



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

BOARD OF APPEALS
Minutes*

ATTENDANCE: Chairman Matthew Schaefer; Peter Leavitt; and Lawrence Murch.

MEMBERS ABSENT: Elden Lingwood; Mike Higgins; Mary Picavet.

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

OTHERS PRESENT: Virginia Fitzgibbons and Gordon Street

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 September 29, 2008 were tabled due to lack of a quorum of those in attendance at that meeting.

MOTION: moved by Chairman Schaefer and seconded by Peter Leavitt to table the minutes dated September 29, 2008.

Vote 3/0. Motion carried.

3. PUBLIC HEARING:

A public hearing was held for applicants, Virginia Fitzgibbons and Gordon and Lee Street, for the property located at 104 Webbs Mills Road and referenced by Raymond Tax Map 8, lot 85. Applicants are requesting a conditional use permit for a residence and an office. Approval was previously given for two apartments on the second floor, one for residential and the other for short term rental for business related clients. They would like to have both units be short term rentals and for them to be rented by "Old House Raymond", not "Anxiety Solutions". The second floor is currently walled off and the apartment is not completed. Their insurance company has asked for them to have a fire escape, so the applicants decided they would make a deck with something useful.

BOARD DISCUSSION:

Boardmember Murch asked for their definition of short term rental. Fitzgibbon responded that typically it would be a month. These units would be furnished; more like a seasonal rental. The only residence would be in the front.

Murch commented that the building has always been commercial; it has been an ice cream shop, boarding house, and later a restaurant.

PUBLIC COMMENTS :

There were no comments made either for or against the applicant's request. Code Officer Cook commented that their old permit had expired and that he would recommend that the apartments not be restricted to short term rental only.

BOARD DISCUSSION:

Murch commented that it had never been a private home. They always took in summer residents. Leavitt asked for a sense of time on the project. He was told that they hoped to be done by the end of March. Consensus of the Board was that there were no concerns.

MOTION: moved by Chairman Schaefer, and seconded by Murch to grant a Conditional Use permit for Residential and Office use to Robert and Virginia Fitzgibbons with the following conditions:

1. There would be no further subdivision of the seven acre property.
2. The main residence will be occupied by the business owner.
3. The proposed use will comply with all local and state laws, regulations, rules, and ordinances.

The right of this Conditional Use shall expire if the work or change permitted by the permit is not begun within six (6) months and substantially completed within twelve (12) months of the date of the Conditional Use Permit.

Vote: 3/0.

Motion carried.

4. Other Business:

Code Office Cook gave a brief update on the Palmer project. Cook commented that he had been to the site and taken measurements for the set backs, but not received the engineered plans from the Palmers' yet.

5. Adjournment.

MOTION: moved by Chairman Matt Schaefer and seconded by Larry Murch to adjourn at 7:47 pm.

Vote:3/0.

Motion carried.

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*Karen G. Strout
Recording Secretary*