

Auburn Zoning Board of Appeals Meeting Minutes

August 7, 2014

Roll Call

Full Members present: Bruce Richardson, Courtney McDonough, Michael Dixon; Presiding, Kenneth Sonagere, Elizabeth Shardlow and Christopher Gendron.

Associate Members present: Dan Curtis Jr. and Maureen Aube

Full Member absent: Lane Feldman

Also present representing City staff: Eric Cousens, Deputy Director of Planning & Development and Douglas Greene, City Planner.

Chairperson Michael Dixon, called the meeting to order at 6:00 pm and asked each Board member to state their name. He said one of the regular members was absent; therefore, Dan Curtis's member status would be elevated to full member status for tonight's meeting.

Public Hearings:

Administrative Appeal of Daniel and Marie Herrick to appeal their denial of a building permit to construct a single family home in the Agriculture and Resource Protection District at 240 Hatch Road / PID # 213-006 pursuant to Chapter 60, Article XV, Division 4, Section 60-1186.

Chairperson Dixon identified all materials that been submitted for this appeal and then explained the procedure that is followed for Board of Appeals meetings

Eric Cousens read the staff report.

Dan and Marie Herrick, appellants, spoke about the appeal. Mr. Herrick presented the Board with a number of photographs of the existing building.

Questions were asked by the Board members to which Mr. and Mrs. Herrick replied.

Open Public Input

Gabriel Couture of 440 Hatch Road gave a history of the property and explained how the building came to be. He stated that Mr. Lander, the original owner of the property was very abrasive. Mr. Couture claimed the City was afraid of him so that's why nothing was done to rectify the situation. He said in his opinion, it's wrong to change things now.

Edward Desgrosseilliers of 121 Hatch Road agreed that Mr. Lander's character was abrasive in nature and threatened court action to anyone who went against him. He said the City should not

penalize whoever has made an investment and that he was ok with this remaining as a non-conforming lot.

Joseph Gray of Sopers Mill Road said he would usually go against this type of proposal but after visiting the site, is ok with it.

Tizz Crowley of 35 University Street stated she had visited the property. She said she was concerned about this being an equitable issue as it's been taxed as a residence for 20 years. She said she was neither for nor against this appeal.

Belinda Gerry of 143 Mill Street said she was here to support their appeal. She commended the Herricks for doing the right thing in coming to get permits as she said he could have done stuff without anyone knowing about it.

Leroy Walker of 41 Broad Street said the City missed the boat in the past on this one.

There was a lengthy discussion amongst the Board members, City staff and the petitioners.

Kenneth Sonagere referenced Chapter 60, Section 1187. Variance Criteria and noted that the appellants could not meet that standard or the Administrative Appeal before the Board so the Board could not approve the request.

A motion was made by Kenneth Sonagere and seconded by Elizabeth Shardlow to deny the Administrative Appeal of Daniel and Marie Herrick to appeal their denial of a building permit to construct a single family home in the Agriculture and Resource Protection District at 240 Hatch Road / PID # 213-006 pursuant to Chapter 60, Article XV, Division 4, Section 60-1186.

After a vote of 5-2-0, the motion carried. (Bruce Richardson and Christopher Gendron opposed)

Variance Appeal of Peter & Susan Bunker to reconstruct an existing structure at 167 West Shore Road / PID # 255-004 without requiring that 50% of the structural members remain in place pursuant to Chapter 60, Article XV, Division 4, section 60-1187. The proposal is in compliance with the standards for rehabilitation and less than 30% expansion of an existing structure; however, the existing construction is substandard and has deteriorated over time to the extent that saving the structural members is impractical.

Chairperson Dixon identified all items submitted for this appeal.

Eric Cousens went over the staff report.

Mike Gotto for Stoneybrook Consultants, Inc and representing Mr. and Mrs. Bunker added to the presentation.

The Board members asked questions of which Mr. Gotto answered.

Open Public Input

Tizz Crowley of 35 University Street stated that she supported some of this but was concerned about the water. She spoke about an equitable solution.

A motion was made by Elizabeth Shardlow and seconded by Kenneth Sonagere to approve the Variance Appeal of Peter & Susan Bunker to reconstruct an existing structure at 167 West Shore Road / PID # 255-004 without requiring that 50% of the structural members remain in place pursuant to Chapter 60, Article XV, Division 4, section 60-1187.

After a vote of 7-0-0, the motion carried.

Variance Appeal of Frank C. Goudreau to reconstruct an existing structure at 63 Chicoine Avenue / PID # 237-007 without requiring that 50% of the structural members remain in place pursuant to Chapter 60, Article XV, Division 4, section 60-1187. The proposal is in compliance with the standards for rehabilitation and less than 30% expansion of an existing structure; however, the existing construction is substandard and has deteriorated over time to the extent that saving the structural members is impractical

Chairperson Dixon identified all items submitted for this appeal.

Frank Goudreau, appellant, spoke about his appeal.

Eric Cousens went over the staff report.

Open Public Input

No comment from the public.

A motion was made by Kenneth Sonagere to approve the Variance Appeal of Frank C. Goudreau to reconstruct an existing structure at 63 Chicoine Avenue / PID # 237-007 without requiring that 50% of the structural members remain in place pursuant to Chapter 60, Article XV, Division 4, section 60-1187.

The motion was amended by Christopher Gendron to include a buffer zone of 10 feet from the high water mark. Mr. Sonagere accepted the amendment.

The motion was seconded by Bruce Richardson. After a vote of 7-0-0, the motion carried.

Variance Appeal of Roland and Stacie Brown to reconstruct an existing structure at 28 Sandy Beach Road / PID # 237-017 without requiring that 50% of the structural members remain in place pursuant to Chapter 60, Article XV, Division 4, section 60-1187. The proposal is in compliance with the standards for rehabilitation and less than 30% expansion of an existing structure; however, the existing construction is substandard and has deteriorated over time to the extent that saving the structural members is impractical.

Chairperson Dixon identified all items submitted for this appeal.

Eric Cousens went over the staff report and presented photos of the property via PowerPoint.

Roland Brown, appellant, spoke about the appeal.

Open Public Input

No comment from the public.

Board members asked questions to City staff and to the appellant.

A motion was made by Christopher Gendron and seconded by Elizabeth Shardlow to approve the Variance Appeal of Roland and Stacie Brown to reconstruct an existing structure at 28 Sandy Beach Road / PID # 237-017 without requiring that 50% of the structural members remain in place pursuant to Chapter 60, Article XV, Division 4, section 60-1187.

After a vote of 7-0-0, the motion carried.

ADJOURNMENT