

CITY OF LEWISTON
BOARD OF APPEALS MEETING
FINAL MINUTES for September 6, 2017

- I. **ROLL CALL:** The meeting was held in the City Council Chambers on the first floor of City Hall and was called to order at 6:00 p.m. Patricia Gagne' chaired the meeting.

Members in Attendance: Patricia Gagne', John Clifford IV, Paula Masselli, Andrew Choate, Elaine Fenderson and Christine Kendall

Members Absent: Daniel Dube'

Associate Member Present: Leslie Dubois

Staff Present: David Hediger, City Planner and Cathy Lekberg, Administrative Assistant, Planning & Code Enforcement

Patricia Gagne' appointed Leslie Dubois full voting member for this meeting.

Patricia Gagne' explained the Board of Appeals meeting procedures to the staff and the public.

- II. **CORRESPONDENCE** – Settlement Agreement for 255 North Bardwell, LLC

The Board was agreeable to this settlement after clarification from David Hediger via an email to the members.

- III. **NEW BUSINESS:**

An administrative appeal submitted by Sarah Glidden, Esq. of Isaacson & Raymond, P.A. on behalf of Randi S. Tolman to appeal a Notice of Violation dated August 4, 2017 from Code Enforcement Officer, Thomas Maynard stating that the property located at 235 Pond Road has two illegally developed dwelling units in a renovated barn constituting violations.

Sarah Glidden of Isaacson & Raymond, P.A. stated that her client, Randi Tolman was in DC on a trip and was not able to attend this meeting and she would like to request a motion to continue the hearing for good cause on behalf of her client and schedule the meeting for the next BOA date of September 20, 2017. She said that it was imperative that her client is present to testify as she could not testify on her behalf. She also said that her client was told by a code officer many years ago that she was all set and therefore thought that she was in compliance until the recent notice of violation from Thomas Maynard.

Leslie stated that she had questions for the homeowner and would like her to be in attendance. Elaine said that she thought that this was an ongoing issue for many years and did not think it would make a difference if they did not continue it. John Clifford said that if this request was brought up in court, the motion would be immediately granted. He said he would like to hear the testimony from the property owner. The next Board of Appeals meeting would be on September 20, 2017 and Andy asked Sarah if her client would be able to attend and she said yes.

David mentioned Gil's response memo to this motion and noted the reasons why this should not be continued. Sarah said that it is her client's right to be heard.

The Board discussed Sarah's motion and made the following motion.

MOTION: by **Andrew Choate** moves to grant the Petitioner's request to continue the hearing to the September 20, 2017 Board of Appeals meeting. Second by **Christine Kendall**.

VOTED: **6-1 (Passed)**
Elaine Fenderson Opposed

IV. READING OF MINUTES: Draft Minutes for the August 2, 2017 meeting.

MOTION: by **Jack Clifford, IV** to approve the BOA minutes of August 2, 2017 as presented. Second by **Elaine Fenderson**.

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

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

MOTION: by **Christine Kendall** that this meeting adjourns at 6:20 p.m. Second by **Andrew Choate**.

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

Respectfully Submitted:

Paula Masselli
ccl

Paula Masselli, Secretary