

**Poland Zoning Board of Appeals Meeting
July 15th 2013- 7:00 pm
Town Office Conference Room**

MINUTES

CALL TO ORDER

Chairman Richard Carlson called the meeting to order at 7:00 pm with members, Joseph Radziszewski, Holly Bubier, Mark Hyland, and Alternate Bryan McNulty present. Bryan McNulty is a voting member at this meeting.

MINUTES

June 3rd 2013

- Vice Chairman Joseph Radziszewski makes a motion to accept the minutes for June 3rd 2013 as presented, seconded by Member Mark Hyland. No Discussion.
Vote: YES – 4 NO – 0

COMMUNICATIONS

Municipal Seminar Invitation

APPEALS

Julie A. Keene Administrative Appeal – Map 31, Lot 7A

- **Member Mark Hyland makes a motion that the appellant has standing by a warranty deed, seconded by Vice Chairman Joseph Radziszewski.** The deed was not actually submitted to the board by the appellant however the CEO ensures the board that it is on file in the office, and he has seen it.
Vote: 5 – YES 0 – NO
- **Member Mark Hyland makes a motion that the board has jurisdiction to hear the appeal, due to the Code Enforcement Officer's decision to deny the appellant's building permit, seconded by Vice Chairman Joseph Radziszewski.** No discussion.
Vote: 5 – YES 0 – NO
- **Code Enforcement Officer and Appellant Julie. A Keene are present.**
- **Appellant:** Julie purchased the house in 1986. When it was purchased there was an existing boat house attached to the structure. After purchasing they made numerous improvements to the property including raising and adding a foundation, removing the boat house and replacing it with a smaller deck. They did receive permits for all of the improvements, however neither her nor the Code Enforcement Office have record of them. Appraisal information dating back to 1996 does show the deck in existence, but it does not appear on the town assessing records until 2002.

- Chairman Richard Carlson asks if records for 1985-1986 are generally well kept and CEO Nick Adams informs him that they are because permits were issued by the Planning Board.
- Member Mark Hyland asks if the impervious surface requirements would have been enforced in 1986, and CEO Nick Adams confirms that it would have been, and may have in fact been more strict.
- The boat house appears on assessing records in 1986 as a carport.
- **CEO:** Currently the lot is in violation due to the stairs off of the deck not meeting the side setback, and the maximum impervious surface ratio is exceeded. When they replaced the boat house it would have still required a permit even though it was replaced with a smaller structure. Because the lot is non-conforming, any improvements must be no closer to the setbacks than the previously existing structures. The stairs requested in the building permit are closer to the side set back, which would increase the non-conformity. Currently the lot is around 35% impervious surfaces.
 - Member Mark Hyland asks if there are any areas of the lot that could be re-vegetated to decrease this number. CEO Nick Adams informs him that it is possible; however it would need to be a surface that is pervious. Semi pervious materials would not suffice.
- **Member Mark Hyland makes a motion to close the public hearing at 7:36 pm, seconded by Vice Chairman Joseph Radziszewski. No discussion.**
 Vote: YES – 5 NO – 0
- **Board Deliberation:** The board comes to the consensus that they will need more information in order to make a decision. If the board decides not to grant the appeal both decks and the stairs would need to be removed unless proof of a building permit is found.
 - The Appellant asks if she would be allowed to put the boat storage back if she needs to remove the deck. CEO Nick Adams reminds her that once a non conforming structure is removed you only have one year to replace it in the same foot print.
 - The board decides to table the decision to the next meeting, in order to give the appellant more time to come up with information to support her case.
- **Member Mark Hyland makes a motion to table the decision of the board until the July 29th meeting, seconded by Vice Chairman Joseph Radziszewski. No discussion.**
 Vote: YES – 5 NO – 0

OTHER BUSINESS

None

ADJOURNMENT

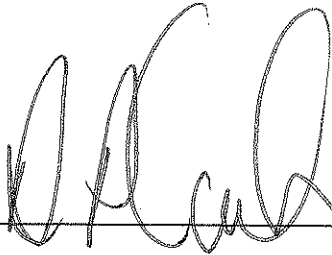
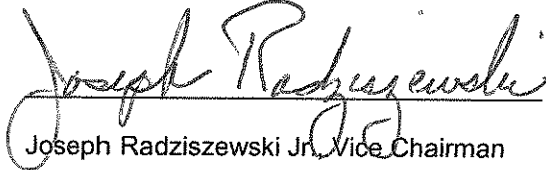
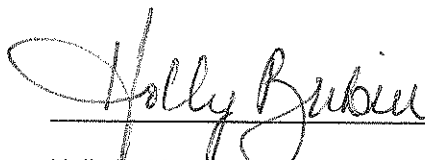
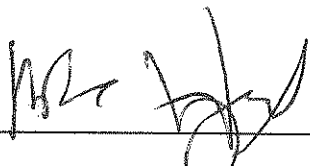
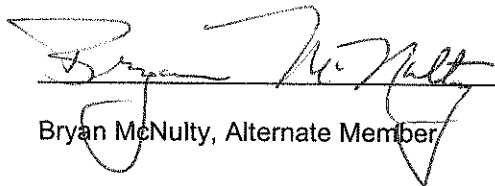
Member Mark Hyland makes a motion to adjourn at 7:56, seconded by Vice Chairman Joseph Radziszewski. No discussion.

Vote: YES – 5 NO – 0

Recorded by Alex Sirois

Date Approved: 7-29-2013

Poland Zoning Board of Appeals


Richard Carlson, Chairman
Joseph Radziszewski Jr., Vice Chairman
Holly Bubier, Secretary
Mark Hyland, Member
Bryan McNulty, Alternate Member