

Zoning Board of Appeals
March 20th, 2017
Casco Community Center

Members Present: Steve Linne, Trevor Tidd and Pat Troy
Members Absent: Terri Linnell
Staff Present: Alex Sirois, CEO & Sandy Fredricks, ZBA Admin. Asst.
Public Present: Mark Kingston and Beth Alexander

Trevor calls the meeting of the Zoning Board of Appeals to order at 7:00 P.M.

Trevor reads the required information into the record and for those present as follows:

1. Please recognize all statements through the Chair.
2. Please introduce yourself before speaking.
3. Applicant will receive a written Decision within 7 days of this meeting and has 45 days to appeal to Superior Court.
4. Applicant may stay for the Decision but cannot in any way participate in this part of the meeting.
5. If approved, the applicant will receive a Certificate of Zoning Variance Approval with the Notice of Decision and has 90 days to record it the Registry of Deeds. If you do not record it within the 90-day limit, the Decision is automatically void and you cannot appeal for one (1) year.
6. A permit secured by vote of the Zoning Board of Appeals under the provisions of this Ordinance shall expire if the work or change involved is not commenced within one (1) year of the date on which the appeal is granted, and if the work or change is not substantially completed within eighteen (18) months of the date on which such appeal is granted.

Trevor states we have Minutes of November 21st, 2016 to be approved.

Trevor moves to approve the Minutes as written.
Steve seconds.

Any discussion? Pat states that on Page 3, Paragraph 5, she believes she also stated that Bruce B. as a CEO in Cornish should know what they are doing. She would like that added into the record. Sandy advised the correction will be made.

All in favor of approving Minutes with the correction? 3 yes -
0 no - 0 abstain

Trevor states the Board has before it application by Mark Kingston for a General Variance for property known as Map 55, Lot 11; 214 Thompson Lake Shores Road, located in a shoreland district.

Trevor opens the Evidentiary portion of the meeting.

EVIDENTIARY

Mark Kingston addresses the Board stating that it is very limited where he can build on this lot due to the size. He states he would like to construct a 22' x 22' garage and requires setback variance. He continues that nothing on the lot is in conformance; no matter where he puts the garage will be disruptive, but this is the least disruptive. Further, Mr. Kingston states that the location is as shown because there is a septic, leach field and well; there would be more work required to move any of those things. Additionally, he states the front of the house is barely 50' from the property pins and there is nowhere to build outside the 50' setback and what he is proposing will be 5' from his neighbor.

Steve inquires if the applicant applied for a building permit before applying for the variance. Mr. Kingston and Alex each state he did not. Steve continues and points out that the measurement was made from the wrong point. Mr. Kingston states that it is not in the Shoreland standards; the State standard is 100'.

Pat points out that if the Town standards are stronger, they apply not the State standard. Pat asks when the applicant bought the property. She is advised it was in 2012. Pat continues by inquiring if the applicant is a year round resident or a seasonal resident. Mr. Kingston advises he is a year round resident and the lot is .38 acres.

Steve points out that the applicant owns two (2) additional lots. Mr. Kingston states that they would require much more work and most likely more variances. Mr. Kingston continues stating that he cannot shovel two (2) 200' driveways.

Trevor asks if there is anything else they would like to add.

Trevor asks if the Board has any other questions. Being none, Trevor closes the Evidentiary Portion of the meeting and opens the Deliberations.

DELIBERATIONS

Trevor states he feels it looks like everything is in the setbacks and refers to the DEP email from Michael Morse stating the hardship cannot be met.

Steve states he has an issue with it being within the 100' setback and we are not permitted to make a non-conforming lot more non-conforming.

Pat states she agrees with both Trevor and Steve.

Steve moves to approve the variance as requested.
Trevor seconds.
Any discussion? None.
All in favor? 0 yes - 3 no - 0 abstain

Trevor moves to adjourn.
Pat seconds.
Any discussion? None
All in favor? 3 yes - 0 no - 0 abstain