



**Monday, October 26, 2009**  
Jordan Small Middle School Broadcast Studio  
7:00 pm

**BOARD OF APPEALS**  
Minutes\*

**ATTENDANCE:** Chairman Matthew Schaefer, Elden Lingwood, Mary Picavet, Peter Leavitt, and Lawrence Murch.

**MEMBERS ABSENT:**

**STAFF PRESENT :** Code Enforcement Officer Chris Hanson and Karen Strout, Administrative Assistant.

**OTHERS PRESENT:** Stephen & Donna Langlois.

**1. CALL TO ORDER:** Chairman Schaefer called the meeting to order at 7:06 pm at the JSMS Broadcast Studio. A quorum was declared to do business.

**2. ELECTION OF CHAIRMAN:**

**MOTION:** moved by Peter Leavitt and seconded by Larry Murch to elect Matt Schaefer to serve another term as chairman of the Appeals Board.

**VOTE:** 4/1(abstention-Schaefer). Motion carried and Matt agreed to serve another term as chair.

**3. APPROVAL OF MINUTES :**

**MOTION:** moved by Schaefer and seconded by Leavitt to approve minutes of June 29, 2009 as distributed with the addition of the sentence: "Written minutes are an informal record maintained for the convenience of the public." to be added to the \* paragraph at the end of the minutes.

**VOTE:** 5/0. Motion carried.

#### **4. PUBLIC HEARING:**

Chairman Schaefer opened the public hearing. Applicants Stephen and Donna Langlois of 19 Haskell Ave were requesting a ten foot set back reduction from the southerly property line for their property at 19 Haskell Ave, referenced by Raymond Tax Map 31, lot 28, which is in the LRR1 Zone to allow for the building of a new structure. The applicants had supplied the board with a narrative and plans with their application. (materials are on file in the code office).

There was no one from the public that spoke for or against the request.

#### **BOARD DISCUSSION:**

Chairman Schaefer read excerpts from the Shoreland Zoning Ordinance from Section 16. Board member Larry Murch questioned whether or not the building could be angled to comply with the set backs. Elden Lingwood expressed concerns over the increase in size of the new structure and erosion control. Code Officer Hanson commented that they were going from a 700 sq. ft camp to a 2000 sq. ft. house. Concerns were expressed about the need to meet the setbacks, the walling in effect to the lake, and size of structure, and erosion. Board member Peter Leavitt suggested that they pare down the size and redesign. Mary Picavet suggested reducing the deck would make it less non-conforming. Code Officer Hanson stated that he did not think they had looked at all of their options. Larry Murch asked the applicants if they could ask the architect to redesign. Chairman Schaefer suggested that the applicants might want to take more time with their application.

The applicants responded that they would like a vote on the application presented.

**MOTION:** moved by Chairman Schaefer to approve the SBR to 14', not 10' as requested.  
There was no second; motion died.

**MOTION:** moved by Larry Murch to ask the architect for a design in compliance.  
There was no second; motion died.

**MOTION:** moved by Matt Schaefer and seconded by Peter Leavitt to approve the application as submitted.  
Discussion: Elden suggested the applicants will work with the Code Officer Chris Hanson and Raymond Waterways Lake Smart to create a vegetative buffer to comply with the DEP program for erosion control.

**MOTION:** moved by Matt and seconded by Elden to amend the motion and add the condition suggested by Elden to the motion.  
VOTE: 3/2 on amendment. Amendment carried.  
VOTE on amended motion: 2/3 Motion failed.

**MOTION:** moved by Matt and seconded by Peter to deny the application as presented by the Langlois for 19 Haskell Ave.  
VOTE: 3/2. Motion carried. Setback reduction request was denied.

**5. MEMBERSHIP:**

Membership application from Sheila Philpot was reviewed by the board. This alternate position became available when Mary Picavet assumed the position previously occupied by Mike Higgins who had resigned in June. The alternate position term expires in 2011.

**MOTION:** moved by Matt Schaefer and seconded by Peter Leavitt to send this application to the Selectmen for appointment consideration.

VOTE: 5/0. Motion carried.

**6. CODE OFFICER UPDATE:**

Chris outlined what had been going on in the code office. Business has been steady.

**7. ADJOURNMENT:**

**MOTION:** moved by Lingwood and seconded by Murch to adjourn at 8:55 pm.

*\* Meetings are broadcast live on the public access channel and rebroadcast at a later time. Written minutes are an informal record maintained for the convenience of the Public. The DVD is the official legal record of the meeting . Copies may be signed out at the Town Office.*

*Karen G. Strout*

*Recording Secretary*