

**TOWN OF GREENFIELD**  
**ZONING BOARD OF APPEALS**

**August 6, 2019**

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Zoning Board of Appeals is called to order by J. Szpak, Vice Chair, at 7:00 p.m. On roll call the following members are present: J. Szpak, C. Kolakowski, and A. Wine. D. Eskoff, N. Toussaint, and K. Taub, Alternate, are absent. Michael Waldron, Zoning Administrator/Codes Enforcement Officer is also present.

**Minutes**

July 2, 2019 Minutes

The July 2, 2019 minutes are postponed for review to the next Zoning Board of Appeals meeting.

**OLD BUSINESS & PUBLIC HEARING**

**Baker, C. - Case #1015**  
**TM# 100.-2-1**

**Area Variance**  
**29 Cohen Road**

Charles Baker is present. J. Szpak states that the Applicant needs a few variances. M. Waldron states that C. Baker needs .99 acres for an Acreage Variance, a 25' Front Yard Setback Variance, 75' Side Yard Setback Variance, 25' Frontage Variance, and a 173 square foot Building Area Variance. C. Baker asks if he needs an area variance if his property is pre-existing non-conforming. J. Szpak states yes. C. Baker asks if he can get a variance for the square footage or does he have to go to the Planning Board. M. Waldron states that it can be done here tonight. C. Baker states that the garage will be 24'x24'. M. Waldron states that the garage apartment will be 576 square feet. C. Kolakowski states the requirement is 403 square feet maximum. J. Szpak asks C. Baker if the front and side yard setbacks gives him a fair amount of margin for the actual building. C. Baker shows the Board a different map. J. Szpak asks if there is enough of a margin for the actual construction of the garage. C. Baker states that he is comfortable with moving the garage so that it meets all the setbacks. J. Szpak states that last month the Board accepted the Application and set a Public Hearing for tonight. J. Szpak opens the Public Hearing at 7:07 p.m. Charlie Dake is present and he states that he is a neighbor and is in favor of this project. J. Szpak asks if there was any correspondence. K, McMahon states no. There was a couple in the office this morning asking about the project and they didn't have any objections. J. Szpak closes the Public Hearing at 7:08 p.m. J. Szpak states the house is a modest size. C. Kolakowski agrees. C. Baker states that he has no intentions of renting the apartment. He has two sons that have moved out of state and once they have families and come to visit it is his intention for them to have their own space. J. Szpak states that he appreciates that, but some day the Applicant won't be there. C.

Kolakowski states that 576 square feet is basically the minimum. J. Szpak feels it's the best place for the garage apartment. C. Kolakowski states that the way the lot is cut the Applicant has a no cut buffer to the neighboring properties. A. Wine does not have any immediate concerns. C. Kolakowski states it is a pre-existing non-conforming, this is nothing different from the rest of the neighborhood. He does not feel there is anything of significant impact. A. Wine does not see how this lot could be subdivided again. C. Kolakowski states if they wanted to do that they would have to come in front of the Board for a variance again. J. Szpak agrees. A. Wine asks if C. Baker bought the house as is. C. Baker states yes. He bought the house in 2004 at the time it was 3 acres zoning in that area the Town has since changed it to 6 acres minimum. A. Wine asks instead of adding an addition onto the house he wants an additional structure. C. Baker states yes he has always wanted a garage, he has portable structures. His main goal is the garage; if he didn't get approvals for the garage apartment it wouldn't break his heart.

MOTION: C. Kolakowski  
SECOND: A. Wine

RESOLVED, the Zoning Board of Appeal hereby grants the following Area Variances for property located at 29 Cohen Road, TM# 0100.-2-1, Case #1015: (1) .99 Acre Lot Size Area Variance; (2) 25' Front Yard Setback Area Variance; (3) 15' Side Yard Setback Area Variance; (4) 25' Frontage Area Variance; and (5) a 173 Square Foot Building Area Variance for the Garage/Garage Apartment, based on the following reasons:

- The benefit cannot be achieved by other means feasible to the Applicant because there are no other practical means by which the Applicant can achieve it based on the layout of the property, positioning of the structures and approvals.
- There is no undesirable change to the neighborhood character or detriment to the nearby properties.
- The request is not substantial in that it is the only practical location. The Applicant is requesting building a smaller than average size garage apartment for the proposed use. The Applicants house is small and below average size for the 40% requirement.
- There are no adverse physical or environmental effects.
- The alleged difficulty is not self-created; this is a pre-existing non-conforming lot.

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

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Meeting adjourned at 7:19 p.m. All members in favor.

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Respectfully submitted by,

Kimberley McMahon  
ZBA Secretary

