



**MINUTES
BOARD OF APPEALS
JUNE 16, 2008**

Janet Tuttle – 2008
Jackie Katz – 2009
Robert Ireton-Hewitt – 2010
Roger Cote – 2010
Charles Lausier – 2008
Steven Miles – 2009

1. CALL TO ORDER & PLEDGE TO THE FLAG. The Chairperson, Charles Lausier, called the meeting to order at 7:00 p.m.
2. ROLL CALL. Members present were Jackie Katz, Roger Cote, Charles Lausier, Robert Ireton-Hewitt, and Janet Tuttle. Steven Miles was absent. Also present was Jerry Samson, Code Enforcement Officer, and 8 members in the audience.

The Chairman explained the Appeals Board process and proceedings.

3. PUBLIC HEARING

CASE# 07-7 Applicants: Timothy & Carrie Carville
Property Location: 29 East Avenue
Tax Map: U8-97
Zone: Limited Residential
Intended Use: Requesting a 3-foot set back variance

Timothy Carville said he could not clearly identify his property line and that he was not sure if he needed a variance or not. He said two surveyors advised him to seek a variance so that there would be no question about its placement.

Louise Woodbury of 31 East Avenue said she opposed the variance. She said the two-story garage would block the necessary light for her solar panels, be too close, and may affect her property value. She said there was only 50' between her doorknob and Mr. Carville's doorknob. She said both entrances face each other in this case, and that the rest of the homes in this area are not like that. She complained that this building project would affect the character of her home and that run off water could end up in her basement.

Tom Naragon of 6 Hope Street said he opposed the variance. He said he would not consider this a hardship case and that he had to build his garage narrower for the same reason in order to avoid this process. He pointed out that he had to combine his two lots into one lot before he could get a permit.

Mr. Samson told the Board that this case did not have to meet the criteria listed in 70-152. Mr. Samson informed the Board that Lisbon does not require that surveys be done. He pointed out that mortgage inspectors were fairly accurate.

The Board of Appeals took the following votes for Findings of Fact, Section 70-156:
Question 1: Mr. Cote, seconded by Mr. Ireton-Hewitt moved YES. Vote 5-0 carried.
Question 2: Mr. Ireton-Hewitt, seconded by Mr. Cote moved YES. Vote 5-0 carried.
Question 3: Mr. Ireton-Hewitt, seconded by Mrs. Tuttle moved YES. Vote 5-0 carried.
Question 4: Mr. Cote, seconded by Mrs. Katz moved YES. Vote 5-0 carried.
Question 5: Mr. Ireton-Hewitt, seconded Mr. Cote moved YES. Vote 5-0 carried.
Question 6: Mr. Cote, seconded by Mrs. Tuttle moved YES. Vote 4-1 carried.
(Opposed: Lausier)
Question 7: Mr. Cote, seconded by Mrs. Tuttle moved YES. **Vote 2-3 defeated.**
(Opposed: Ireton-Hewitt, Katz, and Lausier)

Mrs. Katz said in order for the Board to approve the variance this case must meet all seven elements. She pointed out that this case failed to meet the seventh element. Mr. Lausier informed Mr. Carville that the Board denied his request for a variance and that he would have to comply with the 15' foot set back requirement.

CASE# 07-8 Applicants: Donald & Elizabeth Roy
Property Location: 9 Winter Street
Tax Map: U19-46
Zone: General Residential
Intended Use: Replace single-wide mobile home 12x60
with a double-wide mobile 28x60

Donald Roy said he would like to replace his existing doublewide mobile home with another one and that he would like to place the new one closer to the road so that he would have a bigger back yard. Mr. Samson pointed out the 25' foot front set back requirement. He said that Mr. Roy could still meet this requirement and place his doublewide closer to the road.

ACTION TAKEN: Mr. Cote, seconded by Mr. Ireton-Hewitt moved to allow Mr. & Mrs. Roy permission to replace their doublewide with another doublewide on their lot as presented. Vote 5-0 carried.

4. OTHER BUSINESS: Mr. Cote asked about reappointments for those with terms expiring. Mr. Lausier and Mrs. Tuttle were told someone would call them with instructions for reapplying.
5. ITEMS FROM CODE ENFORCEMENT: None
6. WRITTEN COMMUNICATIONS:
Minutes of May 19, 2008.

ACTION TAKEN: Mrs. Katz, seconded by Mr. Ireton-Hewitt moved to approve the minutes of May 19, 2008. Vote 5-0 carried.

7. ADJOURNMENT

ACTION TAKEN: Mr. Cote, seconded by Mr. Ireton-Hewitt moved to adjourn at 7:55 PM. Vote 5-0 carried.

Respectfully submitted,

Twila Lycette, CMC/CCM
Lisbon Town Clerk

These minutes were not recorded verbatim. Cassette tapes are on file at the Town Clerk's Office.