



William F. Martin
Mayor

City of
GREENFIELD, MASSACHUSETTS

ZONING BOARD OF APPEALS

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Members:
Twarog, Eric
Director, Planning & Dev.

Killeen, Andrew (2019)
Maloney, Mark (2019)
O'Neill, Robert (2021)
Singer, David (2021)
Winn, James (2020)
Wozniak, Peter (2020)

ZONING BOARD OF APPEALS

Minutes of February 14, 2019

**Department of Planning and 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 Andrew Killeen, Clerk Peter Wozniak
David Singer James Winn

ABSENT: Robert O'Neill, Alternate

CHAIRS STATEMENT: This meeting is being recorded, if any other persons present are doing the same, you must notify the chairperson at this time. A representative from the Boston Globe responded yes.

Public Hearings:

- a. **7:00 p.m. (Continued from January 10, 2019): Application of Herbology Group, Inc. for property located at 8 Woodard Road (Assessor's Map 45, Lot 10), which is located in the General Commercial (GC) Zoning District, for a Special Permit pursuant to Sections 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of Marijuana Retailer and a Registered Marijuana Dispensary (RMD) at this location.**

At a public meeting on Thursday, February 14, 2019 at 7:00 p.m., at the Department of Planning and Development, 114 Main Street, the Greenfield Zoning Board of Appeals held a public hearing on the application of Herbology Group, Inc. for property located at 8 Woodard Road (Assessor's Map 45, Lot 10), which is located in the General Commercial (GC) Zoning District, for a Special Permit pursuant to Sections 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of Marijuana Retailer and a Registered Marijuana Dispensary (RMD) at this location. Chairman Maloney explained the public hearing process to the Applicant. Killeen read the public notice into the record. Members of the Board sitting were Mark Maloney, Chair; Andrew Killeen, Clerk; James Winn; Peter Wozniak; and David Singer. Also in attendance were the following project proponents: Phil Silverman, Law firm of Vicente Sederberg; Tony Capachetti, Hayes Engineering; Kate Crowther, Consultant for the project; and Amanda Grey from Herbology Group, Inc.

Maloney Introduced the Board members sitting and asked the Applicants to introduce themselves and explain what they want to do, where they want to do it, and why.

Silverman Explained to the Board that they are seeking both an adult-use retail marijuana establishment as well as a Registered Marijuana Dispensary (RMD) at this location. He stated that the property 8 Woodard Road is located within the General Commercial zoning district. He stated that the proposed facility is not within 250 feet of a school. They have received



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provisional approval for an adult-use retail marijuana establishment at 8 Woodard Road from the Cannabis Control Commission (CCC). He stated that they have a security plan in place approved by the Greenfield Police Chief. There are security cameras that show a 360 view of the property. There will be on-site security personnel during all hours of operation. There will be a primary as well as a backup system for security. Security footage is kept for a minimum of 90 days. Every marijuana product will be bar-coded and tracked from seed to sale. Every employee who works at the site will be background checked. He addressed the new reports on parking for the two facilities that first opened to include the one in Northampton. At that time, they were the only two operating marijuana retail establishments east of the Mississippi. There are now 6 establishments in operation in Massachusetts. They are not seeing the traffic volumes now that 6 such establishments are open. The traffic situation will only improve over time as even more facilities get licensed.

- Wozniak Inquired if an alarm goes off, who would be notified.
- Silverman Responded the Greenfield Police Department.
- Capachetti Reviewed the site details with the Board. The facility will be about 4,400 square feet with two stories. The plan set has been revised as per the Engineering Division of the DPW showing full-size parking spaces instead of some compact spaces. Also shown is the location of a bicycle rack for the facility. They are keeping the existing vegetation along the northern property line for screening. Waste generated at the facility will be disposed of off-site as per CCC regulations. The only waste from the site for a dumpster will be office waste. Stormwater from the site flows to a treatment swale designed to meet stormwater standards. An Operational and Maintenance Plan has been submitted as part of the application materials. The driveway is 24' in width. The ITE traffic numbers used is a result of four (4) studies done for this use which isn't a high number of sites to reach average numbers. The sites used for the study were in various locations throughout the country. He reviewed the traffic numbers with the Board. They reviewed the traffic impact study for the recently approved neighboring hotel project. All the numbers stay the same with the exception of the right turn lane from Miner Street. A 6.2 second delay is added to this turning movement as a result of their project. The bulk of the traffic to the site will utilize this intersection. 18 off-street parking spaces and 1 ADA space will be provided for the facility. A typical transaction will take about 15 minutes.
- Maloney Inquired on the Level of Service for the Registry property onto Miner Street.
- Capachetti Responded that this was not included in the traffic study for the hotel project. He stated that the Registry of Motor Vehicles itself and their proposed project was included in the new traffic study numbers.
- Killeen Inquired on the actual wait time for the Miner Street intersection that will decrease from a LOS C to a LOS D.



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- Capachetti Responded that the actual wait time is about a minute or so. The additional 6.2 second delay will bring the LOS to an F.
- Killeen Inquired about the number of vehicles that may queue at this intersection.
- Capachetti Responded that he does not have this information but could find out. He re-stated that they used the existing traffic study for the hotel project and added their development to it.
- Wozniak Inquired if there are any proposed sidewalks off the parking lot area.
- Capachetti Responded no.
- Wozniak Expressed concerns about vehicles backing up in the parking lot area and pedestrian safety.
- Capachetti Stated that they could look into providing a sidewalk but that the site is tight so there may not be enough room to accommodate a sidewalk.
- Wozniak Inquired on snow storage for the site.
- Capachetti Reviewed the snow storage locations identified on the site plan with the Board.
- Wozniak Pointed out that there is proposed landscaping in these areas.
- Capachetti Responded by stating that the proposed vegetation is low lying vegetation that will not be impacted by snow storage.
- Maloney Inquired on a lighting plan.
- Capachetti Responded that a lighting plan was submitted with the application materials. He reviewed the lighting plan with the Board and stated that there will not be any spill over of light from this project to neighboring properties. The proposed lighting will be on 8 foot poles and are dark-sky compliant. There will be wall-packs on the building itself as well.
- Maloney Inquired if they have contacted MassDOT for their project.
- Capachetti Responded not at this time but that they will need to obtain an Access Permit from MassDOT for the project, specifically for Miner Street.
- Wozniak Inquired where people will park if the parking area is full.
- Capachetti Responded that people will be discouraged from parking off-site to visit their facility. The number of off-street parking spaces is in line with their traffic numbers from ITE so this should not be an issue. Also, they will utilize an education program to educate people on



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parking. If someone is caught parking off site, they could ban them from the facility. Also, on opening day, they will only allow sales by appointment so that people get used to parking at the new facility.

- Wozniak Pointed out that people who park off-site would have to cross the street to get to their facility.
- Capachetti Responded that off-site parking will be discouraged. If the City wanted, they could look at providing a crosswalk for Woodard Road.
- Winn Asked for clarification that only office waste will be generated and kept on site and no product.
- Silverman Responded that they are required under state law to dispose of any product waste from the site so no product waste can be kept on site for any extended period of time. Any product waste will be kept in the vault until properly disposed of.
- Singer Expressed concerns on parking at the facility and inquired on how they are going to monitor people parking at the RMV site.
- Capachetti Responded that this will be monitored both from internal security personnel as well as external security footage review. He stated that they do have an easement to their property from MassDOT.
- Silverman Stated that the initial two-month opening period will be by appointment only and that they will have police detail available for the first month of operation.
- Singer Stated that they received correspondence from some abutters concerned about traffic. He asked for assurance that they in fact do have a system in place to deal with this potential issue.
- Silverman Responded by stating that they will be able to easily identify vehicles/people through security footage if problems arise. He also stated that they have a string education program in place not only educating people on the use of cannabis but also about specific rules for the facility in question such as no on-site consumption and where to park, etc.
- Maloney Stated that they could have a condition of approval to address this issue.
- Singer Stated that Woodard Road is a public street so people will park on the street.
- Silverman Responded that in a worst case scenario, if traffic is in fact an issue, they could keep the appointment only for patrons until the traffic issue is resolved. He stated that this will not happen and that parking will not be an issue. Based on his Colorado contacts, at most there will be about 40 people coming and going during the peak hour which equals about 8



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vehicles on site at one time. He stated that initially there may be more traffic as it would be a new location for people to check out.

Wozniak Inquired on employee parking.

Capachetti There will be about 20-25 employees working at the site with 7-8 working at one time.

The Board discussed potential traffic issues at the site.

Maloney Clarified that there are 18 off-street parking spaces with one ADA space being proposed as well as one loading area. Clarified the statement that there will be about 8 vehicles on average during peak hours at the site. Also, there will be about 7-8 employees working at one time so really there are about 11-13 usable spaces for the public. He asked for clarification on this.

Silverman If they are going to use ITE traffic numbers as they have done, then if a parking issue arises they would have to revert back to an appointment only system. He stated that in 2-3 years there will likely be between 200-300 such establishments which is what they are looking at for real impacts.

Capachetti Stated that they used and have met the off-street parking requirements of the Greenfield Zoning Ordinance. He also stated that they could add about 3-4 additional parking spaces at the expense of some landscaping.

Maloney Inquired on the purpose of the sidewalk going around to the back of the building.

Capachetti Responded for deliveries.

Maloney Clarified that the drainage swale along the northern portion of the property would prevent a sidewalk from being installed in that area.

Capachetti Stated that if the Board were to approve a 22 foot driveway as opposed to a 24 foot driveway, they may be able to install a sidewalk there.

Crowther Stated that they do have a plan to lease parking spaces off-site for employees.

Maloney Asked if this was already executed or only a plan at this time.

Crowther Responded that it is only a plan at this time due to timing of the approvals.

Killeen Inquired on signage for the facility.

Capachetti Responded that they will have a sign at the entrance that will conform to the requirements of



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the CCC and Greenfield's Zoning Ordinance.

- Killeen Read review comments from the Board of Health (no comments or issues), Fire Department (no comments or issues), Department of Public Works, and the Planning Board. He also read a letter submitted by Russell G. Hudson of 160 Shelburne Road.
- Maloney Asked the project proponents if they have addressed review comments from the DPW relative to utility sizing. Do they have on their plans the size of water and sewer connections?
- Capachetti Responded that if they are not on the plan, they will meet the requirements of the Department of Public Works.
- Maloney Asked for clarification that they have already revised the plan set to show off-street parking that meets DPW standards.
- Capachetti Responded yes.
- Maloney Asked if they contacted MassDOT yet about the project.
- Capachetti Responded no at this time.
- Maloney Asked for clarification on signage based on the details sheet of the submitted plan set.
- Crowther Responded that it shows the proposed wall sign for the building which meets regulations of the CCC and the Zoning Ordinance.

Chairman Maloney opened up the public hearing to public comment at 8:53 p.m.

Brian Hayes, South Shelburne Road, Greenfield

Stated that he thinks this is a great project and opportunity. He does experience some traffic issues relative to Miner Street. In the afternoons from 3:00 p.m. to around 6:00 p.m. the traffic gets bad. The traffic in the mornings is no problem. He asked if it possible to install a no right turn sign at Miner Street.

Garth K. Shaneyfelt, 26 Grinnell Street, Greenfield

Stated that he has lived in Colorado over the past 5 years and that his observation is that there are no lines relative to marijuana establishments in that state. He believes that over time, the parking situation in Massachusetts will stabilize.

Public Hearing closed at 8:55 p.m.

- Singer Pointed out that review comments from the Department of Planning and Development were not yet read into the record.



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Maloney Read review comments from the Department of Planning and Development.

Chairman Maloney stated that the Board will continue the deliberation on 8 Woodard Road until after the public hearing for the next item on the agenda.

- b. **7:15 p.m.:** Application of Melinda D. Baughman for property located at 26 Grinnell Street (Assessor's Map 27, Lot 4), which is located in the Urban Residential (RA) Zoning District, for a Special Permit pursuant to Sections 200-6.3 and 200-8.3 of the Zoning Ordinance in order to allow a Home Occupation to hold small exercise classes of 1-4 people at this location.

At a public meeting on Thursday, February 14, 2019 at 7:15 p.m., at the Department of Planning and Development, 114 Main Street, the Greenfield Zoning Board of Appeals held a public hearing on the application of Melinda D. Baughman for property located at 26 Grinnell Street (Assessor's Map 27, Lot 4), which is located in the Urban Residential (RA) Zoning District, for a Special Permit pursuant to Sections 200-6.3 and 200-8.3 of the Zoning Ordinance in order to allow a Home Occupation to hold small exercise classes of 1-4 people at this location. Chairman Maloney explained the public hearing process to the Applicant. Killeen read the public notice into the record. Members of the Board sitting were Mark Maloney, Chair; Andrew Killeen, Clerk; James Winn; Peter Wozniak; and David Singer. Also in attendance was the Applicant Melinda D. Baughman.

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

Baughman Reviewed her proposed project with the Board. She would like to use one of the rooms in her home as a small exercise studio to hold classes of 1-4 people. Her exercise program is called eccentrics which is a gentle stretch and strengthening program. It draws on ballet, tai chi, and physical therapy. She uses quiet background music for the classes. She stated that this would supplement her other classes which she teaches off-site. This would give both her and her students more flexibility in terms of classes. The classes average between 30-60 minutes. The classes would be offered between 9:00 a.m. and 7:00 p.m. She has a double modular home so there is room in front to hold at least 4 cars on the street as well as 4 cars in her driveway. They also have a 2-car garage. She is anticipating a few classes per week at this time which may increase in the future. The classes would mostly be for private clients. She has heard from a few of her neighbors on her proposal and they are supportive.

Maloney Asked for clarification on the time of the classes.

Baughman Stated mostly between 2:00 to 7:00 p.m. There may be some classes also from 9:00 to 10:00 a.m.

Maloney Stated that as a Home Occupation, the Board will condition the hours of operation as well as the number of people per class.



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- Winn Inquired if the days would be Monday through Friday.
- Baughman Responded that she was thinking Monday through Saturday.
- Maloney Asked for clarification of the ending time of 7:00 p.m.
- Baughman Responded yes but that occasionally there would be a 7:30 to 8:00 p.m. class for one of her students.
- Maloney Inquired if she anticipates any structural changes to her home.
- Baughman Responded no.
- Maloney Inquired if she anticipates any changes to her outside lighting.
- Baughman Responded no.
- Maloney Asked for clarification of the parking available for the classes.
- Baughman Responded that they have a two-car garage that can hold two cars and room in the driveway for 4 additional cars. Also there is room in front of her home for 4 cars for on-street parking.
- Killeen Asked how many spaces she has for the exercise classes.
- Baughman Responded four but it would range from 0-4 spaces needed per class.
- Singer Stated that he thinks that this is a great idea but that it would be a business. Given that, the Fire Department would have to be comfortable with the smoke alarms for the home. Also, he wondered if a fire extinguisher would be provided to protect the exercise students. He inquired on whether there are two means of egress.
- Baughman Responded that the front door would be used if there was a fire. Also there are windows in the exercise room that could be used for escape in case of a fire. There are three doors to the house.
- Singer Inquired on whether she has home insurance that would cover the exercise classes.
- Baughman Responded that she personally has home insurance but will check on whether it also covers the exercise classes.
- Singer Stated that in his opinion the two main issues for Home Occupations are parking and noise.
- Baughman Stated that she does use background music, mostly classical music, for her classes. The



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music is kept low so that she can be heard by her students.

- Singer Asked if there was a condition that the windows be kept closed, if that would present a problem.
- Baughman Responded no except in the summer it may present a problem with air flow.
- Wozniak Asked if there are any issues with ADA requirements.
- Baughman Responded that at this time, she only plans on teaching healthy and able students. She eventually plans on teaching people of all abilities including handicapped people. She would teach such students off-site, not at her home.
- Wozniak Stated that she may want to look into that.
- Winn No questions.
- Killeen Asked if she plans on selling anything at the property.
- Baughman Responded no.
- Killeen Read review comments from the Engineering Division of the DPW (no comments or issues), and the Fire Department (concerned about age of fire alarms in the home).
- Maloney Asked if the Applicant could address the fire alarm inquiry.
- Baughman Stated that she did respond to the Fire Departments request for age and location of existing fire alarms by submitting documentation to the Department of Planning and Development. She reviewed the locations of the CO and fire alarms in her home with the Board. She stated that some of the fire alarms are older than ten years and will need to be replaced.
- Killeen Read review comments from the Inspector of Buildings. Killeen inquired on whether there will be any signage for the business.
- Baughman Responded that she would like to put a magnet on her mail box advertising the business.
- Maloney Clarified that she does not plan on putting up any signage that exceeds the requirements of the Zoning Ordinance.
- Baughman Responded yes on the clarification.

Chairman Maloney opened up the public hearing for public comment. No public comment. No further questions from the Board at this time.



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Chairman Maloney closed the Public Hearing at 8:23 p.m.

Board deliberation/decision

- Singer Supports the proposal but will need help with some conditions.
- Wozniak Supports the proposal.
- Winn Supports the proposal because it would not negatively impact the neighbors.
- Killeen Supports the proposal and concurs with the Inspector of Buildings review comments suggesting limiting the number of people per class and the number of classes per week.

The Board discussed potential conditions of approval.

- Wozniak Asked for clarification if the last class would end at 7:00 p.m. or start at 7:00 p.m.
- Baughman Clarified that the last class would end at 7:00 p.m.
- Wozniak Suggested adding a condition to stagger the classes by 15 minutes to give people time to clear out for the next class.
- Singer Suggested adding a condition to limit the number of classes per week and asked Ms. Baughman about the number of classes per week.
- Baughman Responded that 6 would work.

The Board discussed the number of classes per week as well as potential conditions to deal with any noise issue.

- Killeen Stated that he is inclined to not overtly restrict the business. Limiting the number of people per class as well as the hours of operation is sufficient.

MOTION: Moved by Maloney, seconded by Winn, and voted 5:0 to approve the application of Melinda D. Baughman for property located at 26 Grinnell Street (Assessor's Map 27, Lot 4), which is located in the Urban Residential (RA) Zoning District, for a Special Permit pursuant to Sections 200-6.3 and 200-8.3 of the Zoning Ordinance in order to allow a Home Occupation to hold small exercise classes of 1-4 people at this location with the following conditions:

- 1) The hours of operation shall be no earlier than 9:00 a.m. and no later than 7:00 p.m. Monday through Saturday;
- 2) There shall be a maximum of eight (8) classes per week;
- 3) There shall be a maximum of four (4) people per class;
- 4) The Applicant shall comply with all fire safety requirements; and



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5) The Applicant shall stagger the classes by at least 15 minutes.

The Board continued the discussion of the application of Herbology Group, Inc.

Maloney Stated that the project proponents have heard the review comments from the Department of Planning and Development. He asked if they have any concerns or issues with its recommendations.

Capachetti Responded no.

Maloney opened it up for additional questions from the Board members.

Winn Stated that as long as the requirements of the DPW are met, he doesn't see any problems with the request.

Wozniak Stated that he still has concerns about snow storage and parking in the winter time.

Capachetti Responded that they would be open to a condition that they truck the snow off site.

Wozniak Asked what they would do if the interior of the building was at full capacity.

Crowther Responded that there will be a vestibule where people sign in and for security purposes. The facility is design to expedite each customer's transaction. There is a lobby area. If people need a consultation, then there is a private room for that purpose. Once a customer reaches the sales floor, a sales team member will assist the person. The display cases in the sales area are filled with empty packaging with no product. Once the sales person assists them in placing an order, they part ways and the customer would enter another line for product and age verification (fulfillment area). So there are two points where people verify their age and identity. They then exit the facility through another secure door. They do not enter and exit from the same door.

Winn Asked for clarification on when the customer picks up their product.

Crowther Responded at the fulfillment area.

Wozniak Inquired on the typical transaction time from entry to leaving.

Crowther Responded that for first time customers, the transaction could take from 15-30 minutes. After that the transaction time could be as quick as 5 minutes.

Maloney Inquired on access to the second floor.

Crowther Responded that a badge is required to enter the fulfillment room, the second floor, as well as



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the restrooms. Not all employees have access to all areas.

- Singer Stated that he would like to go back to the question on the parking lot posed by Wozniak. If the parking lot is full and people are waiting to get in, how would they handle queuing?
- Crowther Responded by stating that the first 60 days will be by appointment only to help deal with this issue. If they find that appointments are being made during peak hours, then they may continue the appointment only format for those peak hours.
- Singer Asked where people would stand to wait to get in for those cases when there is a queuing line.
- Crowther Pointed out on the site plan where people would stand. She also clarified that they would be using sprinter trucks for deliveries so it wouldn't even be the size of box trucks.
- Wozniak Expressed concerns about the width of Woodard Road.
- Capachetti Stated that they would support "no parking" signage for Woodard Road but that they couldn't take the lead to do it. It would need to come from the City.
- Singer Inquired if people could park in the circle area.
- Crowther Responded that they would discourage that.
- Maloney Asked for clarification that the appointment only period would be for 60 days.
- Silverman Responded yes but it could be extended and is also at the discretion of the Greenfield Police Chief.
- Maloney Asked if they have similar facilities as the one proposed for Greenfield that they could compare to and if 60 days will be a sufficient time for the appointments only period.
- Silverman Responded yes to the 60-day appointment only period. He stated that for medical marijuana use, there are 46 facilities for 56,000 people. There have not been any parking issues on the medical side. For the retail side, they do not want any issues either with people having to wait in long lines. If it is an issue over time, they would continue the appointment only format.
- Winn Inquired about the off-site parking for employees.
- Crowther Responded by re-stating that they do not have any lease agreements at this time but that they would look into potential parking spots to lease close to the facility where they could shuttle employees to the site. Public transportation is not that good particularly on weekends. Also



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ZONING BOARD OF APPEALS

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eric.twarog@greenfield-ma.gov • www.greenfield-ma.gov

Members:
Twarog, Eric
Director, Planning & Dev.

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there isn't a bicycle path close by either.

- Maloney Stated that he could not find any details on the proposed lighting on the plan set.
- Wozniak Asked the project proponents if they were to impose a condition that the first 60-90 days of operation be by appointment only, would they have any concerns or issues with such a condition.
- Silverman Responded that is their current plan. Police details would be for the first 30 days and then as needed.
- Capachetti Pointed out the location of proposed lighting to the Board. Stated that the height proposed is in fact twelve (12) feet but that they could reduce the pole height to eight (8) feet.

No further question from the Board members and no further comment from the project proponents.

Board deliberation/decision

- Singer Stated that his primary concern is parking and that he would like to see a condition that if parking is an issue, that the Police Chief has the authority to require an appointments only system. He would like to incorporate the recommended conditions of approval from both the Department of Public Works and the Department of Planning and Development. Also, he would like the Board to consider the recommendation of the Planning Board. He would like to see additional parking provided even if landscaping is sacrificed. He would like to see delivery trucks use Miner Street to access the site. He asked for clarification on whether the Board is allowed to impose such a condition.
- Crowther Responded that they are not allowed to do that as the delivery routes are randomized as per CCC regulations.
- Silverman Clarified for the Board that delivery vehicles are really vans.
- Wozniak Stated he would like to see some type of condition relative to overflow of people at the facility.
- Crowther Stated that after the appointment only period, if the vestibule and sidewalk area are full, they would use a buzzer system as previously mentioned. People could wait in the comfort and safety of their vehicles and would be buzzed when they could enter for their appointment as restaurants do.
- Wozniak Stated that he would like to see additional area in front of the building for people to wait if needed.



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Capachetti Stated that they could add an additional 3-4 parking spaces which would give more area in front for patrons.

The Board discussed potential locations for additional parking spaces.

Capachetti Stated that the drainage swale could hold snow and is designed so that the snow would melt into the swale.

Crowther Inquired if they could provide an area in front by eliminating 2 parking spaces. If in the future, it is determined that the area is not needed, the parking spaces could be added back.

Capachetti Sated that they could move the entire parking area four feet to give more room at the entry way for people to queue. If needed stanchions could be added to direct flow.

Maloney Inquired on ADA compliance inside the building and if the building will be sprinklered.

Capachetti Stated that based on their last conversation with the Inspector of Buildings in October, a sprinkler system is not required for the building.

Wozniak Asked if swale area is filled with snow, would they then truck additional snow off-site.

Capachetti Responded yes. Also mentioned another option which is to bring in a machine to melt the snow in place but that option is more costly.

Wozniak Asked for clarification on the width of Woodard Road.

Capachetti Responded 20 feet so room for two vehicles passing but no parking.

Winn No additional questions or concerns.

Killeen He would like to see additional parking as well but mentioned Greenfield's Sustainable Master Plan which calls for the reduction of impervious surface area. However, in this case, he does not see a downfall on adding additional parking spaces even at the expense of greenspace or snow storage areas. He stated that he agrees that for most of the time, parking will not be an issue at the facility but there are festivals held in town which may create a parking issue.

Maloney Inquired if the Board is okay with the submitted landscaping plan.

The Board had no issues or concerns with the landscaping plan.



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Maloney Inquired if the Board is okay with the submitted lighting plan.

The Board had no issues or concerns with the lighting plan.

- MOTION:** **Moved by Killeen, seconded by Singer, and voted 5:0 to approve the application of Herbology Group, Inc. for property located at 8 Woodard Road (Assessor's Map 45, Lot 10), which is located in the General Commercial (GC) Zoning District, for a Special Permit pursuant to Sections 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of Marijuana Retailer and a Registered Marijuana Dispensary (RMD) at this location with the following conditions:**
- 1) **The facility shall utilize an appointment only system for the first seventy-five (75) days of operation. After the initial 75 days, the facility shall go back to an appointment only system at the discretion of the Greenfield Police Chief;**
 - 2) **A police detail shall be provided for the first thirty (30) days of operation of the facility;**
 - 3) **The ZBA recommends that the Department of Public Works install "no parking" signs on Woodard Road;**
 - 4) **The Applicant shall provide an eight (8) foot wide sidewalk in front of the east side of the building for pedestrian queuing across the width of the facility;**
 - 5) **Snow beyond the capacity of the drainage swale and shelf shall be trucked off site. There shall be no loss of parking due to snow storage;**
 - 6) **Light poles for the facility shall not exceed twelve (12) feet in height;**
 - 7) **The Applicant shall obtain the following permits from the DPW: 1) Access Permit, 2) Excavation/Trench Permit, 3) Disconnect Water & Sewer Permit, 4) Non-residential Sewer Connection Permit, and 5) Non-residential Water Connection Permit;**
 - 8) **The Applicant shall provide an outside cleanout for the sewer service within three (3) feet of the proposed building;**
 - 9) **The sewer service shall be 4-inch Schedule 35 PVC pipe;**
 - 10) **The Applicant shall utilize the following for water service: For water services 2 inches and under, type "K" copper tubing is required from the main to the curb stop. From the curb stop to the building, polyethylene tubing meeting City specifications can be used. Services two inches and larger are required to be ductile iron pipe;**
 - 11) **The Applicant shall re-design the proposed parking lot with all spaces being 9' x 18'.**
 - 12) **Delivery vehicles shall be limited to box trucks. Tractor trailer trucks shall be prohibited;**
 - 13) **If required, the Applicant shall obtain approval from MassDOT for an access permit for the project and submit a copy of such approval to the Zoning Board. If an access permit is not required, then the Applicant shall provide a letter from MassDOT stating that one is not required; and**
 - 14) **The Applicant shall submit three (3) full-size copies of the revised plan set to the Department of Planning and Development within thirty (30) days of approval.**



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Approval of Minutes:

MOTION: Moved by Killeen, seconded by Wozniak, and voted 5:0 to approve the meeting minutes from January 10, 2019.

Adjournment:

MOTION: Moved by Maloney, seconded by Killeen, and voted 5-0 to adjourn the meeting at 9:58 p.m.

Respectfully Submitted,

Eric Twarog, AICP
Director of Planning and Development