

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

Members present: Polly Mills Fife, Kent Finemore, Keith Murray, Phil Cain, Brian Brown and Peg Shepard.

Minutes: Keith Murray moved, seconded by Phil Cain to accept the minutes of August 26, 2013 as read. Motion passed.

Kathleen P. Wasiuk: Application for a variance from Article 7 Table 2 Note E of the Northfield Zoning Ordinance to allow a residence and driveway with less than the required 50' frontage on 7.2 acres off Fiske Road in the Conservation District. Peg Shepard stepped down as she is an abutter to this property. Jerry Coogan's report indicates that the application is complete. Keith Murray moved, seconded by Phil Cain to accept the application as complete. Motion approved.

Joe Wasiuk explained that he owns a 7.2 acre back lot off Fiske Road and also a 25' strip from Fiske Road that was purchased separately. Because the town regulations require 50' of frontage, a variance is needed to construct a driveway and residence on these two parcels. Mr. Wasiuk explained that he purchased the 25' right of way from John Lyford when Mr. Lyford was subdividing lots on Fiske Road. He was told at the time that the Planning Board required that the right of way be 25' because they did not want further development of the 7.2 acres.

Public hearing opened and closed with no testimony.

Polly Fife questioned whether there would be any flexibility in locating the driveway for the best visibility on Fiske Road. Mr. Wasiuk stated that the visibility would be the same as all other current driveways on Fiske Road. Polly Fife commented that this was a plan established by the town with some forward thinking for access to the back land although it does not meet the current requirements. The lots do not have tax map numbers assigned to them because until recently they have been included with lot #36 on the tax bill. Polly Fife pointed out that since the lots are not joined it could be a problem granting the variance to the larger lot since the deed does not indicate any access to it. Joe Wasiuk stated that both lots are being sold together and would be merged. Keith Murray commented that the landowner obtained what the town required at the time and by not allowing the variance the land would be landlocked. Kent Finemore questioned whether the town can require that two lots be merged. Phil Cain stated he would be ok with granting the variance if the 25' requirement by the Planning Board in 1979 is in writing.

Keith Murray expressed concern that these are two separate lots, both of which do not have a tax map number so that there is no specific parcel to attach a decision to. Polly Fife agreed and added that this is two separate parcels with one being an isolated back lot without a deeded access and the 25' piece could be sold to a different party. The application is for the 7.2 acres which does not have access without that 25' piece. Keith Murray suggested continuing the application to the next meeting pending the merger of the two lots and assignment of a tax map number for the lot. Kent Finemore asked if it would be possible to grant a 50 foot access from

Bay Hill Road on Lot #36. Joe Wasiuk responded that lot 36 is just over an acre and would not have the frontage to be able to subdivide.

It was agreed that the Board needs a lot # and a request to merge the two lots before making a decision, but Kent Finemore made it clear that this does not guarantee a positive decision. Keith Murray moved, seconded by Phil Cain to continue this application to the November 25, 2013 meeting. Motion passed.

Meeting adjourned at 7:45 pm.

Respectfully submitted,

Eliza Conde, Secretary

Minutes approved 11-25-2013