

**NORTHFIELD ZONING BOARD OF ADJUSTMENT
MINUTES – APRIL 23, 2003**

Meeting called to order at 7:30 by Chairman Kent Finemore. Members present: Chris Dunne, Steve Bluhm, Roland Seymour, Kent Finemore, Dave Liberatore and Michelle Davis, Alternate. Also present: Mike Izard, LRPC and Eliza Conde, Secretary.

Dave Liberatore moved to accept the minutes of March 5, 2003 with the addition of the word “comprehensively” to the last sentence of the first paragraph of #1. Steve Bluhm seconded the motion, motion passed 4-0.

1. Mark Geremia: Application for a variance to the terms of Article 7, Table 2 of the Zoning Ordinance to construct a 28' x 30' garage within the 20 foot set back requirement on property at 13 Cottage Street (Map U8 Lot 50) in the R2 zone. Dave Liberatore moved to accept the application as complete, Chris Dunne seconded, motion passed 4-0. Mark Geremia explained that before he purchased the property, he checked with Dana Dickson to be sure he could build a garage there and was told the setbacks were 10' and he had room to build. He purchased the property and requested a building permit only to learn that the setbacks had been changed to 20 feet. Therefore, he is requesting the variance to be able to build 10 feet from the side and back boundary in order to be able to make the best use of his property. Locating it closer to the house would make it difficult to drive a car and back a boat into the garage. Locating it 20 feet from the side line would require cutting a large Pine tree which he would prefer not to do. It will be a single story garage on a poured cement slab foundation. Kent Finemore asked if the boundaries are marked so that there would be no question of the setback. Mr. Geremia said they are readily identifiable.

Public hearing: Abutter Leon Gilman has no objection to the building. Public hearing closed. Roland Seymour is concerned about the garage being too large for the lot. Mike Izard observed that the area is residential on small lots and most of the homes have accessory buildings close to their lot lines. Roland Seymour inquired how the board can be sure the building will actually be the required 10 feet from the bound. Kent Finemore explained that the variance would need to be worded that it can be no closer than 10 feet and then it would be a code enforcement issue. Mr. Finemore reminded the board that in this situation, the setbacks can be met.

Dave Libertore stated that although the setbacks can be met on this lot, it may not be the best use of the property to put a shed in the middle of the lot and there is a slope on the lot that makes this the best location. Steve Bluhm stated that most of the sheds on this street are smaller and is concerned about the size of the garage. Dave Liberatore made a motion to grant the variance with the stipulation that the building be no closer than 10 feet to the side or rear boundaries. Chris Dunne seconded.

Discussion on the motion:

- Granting the variance would not diminish surrounding property values.
- Granting the variance would be of benefit to the public interest because there is no opposition from abutters.
- Denial of the variance would result in unnecessary hardship as it would interfere with the reasonable use of the property.
- Granting of the variance would do substantial justice as the owner purchased the property before setbacks were changed to 20' in March.
- Proposed use is not contrary to the spirit of the ordinance as it conforms in this neighborhood and grants the owner the right to use his property in a reasonable way.

Motion passed 4-0.

Brian Young asked for an informal discussion with the Board about an ongoing situation on his lots on Route 140. Reliable Waste has been temporarily storing empty dumpsters on Mr. Young's property while they look for property to buy. Mr. Young was notified by Dana Dickson that the use of the land was not allowed and that he would need to apply for a variance. Mr. Young explained that it is temporary and asked the board how he should proceed. He asked if the Board could give him a few months to find land for Reliable Waste and then the dumpsters would be removed. Kent Finemore explained that the Board has no authority to give temporary variances. The Board suggested that Mr. Young speak with the Selectmen about this issue.

Meeting adjourned at 8:35 PM.

Respectfully submitted,

Eliza Conde, Secretary