

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

October 19, 2021

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, N. Toussaint, K. Taub, A. Wine, and S. MacDonald, Alternate. C. Kolakowski is absent. M. Waldron, Zoning Administrator/Code Enforcement Officer is not present.

OLD BUSINESS & PUBLIC HEARING

Whitaker, K. & H. Case #1040
TM# 123.-2-29

Area Variance
374 Plank Road

Korey Whitaker is present. D. Eskoff states that this project is an Area Variance for 374 Plank Road. K. and H. Whitaker are requesting one large septic system instead of two for his home and garage apartment. The Code states that a garage apartment requires its own septic system. D. Eskoff opens the Public Hearing at 7:01 p.m. She reads letters from neighbors Dave Evans, Karen and Aryeh Alpren, Mark and Francine Robin, Maurice and Winnifred O'Connell all in favor of this project. D. Eskoff asks if there are any other correspondence. K. McMahon states no. K. Whitaker states that he appreciates the Board having a special meeting for him and his wife. He states that nothing has changed since the last time he was in front of the Board. D. Eskoff states she has no questions for the Applicant this is an extremely well put together application. N. Toussaint and A. Wine agree. A. Wine asks where the perc tests are. K. Whitaker shows the Board where they are on the map. A. Wine asks if there are only two perc tests. K. Whitaker states yes couldn't put another one anywhere else. D. Eskoff closes the Public Hearing at 7:07 p.m. K. Taub asks what is the rational for the two septic systems. N. Toussaint states to deter garage apartments. K. Whitaker explains his understanding from his meetings with M. Waldron on this project and also states he would assume that accessory structures would have two separate ones. D. Eskoff states that makes sense because garage apartments are usually built after the Primary Principal Structure. She asks the Board how they feel regarding this project for one unified septic system vs. two. A. Wine states that based on what is in front of the Board he does not feel the Applicants can do it any other way. D. Eskoff agrees and states that the Applicants have provided ample proof. They have provided soil testing, perc tests, and an engineer's report.

MOTION: D. Eskoff
SECOND: K. Taub

RESOLVED, that the Zoning Board of Appeals hereby approves the Application of Korey & Hannah Whitaker and grants an Area Variance for dimensional relief for septic system under Greenfield Town Code §105-124 (D)(4)(b), for property located at 374 Plank Road, TM# 123.-2-29, Case #1040, as follows:

- To allow the use of one (1) unified septic system versus two (2) separate septic systems for the house and garage apartment for this property.

This approval is based on the following criteria:

- The benefit cannot be achieved by other means feasible to the Applicant due to the unique physical characteristics and limitations of the property which require one unified septic system versus two septic systems in order to meet the physical requirements of the land.
- There are no undesirable changes to the neighborhood character or detriment to the nearby properties. The single septic system is designed to meet necessary septic requirements for both the house and garage apartment on the property. Neighbors are in favor of the relief sought.
- The request is not substantial given the need for one unified septic system due to the unique and limiting physical characteristics of the property which affect its placement.
- There are no detrimental or adverse environmental effects. The reduction from two septic systems to one septic system is intended to avoid adverse environmental effects.
- This is not a self-created adversity given then unique physical characteristics of the property.

VOTE: Ayes: D. Eskoff, N. Toussaint, A. Wine, K. Taub and S. MacDonald

Noes: None

Abstain: None

Absent: C. Kolakowski

Meeting adjourned at 7:15 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
ZBA Administrative Assistant