



Monday, June 30, 2008
BOARD OF APPEALS*
minutes

Jordan Small Middle School Broadcast Studio
7:00 pm

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

MEMBERS ABSENT: Mike Higgins and Mary Picavet.

STAFF PRESENT : John Cooper and Will Cook, Code Enforcement Officers; and Karen Strout, Recording Secretary.

OTHERS PRESENT: Paul White, Bill Robinson, Robert and Carol Fogg.

1. CALL TO ORDER: Chairman Schaefer called the meeting to order at 7:08 pm at the JSMS Broadcast Studio.

2. ELECTION OF CHAIRMAN:
Passed on this due to member absences.

3. APPROVAL OF MINUTES dated February 25, 2008.

MOTION: moved by Peter Leavitt and seconded by Elden Lingwood to approve the minutes as submitted.

Vote: 4/0.

Motion carried.

4. PUBLIC HEARING:

Map 25, Lot 16 LRR1

Two Acre Island

Heirs of Carl J. Goodwin c/o Elaine Wormwood

Requesting an administrative appeal from the issuance of a building permit.

Chairman Schaefer opened the discussion and asked the applicant Paul White if he wanted to make a statement. Paul White addressed the Board with comments regarding the building permit that had been issued by the Raymond code office on and its relationship to the October 2007 certificate of variance approval granted by the Appeals Board.

MOTION: moved by Peter Leavitt and seconded by Chairman Matt Schaefer that the Application for the administrative appeal from Paul White had been timely received.

Vote: 4/0.
Motion carried.

STAFF COMMENTS:

Will Cook stated we knew there was a septic system plan in existence when he issued the permit, but did not have the formal copy at the time of the issuance. A Stop Work Order was issued on that permit in a letter to Bill Robinson on May 23, 2008.

PUBLIC COMMENT:

Bill Robinson, speaking on behalf of the Goodwin Heirs, stated that he did not dispute the error because the new septic design had not been submitted. He acknowledged that he had received a stop work order and that work cannot proceed until the system is in the ground and functional.

BOARD COMMENTS:

Board member Leavitt commented that it is not necessary to formalize the administrative appeal because the permit has been pulled. The issue is moot because it is withdrawn. He continued to clarify that the Appeals Board does not hear applications for expansions of less than 30%. The standard is that this is left to the code officer.

MOTION: moved by Chairman Schaefer and seconded by Elden Lingwood that the Board determined the action of the code officer in issuing a building permit 08-002 dated April 9, 2008, has been rescinded by subsequent action of the code office.

Vote: 4/0.
Motion carried.

MOTION: moved by Matt Schafer and seconded by Peter Leavitt that the administrative appeal was mooted by the action of code office in rescinding the permit.

Vote:4/0.
Motion carried.

MOTION: moved by Matt Schaefer and seconded by Elden Lingwood that in regard to a subsequent application being filed to the Appeals Board contesting a new building permit that may be issued, that a waiver for the application fees be extended to Mr. White.

Vote: 4/0.
Motion carried.

Amendment to the previous motion: moved by Schafer and seconded by Leavitt that the waived fee be the \$75 application fee or what ever the cost is at the time for the application fee, not the fees for legal ads and abutter noticing.

Vote: 4/0.
Motion carried.

5. Adjournment.

MOTION: moved by Elden Lingwood and seconded by Peter Leavitt to adjourn at 8:45 pm.

Vote 4/0.

** 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*