

Approved 6/9/2022

**Zoning Board of Appeals Meeting Minutes**  
**May 26<sup>th</sup>, 2022 7:00 p.m.**  
**Continuation of Public Hearing**  
**Northfield Town Hall**

*Members Present:* Jennifer Cox, Chair, Erin Jaworski, Shawn Foster, Al Dietrich, Michael Bird and Vivien Venskowski, administrative assistant.

*Absent:* Tim Rogers

*Applicant present:* Robert Mitchell, Ken Parsons, attorney and Jacqui Beaman,

*Audience Members:* Dianne & Daryl Cornwell

Meeting was digitally recorded.

Jennifer Cox, Chair opened the meeting at 7:05 p.m. and read the following public hearing notice the Zoning Board of Appeals of the Town of Northfield will hold a public hearing at 7:00 p.m. on Thursday, May 26<sup>th</sup>, 2022 at the Town Hall, 69 Main Street, Northfield on a special permit issued to Ronald Barfitt, Pres., Barundze Enterprises., Inc. 213 Birnam Rd., Northfield, MA for the property at 45 Warwick Road, Northfield, MA to determine if the special permit should be revoked for failure to pay taxes per the BY-LAWS & REGULATIONS FOR THE GOVERNMENT OF THE TOWN OF NORTHFIELD, Section Permits/Licenses (b)/ Mass General Law - Part I, Title VII, Chapter 40, Section 57.

The Chair noted that a request was received from Mr. Barfitt to continue the hearing. Barfitt made this request due to his health issues and his wish for his attorney to be present.

**On a motion by Dietrich, seconded by Foster, it was unanimously voted all in favor to issue a continuance of the public hearing for Mr. Barfitt to June 30, 2022 at 7:00pm.**

**Old Business**

Continuation of a Public Hearing - on the application by Connecticut River Realty, LLC/Rob Mitchell, 191 Reynolds Road, Shelburne Falls, MA 01370 for a Special Permit or whatever relief is needed for a new gravel pit at 122 Old Bernardston Road, Northfield, MA 01360 (Assessors Map Parcel ID 29-E1) as required by the Northfield Zoning Bylaws, Section 5.4F.

The Chair handed out three documents:

- Draft conditions
- Email dialog between Attorney Blake and Attorney Parsons
- A signed copy of the Conservation Commission Notice of Negative Determination

Deliberations continued

3.4 "C" Special Permit Decision Criteria

1. Uses are in harmony with the Bylaws and the intent of the Master Plan



2. Zoning of the area
  - a. Other gravel pits in the neighborhood
  - b. The area is zoned for industrial use with a special permit
  - c. Master Plan allows gravel pits
3. Adequate facilities supplied for proposed use – not applicable
  - a. Equipment used was discussed
4. Not detrimental to neighbors or property etc.
  - a. Conditions will be considered to minimize impact
5. Traffic discussed
6. Conform with rural design/8.1.1 Bylaws
  - a. Conservation Commission
7. Consistent with Master Plan

Satisfied that the 7 criteria have been met

Discussion continued regarding abutters comments/concerns

- Major complaint oversight/lack of follow-up
- Lack of ability to make changes if there is an issue
- Specific conditions can alleviate
- Concerns regarding the duration of special permits
- Issues with past special permits could have been addressed if applicant was required to come back to ZBA
  - Case by case basis
  - Non-transferable
  - Return to ZBA to renew special permit
  - Limit to 10 years/built in termination
    - Neighbors would know end date
    - Specific language not to supersede two year non-use provisions
    - Finite amount of material on site
  - Annual inspections
    - Building Inspector
    - Applicant notified prior to visit
  - Limit active acreage
  - Lanes – 3 year renewal
- Traffic
- Neighbor's wells/water
- Emergency situations requiring opening the pit after hours
  - How to notify Building Inspector or Town Administrator of
    - email
  - Time frame of notification
    - Follow up within 24-48 hours
- Historic considerations
  - PNF form and implications
  - Confidential database not available to public
  - Applicant would be notified if this is site of interest
- Town Attorney recommended 2015 Bylaws conditions



- Phases/reclamation
- Bond reduced if phases are going well
- Land going back to a field not forest

**On a motion by Foster, seconded by Dietrich, it was unanimously voted to suspend deliberations to Thursday June 2<sup>nd</sup>, 2022 at 7:00pm.**

**On a motion by Dietrich, seconded by Jaworski, it was unanimously voted to adjourn the meeting at 9:07 p.m.**

Respectfully submitted,

Vivien Venskowski  
Administrative Assistant to  
The Zoning Board of Appeals