



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

Roxann Wedegartner
Mayor

Members:
Twarog, Eric
Director, Planning & Dev.

Boyd, Walter (2023)
Gilkes, Debra (2022)
Maloney, Mark (2022)
Popkin, Julia (2023)
Singer, David (2021)
Winn, James (2023)
Wozniak, Peter (2023)

ZONING BOARD OF APPEALS
Minutes of December 10, 2020
Webex Meeting

The meeting was called to order by Chair, Mark Maloney at 7:02 p.m. with the following members:

PRESENT: Mark Maloney, Chairman James Winn, Clerk Peter Wozniak
David Singer Debra Gilkes Julia Popkin Walter Boyd

ALSO PRESENT: Eric Twarog, Director of Planning and Development and Councilor Virginia Desorgher.

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. (Continued from November 12, 2020):** Application of Dmitriy D. Darmanchev for property located at 347 Wells Street (Assessor’s Map 102, Lot 25), which is located in the General Industry (GI) Zoning District, for a Special Permit pursuant to Sections 200-6.2(E) and 200-8.3 of the Zoning Ordinance in order to allow an eight (8) foot fence with privacy screening around land leased to J.S. Rae, LLC used as a contractor yard and open storage of raw materials, finished goods, and construction equipment at this location.

At a public meeting on Thursday, December 10, 2020 at 7:00 p.m., through Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of Dmitriy D. Darmanchev for property located at 347 Wells Street (Assessor’s Map 102, Lot 25), which is located in the General Industry (GI) Zoning District, for a Special Permit pursuant to Sections 200-6.2(E) and 200-8.3 of the Zoning Ordinance in order to allow an eight (8) foot fence with privacy screening around land leased to J.S. Rae, LLC used as a contractor yard and open storage of raw materials, finished goods, and construction equipment 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, Chairman; James Winn, Clerk; David Singer; Debra Gilkes; and Walter Boyd. The following project proponent was present: Eugene Darmanchev, property owner.

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.

Darmanchev Introduced himself to the Board and presented the request for the fencing to the Board.

Maloney Inquired on when the fencing was installed.

Darmanchev Responded a couple of months ago. He stated that J.S. Rae installed the fence without the required permit.



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Chairman Maloney asked the Board members if they have any questions.

- Boyd Inquired if the existing fence with the green screening slats is the fence being referenced in the special permit application.
- Darmanchev Responded yes.
- Gilkes Responded that she has no questions at this time.
- Singer Inquired on when and how the Applicant learned about the requirement for a special permit for the fence that was installed by J.S. Rae.
- Darmanchev Responded that the lease agreement with J.S. Rae required J.S. Rae to install a fence. At the time, fencing companies were backed up with work so J.S. Rae installed the fence themselves. He stated that he and his brother Dmitriy found out about the special permit requirement for the fence through the August 21, 2020 enforcement letter from the Inspector of Buildings.
- Winn Asked if the hours of operation could be a condition of approval for the fence.
- Maloney Stated and directed Director Twarog to include the Planning Board's files relative to 347 Wells Street into the official record for this special permit request.

Maloney read the August 21, 2020 enforcement letter from the Inspector of Buildings into the record. He also read Mark Snow's November 4, 2020 review memo for this request into the record.

- Maloney Inquired on lighting.
- Darmanchev Responded that no new lighting is proposed for the site.
- Maloney Inquired if a sign permit was submitted for the existing sign on the J.S. Rae fence.
- Darmanchev Responded that he doesn't believe so.

Maloney read Dmitriy and Eugene Darmanchev's November 12, 2020 letter into the record.

Winn read the Planning Board's Site Plan Approval Form for 347 Wells Street into the record. He also read review comments from the Engineering Superintendent and the Fire Prevention Officer who both had no issues or comments with the proposed fence.

Chairman Maloney opened the Public Hearing up for public comment at 7:30 p.m.

Councilor Virginia Desorgher, 43 Silver Crest Lane, Greenfield (Precinct 3 Councilor)
Stated the following four points:



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- 1) She would like to have Business Certificates to be part of the special permitting process;
- 2) She would like to see the conditions of the Planning Board’s site plan approval to be made part of the ZBA’s special permit approval;
- 3) She stated that people in this neighborhood had to move because of the noise and other issues associated with this property;
- 4) She stated that all of the issues brought forth in Mark Snow’s August 21, 2020 enforcement letter have not yet been resolved or followed.

Michael Mastrototaro, 37 Cypress Street, Greenfield

Stated that when J.S. Rae installed the existing fence, they stripped the topsoil in the 17,500 square foot area that they are leasing which has caused drainage and erosion issues. He stated that J.S. Rae still begins prior to 7:00 a.m. Even though the business is within the General Industry District, it abuts a residential neighborhood.

Chairman Maloney closed the Public Hearing for public comment at 7:41 p.m.

Chairman Maloney asked the Board members if they have any questions at this time.

Boyd Responded no questions at this time.

Gilkes Asked if the Darmanchev’s have any business interest in J.S. Rae and if they are in receipt of Mark Snow’s August 21, 2020 enforcement letter.

Darmanchev Responded no to any business interest in J.S. Rae and yes to being in receipt of Mark Snow’s enforcement letter.

Singer Inquired why the hours of operation conditioned by the Planning Board are not being followed.

Darmanchev Responded that they are still in the process of figuring out the noise issues.

Singer Asked if the Applicant has talked to J.S> Rae about hours of operation.

Darmanchev Responded that they are waiting on receiving official correspondence from the Planning board relative to the site plan review and approval.

Winn Responded no questions at this time.

- b. 7:15 p.m.: Application of Shaft Current Solutions, Inc. for property located at 14 Hope Street (Assessor’s Map 51, Lot 5), which is located in the Central Commercial (CC) Zoning District, for a Special Permit pursuant to Sections 200-4.1(D)(4), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow a small machine shop in the basement level of the building for the purpose of testing and conducting quality assurance on grounding brushes for sale and making the components used to attach the brushes on various machines at this location. In addition, the Applicant’s use of the premises would include business and professional offices on the first and second floors of the building, and the continued use of approximately



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4,790 square feet of the building for printing and publishing.

At a public meeting on Thursday, December 10, 2020 at 7:15 p.m., through Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of Shaft Current Solutions, Inc. for property located at 14 Hope Street (Assessor’s Map 51, Lot 5), which is located in the Central Commercial (CC) Zoning District, for a Special Permit pursuant to Sections 200-4.1(D)(4), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow a small machine shop in the basement level of the building for the purpose of testing and conducting quality assurance on grounding brushes for sale and making the components used to attach the brushes on various machines at this location. In addition, the Applicant’s use of the premises would include business and professional offices on the first and second floors of the building, and the continued use of approximately 4,790 square feet of the building for printing and publishing 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, Chairman; James Winn, Clerk; Debra Gilkes; Walter Boyd; and Julia Popkin. The following project proponents were present: Isaac Fleischer, Esq.; and Rui Fernandes, President of Shaft Current Solutions, Inc.

- 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.
- Fleischer Presented the project to the Board and stated that the use classification was determined to be a “use not elsewhere classified” which requires a special permit from the Zoning Board of Appeals.
- Fernandes Stated that his company sells about 1,000 brushes per year mostly to the petro chemical, power plant, and naval industries. Previously, the company outsourced all manufacturing operations but due to quality control issues, is trying to move all manufacturing operations in-house. He stated that most deliveries to the business are done by FedEx, UPS, or DHL services which get done a couple of times per week. About once per month a larger truck will make deliveries to the business.
- Fleischer Presented the submitted site plan to the Board. He stated that the Greenfield Recorder will continue its operations there by leasing their existing space in the building. As part of the sale, Shaft Current Solutions would also own the 44-space parking lot near the building. This parking lot will be the primary parking for the business. He stated that the 3-phase project will take about 3-4 years to complete. He stated that 14 Hope Street is located in the Central Commercial District so there are no residences nearby. ADA features will be enhances at the entrances with a lift being installed for Phase 3. Office space will be leased to other businesses.
- Maloney Inquired on final building elevations.
- Fleischer Responded that they have not yet completed these as they wanted to deal with getting the use approved first.
- Maloney Inquired on the number of employees for the business, existing and projected.



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Fernandes Responded that they currently have ten (10) employees and would keep that number for the first year or two. His goal is to eventually have about fifteen (15) employees for the business.

Maloney Inquired on how many units are produced per week.

Fernandes Responded about 10-20 units.

Fleischer Continued to review the site plan with the Board stating that during Phase 1, interior improvement will be done for Shaft Current Solutions. Phase 2 will be for refinishing the primary space for future tenants.

Maloney Inquired on whether the Hope Street parking space will remain.

Fernandes Responded no.

Chairman Maloney asked the Board members if they have any questions at this time.

Popkin Responded no.

Gilkes Responded no.

Boyd Responded no.

Winn Inquired on the proposed new light poles. He is concerned about the height which is not indicated.

Maloney read correspondence from Karen O’Hara of Karen’s Dance Studio who supports the project. He read review comments from the Engineering Superintendent, Planning board which forwarded a positive recommendation, and the Fire Prevention Officer who had no issues or comments.

Chairman Maloney opened the Public Hearing up for public comment at 8:15 p.m.

Russell Pirkot, 125 Chapman Street, Apt. 3, Greenfield

He stated that he is a 20-year member of the Church of Souls as well as the Church’s historian. Building C of 14 Hope Street was the original church building (1837-1894). He requested the opportunity to photograph the interior of the building prior to demolition. He stated that the church owns the alley that runs along the back of the church building with various rights-of-way for property owners in the area. He is concerned about foot traffic in the alley as a result of the new business and the timing of when the work in the basement will be done. He is also concerned about vehicular traffic as a result of the new business. He expressed concerns about the renovations and operations of the new business affecting the activities of the church such as the dinner meals they provide.

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



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- Fleischer Stated that the new machines will be much quieter than the previous printing machines that operated there previously.
- Fernandes Stated that he has no problem with allowing access to Building C for the church to take photographs prior to demolition.
- Maloney Stated that the Board would put a condition limiting the height of new pole lighting to fifteen (15) feet.

Chairman Maloney asked the Board members if they have any questions at this time.

- Boyd Responded no questions at this time.
- Popkin Responded no questions at this time.
- Gilkes Responded no questions at this time.
- Winn Responded no questions at this time.
- Maloney Responded no questions at this time.

Board Discussion/Decision

Dmitriy D. Darmanchev for property located at 347 Wells Street (Assessor’s Map 102, Lot 25)

Chairman Maloney asked the Board members if they have any additional comments or questions at this time.

- Boyd Asked about a condition to maintain the fence.
- Gilkes Responded no.
- Singer Stated that he is concerned about noise issues. He referenced Section 200-6.8, Performance Standards, of the Zoning Ordinance. He would like to incorporate some or all of the conditions of the Planning Board’s site plan approval into the ZBA’s special permit decision. He stated that he doesn’t believe that the fencing for J.S. Rae is sufficient and would like additional screening along the fence line. He stated that it is now the responsibility of the ZBA to protect the neighbors.
- Winn Stated that arborvitae needs to also be planted along the J.S. Rae fence for screening and noise control.
- Maloney Pointed out to the Board members that a six foot fence could have been installed along the side and rear property lines and four feet along the front property line by right. He stated that the eight



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foot fence mitigates the sight of the equipment and open storage of materials. He reviewed the conditions of the Planning Board’s site plan approval and stated that the following conditions could be incorporated into their decision: condition numbers 3, 7, 8, 9, 10, and 11 as well as requiring J.S. Rae to obtain the required sign permit for the existing sign installed on the J.S. Rae fence.

Chairman Maloney asked the Board members if they have any final comments or questions at this time.

Boyd Stated that he understands Singer’s comments about the noise issues but feels that the matter currently before the ZBA is fencing.

Gilkes Stated that she supports Singer’s comments and asked about incorporating condition number 6 of the Planning Board’s site plan approval.

Singer Pointed out that a change in use for the property is why site plan approval was required. He would like to see arborvitae planted along wells Street along the J.S. Rae fence.

Winn Stated that he would also like to see arborvitae planted along wells Street along the J.S. Rae fence.

MOTION: Moved by Maloney, seconded by Singer, and vote 5:0:0 to approve the application of Dmitriy D. Darmanchev for property located at 347 Wells Street (Assessor’s Map 102, Lot 25), which is located in the General Industry (GI) Zoning District, for a Special Permit pursuant to Sections 200-6.2(E) and 200-8.3 of the Zoning Ordinance in order to allow an eight (8) foot fence with privacy screening around land leased to J.S. Rae, LLC used as a contractor yard and open storage of raw materials, finished goods, and construction equipment at this location with the following conditions:

- 1) Trucks entering and exiting the site shall use the truck routes presented to and approved by the Planning Board;
- 2) The hours of operation for J.S. Rae shall be 7:00 a.m. to 7:00 p.m. Monday through Saturday. No vehicles can start or idle prior to 7:00 a.m.;
- 3) The Applicant shall implement dust mitigation in times of dry weather;
- 4) The Applicant shall delineate five (5) off-street parking spaces designated for J.S. Rae employees;
- 5) For reference, the anti-idling law is M.G.L. Chapter 90, Section 16A;
- 6) The fencing shall have interior slat screening and shall be well maintained;
- 7) The Applicant shall obtain the required sign permit for the existing sign installed on the J.S. Rae fence;
- 8) The Applicant shall provide a line of arborvitae along Wells Street in front of the existing J. S. Rae fence at a height and manner consistent with the Planning Board’s site plan approval and shall be well maintained.



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Board Discussion/Decision

Shaft Current Solutions, Inc. for property located at 14 Hope Street (Assessor’s Map 51, Lot 5)

Chairman Maloney asked the Board members if they have any final comments or questions at this time.

Boyd No questions. He supports the project.

Popkin No questions. She supports the project.

Gilkes No questions. She supports the project.

Winn No questions. He supports the project.

Maloney No questions. He supports the project.

MOTION: Moved by Winn, seconded by Maloney, and vote 5:0:0 to approve the application of Shaft Current Solutions, Inc. as presented for property located at 14 Hope Street (Assessor’s Map 51, Lot 5), which is located in the Central Commercial (CC) Zoning District, for a Special Permit pursuant to Sections 200-4.1(D)(4), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow a small machine shop in the basement level of the building for the purpose of testing and conducting quality assurance on grounding brushes for sale and making the components used to attach the brushes on various machines at this location. In addition, the Applicant’s use of the premises would include business and professional offices on the first and second floors of the building, and the continued use of approximately 4,790 square feet of the building for printing and publishing at this location with the following conditions:

- 1) All new pole lighting shall not exceed fifteen (15) feet in height;
- 2) All new lighting to include wall mounted lighting shall be downcast lighting.

Approval of Minutes:

MOTION: Moved by Winn, seconded by Gilkes, and voted 4:0:1 (Boyd abstained) to approve the meeting minutes of November 12, 2020.

Adjournment:

Without objection, Chairman Maloney adjourned the meeting at 9:18 p.m.

Respectfully Submitted,

Eric Twarog, AICP, Director of Planning and Development