



City known as the Town of
GREENFIELD, MASSACHUSETTS

ZONING BOARD OF APPEALS

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.gov • www.greenfield-ma.gov

William F. Martin
Mayor

Members:
Twarog, Eric
Director, Planning & Dev.

Allis, Brickett (2018)
Conti, Scott (2016)
Joseph, Christopher (2014)
Maloney, Mark (2016)
Winn, James (2017)

ZONING BOARD OF APPEALS
Minutes of September 23, 2015
Department of Planning & Development
114 Main Street

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

PRESENT: Mark Maloney, Chairman Scott Conti Christopher Joseph
James Winn Brickett Allis

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

CHAIRS STATEMENT: This meeting is being recorded, if any other persons present are doing the same, you must notify the chairperson at this time. No one responded.

Public Hearings:

1. Application of John Blasiak for property located at 34 Plum Tree Lane (Assessor’s Map R34, Lot 86F), which is located in the Rural Residential (RC) 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 7.4 kW ground-mounted solar photovoltaic system at this location.

Members sitting were Mark Maloney, Chair; Scott Conti; Christopher Joseph; James Winn; and Brickett Allis. Also in attendance were Applicants, John Blasiak and Sam Blasiak; representatives to the Applicant, John Ward and Claire Chang from the Solar Store of Greenfield; and members of the public.

Maloney Introduced the Board members sitting and asked the Applicant to introduce himself and explain what he wants to do, where he wants to do it, and why.

Blasiak Stated the roof of his house cannot support a roof-mounted solar system. Therefore, he is proposing to install a ground mounted system instead. Stated the system would not be viewed by any of the abutters as there are trees blocking the view, except from one abutter, Joan Roach of 69 Green River Road. Stated she has expressed to Blasiak that she supports the proposed project. Stated Ms. Roach is also proposing a ground mounted system on her property.

Maloney Inquired who owns the trees surrounding Blasiak’s property.

Blasiak Responded he owns the pine trees south-east of the system; the trees to the north of the system is owned by the property owners of 75 Green River Road, and trees located to the south-west of the system are owned by property owners of 57 Green River Road.

Winn Inquired whether there is a manual shutdown.



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Ward Responded, yes. Stated there is a manual shutdown on the system and a manual shutdown located in the house.

Allis Inquired how electricity does not connect to the house when the system is shutdown.

Ward Responded shutting down the system causes the DC to disconnect at the inverter, which is located on the system. Therefore, electricity cannot connect to the house when the system is shutdown.

Conti Read correspondence from the Building Inspector, Licensing, DPW, and Board of Health.

Chairman Maloney opened up the hearing for public comment.

Muriel Zraunig, 42 Plum Tree Lane

Zraunig Inquired what the size of the system will be.

Ward Responded it system will be 14' x 38.'

Zraunig Stated she has no issues with this project.

Richard Mauran Jr., 75 Green River Road

Mauran Stated his trees, which are located to the north of the proposed system, are not in good condition. Inquired whether he would be liable if the trees would fall and damage the system.

Allis Responded if the trees are healthy and they suddenly fall onto the neighbor's property, then the property owner who owns the trees would not be held liable. If the property owner's neighbor alerts the property owner that his/her trees are not in good condition, then the property owner who owns the trees may be held liable.

Chang Inquired whether a small-scale, ground-mounted solar energy system can exceed 15 feet in height.

Maloney Responded, no. The current Zoning Ordinance does not allow small-scale, ground-mounted solar energy system to exceed 15 feet in height per 200-7.16(C5).

Public Hearing closed at 7:17 p.m.

Discussion/Decision

John Blasiak for property located at 34 Plum Tree Lane (Assessor's Map R34, Lot 86F)

Joseph Stated he has no issue with this request.

Winn Stated he has no issue with this request.



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Allis Stated he is worried about the neighbors' dying trees.

Conti Stated he does not like small-scale, ground-mounted solar energy system in residential zoning districts.

Maloney Stated he has no issue with this request.

MOTION Moved by Joseph, seconded by Winn, and voted 5-0 to approve the application of John Blasiak for property located at 34 Plum Tree Lane (Assessor's Map R34, Lot 86F), which is located in the Rural Residential (RC) 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 7.4 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 September 22, 2015 which include the following:
 - a. The foundation for the ground-mounted solar system shall have a setback distance of 10 feet from both the septic tank and leach field components of the septic system.
 - b. The conduit trench shall not run on top and/or across any septic system components.

2. Application of Dawn-Marie Conway for property located at 22 Conway Drive (Assessor's Map 31, Lot 1), which is located in the General Commercial (GC) Zoning District, for a special permit pursuant to Sections 200-4.9(C24) and 200-8.3 of the Zoning Ordinance in order to allow an Animal Kennel at this location.

Maloney Read correspondence from the applicants, dated September 23, 2015 stating: "we respectfully withdraw without prejudice our application for special permit of a dog kennel at 22 Conway Drive. We understand our fee is non refundable. We also understand we can re-apply within 2 years and new application fees would be applicable. Thank you, David and Dawn-Marie Conway."

Planning Board Recommendation:

1. Application of James P. McHugh for property located at 375 Barton Road (Assessor's Map R19, Lot 16B), which is located in the Rural Residential (RC) Zoning District, for a special permit pursuant to Sections 200-6.11(D) and 200-8.3 of the Zoning Ordinance in order to allow a Common Driveway to serve three (3) residential lots at this location.

MOTION: Moved by Joseph, seconded by Conti, and voted 5:0 to make no recommendation to the Planning Board on the application of James P. McHugh for property located at 375 Barton Road (Assessor's Map R19, Lot 16B), which is located in the Rural Residential (RC) Zoning



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District, for a special permit pursuant to Sections 200-6.11(D) and 200-8.3 of the Zoning Ordinance in order to allow a Common Driveway to serve three (3) residential lots at this location.

The Board was not provided enough time to review the application. Therefore, the Board does not feel comfortable commenting on this project.

Maloney Stated he did conduct a site visit of the property. Stated his only concerns were the steep elevation grade meeting the road and the turning radius.

Discussion Items

1. The Community Builders Leyden Woods Limited Partnership Redevelopment Project

Zan Bross, representative to the Applicant was present to explain the proposed changes needed.

Bross Stated the applicants request that they be able to construct concrete footings at each unit. Stated the Board previously approved the units to be built with cavaliers, but the structural engineer now believes that the cavaliers will not support the load of each unit.

MOTION: Moved by Joseph, seconded by Winn, and voted 5:0 to approve the construction of concrete footing for each unit.

Approval of Minutes:

MOTION: Moved by Joseph, seconded by Conti, and voted 5:0 to approve the Minutes from August 13, 2015.

Adjournment:

MOTION: Moved by Conti, seconded by Winn, and voted 5-0 to adjourn the meeting at 8:13 p.m.

Respectfully Submitted,

Maureen Pollock
Assistant Planner & Conservation Agent