

**TOWN OF NORTHFIELD  
ZONING BOARD OF ADJUSTMENT  
August 29, 2007**

**MINUTES**

Members present: Keith Murray, Polly Mills Fife, Steve Bradbury, Kent Finemore. Also present: Dave Lorch, LRPC and Eliza Conde, Secretary.

Chairman Finemore asked Alternate Murray to be a voting member for the meeting.

Steve Bradbury moved, seconded by Keith Murray to accept the minutes of July 25, 2007 as read. Motion passed.

**Anthony Bordeau: Continuation of an application for a variance to Art. 10, section 10.1 of the Northfield Zoning Ordinance to allow 2 campers on the lot for 120 days at 52 Summer Street (Tax Map U9 Lot 13) in the R1 zone.** Kent Finemore reviewed the situation of this application and the questions about how to proceed. The applicant submitted both this and the next variance requests on one application, however, the two variances were noticed as separate items on the agenda. The Board has accepted the application as complete, but any motions relative to this application need to be separated for each variance.

Board members discussed their concern about granting a variance for 2 campers that would stay with the property indefinitely. The ordinance allows a resident to obtain a temporary occupancy permit to have a “guest” camper on the property for up to 90 days at a time, however, this situation is really 2 “guest” campers with no permanent residence on the property. Dana Dickson explained that he had sent the applicant to the ZBA because the property is within the 100 foot I93 buffer zone. He noted that this property has septic, water and electricity making this situation less of an issue than it might be. Polly Mills Fife commented that she is more concerned about there being two campers on the lot than the length of stay as the ordinance appears to allow only one camper. Steve Bradbury agreed that it would not be in the best interest of the town to grant a variance allowing 2 campers there indefinitely. Kent Finemore reminded the Board that the 100 foot buffer is not addressed in this portion of the agenda.

Public hearing opened and closed with no comment. Mr. Bordeau told the board that he does not have definite plans to build a permanent home at this time. He stated that he really only wants one camper as the other one is being removed soon. Mrs. Bordeau asked if it made a difference that there had been a residence on that property previously. Chairman Finemore explained that it would not be “grandfathered” because it has been more than a year since the residence was removed, therefore the zoning changes must be considered. Dana Dickson explained that the applicant applied for a variance because of the 100’ buffer zone. He didn’t believe that the temporary campers were an issue of the 100’ buffer, but the permanent residence would require a variance from the buffer setback. Dave Lorch said he had considered that campers to not be permanent and

therefore not an issue for the buffer, however, if an occupancy permit is needed for the temporary use of the trailer, then it technically becomes a structure. Kent Finemore quoted the ordinance stating that the camper with a temporary occupancy permit must meet all setback requirements which would include the 100' buffer on this lot. Steve Bradbury commented that he is not as concerned about the buffer as he is about granting a permanent variance to allow two campers.

Mrs. Bordeau explained to the board that they do not want the second camper, they only need the variance for the length of stay. Kent Finemore reminded the board that the application is for 2 campers for 120 days, while the ordinance allows for one camper for 90 days without any variance. Steve Bradbury reviewed the criteria for a variance:

- Possible decrease in property values
- No benefit to the public
- No unnecessary hardship as one camper can be allowed for 90 days.
- Allowing 2 residences on one lot is contrary to the spirit of the zoning ordinance.

Steve Bradbury moved, seconded by Polly Mills Fife to deny a variance to Art. 10, section 10.1 of the Northfield Zoning Ordinance to allow 2 campers on the lot for 120 days at 52 Summer Street (Tax Map U9 Lot 13) in the R1 zone because there is no hardship associated with the lot and the application is contrary to the spirit of Northfield's ordinance. Keith Murray asked if it wouldn't be better to grant a variance for one camper for the 120 days rather than to deny it altogether. Steve Bradbury pointed out that the applicant can get a temporary occupancy permit every year and Polly Fife reminded the board that it can't change what the applicant applied for. Kent Finemore stated that the board could approve the variance with a condition of only one camper but he wouldn't vote for it, because the ordinance already allows 90 days. Vote to deny the variance 3 yes, 1 no. Motion passed, variance denied.

**Anthony Bordeau: Continuation of an application for a variance to Art 7 Table #2 of the Northfield Zoning Ordinance to allow building within the I-93 100 foot buffer zone at 52 Summer Street (Tax Map U9, Lot 13) in the R1 zone.** The only issue for this variance is the 100 foot I93 buffer as there is room on the lot to meet the normal setbacks for a residence. Public hearing opened and closed with no comment. Steve Bradbury and Polly Mills Fife concurred that this is a pre-existing lot in a neighborhood of homes being taxed as a building lot. Members reviewed the criteria for a variance:

- There would be no decrease in value to other homes
- There is no benefit to the public other than increased tax value
- There is a hardship on this lot as no building could be placed on the lot outside the I93 buffer
- A home could help deflect some of the noise from the highway
- Singling out this lot as unbuildable while other lots have homes would not be fair.
- It is not contrary to the spirit of the ordinance.

Steve Bradbury moved, seconded by Polly Mills Fife to grant a variance for Tax Map U9, Lot 13 located at 52 Summer Street, Anthony Bordeau applicant, to build a single family house within the 100' I93 corridor with the following condition:

1. The house is situated so that it meets all lot setbacks for the R1 District.

Motion passed 3-0.

**Karen Buxton-Gilmore: Continuation of an application for a variance to Article #7 Table #2 of the Northfield Zoning Ordinance to construct a garage within the front setback at 76 Greenwood Drive (Tax Map U10 Lot 12M) in the R1 zone.** Keith Murray moved, seconded by Steve Bradbury to accept the application as complete.

Motion passed. Mr. Buxton explained that he would like to expand his garage from one car to two cars. The layout of the land makes this location the only logical one and it will be 11 feet into the setback only at one corner as the garage is at an angle to the front of the lot.

Public hearing opened and closed with no comment. Members reviewed the criteria for a variance:

- It would not diminish property values
- Benefit would be cleaning up the yard
- There is a hardship due to the topography of the lot
- This would provide a convenience to the homeowner similar to other homes in the area
- As there is no change of use for the property, it is not contrary to the spirit of the zoning ordinance.

Steve Bradbury moved, seconded by Polly Mills Fife to grant a variance of 11' for the front lot line setback for Tax Map U10, Lot 12M located at 76 Greenwood Drive, Steve Buxton owner, to build a garage no closer than 24' from the front property line with the following condition:

1. That the addition will be 14'x34' as per the application.

Motion passed 3-0.

**William Coulter: Application for a variance to Article 7, Table 2 to allow construction of a 24'x16' garage within the 100 foot I93 buffer at 520 Concord Road (Tax Map R9 Lot 40 in the Conservation Zone.** As Kent Finemore is an abutter for this property he asked Steve Bradbury to act as Chairman while he stepped down from the board. Keith Murray moved, seconded by Polly Mills Fife to accept the application as complete. Motion passed.

Polly Mills Fife commented that Mr. Coulter has made definite improvements to this lot and a garage would further enhance his work. Mr. Coulter explained that he plans to

build a single car garage with some space for storage so that he can remove his storage container. There will be no trees removed for the garage.

Public hearing opened: Kent Finemore explained to the board that this lot was impacted by the construction of I93 and relocation of Route 132 leaving an oddly shaped property. He was in favor of the variance. Public hearing closed.

After further discussion it was determined that this lot is in the Conservation zone with 100' and 50' setbacks and the I93 buffer begins at the fenced property line rather than from the actual road, making it impossible to meet any setback requirements. This variance request is only for the 100' buffer and that is all that the board will consider at this time. Members reviewed the criteria for a variance:

- There is no decrease in value on surrounding properties
- Public interest served by inside storage
- There is a hardship on this property as there is no room to place the garage outside the setback.
- No impact on traffic noise as no trees are to be cut. Garage may help buffer sound.
- Other homes in the area have garages
- As no trees are to be cut, it is not contrary to the spirit of the ordinance.

Steve Bradbury added that there is no proposed change of use for this property.

Keith Murray moved, seconded by Polly Mills Fife to grant a variance for Tax Map R9 Lot 40 located at 502 Concord Road, William Coulter applicant, to construct a garage measuring 24' by 16' not to extend further than 85' into the 100' I93 buffer. Motion passed 3-0.

Meeting adjourned at 8:45 pm.

Respectfully submitted,

Eliza Conde, Secretary