

**TOWN OF NORTHFIELD  
ZONING BOARD OF ADJUSTMENT  
May 28, 2013  
MINUTES**

Members present: Polly Mills Fife, Kent Finemore, Keith Murray, Phil Cain and Brian Brown. Also present: Gerald Coogan, LRPC.

Chairman Finemore appointed Brian Brown as a voting member for this meeting. He also noted that the Wendy Lavallee application which was continued to the April 22, 2013 meeting was withdrawn by the applicant.

**Minutes:** Phil Cain moved, seconded by Brian Brown to accept the minutes of March 25, 2013 as read. Motion passed.

**Ron Vary: Application for a variance from Article 7 Table 2 (Dimensional Requirements) of the Northfield Zoning Ordinance to allow a single family home on the corner of View and Summer Streets (Tax Map U8 Lot 89A) in the R1 zone.**

Gerald Coogan informed the Board that the application is not really complete as there was no information on exactly what the applicant is seeking relief for. The applicant also did not complete the responses to questions on the application. Mr. Coogan suggested that the Board can consider it complete if it feels it can get the information clarified at this meeting. Ron Vary explained that it is not clear where the pins are for the lot, although one has recently been located. The building would be 26' to 34' from View Street and 14 feet from the North property line. Kent Finemore pointed out that there needs to be a variance for both the lot size and the setbacks. Keith Murray agreed that the applicant has not been specific in what relief he is seeking from the Zoning Ordinance. Polly Fife added that since the application is not specific and the criteria for granting the variance has not been completed, she does not believe the application is complete. Keith Murray moved, seconded by Polly Fife to not accept the application as complete. Motion passed. The applicant was advised to re-apply with a complete application including exactly what section of the ordinance he is seeking relief from, the area of the lot, the setbacks, the frontage, etc. and complete the criteria questions on the application.

**River Holka: Application for a variance from Article 7 Table 2 (Dimensional Requirements) of the Northfield Zoning Ordinance to allow an in-law apartment at 297 Shaw Road (Tax Map R2 Lot 53-10) in the R1 zone.**

Gerald Coogan advised the Board that this application also needs more information relative to the size and location of the in-law apartment, adding that this will create a two family home. River Holka explained that the apartment will be above the existing garage, not changing the footprint of the building. Keith Murray moved, seconded by Phil Cain to accept the application as complete. Motion passed. River Holka stated that he plans a studio apartment over the garage with its own entrance, a small kitchen and bath to be used by his mother in law during the summer months. Kent Finemore pointed out that the Zoning Ordinance does not define either an apartment or an in-law apartment, only a "dwelling unit" which can be with or without a kitchen. Brian Brown suggested that if there were no kitchen it

could just be added living space. Mr. Holka responded that it will be a separate apartment with its own entrance rather than just added living space. It will not change the footprint of the home and the new roofline will be the same as the main home. Members discussed whether there are property tax consequences of creating a two family home versus just adding living space. Kent Finemore reminded the Board that it has to consider the surrounding property values and not taxation. The Board needs to consider the number of units and the minimum lot size which is intended to control density of population. This request is to add an additional unit, changing it to a 2 family residence which requires 2.5 acres. Gerry Coogan confirmed that the application is for a self contained unit with a separate entrance.

Public hearing was opened and closed with no comment. Members continued to discuss the question of simply adding living space versus a separate dwelling unit. Mr. Holka stated that he was advised by the Building Inspector that this would be a separate unit and would require a variance because of the acreage. Keith Murray moved, seconded by Phil Cain to grant a variance from Article 7 Table 2 (Dimensional Requirements) of the Northfield Zoning Ordinance to allow an in-law apartment at 297 Shaw Road (Tax Map R2 Lot 53-10) in the R1 zone. Keith Murray reviewed the criteria for a variance stating that substantial justice is done due to the size of the lot, it would not impact property values and it is in keeping with the spirit of the Zoning Ordinance. Motion passed.

**Mike Hanley: Application for a Special Exception to allow the expansion of an existing restaurant at 133 Park Street (Tax Map U8 Lot 143) in the C/I zone.** Gerald Coogan explained to the Board that a Special Exception was granted in 2008 for a 60 seat restaurant and now the applicant wishes to expand the space and have 90 seats. Although he would like to see parking information, he stated that the application is complete.

Mike Hanley explained that he plans to expand the restaurant into the adjoining office space, adding to the restaurant space but not to the building itself. Phil Cain moved, seconded by Brian Brown to accept the application as complete. Motion passed. Mr. Hanley explained that the existing 37 parking spaces would allow up to 96 seats as per the town's parking ordinance.

Public Hearing opened: Jonathon Dupuis said "let's go for it". Public hearing closed. Polly Fife stated that this is use of existing building space to expand on the original application for 60 seats. Keith Murray agreed that expanding any business in town is great. Keith Murray moved, seconded by Brian Brown to expand the existing restaurant at 133 Park Street to 90 seats. Polly Fife asked what would happen if the proposed extra space becomes unavailable for some reason in the future and would that mean the current existing space could have 90 seats. Mike Hanly stated that the Fire Department wouldn't allow that many seats in the space. Gerald Coogan asked the applicant if 90 seats are enough. The site plan application before the Planning Board asks for 90 seats. Keith and Brian withdrew their motion. Keith Murray then moved, seconded by Brian Brown to grant a Special Exception to allow 90 seats in a restaurant at 133 Park Street (Tax Map

U8 Lot 143) conditional upon occupying the additional 868 sq. ft. as per the application.  
Motion passed.

**Other:**

1. Keith Murray moved, seconded by Brian Brown to nominate Polly Fife as Vice Chairman. Motion passed.
2. Keith Murray informed the Board that the town and NEDC applied for and received a grant for exploring the possibilities of a village district. The first public hearing is scheduled for June 4, 2013. Kent Finemore cautioned that people think of the “village district” as the “historic district” and need to be reminded that it is referring to what uses are allowed in a village district.
3. Next meeting will be scheduled for June 26, 2013 in order to allow members to attend the annual LRPC meeting.

Meeting adjourned at 8:15 pm.

Respectfully submitted,

Eliza Conde, Secretary

*Minutes approved August 26, 2013*