

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

June 6, 2017

REGULAR MEETING

A regular meeting of the Town of Greenfield Zoning Board of Appeals is called to order by Denise Eskoff at 7:30 p.m. On roll call is the following members are present Denise Eskoff, Laura Sanda, Andrew Wine, Joe Szpak, and Neil Toussaint, Alternate. Curt Kolakowski is absent.

MINUTES:

May 2, 2017 Minutes

MOTION: J. Szpak
SECOND: A. Wine

RESOLVED, The Zoning Board of Appeals waives the reading of and accepts the May 2, 2017 minutes with minor correction.

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

DISCUSSION:

D. Eskoff states that the next meeting of the ZBA will fall on the July 4, 2017 holiday. D. Eskoff asks the board if they are available to attend if we move the meeting to Wednesday, July 5, 2017 instead.

All Members in favor.

NEW BUSINESS

G. David Evans, Case# 983
TM# 123.-2-21

Area Variance

G. David Evans is present for the application. D. Eskoff reviews that the application is for an Area Variance for a land locked parcel on Plank Road. G. Evan's previous applications

have required Open Development Area permits by the Town Board prior to Area Variance approval by the ZBA. Due to the lot location, an Open Development Area permit may be required here. The parcel is a non-conforming pre-existing lot totaling 5.85 acres with no frontage and is located in the LDR District with KROD overlay which requires 8 acres and 250' of frontage for building. The Variance requested is for 2.15 acres and 250' of frontage. D. Eskoff asks G. David Evans if Mrs. Pompa owns the property adjacent to his. G. Evans states yes. D. Eskoff states there is the potential for this to have to go the Town Board for Open Development approval prior to the ZBA being able to fully hear the variance request. D. Eskoff and the board discuss the potential time-frame and the process with G. Evans. D. Eskoff asks the board if they would like to consult with the Town of Greenfield's attorney. J. Szpak asks G. Evans what he's proposing and G. Evans states to sell the property as a building lot. D. Eskoff states that it is an old dirt road that is involved and she has concerns regarding the location(s) of the old Plank Road, as shown on the included maps, and that the application materials also contain a letter from an Attorney that G. Evans has contacted regarding this matter along with case law and other information. D. Eskoff asks G. Evans if there is any form of written easement in the deed or other proof of right-of-way. G. Evans states that it does not say anything in the deed. J. Szpak asks the board if it is an acceptable and complete application. D. Eskoff feels Town Counsel needs to be advised and should review all G. Evan's submitted application materials. A. Wine asks is the argument that the Town does not maintain the road. D. Eskoff states yes, that is part of it. L. Sanda asks if it is a gravel drive. D. Eskoff states that it is a road loggers are using. A. Wine asks if there is no access to the property. D. Eskoff asks if G. Evans has spoken with Mrs. Pompa about access. G. Evans states yes he has spoken to her and it is a logging road and he thinks they want things to remain as they are. D. Eskoff states we need to see the deed. J. Szpak states that he does not feel that the board has enough information. A. Wine asks can the Town attorney look at this without us accepting the application yet. D. Eskoff states yes.

MOTION: J. Szpak
SECOND: A. Wine

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

RESOLUTION: G. David Evans Area Variance

RESOLVED, that the Town of Greenfield postpones the application of G. David Evans, Case# 983, contingent upon submission to the ZBA/Building Department of the most recent deed for this parcel by G. David Evans and pending the review of all submitted application materials by Town Counsel prior to further action on the application.

Duane and Betty Cornell are present for the application. D. Eskoff states that this application is for an Area Variance for a pre-existing non-conforming lot in MDR-2 and explains the process. D. Eskoff states that D. & B. Cornell would like to put a mobile home on the property. J. Szpak asks what is there now. D. Cornell states it is currently vacant, but, there used to be a house on the property. A. Wine asks if there is development on the side. D. Cornell states on the North East side there is a double wide with a garage and on the 9N side there is a house. L. Sanda states that she would like pictures from the road angling off the property, pictures of the neighboring properties, and aerial view that shows tax parcel lines. J. Szpak states one criteria we could look at is how well does it fit in the neighborhood. D. Eskoff asks if there is a tree line and, if so, would like pictures of that/boundaries. A. Wine asks if D. & B. Cornell are the current property owners. D. Cornell states no they are not yet. L. Sanda asks is there a well there. D. Cornell states he is not sure. J. Szpak would like to see photos of frontage and photos of bordering properties. L. Sanda asks if they have had anyone look into determining if there is a well and septic. D. Cornell states that they have had a contractor look into it. D. Eskoff reminds the board that we will set a Public hearing for July 5, 2017 at 7:30 p.m. due to the date of meeting change.

MOTION: J. Szpak
SECOND: L. Sanda

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

RESOLUTION: Duane & Betty Cornell Area Variance

RESOLVED, that the Zoning Board of Appeals accepts the application of Duane and Betty Cornell, Case # 984, and sets a Public Hearing for July 5, 2017 pending receipt by the ZBA/Building of the requested photos of the property including those showing to the road, those showing both sides/boundaries and an aerial photo/map.

OLD BUSINESS

**Garden Homes/ Della Community Case# 981
TM# 124.-3-35**

Area Variances

**Garden Homes/Park Place Case# 982
TM# 137.-2-8.1**

Blake Phillipi is present for the Applicant. D. Eskoff states that we will be reviewing two applications by Garden Homes for signage. D. Eskoff reviews that these cases are in two different districts, TC and MDR-2, with different size requirements for each of the districts. There being no one from the public present and no correspondence, D. Eskoff opens the Public Hearings for these cases at 8:00 PM and closes them at 8:01 PM. J. Szpak states that the current signs are small. D. Eskoff states that it will also depend on sight line for the sign size. B. Phillipi states the measurements from the ground to the bottom of the signs are four and a half feet'. L. Sanda asks if he knows the size of the text on the at Park Place sign. B. Phillipi

states he does not. B. Phillipi states that what attracts good tenants is what they see as they drive by and come into the mobile home parks. J. Szpak asks if the signs are five feet in width from the inside posts. D. Eskoff asks about the size of the signs at their mobile home park in Vermont and are there any photos of them. B. Phillipi states that he is not sure of the size he is not there very often and cannot access photos at this time. The board requests photos of other signage. J. Szpak thinks the new signs look good but are a lot bigger than the old ones. D. Eskoff asks if they plan on putting any shrubbery/landscaping there. J. Szpak states the base is upgraded. D. Eskoff states that Halfmoon and Greenfield are different types of communities. D. Eskoff states that the signs here, especially if they are fairly close on the same road should be the same size/style for congruity. D. Eskoff asks where they are going to put the address on the sign for 911 purposes. B. Phillipi states on the mail box. L. Sanda states that the limit on height for the sign in both districts is six feet. J. Szpak states that to be compliant you will need six feet in height but if you want to do an eight and a half foot tall sign you will need to amend the application. J. Szpak and board discuss all of the signs dimensions, including width requirements and the potential for Garden Homes to want to hang additional sections within the sign footprint, with B. Phillipi. J. Szpak asks if the applicant is interested in amending the application to cover all potential requests since it appears they have not all been included in the application as it was submitted to the board. B. Phillipi states that he does not have the authority to do that. B. Phillipi asks if he can reapply. J. Szpak states yes you can. J. Szpak states that if we act on these cases tonight we will be going with six feet and that would not be in compliance with the second sign. Discussion takes place regarding withdrawing the applications and re-submitting them or amending the current applications with the needed information. The need to amend current sign permits with the Building Department to correspond with any additional ZBA requests is also discussed. B. Phillipi indicates they may wish to amend the applications but he must discuss this with Garden Homes first. D. Eskoff states they may amend the applications if the ZBA/Building Department receives the amended applications and all necessary information and materials two weeks prior to the July 5, 2017 meeting. D. Eskoff states that the Public Hearings for both of these cases will also be re-opened at the next meeting.

MOTION: J. Szpak

SECOND: L. Sanda

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

Noes: None

Absent: C. Kolakowski

RESOLUTION: Garden Homes/ Della Community Case #981 and Garden Homes/Park Place Case #982 – Area Variances

RESOLVED: that the Zoning Board of Appeals postpones Garden Homes/Della Community, Case #981 and Garden Homes/Park Place, Case #982 pending submission of any amendments and any requested corresponding materials, including photos, to the applications that are currently before the ZBA and to provide any amendments to sign permits to the Building Department by June 21, 2017. Public Hearings to be re-opened on July 5, 2017.

Meeting adjourned at 8:37. All members in favor.

Respectfully submitted,

Kimberley McMahon
Zoning Board of Appeals
Secretary

DRAFT