

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

June 7, 2022

REGULAR MEETING

A regular meeting of the Town of Greenfield Zoning Board of Appeals is called to order by D. Eskoff, Chair, at 7:00 p.m. On roll call the following members are present: D. Eskoff, A. Wine, C. Kolakowski, T. Flynn, Alternate. K. Taub, and S. MacDonald are absent. T. Flynn has full voting privileges. M. Waldron, Zoning Administrator/Code Enforcement Officer is present.

Minutes

May 17, 2022

MOTION: C. Kolakowski

SECOND: A. Wine

RESOLVED, The Zoning Board of Appeals waives the reading of, and accepts the May 17, 2022 Minutes.

VOTE: Ayes: D. Eskoff, A. Wine, C. Kolakowski, and T. Flynn

Noes: None

Abstain: None

Absent: K. Taub and S. MacDonald

Gormley, E. Case #1045
TM# 111.-1-54

Area Variance
419 Ormsbee Road

Elizabeth Gormley is present. D. Eskoff states that this is for an addition of 17'x 24'. E. Gormley states that she is looking to add a den and a bathroom. D. Eskoff states the Applicant is requesting 9' of relief. C. Kolakowski asks if she is referring to down being behind her property. E. Gormley states correct my property goes down. T. Flynn asks if the side yard setback is to the north. E. Gormley states correct. T. Flynn asks if the garage is detached. E. Gormley states yes, it was built in 2005-2006 it is pre-existing non-conforming. D. Eskoff asks if the Board can have a picture without snow. E. Gormley states sure. C. Kolakowski asks if the next-door neighbors are to the north and asks for photos to neighbors. E. Gormley states yes, 100's feet away. T. Flynn asks if there is a change of elevation within the structure. E. Gormley states yes, the roof line will below house. C. Kolakowski states the application is complete except for pictures that the Board would like. E. Gormley states her house only has one bedroom and it is 1,400 square feet. She states she is doing this for added privacy, if someone is watching television in the living room and someone else wants to read a book they can go in the den. D. Eskoff states that it is an open floor plan. A. Wine agrees and states that the application does states that.

MOTION: C. Kolakowski
 SECOND: T. Flynn

RESOLVED, the Zoning Board of Appeals hereby accepts the Application for Area Variance by Elizabeth Gormley for an addition for property located at 419 Ormsbee Road (LDR), TM# 111.-1.-54, Case #1045 and sets a Public Hearing for July 5, 2022 at 7 p.m.

The ZBA has requested the following information be provided for their July 5, 2022 meeting:

- Current photos of property showing the location of the proposed addition and photos showing to neighboring property

VOTE:

Ayes: D. Eskoff, A. Wine, C. Kolakowski and T. Flynn

Noes: None

Abstain: None

Absent: K. Taub and S. MacDonald

Doyle, J. Case #1046
 TM# 125.-2-24.32

Area Variance
 177 Greene Road

Applicant James Doyle, architect Mike Perri, and Brian Palmateer are present for this project. J. Doyle states that this parcel is in dire straits and he reviews the five items of criteria that the Board reviews. D. Eskoff states that this property is pre-existing non-conforming. C. Kolakowski states that this district requires 50' setback and the Applicant is seeking 23' of relief. M. Perri states that the plan that they submitted is for a single-family residence with a two-car garage. C. Kolakowski states that it would be helpful to see the renderings of the front of the house. D. Eskoff asks what side the garage is going on. The Board had an application in front of them and the garage was flipped from one side of the house to the other. T. Flynn would like to see the floor plan and elevations. J. Doyle states that he can provide that to the Board. D. Eskoff states yes, showing the Board some examples of renderings would be very helpful. A. Wine asks if they will be using the existing well. J. Doyle states that hopefully it is usable. A. Wine asks if the septic system is in place. J. Doyle states that the septic system is antiquated. It has been drained. T. Flynn asks where will the new septic be located. D. Eskoff asks if it will be the same type of septic system. M. Waldron states the plans have been submitted and states that the Applicant needs relief of 5.01 acres, 150' of frontage, and 27' to the soffit line to the right-side yard. No relief on the left side yard setback and no back yard setbacks are needed. The current structure is unsafe any improvement would be great. J. Doyle states the parcel is .99 of an acre. A. Wine asks if the Board has the Authorization of Agent. D. Eskoff states yes.

MOTION: T. Flynn
 SECOND: C. Kolakowski

RESOLVED, the Zoning Board of Appeals hereby accepts the Application for Area Variance by James G. Doyle for a single-family residence for property located at 177 Greene Road (LDR), TM# 125.-2-24.32, Case #1046 and sets a Public Hearing for July 5, 2022 at 7 p.m.

contingent upon receipt of the following items by the Zoning Board of Appeals no later than June 21:

- Photo examples of prior built homes similar to the proposed residence
- General floor plan and house elevations for the proposed residence
- General location of new septic be added to Site Plan for the proposed residence

VOTE:

Ayes: D. Eskoff, A. Wine, C. Kolakowski and T. Flynn

Noes: None

Abstain: None

Absent: K. Taub and S. MacDonald

Dejnozka, V. Case #1047
TM# 149.-12-5

Area Variance
362 Coy Road

Vernon Dejnozka, Denise Dejnozka, and Sean Dejnozka are present. D. Eskoff states that this Application is located at 362 Coy Road and is for a division of land. They are looking at giving their son Lot 3 on the map and they are looking to sell Earl Douglas (their neighbor) Lot 4 as a Lot Line Adjustment. D. Dejnozka states that the parcel with the ranch is our house. D. Eskoff asks if the garage and older house is on Lot 1. V. Dejnozka states yes, that is the original house that was built in the 1900's. D. Eskoff states that her concern is why they need an Area Variance if they have enough property to shift things. V. Dejnozka states that Mr. Douglas only wants to purchase ½ an acre. D. Eskoff states that makes it more understandable. She states that the ZBA seeks to minimize all the variances granted. C. Kolakowski agrees and states to adjust the lines between two lots. D. Eskoff states that the Planning Board would sign off on that. T. Flynn asks if the Douglas house is to the south. E. Douglas states yes. D. Eskoff states that would make E. Douglas' property larger. E. Douglas states yes, he would like to purchase more, but that is all he can afford at this time. D. Eskoff states that the Applicant did supply pictures and an overhead view as well. T. Flynn asks if there are any other structures that will need a variance. M. Waldron states that he will speak to that. He states that he has been working with the Dejnozka's for quite some time. Lot 3 has an existing residence now as it stands it will be annexed it is not in the Board's purview. Lot 2 is a new lot that is being created and no variances are needed. Lot 1 is conformed it is 6.02 acres. He states that the Planning Board could be concerned with the original house that was built in 1861 and the garage was built in 1960. The Applicants have provided a letter from Justin Burwell (the Town's Highway Superintendent) which he reads and refers to how to make Lot 4 compliant. C. Kolakowski states that they took out ½ acre. M. Waldron states that it is consistent with the right of way. The lot line adjustment to create a new lot. Lot 4 brings it more substantial. D. Eskoff asks if the shop structure is fine and will it continue to be there. C. Kolakowski states that the boundary lines are in the middle of the road. M. Waldron states the Town does maintain the road. The lot unnamed is not part of any request for an Area Variance. He states that Lot 1 does not need a variance Lot 2 is a 16.8-acre parcel and it has plenty of frontage. The creation of the new lot will need 39' of relief for the variance. D. Eskoff asks to make it a lot. M. Waldron states to make it compliant. D. Eskoff states the variance needs to be considered for the new lot line being created. M. Waldron states that Lot 4 will be sold to the neighbor. M. Waldron states that Lot 4 will be 1.01 acre and 4.99-acre variance for lot size,

222.14' for the frontage, 28.86' left side yard setback. T. Flynn states that giving a variance for ½ acre of land is extenuating circumstances. C. Kolakowski states that this could be done by the Douglas' doing this. M. Waldron states regardless it is still shy 6 acres. D. Eskoff states the end result is that a Lot Line Adjustment would still need to be done. M. Waldron states that it is a unique situation. D. Eskoff states that she is not sure if this is part of the subdivision and she is not sure if it requires all those variances. She states that most cases don't come before the ZBA for a Lot Line Adjustment. The ZBA can't create a lot, but the Board can grant a variance to get the lot line. D. Eskoff states that the ZBA can give clearance for the Lot Line Adjustment. She states that the shop on E. Douglas' property is what is holding it up. E. Douglas states that he does not want to get rid of the shop. D. Eskoff asks if that is why he is adding that to his parcel. E. Douglas states yes, that is what he is looking to do. D. Eskoff states that the ZBA has never seen anything like this for a lot line in her years on the Board. M. Waldron states that merging the properties would make the parcel much more conforming. A. Wine asks who the applicant actually is. D. Eskoff states the owners are. This particular parcel is not for subdivision it is a potential Lot Line Adjustment and the owners are present. M. Waldron states that the parcel that the Lot Line Adjustment is for would be merged with is E. Douglas' property. D. Eskoff states that would be the Planning Board's purview. T. Flynn asks that this is not a subdivision. M. Waldron states correct, it cannot be done without the Planning Board's blessing. D. Eskoff states that some of Lot 1 could go to Lot 2 and the ZBA has to look at all sides. A. Wine asks if the ZBA needs a new application. M. Waldron states no. D. Eskoff states no, the request is for a 39' Variance. T. Flynn states that he is concerned with the procedure. D. Eskoff explains that the current owner is more ideal. C. Kolakowski states that it doesn't have to be the owner and explains the Authorization of Agent. M. Waldron states that was suggested to the Applicant. D. Eskoff states that the ZBA has it. M. Waldron states that the family's willingness is to have everyone comfortable with this. C. Kolakowski asks the ZBA if they feel comfortable moving forward with this case. D. Eskoff adds for an Area Variance. A. Wine states a 39' left side yard setback variance. D. Eskoff states for the Lot Line Adjustment because the shop is too close to the property line there cannot be a lot with just an accessory structure on it. C. Kolakowski states they would be making it more conforming. T. Flynn states that this is clear as muddy water to him. D. Eskoff states that M. Waldron gave a lengthy explanation how the ZBA can look at this. C. Kolakowski asks if the Area Variance was without the Lot Line Adjustment if it would be with a contingency. D. Eskoff states it would have to be merged and within one year. V. Dejnozka states that there is a note on the map regarding the merger contingency. M. Waldron states that the shop's left setback was reviewed.

MOTION: C. Kolakowski

SECOND: T. Flynn

RESOLVED, the Zoning Board of Appeals hereby accepts the Application for Area Variance by Vernon Dejnozka for an existing accessory structure (proposed merger with TM# 149.00-2-8) for property located at 362 Coy Road (LDR), TM# 149.-2-5, Case #1047 and sets a Public Hearing for July 5, 2022 at 7 p.m.

VOTE:

Ayes: D. Eskoff, A. Wine, C. Kolakowski and T. Flynn

Noes: None

Abstain: None

Absent: K. Taub and S. MacDonald

Meeting adjourned at 8:04 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
ZBA Executive Secretary

DRAFT