

Draft ZBA meeting minutes September 1, 2026

The meeting was called to order at 6:30pm. Fischer conducted the roll call. Present were Lorie Sharpe, Mary Clarke, Gaylord Dillingham, Tara Sumner and Barbara Fischer, Chairperson. Also present was Henry Miller, Zoning Enforcement Officer.

A review and approval of the meeting minutes of June 26th was done; Dillingham made a motion to approve, Clarke seconded the motions, all votes aye, motion carried.

Fischer distributed copies of a letter that was received by attorneys Schlather and Birch representing Timothy and Nicole McAuliffe, to members of the ZBA requesting an adjournment of the Phillips King/The King Family application, subject to re-notice.. Birch referenced procedural concerns with the application which might impact the ZBA's ability to approve a variance. Fischer made a motion to adjourn the hearing pending Town of Springfield attorney review. Dillingham seconded the motion, all votes aye, motion carried.

Fischer moved on to the Carius application and asked ZEO Miller to summarize the situation. Miller explained that all perimeter fences require a survey, a building permit and approval from the planning board prior to construction. Ms. Carius did not obtain proper permitting, nor did the previous owner who had already constructed 70' of fencing prior to Carius purchasing the home. Carius added another 100' of fencing on the north side of the yard, continuing to the end of the yard and around the back, fully enclosing the yard by joining it with the south side fence. Perimeter fences may be placed on the property line, which is why they require prior approval. Fences that are not perimeter fences require a 5' setback from the property line. The fence that Carius and the previous owner installed is as much as 18" from the property line in some locations and nearly on the property line in other spots. Miller declared this a perimeter fence, which removes the setback issue entirely. Fischer asked if other applicants have failed to obtain proper permits prior to building. Miller acknowledged that it has happened with other property owners as well. Miller also spoke about how he had required Carius to get a survey done after the fact, and that apparently the previous homeowner had also paid for a survey, but hadn't filed it with the county, so now two surveys have been done within a short period of time on this property.

Fischer invited the public to speak. Susan Goettel who lives next door spoke at length, voicing her objection to the fence. Her primary concerns were that she was unaware in advance of the installation of the fence, and that the close proximity to the driveway created difficulty removing snow. There was discussion regarding the Carius property having a right of way to the back yard along the Goettel driveway, however the driveway is owned by Goettel. Maria Barr, who lives next to Goettel voiced her opinion that the fence looks very nice and is an asset to the property.

Gaylord Dillingham asked Goettel what she wanted to happen with the fence, such as remove it or move it and she replied "yes".

There was some back and forth regarding snow falling from the Carius roof onto the Goettel driveway. Carius stated that the roof in question was pitched toward the front of the house and not toward the driveway side at all.

Fischer asked Miller what he wanted from the ZBA as relief for the situation and he stated "nothing". Gaylord Dillingham made a motion to support Miller's decision to classify the fence as a perimeter fence Lorie Sharp seconded the motion. All votes aye. Motion was carried.

Then one more member of the public, Nicole Dillingham raised a strenuous objection pointing out how the failure to obtain the proper permitting for a perimeter fence resulted in a clear and direct violation of the town's zoning law. She also voiced a concern regarding whether the public had been given ample time for comments prior to taking the vote. Fischer suggested that the ZBA reopen the case and table the discussion pending town attorney advisement on proper permitting procedure. Nicole Dillingham stated that she felt that was fair and prudent, and the ZBA agreed to table the matter until the next meeting.

There was no old business. Miller stated there is a new case coming up and a date was set to hear the new application and revisit the Carius request on September 15th at 6:30 pm.

The meeting was adjourned at 7:30 pm