

**SUMMARY NOTES
OF THE MEETING OF THE
ZONING BOARD OF APPEALS
TUESDAY, MARCH 3, 2009
VILLAGE OF NORTHFIELD**

On Tuesday, March 3, 2009, the Zoning Board of Appeals met at 7:00 p.m. in the Village Hall Second Floor Multi-Purpose Room located at 361 Happ Road to consider one (1) issue:

Members in Attendance:

James Henderson, Chairperson
Bert Getz, Jr.
Brian Kozminski
Lorna Widdes
Richard Crotty

Members Absent:

J. Patrick Doherty
Margaret Parcels

OTHERS PRESENT: Community Development Director Anne Kane and others (see attached sign-in sheet).

Chairperson Jim Henderson called the meeting to order at 7:00 p.m. by introducing the Zoning Board of Appeals members.

Chairperson Henderson requested a motion on the consideration of the December 2, 2008, summary notes. A motion was made by Member Lorna Widdes and seconded by Member Brian Kozminski to approve the December 2, 2008, summary notes.

The following vote was taken:

AYES: 4

James Henderson, Chair
Brian Kozminski
Lorna Widdes
Richard Crotty

NAYS: 0

ABSTAIN: 1

Bert Getz, Jr.

ABSENT: 2

J. Patrick Doherty
Margaret Parcels

Motion Carried

1. **1962 OLD WILLOW ROAD** - Consideration of a request for a variation from Appendix A, Article XVIII, Section 18.2 of the Village of Northfield's Zoning Code:
 - A) A variation to allow for a bell tower, which is considered an accessory structure, to project 25.00 feet above the 35.00 foot allowable height for a total height of 60.00 feet at St. Philip the Apostle Parish

Msgr. Robert Dempsey, petitioner, was present. Mr. Lawrence Kahn, architect from Vanishing Points, LLC, was also present. Msgr. Dempsey outlined their request for a proposed 60 foot bell tower. This bell tower would replace the bell tower that was built in 1963 when the church was built. The previous bell tower was 104 feet tall, built out of masonry construction and did not withstand the test of time. After several attempts to repair it and keep it up, the bell tower was eventually taken down in 1998 for safety reasons. It was always the intent of St. Philip the Apostle Parish to replace the bell tower with a structurally sound and more modest design. It was discussed and no action had been taken until Msgr. Dempsey arrived at the parish over five and one-half years ago.

While he has been at the parish, it has been discussed a number of times and it was finally decided that the bell tower would be shorter, only 60 feet tall. The bell tower would be made out of tubular steel and would not involve masonry or brick work at all. It would incorporate the original frame and cross. The original decorative bells will be placed on the tower. A carillon system is also part of this project as is common with other church bell towers in the area. The speaker will be set at the top of the tower. The new bell tower will complete the renovation of the parish property.

Mr. Lawrence Kahn added they salvaged the corona from the old bell tower and plan to reinstall sections of the corona at the top of the tubular steel base of the new bell tower. The total height of the bell tower will be 60 feet to the top of the cross. The tubular steel is very light and elegant with rounded tops. The bell tower will sit on concrete isles and will be located just east of the new addition and south of the baptistery so as to not obstruct the baptistery windows. The tubular steel will be painted a bronze color to match the windows which are being used in the Social Hall now under construction.

Member Getz questioned the parcel map that was included in the packet and was wondering if the address of 1962 Old Willow Road is listed correctly for where the bell tower will be placed on the property. Community Development Director Anne Kane said if the common address of the church is 1962 Old Willow Road, then that is what we should use for the variance request.

Chairperson Henderson noticed there were about four homes that might be within view and audible distance of the proposed bell tower and was wondering if the church had heard from any of those neighbors. Msgr. Dempsey indicated they had not heard from any of the neighbors.

Chairperson Henderson asked about the volume of the bells. Msgr. Dempsey said it is hard to describe, but would be in the same vicinity as the volume at the Northfield Community Church. They would not want anything louder than that.

Member Kozminski asked if there was a volume control. Mr. Geoff Pautsch, Parish Business Manager, was present and indicated they are proposing a new carillon system. They have not selected a company yet. It will play basic hymns and songs and then the tolling of the bells.

Chairperson Henderson said they have a 43 foot church structure which is already an existing non-conforming right next to the proposed bell tower. The new bell tower is less dense than the one that was there before and much less in height by about 40 feet. So there are some improvements that have been made as to what the condition was before with the old bell tower.

Member Widdes asked how far the horizontal bars are on the bell tower. In her opinion, it appears to be an inviting structure for children to climb on. Mr. Kahn indicated they are approximately six feet apart.

Member Crotty added he has no objection to the variance request.

Member Henderson asked if anyone in the audience wished to speak. No one wished to speak.

Member Kozminski asked if there is a Village ordinance with the ability to regulate sound or noise. Community Development Director Anne Kane said the Village does have ordinances that are vague and are considered nuisance ordinances where sounds are objectionable to a neighboring property owner. They tend to be quite difficult to enforce and the courts don't often hold them up. The Village does use them several times a year when we receive a concern or complaint. Some examples would be truck traffic on a property or snow plowing a parking lot near a residential area.

Member Kozminski asked what rules would apply to a different owner for a different use that would want to put a speaker up on top of their building. Anne Kane said Christian Heritage Academy has some loud speakers for their summer time camps and it generally just takes a phone call to staff to rectify the situation.

There being no further discussion, the following motion was made:

A motion was made by Zoning Board of Appeals Member Richard Crotty, seconded by Bert Getz, Jr. to approve the following:

- A) A variation to allow for a bell tower, which is considered an accessory structure, to project 25.00 feet above the 35.00 foot allowable height for a total height of 60.00 feet at St. Philip the Apostle Parish located at 1962 Old Willow Road consistent with the site plan and Architectural exhibits received on January 26, 2009.**

Subject to the following development conditions:

- 1) An approval pursuant to any requested review by a Village consultant, staff member, Board or Commission shall be an approval of only those items specified in any motion, resolution, ordinance or written report. Under no circumstances shall such an approval be deemed to be the approval of any other matter by virtue of the fact that those other matters may appear on the supporting documents such as a site plan, engineering plan, or plat that was the subject of the review. Neither shall any such written approval be deemed to be an approval of any matter, which is within the jurisdiction of any other Village consultant, staff member, Board or Commission or any County, State or Federal Agency.**
- 2) The petitioner shall comply in all respects with the ordinances of the Village of Northfield and nothing in this variance shall be construed as a waiver of any of those requirements.**
- 3) This variation will be in effect until March 3, 2010.**

The following vote was taken:

AYES: 5

**James Henderson, Chair
Bert Getz, Jr.
Lorna Widdes
Richard Crotty
Brian Kozminski**

NAYS: 0

ABSTAIN: 0

ABSENT: 2

**J. Patrick Doherty
Margaret Parcels**

Motion Carried

There being no further discussion, upon a motion duly made by Member Margaret Parcels, seconded by Member Richard Crotty, the Zoning Board of Appeals adjourned their meeting at 7:20 p.m.

cas 3/9/09