



CITY OF GARDINER BOARD OF APPEALS

MEETING MINUTES

Tuesday January 30, 2024

6:00 PM

City Council Room Chambers

- 1. Call Meeting to Order:** Chair Young called the meeting to order at 6pm.
- 2. Roll Call:** Board Members- Chair Lester Young, Kevin Sullivan, Guy Ferriss, Glen Glazier, Ted Potter, and Kristen Poremby. Appellant-Matthew Morrill- Mastway Development. Abutting property owners- Steven Jones and Erin Weems. Others present- Kris McNeill- Code Enforcement, Angelia Christopher- Planning and Development Assistant, Melissa Lindley- Economic Development Director.
- 3. Dimensional Variance:** Mastway Development LLC is requesting a reduction in the minimum road setback on Summer Street from 15' to 10', and a reduction in the setback on the West property line to be reduced to 0' for parking spaces only. Matt Morrill is here to present the application.

Chair Young determined that there was a quorum and asked if all members could hear this application in an unbiased manner. The applicant, Matt Morrill- Mastway Development- is requesting a variance in the required minimum road setback on Summer Street from 15' to 10', and a reduction in the setback on the West property line to be reduced to 0' for parking spaces only. Mr. Morrill explains that the boundary lines for this property are odd. The building has been reconfigured to sit in optimal position on the lot, many times. After careful review, the developer is requesting a variance for setback requirements in order to meet parking needs and have the building situated on the lot properly.

This building will be designated as affordable housing with 32 units. The majority of units will be one bedroom, and there will be some two-bedroom units as well. The building will be designed with workforce or senior tenants in mind. Mr. Morrill is currently building a similar building in Augusta, which is slightly larger. If he receives this variance, he will move on next to review/approval with Planning Board. After approvals are obtained the developer will finalize the grant process with Maine State Housing. If all goes well, he is hopeful that construction on the project can start in the Spring of 2025.

The building will be sitting closer to Summer St., where he is requesting the setback be reduced from 15' to 10'. Putting the building closer to Summer St., offers a better fit for the site. He is also asking for the side setback to be reduced to 0' for parking. There will be a fence between the project and the abutting neighbor.

Mr. Morrill has discussed purchasing a neighboring lot, which would give him extra room for parking, but there has not been a decision yet. Mr. Morrill feels that the option/design that he is proposing will work on this lot and is the best plan that he can present to Maine Housing when he applies for the grant.

Mr. Morrill explains that he is not creating his own hardship, he is designing this building around an existing lot. The structures that were on these lots before were unsightly, and severely dilapidated. Gardiner needs more residences, and this apartment building will help with that. There is good walkability from this lot, which will help many of the future tenants. The lot is empty now and the land cannot give a reasonable return unless the variance is given. The granting of the variance will not alter the essential character of the area, if anything he feels this will improve it.

Chair Young opens a public hearing at 6:25pm. He asked if City staff had received any input about this project. An abutting property manager asked about parking but seemed pleased overall with the project. Erin Weems and Steven Jones own the lot that is directly beside this project. Ms. Weems points out that they are excited about this project but that they are concerned about the height of the building. They own an empty lot beside the Highland Ave lot of this project, and they feel that if the building had 16 units as opposed to 32, the building will not affect their view. Mr. Morrill admits that this building will be at least 3 stories, with a portion of it being 4, he knows it will block their view. Mr. Morrill has also been in discussions with Ms. Weems and Mr. Jones about purchasing this lot, which would be used to provide more parking for the proposed building. There are no other comments. Chair Young closed the public hearing at 6:33pm.

Kevin Sullivan moves that due to the unique circumstances of this property, there could not be a reasonable return unless the variance is granted. Kristen Poremba seconded the motion. No further discussion. Unanimously approved.

Kevin Sullivan moves that this variance will not alter the essential character of the locality. Guy Ferris seconded the motion. No further discussion. Unanimously approved.

Kevin Sullivan moved that the hardship is not a direct result of the applicant or prior owner. Kristen Poremba seconded the motion. No further discussion. Unanimously approved.

Kevin Sullivan moves that the board approves the variance requested. Ted Potter seconded the motion. No further discussion. Unanimously approved.

4. Review of November 20, 2023, meeting minutes Kevin Sullivan moves to approve the minutes from 11/20/2023 as drafted. Ted Potter seconded the motion. No further discussion. Unanimously approved.

5. Adjourn: Kristen Poremba moved to adjourn at 6:37pm. Kevin Sullivan seconded the motion. No further discussion. Unanimously approved.