

TOWN OF GREENFIELD
ZONING BOARD OF APPEALS

October 3, 2023

REGULAR MEETING

A regular meeting of the Town of Greenfield Zoning Board of Appeals is called to order by D. Eskoff, Chair, at 7:00 p.m. On roll call the following members are present: D. Eskoff, A. Wine, S. MacDonald, T. Flynn, K. Taub, and B. Etson, Alternate. J. Reckner is present.

Minutes

August 1, 2023

MOTION: T. Flynn
 SECOND: K. Taub

RESOLVED, that the Zoning Board of Appeals waives the reading of, and accepts the corrected August 1, 2023 minutes.

VOTE: Ayes: D. Eskoff, A. Wine, K. Taub, T. Flynn and B. Etson
 Noes: None
 Abstain: S. MacDonald
 Absent: None

September 5, 2023

MOTION: T. Flynn
 SECOND: B. Etson

RESOLEVED, that the Zoning Board of Appeals waives the reading of, and accepts the September 5, 2023 minutes with minor corrections.

VOTE: Ayes: D. Eskoff, S. MacDonald, T. Flynn and B. Etson
 Noes: None
 Abstain: A. Wine, K. Taub
 Absent: None

Correspondence

D. Eskoff states that the ZBA received correspondence from T. Braley, Case #1059, withdrawing the Application. The Public Hearing for this case was cancelled.

Old Business & Public Hearing

Cox, R. Case #1057
 TM# 111.-2-42

Area Variance
 82 Allen Road

Robert and Stacy Cox are present. D. Eskoff states that this project is a Public Hearing. She opens the Public Hearing at 7:03 p.m. A. Benson, Allen Road, is here to learn about the project and states that he is in favor. M. Fisher, Allen Road, is here to learn about the project and states that he is in favor. D. Eskoff states that this project was noticed so the residents have been made aware of this project. There being no one else present for this project and no correspondence, she closes the Public Hearing at 7:07 p.m. D. Eskoff asks J. Reckner for the exact relief that is needed. J. Reckner states 23.5' right north side yard setbacks. He states that he did a site visit and verified that himself. K. Taub states that there is a natural buffer of trees. D. Eskoff asks if they will be keeping the trees. S. Cox states yes, they like their privacy. T. Flynn asks if the well is behind the existing garage. He asks this because he is wondering if there is enough room to get behind there if they need to. K. Taub asks can a truck get back there if needed for the well. S. Cox states yes.

MOTION: T. Flynn
SECOND: K. Taub

RESOLVED, that the Zoning Board of Appeals hereby approves the Application of Robert Cox and grants and a 23.5' Right (North) Side Yard Area Variance for a detached garage at 82 Allen Road (LDR), TM# 111.-2-42, Case #1057.

This approval by the Zoning Board of Appeals for an Area Variance is based on the following criteria:

- The benefit cannot be achieved by other means feasible to the Applicant. Personal garage space needs to be further away from the property line to not cut off access to the backyard.
- There is no undesirable change in the neighborhood character or detriment to nearby properties. Adjacent neighbors are in favor of the project and there is a vegetative buffer in place that screens the project from the road.
- The request is not substantial, it is less than 50% to meet the needs on the existing lot.
- There are no adverse physical or environmental effects, there will be minimal disturbance and the existing trees will be left in place.
- This alleged difficulty is self-created (which is relevant but not determinative).

VOTE: Ayes: D. Eskoff, A. Wine, K. Taub, S. MacDonald and T. Flynn
Noes: None
Abstain: None
Absent: None

Van Dixhorn, S. Case #1061
TM# 151.-3-12

Area Variance
273 Locust Grove Road

Steve Van Dixhorn is present. D. Eskoff states that this project is a Public Hearing. This is an older building that was a farmhouse and it is now apartments. She opens the Public Hearing at 7:13 p.m. She reads correspondence from J. Templin, adjoining landowner, and his son K. Templin who are in favor of this project. A. Wine states that he has driven past there several times before it was put on the market and there have been several improvements done

to this building. D. Eskoff states that this would otherwise be a pre-existing non-conforming building but is on a small lot they are looking to add stairs and a deck. The Applicant is looking to make it safer for the tenants. There being no one else present for this project she closes the Public Hearing at 7:13 p.m. T. Flynn states that it is an improvement to the neighborhood and it is providing egress. D. Eskoff asks J. Reckner what is the relief that is needed. J. Reckner states 27.6' south right-side yard setback.

MOTION: T. Flynn
SECOND: A. Wine

RESOLVED, that the Zoning Board of Appeals hereby approves the Application of Steve VanDixhorn (Rivers Edge Ventures LLC) and grants a 27.6' Right (South) Side Yard Area Variance for a balcony, deck and stairs addition at 273 Locust Grove Road, TM# 151.-3-12, Case #1061.

This approval by the Zoning Board of Appeals for an Area Variance is based on the following criteria:

- The benefit cannot be achieved by other means feasible to the Applicant. The previous 8' deck was minimal and there are no other feasible means for proper ingress and egress.
- There is no undesirable change in the neighborhood character or detriment to nearby properties. There is positive support for the project which is bringing the building up to code and enhancing the property.
- The request is substantial but minimal in relation for what is needed for proper ingress and egress for this building on this lot.
- There are no adverse physical or environmental effects, there will be no disturbance.
- This alleged difficulty is self-created (which is relevant but not determinative).

VOTE: Ayes: D. Eskoff, A. Wine, K. Taub, S. MacDonald and T. Flynn
Noes: None
Abstain: None
Absent: None

Ercole, R. Case #1060
TM#149.-1-86

Area Variance
44 Barney Road

Robert Ercole is present. T. Flynn recuses himself. B. Etson, Alternate, has full voting privileges for this project. D. Eskoff states that this project is a Public Hearing and opens it at 7:22 p.m. She reads the correspondence from S. Licciardi, neighbor, in favor of this project. There being no one else present to speak on this project she closes the Public Hearing at 7:23 p.m. D. Eskoff states that this project includes entertainment space, this is not for a garage or in-law apartment. R. Ercole states yes, it is for entertainment space and it won't be visible from the road.

MOTION: K. Taub
SECOND: B. Etson

RESOLVED, that the Zoning Board of Appeals hereby approves the Application of Yvonne & Robert E. Ercole and grants an Area Variance of .363 Acres for a bedroom, garage and entertainment space addition at 44 Barney Road (LDR), TM# 149.-1-86, Case #1060.

This approval by the Zoning Board of Appeals for an Area Variance is based on the following criteria:

- The benefit cannot be achieved by other means feasible to the Applicant given the nature of the existing house and lot size.
- There is no undesirable change in the neighborhood character or detriment to nearby properties. There is no negative impact and there is positive support from the neighbor for the project.
- The request is not substantial, it is minimal due to the size and nature of the existing lot.
- There are no adverse physical or environmental effects, there will be no disturbance.
- This alleged difficulty is not self-created because of the existing lot size.

VOTE: Ayes: D. Eskoff, A. Wine, K. Taub, S. MacDonald and B. Etson
Noes: None
Abstain: None
Absent: T. Flynn

Meeting adjourned at 7:28 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
ZBA Executive Secretary