

TOWN OF GREENFIELD

ZONING BOARD OF APPEALS

FEBRUARY 6, 2007

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

JANUARY 2, 2007 MINUTES:

MOTION: M. Granger

SECOND: K. Veitch

RESOLVED, that the Zoning Board of Appeals waives the reading of and accepts the minutes of January 2, 2007 as submitted.

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

Noes: None

Absent: Lunde

NEW BUSINESS

MATT PARENTEAU – Area Variance, Case #778

Copperfield Road

Matt Parenteau is present and is seeking an area variance for property located on Copperfield Road in order to have a private stable. The R3 zone requires 250 feet of frontage for a private stable. The applicant needs a variance of 75.55 feet. M. Granger asks that a location for the stable be added.

RESOLUTION – M. Parenteau, Area Variance

MOTION: K. Veitch

SECOND: S. Weeks

RESOLVED, that the Zoning Board of Appeals accepts the application of Matt Parenteau for an area variance for property located at 20 Copperfield Road, TM#152.-1-9.15 and sets a public hearing for March 6, 2007 at 7:30 p.m. contingent upon:

- **Location of stable and manure pile or waste handling facility**

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

Noes: None

Absent: Lunde

CHARLES BAKER – Area Variance, Case #779

Cohen Road

Charles Baker is present and is seeking an area variance for frontage. He would like to subdivide an

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existing 8.4-acre lot into two 4.2-acre lots, and due to the configuration and lack of frontage, he is going to need a 40' variance on one of the lots.

RESOLUTION – C. Baker, Area Variance

MOTION: K. Veitch

SECOND: M. Granger

RESOLVED, that the Zoning Board of Appeals accepts the application of Charles Baker for an area variance for property located at 27 Cohen Road Road, TM#100.-2-1 and sets a public hearing for March 6, 2007 at 7:30 p.m.

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

Noes: None

Absent: Lunde

DISCUSSION

Chris and Lynn Baker are present. C. Baker states that they live on Grange Road, and it is their hope and desire to raise Alpacas. They have already begun working with Alpacas and this is their retirement. It has come to their attention that under the new zoning, they will not be zoned for farming in the MDR1 zone. He asks what the parameters or qualifications were for coming up with this. This would be the obvious next step on the ladder for people migrating out of Saratoga Springs and obviously there are a lot of areas where people could move to without stopping at that location. He states that if you look on the Severe Constraint for Development map 90% of the area listed for MDR1 falls into that area. T. Conard explains that this Board did not decide that, it was the Zoning Rewrite Committee. He was on that committee, however, you also have to take into account that in order to be able to subdivide one of those lots you have to create buildable lots. If in fact it is highly constrained, they will not be able to subdivide. The idea was to make zoning a lot simpler in the Town and if you can have more development, have it towards Saratoga and get less developed as you get further out. The existing zoning map is a total hodge podge. C. Baker states that what concerns him is that he understands that there is a rezoning going on and that is why he wanted to ask these questions. This is the next area moving out, but where can you develop in that land. He indicates that the location of the proposed sewer is closer to the Daniels Road area and that the entire subject area is farming - J. Bruchac with the Ndakinna wildlife preserve and outdoor education; Mike Spiak on the old Carver residence has 151 acres that is forever wild with agricultural purposes, these are two qualities that he is sure that Greenfield wants to try to preserve; his own property is 17.3 acres and he wants to raise 15 to 20 Alpacas which should take care of his business needs for the rest of his life. As you go throughout the area and look at the development on Ashlor Drive, towards Middle Grove, and then you get off Sandhill and get into Hemlock Drive and that development, that is the densest part of RD1 in the entire area. He states that most of this area is in the severe constraint use and that you are not going to be able to put a sewer pipe down Grange Road – there is bedrock and there is peat moss. He questions that while we are moving things around and redistricting, where in the process did we go from the existing zoning to the proposed. There is no agricultural mention on this. T. Conard reiterates that this Board cannot do anything about this. He states that the zoning has been sent back to the committee on a few things, not this topic, and suggests that C. Baker speak with the Town Board. C. Baker states that he was told to talk with the ZBA. He reiterates that there are a lot of farms there (Baker, Bruchac, Spiak, Arnold, Stutzenstein, Muddy Acres, and four or five other horse farms). He went to college for this and knows soil structures. It is his understanding that if you are going to put a zoning law into effect, you want to put the most efficient one in effect so that 90% of the people do not have to come in for variances. T. Conard reiterates that this is not the Board that can decide anything and suggests that C. Baker speak to A. Janik. The committee can make all the recommendations in the world, but it is the Town Board that must approve or not of those recommendations. S. Weeks also suggests speaking with A. Janik and whoever will head up the rewrite committee. T. Conard states that he does not know that all of these people will have to get variances, because even with bad soil, it is possible

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to be able to put things in there. C. Baker states that there were zoning proposals put forth and he was never canvassed. He does not know of any other property owners in that area who were asked for their opinions or how they currently use their property. That should have been part of the process and he does not think it is too late to go back and look at that. M. Granger states that there are laws that municipalities have to abide by in terms of public hearings and what has to be put forth before they can actually adopt the changes and incorporate those into their zoning laws. C. Baker states that he was talking with the State Farming Bureau and that these forever wild situations with agricultural purposes are now going to a point where they can be donated to never be used for commercial use. There are programs being proposed on a state and federal level where you donate your land, you are still the proprietor, you own it but you can never commercially develop it and it comes off the tax roll. If the zoning doesn't start working for people, someone will come in and start a precedent. S. Weeks states that there is a limited amount of money and that is one of the issues as to why that does not happen rapidly. There are only so many dollars to purchase those development rights. C. Baker states that it is not so much that he is interested in the money, he just wants the right to farm. He states that as a life-long resident he feels he should have that right. He has owned this property indirectly since Frank Carver donated it to him right after he got out of college in 1979. He could not afford the taxes so F. Carver kept it in his name and in 1991 C. Baker took it over. He states that if the Town goes to the MDR1, by the use of a site plan review and special use permit, he will be able to go ahead and have his farm, but with restrictions. He would not be able to have a sign and he presently runs Brookhaven Golf Course out of his home. If he is asked about primary use, then he couldn't run Brookhaven out of his home and run an Alpaca farm or have a store to sell products – sweaters, socks, etc.,- for a couple of months in the summer and perhaps before Christmas. He states that zoning is a plus, but in the consolidation effort he does not think that all things were considered. He reiterates that A. Janik told him to start with the zoning committee. T. Conard states that this is not the zoning committee. C. Baker reiterates that this is a retirement venture for them, on what has always been farmland in Greenfield and that he has already invested \$30,000. S. Strakos asks why he invested that much. C. Baker states that it was always farmland, he grew up on that farm, he managed it and plowed those fields. T. Conard suggests that C. Baker keep apprised of the committee, find out when it is meeting, there will have to be public hearings again, etc. K. Veitch states that C. Baker should get to that committee and have them revisit these issues. C. Baker reiterates that the owners of the property should be canvassed to find out what they are using their property for, take the multitude of that and average it out. The people coming in and putting houses on 1-acre lots should be the ones going for the variances.

S. Weeks comments that the Planning Board voted down the third sign for Dr. Peacock and feels that they should have expressed their feelings about the sign to the Zoning Board before the Zoning Board voted on approval. He feels that was a waste of the Zoning Board's time. Discussion takes place that the applicant needed a variance because they are only allowed to have one sign.

T. Conard thanks S. Weeks for keeping him informed on the outcome of the Town Board meeting regarding zoning. S. Weeks states that no matter how anxious people are to get it done, he thinks that the message was that you really do have some people that you have to listen to. He would be very concerned if that comes back immediately and is voted on, you really cannot ignore that number of people.

Meeting adjourned 7:55 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland
Secretary