. Stated the applicant will like to seek the special permit first before requesting an ANR.

Stated the applicants also request a reduction of parking spaces from the required 12 spaces to 4. Stated the residents do not need parking, due to their intellectual and developmental disabilities. So the proposed parking would be for visitors and public safety officials. Stated approximately 20 driving trips will be generated per day, with vans escorting residents.

- Maloney      Inquired how many parking spaces are ADA accessible.
- Wonseski     Responded 1 parking space is ADA accessible, and the other 3 are regular parking spaces. Stated United Arc parking lot located on the adjacent parcel used to be heavily used but since United Arc moved their headquarters to Turners Falls, there is a lot less parking at the adjacent parcel.
- Maloney      Inquired whether the fence along the western property line of the property is owned by United Arc or the neighbor.
- Porter        Responded the 6-foot stockade fence, which runs along the entire property is owned by United Arc.
- Maloney      Stated it appears there is no fence along the northern property line.
- Wonseski     Stated the most of the stormwater will be handled on-site, using low-impact development (LID) features, including porous asphalt, dry wells and bioswales. The LID features are designed to allow stormwater to infiltrate into the ground. Any overflow water will connect into the town's stormwater system; and not into in the abutting properties.
- Porter        Stated the United Arc serves individuals who have intellectual and developmental disabilities, most of whom have mobility issues. This residential facility is for those who are able to live independently. Stated these individuals need accessibility.

Stated the traffic has been reduced since 27 employees have now re-located to the Turner Falls headquarters. Stated the west side of Summer Street is for residential parking only.



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Stated the project is trying to maintain some of the existing trees. Stated the United Arc want to be a good neighbor.

Stated the project will increase the property values of the surrounding homes.

Chairman McLellan opened up the hearing for public comment.

The following individuals state concerns regarding the applicant's request:

1. Theresa Falvey, 97 Harrison Avenue
2. Bernie Cahill, 114 Summer Street
3. James Johnson, 110 Summer Street
4. Kristin Weed, 102 Harrison Avenue
5. Joe Lemay, 90 Harrison Avenue
6. George Balis, 106 Summer Street
7. Diana Lemay, 90 Harrison Avenue
8. Patricia Gillespie, 110 Harrison Avenue
9. Fred Putala, 114 Harrison Avenue
10. Robert Voetsch, 98 Harrison Avenue
11. Richard Peel, 19 Vermont Street
12. Jeff Timell, 15 Vermont Street

The following individual states support regarding the applicant's request:

1. Peter Bagley, 207 Silver Street

McLellan Inquired whether the existing dumpster will be used for the residents

Wonseski Responded, yes.

Porter Stated the United Arc has never abandoned any other properties that they own. The United Arc's mission is to help people with disabilities. Stated the United Arc employ 14 people in the Greenfield location, 22 people in the Turners Fall location, and more are employed in Hampshire and Hampden Counties.

Maloney Read letters of concern from the following:

1. Scott and Jamie Cote, 24 Vermont Street
2. Sonya Magdycz, 84 Summer Street
3. Sandy Magill, 30 Vermont Street
4. Leah Jacques, 107 Harrison Avenue
5. Troy Jacques, 107 Harrison Avenue
6. Stephen Valeski, 101 Harrison Avenue



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Maloney Read correspondence from the Planning Board, Board of Health, Fire Department, and Planning Department.

Conti Inquired what the setback will be for the new property.

Wonseski Responded 10-feet.

Maloney Inquired whether there will be a fence along the property line to the north.

Porter Responded if the neighbors want a fence there, then they can install one.

Public Hearing closed at 8:16 p.m.

- Application of Ford-Toyota of Greenfield for property located at 1 Main Street (Assessor's Map 49, Lot 10), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-6.7(F) and 200-8.3 of the Zoning Ordinance in order to allow the relocation of the existing free-standing Ford pylon sign and to allow the installation of a new Toyota free-standing pylon sign as well as building attached signage at this location.

Members sitting were Tom McLellan, Chair; Mark Maloney, Clerk; Scott Conti; Christopher Joseph; and Steve Ronhave. Also in attendance was Russell Kimball, ZBA alternate; Applicant, Bob Cartelli, owner of Greenfield Toyota/Ford; representative to the Applicant, Anthony Wonseski, SVE Associates; and members of the public.

McLellan 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.

Wonseski Stated the applicant received a special permit in 2013 for the demo and re-construction of the Greenfield Toyota/Ford dealership. Stated at the time, there was some miscommunication regarding signage. Stated the applicant did not know a pylon sign was needed for Ford.

Stated the proposed plan is to re-locate the existing Ford sign to a different location on-site that is at-grade with Main Street. The height of this sign is 35-feet. The existing Toyota sign has been removed. The applicant would like to erect a new 24-foot high Toyota pylon sign. Due to the difference in elevation and sign heights, the Ford sign would be 5 feet lower than the proposed Toyota sign.

Cartelli Stated the regional and national car dealership want the pylon sign. They conducted a site visit of the Greenfield dealership and don't think that motorists will be able to find the dealership without the sign. As part of the demo and re-construction of the dealership, approximately 8-feet were dug out.

Maloney Inquired what the square footage of the proposed sign is.

Wonseski Responded he will check.



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- McLellan Inquired whether the height of the sign can be lowered.
- Cartelli Responded he can ask regional and national dealership.
- Maloney Inquired whether there are any changes to the sign illumination
- Cartelli Responded, no.

Chairman McLellan opened up the hearing for public comment. None

Maloney Read correspondence from the Planning Board, Fire Department, and Department of Public Works.

Public Hearing closed at 8:37 p.m.

3. Application of Lorenz Family Limited Partnership c/o Nancy Chatlin for property located at 312 Federal Street (Assessor's Map 95, Lot 20), which is located in the Limited Commercial (LC) Zoning District, for a special permit pursuant to Sections 200-6.5(A4), 200-6.5(B3), and 200-8.3 of the Zoning Ordinance in order to allow the reduction of parking spaces from the required 47 spaces to 33; and to allow the parking spaces with a two-foot setback to be consistent with existing conditions.

Members sitting were Tom McLellan, Chair; Mark Maloney, Clerk; Scott Conti; Christopher Joseph; and Steve Ronhave. Also in attendance was Russell Kimball, ZBA alternate; Applicant, Nancy Chattin, property owner of 312 Federal Street; representative to the Applicant, Anthony Wonseski, SVE Associates; Robert D. Provost, Mowry & Schmidt, Inc.; Tim Seymour, Aubuchon Hardware store manager; and members of the public.

McLellan 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.

Wonseski Stated the proposed project consists of a proposed 4,284 square foot addition to the existing Aubuchon Hardware building, the demolition of the existing 3-family residence at 324 Federal Street, the addition of 23 off-street parking spaces, and the relocation of the propane filling station.

Stated the circulation would remain the same as existing, with an entrance/exit onto Shattuck Street and Federal Street, and an exit only onto Norwood Street.

The applicant seeks a special permit to allow a 2-foot setback for the new parking area from the property line. The applicant would like to make the proposed parking area consistent with the existing setback, which is 2-feet.

The applicant also seeks a special permit to allow a parking reduction from the 47 required off-street parking spaces to 33 spaces and 2 ADA accessible parking spaces.



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Stated the propane filling station will be re-located near the edge of the parking area along Shattuck Street. Stated the snow storage will be piled and removed. Stated there are no line of sight issues at the entryways to the store. Stated the existing stockade fence will not be touched. Stated all 15 arborvitae will be removed. Stated if the neighbors want the arborvitae to remain, the parking area can be shifted to accommodate the plants.

Stated that according to the parking study conducted by Aubuchon Hardware, the store handles about 14 customers per hour. Therefore, the applicant does not feel they need all 47 parking spaces.

- Maloney Inquired whether the applicant is proposing new signage.
- Provost Responded, no. The applicant is only re-locating the existing sign.
- McLellan Inquired whether any signage will be illuminated.
- Wonseski Responded, no.
- Ronhave Stated the outdoor storage is an on-going issue at the store. Inquired whether the outdoor storage will be a continued problem.
- Seymour Responded the building expansion will help with the storage issues. Stated most of the storage items will be stored inside.
- Ronhave Stated his concerns regarding the proposed location for the propane filling station.
- Provost Stated the propane filling station will meet all safety requirements.
- Wonseski Stated the applicant plans to have the 3 parcels combined into one lot through the ANR process.
- Conti Inquired whether the proposed plan will help with traffic flow.
- Wonseski Responded, yes.
- Conti Inquired whether the loading area will still be located along Norwood Street.
- Wonseski Responded, yes.

Chairman McLellan opened up the hearing for public comment.

The following individuals state concerns regarding the applicant's request:

1. Lindley Wilson, 12 Shattuck Street



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2. Joanne Brown, 9 Shattuck Street
3. David Wilson, 12 Shattuck Street
4. Dorothy Gagnon, 11 Shattuck Street
5. Thomas Fredrick, 53 Shattuck Street
6. Joyce Fredrick, 53 Shattuck Street
7. Diane Crane, 44 Shattuck Street

The following individual states support regarding the applicant's request:

Marc Anthony Lombard, 373 Hope Street

Maloney Read correspondence from the Planning Board; Board of Health, Fire Department; Department of Building Inspections; Department of Planning & Development; Department of Public Works; Tech Review Group meeting summary, dated October 8, 2014.

Joseph Inquired whether the building will include indoor storage.

Provost Responded the building will include both retail and storage. Stated the applicant intends to still keep some pellet storage outside.

Public Hearing closed at 10:07 p.m.

4. Application of Bryan Hobbs for property located at 576 Leyden Road (Assessor's Map R30, Lot 8), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-4.2 C(1) and 200-8.3 of the Zoning Ordinance in order to keep livestock and poultry on a parcel of less than five (5) acres.

Members sitting were Tom McLellan, Chair; Mark Maloney, Clerk; Scott Conti; Christopher Joseph; and Steve Ronhave. Also in attendance was Russell Kimball, ZBA alternate; Applicant, Bryan Hobbs; and members of the public.

McLellan 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.

Hobbs Stated he would like to keep 50 chickens, 3 pigs, and 2 cows on his 3.7 acre parcel. The livestock will be kept behind his shop.

Chairman McLellan opened up the hearing for public comment.

John Richardson, 586 Leyden Road

Stated he has some concerns regarding the pigs. Stated the pigs will be kept close to his property and he is concerned about potential nuisance odors

McLellan Inquired how close the pigs will be kept from the 586 Leyden Road property.



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- Hobbs Responded, approximately 50-60 feet away.
- Conti Inquired who resides in the house.
- Hobbs Responded, tenants reside in the house.
- Maloney Read correspondence from the Planning Board; Board of Health, and Fire Department.
- Joseph Inquired whether the pig pen will be moveable.
- Hobbs Responded the 32-foot by 32-foot pig pen can be moved if the location becomes a problem with the neighbor. Stated the 20-foot by 8-foot chicken coop will be located on the south side of the existing barn. Stated the cows will be located within the power line easement.

Public Hearing closed at 10:20 p.m.

5. Application of Mary Collins for property located 373 Hope Street (Assessor's Map R01, Lot 6), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections 200-7.16 and 200-8.3 of the Zoning Ordinance in order to allow the installation of a 3.92 kW ground-mounted solar photovoltaic system at this location.

Members sitting were Tom McLellan, Chair; Mark Maloney, Clerk; Scott Conti; Christopher Joseph; and Steve Ronhave. Also in attendance was Russell Kimball, ZBA alternate; Applicant, Mary Collins and Marc Anthony Lombard; representative to the Applicant, Carl Siebing from Pioneer Valley PhotoVoltaics Cooperative (PV2); and members of the public.

- McLellan 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.
- Siebing Stated the applicants would like to install a 3.92 kW ground-mounted solar photovoltaic system to the north of the existing house. Stated the solar array will measure 21 feet in length with two rows of 6 columns of solar panels in portrait orientation. The tilted array will stand 9 feet tall at the top and 3 feet tall at the bottom. The installation will have automatic and manual means of shutdown with clear instructional signage. The installation meets all setback and dimensional requirements of the Urban Residential (RA) Zoning District for accessory structures.
- Joseph Inquired whether trenches will be dug near the septic tank and leach field.
- Siebing Responded no.
- Maloney Read correspondence from the Planning Board, Board of Health, and Fire Department.
- Maloney Inquired the reason for installing a ground-mounted array instead of a roof-mounted array.



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Lombard Responded the panels cannot fit on the roof.

Chairman McLellan opened up the hearing for public comment. None

Public Hearing closed at 10:26 p.m.

**Discussion/Decision**

**Mary Collins for property located at 373 Hope Street (Assessor's Map R01, Lot 6)**

**MOTION**

Moved by Maloney, seconded by Conti and voted 5-0 to approve the Mary Collins for property located 373 Hope Street (Assessor's Map R01, Lot 6), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections 200-7.16 and 200-8.3 of the Zoning Ordinance in order to allow the installation of a 3.92 kW ground-mounted solar photovoltaic system at this location, with the following conditions:

1. The applicant shall follow the recommendations of the Board of Health in their email correspondence to the ZBA dated May 13, 2015 which include the following:
  - a. Any foundation for a ground-mounted solar system shall require a setback distance of 10-feet from both the septic tank and leach field components;
  - b. Conduit trench shall be prohibited from being run on top of septic system components.

Approval of Minutes:

**MOTION:** Moved by Maloney, seconded by Conti, and voted 5:0 to approve the Minutes from April 9, 2015.

**MOTION:** Moved by Maloney, seconded by Conti, and voted 5:0 to approve the Minutes from April 23, 2015.

Adjournment:

**MOTION:** Moved by Conti, seconded by Joseph, and voted 5:0 to adjourn the meeting at 10:35 p.m.

Respectfully Submitted,

Maureen Pollock  
Assistant Planner & Conservation Agent