

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

August 5, 2014

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, Denise Eskoff, Michelle Granger, and Laura Sanda, Alternate. Joseph Szpak and Kevin Veitch are absent.

July 1, 2014 MINUTES

MOTION: M. Granger

SECOND: L. Sanda

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of July 1, 2014, as submitted.

VOTE: Ayes: Eskoff, Granger, Sanda,
Noes: None
Absent: Szpak, Veitch
Abstain: Conard

T. Conard states that there was a public hearing scheduled for Ray Barnes, however, that application has been withdrawn.

NEW BUSINESS

HARVEY ZIROFSY – Temporary Use Variance

Brigham Road

Harvey Zirolfsky and Sharon Dunn are present. T. Conard reviews that the applicant would like to keep the existing house on the property while constructing a new house.

RESOLUTION – H. Zirolfsky, Temporary Use Variance

MOTION: M. Granger

SECOND: D. Eskoff

RESOLVED, that the Zoning Board of Appeals accepts the application of Harvey Zirolfsky for a Temporary Use Variance for property located at 366 Brigham Road, TM#126.-1-46.1 as complete and sets a public hearing for September 2, 2014 at 7:30 p.m.

VOTE: Ayes: Conard, Eskoff, Granger, Sanda,
Noes: None
Absent: Szpak, Veitch

OLD BUSINESS

MULLEYVILLE SNOWMOBILE CLUB – Area Variance

Ormsbee Road

August 5, 2014

The Mulleyville Snowmobile Club has requested that their applications be withdrawn.

WESLEY & CATHERINE MONTGOMERY – Area Variance

Ivy Lane

Wesley and Catherine Montgomery are present. T. Conard reviews that the applicants are seeking area variances for a front and left side yard setback. A public hearing is opened at 7:33 p.m. A note was received from John Nelligan in favor of the request. There being no further public comments, this public hearing is closed at 7:34 p.m.

M. Granger states that she drove to the site, is confused by the maps and questions the orientation of the garage. She explains that the Board is supposed to grant the minimum variance necessary. C. Montgomery states that they are trying to keep the garage at the same angle as the house is to the road so that they will look straight when you see them from the front. M. Granger comments on the two maps provided and there is some confusion that the second map was drawn per the current zoning. W. Montgomery states that the property slopes down to the back and the garage would be below grade, if placed according to the current setbacks, and the water would flow into the garage. M. Granger asks the distance from the house to the proposed garage location. The map is reviewed and it is approximately 30'. M. Granger asks if the applicant can shift the garage closer to the house a bit to minimize the variance being requested. C. Montgomery states that their lawn is all that area and the wooded area where they are proposing the garage was just unused property. This is not going to be their regular garage it is to store a boat and truck. They didn't want it too close to the house. C. Montgomery states that she would be concerned as to the driveway coming too close to the well location. L. Sanda asks if the applicant has gotten a driveway permit for the second access to the property. Further discussion takes place and the applicant will stake out the area and see if he can't move the garage closer to the house. The applicant will contact the Board when he has placed the stakes. C. Montgomery states that they pushed it over because they also did not want to sit on the deck and look at the back of the garage, since the garage is actually longer than their house. They are trying to make the garage look as blended with the house as possible and not make it look like it was added. The applicant states that they have removed their propane tanks and cannot put them back until the garage is built. The Board consensus is that the garage going in this area is feasible, providing that the applicant comes back with further minimizing the variance requested, if that makes a difference in the applicant reestablishing the propane.

RESOLUTION – W. & C. Montgomery, Area Variance

MOTION: M. Granger

SECOND: L. Sanda

RESOLVED, that the Zoning Board of Appeals tables the application of Wesley and Catherine Montgomery for area variances for their property located at 3 Ivy Lane, TM# 124.7-1-20 to the September 2, 2014 meeting.

VOTE: Ayes: Conard, Eskoff, Granger, Sanda,

Noes: None

Absent: Szpak, Veitch

RAY BARNES – Area Variance

North Greenfield Road

T. Conard reiterates that this application has been withdrawn.

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RYAN CHRISTOPHER – Area Variance

Murray Road

Ryan Christopher is present. T. Conard reviews that the applicant would like to build a garage and due to the location of the stream and shape of the lot, he requires a right side yard setback of 15'. A public hearing is opened at 7:55 p.m., and as there are no public comments, closed.

T. Conard states that the additional information requested was received. M. Granger asks how far the proposed garage is away from the wood shed. It will be 12' and this is pointed out on the new information. D. Eskoff questions that the applicant does not want to do an attached garage. R. Christopher indicates that he already has one and its location. He explains the location of the stream and the configuration of the lot make it difficult to place a garage on the other side of the house. D. Eskoff states that it appears that he has less room on the left side. L. Sanda asks that the 12' between the garage and the wood shed is to maintain access between them. R. Christopher states that actually there is a fence there that is even closer than the wood shed. He states that he has done his best to minimize the request, keep it near the driveway and keep it square with the house due to the shape of the lot. M. Granger states that considering the layout of the property and the stream, that the options are limited in terms of where the garage can be placed on the property.

RESOLUTION – R. Christopher, Area Variance

MOTION: M. Granger

SECOND: D. Eskoff

RESOLVED, that the Zoning Board of Appeals approves the application of Ryan Christopher for an area variance for their property located at 970 Murray Road, TM# 162.-1-81.1, as follows:

- **15' right side yard setback variance**

This approval is based on the following criteria:

- **Benefit cannot be achieved by other means that are feasible to the applicant**
- **The applicant has minimized the variance as much as possible given the construct of the stream on the property and the situation of the house on the land**
- **There is no undesirable change to the neighborhood character or to nearby properties**
- **It is not a substantial request given the confines of the shape and the location of the stream on the property**
- **No adverse physical or environmental effects**

VOTE: Ayes: Conard, Eskoff, Granger, Sanda,

Noes: None

Absent: Szpak, Veitch

Meeting adjourned 8:00 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary