



Raymond Zoning Board of Appeals
423 Webbs Mills Road
Raymond Broadcast Studio
Minutes
Tuesday, January 25, 2022
VIA ZOOM
7:00 pm

Call to order: David Murch called the meeting to order at 7:00 pm and a quorum was declared

Roll was Called

Present: David Murch, Chair; Greg Dean, Vice Chair and Tom Hennessey

Absent: Patricia Beaton

Staff: Alex Sirois, CEO and Sandy Fredricks, Administrative Assistant/Recording Secretary

Murch read the Opening Statement into the Record as well as the Agenda.

Acceptance of November 30, 2021, Minutes

Dean moved to approve as submitted

Hennessey seconded

All in favor? 3 yes (Murch/Hennessey/Dean) – 0 no – 0 abstain

OLD BUSINESS - NONE

NEW BUSINESS

Sarah & Matthew Holland Setback Variance Application:

Murch gave the background of the application. He continued that a site walk was held on January 15, 2022 with Tom Hennessey being the only Board Member in attendance, all others were unavailable. Murch asks Hennessey to give a summation of the site walk.

Hennessey stated that Sarah, her daughter, her uncle and Mr. Perry were in attendance. He continued that he asked about if the property markers were located and was informed that they have not been located. Mr. Perry had questions about how this would affect his property in the future as far as installation of a septic if Hollands's build and put a well and septic on the property; he is concerned he will then be unable to do the same.

Sarah Holland spoke to the application it is to allow them to build a structure on the property and they have provided information related to the four hardship questions. She continued that they are also trying to have surveyor locate the markers. The Board has the 2016 survey.

Hennessey asked for clarification to which sideline needs the reduced setback as the application states North in one location and South in another. Applicant confirmed South side

FOR DETAILS, PLEASE SEE VIDEO, THE OFFICIAL RECORD OF THE MEETING

line. Dean asked for clarification that it is for a front setback and a left side setback. Applicant confirmed. Murch questioned why the front needed reduction. Applicant stated that without front setback reduction, there is not a large enough building envelope, and the side is to allow further separation from the Perry property.

The Board and applicant discussed the building envelope without the variance and with the variance.

Murch opens the Public Hearing at 7:20 p.m.

Greg Perry asked if the Board would read his father's email into the record. Murch reads Tom Perry's email into the record (see attached). Tom Perry stated he had nothing to add at this time. Murch asked Sirois for additional input, but he believed the sewer chamber would be on the other side not where the variance was requested. Sirois asked applicants if they have a septic plan. Applicants stated they do not at this time, but they plan on a high-tech chamber. Sirois advised that a setback is required for the septic, and it is limited to either the North or South side of the lot. Sirois reminded the Board they must review on what currently is applied for not what may happen in the future. The Board, Sirois and public discuss how it affects other parcels.

Tom Greer, Sarah's uncle, stated he was in favor of approval and that design was put together to do what is best for Mr. Perry.

Murch stated that the Board must decide if the variance can be granted, and applicants can build without the variance, but the issues would still be there. The Board discussed setbacks for septic tank and foundations.

Murch closed the Public Hearing at 7:45

Murch stated the property is within a Shoreland Zone and that Sandy reached out to DEP and read Jeff Kalinich's email into the record (see attached).

The Board reviewed applicable sections of the Ordinance. Murch stated that Section 15 stated minimum lot size of two acres and asked Sirois if this immediately blocked the Board from approving. Discussion took place among the Board and Sirois.

The Board addressed the four (4) hardship criteria reading each question and applicants replies into the record. Dean stated that Raymond follows the strictest version of variance requirements allowed regarding "reasonable return." The Board discussed "reasonable return."

Murch asked the Board to take a vote on the hardship criteria:

1. Undue hardship reasonable return – had requirement been met?
0 yes - 3 no (Hennessey/Dean/Murch) – 0 abstain

2. Unique circumstances of the property – had requirement been met?
0 yes – 3 no (Hennessey/Dean/Murch) – 0 abstain

FOR DETAILS, PLEASE SEE VIDEO, THE OFFICIAL RECORD OF THE MEETING

3. Will not alter essential character of the locality – had requirement been met?
2 yes (Dean/Murch) – 1 no (Hennessey) – 0 abstain
4. Hardship is not the result of action taken by the applicant or a previous owner – had requirement been met?
3 yes (Hennessey/Dean/Murch) – 0 no – 0 abstain

Dean moved to deny the variance application.

Hennessey seconded.

All in favor? 3 yes (Hennessey/Dean/Murch) – 0 no – 0 abstain

The Board held an interview with potential member, Fred Miller. Miller gave his background and reasons why he was interested in serving on the Board. The Board had no additional questions.

Murch moved to approve Fred Miller's application and recommend him for appointment by the Board of Selectmen.

Hennessey seconded.

All in favor? 3 yes (Hennessey/Dean/Murch) – 0 no – 0 abstain

CEO Communications: Sirois advised he will reach out to Hollands about their next step being to research ownership of the road. He next updated the Board on proposed Ordinance changes for Setback Reduction Variances.

Murch moved to adjourn.

Dean seconded.

All in favor? 3 yes (Murch/Hennessey/Dean) – 0 no – 0 abstain

Adjourned 8:45 p.m.