TOWN OF GREENFIELD

ZONING BOARD OF APPEALS

October 6, 2026

Regular Meeting

A regular meeting of the Town of Greenfield Zoning Board of Appeals is called to order by R. Roeckle, Chair, at 7:00 pm. On roll call the following Board members are present: R. Roeckle, B. Etson, K. Taub, T. Flynn, S. MacDonald and Alternate J. Pollard. J. Reckner, Zoning Administrator, is present. E. Faas, Executive Secretary to the Zoning Board of Appeals, is present.

Minutes

June 2, 2026

MOTION: B. Etson

SECOND: K. Taub

RESOLVED, that the Zoning Board of Appeals waives the reading of the June 2, 2026, minutes and accepts them as presented.

VOTE: Ayes: B. Etson, K. Taub, T. Flynn, S. MacDonald

Noes: None

Abstain: R. Roeckle

Absent: None

_____

The Board discusses moving the November 3, 2026, meeting date since it falls on Election Day and R. Roeckle, Chair, will be working the at the polls from early morning to late evening. The Board agrees to move the meeting to Wednesday November 4, 2026.

New Business

Palmateer, Brian – Case # ZB 26-019 Area Variance
TM# 126.-1-31.1 374 Wilton Rd

DRAFT

B. Etson recuses himself. The Applicant, B. Palmateer, is present. B. Palmateer is in front of the Board regarding a property of slightly less than 4-acres in the LDR zoning district containing three separate residential occupancies: a two-bedroom main house near the road, a two-bedroom apartment above a garage (also described as a carriage house), and a two-bedroom dwelling within a structure currently identified in Town records as a barn. The Applicant stated he purchased the property nearly 20 years ago believing it to be a legal multi-family property. He states that the barn already contained living facilities, allowing him to reside there while restoring the main house. He also stated the garage and apartment were later constructed together and that he had worked with the Building Inspector at that time during renovations and construction. Approximately a year prior to this meeting, the Applicant received notice that the apartment above the garage lacked a Certificate of Occupancy, and he is in front of the Board seeking to correct the outstanding issue. B. Palmateer confirmed that he does not live on the property currently, that all three units are currently rented and have been occupied intermittently during his ownership.

Town records, however, show approval for a garage but do not clearly establish residential approval or Certificate of Occupancy for the upstairs apartment. Records also do not contain a documented permit converting the barn into a dwelling. This lack of evidence raised unresolved questions about whether the parcel can be treated as multi-family, whether the garage apartment qualifies as an accessory use, whether the barn is a lawful pre-existing nonconforming dwelling, and whether variances would be required. The parcels limited acreage and the potential restriction of one principal use per parcel; further complicate the review.

The Board discussion focused on whether the three residential occupancies could be legally recognized on one parcel. J. Reckner explained the Town generally permits one principal use per parcel. A single-family house with a qualifying garage apartment may potentially be treated as one principal residential use plus an accessory residential use. However, the barn dwelling appears to create another principal residential use that is not clearly authorized by the Zoning Code.

Because the parcel is slightly under four acres, members discussed several possible acreage requirements: a principal house with a garage apartment may be subject to a six-acre requirement; two dwelling units may require approximately 12 acres; three units, if calculated at 6-acres per unit, may require approximately 18 -acres. Some members of the Board viewed the issue as numerical relief possibly requiring an area variance because residential uses are otherwise permitted, while others believed the additional principal dwelling in a separate structure is not permitted at all by Town Code which could require a use variance. It was not determined by the Board at this time which calculation could apply.

The Board agreed there were significant gaps in records and requested the Applicant try to provide a detailed timeline for the construction, renovation, residential use and rental history of each structure. Evidence that the barn was a dwelling before the Applicant purchased the property. Potential supporting documentation discussed includes the house and garage permit files, floor plans, certificates, deeds, title materials, assessment records, tax records, rental records, utility or septic evidence and any other documentation that could establish residential use. R. Roeckle also requested E. Faas to try to locate the original Brittany Chase subdivision approval map, believed to date from the 1980's or early 1990's, to possibly determine whether the parcel in question, buildings, or uses was shown on the map.

The Board concluded that the application did not include enough information should not be accepted as complete and discussed sending the Applicant to the Planning Board for an Advisory Opinion on the

DRAFT

application. The referral is intended only to obtain the Planning Board's perspective on this site and its multi-dwelling arrangement.

MOTION: T. Flynn
SECOND: K. Taub

RESOLVED, the Zoning Board of Appeals hereby denies the application as submitted and requests the Applicant provide more detailed information. The Zoning Board of Appeals refers this project to the Plannng Board for an Advisory Opinion on whether two dwelling units and a garage apartment – or multiple dwellings located in separate buildings- would be acceptable on the parcel.

VOTE: Ayes: R. Roeckle, K. Taub, S. MacDonald, T. Flynn
Noes: None
Abstain: B. Etson
Absent: None

Loarca, Gustavo – Case # ZB 26-020 Use Variance
TM# 151.-2-60 268 Grange Rd

Daniel Cherok, Esq. is present representing the Applicant. D. Chertok stated the property was purchased in 2021 in a dilapidated or abandoned condition and that the farmhouse, yard, and barn have since been cleaned up and repaired. G. Loarca resides on the property and operates a small business involving sawmill work, firewood sales, and outdoor wood furniture. The Applicant's brother and father assist with the business, which has no formal payroll or conventional employees. Although the parcel contains approximately 19 acres, wetlands and steep terrain limit the land available for business related activity. The submitted site plan confines the business operation to less than 2-acres near Grange Rd, within the previously disturbed area. Timber is purchased and delivered from off-site, rather than harvested on the parcel. The Applicant stated the operation had essentially reached its practical physical limits and proposed no expansion beyond the footprint shown.

The application initially requested a Use Variance for a Type 2 home occupation in the MDR-1 zoning district, where that use is not normally permitted. R. Roeckle reviewed J. Reckner's written review of the application which stated the operation might be better classified as agricultural use or agricultural processing. J. Reckner confirmed he was classifying the sawmill activity as agricultural processing, consistent with the Town's treatment of similar operations. The Board reviewed the code definitions and distinguished agricultural production from agricultural processing: the sawmill converts raw timber into lumber, and the agricultural-processing definition does not require that the raw material be grown on the same parcel. Since agricultural processing is allowed in the MDR-1 district with approval, the Board instructed the Applicant would not need to request a Use Variance. Instead, the Applicant will need to apply to the Planning Board for a Special Use Permit and Site Plan Review.

D, Chertok asked R. Roeckle whether the use-variance should be withdrawn, denied, rejected, or left pending. R. Roeckle explained that withdrawal would be voluntary, denial or refusal to accept could have procedural consequences, and proceeding with the Planning Board will require a separate application. Because the representative was not yet familiar with all the available options and did not want to take an irreversible step, the Board agrees to make a motion to table the Zoning Board Application while the Applicant pursues the Planning Board process.

DRAFT

MOTION: T. Flynn
SECOND: K. Taub

RESOLVED, the Zoning Board of Appeals hereby tables the application submitted by G. Loarca for a Use Variance at 268 Grange Road while the Applicant pursues the Planning Board process for a Special Use permit and site plan review as recommended by the Zoning Board of Appeals.

VOTE: Ayes: T. Flynn, K. Taub, R. Roeckle, S. MacDonald, B. Etson
Noes: None
Abstain: None
Absent: None

_____

Meeting Adjourned at 8:04 p.m.

_____

Respectfully Submitted By:
Erika Faas
Executive Secretary to the Zoning Board of Appeals

DRAFT