

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

March 6, 2012

REGULAR MEETING

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

February 7, 2012 MINUTES

MOTION: J. Szpak

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of February 7, 2012, as submitted.

VOTE: Ayes: Eskoff, Granger, Szpak, Veitch

Noes: None

Absent: Conard, Lunde

NEW BUSINESS

BONNIE & GARY MIDDLEBROOK – Area Variance, Case#883

Plank Road

Bonnie and Gary Middlebrook are present. K. Veitch states that the applicants are seeking an area variance for their property on Plank Road. J. Szpak states that it looks like the applicants are removing the old house and putting in the new one in the same spot. K. Veitch states that the SEQRA form has been filled out. D. Eskoff asks the applicant to review the SEQRA form and that where it asks if the action will involve permit approval, the answer should be yes, because the applicant will need a building permit. For question #8, they can just indicate no, that they are requesting a variance. That makes it more accurate.

RESOLUTION – B. & G. Middlebrook, Area Variance

MOTION: J. Szpak

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals accepts the application of Bonnie & Gary Middlebrook for property located at 72 Plank Road, TM#124.-1-33 as complete and schedules a public hearing for April 3, 2012 at 7:30 p.m.

VOTE: Ayes: Eskoff, Granger, Szpak, Veitch

Noes: None

Absent: Conard, Lunde

March 6, 2012

CYNTHIA UPPLING – Use Variance, Case#884

Coy Road

Cynthia Uppling is present. K. Veitch states that the applicant is requesting a Use Variance for property on Coy Road. J. Szpak comments that this was an existing business that has changed ownership. M. Granger states that as she understands it, the existing business was more that Richard Chandler was using it for a contractor’s storage yard where he worked on his own vehicles and then upon his death, the Special Use Permit carried over to his nephew. Now the application before the Board is looking to actually change that business and make it an auto repair shop where there would be commercial activity, not just limited to their own vehicles. K. Veitch asks if any additional information is needed. D. Eskoff states that the application is in order. K. Veitch states that because the applicant is requesting a Use Variance, he wants to make clear to her that a use variance is a lot more difficult to get because you are changing the use of the property and it is a little more restrictive as far as what an applicant has to prove to get a use variance. He provides a copy of the criteria that the Zoning Board will be looking for for that purpose. He suggests reviewing that criteria so that next month when she comes in, those are the kinds of things that the Board is going to be looking at.

RESOLUTION – C. Uppling, Use Variance

MOTION: J. Szpak

SECOND: D. Eskoff

RESOLVED, that the Zoning Board of Appeals accepts the application of Cynthia Uppling for property located at 328 Coy Road, TM#149.-2-2.11 as complete and schedules a public hearing for April 3, 2012 at 7:30 p.m.

VOTE: Ayes: Eskoff, Granger, Szpak, Veitch

Noes: None

Absent: Conard, Lunde

OLD BUSINESS

DAVID MANDEL – Area Variance, Case #882

(Eva Sara David LLC) Plank Road

Kurt Heiss is present for the applicant. K. Veitch opens a public hearing at 7:37 p.m. Nancy Kmen, Plank Road, states that she had no objections to the previous approval of frontage variances for the Sinnott’s and she has no objection to this request. There being no further public comments, this public hearing is closed.

J. Szpak states that this would be two big lots that don’t have road frontage, or have minimal road frontage. K. Veitch reviews that an area variance was approved in 2007 for a similar project. M. Granger notes the correspondence from the Planning Board that there are a number of outstanding issues, which are being addressed with the Planning Board. The ZBA has previously approved this and she would be in favor of approving this contingent upon the Planning Board’s approval. D. Eskoff asks if the applicant has completed the long form. R. Rowland states that that has been submitted to the Planning Board.

RESOLUTION – D. Mandel, Area Variance

MOTION: J. Szpak

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals approves the request of David Mandel (Eva Sara David LLC) for property located at 225 Plank Road, TM#124.-1-51 for area variances, as follows:

- **Lot #1 – Frontage variance of 216.27 feet**
- **Lot #2 – Frontage variance of 160.42 feet**

This is based on the following criteria:

- **No other means through which this is achievable**
- **No undesirable change to the neighborhood or character of the nearby properties**
- **No adverse physical or environmental effects**

This approval is contingent upon:

- **Planning Board approval of outstanding issues**

VOTE: Ayes: Eskoff, Granger, Szpak, Veitch

Noes: None

Absent: Conard, Lunde

Meeting adjourned 7:45 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland