

**TOWN OF NORTHFIELD  
ZONING BOARD OF ADJUSTMENT  
MAY 25, 2005  
MINUTES**

Members present: Dave Liberatore, Roland Seymour, Kent Finemore, Ken Gorrell, Steve Bradbury, Alternate. Also present: Dave Lorch, LRPC and Eliza Conde, Secretary.

Chairman Finemore appointed Steve Bradbury to be a voting member to replace Chris Dunne for this meeting.

Dave Liberatore moved, seconded by Steve Bradbury to accept the minutes as written. Motion passed.

**Jay & Trina Chambers: Application for a variance to the terms of Article 7, Table 2 of the Northfield Zoning Ordinance to construct an addition to an existing home within the 35 foot setback on .70 acre at 5 Hidden Lane (Tax Map U16, Lot 2) in the R1 zone.** Dave Lorch explained to the board why he believes this application should be a Special Exception rather than a variance based upon definitions and criteria presented in Article 14.1, 14.1a,b,c and 14.2 of the Zoning Ordinance. This application is for an expansion of an existing non-conforming structure. Members reviewed the Zoning Ordinance at length to determine whether to accept the application as a variance or special exception. Dave Liberatore moved, seconded by Ken Gorrell to accept the application as complete with a note that it was applied as a variance but the Board will consider it as a Special Exception. Motion passed.

Dave Liberatore expressed concern about the septic system being large enough for a three bedroom home. Jay Chambers informed the board that they have already installed the new system but have not received final approval from DES. Mr. Chambers stated that this is an addition to the existing home, not a separate unit of living.

Public hearing opened and closed with no comment.

Dave Liberatore moved, seconded by Ken Gorrell to grant approval for the construction of an addition to an existing home within the 35 foot setback on .70 acre at 5 Hidden Lane (Tax Map U16, Lot 2) in the R1 zone with the condition that the final approval for the septic system be granted prior to receiving an occupancy permit.

The Board reviewed the criteria for a Special exception:

- The proposed house addition is consistent with the surrounding land uses. No special facilities or utilities will be required.
- This is a residential neighborhood, use is compatible.
- Adequate sanitary facilities, water supply and road access are available

Motion passed.  
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**Wilbur & Susan Fifield: Application for a Special Exception as provided in Article 14, Section 14.1 of the Northfield Zoning Ordinance replace an existing garage with a larger one at 19 Vine Street (Tax Map U7, Lot 29) in the R2 zone.** At the request of the applicant, motion made by Dave Liberatore, seconded by Steve Bradbury to continue the application until the next meeting. Motion passed.

**Pamela Tardif: Application for a variance to the terms of Article 7, Table 2 of the Northfield Zoning Ordinance to add a 40'x6' porch within the 100' setback at 35 Glines Park Road (Tax Map R8 Lot 17-4) in the Conservation zone.** Dave Lorch explained that this application has been made as the lot and building were created before the zone was changed to Conservation with deeper setbacks. The home is currently located within the front and side setbacks and the applicant wishes to construct a porch on the front of the home which would be an additional 6 feet into the front setback. Kent Finemore noted that it is also within the side setbacks, but noted that the application does not specify which setback it is requesting a variance for.

Dave Liberatore moved, seconded by Ken Gorrell to accept the application as complete. Motion passed. Pam Tardiff explained that her house is approximately 90 feet from her front boundary and she wishes to add a 6' x 40' farmer's porch to the front of the house. Members noted that her house sits back further on the lot than the neighboring homes at this time.

Public hearing opened. Abutter Ed Mitchell called earlier to state that he has no objection to the application. Public hearing closed.

Ken Gorrell moved, seconded by Dave Liberatore to grant a variance to the terms of Article 7, Table 2 of the Northfield Zoning Ordinance to add a 40'x6' porch within the 100' setback at 35 Glines Park Road (Tax Map R8 Lot 17-4) in the Conservation zone. The board reviewed the criteria for a variance:

- There would be no decrease in surrounding property values.
- Granting the variance would not disbenefit public interest
- Granting the variance would not defeat the purpose of the ordinance to maintain the rural character of the area.
- Granting a variance will not intrude upon the individual rights of the neighbors.
- Granting the variance will allow the homeowner enhanced used of the home.

Motion passed.

**Jonathan & Rebecca Fredette: Application for a Special Exception for building within the side setback at 200 Cross Mill Road (Tax Map R4 Lot 17-2a) in the C/I zone.**

Kent Finemore explained to the board that this application is for a Special Exception, however, Dave Lorch reviewed it as a variance. Technically, the board should not accept the application as it should be a variance. Rebecca Fredette presented a letter from the Town along with a copy of RSA 674:33a which clarified that the application was indeed for granting an “equitable waiver of dimensional requirement”. Ken Gorrell moved, seconded by Dave Liberatore to accept the application as complete. Rebecca Fredette explained that due to changes in septic designs and size of the home, a mix-up occurred and the foundation was located between 3 and 4 feet over the setback. The Fredettes were not aware of this until they applied for a mortgage and were refused until a waiver could be granted by the town. Roland Seymour asked if there were any repercussions the town had for this error. Kent Finemore explained that if the Board chose to deny this waiver, then the applicant could sue the contractor, but the town really couldn’t do anything.

Public hearing opened. Judy Farr, abutter stated that she has no objection to granting the waiver. Public hearing closed.

Ken Gorrell moved, seconded by Roland Seymour to grant a waiver of dimensional requirement for building 4 feet into the side setback at 200 Cross Mill Road (Tax Map R4 Lot 17-2a) in the C/I zone with the condition that no deck or other extension be added to this end of the house. Motion passed.

Meeting adjourned at 7:50 PM>

Respectfully submitted,

Eliza Conde, Secretary