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- 00;00;06;00 Welcome to the September 29th, 2020 zoning board of appeals meeting of the town of Raymond zoning board of appeals will come to order. The board does have a corner on this evening. Um, and now I'd like to do a roll call. So, uh, because of this format, I would love it. If everyone would state their name and what role they're playing this evening, I'm Joanne Stenson. Lauren, are you going to point to us or just go online? I'm one thoroughly vice chair, Tricia member, Mary quirk recording. Secretary.
- 00;00;49;09 How's that? Yes. Wayne Jones, a fire inspector with the fire department. It looks like a code officer for the town. Thank you, Alex. We've got
- 00;01;07;00 Mike Richardson, Travis Corson. Uh, both here, applicants this evening. Find to connect to audio. Yeah, give him one second here. Just so he can hear everything well, Mike, you're on. So I'll continue with, so at least
- 00;01;38;18 you're getting all of it. Um, this is a public proceeding and unless the board specifically votes to go into, into executive session, you have the right to hear everything that is being said. And to look at all of the exhibits that are presented, notify the chair. If you're unable to see or hear the board works on a published agenda, and we'll be considering tonight's items in the following order, uh, we have election of officers, new business, which is now vacation by Mike Richmond, an Asian for Travis Corson for a setback
- 00;02;09;20 reduction. Then we have code enforcement officer communications and, and with a German in each. And since the burden is upon the applicant to demonstrate compliance with the provisions of the applicable ordinances or state law after the board votes on the merits of each application, it will prepare a written notice of decision because the notice of decision may substantially affect any appeals rights.
- 00;02;33;02 And also as a matter of courtesy, the board asks that those attending the meeting with regards to a specific application, not leave until the board has completed its discussion. Generally speaking appeals from adverse decisions must be filed with the superior court as otherwise provided by law within 45 days of the sports decision, certain that you preserve your individual right to file any such appeal. You must be certain that the board record evidences your appearance this evening and opposition and the basis for your opposition. Um, all persons speaking, um, that would
- 00;03;07;20 be your Mike and Travis, just, you know, say your name and where you live. And probably obviously would state, um, his address. He's the actual applicant. Um, and the meeting is not over until the board has formally adjourned any discussion, not included on the meeting agenda or accepted by the board is to be held until

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after a German or conducted outside of the zoom room. And to begin, um, first item on the agenda on the agenda is the election of

00;03;37;22 officers. And I like to entertain emotions from any other members to table this, because if we are changing out officers, it won't be until after tonight's meeting. No, is there a motion? I make a motion to table the elections meeting in the future. Second, we can do it at the end of this meeting at the end of this meeting, we can wait until the end of the

00;04;04;22 meeting. I make the mugs. So when did you second that? Yes, I second. Okay. Okay. We will move election of officers. So the end of the meeting then, and for new business, we have the application, Mike Richmond of custom concepts, inc. And agent per Travis Corson. A location is mapped 41 lot,

00;04;29;01 zero one one zero zero zero zero zone are one at one Oh five metal road.

00;04;35;10 And this was for a setback reduction. Um, the board did conduct a site walk and one's going to give us a report for the sidewalk on nine 26, 2020, the boards did a site walk repre, I'm sorry, on one Oh five meadow road, be attendance where Joanne stints Dinalyn Sorelli Patricia Beaton. No abutters agents owners attended the site work st. Walk was a

00;05;08;12 little different for us. As the owner had dug an exploratory hole in the ground to show the layout of where the proposed home is going to be. So if you can, if you can think of standing on a small Hill and looking down into a swimming pool, that's what it looked like. All the dirt from the hole was on the sides, which made it very difficult to climb down and get, you know, actually get in the home. But, but we were able to see everything we needed

00;05;36;24 to see. We saw all the pins, we serve all the Oh, well the, well, that was the air. And we also view the proposed packing area. That's really, what's really it. Good. Patricia, anything to add? Nope, you're good. Okay. I'm with that, um, like to start with the presentation by the applicant or

00;06;01;03 applicant's can you hear me? Yes. Yes.

00;06;08;20 Thank you. Mike Richmond, custom concepts, architects. I'm on the phone actually with Travis. Who's having some technical difficulties. We'll say so if you're okay with it. Um, Travis, can you hear us?

00;06;26;00 Yes. Yes we can. Yes.

00;06;29;15 All right. So Travis, we can hear you over my phone, but we can't see you on TV and that's fine. So thank you. Um, for this, um, I'm here, uh, on behalf of Travis has mentioned and hoping this is a, a somewhat straightforward request. Um, as explained in my packet, we're basically asking for a setback or reduction for this particular property. Um, I will not read through my whole submission because I don't want to put

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- 00;07;00;03 you to sleep. Um, but basically, you know, this, this site is very long, a very narrow, um, as Lynn said, it's, it's very steep. Um, and when we applied the typical building setbacks to it, particularly from the side, it left a very odd shaped, um, building envelope for us to work with. Um, basically we had about nine foot, 10 inches to work with, um, side to side,
- 00;07;27;11 and that would not take into consideration building overhangs. So initially Travis and I actually discussed building a tiny house, which you've probably seen or heard of literally a tiny house. And we love those, um, this particular lot, however, because of the steep slope, um, really would make that challenging. The steep slope obviously would be multilevel. And in order to put a code compliance stair in there almost half the width of that building envelope would be eaten up just for stairs. So we would
- 00;08;01;27 end up with this super, super long skinny, tall house. So we, we went back and forth on this and ended up, ended up eventually coming up with the design that's before you, um, a couple of key points, um, as you said, Travis did dig an exploratory hole. Um, it was pretty suspect that it could be a mound there because of ledge. Uh, when I see a particular ledge, you
- 00;08;29;03 know, an outcropping first thing I think of is ledge.
- 00;08;31;08 So we were pleased that there was alleged down there. Um, and the well is already on the site. Part of the reason for this particular location that we're asking for is to sort of slide it over to one side, to give us the proper distances and a little breathing room from the well, um, the total lot coverage. Um, eventually I'd worked out with Alex, but we'd still be with within our 15%, um, the specifics of what we're asking for
- 00;09;01;28 the front of the lot. None, we have plenty of depth to work with on this lot. Uh, the South setback, one foot, four inches, and this would be to the overhang, the East side. Again, none, we have a plenty of depth on the North setback, about six foot, call it six foot six. Um, so going through this process, that's what led us down this path. Um, and I'm here to answer
- 00;09;27;17 any questions you may have. Well, no questions, no question.
- 00;09;38;00 Um, I do have a question, gentlemen. Um, first of all, Travis, you don't own any other lots on the sides surrounding them,
- 00;09;48;26 Correct? Yeah, correct. I tried, I was hoping I was hoping to buy that lot, but his grandson, which is a nice guy, he bought it. So I don't, I only own that piece of property. Okay.
- 00;10;09;11 And then just to be clear, um, want to make sure I was confused. We've got the width of the, um, proposed house, 18 feet and the depth I'm confused if it's 36 or 44, I wasn't sure on the plan that was 36 feet. And then there was another eight on the main floor, but I wasn't, is that included within the 36?

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- 00;10;34;16 No, it's 36 feet of house. Yeah. And then eight feet of exterior deck. Okay.
- 00;10;40;26 Okay. Okay. So it's 18 by 30.
- 00;10;44;28 That's what we're talking about. Well, technically the house itself would be 16 by 36. I always think of roof overhangs also having to comply with setbacks, which I'm sure Alex would shake his head on ya. Um, so I always look for this point to furthest point, which in this case would actually be 18 by 45. And I get that because I'm adding one foot to the
- 00;11;14;29 front again for roof overhangs.
- 00;11;20;10 Okay. And any other questions? Yes.
- 00;11;23;28 I forgot to disclose this at the beginning, but Travis, this company has done some work on my property. I've never met him. And I just know that, you know, he owns the tree cutting company that worked on my property. Okay. That's
- 00;11;42;20 I have no problem with that, Patricia. Any concerns? Yeah. No, thank you very much, Lynn, appreciate that. Um, anyone else have any other questions for Mike or Travis?
- 00;11;55;14 Okay.
- 00;11;56;29 And, uh, we have no butters, um, here, present and Mary, I assume no one's called in with any questions as opposing or anything. Not a thing. Okay. Um, I will read Mary didn't get a telephone call on nine 24, um, with, uh, Paul Humphreys who lives at 20 Panther pawn Pines. He is against, he wanted to state his opinion that he's against the setback
- 00;12;29;25 reduction for Travis Corson at one Oh five Metro road. He believes that everyone should stick to the ordinance. So, um, thank you for your input. Um, appreciate that. So that's all we have for any other comments. Um, Mike and Travis, do you have any other comments that you'd like to add?
- 00;12;58;07 Um, my, I guess my only comment in general, everybody would be that this is very much, uh, something that he needs, not something he wants. And I know there's a big difference between the two. Um, a lot of times in my business, we're able to roll up our sleeves and get creative and solve problems and not have to go before zoning boards. Um, but with this particular site, I mean we not 9.9 foot, 10 inches for an entire house
- 00;13;28;26 from Eve to Eve is very challenging. Again, something we feel we need not want Wayne or Alex. Did you have any questions for the applicants?
- 00;13;48;28 Uh, yes I do. Uh, Wayne from the fire department when I, uh, looked at the, um, building design, um, the third, the third floor, um, for us to rescue occupants from the third floor rear. Um, our longest ladder is a 35 foot ladder and should be

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positioned at 75 degrees, um, to, for offerable climbing and rescuing of people or stretching hose lines up that

00;14;23;00 way. Um, this looks like, um, real challenge for us and would like to see, um, so you have that, um, design, if there's any modifications that could be made so that we have that access to them from the rear, that rear third

00;14;47;21 floor deck is the concern. I'm assuming if we make some sort of access for you that I don't think it'll be that bad. Yes, yes I do. And, and looking at, um, basically the

00;15;32;25 typography, how it keeps stepping down. Um, if we were trying to reach that, uh, third floor deck on the rear, um, I'm not sure that we could with our ground ladder one because of the first floor deck sticking out is gonna

00;15;51;23 really change our angle. And then I don't know whether a 35 foot ground ladder, if we're going to be able to reach that deck and what's that we can't use that for something for us to work on on the design of the house is to make sure that we have the ability to rescue people from that third

00;16;23;02 floor deck on the rear. I totally agree with you on the front. We can read through the, because it's a question of, um, uh, like the building permit would not be issued, unless would you be signing off on that at all with Alex or, um, tradition. We could make that a, a, a condition of your approval that would work is not normally something that we, um, would do in

00;16;52;27 the course of issuing a permit for a house, but we, we could make that a condition of your approval if that's your thing. I guess I'm only, I'm only wondering, um, if, uh, I'm sorry, Mike, go ahead.

00;17;08;16 I didn't mean to interrupt, but when I have an idea yeah. And we're open to ideas. So the one elevation that I do not have drawn is the Northern elevation, which for the most part will look very much like the South elevation. However, the retain the placement of the retaining wall is somewhat of a variable. I don't need any windows, sorry, Travis. You're not going to get any windows on that lower side of the house. So I can easily

00;17;43;05 work with my computer and pull that retaining wall at least far enough to give you an overlap

00;17;51;04 And give you a shot

00;17;52;05 Towards the upper deck. Right. Right. And the thing to factor in is the 75 degree angle of our ground ladder because, uh, if you get any steeper or any, uh, lower profile of the ground ladder, it's, it's hard enough for firefighters to climb that. And you can imagine just the general lay people. If it's not in a good position, they're not going to want to

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- 00;18;23;14 come down that ladder without a lot of assistance if they even get on it to start with. So it's real at that degree of the ladder is really important to, for rescuing people. And that's what we would need to do. Um, on that third floor is have two ways to be able to get somebody out of that third floor area.
- 00;18;48;00 I guess the question, the question I would have maybe it's too, Alex, is, does, um, does this fall under us approving the side setbacks or is that more of a design and permitting issue?
- 00;19;02;21 My question would be considered or reviewed under building permits. Okay. You guys aren't reviewing this particular application or the height requirement. That would be something I would work with them on that.
- 00;19;20;07 Okay, good. Thank you. Thank you for bringing that up point though. Just so aware of the issue. Yep. Okay. Any other comments for the applicants?
- 00;19;31;25 No.
- 00;19;32;28 Okay. When that, and we had no, um, opposers here, I'll close the public comment, um, And open it up for discussion with the board members. Um, my first comment. So just that, just for the record, we know this is a nonconforming law, it's a legal nonconforming law. We also, um, just have to have on the record that the board of appeals does have the
- 00;20;06;20 power and duty to hear variants and setback appeals, uh, via section 16, G one shore land zoning. So I just need to have that on the record. Um, any thoughts, comments, Len or Patricia? Nope. No. Are the, uh, the format that we go through covers pretty much everything. Right. Um, Alex, did you have
- 00;20;35;06 any comments?
- 00;20;37;13 Um, no, not really. I mean, I think that, um, you know, under that section AF it does state that
- 00;20;48;04 I'm trying to just pull it up real quick here.
- 00;20;50;29 Yeah. 16 G to AF is where, yeah. Where we're going.
- 00;20;56;09 Uh, there was a specific section here that I wanted to may only be granted and are only available for lots where they residential dwelling as the principals structure. I mean, I think that clearly that's the case here. It's just going to be, you know, a single family drawing, which would be the principal structure. So, I mean, I think that, um, it fits within the parameters of that section for sure.
- 00;21;20;07 Okay. Thanks Alex. And actually I'll lead the group through, I'm sorry to bore you all, but we are going to walk through, um, the criteria. This is section 16 G under appeals to AF the board of appeals may grant reductions from the minimum setback requirements set forth in section 15 eight, these provisions, according to

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the following criteria, and I'm going to walk through each of them. And I would ask the board members to say or say whether we've met those, um, uh, one setback reduction appeals are only

- 00;21;55;29 available to reduce the minimum requirement for setbacks of structures from water boundary lines. That setback reduction appeals shall not be used and are not available from bodies of water as provided in these provisions. As I see it, these are just recited setbacks. This isn't, I'm near a body of water. So do, um, all those who believe their requirements have been met? Yes, that's three not met would be zero. Number two, the setback reduction
- 00;22;27;19 reduction appeals may only be granted and are only available for lots with a residential dwelling as the principal structure, which Alex was just referring to. The only structure designed for this property is a residential dwelling and it is the principal structure. Um, all of those, uh, requirements met zero that's three zero, okay. Three, the board of
- 00;22;54;23 appeals may grant a setback reduction appeal. If the board finds that granting the setback reduction will not result in unreasonable interference with the privacy interest of the adjoining landowners. I did not feel that I saw any concerns on our walkthrough as far as interference for the abutters. And we got no comments from any of the abutters regarding interference with that. Um, is the requirement met three, not met zero five? Um, Oh,
- 00;23;30;13 I'm sorry. Four in granting a setback reduction, the board of appeals may attach reasonable conditions, which it may deem necessary to serve the purposes of these provisions. I don't have any suggestions for conditions myself, either of your thoughts, okay.
- 00;23;51;13 By a setback reduction appeal shall not be granted to enable construction or renovation that will create additional dwelling units. And there is only one dwelling unit designed. So is this requirement met not met zero six? The setback reduction appeal shall not be granted to enable construction or renovation that will result in one or more, um, in more than one garage on the lot that is subject of the appeal. I don't believe
- 00;24;22;13 there's any garage in this design requirement met, not met zero, no setback reduction appeal may be granted that will result in impervious surface, lot coverage of greater than 15%. And that's why I was, uh, targeting in on the calculations. And according to I found like Alex has gone over those with
- 00;24;51;18 these guys, but even if it was 18 by 36, that would only be 12% coverage. If we add in the driveway and Alex correct us, if we're not counting everything we need to, but it would be the structure of the house and the driveway, I believe. Um, so I had, I had 18 by 36 was 648 plus two 83 for the drive. And the lot is seven, eight, eight, nine giving us 12%. I think even if we went to the

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- 00;25;26;05 44 feet, um, max that put us at 14% coverage. So either way growing, uh, my calculations were under the 15%. So with BA requirement met, not met zero and finally setback reduction appeals may only be granted the minimum
- 00;25;54;15 extent, extent necessary to accomplish the purpose of the appeal. Setbacks may not be reduced by setback reduction appeal to less than the following absolute minimum setbacks. And the one we're concerned with is 10 feet on the sides. Um, what I've uh, heard. And what I see in the design is the appellant is requesting a side setback reduction of one foot, four inches
- 00;26;20;21 on the South and six feet, five and three quarters on the North.
- 00;26;25;23 That's the new setbacks for the sides would be 18, eight and 13, six, and a quarter respectively, um, which is greater than the minimum 10, the absolute minimum 10 we're allowed to, uh, grant, uh, with that is the requirement map. Yes. And not zero. Okay. So when that, um, we have all of
- 00;26;57;09 the requirements show being met with three, approving it to zero. So I will take a motion then on the application, when or Patricia, you want to make a motion to accept and approve the setbacks based on the fact that all requirements have been met second, all those in favor, that would be three
- 00;27;29;26 zero, that to grant. So with that, um, Mike and Travis, we have, uh, the zoning board has found that you did meet all of the requirements of section 16, article two required, required in order to be granted a setback reduction. And there were no conditions put on it. Um, uh, I wouldn't just say that behind the scenes, when you guys talked about the permitting and the concerns of the fire department, that you will get that with the building
- 00;27;58;22 permit, which it sounds like you're going to, and we thank you guys so much for bringing your application to the board. Thank you very much. And we will, um, we will, I'll write up a finding of fact. So you have something official and Mary, how do we get that signed by all? Do I drop that off at the town office? Yes.
- 00;28;27;16 You three can swing on mine.
- 00;28;30;09 Okay. I'll try to get that done by Wednesday or Thursday, and I will email you Lynn and Patricia to go in and sign that when that's done. We'll let you in mind when you come to sign it, I can let you in the back door and just be on your way. Very good. Okay. I'm Mike and Travis that you don't have to stay if you don't want to let you're welcome if you want to listen. Um, next we'll go on to Alex. Thank you for a code enforcement
- 00;29;03;27 officer communications.
- 00;29;06;17 Yeah, sure. Um, what, uh, yeah, thanks. Um, what sort of stuff should I be communicating? What, what, uh,

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- 00;29;16;06 Got it. Usually it's a, what's going on around code enforcement these days. Is it really busy? What kind of things are you seeing? Is there a lot of new construction?
- 00;29;25;12 Sure. Yeah. Um, yes, it's been a very busy, I think, um, a lot of factors go into that. Um, but you know, the residential housing market is just, it's on fire still. Um, and you know, basically what's happening is anything that's less than \$500,000. You're not able to keep it on the market. So, um, existing homes are selling and new construction is selling. So there's a lot of, um, a lot of development in general taking place. So
- 00;29;58;22 some of the subdivisions that have been sitting for a number of years are starting to actually, um, you know, come back to life again. So we've got, uh, quite a few homes, being new homes, being built. And then of course, um, the, the waterfront stuff, the demo and reconstruction stuff is still continuing on as it has been for a while. And, and the Cape is very busy, but, um, in general, all of the waterfront, um, throughout town is pretty
- 00;30;29;07 busy.
- 00;30;29;16 So, um, I think Mary's doing a great job. Um, you know, getting me acquainted with the town and everyone here. And, uh, I think, you know, the first couple of months were tough because between COVID and then, you know, the laps in code officers, the backlog of, of permits and communications, it's pretty high still, um, after two months being here. So, uh, but we're, we've got a good system going now. Um, you know, one of the things that's changing is we're trying to be a little bit more, um, or
- 00;31;05;20 take advantage of the technology we have. And, uh, we did, uh, recently signed a contract with a company to do, um, online permitting. So in the next four to six weeks, hopefully, uh, we'll have that up and running on our website. So people will actually be able to apply for permits right online and, and schedule inspections and track all of that, which will help
- 00;31;30;11 take the load off here administratively. And then it's also a little bit of an insurance, um, you know, for us, in case with COVID, if the office had to shut down, we would still be able to run remotely. Cause it's all cloud based. So at least that way, um, we can do a little bit more out of the office if that has to happen. So I'm excited to have that in place. It's going to help us quite a bit. And, um, we've already started taking, uh, phone calls and office meetings
- 00;32;00;14 scheduling through the website. So, uh, we're trying to make it a little bit easier for people to get ahold of us and, um, get the information they need. So it's busy, but, um, you know, hopefully we can keep people away from you guys, so you don't have to meet too too much, but we appreciate that. Do you have any word or heard of any appeals down the road and our way there is a couple, um, you know, there's some enforcement stuff that's

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- 00;32;32;25 probably gonna start to happen now that I've been here for a couple of months and I've kinda got a good lay of the land.
- 00;32;37;14 There are a few violations out there that, um, we'll be kind of starting to tackle, and there's always the risk with, you know, issuing a notice of violation that someone might, you know, submit it in administrative appeal, just to make sure that they take advantage of that opportunity to try and get that NLV reversed. Um, but I mean, that would be the only thing I see right now. It doesn't, I don't know of anything on the radar for setback, production or bearings, um, could pop up, but right now,
- 00;33;09;25 I don't know if anything.
- 00;33;11;01 Oh, that's great. And good job on them. That'll be a nice productivity. Um, improved, um, improvement would be a permitting online. I think that'll help Mary out, hopefully a lot too. Yeah. Great. Thank you, Alex. Um, and then back, um, I guess I don't, um, if we can on table the election of officers, and at this point currently I am sitting as the chair and I opened it up to, I think it's always good for the board to rotate the
- 00;33;42;09 positions. And one is the vice chair at this point. So, um, I understand that it's okay for me to nominate Len Sorrelli for chair. Patricia, would you like to second it or are you interested to unable to fill those shoes, but I can second that okay. All those in favor. Great. And then that leaves the vice chair and I would nominate you Joanne.
- 00;34;18;29 Thank you so much. I'll take that as a second. All those in favor. That's fine. Okay. So the next time we have a meeting, which could be in a month and it could be in a year. We don't know when we'll welcome you to the chair position and get things going that way. That's great. And any other
- 00;34;44;28 last comments before we adjourn anybody? I don't have anything. Thank you. Nope. Thank you everyone so much for attending. And with that, um, my, uh, take a motion to adjourn. Motion to adjourn the meeting second. Okay. Seven 35. We're done. Thank you very much, everybody.