

**Zoning Board of Appeals
Frye Island Community Center
Friday, September 16, 2011**

Present: Tim McCarthy, chairman, Bobbi Aranyi, John Schutz, Rich Kaplan

Absent: Bill Trenchard

Attendees: Chris Gruner 93, Jeanne Young 93, Tom DuBois 216, Main-Land Development Consultants, Inc., Pete and Nanci Salinger 217, John Mack 213, Steve Kaplan 34, Planning Board chairman.

The chairman called the meeting to order at 7:04 pm.

Agenda

Minutes and Correspondence

John Schutz made a motion to approve the 7/15/11 minutes and the 8/19/11 minutes; seconded by Bobbi Aranyi with all in favor.

New Business

Resignation Letter

Rich Kaplan will be moving to North Carolina and submitted a letter of resignation of his seat on the Frye Island Board of Appeals dated 9/16/11.

Tim announced that he had put a notice in the FINS and Harry J. Ledgard 801 has accepted a full time position on the BOA replacing Rich. Tim stated that they still need an alternate.

Two Requests for Zoning Changes

Christopher Gruner, 93 Leisure Lane, is looking for an administrative appeal.

Tim stated he has been consulting with Wayne Fournier and Attorney Clough. The Town Attorney said the BOA can over rule the Town of Standish restriction. Tim stated the applicant has to meet five criteria, and discussed the 5 criteria saying #5 was the most difficult to pass. Tim also stated he had a letter from one of the abutters- Controvillas, William J. and Eleanor Trust, 94 Leisure Lane, stating they do not have a problem with Christopher Gruner's request.

Mr. Gruner stated they had built the house in 1993. The Standish Board of Appeals granted a variance saying a screened porch could be added, but it was not to be

converted. Mr. Gruner is now looking for a 30% expansion rule using the deck as the foundation for a permanent 12 ft. by 12 ft. room on the front deck.

Steve Kaplan stated he was concerned about Shoreland Zoning saying the structure must be 100 feet from the high water mark. Mr. Gruner stated the porch is 75 feet from the water. Steve then read Shoreland Zoning Section 101-1-A, page 93 re: non-conforming structures, which would allow the enclosure of the porch as long as the original footprint did not change.

John Schutz made a motion to accept the proposal as presented; seconded by Bobbi Aranyi with all in favor. Administrative Appeal granted.

Tim stated that Mr. Gruner needs to file the hard copy with the Cumberland County Registry of Deeds with a notarized signature of approval. Once that is done, then John Thompson, CEO can issue a permit. Tim will get the paper work done within a week.

Lot Setback Reduction Request

Edward Chalmers, 216 Lookout Lane/Leisure Lane has applied for 10 ft. side reductions. Tom DuBois from Main-Land Development Consultants Inc. is here representing Ed Chalmers. Mr. DuBois stated they are dealing with a buildable lot approx. 10 ft. by 20 ft. and they are requesting reductions to the side set backs down to 10 feet. He stated the property is approx. 40 feet from the right of way of Leisure Lane and looking to get a 34 ft by 20 ft. building – which is small but doable. He is also looking to reduce the front setback to 40 feet from 50 feet.

Tim said to revise the request to indicate the front setback request. The total request would then include the 10 ft. side setbacks and the 40 ft. front setback. Both are within the jurisdiction of the BOA to grant. Tim also said that he wanted to put in the exact statement that the front does not exceed the 40 ft. front setback.

Tim asked if there were any abutters present who wished to be heard. Pete Salinger 217 stated he had no objection as long as the house was built according to the plan presented. He also said that he would like Ed Chalmers to plant some vegetation as a privacy fence between the two properties.

John Schutz made a motion to accept the proposal; seconded by Bobbi Aranyi with all in favor. Tim stated he will get the documentation to the office within one week.

Tim asked if there was any other business to discuss. Steve Kaplan volunteered to be an alternate for the BOA. Tim said they would welcome him as long as it wouldn't be in conflict with his position as chairman of the Planning Board.

John Schutz made a motion to accept Steve as an alternate; seconded by Bobbi Aranyi with all in favor. Tim asked Steve to go to the office and sign up to be an alternate.

The next meeting will be a quick meeting on Friday, September 30, 2011 at 7:00 pm to approve the 9/16/11 minutes.

The first meeting in the spring will be Friday, May 25, 2012 @7:00pm. John Schutz moved to accept the date; seconded by Bobbi Aranyi with all in favor.

As there was no further business to discuss, John Schutz made a motion to adjourn the meeting; seconded by Bobbi Aranyi with all in favor. Meeting adjourned at 8:05 pm.

Respectfully Submitted,

Inez "Smitty" Kaplan, Recording Secretary