



Monday, September 29, 2008
Jordan Small Middle School Broadcast Studio
7:00 pm

BOARD OF APPEALS
Minutes*

ATTENDANCE: Chairman Matthew Schaefer; Elden Lingwood; Peter Leavitt; Mike Higgins; and Mary Picavet.

MEMBERS ABSENT: Lawrence Murch.

STAFF PRESENT: Will Cook, Code Enforcement Officer; and Karen Strout, Recording Secretary.

OTHERS PRESENT: John Palmer, Bill Symonds, Dave Brown.

1. CALL TO ORDER: Chairman Schaefer called the meeting to order at 7:08 pm at the JSMS Broadcast Studio.

2. APPROVAL OF MINUTES : Minutes dated July 28, 2008 were approved with two edits.

MOTION: moved by Chairman Schaefer and seconded by Elden Lingwood to add the word "no" before the word objections in the public comment offered by Eugene McLaughlin.

Vote 5/0. Motion carried.

MOTION: moved by Chairman Schaefer and seconded by Peter Leavitt to edit the time of adjournment to 7:40 pm. Vote was 5/0. Motion carried.

3. PUBLIC HEARING:

An application was submitted for consideration to the Raymond Appeals Board for a set back reductions from John E. & Mary N. Palmer for their property at 9 Jordan Lane, referenced by Raymond Tax Map 34, Lot 16 in LRR1 Zone. The application stated that they were requesting a side set back reduction to 11 feet from 20 feet, and a back set back reduction to 15 feet from the 30 feet required by the Town of Raymond Land Use Ordinance, to accommodate a secondary structure. The proposed bungalow will include two bedrooms, a bathroom, one car garage, and an office.

John Palmer was represented by his father John Palmer, Sr. Palmer commented that because his son resides in California, he could not be present at the meeting. Palmer gave additional information on how and when his son had acquired the camp. He outlined the perceived constraints of the site and what his son would like to do referencing two possible scenarios. Copies of these scenarios are on file. Mr. Palmer explained the side setback and rear setback reductions are needed to accommodate the proposed structure, and explained the work that had already commenced on the project. A utility pole was moved to abutting property owned by Larry Murch to accommodate the proposed building. They had hired Bill Symonds, and Pinkham and Greer to work on the project.

BOARD DISCUSSION:

Higgins asked the applicant if he had tried to purchase additional property to solve the need for the appeal. He responded that his son's attempt to purchase property from Mr. Murch had failed. Palmer further commented that he had and if he had been able to buy the triangle- 1500 sq feet, he would not have needed the rear set back reduction.

Palmer referenced the numerous letters and emails that he received from abutters in support of these set back reductions. These emails are part of the permanent file.

Chairman Schaefer asked if there had been a permit for the main camp. Palmer confirmed that there was, but no permit has been taken out for the second structure. Palmer added that Pinkham and Greer are their consultants and the first issue they were dealing with was the drainage issue. Code Officer Cook requested that the applicant send someone into his office to discuss the erosion control plan. Elden Lingwood inquired about the driveway to the garage. He was told that it would be left as pine needles and grass, as it is now. Cook said that the area needed to be included in the 15% lot coverage calculations.

Chairman Schaefer added that the Appeals Board did not have anything to say about the plan. The applicant submitted a scenario A and B for the board to consider, but added that the applicant favored A. Schaefer asked for further clarification of scenario A, particularly in regarding the leach field location. Mike Higgins noted that scenario B had more deck area, but preserved the trees. Elden Lingwood asked why the septic work was not going to be 100' from lake and was told that it was because it was part of the old system. Code Officer Cook responded that he would look into that further and get back to the Board.

PUBLIC COMMENTS :

Dave Brown from 11 Jordan Lane commented that he had no problem with the applicant's request.

No one spoke in opposition.

Further comments:

Peter Leavitt commented that he had visited the site and realized that it was a challenging site. He also commented that this needed to be looked at on the basis of need, not convenience.

Code Officer Cook stated that he felt the applicant needed only one set back reduction, a front line, but not sideline setback.

Peter Leavitt reminded everyone that they should recognize that they were not setting any precedents. Each application is case by case basis. We do not set precedents here.

Matt Schaeffer review the ordinance criteria with the board.

MOTION: moved by Matt Schaefer and seconded by Higgins to grant the applicant's request for setback waivers as submitted in the application.

Vote: 4/1 (Leavitt). Motion carried.

BOARD DISCUSSION:

The Board asked that an update on this project be added as an agenda item for the next meeting. Code Office Cook agreed to report further on the septic, lot coverage, and landscaping plans relating to this project.

4. Other Business:

a. Update on Robinson project

Code Office Cook gave a brief update on the Robinson, 2 acre Island Project. He reported that they were substantially complete in their work and doing the sheet rocking.

b. Discussion of Shoreland ordinances

Board held a brief discussion regarding the ordinances and protection of the lakes.

5. Adjournment.

MOTION: moved by Mike Higgins and seconded by Matt Schaefer to adjourn at 8:40 pm.

** Meetings are broadcast live on the public access channel and rebroadcast at a later time. The DVD is the official legal record of the meeting . Copies may be signed out at the Town Office .*

*Karen G. Strout
Recording Secretary*