

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

February 3, 2015

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

January 6, 2015 MINUTES

MOTION: M. Granger

SECOND: K. Veitch

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of January 6, 2015, as submitted.

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

NEW BUSINESS

SHAWN & KATHERINE HARRIS – Area Variance

Liberty Drive

Jason Hover, Attorney, and Katherine Harris are present. T. Conard reviews that the applicant is requesting an area variance of 1.34 acres for an existing in-law apartment which was constructed by the previous owner of the property. T. Conard asks if there is an oven in the apartment. K. Harris states that there is just a stovetop. M. Granger questions that the potential buyer is requiring proper permitting and approvals. She asks if there was a building permit issued for this. J. Hover states that there was not a permit for the in-law. He explains that he was not his clients' attorney at the time that they purchased this property and that no municipal search was done at that time. They now have this area that is finished that does not have a permit or certificate of compliance or occupancy for it. He states that he spoke to the building department and was instructed that they needed to get the proper zoning variance first and then apply for the building permit and the certificate of occupancy. He states that he has the building permit application completed but it wouldn't be accepted without a variance being granted. J. Szpak asks if the sale is contingent upon this. J. Hover states that is correct.

RESOLUTION – S. & K. Harris, Area Variance

MOTION: K. Veitch

SECOND: J. Szpak

RESOLVED, that the Zoning Board of Appeals accepts the application of Shawn and Katherine Harris for an area variance for property located at 3 Liberty Drive, TM# 151.20-1-30, as complete and sets a public hearing for March 3, 2015 at 7:30 p.m.

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

OLD BUSINESS

SKIDMORE COLLEGE – Area Variance

North Broadway

Dan Rodecker, Skidmore College, and Dave Carr, LA Group, are present for the application. T. Conard reviews that the applicant is requesting an area variance of 20' as they are converting a former residence into office space. A public hearing is opened at 7:36 p.m. and closed as there are no comments. T. Conard recuses himself. J. Szpak questions that the one tree per hundred linear feet came up as a Planning Board discussion. R. Rowland confirms. K. Veitch states that there are comments from G. McKenna regarding this and stating that he does not feel that it is necessary due to the fact that they are both commercial properties. D. Carr states that Skidmore would add buffering if the Planning Board requires it. He indicates where they are proposing a buffer between the subject parcel and the property to the north as that property is still a residential property that the College also owns. The Code states a 10' buffer with 1 tree every 100' and they are proposing 6 or 8 trees in probably 50' or 60'. They viewed the property to the south as a commercial property so they did not see the need for a buffer, but they would certainly add it if required. They are proposing two deciduous trees for shade in the area of the parking lot on the south side and the 6 or 8 along the northern side. The College is not sure what they are going to do with the residential property to the north. J. Szpak states that that is really a Planning Board issue because they review buffers. R. Rowland states that she believes that what the Planning Board was looking at was that if the applicant needed an additional variance, it could be taken care of at this time. J. Szpak states that a variance might be required, if it were residential and it's not, but they are going to plant some trees anyway. J. Szpak states he has no other issues or concerns and it looks good to him. M. Granger agrees.

RESOLUTION – Skidmore College

MOTION: J. Szpak

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals grants the application of Skidmore College for an area variance for property located at 952 North Broadway, TM#153.-2-11 as follows:

- **Area variance of 20' of frontage**

This variance is based on the following:

- **Benefit cannot be achieved by other feasible means**
- **No undesirable change to the surrounding area**
- **No mitigating conditions are required**
- **This is not a substantial request**
- **No adverse impact to the environment**
- **It is not a self-created hardship**

VOTE: Ayes: Granger, Sanda, Szpak, Veitch

Noes: None

Abstain: Conard

Absent: Eskoff

Meeting adjourned 7:40 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary