



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)
Joseph, Christopher (2014)
Killeen, Christopher (2019)
Maloney, Mark (2019)
Winn, James (2017)

ZONING BOARD OF APPEALS

Minutes of July 14, 2016

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 Christopher Joseph Brickett Allis
James Winn Andrew Killeen

ALSO PRESENT: 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:

Application of the Center for Human Development, Incorporated for property located at 102 Main Street and 13 Conway Street (Assessor's Tax Map 58, Lot 2), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-4.7(C7), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of a not-for-profit integrated health care facility for primary care (dental care and behavioral health services) at this location.

Chairman Maloney explained the public hearing process to the applicant. Joseph read the public notice into the record. Members sitting were Mark Maloney, Chair; Christopher Joseph, Clerk; James Winn; Brickett Allis; and Andrew Killeen. Also in attendance was the Applicant, James Goodwin, CHD President; representatives to the Applicant, Felicity Hardy, Attorney; Robert Haveles, AIA from Architectural Insights; Joe McRoy, Manager of the LLC that currently owns the property 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.

Hardy Stated that CHD provides primary health and behavior health services throughout the Pioneer Valley. CHD currently operates one program out of Greenfield. CHD works with Community Health Center. Both agencies operate primary health care and behavior health services at Cherry Rum Plaza, Greenfield. Dentist care is operated at the Turners Falls location. Stated that CHD requests a special permit and site plan approval for operation of a not-for-profit integrated health care facility for primary care (dental care and behavioral health services) at the 102 Main Street and 13 Conway Street location.



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Stated that the 102 Main Street and 13 Conway Street location will provide approximately a total of 70 full-time employees, including approximately 50 full-time employees operating at the Community Health Center and approximately 20 full-time employees at the CHD.

Stated CHD will conduct about \$2.7 million of rehab work of the building interior, which does not include the property acquisition.

Stated the Planning Board gave a positive recommendation for this project. Stated the project will give a positive economic impact to the downtown with employees and clients shopping and dining downtown. CHD like the location because it walkable for clients and it near the transit center.

Stated on average there will be 70 dental clients per day and 40 behavior clients per day.

Submitted a study, entitled “The Statewide Economic Impact of Massachusetts Health Centers” by the Massachusetts League of Community Health Centers, release date April 13, 2016. According the study, health centers generate positive economic impacts, including jobs, tax revenues and savings to the health systems.

Stated the Board should grant the special permit and site plan for this project. The project will generate economic impacts. The project is consistent with other types of uses in the downtown. The project is consistent with the purpose and intent of the Greenfield Zoning Ordinance. The project buildings will have the similar look and feel of the existing building along Main Street.

Maloney Requested that the project Architect present to the Board.

Haveles Stated the same entrances will remain with once entrance along Conway Street and two entrances along Main Street. Stated there will new entrance from the back parking lot from the loading area. The proposed plan will move the dumpster back from the building. The loading area will have ADA parking and ramp. Stated there will be two phases to the project. Phase I will include rehabbing the same where the antique store currently is located, the corridor, and the entrance in the back parking lot. Phase II will include the DA space on the 1st and 2nd floor. Phase II will start in the fall 2017.

Maloney Inquired whether the elevator will remain in use.

Haveles The elevator will remain along Conway Street and the freight elevator may be converter to allow public use. Stated the project proponents have been before the Greenfield Historical Commission and will work closely with the MA Historical Commission.

Maloney Inquired what the hours of operation would be.

Haveles Responded the hours would be 8:00am to 6:00pm/8:00pm.



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Maloney Inquired how many parking spaces will be provided.

Haveles Responded there will be 70 parking spaces with 8 ADA spaces.

Chairman Maloney opened up the hearing for public comment.

Unidentified person

Inquired whether the parking lot will be repaved.

Maloney Responded that the Board will inquire about re-pavement.

Public Hearing closed at 7:35 p.m.

Discussion/Decision

Center for Human Development, Incorporated for property located at 102 Main Street and 13 Conway Street (Assessor's Tax Map 58, Lot 2)

MOTION: Moved by Joseph, seconded by Winn, and voted 5:0 to approve the application of Center for Human Development, Incorporated for property located at 102 Main Street and 13 Conway Street (Assessor's Tax Map 58, Lot 2), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-4.7(C7), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of a not-for-profit integrated health care facility for primary care (dental care and behavioral health services) at this location, with the following conditions:

1. The Applicant shall follow the recommendations of the Department of Public Works in their memo to the ZBA dated June 3, 2016 which include the following:
 - a. The 4 inch VC shall be upsized to 6 inch PVC;
 - b. The sewer service shall be CCTV'd to confirm connection to the building and steps shall be taken to remove the sewer service from the catch basin;
2. The Applicant shall make improvements to the existing parking lot. The parking lot improvement shall provide safe access;
3. Exterior changes shall remain as historical consistency as much as possible;
4. The Applicant shall work in earnest with the Greenfield Mayor in order to compensate the loss of tax revenues;
5. The dumpster shall be secured and screened to sufficiently deny access to unauthorized individuals;
6. All exterior lighting shall not exceed 15-feet in height. All exterior lighting shall conform with the Town of Greenfield regulations;
7. The hours of operations shall not exceed 11:00 p.m.;
8. Snow shall be removed from all parking spots.

Application of Eric Lapointe for property located at 201 Hope Street (Assessor's Map 18, Lot 24), which is located in the Urban Residential (RA) Zoning District, for a special permit pursuant to Sections 200-



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7.16 and 200-8.3 of the Zoning Ordinance in order to allow the installation of a 35 panel 10.15 kW ground-mounted solar photovoltaic system at this location.

Chairman Maloney explained the public hearing process to the applicant. Joseph read the public notice into the record. Members sitting were Mark Maloney, Chair; Christopher Joseph, Clerk; James Winn; Brickett Allis; and Andrew Killeen. Also in attendance were the Applicants, Eric & Jada Lapointe; Representative to the Applicant, Marin Goldstein, Trinity Solar Systems; 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.
- Goldstein Stated that his client would like to install a 35 panel 10.15 kW ground-mounted solar photovoltaic system in the back of their property. The system will be 10 feet 2 inches in height when built. It will be trenched to the house and connected to the electric grid.
- Joseph Inquired whether the system will be installed the septic system and leaching field.
- Goldstein Responded, no.
- Joseph Inquired why the system was not installed on the roof.
- Goldstein Responded the system could not be put on the roof due to the roof's angle and that it is slate. Stated the system's length is 30 feet wide and it is 2 feet from the ground.
- Allis Inquired whether the system has an anti-glare coating.
- Goldstein Responded he does not believe there will be glare issues from the system.
- Winn Inquired what the system's life expectancy is.
- Goldstein Responded the system's life expectancy is approximately 25 years, though some systems perform up to 40 years.
- Joseph Read correspondence from the Planning Board, Board of Health, Fire Department, Department of Public Works, and the Licensing Commission.

Chairman Maloney opened up the hearing for public comment.

Shirley White, 104 James Street

Stated she wants to know for sure whether there will be any glare issues as she resides on the adjacent property. Stated she is concerned with having a commercial scaled ground mounted solar system in dense, residential lot. Stated she is concerned that the system may lower the value of her property. Stated the lots surrounding the



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system will have to see it. Read and submitted a letter to the Board. Requests that the Board deny the special permit application.

Sara Fishburn, 108 James Street

Stated she is concerned with the potential negative impacts to her property value and to the neighborhood.

June Trucker, 104 James Street

Stated she will be able to see the solar system once the leaves drop.

James Pitchko, 98 James Street

Stated he will be able to see the solar system once the leaves drop. Stated he concerned with potential glare and heat coming off the solar system.

Joseph Inquired how the size of the system was determined for this property.

Goldstein Responded that on average, MA residents use 6500 kW per year. This system is little larger than the average, but not beyond the normal scope. The system for 201 Hope Street was sized based on the electric usage of the home. They looked at the past year's worth of electricity to determine the appropriate size.

Stated that the system is not commercially sized. It is within the residential scale. If the neighbors want vegetated screening, the Applicant can provide it.

Lapointe Stated she wants to work with her neighbors. She is willing to put of evergreen shrubs to block any potential views of the solar system from the neighbors.

Public Hearing closed at 8:00 p.m.

Discussion/Decision

Eric Lapointe for property located at 201 Hope Street (Assessor's Map 18, Lot 24)

The Board had no issues with this request.

MOTION: Moved by Joseph, seconded by Allis, and voted 5:0 to approve the application of Eric Lapointe for property located at 201 Hope Street (Assessor's Map 18, Lot 24), 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 35 panel 10.15 kW ground-mounted solar photovoltaic system at this location, with the following conditions:

- 1. The Applicant shall screen the ground-mounted solar photovoltaic system from the neighbors to the north and east with 3-4 feet high arborvitae vegetation.**

Application of Decker Machine Works for property located at 201 Munson Street (Assessor's Map R41,



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Lot 36B), which is located in the Office (O) Zoning District, for a special permit pursuant to Sections 200-4.10(C9), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to use the property for light industry, manufacturing and processing at this location.

Chairman Maloney explained the public hearing process to the applicant. Joseph read the public notice into the record. Members sitting were Mark Maloney, Chair; Christopher Joseph, Clerk; James Winn; Brickett Allis; and Andrew Killeen. Also in attendance was the Applicant, Scott Decker and his wife Karen Duffy; Representative to the Applicant, John Howland, President of Greenfield Savings Bank; 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.
- Decker Stated he would like to buy the building and property located at 201 Munson Street. It is currently owned by Greenfield Savings Bank. Stated his business is currently operating out of Ashfield. Stated the business has been in operation for the last 35 years. Stated he is running out of room at his current location as the business growing. Stated he is requesting a special permit in order to use the property for light industry, manufacturing and processing at this location.
- Maloney Inquired what his company manufactures.
- Decker Stated they manufacture small machine parts for communication, aerospace, and medical uses.
- Maloney Inquired what the machine part sizes are.
- Decker Responded some parts you can fit 10,000 pieces in your palm. Other parts are 2-3 inches.
- Maloney Inquired how many employees does he employ.
- Decker Responded, he employs 20 and plans to hire more employees.
- Maloney Inquired whether the original use of the building was for manufacturing.
- Decker Responded yes. Nabisco originally operated out the building.
- Maloney Inquired if Greenfield Savings Bank currently uses the space.
- Decker Responded, yes.
- Maloney Inquired where the bank is moving to.
- Howland Responded they will be moving to 3 different locations, including: Greenfield, Turners Falls, and Northampton. Stated Greenfield Savings Bank supports the Applicant's request.



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- Decker Stated he plans to upgrade the building interior, electrical aspects, create a larger loading dock, and create a larger overhaul to door. Stated he has no plans to do anything.
- Maloney Inquired what the hours of operation will be.
- Decker Stated the company operates 24 hours, 6 days a week. Stated there is a small night shift for manufacturing only. The night shift does not include shipping or receiving.
- Killeen Inquired what the noise levels outside is while manufacturing is being conducted.
- Decker Stated the noise level is very minimal. Stated the building needs to be fully air conditioned during manufacturing, so all door are shut. Over the last 19 years operating out of Ashfield, the company has only received one noise compliant
- Allis Stated the Town Council discussed this project, and the voted unanimously in favor of the project.
- Winn Stated he likes that jobs will be located in Greenfield.
- Joseph Inquired about the lighting on the property.
- Decker Responded the exterior lighting locations will remain. Stated exterior and interior lighting will be converted to LED.
- Joseph Inquired about shipping and receiving.
- Decker Responded there will be daily USPS and Fedex pick-up and delivery. Stated the types of trucks used are flat beds and box trailers. The business uses alternative recycling with Wte Recycling Inc.
- Joseph Read correspondence from the Planning Board, Board of Health, Building Inspector, Licensing Commission, DPW, and SVE Associates.

Chairman Maloney opened up the hearing for public comment.

Ed Schwerin, 202 Munson Street

Stated Munson Street is very quiet at night with very little traffic. Stated he is concerned that the project will be a big change to the neighborhood.

Jessica Farwell, 202 Munson Street

Inquired what the hours of truck and trash pick-up will be. Inquired about dust and order

- Maloney Responded the Board will ask the Applicant this question and may condition the hours for pick-up and delivers.



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Decker Stated you cannot hear the manufacturing operations from the street. Stated there are only 2 employees that work the night shift. One of whom works 5:00pm – 5:00am and the other works 12:00am – 9:00am. Stated there will be no deliveries or pick-up at night, except for an occasional pizza delivery. Stated there should not be any odor issues. The company uses vegetable oil as a lubricant. The company has internal dust collectors.

Fredrick Clark, Munson Street (Assessor's Map 41, Lot 22)

Inquired whether there will be 2 or 3 shifts. Stated he may develop his land and wants to make sure it will not conflict. Stated he is concerned with potential pollution, smoke, and noise levels. Stated he appreciates that a business in moving to Greenfield, but just wants to make sure it will not negatively impact the neighborhood.

Decker Stated there will be only 2 shifts, including a day shift and a night shift.

Public Hearing closed at 8:22 p.m.

Discussion/Decision

Decker Machine Works, Inc. for property located at 201 Munson Street (Assessor's Map R41, Lot 36B)

The Board had no issues with this request.

MOTION: Moved by Joseph, seconded by Winn, and voted 5:0 to approve the application of Decker Machine Works, Inc. for property located at 201 Munson Street (Assessor's Map R41, Lot 36B), which is located in the Office (O) Zoning District, for a special permit pursuant to Sections 200-4.10(C9), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to use the property for light industry, manufacturing and processing at this location., with the following conditions:

1. The dumpster shall be screened. The dumpster pick-up shall only occur between the hours of 8:00 a.m. and 8:00 p.m.;
2. The delivery of manufacturing materials shall only occur between the hours of 8:00 a.m. and 8:00 p.m.;
3. The roll up door shall remain closed with the exception for delivery and shipping of manufacturing materials;
4. The Applicant shall meet all state criteria for noise and vapor emissions; and
5. Any changes made to the exterior lighting shall not create glare or cast observable shadows onto adjacent premises nor shall be directed skyward.

Application of Summit Distributing, LLC C/O Thomas J. Frawley for property located at 109 Mohawk Trail (Assessor's Tax Map 46, Lot 22), which is located in the General Commercial (GC) Zoning District, for a special permit pursuant to Sections 200-6.1(C), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the existing service station to be converted to a convenience store with the addition of a drive-thru window for a donut shop at this location.

Chairman Maloney explained the public hearing process to the applicant. Joseph read the public notice into the



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record. Members sitting were Mark Maloney, Chair; Christopher Joseph; James Winn; Brickett Allis; and Andrew Killeen. Also in attendance was the Applicant, Thomas J. Frawley; and the Representative to the Applicant, Hüseyin Sevinçgil, P.E., MHF Design Consultants, Inc.; 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.
- Sevinçgil Stated since the May meeting, changes have been made to the site plan per request of the Board. Stated the eastern driveway will provide egress and the ingress while the western driveway will be egress only. The site plan showing a maximum amount of 12 queuing cars on-site. The handicap parking space and ramp has been moved. Stated it now ADA compliant. Stated the drive-thru will be operated by Dunkin Donuts. Stated the width of the drive-thru lane will be 11-feet.
- Maloney Inquired whether there will be only 1 ADA parking space.
- Sevinçgil Responded, yes. The Zoning Ordinance requires 1 ADA parking space for every 20 spaces.
- Maloney Stated it is hard to enforce a 1-way exit.
- Killeen Inquired what the distance is between the entrance and the intersection at Mohawk Trail and Newton Street.
- Sevinçgil Responded about 80 feet.
- Maloney Stated there are 2 parking spots for the convenience store employees. Inquired where the Dunkin Donuts employees will park.
- Frawley Responded, they will park off-site. Stated the location would be up to the Dunkin Donuts franchise.
- Maloney Inquired whether the canopy will change
- Sevinçgil Responded, no.
- Maloney Inquired whether the dumpster will be enclosed.
- Sevinçgil Responded, yes.
- Winn Inquired about the snow removal.
- Sevinçgil Responded there will be limited snow storage on-site. Excess snow will be removed off-site.
- Maloney Inquired what the hours of operation will be.



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- Frawley Responded, the hours of operation will be 6:00am – 11:00pm. Stated the drive-thru window will close no later than 11:00pm.
- Maloney Stated the Board has seen issues in the past with queuing. Stated he is concerned with queuing going on the street and into the Mohawk and Newton Street intersection. Stated currently the building and property is legal, non-conforming use. The inside of the building is not of concern. The site itself feels squeezed.
- Maloney Inquired whether there will be any changes to the lighting and signage.
- Sevinçgil Stated the signage will met all zoning requirements. Stated new exterior lighting will be erected behind the building.
- Maloney Inquired what the height of the new lighting will be.
- Sevinçgil Responded 18 feet high.
- Maloney Stated the Board does not like height to be over 15 feet due to light pollution and spill over.
- Allis Inquired when the fuel will be delivered.
- Frawley Responded, fuel will be delivered between 11:00pm and 5:00am. Stated there would be only one daily per day.

Chairman Maloney opened up the hearing for public comment.

Fredrick Clark, Munson Street (Assessor’s Map 41, Lot 22)

Inquired whether the existing sidewalk in front of the property will remain.

- Sevinçgil Responded, the existing sidewalk will remain.

Public Hearing closed at 8:47 p.m.

Discussion/Decision

Summit Distributing, LLC C/O Thomas J. Frawley for property located at 109 Mohawk Trail (Assessor’s Tax Map 46, Lot 22)

- Maloney Stated that given the location, the size of the lot, the Board’s history with similar projects, and the Applicant’s observation at other Dunkin Donut locations in town, he does not believe the drive-thru will work well.
- Killeen Stated he believes the queuing between the intersection and the rotary will not be safe.



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- Allis Stated he believes the queuing between the intersection and the rotary will not be safe.
- Winn Stated he believes the queuing between the intersection and the rotary will not be safe.
- Joseph Stated the lot is too small. Stated the site location to the Mohawk/Newton Street intersection is too close, considering the queuing that will be spill out onto the road. Stated the parking lot does not work. Stated there is limited space for emergency apparatus to park.
- Joseph Read correspondence from the Board of Health, Licensing Commission, Fire Department, DPW, Planning Board, Planning Department.
- Maloney Stated the Planning Board stated similar concerns as the Board.
- MOTION: Moved by Joseph, seconded by Allis, and voted 0:5 to approve the application of Summit Distributing, LLC C/O Thomas J. Frawley for property located at 109 Mohawk Trail (Assessor's Tax Map 46, Lot 22), which is located in the General Commercial (GC) Zoning District, for a special permit pursuant to Sections 200-6.1(C), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the existing service station to be converted to a convenience store with the addition of a drive-thru window for a donut shop at this location.**

Action Items:

1. Re-affirming the Annual Reorganization

MOTION: Moved by Joseph, seconded by Allis, and voted 5:0 to elect Mark Maloney as Chair.

MOTION: Moved by Winn, seconded by Allis, and voted 5:0 to elect Christopher Joseph as Clerk.

Discussion Items

Permit Fees

The Board would like to postpone the discussion of permit fees until the next regularly scheduled meeting

Approval of Minutes:

MOTION: Moved by Joseph, seconded by Winn, and voted 5:0 to approve the Minutes from June 9, 2016.

Adjournment:

MOTION: Moved by Joseph, seconded by Winn, and voted 5-0 to adjourn the meeting at 10:49 p.m.

Respectfully Submitted, Maureen Pollock, Assistant Planner & Conservation Agent