



Monday, May 18, 2009
Jordan Small Middle School Broadcast Studio
7:00 pm

BOARD OF APPEALS
Minutes*

ATTENDANCE: Chairman Matthew Schaefer; Peter Leavitt; Elden Lingwood; Lawrence Murch; and Mary Picavet.

MEMBERS ABSENT: Michael Higgins.

STAFF PRESENT : Karen Strout, Recording Secretary.

STAFF ABSENT: Will Cook, Code Enforcement Officer.

OTHERS PRESENT: David Brown and John Palmer.

1. CALL TO ORDER: Chairman Schaefer called the meeting to order at 7:07 pm at the JSMS Broadcast Studio. A quorum was declared.

2. APPROVAL OF MINUTES :

Chairman Schaefer chose to move the approval of the minutes to the end of the agenda and begin the meeting with the public hearing.

3. PUBLIC HEARING:

Chairman Schaefer opened the public hearing at 7:09 to listen to the request of David Brown for a set back reduction for his property located at 11 Jordan Lane. The property is referenced by Raymond Tax Map 34, Lot 17. Mr. Brown was asked to give a brief summary of his request. He told the Board that he needed a storage shed for the property and wanted to locate it on the property between the trees and the Central Maine Power Company easement. He wanted to avoid cutting trees.

BOARD DISCUSSION:

Board member Larry Murch asked Mr. Brown if he could transplant the balsam. Brown stated that he could not. Board member Peter Leavitt asked the dimensions of the camp. Brown responded that the camp was 34' x 35'. Board member Mary Picavet asked about the CMP easement. Mr. Brown showed the Board a letter that they had received from CMP dated 6/6/08, which outlined the building restriction to within 15 feet of the

easement. Brown was asked to provide a copy for the file. At 7:16 pm Chairman Schaefer noted for the record that there was no Code Officer present.

OTHER COMMENTS :

John Palmer of 9 Jordan Lane spoke in favor of the applicant's request. Palmer added that he shares the property line for which the Browns are seeking the set back reduction. Chairman Schaefer asked Mr. Palmer if they had privacy concerns. Palmer responded that he did not. Larry Murch asked whether or not the Browns could position the building with an eleven foot setback, rather than at ten feet requested by the application. Jordan that they were only asking for the eleven foot setback reduction.

Public hearing was closed at 7:20 pm.

BOARD DISCUSSION:

Board member Leavitt commented that this set back reduction request would create a situation where you would substantially be reducing the window to the lake and produce a walling effect. Chairman Schaefer asked what would limit them (Browns) from rotating the shed to set it more within the trees. Brown added that they were twisting it some. Chairman Schaefer noted for the Board that they were now looking at a SBR to eleven feet, not the ten feet as stated in the application.

MOTION: moved by Elden Lingwood and seconded by Mary Picavet to grant David Brown a Setback Reduction for the north westerly side of the property located at 11 Jordan Lane and referenced by Raymond Tax Map 34, Lot 17, to 11 (eleven feet) from 20' (twenty feet) required by the Land Use Ordinances of the Town of Raymond to accommodate a 12' x 16' storage shed.

VOTE: 3/1 opposed (Leavitt)/1 abstention (Murch).
Motion carried. Set Back Reduction was granted.

4. OTHER BUSINESS:

Chairman Schaefer read the Chairman's Yearly Report into the record. A copy has been sent to the Town Clerk to be included in the Town Report.

There was no code officer update.

MOTION: moved by Leavitt and seconded by Murch to approve the minutes of September 29, 2008 with minor edits: on page 2 spelling correction for "Schaefer", "ed" added to word "review", and addition of words "with information from the State of Maine" as it relates to the Code Officer's report on the Palmers' septic system being placed within the 100' setback..

VOTE: 5/0
Motion carried.

MOTION: moved by Picavet and seconded by Murch to approve minute of September 29, 2008 as distributed.

VOTE: 5/0
Motion carried.

MOTION: moved by Schaefer and seconded by Lingwood to add the report of Code Officer Will Cook to the June agenda for the purpose of a discussion (DEP comments) relating to the Palmer septic system (request was made at Sept. 29, 2008 meeting).

VOTE: 5/0
Motion carried.

MOTION: moved by Lingwood and seconded by Picavet to adjourn at 7:44 pm.

VOTE: 5/0
Motion carried.

* 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