

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

August 4, 2020

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, C. Kolakowski, N. Toussaint, K. Taub, A. Wine, and S. MacDonald, Alternate. M. Waldron, Zoning Administrator/Code Enforcement Officer, is also present.

Minutes

July 7, 2020

MOTION: K. Taub

SECOND: N. Toussaint

RESOLVED, The Zoning Board of Appeals waives the reading of, and accepts the July 7, 2020 Minutes.

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

Noes: None

Abstain: D. Eskoff and C. Kolakowski

Absent: None

OLD BUSINESS

Mahay, J. & A. Case 1014
TM# 149.-1-1

Area Variance
300 Lake Desolation Road

Jared and Aimee Mahay are present. D. Eskoff states this is an Area Variance for 250' of road frontage. The Applicants have no frontage on Lake Desolation Road. This is a land locked lot. This case started with the ZBA in April 2019. The ZBA referred this to the Town Board for Open Development and she believes the Town Board accepted the application for ODA following that. The Open Development is not, per say, for the ZBA it's for Town Board's approval under NYS Town Law 280-A when someone has a land locked parcel and the Town has to determine whether or not it can be done. Then the Town Board refers it to the Planning Board for their opinion and the Town Board makes a determination. It looks like the determination was made on June 11, 2020. The Town Board approved the Open Development for Jared and Aimee Mahay at 300 Lake Desolation Road. It now comes back to the ZBA, because they still need the Variance for the frontage. The Variance would be for the total amount in the LDR District which is 250'. It is also in the KROD Overlay District. As far as the ZBA is concerned this is in terms of safety. To grant this Variance the ZBA will be looking at things like the driveway, the turn arounds, and access. When it comes down to frontage it really

means access. The only thing the ZBA needs to determine tonight is if the Application is complete and set a Public Hearing for next month. K. Taub asks if the Applicants have obtained an easement. A. Mahay states they do and they provided it with the Application. M. Waldron states that he asked the Applicants to ask their engineer to provide pull offs every 300' until the house which is 1,900' from the road to where the house will be going. He also states that the Town Attorney reviewed the easement and feels it is acceptable. The 2% grading of the first 100' of the driveway will be done at the time of construction. D. Eskoff asks M. Waldron if that will be part of the Building Permit process. M. Waldron states yes. C. Kolakowski asks the Applicants will adjust the grade at the time of construction and that won't require them to do that now before they proceed. M. Waldron correct. D. Eskoff states there are no setback issues, there are no acreage issues. C. Kolakowski asks if entrance where the proposed driveway is marked out. J. Mahay states yes, it's installed. M. Waldron states that this has been worked on since April 2019. D. Eskoff states it has been a long process. The ZBA does not normally have cases come back in front of them that are far into it. There has been a lot going on with this case and due to the Covid-19 situation. K. Taub asks if the Applicants have obtained the easement recently. J. Mahay states no he believes since 2002. A. Mahay states that the property was his parents. K. Taub asks if there has been any attempt to purchase that property. A. Mahay states several attempts have been made. A. Wine asks for maps that show the pull offs. D. Eskoff asks if they are shown on the current map. A. Mahay states yes. C. Kolakowski asks if there are any issues with time frame. D. Eskoff states no, the ZBA couldn't act on it because they couldn't accept the case when submitted. A. Wine asks if the ZBA has the signature page, he is missing his. D. Eskoff states that she does not have it and they will need that. J. & A. Mahay and K. McMahon will look into. C. Kolakowski states since the ZBA has not done anything they are not bound by time restraints. D. Eskoff states this is within 500 feet of a County road, it is on a County road and will need to go to the County Planning Board for a referral and K. McMahon will do that.

MOTION: N. Toussaint
SECOND: K. Taub

RESOLVED, that the Zoning Board of Appeals hereby accepts the Application of Jared and Aimee Mahay for an Area Variance for 250' of frontage for property located at 300 Lake Desolation Road, TM # 149.-1-1, and sets a Public Hearing for September 1, 2020 at 7:00 p.m. contingent upon receipt of:

- The signature page
- Copies of the current map that already exists

VOTE: Ayes: D. Eskoff, C. Kolakowski, K. Taub, N. Toussaint, and A. Wine
Noes: None
Abstain: None
Absent: None

Meeting adjourned at 7:13 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
ZBA Administrative Assistant

