

TOWN OF RAYMOND
401 Webbs Mills Road
Raymond, Maine 04071

Monday, November 29, 1999

ATTENDANCE: Peter Leavitt, Chairman; Jim Stephenson; Michael Higgins; Aurel Gagne; Lawrence Murch; and Jack Cooper, Code Enforcement Officer.

PUBLIC ATTENDANCE: Joseph & Doris Matthew; Tim & Michelle Patch; Randy Scott; Rick Thompson; Mark Alexander; and Terry Davala.

1. Call to order. Peter Leavitt called the meeting to order at 7:04 p.m. at the Town Hall.
2. Consideration of previous Minutes dated October 25, 1999.

MOTION: Lawrence Murch motioned to accept the minutes as written. Seconded by Jim Stephenson.

VOTE: Unanimous.

3. Patch, Timothy A. and Michelle M. Map 76 Lot 52 102 Thomas Pond Terrace
Requesting 30% volume increase and mitigation of out building into the residence.

DISCUSSION: Mr. Patch addressed the Board regarding their request and need for more living space. Mr. Patch explained that they are planning to add one story on top of the existing footprint and that they would like to mitigate the area being used by a bunk house and wood shed into the addition. Mr. Patch explained that they will not be changing the footprint and that in regard to Thomas Pond, the amount of coverage has more impact than the amount of volume and that there would be less lot coverage after the removal of the two structures and the patio. There was no one present in favor or in opposition.

Mr. Stephenson questioned the current use of the bunkhouse. Mr. Patch responded that the bunkhouse is currently used for guests. Mr. Stephenson also questioned the septic design. Mr. Patch responded that Camillo inspected the septic and he felt it was in good shape.

Mr. Leavitt questioned the use of the daylight basement. Mr. Patch stated that it was once used as a changing area. Mr. Leavitt asked why the daylight basement isn't being used as living space. Mr. Patch responded that it is not a full basement and it would be economically too expensive to enlarge it.

Mr. Leavitt clarified with Mr. Patch that by their proposal; they would become less non-conforming. Mr. Patch explained that they would be as non-conforming, not less non-conforming. Mr. Patch also stated that he has spoken with abutters and found no concerns.

Mr. Stephenson questioned the existing septic system. Mr. Patch responded that it is a full septic system with a chamber system installed around 1981.

Mr. Gagne questioned the volume calculations. Mr. Patch responded that the total increase is 42%.

Mr. Stephenson asked what type of foundations the bunkhouse and wood shed structures are on. Mr. Patch stated they were wood and concrete tubes.

Mr. Higgins asked if the Patches planned to keep the concrete patio. Mr. Patch said he would like to eventually chip it away. Mr. Higgins asked if they would consider removing the concrete patio in phase 1 of construction. Mr. Patch responded that he would be willing to remove it.

MOTION: Aurel Gagne motioned to approve the request with the following conditions: (a.) that the patio be removed during phase 1 of construction; and (b.) following mitigation of both buildings the area under the structures is returned to a natural state.

DISCUSSION: Mr. Higgins stated that he felt there was no hardship in this case but that the removal of three impervious surfaces would result in a net increase to the value and safety of the environment.

Mr. Stephenson stated that any further request for variances, such as a shed, should first consider the conditions of this variance.

The contractor for the project asked about the time frame for removal of the buildings. Mr. Cooper answered that the project must be substantially started in six months and completed in one year.

Seconded by Lawrence Murch.

VOTE: Unanimous.

4. Fitzgibbons, Robert G. and Virginia S. Map 8 Lot 85 Webbs Mills Road

Requesting an administrative appeal to restore and operate “The Olde House Restaurant” as a restaurant and a bed and breakfast.

DISCUSSION: Mike Alexander and Kerry Davala were present as representatives of the Fitzgibbons’. Mr. Alexander addressed the Board stating that they were requesting a change of use to include the seven (7) existing bedrooms, which they are planning to remodel. Mr. Alexander explained that two rooms are located over the main house and five are over the carriage house.

Mr. Leavitt confirmed with Mr. Cooper that the appellant is asking to reinstate the former use. Mr. Cooper stated that the structure was last used as an inn around 1955.

There was no one present to speak in favor of the request.

Joseph Matthew, an abutter, requested information on plans for increasing the parking area. Mr. Alexander responded that there are no plans to increase the parking. Mr. Matthew also requested information on the impact any new wells would have on the wells below the property. Mr. Alexander responded that he does not yet know the answers to those questions, as they have not yet applied for permits.

Mr. Leavitt questioned Mr. Cooper about the zoning in this area. Mr. Cooper responded that in this zone (Shoreland) a bed and breakfast is not a permitted use and that the Rural and the Rural Residential Zones allow for a five (5) room bed and breakfast that does not serve alcohol. Mr. Cooper also explained that the property is in a Shoreland Zone because of the brook located on the property and that 600’ beyond the brook is permitted zoning for a bed and breakfast. Mr. Cooper also stated that a new septic system would probably be needed and that there is room for one. Mr. Alexander stated that there are currently two 2,000 gallon tanks.

Mr. Stephenson questioned the impact of the historical preference/use of the structure. Mr. Cooper stated that the grandfathered use expires after five years.

MOTION: Lawrence Murch motioned to grant the request to restore and operate “The Olde House Restaurant” as a restaurant and bed and breakfast with seven rental rooms.

DISCUSSION: Mr. Stephenson stated that the historical use provides precedence in this matter. Mr. Cooper indicated that this is a reinstatement of the former inn status. Mr. Leavitt

stated that it is in the best interest of the Town to keep the historical site improved and maintained. Mr. Gagne suggested adding the condition that there be no more than seven rental rooms.

Seconded by Aurel Gagne.

VOTE: Three (3) in favor. Two (2) opposed (Peter Leavitt and Michael Higgins)

5. Other business.

DISCUSSION: Mr. Cooper updated the Board on the status of the Halloran sheds and the fines related thereto. Mr. Cooper stated that it has been over 60 days at \$100 per day and that it appears that the issue will have to go to court. Mr. Leavitt suggested a letter to the Board of Selectmen to pursue the matter in court.

MOTION: Mr. Leavitt motioned to communicate to the Board of Selectmen that the Hallorans are in violation of the finding of the Appeals Board and that the Appeals Board recommends the Board of Selectmen pursue legal action in this matter. Seconded by Jim Stephenson.

VOTE: Unanimous.

6. Adjourn.

MOTION: Lawrence Murch motioned to adjourn the meeting. Seconded by Jim Stephenson.

VOTE: Unanimous.

ADJOURNMENT: Peter Leavitt adjourned the meeting at 7:55 p.m.

THERE BEING NO BUSINESS BEFORE THE BOARD THERE WILL BE NO MEETING IN THE MONTH OF DECEMBER.

Respectfully
submitted,
Elisa A. Trepanier
Secretary