

**CITY OF LEWISTON
BOARD OF APPEALS MEETING
MINUTES for September 19, 2012**

- I. ROLL CALL:** The meeting was held in the City Council Chambers on the First Floor of City Hall and was called to order at 6:00 p.m. Christine Kendall chaired the meeting.

Members in Attendance: Pauline Gudas and Michael Lachance, Jim Horn, Matthew Agren, Christine Kendall and Doug Stone

Members Absent: Cheryl Bonawitz

Associate Members Present: None

Associate Members Absent: Patricia Gagne and Elaine Fenderson

Staff Present: Gil Arsenault, Director of Planning & Code and Joline Boulay, Administrative Assistant, Department of Planning & Code Enforcement

Correspondence: The following motion was made.

MOTION: by **William Horn** to accept and place on file the staff memorandum dated July 3, 2012 from Gil Arsenault, Director of Planning & Code Enforcement. Second by **Pauline Gudas.**

VOTED: **6-0 (Passed).**

Christine Kendall read the Board of Appeals policies and procedures for this meeting. Four (4) affirmative votes are needed for an item to pass.

II. NEW BUSINESS

- A. Petition submitted by Michael Perreault for a side setback modification to construct a 21' x 28' detached garage at 19 Dill Street.

MOTION: by **Doug Stone** to hear the appeal pursuant to Appendix A, Article VIII, Section 4(10), and Article IX, Sections 3(9) and 3(10) of the Code.
Second by **Matthew Agren.**

VOTED: **6-0 (Passed).**

Mike Perreault was present and gave a brief overview of the project.

Dan Perreault, father of the petitioner and resident of 17 Garcelon Street was also present. Dan spoke in favor of the project, stating that the request for a side setback modification is the most practical and financially feasible for his son.

Michael Lachance questioned whether abutters have expressed concerns regarding the project. Mr. Perreault stated he has spoken to abutters and they have no concerns.

Matthew Agren questioned whether the water flow due to construction would affect abutting properties. Mike Perreault stated there was a swale between properties to prevent any water flow issues and does not feel with the construction of garage that it will impact abutters.

Christine Kendall asked Gil whether the requested side setback modification was practical due lot size and configuration and limitations caused due to existing conditions of development. Gil stated it was the most practical solution due to existing conditions.

The public portion of the meeting was closed as there were no other comments forthcoming.

MOTION: by **Doug Stone** that I find the facts contained in the notice of appeal and the site analysis portion of the written comments of the City staff are accurate and correct. I further find all of the standards imposed pursuant to Appendix A, Article VIII, Section 4(10), Article IX, Sections 3(9) and 3(10) of the Code of Ordinances of the City of Lewiston have been met. Therefore, I move that the appeal be granted to Michael Perreault with the following conditions:

1. The petitioner was granted with a one year extension of time to begin and complete construction.

Second by **William Horn**.

VOTED: 6-0 (Passed).

III. READING OF MINUTES: Draft Minutes of the August 15, 2012 and September 15, 2012 meeting.

MOTION: by **William Horn** to accept the minutes to the August 15, 2012 meeting as presented.

Second by **Michael Lachance**.

VOTED: 6-0 (Passed).

MOTION: by **William Horn** to accept the minutes to the September 15, 2012 meeting as presented.

Second by **Pauline Gudas**.

VOTED: 6-0 (Passed).

IV. ADJOURNMENT: The following motion was made to adjourn.

MOTION: by **William Horn** that this meeting adjourns at **6:40 p.m.** Second by **Pauline Gudas**.

VOTED: 6-0 (Passed).

Respectfully Submitted:

Cheryl Bonawitz, Secretary