



Raymond Zoning Board of Appeals

423 Webbs Mills Road
Raymond Broadcast Studio

Minutes

Tuesday, April 26, 2022

VIA ZOOM

6:00 pm

Call to order: David Murch called the meeting to order at 6:28 pm and a quorum was declared

Roll was Called

Present: David Murch, Chair; Greg Dean, Vice Chair, Tom Hennessey and Fred Miller

Staff: Alex Sirois, CEO and Sandy Fredricks, Administrative Assistant PB & ZBA

Attorneys Present: Stephen Wagner for ZBA;

Public Present: Melissa Sargent

Murch read the Opening Statement into the Record as well as the Agenda.

Acceptance of March 29, 2022 Minutes

The Board stated they have not received the draft Minutes.

Dean moved to table the March 29th Minutes to the May meeting.

Murch seconded.

All in favor? 4 yes (Murch/Hennessey/Dean/Miller) - 0 no - 0 abstain

The Board wished to have an Executive Session with attorney Wagner.

Dean moved pursuant to MRSA 1 §405 (6)(E) to enter into Executive Session to discuss policies and procedures.

Murch seconded.

All in favor? 4 yes (Murch/Hennessey/Dean/Miller)/0 no/0 abstain

The Board goes into Executive Session at 6:40 p.m.

The Board reconvenes the Public Meeting at 7:10 p.m.

The Board stated for the record they will be drafting changes to the By-Laws to regulate a meeting end time.

Murch moved that Dean draft proposed changes to the By-Laws.

Miller seconded.

All in favor? 4 yes(Murch/Hennessey/Dean/Miller) - 0 no - 0 abstain

Sirois stated that the Planning Board has a similar clause in their By-Laws.

Murch read April 14, 2022 email from Eric Wycoff regarding requests all the Administrative Appeals related to 18 Fernwood Road and 28 Whitetail Lane be tabled as the parties have agreed to enter into Mediation. He also read April 20, 2022 emails from Sandy and Greg

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Braun, Response email from Leah Rachin, and follow up email from Steven Wagner.

The Board discussed leaving these matters on the table and benefits of Mediation.

Murch moved to grant the parties' request to leave the above matters on the table until the next regular Board meeting.

Dean seconded.

All in favor? 4 yes (Murch/Hennessey/Dean/Miller) - 0 no - 0 abstain

The Board also stated they will not act on the Notice of Decision for the Administrative Appeal heard on March 29, 2022 at this time.

The Board moved on to the Application of Melissa Sargent.

APPLICANT	Melissa Sargent
LOCATION	11 Tarkiln Hill Road; 011/032/000; Zone R
DESCRIPTION	Setback Reduction

Murch explained procedure to the Applicant. The Board reviewed the Zoning Map to confirm the property is the R Zone not RR as shown on the Applicant's survey.

Murch asked Applicant to give the Board an overview of her request for Setback Reduction.

Murch stated for the record that a Site Walk was held on April 16, 2022 and was attended by the Applicant, Hennessey and himself.

Applicant stated she believed she was required to have a 30' setback from Tarkiln Hill Road and Shady Lane, which is a private road, because she is on a corner lot. Further she believed she needed a 10' setback reduction to build a garage on the lefthand side. She also stated they are not to have any access via Shady Lane. The garage will be for storage only, 1 car and for her significant other's hobbies. She stated it was her understanding it cannot include living space and the attic area will be for storage of items.

Dean questioned what the distance was from the side of the garage to the well and what is required. Applicant did not know unless she went out to measure. Sirois stated that looking at the scale it looks to be 20'-25', however, the Town has no setback requirement from wells to structures. Hennessey questioned the measurement of one corner of Tarkiln Hill Road and Shady Lane and it will require adjustment by 1' to 2'. Applicant stated she will comply with whatever is necessary.

Murch opened Public Hearing at 7:40 p.m. There being no one wishing to speak, he closed the Public Hearing at 7:42 p.m.

The Board deliberated the application and reviewed the requirements. The Board agreed the actual setbacks to be used are for Rural not Rural Residential as shown on the survey. Sirois advised the front line is on Tarkiln Hill Road where the driveway is located and the side lines are Shady Lane and the other side. Measurements are 40' from Tarkiln Hill, 20' from each side and the rear does not matter in this case. Applicant confirmed that the setback reduction

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would be 20' from the front and nothing from the sides.

Dean stated he was concerned with the changes to setback request and did not believe the structure would be compliant.

Murch stated original survey assumed a 30' setback and he didn't believe they could allow a 20' setback. Sirois stated the issue is you could go to 20' setback reduction but they will be at 17' for 1 corner. He continued the Board could approve the application conditioned on applicant submitting a new survey. Applicant stated she will contact the surveyor this week and email the Board and requested the application be tabled to the May meeting.

Murch moved to table the Sargent application to May 31, 2022 and that applicant submit updated survey.

Dean seconded.

All in favor? 4 yes (Murch/Hennessey/Dean/Miller) – 0 no – 0 abstain

Dean asked for clarification if actual request for setback will have to be recalculated. Sirois stated a simple email would suffice.

Murch moved to adjourn

Dean seconded

All in favor? 4 yes (Murch/Hennessey/Dean/Miller) – 0 no – 0 abstain

ADJOURNED 8:10 P.M. April 26, 2022

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