

**NORTHFIELD BOARD OF ADJUSTMENT
MINUTES
March 28, 2016**

Present: Brian Brown, Jacqueline Roy, Bob Southworth, Kent Finemore and Paula Benski.

Minutes: Brian Brown moved, seconded by Jacqueline Roy, to approve the minutes of February 22, 2016 as read. Motion passed.

Diane Elliott: Rehearing of an application for a variance from Article 7 Table 2 of the Northfield Zoning Ordinance to allow a camper to be placed within the setbacks on Tax Map R8 Lot 69 on East Side Road in the Conservation Zone. Kent Finemore explained that because he is technically an abutter of this property, he has not attended the previous meetings relative to this application. Before he stepped down from the board and asked Brian Brown to act as Chairman for this application, he explained that the board has the choice to approve, deny or continue the case until more members are in attendance.

Brian Brown explained to Diane Elliott that she has the choice of waiting until a full Board is in attendance. Of the members in attendance tonight only two have heard the case previously and 2 have not, other than reading the minutes and application. Diane asked if she has presented enough information to move ahead with the case. Brian Brown reviewed the case to date, stating that this is a pre-existing small lot on Sandogardy Pond and the application is for placing a small camper on the lot with no water, sewer or electricity. The application was denied in December based partly on concerns about Shoreland Protection regulations, however a letter from DES indicates that since the camper is not an impervious surface the regulations are not an issue. The applicant had asked for a rehearing based upon the new DES information and was granted the rehearing at the February 22, 2016 meeting. In reviewing the Northfield Zoning Ordinance it appears that the camper can be stored on the lot indefinitely, but there would be a 90 day limit for habitation. The camper would have to be located within the setbacks because of the small lot size.

Public hearing: Janet Dorey, abutter, restated her opposition as it would appear to be a campground and may devalue the surrounding properties. Brian explained that the camper can be located on the lot anyway and the setbacks are only an issue if it is occupied. The current camper on the lot is 13.5 feet from the boundary and near the road. Diane Elliott explained that she is not looking for water and sewer and that the road is really only a right of way and is on her lot. She added that DES does not consider a camper to be an impervious surface because it can be moved. She has no plans to live there year round and would be willing to limit the size of an allowed camper and move it further from the abutter. She added that the lot is valued for taxes at \$27,000 but she has not been able to use the property. Jackie Roy asked if the camper would be placed within the setbacks. It would be about 20 feet from the shore and within the town setback requirements. Bob Southworth commented that setbacks are probably not required for a camper as it can be moved. Public hearing closed.

Jackie Roy indicated that she is not comfortable approving or denying an application that may not need a variance as it appears that a camper can be stored on the lot even without a variance. Paula Benski asked what the Board is voting on if the camper is allowed. Diane Elliott explained that Dana Dickson had suggested that she get a variance just to make the camper legal. She wants to make sure she can legally use the lot with a camper without water and sewer. Bob Southworth commented that the camper is well within the Ordinance and wouldn't need a variance.

After further discussion it was agreed that further clarification of exactly what the applicant is asking for and how it fits into the Zoning Ordinance is needed. Jackie Roy moved, seconded by Paula Benski to continue this application to April 25, 2016 for clarification of whether a variance is required and to allow for a full board to be in attendance. Motion passed.

Nawaz Azam: Application for a variance from Article 11 section C of the Northfield Zoning Ordinance to allow a driveway within the setback requirements at 6 Holmes Ave (Tax Map U8 Lot 21) in the R2 zone. Kent Finemore joined the Board as Chairman. After review of the application, Brian Brown moved, seconded by Jackie Roy to accept the application as complete. Motion passed. Mr. Azam explained that the building is located 12 feet from the boundary to allow room for a new driveway. He does have enough parking behind the building but separate driveways are more convenient for tenants. Kent Finemore pointed out that this application seeks relief from Article 11.c which is related to parking on a lot with a building being converted to apartments. Jackie Roy asked if the driveway would be on the boundary line. Mr. Azam stated it would be about 1 foot from the boundary and be about 9 feet in width. It would not access the back parking lot. Kent Finemore commented that the area in question was more of a walkway than a driveway historically. Driveway widths are required to be 8 feet, however, Bob Southworth indicated that there are other requirements such as line of site and distance from an intersection that will be considered by the Highway Department.

Public hearing: Abutter Charles Plummer informed the Board that the actual property line is about 2 feet from his fence so that there isn't 12 feet available. Abutter Cathy Keyser commented that there isn't much room for a driveway in this location and she is concerned that tenants will park on her side of the road. Public hearing closed.

Bob Southworth stated that the Board is only considering the setback issue for the driveway and that the other issues will be handled by the Highway Superintendent. Jackie Roy asked if the Board approves the driveway would the applicant still need to meet the other regulations. After further discussion it was decided that the applicant needs to provide a map with accurate measurements showing the boundary line and the actual footage from the building. Bob Southworth moved, seconded by Jackie Roy to continue this application until April 25, 2016 in order to have further information relative to actual measurements. Motion passed.

Meeting adjourned at 8:15 pm.

Respectfully submitted,

Eliza Conde, Secretary

Minutes approved 04-25-2016

