

Zoning Board of Appeals  
September 18, 2017  
Casco Community Center

Members Present: Geof Hancock, Steve Linne, Trevor Tidd and Pat Troy  
Members Absent: Terri Linnell  
Staff Present: Alex Sirois, CEO & Sandy Fredricks, ZBA Admin. Asst.  
Public Present: None.

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 August 21st, 2017 to be approved.

Pat states that she would like to have a clarification inserted on Page 3, Line 4 it should indicate that the stair chair is on the inside not outside. Sandy states she will add the word "inside" to the sentence.

Geof moves to approve the Minutes with the clarification stated. Steve seconds.

Any discussion? None.

All in favor? 4 yes (Geof, Steve, Trevor & Pat) - 0 no - 0 abstain.

Trevor states the Board has before it application by Stephen Thibeault on behalf of David Jackson for a General Variance to

permit a front setback reduction from 50' to 37' (13') to permit construction of a stairway and landing on the front of the home. The foundation of the house is currently 37' and applicant requests that the stairway be permitted at the same distance from the water. The property is known as Map 19, Lot 35; commonly known as 192 Lakewood Road. The property is located in an LRR Zone.

Due to the fact that neither the applicant nor his representative are present again, the Board discusses the matter and how to proceed.

Steve asks if it is appropriate for him to make a motion to approve the application and then take a vote in the negative due to lack of due diligence by the applicant and his representative.

Pat states there are some points she found in the Ordinance which the Board must follow.

Trevor states he agrees with Steve's suggestion.

Pat states that in the Ordinance on Pages 98 - 103 are the standards which the Zoning Board of Appeals are to uphold. She continues that on Page 99, under B. Variance Appeals. (a) states "That the land in question cannot yield a reasonable return unless a variance is granted." Also, (d) "That the hardship is not the result of action taken by the applicant or a prior owner." Pat continues that in this case it was action by the applicant as he had a permit to add the stairs when he rebuilt but he did not do so at the time.

Pat states that on Page 100, 2 c. "The practical difficulty is not the result of action taken by the petitioner or a prior owner" as well as d. "No other feasible alternative is available to the petitioner."

Pat states that as stated last month during discussions, there is an inside stairway from the daylight basement to the upstairs so a stair chair would work. Pat states she also wonders if there is some sort of door coming out from the kitchen area which would, again, support the stair chair suggestion.

Steve also adds that the new drawings bring it closer to the lake and he states he believes this was their intention all along to go 10' closer to the lake. He continues that he would never agree to approve anything closer to the lake. He further states that this application has been ongoing changes with each item received

Geof states and it is not changing to move it back further from the lake, they are changing to move it closer to the lake.

Steve moves to approve the variance of David Jackson for a stairway on the outside of the property.

Geof seconds.

Any discussion? None.

All in favor? 0 yes - 4 no (Geof, Steve, Trevor & Pat) - 0 abstain.

Geof moves to adjourn.

Steve seconds.

Any discussion? None.

All in favor? 4 yes (Geof, Steve, Trevor & Pat) - 0 no - 0 abstain