



City of  
**GREENFIELD, MASSACHUSETTS**

**ZONING BOARD OF APPEALS**

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

**William F. Martin**  
Mayor

*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 June 20, 2019**  
**2<sup>nd</sup> Floor Meeting Room, City Hall**  
**14 Court Square**

The meeting was called to order by Chair, Mark Maloney at 7:01 p.m. with the following members:

**PRESENT:** Mark Maloney, Chairman James Winn Peter Wozniak  
David Singer

**ABSENT:** Andrew Killeen, Clerk

**ALSO PRESENT:** Eric Twarog, Director of Planning and Development and members of the public

**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:

- a. 7:00 p.m.: Application of Jeff Lapointe for property located at 10 Pierce Street (Assessor's Map 81, Lot 15), which is located in the Limited Commercial (LC) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E2), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the construction of a two-family home that is 85 square feet shy of the 10,000 square foot area requirement for two-family homes at this location.

At a public meeting on Thursday, June 20, 2019 at 7:00 p.m., in the 2<sup>nd</sup> Floor Meeting Room of City Hall located at 14 Court Square, the Greenfield Zoning Board of Appeals held a public hearing on the application of Jeff Lapointe for property located at 10 Pierce Street (Assessor's Map 81, Lot 15), which is located in the Limited Commercial (LC) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E2), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the construction of a two-family home that is 85 square feet shy of the 10,000 square foot area requirement for two-family homes at this location. Chairman Maloney explained the public hearing process to the Applicant. Winn read the public notice into the record. Members of the Board sitting were Mark Maloney, Chair; James Winn; Peter Wozniak; and David Singer. Also in attendance was the following project proponent: Jeff Lapointe.

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.

Lapointe Introduced himself to the Board and explained his request to the Board.

Maloney Inquired on if there was a two-family home at 10 Pierce Street previously.

Lapointe Responded yes.



**William F. Martin**  
Mayor

City of  
**GREENFIELD, MASSACHUSETTS**

---

**ZONING BOARD OF APPEALS**

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

**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)

- Singer Inquired on the existing deed for the property and the existing deck area.
- Lapointe Responded that there is an existing easement in the deed allowing the abutter to use the existing deck.
- Maloney Inquired on how long ago the previous two-family burned down.
- Lapointe Responded about 4 years.
- Winn Read review comments from the Inspector of Buildings (no comments or concerns), Planning Board, Fire Prevention Officer (no comments or concerns), Engineering Superintendent.
- Lapointe Responded to the DPW review comments by stating that he could connect to the water/sewer mains in Pierce Street prior to the re-paving of Pierce Street beginning August 1, 2019.

Chairman Maloney opened up the public hearing for public comment at 7:13 p.m. No public comment.

**Chairman Maloney closed the Public Hearing at 7:14 p.m.**

- Maloney Inquired on fencing on the westerly side of the property.
- Lapointe Responded that no fencing currently exists but that he is not opposed to installing a 6 foot stockade fence along the western property line.

**Board Discussion/Decision**

**Application of Jeff Lapointe for property located at 10 Pierce Street (Assessor's Map 81, Lot 15)**

- Singer Stated that the property was a pre-existing non-conforming property in terms of land area. Housing is a good use of the property. He stated that generally in cases when buildings burn down, people do not understand or know the rules that require one to re-build within a one-year time frame.
- Maloney Stated that through a zoning amendment by the City, the property became non-conforming in terms of land area. It was previously a two-family property.

The Board discussed a potential condition of approval on screening and reached consensus that a 6-foot stockade fence be installed along the western property line.

- Wozniak Stated that he has no issues or concerns with the request.
- Winn Asked if the new two-family home will be modular or stick built.



City of  
**GREENFIELD, MASSACHUSETTS**

**ZONING BOARD OF APPEALS**

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

**William F. Martin**  
Mayor

*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)

Lapointe Responded stick built.

Winn Stated that he has no issues or concerns with the request.

**MOTION:** Moved by Wozniak, seconded by Winn, and voted 4:0 to approve the application of Jeff Lapointe for property located at 10 Pierce Street (Assessor's Map 81, Lot 15), which is located in the Limited Commercial (LC) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E2), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the construction of a two-family home that is 85 square feet shy of the 10,000 square foot area requirement for two-family homes at this location with the following conditions:

1. The Applicant shall install a six (6) foot stockade fence along the western property line of the property;
2. If the Applicant plans to re-use the existing sewer service, the Applicant shall prove that it is in sufficient condition to be re-used. This is done by televising the line and having someone from the Engineering Division witness it; and
3. The Applicant shall be required to install both the new water service and new sewer service (if not using the existing sewer service) from the mains to off pavement prior to Pierce Street being resurfaced in mid-August to late September, 2019.

- b. 7:15 p.m.: Application of Kimberly A. Morse and Cari E. Clifford for property located at 390 Mohawk Trail (Assessor's Map R25, Lot 34C), which is located in the Rural Residential (RC) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E2) and 200-8.3 of the Zoning Ordinance in order to allow a twenty (20) percent reduction of the area requirement from 40,000 square feet to 32,000 square feet for a single family residential lot at this location.

At a public meeting on Thursday, June 20, 2019 at 7:15 p.m., in the 2<sup>nd</sup> Floor Meeting Room of City Hall located at 14 Court Square, the Greenfield Zoning Board of Appeals held a public hearing on the application of Kimberly A. Morse and Cari E. Clifford for property located at 390 Mohawk Trail (Assessor's Map R25, Lot 34C), which is located in the Rural Residential (RC) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E2) and 200-8.3 of the Zoning Ordinance in order to allow a twenty (20) percent reduction of the area requirement from 40,000 square feet to 32,000 square feet for a single family residential lot at this location. Chairman Maloney explained the public hearing process to the Applicant. Winn read the public notice into the record. Members of the Board sitting were Mark Maloney, Chair; James Winn; Peter Wozniak; and David Singer. Also in attendance was the following project proponent: Wayne Morse.

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

Morse Introduced himself to the Board and explained his daughter's request to the Board. Mr. Morse handed out a portion of a land survey plan that shows the setbacks more clearly.



City of  
**GREENFIELD, MASSACHUSETTS**

**ZONING BOARD OF APPEALS**

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

**William F. Martin**  
Mayor

**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)

Singer Clarified that the two buildings currently on his daughter's lot would stay with Greenfield Village.

Morse Responded yes.

The Board discussed setback requirements.

Maloney Inquired if there is any existing fencing screening the property.

Morse Responded no.

Twarog Stated that in 2006, the single family home should not have been approved allowing the two existing Greenfield Village buildings on the same lot. He stated that the Board now has an opportunity to correct this mistake.

Chairman Maloney opened up the public hearing for public comment at 7:34 p.m. No public comment.

**Chairman Maloney closed the Public Hearing at 7:34 p.m.**

Winn Read review comments from the Inspector of Buildings (no comments or issues), Planning Board, Fire Prevention Officer (no comments or issues), and Engineering Superintendent (no comments or issues).

The Board discussed potential conditions of approval.

**Board Discussion/Decision**

**Application of Kimberly A. Morse and Cari E. Clifford for property located at 390 Mohawk Trail (Assessor's Map R25, Lot 34C)**

Maloney Has no issues or concerns and is good with the suggested conditions of approval. He stated that this would correct an unwanted situation.

Winn Has no issues or concerns. He suggests a fence along the northern property line.

Wozniak Has no issues or concerns, but would like the remaining northern property to be combined with land owned by Wayne Morse on the eastern side.

Singer Concurred with Wozniak. Has no issues or concerns, but would like the remaining northern property to be combined with land owned by Wayne Morse on the eastern side.

**MOTION: Moved by Singer, seconded by Wozniak, and voted 4:0 to approve the application of Kimberly A. Morse and Cari E. Clifford for property located at 390 Mohawk Trail (Assessor's Map R25, Lot 34C), which is located in the Rural Residential (RC) Zoning**



**William F. Martin**  
Mayor

City of  
**GREENFIELD, MASSACHUSETTS**

---

**ZONING BOARD OF APPEALS**

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

**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)

**District, for a Special Permit pursuant to Sections 200-5.3(E2) and 200-8.3 of the Zoning Ordinance in order to allow a twenty (20) percent reduction of the area requirement from 40,000 square feet to 32,203 square feet for a single family residential lot at this location with the following conditions:**

- 1. The Applicant shall install a six (6) foot stockade fence along the northern property line of the property;**
- 2. The Applicant shall combine the remaining land labeled as Parcel A on the submitted plan with 386 Mohawk Trail; and**
- 3. The Board recognizes and accepts that the setback requirements from the north property line are not met.**

Approval of Minutes:

**MOTION: Moved by Winn, seconded by Wozniak, and voted 4:0 to approve the meeting minutes of May 23, 2019.**

Adjournment:

**MOTION: Moved by Maloney, seconded by Winn, and voted 4:0 to adjourn the meeting at 7:53 p.m.**

Respectfully Submitted,

Eric Twarog, AICP  
Director of Planning and Development