

**NORTHFIELD BOARD OF ADJUSTMENT
MINUTES
October 26, 2015**

Present: Brian Brown, Bob Southworth, Jacqueline Roy and Keith Murray.

Minutes: Brian Brown moved, seconded by Bob Southworth to accept the minutes of September 28, 2015 as read. Motion passed.

Acting Chair Keith Murray explained to the applicants that they have the option to continue their cases until there is a full board in attendance.

DRM Corporation: Continuation of an application for a variance from Article 10 Section 3 of the Northfield Zoning Ordinance to allow a 1983 mobile home to be moved into Hillside Park at 25 Granite Street (Tax Map U07 Lot 100-6) in the R2 zone. As the application was accepted as complete at the September 28 meeting, the Board continued discussion of the application. Bob Southworth reported that he met with Dana Dickson, Code Enforcement Officer who was of the opinion that he cannot be certain the older home meets all of HUD's requirements and that the town should adhere to the requirement that mobile homes be 1994 or newer as per the Northfield Zoning Ordinance. Two emails from Dana confirm his opinion that there are too many changes in requirements to be certain that this home qualifies and that the data plate on the home does not reflect changes made. Jackie Roy stated that the data plate on a mobile home includes many safety regulations that the town should require. Bob added that the purpose of the data plate is to confirm that the home meets the required specifications. Brian Brown suggested that most of the requirements have to do with wiring and GFI units.

Public hearing: Sherry Minor, representing the applicant, explained that the mobile home does in fact have a data plate but it is dated 1983. Data plates are not changed when updates have been made. She spoke with HUD and learned that the only changes are the GFI outlets and having intermingled smoke detectors which have been installed. Bob Southworth noted that the Northfield Zoning Ordinance requires a data plate be 1994 or newer. Sherry Minor responded that no one will put on a different data plate as it is the home's identification, but the home is updated. Sherry objected that no one from the Board contacted HUD to determine what the requirements are. Bash Ahmed confirmed that there is a data plate and that the home has had the wiring updated and smoke detectors installed. Public hearing closed.

Brian Brown asked whether the data plate was relevant to the application since it wouldn't be updated even though the home has been updated. Bob Southworth responded that the zoning ordinance requires the data plate to be 1994 or newer. Keith Murray reminded members that the board had asked for the requirements for upgrading and whether a 1983 home could be brought up to 1994 standards. The Board reviewed the criteria for granting a variance:

1. Granting the variance would not be contrary to the public interest because: the home is newer than what was there before. Jackie Roy pointed out that it is difficult to know all code changes and if approved but then determined to be unsafe it would be contrary to

public interest. She asked if there is a way to have the home inspected by a qualified person.

2. If the variance were granted, the spirit of the ordinance would be observed because: Keith Murray suggested that the spirit of the ordinance is that the town does not want pre 1994 mobile homes for safety reasons.
3. Granting the variance would do substantial justice because: Keith Murray stated that when the Zoning Ordinance was written the intention was to keep unsafe homes out of town, but if the pre 1994 home can meet requirements then substantial justice would be done. Jackie Roy agreed, but asked how to verify that the home meets the requirements.
4. If the variance were granted, the values of the surrounding properties would not be diminished: The board agreed with this.
5. Unnecessary hardship: Keith Murray asked if the ordinance creates a hardship by requiring 1994 or newer mobile homes. Brian Brown pointed out that the lot has been vacant for 4 years. Jackie Roy expressed concern that it would be setting a precedent for the other 11 homes in the park to not meet the 1994 requirements and whether granting this variance would continue on this lot if something happens to the home. Keith Murray was of the opinion that the variance would be on the home and not the lot.

After further discussion Brian Brown moved, seconded by Jackie Roy to deny the application for a variance from Article 10 Section 3 of the Northfield Zoning Ordinance to allow a 1983 mobile home to be moved into Hillside Park at 25 Granite Street (Tax Map U07 Lot 100-6) in the R2 zone as it does not meet the standards set by the Northfield Zoning Ordinance. Motion passed. Sherry Minor stated she was disappointed by this decision since the new board member was not at the September meeting and the Board failed to contact HUD about safety requirements.

Mandie Hagan – Rowell’s Sewer & Drain, LLC: Application for a variance from Article 12 Section 3D of the Northfield Zoning Ordinance to permit a sign constructed according to ZBA approval correcting the square footage calculation at 359 Tilton Road (Tax Map R15 Lot 76) in the C/I zone. After review of the application, Brian Brown moved, seconded by Bob Southworth to accept the application as complete. Motion passed.

Mandie Hagan explained that the sign has been constructed exactly as it was presented to the Board in May, however during the presentation she incorrectly stated that the size was 148 sq. ft rather than 168 sq. ft. Based upon her statement, the Board then approved the sign not to exceed 150 sq. ft.

Public hearing: Chris Hunt noted that at the May meeting there was concern about having 2 signs and the sign on the building remains. He noted that Northfield’s sign ordinance calls for much smaller signage and this sign is very large. He is concerned that the Board allowed this sign which doesn’t fit in with others in town. Public hearing closed.

Board members discussed the prior minutes that do show that the dimensions were correct but the total sq ft was incorrect. The Board allowed the larger sign because there was an existing grandfathered sign on the lot that was very large. Keith Murray pointed out that the Board has already approved the sign it was just miscalculated. He added that signage was approved at Dipsy Doodle and they have multiple signs. Brian moved, seconded by Jackie Roy to grant a

variance from Article 12 Section 3D of the Northfield Zoning Ordinance to permit a sign constructed according to ZBA approval correcting the square footage calculation at 359 Tilton Road (Tax Map R15 Lot 76) in the C/I zone. Jackie Roy reminded the Board that this includes adding the address on the sign post and messaging on the back of the sign. Motion passed.

Meeting adjourned at 7:55 pm.

Respectfully submitted,

Eliza Conde, Secretary

Minutes approved 12-28-2015