



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 January 14, 2021**  
**Webex Meeting**

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

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

**ABSENT:** Julia Popkin

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

**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 Trinity Solar for property located at 187 Plain Road (Assessor’s Map R28, Lot 34), which is located in the Rural Residential (RC) Zoning District, for a Special Permit pursuant to Sections 200-4.2(C)(17), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the construction of a 4.08 kW DC solar ground-mounted system (12 panels) at this location. The maximum height of the system is approximately 6.75 feet.

Chairman Maloney read a request to withdraw the application without prejudice.

**MOTION:** Moved by Winn, seconded by Singer, and vote 5:0:0 to accept the request to withdraw the application of Trinity Solar for property located at 187 Plain Road (Assessor’s Map R28, Lot 34), which is located in the Rural Residential (RC) Zoning District, for a Special Permit pursuant to Sections 200-4.2(C)(17), 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the construction of a 4.08 kW DC solar ground-mounted system (12 panels) at this location without prejudice.

Approval of Minutes:

**MOTION:** Moved by Winn, seconded by Boyd, and voted 5:0:0 to approve the meeting minutes of December 10, 2020.

- b. **7:15 p.m.:** Application of 15 Arch Street, LLC – c/o John Hadden for property located at 15 Arch Street (Assessor’s Map 69, Lot 74), which is located in the General Industry (GI) Zoning District, for a Special Permit pursuant to Sections 200-4.11(C)(16), 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow a marijuana cultivator business at this location.



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At a public meeting on Thursday, January 14, 2021 at 7:15 p.m., through Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of 15 Arch Street, LLC – c/o John Hadden for property located at 15 Arch Street (Assessor's Map 69, Lot 74), which is located in the General Industry (GI) Zoning District, for a Special Permit pursuant to Sections 200-4.11(C)(16), 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow a marijuana cultivator business at this location. Chairman Maloney explained the public hearing process to the Applicants. Winn read the public notice into the record. Members of the Board sitting were Mark Maloney, Chairman; James Winn, Clerk; Peter Wozniak; David Singer; and Debra Gilkes. The following project proponents were present: John Hadden, Dan Sullivan, Joshua Levin, and Samuel Capentieri as the project business partners; Tony Wonseski of SVE Associates, Civil Engineer; Erik Gath of BLW Engineers, Odor Mitigation; and Jessie Moberg, Architect.

- 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.
- Hadden Gave an overview of their business model and proposed project to the Board. He stated that their business model is to use responsible and sustainable practices. Deliveries will be made by van with approximately 2-3 van deliveries a month to start off with. There will be about six (6) employees at initial startup ramping up to about 10-15 employees prior to any expansion of Tier level. The Cannabis Control Commission (CCC) has given provisional approval for a Tier 1 cultivation facility to start which allows up to 5,000 square feet of canopy with future expansion through CCC permitting for a Tier 2 which allows up to 10,000 square feet of canopy. However, dues to the lease area of the building, about 7,000 square feet of canopy would be the maximum. The proposed hours of operation are 8:00 a.m. to 7:00 p.m. Monday through Sunday with reduced hours on the weekends.
- Gath Stated that he has been involved with the design of thirty (30) marijuana cultivation facilities. He stated that the existing gas, water, and sewer utility services will be reused as well as the existing electric and sprinkler system for the building. A new electric transformer will be installed on a concrete pad.
- Maloney Asked for confirmation that one (1) new utility/light pole will be installed for the project.
- Gath Responded yes.
- Wozniak Inquired on the location of the backup generator.
- Gath Responded on the roof using natural gas.
- Maloney Inquired on whether any load bearing walls will be removed as part of this project.
- Moberg Responded no.



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- Wonseski Presented the site plan to the Board. There are two (2) access points to the property, Arch Street and Grove Street to Wells Street. The Arch Street access will be the primary access to the building. The existing loading dock will be removed and replaced with a new loading dock. There are four (4) designated parking spaces for employees which will remain gravel. The existing mature trees in this area will remain. There is space available for about 10 parking spaces north of the lease area which the land owner has given permission to use. There will be a new pad for a dumpster.
- Maloney Inquired on the berm shown on the site plan.
- Wonseski Responded that the berm will be parallel to the building and will direct drainage to Arch Street.
- Maloney Inquired on whether the existing utilities are usable.
- Wonseski Responded that they have not TV'ed the lines but they do not anticipate any issues as the pipes and fixtures in the building are in good condition.
- Maloney Inquired on screening for the dumpster.
- Hadden Stated that this came up during the Planning Board meeting and that the Board reached consensus that screening is not necessary and may restrict movement for van deliveries. He stated that the dumpster cannot be seen from the street at the proposed location.
- Maloney Inquired on screening for the direct abutter at 19 Arch Street.
- Wonseski Responded that this came up at the Planning Board meeting as well and that the existing curb/small retaining wall along the property line presents an issue for the installation of a fence or vegetation. Stated that the existing hedge row along this side on the property of 19 Arch Street could be extended.
- Chairman Maloney asked the Board members if they have any questions at this time.
- Winn Responded no.
- Wozniak Inquired on the location of the air exchange handlers and what the noise level is for them.
- Gath Responded that the condensers will be located outside of the building while the air exchange units will be located inside of the building. The condensers are residential scale and not loud at all.
- Wozniak Inquired on air exchange for the building.
- Gath Responded that the CCC requires air exchange for such facilities. He presented the odor control measures for the cultivation facility with the Board.



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- Wozniak Stated that the air exchange system will require preventive and continued maintenance as it will be used continuously. He recommended that any preventive maintenance of the equipment to include the backup generator should be done during business hours.
- Singer Inquired on the lease area for the proposed facility.
- Hadden Reviewed the lease area with the Board. The lease agreement states that the lease includes 7,700 square feet on first floor and 1,500 square feet of the basement level with room for future expansion. He stated that they have the right of first refusal for an additional 4,000 square feet of building space.
- Singer Inquired on the odor mitigation plan.
- Gath Responded that the submitted application materials contain 8 pages that describe the Odor Mitigation Plan in detail. A combination of negative pressure in the building, carbon filtration, and use of oils mitigates any odor from the facility.
- Gilkes Inquired on the length of the lease agreement.
- Hadden Responded seven (7) years with an option to renew.
- Gilkes Inquired on parking for future employees beyond the initial six (6) employees.
- Hadden Responded that the landowner has agreed to allow the use of the parking area north of the lease area for which there is room for an additional ten (10) parking spaces.
- Maloney Inquired on the rough percentage of leased area to the entire building.
- Hadden Responded that the entire building is about 40,000 square feet of which they are leasing about 10,000 square feet.
- Wozniak Inquired on the preventive maintenance schedule for the odor control system.
- Gath Responded that it depends on the manufacturers system specifications but could range from several months to two years.
- Maloney Inquired of the Architect what will be done to the exterior of the building.
- Moberg Responded that the existing graffiti will be removed, the bricks pointed up, the windows repaired, and the existing sign on the face of the building along Arch Street will be preserved and enhanced.



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Winn Read review comments from the Department of Planning and Development; the Planning Board which forwarded a positive recommendation; Board of Health, Engineering Superintendent, and Fire Prevention Officer who all had no issues or comments; and from the residents of 174 Wells Street who supports the project.

Maloney Inquired on signage.

Hadden Responded that any signage will meet the requirements of the CCC.

Maloney Asked for clarification that they do not plan on applying to the ZBA for increased signage.

Hadden Responded no they do not plan on applying for a special permit from the ZBA for increased signage.

Chairman Maloney opened the Public Hearing for public comment at 8:09 p.m.

Douglas Mayo, 143 Wells Street, Precinct 8 City Councilor

Stated that he supports the project and is glad to see the building will be renovated and brought back on the tax rolls as a business.

Chairman Maloney closed the Public Hearing for public comment at 8:12 p.m.

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

Winn Responded no questions at this time.

Wozniak Responded no questions at this time.

Singer Responded no questions at this time.

Gilkes Responded no questions at this time.

- c. **7:30 p.m.:** Application of Carl Woodruff and Mia Korteblein for property located at 60 James Street (Assessor’s Map 23, Lot 19), which is located in the Urban Residential (RA) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E)(2) and 200-8.3 of the Zoning Ordinance in order to allow a reduction of the front yard setback from 25 feet to 20 feet for the construction of a single family home at this location.

At a public meeting on Thursday, January 14, 2021 at 7:30 p.m., through Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of Carl Woodruff and Mia Korteblein for property located at 60 James Street (Assessor’s Map 23, Lot 19), which is located in the Urban Residential (RA) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E)(2) and 200-8.3 of the Zoning Ordinance in order to allow a reduction of the front yard setback from 25 feet to 20 feet for the construction of a single family home at this



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location. Chairman Maloney explained the public hearing process to the Applicants. Winn read the public notice into the record. Members of the Board sitting were Mark Maloney, Chairman; James Winn, Clerk; Peter Wozniak; David Singer; and Walter Boyd. The following project proponents were present: Carl Woodruff and Mia Korteblein.

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.

Woodruff Reviewed the project with the Board and stated that this project has previously gone through the Conservation Commission so there is a MA DEP project number at the site. There will be 1,600 square feet of finished space and about 450 square feet of open area.

Maloney Asked if the roof and not the building wall encroaches into the front yard setback.

Woodruff Responded yes only the roof.

Winn No questions.

Wozniak No questions.

Singer No questions.

Boyd Inquired on how he realized that the roof did not meet the required front yard setback.

Woodruff Responded that a mortgage plot plan made them aware of this.

Winn Read review comments from the Planning Board that provided a positive recommendation to the ZBA; Engineering Superintendent and Fire Prevention Officer (no issues or comments).

Chairman Maloney opened the Public Hearing for public comment at 8:28 p.m. No public comment.

Chairman Maloney closed the Public Hearing for public comment at 8:28 p.m.

**Board Discussion/Decision**

**Carl Woodruff and Mia Korteblein for property located at 60 James Street (Assessor's Map 23, Lot 19)**

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

Winn No questions. He supports the project.

Wozniak No questions. He supports the project.



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Singer No questions. He supports the project.

Boyd No questions. He supports the project.

Maloney No questions. He supports the project.

**MOTION:** Moved by Wozniak, seconded by Winn, and voted 5:0:0 to approve the application of Carl Woodruff and Mia Korteblein for property located at 60 James Street (Assessor’s Map 23, Lot 19), which is located in the Urban Residential (RA) Zoning District, for a Special Permit pursuant to Sections 200-5.3(E)(2) and 200-8.3 of the Zoning Ordinance in order to allow a reduction of the front yard setback from 25 feet to 20 feet for the construction of a single family home at this location.

**Board Discussion/Decision**

**15 Arch Street, LLC – c/o John Hadden for property located at 15 Arch Street (Assessor’s Map 69, Lot 74)**

Maloney Stated that he is okay with the security plan, lighting plan, signage, odor mitigation plan, but is a little concerned about parking for employees once the business ramps up to 15 employees. The area north of the lease area that is available alleviates most of these concerns.

Winn Stated that he supports the project and has no issues.

Wozniak Stated that he supports the project but would like any routine and preventive maintenance on the equipment to be done during work hours and according to the manufacturer’s specifications.

Singer Stated that he supports the project.

Gilkes Stated that she supports the project but that the Board should require some screening for 19 Arch Street acceptable to the landowner.

Singer Added that any required screening should apply to the land and not for a specific landowner as landowners can change over time. The Board could also choose not to require any screening.

Boyd Stated that any required screening should run with the land and not a particular landowner.

The Board discussed potential conditions relative to screening for 19 Arch Street.

**MOTION:** Moved by Maloney, seconded by Singer, and voted 5:0:0 to approve the application of 15 Arch Street, LLC – c/o John Hadden for property located at 15 Arch Street (Assessor’s Map 69, Lot 74), which is located in the General Industry (GI) Zoning District, for a Special Permit pursuant to Sections 200-4.11(C)(16), 200-7.17, 200-8.3, and 200-8.4 of the Zoning



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**Ordinance in order to allow a marijuana cultivator business at this location with the following conditions:**

- 1) Testing of the standby generator shall only be done during business hours Monday through Friday;**
- 2) The Applicant shall conduct required routine and preventive maintenance of the odor mitigation system as per the manufacturer's specifications;**
- 3) Delivery vehicles shall be limited to box trucks or smaller. Tractor trailer trucks shall be prohibited;**
- 4) The hours of operation shall be 8:00 a.m. to 7:00 p.m. Monday through Sunday;**
- 5) The Applicant shall provide screening along the eastern and northern property lines of 19 Arch Street acceptable to the owner of 19 Arch Street This condition may be waived in writing by the abutter from time to time, in whole or in part; said written waiver shall become effective upon delivery to the Department of Planning and Development of Greenfield;**
- 6) The Applicant shall adhere to the submitted plan and application materials for the cultivation business;**
- 7) The special permit shall only run with the Applicant, 15 Arch Street, LLC.**

Adjournment:

**Without objection, Chairman Maloney adjourned the meeting at 9:08 p.m.**

Respectfully Submitted,

Eric Twarog, AICP, Director of Planning and Development