

TOWN OF GREENFIELD
Zoning Board of Appeals

September 5, 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, Stacey MacDonald, and T. Flynn, B. Etson, alternate. Andrew Wine and Ken Taub are absent. J. Reckner is present. B. Etson has full voting privileges for the entirety of the meeting.

Minutes

August 1, 2023

The minutes will be reviewed at the next meeting.

Bonacio Construction Case #1056
TM# 111.-1-6.2

Area Variance
290 Miner Road

Russell DeRidder is present. D. Eskoff states that this project is in LDR District. She asks K. McMahon if the Board has proof of publication. K. McMahon states yes. She opens the Public Hearing at 7:03 p.m. R. DeRidder states that they took photos that was requested from the Board. He states that they are seeking approval this evening. T. Flynn asks if the hill drops off. R. DeRidder states yes. T. Flynn states that the pictures make since. D. Eskoff asks J. Reckner how much relief is needed. J. Reckner states 23.6' side yard setback on the south side. D. Eskoff closes the Public Hearing at 7:07 p.m.

MOTION: T. Flynn

SECOND: S. MacDonald

RESOLVED, that the Zoning Board of Appeals hereby approves the Application of Cecilia & Kyle Rottger represented by Bonacio Construction for an addition to the existing home and grants a 23.6' south side setback Area Variance for property located at 290 Miner Road (LDR), TM# 111.-1-6-2, Case #1056.

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 placement of the existing satellite on the north side would hinder an addition on that side of the home.
- There is no undesirable change in the neighborhood character or detriment to nearby properties, it is not within the viewshed.
- The request is substantial but not unusual for the existing conditions.
- There are no adverse physical or environmental effects, the area is already cleared and will not create disturbance.

- This alleged difficulty is self-created (which is relevant but not determinative).

VOTES:

Ayes: D. Eskoff, S. MacDonald, T. Flynn and B. Etson

Noes: None

Abstain: None

Absent: A. Wine and K. Taub

Zabielski, A. Case # 1057
TM# 151.-1-32

Area Variance
131 Middle Grove Road

Anthony Zabielski and Lindsey Hdlak are present. D. Eskoff states that this project is a Public Hearing this evening. She asks K. McMahon if the Board has proof of publication. K. McMahon states yes. D. Eskoff opens the Public Hearing at 7:11 p.m. She reads two letters of correspondence both in favor of this project. A. Zabielski states that they were able to find a survey and it is to scale and he thanks J. Reckner for coming out to his property and helping them. He states that they were able to find a survey to scale as was discussed at the last meeting. J. Reckner states that this project will require a 25' Area Variance and a 5.1-acre Area Variance for the acreage. D. Eskoff states that this is a pre-existing non-conforming lot. J. Reckner states correct. D. Eskoff states that no one is present to speak about this project. D. Eskoff closes the Public Hearing at 7:16 p.m.

MOTION: T. Flynn

SECOND: S. MacDonald

RESOLVED, that the Zoning Board of Appeals hereby approves the Application of Anthony Zabielski for a detached garage and grants a 25' left side yard setback Area Variance and a 5.1 acre Area Variance for property located at 131 Middle Grove Road (LDR), TM# 151.-1-32, Case #1058:

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. Based on the new site plan and survey submitted, the area is heavily wooded therefore siting the garage to the west makes sense as well as its relation to the location of the driveway and the septic.
- There is no undesirable change in the neighborhood character or detriment to nearby properties. There is positive support from the neighbors for the project and that the Applicant is putting a lot of work into the property and increasing value.
- The request is substantial but this is a pre-existing non-conforming lot due to the size and nature of the property.
- There are no adverse physical or environmental effects, there will be no further disturbance.
- This alleged difficulty is self-created (which is relevant but not determinative).

VOTES:

Ayes: D. Eskoff, S. MacDonald, T. Flynn and B. Etson

Noes: None

Abstain: None
Absent: A. Wine and K. Taub

Cox, R. Case #1059
TM# 111.-2-42

Area Variance
82 Allen Road

Robert and Stacy Cox are present. D. Eskoff states that the Board requested more extensive information at the last meeting. R. Cox states yes, they were able to locate a survey and J. Reckner was a big help and appreciates that he took the time to come out to his property. T. Flynn asks what is the relief requested. J. Reckner states 23.5' right side of the home to the north. The Board sets a Public Hearing for October 3, 2023.

MOTION: B. Etson
SECOND: S. MacDonald

RESOLVED, that the Zoning Board of Appeals hereby accepts the Application of Robert Cox for an Area Variance for a detached garage at 82 Allen Road (LDR), TM# 111.-2-42, Case #1057 and sets a Public Hearing for October 3, 2023 at 7 p.m.

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

Braley, T. Case # 1059
TM# 111.-2-62

Area Variance
39 Alpine Meadows Road

Chad Fagan is present. D. Eskoff states that this will also be in front of the Planning Board for a Lot Line Adjustment. Once the Lot Line Adjustment is complete the acreage of the new parcel will be over 6 acres and the Applicants lot with more than enough property. J. Reckner states the frontage will be 206.4' and the relief that is needed is 43' for frontage. D. Eskoff states that lot that is being created has enough frontage, but the lot that is existing needs the relief. C. Fagan states that is correct and the Applicant is sell the new proposed parcel to their daughter. D. Eskoff states that they are trading one frontage for the other frontage. D. Eskoff states that she would like to see photos from the road and an overhead view as well. C. Fagan states yes. D. Eskoff states that she would like photos from the road and an overhead view of the property. T. Flynn asks if this would qualify as a keyhole lot? D. Eskoff states no and she recommends the Board members to drive past the property. D. Eskoff states that there is no traffic to impact that visual to the public. No one will see the current house. C. Fagan states they are not changing anything to the house and National Grid owns property behind them so nothing will ever go there. J. Reckner states so there will be no more Variances for this property. C. Fagan states no. He asks about the Planning Board meeting. J. Reckner states that could be done administratively.

MOTION: S. MacDonald
SECOND: T. Flynn

RESOLVED, that the Zoning Board of Appeals hereby accepts the Application of Tamie J. & Brian C. Braley for an Area Variance for a lot line adjustment at 51 Alpine Meadows Road to 39 Alpine Meadows Road (LDR), TM# 111.-2-62, Case #1059 and sets a Public Hearing for October 3, 2023 contingent upon receipt of the following by September 19, 2023:

- Four photos of the property frontage and overhead area imagery

VOTE: Ayes: D. Eskoff, S. MacDonald, T. Flynn and B. Etson

Noes: None

Abstain: None

Absent: A. Wine and K. Taub

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

Area Variance
273 Locust Grove Road

Steve VanDixhorn is present. D. Eskoff states the Applicant is looking to add a deck and a balcony. She states that moving forward the Board will require a copy of the LLC. S. VanDixhorn states that this is a 5-unit apartment building. He states that the second floor does not have any egress and adding the balcony will provide that. D. Eskoff states that in the pictures it looks like one balcony and a stairwell. S. VanDixhorn states yes, this is a small lot. He states that they are trying to make the apartments he is still looking to maintain the same character of the neighborhood. The tax map shows the locations of the properties next to them. T. Flynn asks what scale is this. S. VanDixhorn states that is not accurate. D. Eskoff states that 2 cases that are on the agenda this evening have found their neighbor's survey and it shows their property on them. T. Flynn states they need 21' for the relief. D. Eskoff states that is up to J. Reckner to determine. J. Reckner agrees with D. Eskoff and states let him make that determination.

MOTION: S. MacDonald

SECOND: T. Flynn

RESOLVED, that the Zoning Board of Appeals hereby accepts the Application of Steve VanDixhorn (Rivers Edge Ventures LLC) for an Area Variance for balcony and deck with stairs at 273 Locust Grove Road, TM# 151.-3-12, Case #1061 and sets a Public Hearing for October 3, 2023 contingent on the following by September 19, 2023:

- Receipt of copy of proof of LLC for Rivers Edge Ventures LLC
- Receipt of four photos of the property and overhead area imagery
- Receipt of scalable survey/plan
- Determination by the town Zoning Administrator/Code Enforcement Officer regarding relief based on submitted survey/plan

VOTE: Ayes: D. Eskoff, S. MacDonald, T. Flynn and B. Etson

Noes: None

Abstain: None

Absent: A. Wine and K. Taub

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

Area Variance
44 Barney Road

T. Flynn recuses himself and states that he is architect of record. D. Eskoff states that this is in the LDR District. Robert Ercole is present. R. Ercole states this is a conforming lot and they are looking to add a one-bedroom addition with an entertainment space with a garage underneath the addition. He states that his understanding is that it is a minimal ask the requirement in this district is 6 acres and currently they have 5.1 acres. They are asking for 6% relief. D. Eskoff states that the closest neighbor won't see this. R. Ercole states that the closest neighbor Steve Licciardi won't see it and he wrote a letter in favor of this project. D. Eskoff states that letters in favor of projects are always helpful. S. MacDonald states that it is a complete Applications. R. Ercole states that it won't be seen.

MOTION: S. MacDonald
SECOND: B. Etson

RESOLVED, that the Zoning Board of Appeals hereby accepts the Application of Yvonne & Robert E. Ercole for an Area Variance for an addition at 44 Barney Road (LDR), TM# 149.-1-86, Case #1060 and sets a Public Hearing for October 3, 2023 at 7 p.m.

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

Meeting adjourned at 7:53 p.m. All members in favor.

Respectfully submitted by,

Kimberley McMahon
ZBA Executive Secretary