

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

November 5, 2013

REGULAR MEETING

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

October 1, 2013 MINUTES

MOTION: P. Lunde

SECOND: K. Veitch

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of October 1, 2013, as submitted

VOTE: Ayes: Conard, Lunde, Szpak, Veitch

Noes: None

Absent: Granger

OLD BUSINESS

GERALD OVITT & JACKIE BERRIGAN – Area Variance

Plank Road

Gerald Ovitt, Jackie Berrigan and Dan Wheeler, Surveyor, are present. T. Conard reviews that the applicants are in need of a rear setback variance of 26.5-feet. A public hearing is opened at 7:32 p.m. The applicant provides a letter from neighbors George LaQue and Suzanne Miller stating that they have no objection to the variance. There being no further public comments, this public hearing is closed at 7:33 p.m. D. Wheeler states that he originally surveyed this property in early 2008, the lot was part of a subdivision and he showed the rear yard setback as it was approved, 50-feet. He states that he was not aware that the zoning had changed. This past year he put the house on, further in the lot, in a low area where they thought it was going to go. He submitted the map with the incorrect zoning and the applicant received the Building Permit. The applicant wanted to move the house back on the lot a little bit and that is where the applicant positioned the house thinking it was a little over 50' off the line. He feels it was combination of errors. D. Wheeler states that he added where the top of the bank is, it kind of sits up above Plank Road, roughly where the tree line is and that is also the edge of the bank. He took 6 photos and indicated on the map where he was standing when he took the photos. P. Lunde asks if the vehicles in the photos are all on the property. G. Ovitt explains the vehicles. K. Veitch asks for clarification on the photos and asks if they are surrounded by vegetation. He also asks about the ownership of the houses shown and states that the vegetation acts as a buffer, which kind of minimizes the impact on the surrounding properties. T. Conard states that there are no issues with the side setbacks. K. Veitch states that at one time these setbacks were correct and the zoning changed.

November 5, 2013

RESOLUTION – G. Ovitt & J. Berrigan

MOTION: K. Veitch

SECOND: P. Lunde

RESOLVED, that the Zoning Board of Appeals approves the application of Gerald Ovitt and Jackie Berrigan for an area variance for property located at 122 Plank Road, TM#124.-1-38.26, as follows:

- **26.5' rear yard setback variance.**

This is based on the following criteria:

- **No negative impact to the surrounding neighborhood**
- **No negative environmental impacts**
- **Unfortunately, the way things changed, and the mistakes coming from all different directions, this is not self-created**

VOTE: Ayes: Conard, Lunde, Szpak, Veitch
Noes: None
Absent: Granger

Meeting adjourned 7:38 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary