



Raymond Zoning Board of Appeals
423 Webbs Mills Road
Raymond Broadcast Studio
Minutes
Tuesday, September 28, 2021
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, Patricia Beaton (via Zoom), Tom Hennessey and Greg Dean

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

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

NEW BUSINESS

Acceptance of August 31, 2021, Minutes

Hennessey moved to approve as submitted

Dean seconded

All in favor? 4 yes (Murch/Beaton/Hennessey/Dean) – 0 no – 0 abstain

Hamilton Application:

Bruce Hamilton has submitted an application for a Setback Reduction for property known as Map 52, Lot 26 in an LRR 2 Zone. Property is commonly known as 20 Crockett Road.

Murch stated the Board held a Site Walk on September 18, 2021 at 9:00 a.m. Murch asked applicant to present his case. Hamilton explained without the setback reduction the shed would be located either immediately next to the screened porch or in the middle of the back yard.

Murch confirmed that applicant was looking for the setback to be reduced to 7'. The Board then discussed what the shed was to be used for.

After discussions between the Board and the applicant, it was determined that the setback could not be reduced lower than 15' pursuant to the Land Use Ordinance. Applicant confirmed he would still like to proceed with setback reduction to 15'.

Murch opened the Public Hearing at 7:10 p.m. No one wished to speak on the matter and Public Hearing was closed at 7:11 p.m.

Sirois stated that his only comment was that the lot will fall under the 15% maximum lot coverage at approximately 12.21%.

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

The Board moved on to review Article 16 of the Shoreland Zoning as it related to the application. After discussions among the Board, they determined that Items 1 through 3 are met; #4 determined conditions will be no motor vehicles will be stored in the shed and the applicant will supply the Town of Raymond an as built certification from a licensed engineer showing the boundary pin to ensure the shed location is no further back than the permitted 15'. Numbers 5 through 8 were met.

Dean moved to grant the application to reduce setback from the back lot line to 15' from 30' with the conditions that no motor vehicles will be stored in the shed and the applicant will supply the Town of Raymond an as built certification from a licensed engineer showing the boundary pins, property lines and shed location.

Beaton seconded.

All in favor? 3 yes (Beaton/Hennessey/Dean) – 1 no (Murch) – 0 abstain

Port Harbor Marine Application:

Port Harbor Marine has filed an application for a Conditional Use to Permit Outside Sales and Service on property known as Map 51, Lot 2 in the Commercial Zone. Said application was filed by Robert McSorley of Sebago Technics.

Murch stated the Board held a Site Walk on September 18, 2021 at 10:00 a.m. Murch asked applicant to present his case. McSorley stated the property is known as 1326 Roosevelt Trail and a portion of the property is located in the Commercial Zone and part in Shoreland. We are dealing solely with the Commercial portion of the lot which fronts on Route 302 (a/k/a Roosevelt Trail). Per the Land Use Ordinance any Outside Sales or storage requires a Conditional Use approval by the Zoning Board prior to the applicant proceeding with Site Plan approval to the Planning Board.

In depth discussions were held among the Board, the public and applicant's representative.

Murch opened the Public Hearing at 8:06. Several abutters spoke in opposition to the application. They were David Bernard (in person), Mark Gervais (in person), Edith Tatulis (in person), Allison Allen (via zoom), Allison Sarna (via zoom), Barry Mackay (via zoom), Glen Washburn (in person) and John S. (via zoom did not get full name).

Abutters were very concerned with terms of Lease between prior owner and Port Harbor Marine. Port Harbor Marine has since purchased the leased property. Also, many spoke about noise and violations of previously approved changes and/or uses by Port Harbor. Abutters were all very concerned about run-off and wetlands.

Public Hearing closed at 8:50 p.m.

The Board reviewed Article 9, items 1 through 10 as follows: 1 – The Board would like more information regarding the Comp Plan and if this is in compliance; 2 – Met; 3 – The Board asked for Legal Input as there is no structure to perform the use in; 4 -The Board asked for more information from applicant's representative; 5 – Met; 6 – Met; 7 – Met; 8 – It is public water therefore it is met; 9 - Met and 10 – Met.

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Hennessey moved to table this item to the next meeting.

Murch seconded

All in favor? 4 yes (Murch/Beaton/Hennessey/Dean) – 0 no – 0 abstain

David Bernard addressed the Board requesting they allow Public Comment prior to voting at the next meeting. Murch advised that the Board acknowledges the request, however, will not commit to same at this time. Murch explained that the Board is not required to open to public comment; the Public Hearing was tonight.

CEO Communications: Sirois said he had nothing further this evening.

Hennessey moved to adjourn.

Dean seconded.

All in favor? 4 yes (Murch/Beaton/Hennessey/Dean) – 0 no – 0 abstain

Adjourned 9:45 p.m.