



## CITY OF GARDINER BOARD OF APPEALS

### REGULAR MONTHLY MEETING MINUTES

November 25, 2008

**Present:** Michael Eldridge, Chair    Charlene Kinnelly  
John Burgess                            Harlan Brown

**Absent:** Kendall Holmes                            Daniel Bates

**Also present:** Dorothy Morang, Recording Secretary  
David Cichowski, Code Enforcement Officer (CEO)

Keith Eaton                            Kim Eaton                            Catherine Pelletier

- 1.) Chair, Mike Eldridge called the meeting to order at 6:00 PM followed by the Pledge of Allegiance.
- 2.) Roll call was taken of the Board and each member of the audience was asked to introduce themselves.

Chair Eldridge introduced himself and noted that the Application was a Variance request. He stated that the Board of Appeals represents the citizens of Gardiner and not the City or the Appellants. He gave an overview of the process.

- 3.) Charlene Kinnelly moved to accept the April 22, 2008 minutes as written. John Burgess seconded the motion.

Vote: 4 in favor. 0 opposed. Motion passed.

Chair Eldridge asked if there was any conflict with respect to this Application with any of the Board members. They all said there was none.

Chair Eldridge asked Dorothy if the Application was in on time and the abutter notices sent. She said yes.

**Dimensional Variance**

- 4.) **Keith Eaton, Applicant is seeking a forty-seven foot (47') variance from a seventy-five foot (75') Road Set Back requirement to construct a deck with a roof to be attached to an existing mud room. The property, located at 74 Weeks Rd, is within the Rural (R) Zoning District, City Tax Map 2, Lot 1-A.**

Chair Eldridge indicated that there was some confusion about the number of feet needed in the variance request. David explained that the Ordinance says 75' from the road or 100' from the center line of the road. When the ad was run and the abutter notices sent, it was based on the number of feet believed to be from the road. Later on, David determined that it was further to the center line of the road and made the notation on the Application. The Variance should be 62 feet.

Chair Eldridge asked Dorothy if the Eaton's owned the property. She said the tax records show that they do.

Chair Eldridge asked the members if they have determined that the Application is complete. They all said yes.

Keith Eaton introduced himself and explained why he wanted the variance. He said that he has an existing deck out back. He would like to move it to the front and attach it to an existing mudroom that he was permitted for a few years ago. This is his main entrance to the house and would allow them to extend the roof line over the deck to prevent ice from falling on the current walk. It will not extend beyond the mudroom. It would shorten up the walk and be easier for them to keep clear and it would be safer.

Chair Eldridge asked Dot if there had been any letters or comments from any abutters. She said no.

Chair Eldridge read the Justification questions and the Appellant's answers in the Application.

6:15 PN Opened meeting to public

Chair Eldridge asked the member of the public in attendance, Catherine Pelletier, if she had any comments. She said no. She was just there observing.

6:15 PM Close Public Hearing.

The Board members gave their thoughts on the Application.

Mike Eldridge said that he had looked at the property and understands why the request was made. He doesn't know how else could be done. The Appellant is limited in what he can do. All of the neighbors have been informed and no one has any objection, so he is fine with this.

John Burgess asked the Appellant if he had talked with his neighbors. He said yes and they were all for it. John said that he had Googled the property and brought the image of the house right up close. He noted that it makes sense to do this.

Charlene Kinnelly also said it makes sense. She asked if there was any impact in the future by granting this variance. David said no. This is a one time thing. Any other changes would have to be reviewed in another variance request – unless the Ordinance changes to allow it.

Harlan Brown said that he is all set.

John Burgess noted that in all of the other properties, the houses are set way back. He doesn't see that this would be a problem.

John Burgess made a motion that we accept the request for a variance. Harlan seconded the motion.

Vote: 4 in favor. 0 opposed. Motion granted.

### **Adjourn**

Chair Eldridge adjourned the meeting at 6:20 PM