

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

**January 3, 2017**

**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: Kevin Veitch, Denise Eskoff, Curt Kolakowski, Laura Sanda, Joseph Szpak and Andrew Wine, Alternate.

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**November 1, 2016 MINUTES**

MOTION: J. Szpak

SECOND: D. Eskoff

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of November 1, 2016.

VOTE: Ayes: Eskoff, Kolakowski, Sanda, Szpak

Noes: None

Abstain: Veitch, Wine

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**December 6, 2016 MINUTES**

MOTION: J. Szpak

SECOND: D. Eskoff

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of December 6, 2016.

VOTE: Ayes: Veitch, Eskoff, Szpak, Wine

Noes: None

Abstain: Kolakowski, Sanda

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**OLD BUSINESS**

**DAVID KWIAT – Area Variance**

Case#969, Hovey Road

K. Veitch states for the record that the David Kwait application has been withdrawn from the Zoning Board as well as the Planning Board.

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**NEW BUSINESS**

**ROYAL RHINO OWNER, LLC**

Case#974, NYS Rt. 9N

Applicant is requesting area variances on signage. Nathan Gindi and Kevin Perotte are present for the application. D. Eskoff states that when they put up two signs with a different name other than Royal Rhino. N. Gindi stated that they have officially changed the name of the mobile home park. D. Eskoff asks are you a new owner? N. Gindi states that he is the new owner and is in the process of making a series of

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significant park improvements. In the past seven months they have made more improvements than in the last seven years. He states that they are trying to give it a fresh appeal; they changed the name and have gotten the DBA for Saratoga Greens. They got a permit from the NYSDOH for the new company name Saratoga Greens. D. Eskoff asks if he did not know to check with the town and just thought they were doing something good getting new signs. N. Gindi states that he did not know, he thought everyone would be thrilled. D. Eskoff states that she sees it being cleaned up. The old owners had left garbage and it's starting to look better. N. Gindi states that it is his fault and is taking full responsibility. K. Veitch states that there are two variances they are looking for: an additional sign; that each sign be allowed to be 32 Sq. ft. instead of one normal 30 sq. ft. sign by code. K. Veitch asks if anyone needs more information. L. Sanda asks for clarification on the Authorization of Agent. N. Gindi asks if he could have an agent represent him because he does not live around here. L. Sanda says that she thinks that K. Perotte should be in under agent and N. Gindi should sign the Authorization of Agent. D. Eskoff states are going to have to list K. Perotte as an agent. N. Gindi states that he wasn't sure and he will take care of it. J. Szpak asks if there are two signs. N. Gindi states that there are two signs, one at each entrance of the park. L. Sanda asks when Royal Rhino was there, was there one sign. C. Kolakowski states no, there were two. A. Wine states no there were two - one at each entrance. J. Szpak asks if they know how far apart the signs are. N. Gindi states they are a couple hundred feet apart, the entrances of the park are pretty far apart. J. Szpak's only request would be to know the distance between the signs. D. Eskoff asks if they have checked to see if the signs could be reduced before asking for the variances. N. Gindi states unfortunately no, the signs are metal. D. Eskoff asks if they could be cut and N. Gindi states no, they are unable to be. D. Eskoff also asks for the distances between any other properties. K. Veitch states his concern would be line of sight. If we could have some kind of verification that it doesn't block the line of sight whether it's from DOS or DOT? We are not going to give you permission to have a sign there if it doesn't meet the State specs because you are on a State road. N. Gindi states that it was angled on the property. L. Sanda states that a plan that shows the location, shows the distance off the edge of the road and pictures of the sign from the road would be useful. Also the dimension of the height of the sign. N. Gindi states that he thought the dimensions were on the information. L. Sanda states that she wanted to know how tall the sign is and what the distance is from the ground up. K. Veitch asks who did the signs. N. Gindi states Pro Signs - it's a New Jersey company. D. Eskoff states they weren't local so they didn't have any way to know. J. Szpak states that usually the company making the signs will say find out what the code is and get all the requirements. K. Veitch states that usually with a sign like that on a corner for line of sight. N. Gindi asks if K. Veitch means from property line or the boundary line from the blacktop. K. Veitch explains. A. Wine states that they have a little pedestal right in the corner with mailboxes on it and a big tree. He asks if the tree is still there. N. Gindi states yes. K. Veitch states it is a safety issue, just for your own liability if something happens that's the first thing they are going to look at, did a person see a car coming and if that is in the line of sight then it becomes your liability. D. Eskoff asks if they were putting anything else in that front area that we should be aware of. N. Gindi states nothing else, maybe just some more mailboxes. K. Veitch asks other than the few things that we have requested the application is complete? N. Gindi asks what will happen from here. K. Veitch explains the process of what will occur at the next meeting and the public hearing. N. Gindi asks if he needs to attend or can his authorized agent. K. Veitch states as long as one of them is here that will be fine. D. Eskoff states that we have been pretty strict about signage in this town so we will look at this very carefully.

**RESOLUTION- Royal Rhino Owner, LLC Area Variance**

MOTION: J. Szpak

SECOND: K. Veitch

RESOLVED, that the Zoning Board of Appeals accepts the application for case# 974 of Royal Rhino Owner LLC, for an area variance for the property at 845 NYS Rt. 9N TM# 164.-1-40 and sets a public hearing for February 7, 2017, at 7:30, contingent upon receipt of:

- **Authorization of Agent to be re-signed by the owner, the agents name is included in 1C under applicant on the first page of the application**

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- **Pictures of the area of sign and the sign in place: dimensions of the sign from the ground to the bottom; and from the bottom to the top including the site plan located in reference to the highway and to each other**
- **Above to be received by January 17, 2017**

VOTE: Ayes: Eskoff, Kolakowski, Sanda, Szpak, Wine, Veitch  
Noes: None

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**PATRICIA FORD – Area Variance**

Case# 975, 468 Maple Avenue

Patricia Ford is requesting two variances lot frontage and lot size. K. Veitch reviews the application 120' of frontage is required. Applicant only currently has 50' so she is requesting a variance of 70'. Lot size is required to be 2 acres, she currently has .33 acres, and variance of 1.67 acres is required. K Veitch asks if Patricia Ford is present or a representative. P. Ford is not present however, the owner and his agent is present. K. Veitch reviews the application and D. Eskoff states that application is pretty complete. It's a preexisting non-conforming lot, there are no structural changes being suggested just the use and it is a very small lot. As the purchaser of this property is the applicant, discussion takes place as to who should sign the Authorization of Agent form. K. Veitch asks if the property will be used commercially. Bob West states that that is the intent and that the applicant runs a psychology practice, currently leases property and now is looking to own some property. D. Eskoff asks if the owner lives there or if the property is vacant. B. West state that he does not currently live there. D.Eskoff asks if the property is vacant. It is vacant but, it is beautiful property. D. Eskoff states the property could be used for something else. B. West states that they weren't sure what they were going to do with the property so they decided to sell it because they had an interested party. D. Eskoff states that they are tough lots and the area is changing so this is not unusual for us to get these types of requests. A. Wine asks what was the property last used for. The owner states that the last person who owned it was a woman who was there for 40 years. Right now it could become either one - the interior has a bathroom and a kitchen, it is completely open. D. Eskoff said for a psychotherapy office it would be a little more relaxed than a standard medical office. J. Szpak asks what is on either side of the property. K. Veitch states that the old Maple Ave. firehouse is on the left and to the right is Eric Carlson's property. D. Eskoff states that E. Carlson has been before us a couple of times. D. Eskoff states that she feels that they need the authorization of agent otherwise it looks very complete. A. Wine asks if the parking lot is behind the small deck. B. West states that when the women lived there she parked her cars there, behind the house, there are also two parking spots in the front and there is a garage however, they will probably take the garage down. A. Wine asks if we need a site plan that reflects where the parking is going to be. K. Veitch states that he didn't think so. D. Eskoff states that she thinks we should have a site plan. If one is available then it should be presented to us so that we can see it in case we do ask for a buffer or something particular before we send it to the Planning Board. The owner's agent states that she spoke with G. McKenna and he stated that they didn't need one for this meeting but, for the next meeting so they are working on it. They are hiring a group D. Eskoff states that is fine but, we don't have the final say on the site plan, but because you are asking for a variance we may ask for something that may happen to be on that site plan or the Planning Board may have to consider from the angel in which we direct them too. The owner's agent asks if they should have that before the next meeting. K. Veitch states that if they could have it by 1/17/2017. D. Eskoff states that they are not in charge of site plans but, it does help us to have that information even though we do have a pretty good lay out of the map to look at. Whatever you can do would be great. D. Eskoff states that they have another month and if you are looking into going to the Planning Board after that I would think that you would want that available. K. Veitch and D. Eskoff states that they would like to see the plan if it's available. J. Szpak states that it would help evaluate the case because you are looking for a variance on this small piece of property. J. Szpak stated if they are putting in a fence or some trees that makes a difference if not then we are probably going to tell you to. B. West states that on the right hand side at the property line Eric Carlson is going to take all the existing foliage down. There are a

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couple of lilac bushes he will relocate. Eric Carlson did speak about how we could create a shared buffer or fencing. A. Wine states that when E. Carlson came before us we were very concerned about your property being buffered and now we are going back the other way. J. Szpak states that we were looking for creative ways to make it a mutually good situation. B. West states that the perspective buyer seems as though she is open to and she wants to do what is necessary in order to get her use so she can continue her practice.

**RESOLUTION – P. Ford Area Variance**

MOTION: J. Szpak

SECOND: K. Veitch

RESOLVED, that the Zoning Board of Appeals accepts the application of Patricia Ford for an area variance for the property on 468 Maple Avenue TM# 153.13-1-12 and sets a public hearing for February 7, 2017, contingent upon receipt of the requested information by January 17, 2017.

VOTE: Ayes: Eskoff, Sanda, Szpak, Kolakowski, Veitch

Noes: None

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**KASSLEMAN SOLAR**

Case# 976, Lake Desolation Rd.

K. Veitch states that Kastleman Solar is requesting an area variance for lot frontage. They are required to have 250' and currently they have 83'. They need a variance of 167'. They are looking to put in a ground mounted solar level 1. The area regulations require 250' of road frontage. D. Eskoff states that when we started this we still had the moratorium, we have since put together and the town did pass and accept the solar language. That's what we are going on but she doesn't think the Zoning Board has a copy of it. J Szpak agrees and states that he needs to educate himself on it. D. Eskoff states that she helped to write it so she is familiar with it, but doesn't think the other board members are. K. Veitch asks that someone email a copy to all of them. D. Eskoff stated that it isn't on the website either. It was a huge document. K. Veitch states that they do have authorization of agent. D. Eskoff asks if they were planning on going to the Town Board. Lindsay Halse from Kastleman Solar states yes. D. Eskoff states that they will have to go before the Planning Board even if we give a variance for a site plan. D. Eskoff states that they have more than enough acreage it's just the frontage. D. Eskoff states that she has done some research on the frontage on all of the charts. For ground mount solar level 1, which is back yard home use. These reflect the same amount of frontage, set back and acreage requirements that we have for pretty much everything in those areas to be consistent with any home that doesn't meet. Because the law just went into effect it is technically a pre-existing nonconforming lot. J. Szpak asks on the drawing what is the 50.3' that you are referring to. L. Halse states that the setback requirements are 50' to either side and she couldn't get it exact. D. Eskoff states that the property line is much wider. They have ample room except for a very narrow entrance. J. Szpak questions that L. Halse is trying to show that it doesn't need any other variances. K. Veitch states that L. Halse is just showing where those lines are meant. D. Eskoff states that it is pretty straight forward in this particular case. K. Veitch asks how far off the road is the structure. L. Halse states from Older Mt Road, which is the kind of like sub road off Lake Desolation it is 300-plus feet from that road. They actually moved it back. You cannot see the house from the road. D. Eskoff states that the Planning Board will go through a lot where this will be one of the first cases they get. They will look at all the criteria just like they do with anything else. D. Eskoff asks to have the Town of Greenfield Authorization of Agent form completed and returned by January 17, 2017.

**RESOLUTION – Kastleman Solar, Area Variance**

MOTION: J. Szpak

SECOND: L. Sanda

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RESOLVED, that the Zoning Board of Appeals accepts the application of Kastleman Solar for an area variance for the property located at 377 Lake Desolation Rd, TM# 136.-1-2.12 and sets a public hearing for February 7, 2017 at 7:30 p.m., contingent upon receipt of the requested information by January 17, 2017.

VOTE: Ayes: Eskoff, Sanda, Szpak, Kolakowski, Veitch  
Noes: None  
Absent: None

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Meeting adjourned at 8:15 p.m. all members in favor.

Respectfully submitted,

Kimberley McMahon  
Secretary

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