



Monday, July 28, 2008
BOARD OF APPEALS*
minutes

Jordan Small Middle School Broadcast Studio
7:00 pm

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

MEMBERS ABSENT:

Mary Picavet.

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

OTHERS PRESENT:

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

2.ELECTION OF CHAIRMAN:

MOTION: moved by Mike Higgins, seconded by Larry Murch to re-elect Matt Schaefer to serve as Chairperson of the Zoning Board of Appeals for the next year.

Vote: 4/0/1 (abstention Schaefer)

Motion carried.

Matt accepted the position.

3. APPROVAL OF MINUTES dated June 30, 2008.

MOTION: moved by Peter Leavitt and seconded by Lawrence Murch to approve the minutes dated June 30, 2008 as submitted.

Vote: 4/0.

Motion carried.

4. PUBLIC HEARING:

Map 48, Lot 17 LRR1

100 Webbs Mills Road

Joseph & Doris Mathew

Requesting a side set back reduction to 10' (ten) from the 20' (twenty) required by the Raymond Land Use Ordinance in order to place a 8' (eight) x 14' (fourteen) storage shed to the rear of the property.

APPLICANT COMMENTS:

Mr. Mathews stated that he got quite involved with projects on his property before he realized that he needed a permit. He purchased a storage building from Sheds Happen and they delivered it to the site. Sheds Happen did not make any comment at delivery about the requirements of the building's location, and so they paved around it and had an electrician wire it. Mathews stated that he would like to leave the building there and not move it to the rear of the property.

BOARD COMMENTS:

Chairman Schafer referencing the ordinance, commented that the ordinance will allow 10 feet as an absolute minimum for a side setback reduction.

Higgins asked for the present location of the storage building, and was told that it was at the left of driveway, three feet from the property line.

PUBLIC COMMENT:

Eugene McLaughlin, an abutter at 96 Webbs Mills Road, stated that he and wife had no objections to the location of the structure. Code Officer Cooper asked if the people from Sheds Happens discussed the placement at delivery? He was told that there were no comments made by them as to the placement.

BOARD DISCUSSION:

Chairman Schaefer informed the applicant that the Appeals Board was not a discretionary body, but was created to enforce the ordinances of the town. The set back reduction language is clear as to what is allowed. Board members Leavitt, Higgins, and Lingwood concurred with Chairman Schaefer's comments.

MOTION: moved by Matt Schaefer and seconded by Peter Leavitt to grant the applicants' request for the southerly side set back reduction to 10 (ten) feet from the 20 (twenty) feet required by the Raymond Land Use Ordinance.

Vote: 5/0.

Motion carried

MOTION: moved by Matt Schaefer and seconded by Mike Higgins to allow the applicant until November 1, 2008 to bring the building into compliance with the previous motion (Set Back Reduction request to 10').

Vote: 5/0.

Motion carried.

MOTION: moved by Peter Leavitt and seconded by Matt Schaefer added that in addition that the premises be fully permitted.

Vote: 5/0

Motion carried.

5. Adjournment.

MOTION: moved by Elden Lingwood and seconded by Lawrence Murch to adjourn at 7:40 pm.

Vote 6/0.

** 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*