

Town of Scarborough

Zoning Board of Appeals

August 10, 2005

AGENDA

1. Call to Order and Pledge of Allegiance (7:00 P. M.)
2. Roll Call
3. Approval of Minutes (July 13, 2005)
4. Appeals
  - a. Appeal No. 2240 – Miscellaneous Appeals by Peter and Nicholas Truman, dba Lighthouse Inn, 366 Pine Point Road, Assessor’s Map U22 Parcels 108 and 109A, to convert and expand a nonconforming motel into a 6 unit condominium project in the R-4A Zone
  - b. Appeal No. 2241 – A Practical Difficulty Variance Appeal by Peter and Nicholas Truman, 366 Pine Point Road, to add a third story with nonconforming setbacks in the R-4A Zone
  - c. Appeal No. 2243 – An Administrative Appeal by David Miley, dba Commercial Place, 200 Enterprise Drive, Assessor’s Map U39 Parcel 4702, against the decision of the Code Enforcement Officer who determined that a detention pond is not allowed in the Stream Protection Zone
  - d. Appeal No. 2258 – A Limited Reduction of Yard Size Appeal by Paul and Michelle Lawson, 10 Berry Road, Assessor’s Map R21 Parcel 1, to replace a deck and construct a roof 42 feet from the front property line in the R-F Zone
  - e. Appeal No. 2260 – A Special Exception Appeal by King Weinstein, 96 East Grand Avenue, Assessor’s Map U23 Parcel 76, to create an Accessory Unit above a detached garage in the R-4 Zone
  - f. Appeal No. 2262 – A Special Exception Appeal by Carol and Greg Cronin, 20 Saratoga Lane, Assessor’s Map R47 Parcel 710, to add an accessory unit in the R-F Zone
5. Zoning Board Comments
6. Adjournment

NO NEW APPEALS SHALL BE TAKEN UP AFTER 10:30 P. M.

Town of Scarborough

MINUTES

Members Present

Staff

Mr. Blaise  
Mr. Craft  
Mr. Dryzga  
Mr. Maroon  
Mr. Massengill  
Mr. Temm  
Mr. Tgettis

Mr. Grysk, Code Enforcement Officer  
Mrs. Logan, Recording Secretary

1. Call to Order

Mr. Dryzga called the meeting to order at 7:05 P. M. The Pledge of Allegiance was recited.

2. Roll Call

The Recording Secretary called the roll; all members were present. Mr. Dryzga welcomed new member, Mr. Temm, to the Board.

3. Approval of Minutes (July 13, 2005)

Mr. Blaise moved to approve the minutes of July 13, 2005; Mr. Maroon seconded.

Voted 5-0

4. Appeals

a. Appeal No. 2240 – Miscellaneous Appeals by Peter and Nicholas Truman, dba Lighthouse Inn, 366 Pine Point Road, Assessor’s Map U22 Parcels 108 and 109A, to convert and expand a nonconforming motel into a 6 unit condominium project in the R-4A Zone

b. Appeal No. 2241 – A Practical Difficulty Variance Appeal by Peter and Nicholas Truman, 366 Pine Point Road, to add a third story with nonconforming setbacks in the R-4A Zone

These appeals were tabled at the request of the appellant.

c. Appeal No. 2243 – An Administrative Appeal by David Miley, dba Commercial Place, 200 Enterprise Drive, Assessor’s Map U39 Parcel 4702, against the decision of the Code Enforcement Officer who determined that a detention pond is not allowed in the Stream Protection Zone

This appeal was tabled at the request of the appellant.

d. Appeal No. 2258 – A Limited Reduction of Yard Size Appeal by Paul and Michelle Lawson, 10 Berry Road, Assessor’s Map R21 Parcel 1, to replace a deck and construct a roof 42 feet from the front property line in the R-F Zone

Mr. Lawson stated that they wanted to put a roof over the existing porch; he stated that the roof would not

extend above the ridge line or beyond the porch. Mr. Grysk stated that the issue was with the front setback and the Code Officers would make sure the measurements were correct. Mr. Lawson distributed a new plot plan and Mr. Grysk stated that it showed the measurements confirmed by the Code Officer.

Mr. Dryzga and Mr. Lawson addressed the criteria. To a question from Mr. Maroon, Mr. Dryzga replied that the appellant was asking for a 9 foot reduction so the setback would be 41 feet. Mr. Blaise noted that the measurements on the original plot plan and the one distributed tonight did not coincide; Mr. Grysk stated that the measurements on the latest plan were verified by the Code Officer and would be verified again when the roof was built.

Mr. Dryzga opened the public hearing; no one spoke for or against the appeal; Mr. Dryzga closed the public hearing.

Mr. Maroon moved to approve the appeal as presented; Mr. Blaise seconded.

Voted 5-0

e. Appeal No. 2260 – A Special Exception Appeal by King Weinstein, 96 East Grand Avenue, Assessor’s Map U23 Parcel 76, to create an Accessory Unit above a detached garage in the R-4 Zone

This appeal was tabled at the request of the applicant.

f. Appeal No. 2262 - A Special Exception Appeal by Carol and Greg Cronin, 20 Saratoga Lane, Assessor’s Map R47 Parcel 710, to add an accessory unit in the R-F Zone

Mr. Louis Morneault, father of Mrs. Cronin, explained that he and his wife had been looking for living quarters in southern Maine, but determined that it would be more feasible if they could live with their daughter. Mr. Grysk stated that the unit was 600 square feet and this was a straightforward request. Mr. Dryzga and Mr. Morneault addressed the Special Exception criteria and the Registration of Accessory Units.

Mr. Dryzga opened the public hearing; no one spoke for or against the appeal. Mr. Dryzga read a letter in favor of the request from Paul and Linda Bailer, of 18 Saratoga Lane, and closed the public hearing.

Mr. Maroon confirmed that there were currently three bedrooms on the second floor and none on the first floor. To a question from Mr. Maroon, Mr. Grysk replied that he had spoken with the designer of the septic system and determined that the extra flow had to be shown on a Subsurface Wastewater Disposal form for a three bedroom home and accessory unit. He stated that the State considered this a two family home. To a question from Mr. Blaise, Mr. Grysk replied that the proposed addition would meet all required setbacks.

Mr. Blaise moved to approve the appeal as presented; Mr. Craft seconded.

Voted 5-0

5. Zoning Board Comments – To questions from Mr. Dryzga, Mr. Grysk replied that the Trumans had been meeting with the neighbors and he expected them to be at the September meeting; he stated that the Miley appeal was on the table to keep the options open, but the appellant had a consent agreement with the DEP and was working on an agreement with the Town and he expected the appeal to be withdrawn.

6. Adjournment – The meeting was adjourned at 7:30 P. M.

