

**TOWN OF NORTHFIELD
ZONING BOARD OF ADJUSTMENT
May 12, 2014**

MINUTES

Members present: Brian Brown, Phil Cain, Keith Murray, Kent Finemore and Kevin Waldron.

Chairman Finemore explained that this is a special meeting to consider a request for a rehearing of Mark Geremia's application for a variance from Article 6.2 section 7 of the Northfield Zoning Ordinance to permit the operation of an automotive repairs and internet automotive sales facility at 13 Cottage Street (Tax Map U8 Lot 50) in the R2 zone which was denied by the Board at its March 24, 2014 meeting. He noted that while it is a public meeting, it is not a public hearing and no testimony will be accepted.

Minutes: Phil Cain asked about the Board's denying both the automotive repairs and the internet automotive sales and whether that was incorrect. Kent Finemore replied that the applicant had included both sales and repairs in the application and therefore it was correct to deny both. He added that the internet sales portion was granted previously and therefore that portion of the business can continue. Phil Cain moved, seconded by Kevin Waldron to accept the minutes with a minor correction. Motion passed.

Discussion of Motion for Rehearing: Phil Cain stated that he had read the request for a rehearing from Atty. Puffer several times and he concluded that there was no new information and the Board did not make any errors in its decision. If there had been new information there might be a reason to hear the case again. Keith Murray explained that a motion to rehear a case gives the Board the opportunity to correct something it had done or for the applicant to provide additional information. However, there was no new information presented in the request for a rehearing.

In the absence of any obvious previous errors and the lack of presentation of new evidence, Kevin Waldron moved, seconded by Phil Cain to deny the motion for a rehearing. Motion passed 4-0.

Mark Geremia stated that he had new evidence to present but he was not allowed to at this meeting. Kent Finemore responded that new evidence is supposed to be provided with the request for a rehearing. He added that now that the rehearing has been denied the decision can be appealed at Superior Court. Mr. Geremia asked if he could re-apply for a variance with different wording. Kent Finemore answered that he could do that but there would be no guarantee that the Board would accept the application.

Meeting adjourned at 7:15 pm.
Respectfully submitted,

Eliza Conde, Secretary

Minutes approved July 28, 2014