

**TOWN OF GREENFIELD**  
**ZONING BOARD OF APPEALS**

**July 5, 2011**

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Zoning Board of Appeals is called to order by Taylor Conard at 7:30 p.m. On roll call the following members are present: Taylor Conard, Michelle Granger and Kevin Veitch. Paul Lunde and Joseph Szpak, Alternate, are absent.

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**June 7, 2011 MINUTES**

MOTION: M. Granger

SECOND: K. Veitch

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of June 7, 2011, as submitted.

VOTE: Ayes: Conard, Granger, Veitch

Noes: None

Absent: Lunde, Szpak

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**OLD BUSINESS**

**PAUL DAVIS – Area Variance, Case#870**

Locust Grove Road

Paul Davis is present. T. Conard reviews that the applicant wishes to replace an existing 1971 mobile home with a newer home. The lot is a pre-existing, non-conforming size. This requires a front setback variance of 23.5' and rear setback variance of 43.5'. A public hearing is opened at 7:31 p.m. There is one letter in support from Randy Davis. There being no further public comments, this public hearing is closed at 7:32 p.m.

**RESOLUTION – P. Davis, Area Variance**

MOTION: K. Veitch

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals approves the application of Paul Davis for area variances for property located at 442 Locust Grove Road, TM#138.-2-54.2, as follows:

- **23.5' Front setback variance**
- **43.5' Rear setback variance**

This approval is based on the following criteria:

- **No negative impact to the neighborhood**
- **No environmental impacts**
- **This is a pre-existing, non-conforming lot**
- **This is an upgrade to the existing home**

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VOTE: Ayes: Conard, Granger, Veitch  
Noes: None  
Absent: Lunde, Szpak

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**TERI ARNOLD – Area Variance, Case #871**

Boyhaven Road

Teri Arnold is present. T. Conard states that the applicant wishes to build a garage and is seeking a 15' variance from the right side yard setback. A public hearing is opened at 7:34 p.m. There being no public comments, this public hearing is closed at 7:35 p.m.

M. Granger states that there is a small shed to the back of the property. Part of the charge that the Board has is to grant the minimum variance necessary. She asks if the garage is going directly next to the porch, is it going back in the shed area, etc. T. Arnold states that it would be even with the front of the house. M. Granger asks how the applicant chose the 15'. T. Arnold states that she does not want to have the garage attached to the house, she wants to have an area to give her access to the back yard. So she is looking for 10 to 15'. K. Veitch states that then the 10 to 15' is to give her access to the back yard. T. Arnold states it is and she could put a patio between the house and garage as well as the access to the backyard, rather than have the garage attached and have to go all the way around it to the back. M. Granger states that the only reason she is asking is because the Board is supposed to grant the minimum variance and she didn't know how the applicant had arrived at the 15'. It is a perfectly reasonable request it is just that we are supposed to grant the minimum variance necessary, that is her concern. T. Arnold asks what the minimum would be. M. Granger states that T. Arnold just said between 10 and 15'. She would feel more comfortable if the applicant said 10' still gives adequate access that she needs to get to the backyard. That allows the Board to decrease the amount of variance needed and is a benefit for what the Board is charged to do. T. Conard asks if that would work for the applicant. T. Arnold states that that would still work, she didn't want it attached. T. Conard comments that there is a requirement for a minimum of 5 or 6'. M. Granger states that the one we did previously was 6'.

**RESOLUTION – T. Arnold, Area Variance**

MOTION: K. Veitch

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals approves the application of Teri Arnold for an area variance for property located at 3459 Boyhaven Road, TM#162.-1-76, as follows:

- **10' right side yard variance**

This approval is based on the following criteria:

- **No environmental impacts**
- **No negative impact to the surrounding properties**
- **There is no other way to achieve this request without a greater variance**

T. Conard explains that the applicant would have 10' between the garage and the house. T. Arnold states that then she would be 40' from the property line. Everyone concurs. Question is raised that when the property was purchased, the side setback was 25' and that was supposed to be an approved building lot. T. Conard explains that the Zoning Law has changed. R. Rowland states that the Zoning changed in 2007. K. Veitch states that unless they had something already there then you have to fall under the new law.

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VOTE: Ayes: Conard, Granger, Veitch  
Noes: None  
Absent: Lunde, Szpak

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**GREGORY & REBECCA LOCKWOOD – Area Variance, Case #872**

Grange Road

Gregory and Rebecca Lockwood are present. T. Conard reviews that the applicants would like to add a small addition to the existing structure, it will be no closer to the street and they need a 22' front setback variance. A public hearing is opened at 7:39 p.m. There being no public comments, this public hearing is closed at 7:40 p.m.

T. Conard states that, for the purposes of disclosure, he is an abutting neighbor and has no financial dealings with the applicants, he has no gain or loss by the application. If he were to recuse himself, we would not have a quorum. M. Granger states that the applicants have no other option. T. Conard reiterates that the addition will be no closer to the street. He states that he can also say, as a neighbor, that it does not change the character of the neighborhood and there will be no detrimental environmental impact. He states that part of the lot is vacant and he wouldn't even see it.

**RESOLUTION – G. & R. Lockwood, Area Variance**

MOTION: K. Veitch

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals approves the application of Gregory and Rebecca Lockwood for an area variance for property located at 58 Grange Road, TM#138.-1-20.2, as follows:

- **22' front yard setback variance**

This approval is based on the following criteria:

- **No negative impact to the neighborhood**
- **No negative environmental impact**
- **No other means to achieve benefit**

VOTE: Ayes: Conard, Granger, Veitch  
Noes: None  
Absent: Lunde, Szpak

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J. Szpak arrives at 7:42 p.m.

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**DONALD & DEBORAH BRYSON – Area Variance, Case #873**

Pine Robin North

Donald Bryson is present. T. Conard states that this is a pre-existing, non-conforming lot, the applicants would like to install an inground pool and need a left side yard setback variance of 15'. A public hearing is opened at 7:43 p.m. M. O'Connor, Canyon Crossing, states that she is curious and asks how this will affect neighboring properties. K. Veitch states that this is not an uncommon request and it is not a negative impact. If it were a structure there might be more concern. Due to the placement of the septic, there really is no other place to put the pool. It is just a 17' by 38' pool. He reiterates that it should not have  
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a negative impact to the neighbors. M. O'Connor states that they didn't think so, but they were concerned and curious. T. Conard explains that before the Zoning changed, many of these areas were zoned much smaller lots. K. Veitch states that the dimensions of the pool include a 4' apron. M. Granger states that there are a lot of trees in between this property and the next, but she does not know whose property they are on in terms of a buffer. There being no further public comment, this public hearing is closed at 7:47 p.m.

M. Granger questions the trees between the lots and if there is any necessity in terms of maintaining any kind of vegetative buffer. D. Bryson states that he will only be taking down trees right where the pool is going. He wants to keep as much as possible. J. Szpak states that the pool requires a fence and that maybe, for consideration, using a fence in that area that you cannot see through, but he does not know if there is any visible shot anyway. T. Conard states that he believes that if the applicant maintains as much vegetation as he can that will help alleviate some of the sound.

**RESOLUTION – D. & D. Bryson, Area Variance**

MOTION: K. Veitch

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals approves the application of Donald and Deborah Bryson for an area variance for property located at 10 Pine Robin North, TM#138.19-1 24, as follows:

- **15' left side yard setback variance**

This approval is based on the following criteria:

- **Cannot place pool in another area because of the septic and well placement**
- **No negative impact to the neighborhood**
- **No negative impact to the environment**
- **Recommendation is made that during construction that the applicant minimize the amount of vegetation that is removed to maintain a buffer between the pool and the neighboring property**

VOTE: Ayes: Conard, Granger, Szpak, Veitch

Noes: None

Absent: Lunde

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**COREY & KIMBERLY BARSS – Area Variance, Case#874**

Allen Road, Rear

Corey and Kimberly Barss are present. T. Conard reviews that the applicants would like to place a mobile home on a pre-existing, non-conforming lot that has no road frontage so they need a 250' frontage variance. A public hearing is opened at 7:52 p.m. There being no public comments, this public hearing is closed at 7:53 p.m.

M. Granger states that this appears to be pretty straightforward, it is a pre-existing, non-conforming lot and is consistent with other properties in the area.

**RESOLUTION – C. & K. Barss, Area Variance**

MOTION: M. Granger

SECOND: K. Veitch

RESOLVED, that the Zoning Board of Appeals approves the application of Corey and Kimberly Barss for an area variance for property located at 45 Allen Road, Rear, TM#111.-2-21.16, as follows:  
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- **250' frontage variance**

This approval is based on the following criteria:

- **This is a pre-existing, non-conforming lot**
- **Benefit cannot be achieved by other means**
- **This is consistent with the surrounding neighborhood, therefore there is no undesirable change to the neighborhood**
- **No adverse physical or environmental impacts**

VOTE: Ayes: Conard, Granger, Szpak, Veitch  
Noes: None  
Absent: Lunde

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Meeting adjourned 7:58 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland