

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

FEBRUARY 3, 2009

REGULAR MEETING

A regular meeting of the Town of Greenfield Zoning Board of Appeals is called to order by Kevin Veitch at 7:30 p.m. On roll call the following members are present: Michelle Granger, Paul Lunde, , Kevin Veitch, Stanley Weeks and Stefan Strakos, Alternate. Taylor Conard and Gerry McKenna, Zoning Administrator are absent.

JANUARY 6, 2009 MINUTES:

MOTION: S. Weeks

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of January 6, 2009 as submitted.

VOTE: Ayes: Granger, Lunde, Strakos, Veitch, Weeks

Noes: None

Absent: Conard

PUBLIC HEARING

SCOTT GERMAIN – Case #816, Area Variance

Porter Corners Road

K. Veitch reviews that the public hearing is still open for this case. The applicant wishes to place a mobile home on the property while renovating the existing house. A public hearing is reopened. There being no public comments, the public hearing is closed at 7:32 p.m.

NEW BUSINESS

DAN MALONEY – Case #821, Area Variance

Greene Road

Dan Maloney is present. K. Veitch reviews that the applicant is seeking an area variance for an above ground pool. This is the LDR zone and 50' side yard setbacks are required. The applicant would require a 45' side yard variance. M. Granger asks if the pool will definitely be 18'. D. Maloney states that is the smallest he can get without a special order. S. Weeks questions whether there are houses on the neighboring lots. D. Maloney states that it is all vacant land, it is located on the town line and he can go three miles through the woods to Cohen Road. S. Strakos states that he knows this place pretty well and it is bordered by woods.

RESOLUTION – D. Maloney, Case #821

MOTION: P. Lunde

SECOND: M. Granger

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RESOLVED, that the Zoning Board of Appeals accepts the application of Dan Maloney for an area variance as complete for property located at 498 Greene Road, TM#126.-1-20.12 and sets a public hearing for March 3, 2009 at 7:30 p.m.

VOTE: Ayes: Granger, Lunde, Strakos, Veitch, Weeks
Noes: None
Absent: Conard

OLD BUSINESS

TERI & WILLIAM CROWE – Case #814, Area Variance

Old Stone Ridge

No one is present for the application. The variance being requested is for an outdoor wood boiler. The applicant has asked to have their application tabled.

RESOLUTION – T. & W. Crowe, Area Variance

MOTION: P. Lunde

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals tables the application of Teri and William Crowe for an area variance for property located at 10 Old Stone Ridge Road, TM#164.6-1-7, to March 3, 2009 at 7:30 p.m.

S. Weeks states that the proposed changes to the code involving wind towers and out door wood boilers is to be presented to the Town Board at the February 12, 2009 meeting, but that it may be a couple months before any changes take place.

VOTE: Ayes: Granger, Lunde, Strakos, Veitch, Weeks
Noes: None
Absent: Conard

SCOTT GERMAIN – Case # 816, Temporary Use Variance

Porter Corners Road

No one is present for this application. P. Lunde asks if we have received any correspondence from the applicant. R. Rowland states that we have not. K. Veitch states that a letter was sent to the applicant after the January meeting requesting the information that had been requested in December. We have received nothing from the applicant, he has not shown up since the December meeting and was informed that there were concerns about the property; what he was supposed to clean up has become worse; there seemed to be more vehicles and the applicant seems to not be too concerned about this project. G. McKenna had reported at the January meeting that the situation had become worse, that there were more vehicles and the clean up was far from being done. K. Veitch states that the letter was sent to request that the applicant come up with the information and to let him know that if he did not provide the timetable and show some signs of cleaning up that there was the risk of this being denied at tonight's meeting. P. Lunde states that he remembers telling the applicant that if he wasn't here the Board could deny. He asked if the applicant wanted to withdraw the application and the applicant asked to have the application tabled. P. Lunde has no problem denying it as he drives by and it is a mess. S. Weeks states that unfortunately the applicant did not communicate with us because it doesn't leave the Board a whole lot of choices. None of us are very happy in indefinitely tabling this application. We did contact the applicant and give him a chance to communicate and he did not. S. Strakos states he gets the impression that the applicant is not too worried about it. K.

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Veitch states that his concern is because this is a temporary use variance, 'temporary' is the key thing. We are talking about a mobile home in an area that is not normally allowed, we already have opposition from all the neighbors and if it was someone we knew would get the job done in a year we would feel comfortable with it, but K. Veitch feels that this applicant is going to come back and ask for extensions. If he can't comply with simple things like property maintenance, K. Veitch does not see the applicant being able to comply with the temporary use variance and the time frame.

RESOLUTION – S. Germain, Temporary Use Variance

MOTION: P. Lunde

SECOND: S. Strakos

RESOLVED, that the Zoning Board of Appeals denies the application of Scott Germain for a temporary use variance for property located at 181 Porter Corners Road, TM# 124.-2-17 to February 3, 2009, based on the following:

- **There has been no response to the ZBA's January 8, 2009 letter**
- **The applicant can take care of the property without a mobile home there at any time**
- **There would be a negative impact in the neighborhood**
- **The hardship was self created as the applicant purchased the property as it was**

VOTE: Ayes: Granger, Lunde, Strakos, Veitch, Weeks

Noes: None

Absent: Conard

P. Lunde states that on the whole issue of putting mobile homes on properties with pre-existing homes to improve the property, he knows that it has been done in the past, he questions if it is something that as a Town we may want to get away from. It may be something to take to the Town Board to review and create a new ordinance. K. Veitch states that use variances have the 4 standards to follow. P. Lunde states that it is different if the mobile home is on the property and someone wants to build a house. K. Veitch states that is usually the case. K. Veitch states that the variances are initially granted for up to 1 year and the applicant can then request extensions. P. Lunde states that the applicant needs to show progress at that time before an extension is allowed. K. Veitch states that this is a unique case. P. Lunde states that with the history of this case, he does not think that the mobile would be removed in one year. K. Veitch states that the property maintenance issues will have to be addressed by G. McKenna

DISCUSSION

S. Strakos presents the Board with a letter of resignation and states that it has been a priviledge working with everyone. He states that his work responsibilities have increased and he does not feel that he has the time to put in to this position. He is willing to stay on until a replacement can be found. R. Rowland will give the letter to MaryAnn Johnson.

Meeting adjourned 7:47 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary