

**TOWN OF NORTHFIELD
ZONING BOARD OF ADJUSTMENT
JUNE 22, 2005**

MINUTES

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

Ken Gorrell moved, seconded by Chris Dunne to accept the minutes of May 25, 2005 as read. Motion passed.

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. Dave Liberatore moved, seconded by Chris Dunne to accept the application as complete. Mr. Fifield explained that there is currently a 10'x16' foot shed in disrepair on the property. He proposes to remove the old shed and replace it with a 16'x24' garage on a concrete slab. The new building will be 6 feet deeper than the old one and will be constructed the same distance from the boundary line as the old building. This building will impact the side and rear setbacks. Dave Liberatore asked Mr. Fifield if the building could be placed on the lot without impacting the setbacks. The property is wet and the building would then be located so that he could not easily get his car into the garage. Kent Finemore asked how far the current building is from the boundary and Mr. Fifield replied that it is "two lawnmower widths" or approximately 3-4 feet.

Public hearing opened and closed with no comment. Kent Finemore explained that this is a Special Exception because it is an expansion of an existing non-conforming building and the new building will not meet the side or rear setback requirements. Ken Gorrell reviewed the criteria as presented in Dave Lorch's report.

Dave Liberatore moved, seconded by Chris Dunne to grant a Special Exception as provided in Article 14, Section 14.1 of the Northfield Zoning Ordinance replace an existing garage with a 16'x24' garage at 19 Vine Street (Tax Map U7, Lot 29) in the R2 zone with the condition that the new garage maintain the same distance from the southwest boundary line and be no more than 6 feet closer to the rear boundary line than the existing building. Motion passed.

Robert A Doubleday/Doubleday One Family Trust: Application for a Special Exception as provided in Article 14, Section 14.2 to expand a non-conforming use by constructing an addition to a residence that is currently 23 feet from the property line on Bay Hill Road (Tax Map R15, Lot 26) in the R1 zone. Ken Gorrell moved, seconded by Chris Dunne to accept the application as complete. Roland Huckins,

representing the owner, explained that the addition would be a new living room with a bedroom upstairs. The septic system is being replaced as part of the project. The Board reviewed the plans, noting that the addition will be no closer to the front bound than the existing home. Public hearing opened and closed with no comment.

Ken Gorrell reviewed the criteria for a special exception as presented in Dave Lorch's report. Ken Gorrell moved, seconded by Chris Dunne to grant a Special Exception as provided in Article 14, Section 14.2 to expand a non-conforming use by constructing an addition to a residence that is currently 23 feet from the property line on Bay Hill Road (Tax Map R15, Lot 26) in the R1 zone with the condition that the addition not be any closer to the front property line than the existing house. Motion passed.

Mark & Virginia Perkins: Application for a variance to the terms of Article 7 Table 2 of the Northfield Zoning Ordinance to construct a 20'x20' addition within the required 100 foot setback at 31 Wethersfield Drive (Tax Map R15, Lot 47-3) in the Conservation Zone. Dave Liberatore moved, seconded by Chris Dunne to accept the application as complete. Motion passed. Mrs. Perkins explained to the board that the home was constructed before the zoning was changed to Conservation and that because of the curve in the road, the proposed addition will extend 12 feet into the 100' front setback. The house itself is located within this setback. The addition is for a den with no plumbing. Public hearing opened and closed.

Ken Gorrell reviewed the criteria for a variance as presented in Dave Lorch's report. Dave Lorch asked if the addition could be located to avoid the setback. Mrs. Perkins stated that it would interfere with the back yard plans and that the house was constructed to allow for this addition. It would balance the garage and look similar to other homes in the development. Ken Gorrell moved, seconded by Chris Dunne to grant a variance to the terms of Article 7 Table 2 of the Northfield Zoning Ordinance to construct a 20'x20' addition within the required 100 foot setback at 31 Wethersfield Drive (Tax Map R15, Lot 47-3) in the Conservation Zone. Motion passed.

Other: Dave Lorch asked the board for clarification of Special Exceptions versus Variances for situations of expanding a non-conforming building. We have had 4 such applications recently with 2 being Special Exceptions and 2 being Variances. Kent Finemore responded that it is the applicant's responsibility to determine what to apply for and they should work with Dana Dickson to determine the appropriate requests.

Chris Hunt asked the board whether there is a difference between an alteration and an expansion to an existing non-conforming use or if they are treated as the same. Kent Finemore noted that if an addition is an expansion, it is not addressed in the ordinance and therefore would have to be a variance. Dave Lorch will contact the town's attorney for clarification on the wording. There may need to be some changes in the wording of the ordinance.

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Chris Hunt asked the board about granting a variance for a business which required a site plan. Kent Finemore replied that it is not the jurisdiction of the ZBA to require a site plan, it could be recommended, but doesn't have to be as it is already a requirement.

Meeting adjourned at 8:00 pm.

Respectfully,

Eliza Conde, Secretary