

**TOWN OF NORTHFIELD  
ZONING BOARD OF ADJUSTMENT  
September 26, 2011  
MINUTES**

Members present: Phil Cain, Polly Fife, Keith Murray, Steve Bluhm, Kent Finemore and Dave Liberatore. Also present: Peer Kraft Lund, LRPC.

**Minutes:** Dave Liberatore moved, seconded by Keith Murray to approve the minutes of August 22, 2011 as read. Motion passed.

**Joyce Schmidt: Application for a variance from Article 7 Table 2 of the Northfield Zoning Ordinance to allow placement of a shed 25 feet from the property bound within the required setbacks of the Conservation zone at 429 Cross Mill Road (Tax Map R6 Lot 3-1).** After review of the application, Dave Liberatore moved, seconded by Phil Cain to accept the application as complete. Motion passed.

Kent Finemore summarized the intent of the application explaining that the existing residence is on the right of the lot, the foundation for the new home is in the center of the lot and the shed in question is located on the right side of the lot. Joyce Schmidt explained that when she applied for a building permit she was advised to move the shed temporarily until a variance could be granted. The new residence is located 52 feet from the southern boundary and the proposed location for the shed is 25 from the same boundary. Keith Murray suggested locating the shed behind the house without impacting the setbacks. Ms. Schmidt replied that she does not want to remove trees from her lot. Polly Fife commented that this is a one acre lot which is now in the Conservation Zone and it is difficult to meet the newly required setbacks on the small lot. Steve Bluhm added that it conforms to surrounding lots and there is a tree buffer between the abutting lot.

Public hearing was opened and closed with no comment.

Discussion followed relative to whether a condition of approval should include the required removal of the existing residence when new home is occupied and whether this variance is restricted to this particular shed or could it be replaced. After talking about the possibility of replacing the shed with a 2 car garage without any further variance as long as it was located 25 from the southern boundary, it was determined any replacement shed should be of the same size. Polly Fife and Steve Bluhm questioned the need to require the removal of the existing residence as the Zoning Ordinance does not allow two residences on one lot.

Dave Liberatore reviewed the requirements for granting a variance:

1. Granting the variance would not be contrary to public interest as the new home will meet the newly required setbacks and the shed meets the old setbacks.
2. Granting the variance would not be contrary to the spirit of the Ordinance as this is an existing lot and conforms to abutting properties.

3. Granting the variance would do substantial justice.
4. Granting the variance would not diminish the values of the surrounding properties because the lots are pre-existing and similar to the applicant's lot.
5. Literal enforcement of the provisions of the Ordinance would result in unnecessary hardship because it would require removal of trees to meet the required setbacks.

Dave Liberatore moved, seconded by Keith Murray to grant a variance from Article 7 Table 2 of the Northfield Zoning Ordinance to allow placement of a shed 25 feet from the property bound within the required setbacks of the Conservation zone at 429 Cross Mill Road (Tax Map R6 Lot 3-1) with the following conditions:

1. That the existing residence be removed from the property when an Occupancy Permit is issued,
2. That the shed be located no closer than 25 feet from the southern boundary line, and that
3. Any replacement shed be of similar size and no closer than 25 feet from the southern boundary line.

Discussion followed relative to the ambiguity of "similar" and the possibility of replacing the shed with a large barn or garage. Dave Liberatore moved, seconded by Keith Murray to amend the above motion changing the 3<sup>rd</sup> condition to "any replacement shed be of the same square footage and no closer than 25 feet from the southern boundary line". The amendment passed. The motion as amended passed.

Meeting adjourned at 7:45 pm.

Respectfully submitted,

Eliza Conde, Secretary

*Minutes approved 04-23-2012*