

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

June 5, 2018

REGULAR MEETING

A regular meeting of the Town of Greenfield Zoning Board of Appeals is called to order by Denise Eskoff, Chair, at 7:00 p.m. On roll call the following members are present: Denise Eskoff, Laura Sanda, Joe Szpak, Andrew Wine and Neil Toussaint, Alternate. Curt Kolakowski is absent. N. Toussaint has full voting privileges for the entirety of the meeting. Also present is Justin Grassi, Town Counsel.

Minutes

May 1, 2018

MOTION: J. Szpak
SECOND: L. Sanda

RESOLVED, The Zoning Board of Appeals waives the reading of and accepts the May 1, 2018 Minutes with minor corrections.

VOTE: Ayes: D. Eskoff, L. Sanda, J. Szpak, N. Toussaint, A. Wine
Noes: None
Abstain: None
Absent: C. Kolakowski

DISCUSSION

The Board discusses a potential date change for the July 2018 Meeting due to the closeness of the upcoming holiday. The Board determines that the best potential for a quorum of members will be Monday July 2, 2018 at 7:00 p.m.

MOTION: J. Szpak
SECOND: A. Wine

RESOLVED, The Zoning Board of Appeals hereby changes the date for the July 2018 Meeting from Tuesday July 3, 2018 to Monday July 2, 2018 at 7:00 p.m.

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

Stonybrook Preservation & Development, LLC Case# 999
TM# 138.-1-84

Area Variance
32 Locust Grove Road

D. Eskoff explains this application is for an Area Variance. The Applicant would like a side yard setback. The Applicant has 15.1' requires 25' needs a Variance of 9.9' on the right. On the left, the Applicant has 20.9' requires 25' needs Variance of 4.10'. This is in MDR-1 District. Clark Wilkinson from Paragon Engineering is present for the application. D. Eskoff states that in reviewing the application she notes that the Applicant is an LLC and that no proof of LLC has been submitted. The Board needs proof of LLC information to go forward with acceptance of the application. J. Szpak asks why the house on the plans has been orientated this way and has consideration been given to siting the house the other way. C. Wilkinson states that consideration has been given but they need room in the back yard for the septic and for it to be installed as well. C. Wilkinson responds that the Applicant discussed this and setbacks with the Town Building Inspector prior to purchase and also states that the setbacks were reviewed and the Inspector stated that the side yard setbacks were 10' and that was also what the house next door was. The house has been ordered there is a plot plan created for it and to move the house to minimize the setback requirements. C. Wilkinson states that the lot is pre-existing non-conforming and also has frontage of 100' where it requires a 150'. A. Wine asks if there has been any work to the lot. C. Wilkinson states that the lot has been cleared. J. Szpak asks why no frontage variance is listed with the Application. L. Sanda asks if the driveway is pre-existing. D. Eskoff states that the ZBA can have that information on frontage clarified prior to next meeting. J. Szpak states that he believes it probably does need a frontage variance. C. Wilkinson states the front setback is OK and asks if this is just for frontage. L. Sanda says frontage. C. Wilkinson asks about wells and setbacks. D. Eskoff states 150' without sewer. J. Szpak asks the size of the lot. C. Wilkinson states 20,000 square feet. J. Szpak asks does it need an Area Variance for size. C. Wilkinson questions as well but states he was told by the Building Inspector this is an existing lot of record and only requires side yard setback variances he thinks clarification is necessary. J. Szpak agrees. D. Eskoff states that the Board will get this also clarified. L. Sanda asks if C. Wilkinson will provide a plan drawn up with the septic showing. C. Wilkinson agrees to provide. J. Szpak asks if there is any kind of buffer between the properties. C. Wilkinson states no may be one (1) tree. The properties will be garage to garage which helps. J. Szpak asks about other dwellings in the area. C. Wilkinson states there are properties across the street and he will provide photos showing those properties. D. Eskoff states that it will be helpful to have photos such as Google Earth that shows the entire area. Applicant agrees. L. Sanda states that the minimum lot size is 1.5 acres without sewer so acreage is a valid question as well. C. Wilkinson questions whether the property next door has received variances for comparison purposes. D. Eskoff asks K. McMahon to check that. J. Szpak reviews what the Board requires from C. Wilkinson. C. Wilkinson states that he will provide that information to the Board by June 18, 2018. D. Eskoff states that some of the information needed will come internally through the Building Department. A. Wine asks C. Wilkinson why the house cannot be turned sideways to stay better within the setbacks. C. Wilkinson states he will talk to the Applicant regarding this in order to show the Board why it is not feasible or possible.

RESOLUTION: – Area Variance – Case #997

MOTION: J. Szpak
 SECOND: A. Wine

RESOLVED, the Zoning Board of Appeals postpones the review and acceptance of the Application for an Area Variance for Stonybrook Preservation & Development, LLC, Case #999, TM# 164.-1-50, pending receipt of the following information by June 19, 2018 to be submitted to the Greenfield Building Department/ZBA:

- Proof of LLC
- Photos including house across from the property and from the North of the property.
- Plans for the septic system

VOTES:

Ayes: D. Eskoff, L. Sanda, J. Szpak, N. Toussaint, A. Wine

Noes: None

Abstain: None

Absent: C. Kolakowski

**464 Maple Ave., LLC Case# 1000
TM# 153.13-1-84**

**Area Variance
464 Maple Ave.**

Eric Carlson is present for the Applicant. D. Eskoff states that the Board may remember Mr. Carlson; he came before them for an Area Variance on Maple Ave. Is this the same project? E. Carlson states yes same project. D. Eskoff states this Area Variance is for signage. E. Carlson states it is like the monument sign out front. D. Eskoff states the biggest problem the Board has is that they need E. Carlson to fill out the Application correctly and get it back to the Board. E. Carlson states that he gets confused on the Applications. D. Eskoff states that E. Carlson did not indicate what type of Variance he wanted and he filled out the Use Variance section vs. the Area Variance section and it needs to be signed. The Board needs E. Carlson to resubmit a new/revised Application so the Board can review to accept it. E. Carlson asks if it is an Area Variance. D. Eskoff states that it is an Area Variance. E. Carlson asks if there is anything else that is missing. D. Eskoff states that E. Carlson should go through the Application page by page the description is fair he did indicate that it is on State Route 9 but he filled out the Use Variance section and he needs to fill out the Area Variance section. L. Sanda states that E. Carlson shows that the sign is 8' by 7' and it looks solid but you are saying the sign area is 24 square feet shouldn't it be 56 square feet. E. Carlson states that the sign is actually 8' tall if you look at the description but it does not go all the way down to the ground that includes the masonry base. D. Eskoff states that E. Carlson needs to give the Board a full discription of what he is doing. L. Sanda agrees. E. Carlson states the best way to describe it is like King's across the street and doesn't think the base counts. L. Sanda states that it is included. D. Eskoff states that E. Carlson has to take that into consideration. L. Sanda states that the Board would like actual dimensions of the real area. N. Toussaint asks if the sign is illuminated and asks just paneled. E. Carlson states no but he would like put a light on it. D. Eskoff asks not internally illuminated. E. Carlson states no and he can fix the Application if that is the issue. D. Eskoff states that he will want to because the Board will not be accepting the Application tonight and he can get a new/revised Application and the Board will retain the case number and he can get it to K. McMahon along with the other information. E. Carlson states that is fine. L. Sanda states on the plan if he can add the dimension roughly where he wants to put the sign off his right of way, if he is unsure do it do it off the edge of the pavement so the Board can see where the sign will be located. E. Carlson states he can do either way is there a way that benefits the Board either way. L. Sanda states off the right of way she thinks would be

better. E. Carlson states he can provide that. D. Eskoff asks the Board if there is anything else they would like from E. Carlson. D. Eskoff states the Board will be postponing this Application for resubmission of a new/review Application. E. Carlson asks if the Board can discuss his case at all as to what questions will come up in the next meeting. D. Eskoff states that they will discuss that when the Board has his Application but give the Board a completed Application plus any information that he can provide them ahead of time it will put everyone ahead of the game. J. Szpak states just so the Board knows he was going to ask. D. Eskoff states that those are normal things that explain. He has provided the Board with pictures but no text that goes with it so try to explain that and give the Board complete dimensions and if he would like to send additional photos feel free. E. Carlson states ok and asks if he can be on for the next meeting. D. Eskoff states that if your application is in prior and it is complete the Board will review the Application for acceptance. L. Sanda questions if the Board will accept the Application on July 2, 2018 or have a Public Hearing. D. Eskoff states no the Board will be reviewing the Application for acceptance at the next meeting.

RESOLUTION: – Area Variance – Case #997

MOTION: J. Szpak
SECOND: A. Wine

RESOLVED, the Zoning Board of Appeals postpones the acceptance and review of the Application for an Area Variance for 464 Maple Ave, LLC, Case #1000, TM# 153.13-1-84, pending receipt of the following information by June 18, 2018 to be submitted to the Greenfield Building Department/ZBA:

- Pending resubmission of complete Application
- Proof of LLC
- Authorization of Agent

VOTES:

Ayes: D. Eskoff, L. Sanda, J. Szpak, N. Toussaint, A. Wine
Noes: None
Abstain: None
Absent: C. Kolakowski

**Provost, C. Case# 998
TM# 138.-1-84.2**

**Area Variance
Bockes Road**

D. Eskoff states that this case was brought to the Board by Cecil Provost with a different owner. The Application has a Public Hearing and it was advertised for this evening. The Board has received correspondence from Mr. Provost and reads the correspondence “please table my Application for the ZBA until further notice the trustee has not signed the Authorization of Agent form and I am not sure if and how I am going to proceed”. D. Eskoff states that it is true the trustee has not signed the paperwork. Is anyone present for this Application? No one in the audience signified they are present for this Application and there is no other correspondence. It is up to the Board how they would like to proceed. The Board has an incomplete Application that was given to them. How does the Board feel about this? N. Toussaint asks if it would be acceptable if it was resubmitted will the Applicant have to start all over. D. Eskoff states that

that she feels it is best to not hold this case open the Board does not have any authorization from the owners and the Board does not have any terminate word. The Board can ask the Applicant to withdraw the Application. J. Szpak asks if the Board if the Board is withdrawing their acceptance of the Application based on new information. J. Grassi states the Board certainly can at this point the Applicant has suggested that he would like the Board to table his application. Upon review of the Application the Board has deemed the owners might not even grant authorization for him to make the Application at all. If the Board decided because of that the Application is not complete the Board could withdraw the Application. J. Szpak states that the Board could table the Application or withdraw it. J. Grassi states it is completely up to the Board. D. Eskoff states yes and asks the Board how they feel. J. Szpak states that the owner suggests that the Board table the Application. D. Eskoff states no the Applicant suggests the Board has not heard from the owner other than they did briefly contact K. McMahon and now was aware of this. L. Sanda asks if the Board withdraws the acceptance of the application now does that effect the Application going forward. J. Szpak asks that question as well. L. Sanda asks if the owner does want to move forward and signs the Authorization of Agent and want to continue is there a waiting period or any prejudice against this case. J. Grassi states that would depend on the Town rule. He is not sure if there is an Application fee. D. Eskoff states yes he would have to pay another fee and any fees associated with notice. L. Sanda asks if there is a time limit. D. Eskoff states the Board has not made that determination yet. A. Wine states if the Board makes a determination isn't it a year. D. Eskoff states yes one year. A. Wine asks if C. Provost could come back with Authorization of Agent. D. Eskoff states but he would not be coming back without submitting one that was missing and removed from the Application. L. Sanda suggests that based on how this went that the Board should withdraw their approval. They approved something missing that information not realizing C. Provost filled out the owner and acted as almost the owner. It was not brought to the Board truthfully. L. Sanda does not feel that the Board should table this case it should be withdrawn. C. Provost should fill out a new Application with the correct ownership and Agent information. The Board agrees. L. Sander states that there is no penalty besides a new fee. The Application appears to be knowingly filled out incorrectly. D. Eskoff states the Application was taken apart. L. Sanda states the Applicant internally omitted the Authorization of Agent. A. Wine asks if the Board knows that for sure. D. Eskoff states it is not there and he acknowledged it. L. Sanda asks if the Board got the Application and the Board knew the Applicant was not the owner the Board would not have accepted it. The Board did not have proof of ownership on the previous Application. A. Wine states that there is no Authorization of Agent. L. Sanda states they had an Authorization of Agent but did not have proof that person could actually sign as the agent. D. Eskoff states that the owners learned about it through notice and feels that confirms it. J. Szpak asks if there is a terminology that the Board has to use. J. Grassi states the Board can either withdraw the Board could reject that the Application is incomplete.

RESOLUTION: Provost, C. – Area Variance – Case #998

MOTION: J. Szpak
SECOND: L. Sanda

RESOLVED, that the Zoning Board of Appeals hereby rejects the Application as not complete for an Area Variance for Case #998, TM# 138.-1-84.2, Bockes Road.

This action by the ZBA requires the Applicant to file a new complete application, with all applicable fees, should the Applicant choose to further pursue an Area Variance for this property.

VOTES:

Ayes: D. Eskoff, L. Sanda, J. Szpak, N. Toussaint, A. Wine,

Noes: None

Abstain: None

Absent: C. Kolakowski

Stewart's Shop's Case #997
TM# 138.-1-34

Area Variance
2532 Route 9N

Charles Marshall is present. C. Marshall apologizes on behalf of Stewart's for not being present at the last meeting he did not realize they were supposed to be at the meeting. D. Eskoff thanks C. Marshall for coming. C. Marshall asks if the Board has seen the pictures. D. Eskoff states the Board has seen some and asks if C. Marshall has additional ones. D. Eskoff states that is the same as the Board has. D. Eskoff states this is for a sign Variance. This Application is in the Town Center District. They would like to add a diesel price sign to the existing sign which is a pre-existing non-conforming sign per Town Code. When an Applicant changes or adds to an existing sign the sign must now be Code compliant. Stewart's was before the ZBA in 2015 to change the sign to a digital format. C. Marshall states yes he believes it was to change it to the digital format. D. Eskoff states that Stewart's has an 11' 5". The requirement is 6'. They will need a variance of 5.5'. Total size square footage is 92 square feet. The Board has 10' for allowance they would need a variance for 82 square feet. Are there any signs on the pump overhang balcony at this Stewart's, any digital internally lit? C. Marshall states that they are proposing to go LED pump top pricing. D. Eskoff states that she thinks in 2015 the Board allowed the swoosh on the signage for Stewart's. C. Marshall shows on a map what exists. D. Eskoff states that the front sign was changed. C. Marshall states that he is a little confused about the square footage. D. Eskoff states that what happens is any time someone changes a sign you go back to the original area requirements for that area for that sign so you are going to need a whole new variance for that sign for size that you are proposing even though you already have a much larger sign due to a variance. It's a significant variance but it is a multiple tenant sign strip mall of sorts. There are several businesses on that sign. It is one of the few internally lit in town. N. Toussaint states that they are not changing the size of the structure you are just changing the right side where it says diesel. C. Marshall states yes that is where he was going with the square footage question we don't need a variance for the size of the sign. D. Eskoff states that they are changing the sign and the Town Code states that any time you change a sign you are opening yourself up to that so you will need an Area Variance again. L. Sanda asks if the Board has to do something for it being internally lit again. A copy of the sign dimensions will be useful for the Board to look at. A. Wine asks if the diesel pumps were added two months ago. C. Marshall states yes. D. Eskoff asks if there is no sign for diesel at this point. C. Marshall states that it is on a pump top. A. Wine states and a huge banner next to it. C. Marshall states that will go away when /if the sign is approved and replaced. D. Eskoff states that she isn't sure if there are any other options that C. Marshall wanted to present. The Board is just dealing with the Application at this point. C. Marshall states that only other alternative will be an isolated diesel sign under the canopy. D. Eskoff asks if they are asking for one of those in addition just simply this. C. Marshall no not asking for

anything other than this. N. Toussaint asks if the ones on the pumps have to be included as well. D. Eskoff states not the actual price of the pumps that is part of the pump. Sometimes the Board asks for alternative ideas. C. Marshall states that if they get rid of the sign at the road it won't each additional unit. It would be taking one sign then adding a canopy sign so the overall square footage of the signage wouldn't be decreasing it would probably be adding. D. Eskoff states yes they would be adding so it would be a whole other variance. She is just throwing it out there. C. Marshall states that they feel it is the least offensive of the signs. J. Szpak states that the Board clarified that it is an Area Variance and it is internally lit. D. Eskoff states it is a change in the signage. A. Wine asks the Application is just for the main sign at the road even though describes pump top pricing. C. Marshall states that he spoke to the Codes Enforcement Officer at his office at his convenience to ensure that the LED pump top does not require a separate Variance but they are looking to install. D. Eskoff states that the Board wants to make sure that they are not looking to put anything on the canopy, it is an alternative. C. Marshall states that to the lack of familiarity with the Town's specific Code his understanding with variances in general is that the overall square footage runs with the land and then they would have. D. Eskoff states that how our Code is written is that anytime you change the sign. C. Marshall understands that now. D. Eskoff states that the Board appreciates the fact that there are other tenants there and that they have to be recognized by signage. J. Szpak states that the Board is not actually asking for the Applicant to provide anything else. L. Sanda states that the plan with the dimensions on it. D. Eskoff asks the Board if they are willing to accept the Application and set a Public Hearing if the Board feels it is complete. L. Sanda states that the Board needs clarification on if the Applicant needs a variance for the small sign too. D. Eskoff states that would be a separate application it is a separate sign. Is that agreeable. J. Grassi states if another variance is necessary which the Board is not sure it is the Board would also have to notice that as well. D. Eskoff states the Board can pursue it separately. J. Grassi states that the Board may want to move forward with what they have in front of them recognizing that is all that is needed. A. Wine asks that would make the Applicant's case follow itself by a month because the Board would have a Public Hearing conceivably on these two items. D. Eskoff states they are two separate issues. A. Wine states that the Applicant could do the sign and if they theoretically needed a variance for the pump top pricing. D. Eskoff states that if the Board wants to table it that can. C. Marshall asks that would be in the same month than. D. Eskoff and A. Wine state no. A. Wine states that would move your Public Hearing to August. L. Sanda states that they might not need a Variance for the pump top. This Application is complete for what he is asking for the Board just has to add the addition for needing the variance size of the sign and the height. D. Eskoff states that the height of the sign needs a 5' Variance and total square footage needed is 82 square foot Variance which is basically what they needed last time they were in front of the Board. J. Szpak states and for it to be internally lit. D. Eskoff states exactly. C. Marshall asks just so we are clear nothing about the LED. D. Eskoff states correct. C. Marshall states that he will move forward with the Public Hearing. D. Eskoff states that the Applicant would like the Board to move forward with this Application as a separate Application from whatever else they want to do. J. Szpak questions what if they find out that they need a pump top can't he just amend the application. D. Eskoff states that she feels it is a separate issue. A. Wine states that he feels that the Applicant is fine with proceeding this way. C. Marshall states he is fine with that. C. Marshall states that he goes in front of the Watertown ZBA and they are more concerned about him returning here he is ten minutes away. D. Eskoff states last time they were in front of the ZBA it was for two separate shops and they had different concerns then. C. Marshall did the Middle Grove project then and understands the Boards concerns. D. Eskoff states that if the Applicant is Ok with the Application as it has been presented to the Board then the Board will move forward. C. Marshall asks just so everyone is clear the Public Hearing is for the Square feet. D. Eskoff states it simply be for what they have submitted which is the square footage, the height of the

sign, and the internally lit. J. Szpak asks if it says that or does the Board have to have that added to the Application. A. Wine thinks it needs to be added he did not see it in the Application. D. Eskoff states that it is part of the pre-existing non-conforming part of the sign. J. Szpak states but they are asking for that Variance again. D. Eskoff states that the resolution that the Board made back in 2015 gave a 7' square foot Variance for the sign 70' square foot Variance for the free standing sign, 5'5" height Variance and Variance granted to allow for internally lit. C. Marshall questions the previous variance of 70 square feet Variance and now the Board stating 82' Variance. D. Eskoff states that today his application is for 82 square feet. This is what was given to the ZBA at the time and that is what the ZBA did at the time. A. Wine states that the plans say 80 square feet. C. Marshall states if you add the dimensions its 8'. D. Eskoff states it might be with the base. C. Marshall states that he is confused about 70' to 82'. D. Eskoff states that is what was granted last time. J. Szpak states that if they give the Board actual dimensions of the sign on the prints and state that it is illuminated sounds like the Board has what they need. J. Grassi states it sounds like the Application right now at worst has more square footage than they need at the next meeting when they discuss whether or not the Board grants the Variance the Board would obviously only give the minimum Variance that is necessary so if at that point it only turns out to be 70' the Board has already notified for more than is needed. D. Eskoff states better to ask for more than less. C. Marshall states that he is very aware.

RESOLUTION: – Area Variance – Case #998

MOTION: J. Szpak
SECOND: A. Wine

RESOLVED, the Zoning Board of Appeals accepts the Application and sets a Public Hearing date for July 2, 2018 for an Area Variance for Stewart's Shop's, Case #998, TM# 138.-1-34, 2532 Route 9N pending receipt of the following information by June 19, 2018 to be submitted to the Greenfield Building Department/ZBA:

- A copy of the sign dimensions

VOTES:

Ayes: D. Eskoff, L. Sanda, J. Szpak, N. Toussaint, A. Wine
Noes: None
Abstain: None
Absent: C. Kolakowski

355 Grange Road Case # 994
TM# 151.-2-58.1

Use Variance
Grange Road

D. Eskoff states that this case for 355 Grange Road, LLC case #994 and this is for a Use Variance. G. McKenna is present for the Applicant. D. Eskoff states that the Board has new information that has been submitted by the Applicant since the Boards last meeting in May when the Public Hearing was closed. The Board will now discuss receipt of that information and how to proceed at this time with this case. J. Grassi states his only suggestion is that whenever there is any new or different information submitted to the Board or an application is revised they do suggest reopening a Public Hearing for purposes of allowing public comment on the

information especially when the information potentially pertains to the thresholds that need to be met for deciding whether or not the Variance should be approved. That would be their recommendation to reopen the Public Hearing for that purpose. D. Eskoff states to the Applicant that the Board would like to reopen the Public Hearing either with his permission or through a motion. At this time G. McKenna submits more information to the Board stating that he could not get ahold of his associate he is out of town. G. McKenna states that it is fine with him to reopen the Public Hearing. D. Eskoff states that the Board has the Applicant's Agent's approval to reopen the Public Hearing which we would like to do at the July 2, 2018 meeting. G. McKenna asks if he has to submit payment for notification purposes. D. Eskoff asks J. Grassi for clarification on this. J. Grassi states yes to re-notice the Public Hearing. G. McKenna states that the application has not changed. J. Grassi states there are notice requirements to reopen a Public Hearing. G. McKenna states that its ok \$40 cost doesn't matter. D. Eskoff states that the Board needs to make a motion. J. Grassi states the Board needs to make a motion to schedule the Public Hearing. D. Eskoff states the Board will discuss this new information that has been received when we reopen the Public Hearing. J. Grassi states that the other thing the Board needs to discuss tonight or eventually is the SEQRA review. The application appears to be an Unlisted Action but need to determine if that is how the Board wants to label it. The Board has a couple of options either the review needs to be completed prior to taking action or as in the past the Board, he believes, has deferred Lead Agency to the Planning Board. Since the Planning will also have permitting review the Board could do coordinated review and have the Planning Board act on the SEQRA aspect before the ZBA would approve or deny the Variance. Alternatively, this Board can go ahead and do uncoordinated review and review SEQRA yourselves before taking action. D. Eskoff states that the Board needs to make two decisions tonight in two separate motions. J. Grassi states two separate motions and would be completely up to the Board if you are normally inclined to pass to the Planning Board. D. Eskoff states the Board normally as a rule defers to the Planning Board as Lead Agency. J. Grassi states that than one thing the Board can do proactively defer that and do that today as well. The Planning Board will send out notifications seeking Lead Agency status so if the Board would like to proactively defer that tonight as well. D. Eskoff states that the Board should take the motions in order. D. Eskoff states that the Board has received correspondence from Mr. and Mrs. Jon Foster and their counsel and states to them that it is dully noted for the record the Board will have it in their folder and hold in preparation for next month. J. Szpak states the Board wants to defer the SEQRA review. D. Eskoff states the Board will start with the motion for the Public Hearing. J. Szpak states new documentation has been submitted the Board will review those and reopen the Public Hearing. D. Eskoff states the Applicant has agreed to reopen the Public Hearing. J. Szpak asks that the Board has that in the minute's right. D. Eskoff states that it is with the Applicant's approval.

RESOLUTION: 355 Grange Road, LLC Case #994

RESOLVED, the Zoning Board of Appeals reopens the Public Hearing for Case #994, on July 2, 2018, with the Applicant's approval, based on the submission of new information to the Zoning Board of Appeals submitted by the Applicant.

MOTION: J. Szpak

SECOND: L. Sanda

VOTES: Ayes: D. Eskoff, L. Sanda, J. Szpak, A. Wine, N. Toussaint,

Noes: None

Abstain: None

Absent: C. Kolakowski.

(Continued) J. Szpak asks about the next motion does it have to say about deferring the SEQRA review does the Board have to say anything about the Planning Board. D. Eskoff states that the Board needs to determine the action. J. Grassi states if the Board is deferring the Lead Agency then the Planning Board will determine the type of action during their review. D. Eskoff states that the Board needs a motion to defer the SEQRA Application to the Town of Greenfield Planning Board. Their report will come back to the Zoning Board of Appeals prior to the Board making a determination. Claudia Braymer attorney for Mr. and Mrs. Foster asks the Board if the next meeting is on July 2, 2018. D. Eskoff states it is, the Board moved the date due to having a quorum on Monday July 2, 2018 rather than Tuesday July 3, 2018 being so close to the upcoming Holiday.

RESOLUTION: 355 Grange Road, LLC Case #994

RESOLVED, the Zoning Board of Appeals defers the SEQRA Application and review for Case #994 to the Town of Greenfield Planning Board as Lead Agency. The Zoning Board of Appeals will not make a determination on this case until the SEQRA review report from the Planning Board is received by the Zoning Board of Appeals.

MOTION: D. Eskoff

SECOND: J. Szpak

VOTES: Ayes: D. Eskoff, L. Sanda, J. Szpak, A. Wine, N. Toussaint,

Noes: None

Abstain: None

Absent: C. Kolakowski

Meeting adjourned at 8:35 p.m. All members in favor.
