

Minutes
Town of Raymond Zoning Board of Appeals
401 Webbs Mills Road
August 30, 2004

Members present: Chairman Matthew Schaefer, Peter Leavitt, Lawrence Murch, and Mary Picavet. Aurel Gagne and Michael Higgins were absent.

Staff present: Code Officer Jack Cooper and Karen Strout, Recording Secretary.

Call to order: Chairman Schaefer called the meeting to order at 7:10 pm.

Consideration of minutes dated July 25, 2004:

Motion: With a motion by Lawrence Murch and a second by Peter Leavitt, the minutes were approved as submitted. Vote 4/0.

Application:

Public Hearings:

Map 75, Lot 31, R District
L. Allan & Bonnylynn E. Wood
38 Hawthorne Rd.
Set Back Reduction

The applicant was not present to be heard and the submission was moved to the end of the agenda. Later A MOTION was made by Matt Schaefer and seconded by Peter Leavitt to continue this application to the September 27th meeting. Motion carried 4/0.

Map 23, Lot 1, LRR1
Charles Chapman
40 Plummer Rd.
Set Back Reduction of side line from 20' to 17' to build a 12'x20' addition

Charles Chapman requested a set back in order to build a 12'x20' addition to his property because he needs more space. He will not be any closer to the water. He has gone to the DEP and they have not informed him of any issues.

Mr. Chapman passed out two sketches to the board. The first was an aerial diagram of the lot and the second a ground level sketch of the side of the house.

Board Chairman Schaefer asked whether or not this addition would be closer to the water. Chapman responded that it would not.

Member Larry Murch asked how this property would be heated and whether or not it was occupied year round. The applicant responded that it would be oil heat. Murch also questioned him about his use of the property. Chapman stated that the property was seasonal (May-thru October)- not year round and that the new addition was for sleeping. He commented that he had three bedrooms presently but one would be eliminated with the addition. The applicant was made aware that if a fourth bedroom were added the septic system would need to be added to and approved by the Code Enforcement Officer. When asked about water. Chapman stated that they were using water from the lake, but were thinking about putting in a well.

Board member Peter Leavitt asked about the garage that was on the property. Chapman stated that it was still there and that it had been built about 10 years ago. At that time he had received a set back reduction.

There was comment from only one abutter, Gail Trafford of 38 Plummer Road. She lives on the opposite side of where the structure is to be built and had no problem with the request.

Code Enforcement Officer Jack Cooper commented that the property already has three bedrooms and that if a room has a door opening of 42" or greater it is not considered a bedroom. If the new room were constructed as a bedroom then they would need to add to the septic system.

Chairman Schaefer confirmed with CEO Cooper that this lot was created prior to '86 and that the coverage would not be greater than the 15%, which is allowed.

A MOTION was made by Peter Leavitt and seconded by Mary Picavet to grant the sideline reduction to not less than 17' from the property line with the condition that if the addition created another bedroom the appropriate addition needs be made to the septic system and the Code Enforcement Officer must approve it.

Chairman Schaefer commented that he felt the request satisfied the elements of a set back reduction. The motion carried 4/0.

**Map 31, Lot 38, LRR1
Philip E. & D. Suzanne Butterfield
7 Haskell Avenue
Set Back Reduction & Variance of sideline from 20' to 3' to build a
24x26 garage**

Mr. Butterfield commented that he owned two adjacent lots on Crescent Lake- Map 31, lot 38 and 39. He was requesting a three-foot (3') sideline setback to build a two-car garage because he felt it would enhance his property. The 3' setback would be on the side between his two lots.

Chairman Schaefer from the board questioned the location and why 3' reduction. Butterfield replied that the building would not stick out, as much there and it there were bushes and trees that would make it less intrusive. "It won't obscure the view as much."

Board member Larry Murch asked if he had ever considered combining the lots, because then he would not have to seek a variance or set back reduction, as he would have 103' to work with. Butterfield replied that he did not intend to combine the lots. He stated that he had his house on lot 39 and cottage on 38 and wanted the 24' x 26' structure to be built on lot 38 to house two cars and a boat.

Member Peter Leavitt expressed concerns about the "walling in effect" that might occur. He also inquired about the use of the property. Butterfield's response was that neither property was a year round residence.

Murch asked why he was not building his garage on the lot that he lived on? Butterfield replied that it gives him a better view if it is on the other lot. He also stated that he intended to use the garage for both properties. Again Murch asked why he could not combine the two lots. Butterfield replied that he did not plan to combine or sell either lot.

Chairman Schaefer asked for comments from the abutters. There was no comment given.

Boardmembers questioned the size and location of the proposed building. The board felt that a scaled down version would reduce the screening effect. The applicant stated that he really needed the 24x26 structure to house two cars and boat for the winter.

The chairman informed the applicant that a variance to 3' could not be given unless the points of hardship were met. However, the applicant could be granted a setback reduction.

Board member Mary Picavet questioned what would happen if a lot were sold. The applicant stated that he did not plan to sell.

Member Leavitt stated that if lot 39 gets sold and someone builds a garage on it, then clearly there would be a "walling in" effect. Literally the lake disappears. In the final analysis there could be two large garages- one on each of the 50' lots.

Again Murch stated that it bothered him to keep the two lots separate. Why not combine them? Butterfield was emphatic that he would not combine them and wanted them for his family and himself.

A MOTION was made by Chairman Matthew Schaefer and seconded by Peter Leavitt to grant a set back reduction of not less than ten feet (10') on the southerly side, and a set back reduction of not less than sixteen feet (16') on the northerly side of Map 31, Lot 38 with the condition that Map 31, Lot 39 not be granted any further side line setback reductions during any period of the Butterfields' ownership jointly or in common with anyone else.
Vote carried 3/1

Other Business:

Chairman Matt Schaefer commented that he had received a correspondence from the "One Raymond Committee" in regards to statement of purpose and vision of each group in Raymond. A MOTION was made by Matt Schaefer and seconded by Larry Murch that our chairman issue a response to the correspondence received. Motion carried 4/0.

Adjournment:

A **Motion** was made by Larry Murch and seconded by Mary Picavet to adjourn at 8:30p.m. Motion carried 4/0.

Karen Strout
Recording Secretary