

CITY OF LEWISTON
BOARD OF APPEALS MEETING
MINUTES for June 5, 2013

- I. **ROLL CALL:** The meeting was held in the Third Floor Conference Room of City Hall and was called to order at 6:00 p.m. Chairperson, Christine Kendall, chaired the meeting.

Members in Attendance: Matthew Agren, Pauline Gudas, Michael Lachance, Christine Kendall, William Horn and Doug Stone

Members Absent: Cheryl Bonawitz

Associate Member Present: Patricia Gagne'

Associate Member Absent: Elaine Fenderson

Staff Present: Gildace Arsenault, Director of Code & Planning and Joline Boulay, Administrative Assistant, Department of Planning & Code Enforcement

Correspondence: The following motion was made.

MOTION: by **Patti Gagne'** to accept and place on file the staff memorandum dated May 30, 2013 from Gil Arsenault, Director of Planning & Code Enforcement. Second by **William Horn.**

VOTED: **7-0 (Passed).**

Christine Kendall read the Board of Appeals policies and procedures for this meeting. Four (4) affirmative votes are needed for an item to pass.

Christine Kendall appointed Patti Gagne' to be a full voting member for this meeting.

II. **NEW BUSINESS:**

Roger & Lorraine Bard requested a side setback modification to construct a two story addition on the property located at 103 Webber Avenue.

The following motion was made.

MOTION: by **Doug Stone** to hear the appeal pursuant to Appendix A, Article VIII, Section 4(10) and Article IX, Section 3(9), 3(10) and 3(11) of the Ordinances of the City of Lewiston.
Second by **Pauline Gudas.**

VOTED: **7-0 (Passed).**

Roger & Lorraine Bard were present on behalf of the project. Gil read the staff memorandum and Lorraine stated the Gil had summarized the project well and had nothing to add.

Doug Stone questioned the applicant in regards to the completion of the proposed construction. Lorraine has spoken with her contractor and the

proposed construction upon approval would take approximately two to three months with hopes to be completed by fall of 2013.

Doug Stone and Pauline Gudas stated their opinion that the board is not mandated to require the applicant to obtain a maintenance agreement but suggested that it may be to the applicant's best interest to obtain one now to avoid future issues. Michael Lachance stated that according to the code the board has the ability to require the applicant obtain an easement agreement.

Michael Lachance questioned the practicality of the proposed construction. Michael questioned the applicant necessity to construct the addition to the end of the building. Lorraine stated that the sunroom off the bedroom door would not be centered. Gil visited the property and stated it met the personal needs of the applicant. Michael Lachance also expressed concern regarding the fire safety to the next nearest property being so close. Gil stated that in his opinion it would not bring concern to the fire department.

The public portion was closed as there were no other comments forthcoming.

The following motion was made:

MOTION: by **Pauline Gudas** that I find the facts contained in the notice of appeal and the site analysis portion of the written comments of the City staff are accurate and correct. I further find all of the standards imposed pursuant to Appendix A, Article VIII, Section 4(10) and Article IX, Sections 3(9), 3(10) and 3(11) of the Ordinances of the City of Lewiston have been met. Therefore, I move that the appeal be granted to Roger & Lorraine Bard with the following condition:

1. Maintenance easement/agreement to be secured from the owners of adjacent impacted property pursuant to Appendix A, Article IX, Section 3(11) of the Code of Ordinances of the City of Lewiston to permit the use of up to 7.5' of said property for the future maintenance of the proposed addition. Said agreement shall be in a form agreeable to the Director of Planning and Code Enforcement and shall be recorded at the Androscoggin County Registry of Deeds prior to the issuance of any required permits.

Second by **Doug Stone**.

VOTED: 6-1 (Passed),

VII. READING OF MINUTES: Draft Minutes of the May 1, 2013.

MOTION: by **Doug Stone** that the minutes for May 1, 2013 be accepted as presented.

Second by **Pauline Gudas**.

VOTED: 7-0 (Passed).

VIII. ADJOURNMENT: The following motion was made to adjourn.

MOTION: by **Patti Gagne** that this meeting adjourns at **6:15 p.m.**

Second by **William Horn**.

VOTED: 7-0 (Passed).

Respectfully Submitted:

Cheryl Bonawitz, Secretary