

Poland Zoning Board of Appeals Meeting
June 26, 2014 – 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 Mark Hyland and Holly Bubier present. Vice Chairman Joseph Radziszewski is absent with notification.

MINUTES

February 3, 2014

- Member Mark Hyland makes a motion to accept the minutes for February 3, 2014 as presented, seconded by member Holly Bubier. No discussion.

Vote: YES – 3 NO – 0

APPEALS

Brian and Laurie Camire, Variance Appeal – Map 5, Lot 45-15-1

- **Member Mark Hyland makes a motion that the board has jurisdiction to hear this appeal, due to a denied building permit by the Code Enforcement Officer, seconded by Member Holly Bubier.** No discussion.

Vote: YES – 3 NO – 0

- **Appellant Brian Camire, and Code Enforcement Officer Nick Adams are both present.**
- **Appellant:** Brian Camire is before the board requesting a variance to section 507.2A.6 of the Comprehensive Land Use Code, the municipal set back requirement for principal structures from the side property line in the Village One (V-1) zone. The Appellant is requesting a variance of four point twelve feet (4.12') to reduce the set back requirement from twenty-five feet (25') to twenty point eighty-eight feet (20.88'). The variance would allow an addition of a fourteen foot (14') by twenty-six foot (26') bedroom. The appellant is currently using basement space as a bedroom and there is concern of a life safety issue with lack of appropriate egress.
 - Member Mark Hyland asks the appellant if they have looked into any other possible solutions.
 - The appellant did get a quote for expanding upwards with a second floor; however it is not an option financially. If they are unable to build the addition with the variance they are requesting they will be forced to relocate.
- There is currently a deck of a smaller size in the proposed addition location.
- Due to the placement of the well, septic system, and drive way, expansion is only possible on the south-west side of the house.
- **Public Statement:** Abutter Emily Nadeau is in attendance and she has no objection to the addition or the variance. Additionally, the appellant provides a statement that the abutter from which the setback would be reduced has no objection with the reduction.

- **Code Enforcement Officer:** Nick Adams has no comments to add on the application. He does point out that at one time this property was zoned rural residential which had a forty foot (40') side setback requirement.
- **Chairman Richard Carlson closed the public hearing at 7:24 pm.**
- **Board Deliberation:** The board agrees with the appellant that all other means of expansion would be expensive and difficult. The option of granting a reduced variance to build a smaller addition than requested by the appellant is discussed. The board eventually decides that it would be more practical for the bedroom to be fourteen feet (14') wide instead of twelve feet (12').
- **Member Mark Hyland makes a motion to approve a variance of four point twelve feet (4.12') for the addition of a fourteen (14') by twenty six-foot (26') bedroom no closer than twenty-two point eighty-eight feet (22.88') to the westerly property line, seconded by Member Holly Bubier.**

Vote: YES – 3

NO – 0

Variance is Granted

- **Findings of Fact:**
 - The applicants and owners of the property are Brian and Laurie Camire, as shown on the submitted warranty deed.
 - The property is located at 206 Birch Drive, Poland, Maine and it is in the Village-One (V-1) and Resource Protection (RP) Shoreland zone. It is identified as Assessor's Map #5, Lot #45-15-01.
 - The single family dwelling is located outside of the resource protection zone.
 - The appeal application was submitted on June 11, 2014. The public hearing was held on June 26, 2014.
 - The appellant seeks a variance from section 507.2A.6 of the land use code, which requires a setback of twenty-five feet (25') for the Village-One (V-1) zone. They are requesting a setback of twenty point eighty-eight feet (20.88').
 - The variance will allow the appellant to build a fourteen foot (14') by twenty-six foot (26') addition to the existing dwelling.
 - The appellant is requesting the variance due to practical difficulty.
- **Conclusion:** The appellant has shown that meeting the dimensional standards of the ordinance would cause a practical difficulty. There is currently a deck that will be removed, and replaced with the addition. Strict application of the ordinance to the Appellants property would result in a significant economic injury. The need for the variance is due to the unique character of the lot, and the dwellings placement on the lot. Granting the variance will not produce an undesirable change in the character of the neighborhood and will not affect the market value of the abutting property. No other feasible alternative is available to the Appellant.
- **Decision:** Based on the above findings of fact and conclusions, the Town of Poland Board of Appeals voted to approve the application for a variance appeal. This decision can be appealed in the Superior Court within 45 days.
- **Member Mark Hyland makes a motion to accept the findings of fact and conclusion for Brian and Laurie Camire, Variance Appeal – Map 5, Lot 45-15-1, seconded by Member Holly Bubier.**

No discussion.

Vote: YES – 3 NO – 0

OTHER BUSINESS

Board Reorganization

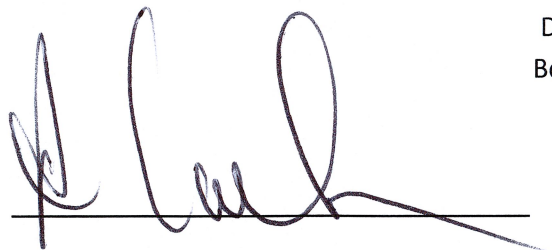
- Board reorganization will take place at the start of the next meeting.

ADJOURNMENT

Member Mark Hyland makes a motion to adjourn at 7:57 pm, seconded by Member Holly Bubier. No discussion.

Vote: YES – 3 NO – 0

Recorded by Alex Sirois



Richard Carlson, Chairman

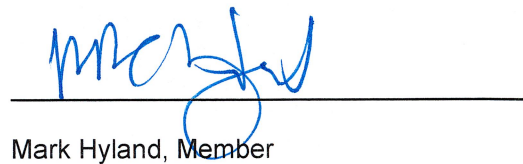
Date Approved:
Board of Appeals

ABSENT

Joseph Radziszewski Jr., Vice Chairman



Holly Bubier, Secretary



Mark Hyland, Member