

**TOWN OF GREENFIELD**  
**Zoning Board of Appeals**

**May 2, 2023**

**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, S. MacDonald, K. Taub, and T. Flynn, alternate. C. Kolakowski is absent. M. Waldron is present. T. Flynn has full voting privileges for the entirety of the meeting.

**Minutes**

April 4, 2023

MOTION: A. Wine  
 SECOND: T. Flynn

RESOLEVED, that the Zoning Board of Appeals waives the reading of, and accepts the corrected April 4, 2023 minutes.

VOTE: Ayes: D. Eskoff, A. Wine, C. Kolakowski, S. MacDonald, and T. Flynn  
 Noes: None  
 Abstain: K. Taub  
 Absent: C. Kolakowski

**Old Business & Public Hearing**

Kasselman Solar Case #1048  
 TM# 151.-3-69.1

Area Variance  
 2 Maddy Groves Road

Alex Martin and Bradley Howe are present. D. Eskoff states that last time in front of the ZBA this project was tabled and referred to the Planning Board for an Advisory Opinion that has been received. She states that the ZBA also received correspondence from J. Wimmet. She asks A. Martin where are they at this juncture and asks if they wish to proceed with the Public Hearing. A. Martin states yes. D. Eskoff opens the Public Hearing from adjournment at 7:03 p.m. She reads the letter from the Planning Board regarding the Advisory Opinion. She asks if they could explain the area of trees around the Howe's property. B. Howe states that after the last ZBA meeting his project was sent to the Planning Board for an Advisory opinion. What was received back was a lot more information than was asked of the Planning Board. D. Eskoff explains the procedure for an Advisory opinion. B. Howe states that he understands, if he had realized then he would have had a different presentation prepared for the Planning Board. A. Martin states when he was at the Planning Board an overlay was mentioned to see the plantings and the trees and he didn't understand what that was. D. Eskoff states the original Area Variance received was approved with a contingency that a double width tree buffer be planted. D. Eskoff states that her concern is the tree line. It is important because the variance was granted contingent upon the buffer. A. Wine asks what buffer was planted in 2000 and does it still exist. Is it 120' off the property line. D. Eskoff states that the Palmateer property is

large. B. Howe states that there are plenty of trees on his and their properties. A. Wine reviews the Planning Board minutes from 2000. A. Martin asks about the overlay that was mentioned. He states that he didn't understand that. D. Eskoff states that the double width tree buffer was not a request it was a contingency for the Area Variance. B. Howe states that it is hard to tell where the buffer starts. D. Eskoff states that all the maps show the same. Her concern is the tree line. She states that the tree line is important as the Area Variance was granted. B. Howe states that many years have passed and it is such a thick buffer. It now looks natural. A. Wine asks what buffer was planted in 2000 and does it still exist and is it 120' of the property line. D. Eskoff states that what matters is that the buffer was put in place and where does it show the buffer. The minutes refer to the buffer. A. Wine asks can we refer to the Code Enforcement Officer. D. Eskoff states that we can, but he (M. Waldron) is not going to make that determination tonight. B. Howe states that he cannot see the Palmateer property from his property. T. Flynn states that the "no build zone" could be misconstrued. A. Wine states that trees grow and he is not sure how far the tree line goes. B. Howe states that the only reason the buffer is there is because of the subdivision map. T. Flynn states that possibly move it closer to the house. B. Howe states he can't move it closer to the house because he will lose in the afternoon sun. T. Flynn states they should have a sun study done with the sun eye. D. Eskoff states that the variances should be mitigated. B. Howe states that this is very frustrating to do all this work, there should be a way to be more efficient. He feels that he is shooting in the dark here. D. Eskoff states that the Applicant will need to appease both the Planning Board and the ZBA. This is a process. B. Howe states that some items that were requested have been submitted. J. Wimmet asks if the Public Hearing will be closed tonight. A. Wine states that he feels the ZBA needs to take a step back it is not the right time to discuss that. D. Eskoff states that not every Member is present at every meeting, it is important to review information. A. Wine states that the ZBA can't make any decisions until the Public Hearing is closed. T. Flynn asks when does the time line start. D. Eskoff states that once the Public Hearing is closed the Board has 62 days to make a determination. Right now, if the ZBA was to decide she does not feel that it is particularly in the Applicant's favor. Information is needed. S. MacDonald states that the ZBA needs some sort of a site plan. D. Eskoff agrees and states that all the information put on one map. S. MacDonald states yes, put everything on one site plan. The board agrees. K. Taub states that the Planning Board's Advisory Opinion floored him. B. Howe states that he does not feel that the Planning Board has all the information. D. Eskoff states that the Planning Board received copies of all the information the ZBA had. M. Waldron states that the dimensions of the April 13, 2023 submittal are not scalable. He states the 1" equals 100'. He can't give the actual relief to the ZBA without it. He recommends a scalable site plan that is 1" equals 30'. D. Eskoff states that the ZBA is trying to help everyone. They are willing to work to help with whatever is submitted. D. Eskoff asks what is the Applicant looking to do tonight, the ZBA can adjourn the Public Hearing and wait until next month the Board wants to make it fair for everyone involved. A. Martin states they will adjourn the Public Hearing for one month and provide an overlay. D. Eskoff states that the Planning Board doesn't have an application in front of them yet. B. Howe states that they have to keep the array out of the "no build zone". A. Wine states the 120' buffer was a condition for the 2000 ZBA approval. He took on the responsibility of maintaining the buffer once he purchased the property. D. Eskoff states yes. B. Howe states that he is not seen anything where that is stated. D. Eskoff reads the ZBA minutes from 2000 that state a double evergreen buffer contingency. T. Flynn asks if the "no build zone" is not in the deed can the ZBA grant an Area Variance. D. Eskoff states the ZBA can work with setbacks. She states that once they have further information from the Applicant, the ZBA would refer this back to the Planning Board. M. Waldron states they need to submit it in a format in 1" equals 30'. D. Eskoff states that it is not unusual to submit both applications for the ZBA and the Planning Board at the same time. She explains the process moving forward. A. Martin states he only submitted an application to the ZBA because they needed variances. J. Wimmet

does not wish to speak, he submitted a letter to the board. There being no other correspondence and or anyone else present to speak, D. Eskoff adjourns the Public Hearing at 8:39 p.m.

MOTION: D. Eskoff

SECOND: S. MacDonald

RESOLVED, the Zoning Board of Appeals hereby adjourns the Public Hearing and tables the matter for the Application for Area Variance for a Ground Mount Solar Installation by Kasselmann Solar for property located at 2 Maddy Groves Road (LDR), TM# 151.-3-69.1, Case #1048, with the Applicant's permission, for continuance of the Public Hearing on this matter on June 6, 2023 at 7 p.m.

FURTHER RESOLVED, the Zoning Board of Appeals requests the Applicant submit the following information to the ZBA:

- A comprehensive to scale (diagrammatic) Plot plan with proposed solar system location to include, i.e.:
  - Previous studied locations with notes/images indicating solar exposure
    - Solar pathfinder images indicating obstructions to studied and proposed locations.
  - Planting plan and locations, existing vegetative locations and viewshed information.
  - Location of evergreen tree buffer (per February 2000 ZBA Area Variance contingency and final subdivision map).
  - Locations of well, septic, leach field and utilities, etc.
  - Any other supplemental information previously presented for this project to be indicated on the comprehensive Plot plan.
- Any additional/supplemental information for this project the Applicant wishes to submit.

FURTHER RESOLVED, the Zoning Board of Appeals will automatically refer any amended and additional materials submitted for this project that are received prior to the next ZBA meeting to the Town of Greenfield Planning Board and hereby request their Advisory Opinion on any such materials referred.

FURTHER RESOLVED, the Zoning Board of Appeals requests the Applicant submit a comprehensive to scale Plot plan of the proposed location of the solar system to the Town Zoning Administrator/Building Department for variance requirement and measurement verification.

FURTHER RESOLVED, the Zoning Board of Appeals hereby refers this matter to the Town Zoning Administrator/Building Department in request of the following information:

- Verification of the variances required and variance measurements for relief requested for the proposed project.
- Verification of the existence of the contingency for an evergreen tree buffer upon which the prior Area Variance for this property was granted by the ZBA in 2000. (*Town of Greenfield Zoning Board of Appeals Minutes, February 1, 2000.*)

**VOTE:**

Ayes: D. Eskoff, A. Wine, S. MacDonald, K. Taub and T. Flynn

Noes: None

Abstain: None

Absent: C. Kolakowski

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**DISCUSSION**

D. Eskoff states that the July meeting falls on the 4<sup>th</sup> of July. She asks what date is good for the Board to meet. T. Flynn states he is not sure if he will be away for the week. S. MacDonald states the same.

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D. Eskoff states that she would like to thank Curt Kolakowski for his service. She states that tonight would have been his last night. A. Wine echo's D. Eskoff's comments. He states that C. Kolakowski will be missed.

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Meeting adjourned at 8:39 p.m. All members in favor.

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Respectfully submitted by,

Kimberley McMahon  
ZBA Executive Secretary