

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

**MARCH 3, 2009**

**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, Paul Lunde, Kevin Veitch, Stanley Weeks and Stefan Strakos, Alternate. Gerry McKenna, Zoning Administrator is absent.

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**FEBRUARY 3, 2009 MINUTES:**

MOTION: P. Lunde

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of February 3, 2009 as submitted.

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

Noes: None

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**NEW BUSINESS**

**MICHAEL & KAREN BERNSTEIN – Case #822, Area Variance**

Wilton Road

Michael and Karen Bernstein and James Hodges are present. T. Conard reviews that the applicants are requesting a front yard setback variance to build a house. The land slopes to a stream and the zoning has changed since the parcel was subdivided. The applicant has 40' and 75' is required. M. Granger asks for clarification on the two maps submitted.

**RESOLUTION – M. & K. Bernstein, Area Variance**

MOTION: K. Veitch

SECOND: S. Weeks

RESOLVED, that the Zoning Board of Appeals accepts the application of Michael and Karen Bernstein as complete for property located at 225 Wilton Road, TM# 139.-1-3.22 and sets a public hearing for April 7, 2009 at 7:30 p.m.

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

Noes: None

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**OLD BUSINESS**

**DAN MALONEY – Case #821, Area Variance**

Greene Road

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Dan Maloney is present. A public hearing is opened at 7:35 p.m. T. Conard explains that the applicant is seeking variances to put an above ground pool at the back of a triangular shaped lot. Left side and right side yard variances of 45' are required. There being no public comment, this public hearing is closed at 7:36 p.m.

M. Granger states that she visited the property today with D. Maloney and due to the topo, septic, well, etc. this is the only location where the pool can go and she feels that by proposing the 18' pool the applicant is going for the minimum that he needs under the circumstances. S. Strakos agrees. T. Conard states that there are no other dwellings around it.

**RESOLUTION – D. Maloney, Case #821**

MOTION: K. Veitch

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals grants the application of Dan Maloney for area variances for property located at 498 Greene Road, TM#126.-1-20.12, as follows:

- 45' Left side yard variance**
- 45' Right side yard variance**

This is based on the following criteria:

- **No impact to the environment**
- **No negative impact to the neighborhood**
- **No substantial changes**
- **This is a reasonable request**

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

Noes: None

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**CAROL RICHMOND – Case #803, Area Variance**

North Greenfield Road

Duane Rabideau from Van Guilder & Associates is present representing C. Richmond. This variance was granted on March 4, 2008 and is about to expire. D. Rabideau states that the project is not started, obviously the economy is causing problems with getting anything started and that is why they are requesting an extension. M. Granger asks if it is likely to start and be completed within the next year. D. Rabideau states that he would expect it to, but it is hard to say. He knows the applicant wants to get it started. M. Granger asks if this extension is granted, can the applicant come back again to be renewed. K. Veitch states that it can and gives examples of other cases where there were extraordinary circumstances – divorce, health issues – you have to take all of those into consideration and they were obviously all documented. R. Rowland states that she believes that this property is for sale and not for C. Richmond herself. M. Granger asks if the applicant would be better off withdrawing the application and then coming back when she is ready to move forward with the project. K. Veitch states that either way we are talking about minimal variances and given the economy being what it is, he thinks that we are going to see this more often. S. Weeks states that at the time the Board felt that the variances were minimal, it fit well into the existing area and he would be willing to extend this. M. Granger states that she does not have a problem extending it, she would just hate to be in a situation where we don't normally extend it beyond one renewal and have problems a year down the road. K. Veitch states that what could happen is that we could renew it, a year could go by, it could lapse, the applicant would have to apply all over again and there is nothing to stop

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them from applying again. M. Granger states that she had supported this initially and just wanted to know what the actual procedure was, if we could do that.

**RESOLUTION – C. Richmond, Area Variance**

MOTION: K. Veitch

SECOND: P. Lunde

RESOLVED, that the Zoning Board of Appeals grants an extension of one year to Carol Richmond for property located at 142 North Greenfield Road, TM#125.1-1-5, as follows:

- **5' Right side yard variance**
- **5' Left side yard variance**

This is based on the following criteria already determined:

- **No negative impact**
- **No negative environment**
- **No significant change to the neighborhood**

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

Noes: None

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**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. P. Lunde states that he noticed the proposed code language for outdoor wood boilers has been before the Town Board. T. Conard states that is what the applicant was waiting for. P. Lunde asks if the language has been adopted. It has not, it has just been proposed to the Town Board.

**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 April 7, 2009 at 7:30 p.m.

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

Noes: None

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Meeting adjourned 7:43 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland  
Secretary