



CITY OF GARDINER BOARD OF APPEALS

Minutes

Tuesday October 17, 2023

6:00 PM

City Council Room Chambers

- 1. Call Meeting to Order:** Chair Young called the meeting to order at 6pm and determined that there was a quorum.
- 2. Roll Call: Board members-** Kevin Sullivan, Guy Ferris, Glen Glazier, Lester Young, Ted Potter, Doug Baston. Kristen Poremby was unable to attend. City staff- Kris McNeill- Code Enforcement Officer, Angelia Christopher- Planning and Development Assistant. The applicant: The Resident. Members of the public- Amy Posovsky and Phyllis Gardiner.
- 3. Dimensional Variance-** Granite River Trust is requesting a dimensional variance from the road front setback to build a carport at 39 Dennis St. Gardiner, Maine, at City Tax Map 034 Lot 201 in the HDR district. Chair Young asked if there is any board member that cannot avoid the “Appearance of Impropriety”? All board members agree this is not an issue. Chair Young determined that the applicant has right, title and interest. Proper public notice was completed, and the application is complete. Chair Young asks the applicant if she would like to speak to the Board. The ‘Resident’ explains that she is a resident of 39 Dennis St and wants to be able to stay there and age in her home. She needs a way to be able to exit and enter her home in the winter, safely. Last winter she fell on ice in her driveway, trying to get to her car, broke her back and suffered a concussion. She is still undergoing treatment and has been told that she has severe osteoporosis. She tells the Board that she has had three different contractors give their input on this. Because of the way her home is positioned there seems to be only one option. The required setback of 10’ will need to be reduced to 6.5’ for the carport. Kris McNeill stated that this variance is more than the standard disability variance, which usually consists of some type of adaptive equipment- a ramp. This request is more of dimensional variance but with a medical/disability component added. Because this home sits on a corner lot, they can use the Kingsbury St. set back which means a variance of 3 ft.

Chair Young asked if board members have had a chance to look at the property. This will be an enclosed car port, with a roof, and sides that can roll up in the warmer months. The applicant has stated that she is impaired physically, and this carport is a good option.

Chair Young opened the public hearing at 6:15pm. There being no comment, he closed the hearing at 6:15pm.

Kevin Sullivan reviewed the requirements for a disability variance and explains that he feels that the Code Enforcement Officer could have easily granted this variance.

Doug Baston moved to grant the dimensional variance with disability for the cause for the hardship. Ted Potter seconded the motion. No further discussion. 6-0 Unanimously approved.

Variance granted with no conditions.

4. **Other:** There will be an appeal meeting on November 7, 2023, at 6pm.
5. **Adjourn:** Kevin Sullivan moved to adjourn at 6:20pm. Doug Baston seconded the motion. No further discussion. All members unanimously approve.