

Minutes
Town of Raymond Zoning Board of Appeals
401 Webbs Mills Road
September 27, 2004

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

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

Call to order: Chairman Schaefer called the meeting to order at 7:08 pm.

Consideration of minutes dated August 30, 2004:

Motion: With a motion by Chairman Schaefer and a second by Peter Leavitt, the minutes were approved as submitted with a name spelling edit. **Vote 5/0.**

Application:

Public Hearings:

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

This application had previously been on the July 26th and August 30th agendas. The applicant, Bonnylynn Wood was present and stated she had nothing more to comment. She did submit to the Board copies of a survey done by Survey, Inc. of P.O.Box 210, Windham, ME, dated September 2004 and signed by Robert N. Farthing, which showed the changes they were requesting.

Board member Peter Leavitt asked for clarification from the Code Enforcement Officer, Jack Cooper. CEO Cooper explained that the adjustment being requested by the applicant was an attempt to bring the property of the house into conformity. The trade off shown on the survey is an even trade off and does not make the property any more non-conforming.

Member Aurel Gagne asked of CEO Cooper: "Why swap?"

Cooper's response: " Because the lot is not three acres. They cannot make it more non-conforming."

There was no public comment.

MOTION was made by Aurel Gagne and seconded by Lawrence Murch to approve the SET BACK REDUCTION to 10' on the westerly side as requested in the application. **Vote carried 5/0.**

Map 44, Lot 17, LRR1 District
257 Meadow Road
Robert Harmon
Administrative Appeal

Mr. Robert Harmon and Mike Meyers, his contractor, addressed the board with the applicant's Request to use the 30% expansion rule to make an addition to a cottage, and would like to be granted an Administrative Appeal in order to use an existing tool shed in the volume calculations for the expansion. They plan to demolish the shed and not replace it. Meyers repeated that they would be removing the shed and using the volume with that of the main structure to calculate for the expansion.

Mr. Harmon commented that they had purchased the property in 1986, and planned to use as a retirement home.

CEO Cooper explained that this is an administrative appeal because the code department does not have authority to grant this, as the shed is within the 100' lake set back area.

Board member Murch inquired about the size of the lot. The applicant responded that they had 3 acres of land on the point.

Board member Leavitt asked about the trees. Harmon commented that they would keep as many as practical and they had consulted with a tree specialist.

Chairman Schaefer inquired about the deck on the southerly side and whether the new footprint would further encroach towards the water. He was told that it would not.

The applicant stated that the septic would be relocated.

CEO Cooper commented that nothing gets physically closer to the water. The roofline up to the peak would look like a dormer. The volume would be air space in that area.

The applicant provided copies to the Board of the cottage as it is now, to compare to the proposed changes and documents previously submitted.

A MOTION was made by Murch and seconded by Schaefer to grant the Administrative Appeal to allow use of the shed in all volume calculations. A **MOTION** was made by Schaefer and seconded by Leavitt to **amend** the motion to include the removal of the shed as a condition of approval.

Vote 4/1 for both the motion and the amendment.

Other Business:

Chairman Matt Schaefer read a letter of resignation from Board Member Aurel Gagne, effective immediately. Gagne stated in his letter "I have enjoyed my stay on the Board for the past five years and have gained a lot of knowledge... for now I am resigning for personal reasons,"

The Board accepted his resignation and thanked him for his efforts during his five years of fine service, which included serving as Chairman, and for a "job well done".

A Motion was made by Aurel Gagne and seconded by Larry Murch to adjourn at 8:00p.m. Motion carried 5/0.

Karen Strout
Recording Secretary