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**Board of Appeals Meeting Minutes (*Amended*)**  
**Thursday, February 18, 2021 at 7:00 p.m.**

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*Committee Members Present: Roberta Albright, Robert Davidson, Harry “Terry” Lowd, and Donald Means (via Zoom)*

*Absent: Robert Cushing*

*Also Present: Jessica Westhaver (Treasurer/Board Staff Liaison), Joseph Rose (Code Enforcement Officer), Marks Jones, and Joann Aliano*

**The meeting was called to order at 7:00 p.m. by Robert Davidson.**

**New Business –**

- **Variance Appeal - New Construction of Garage (Map 04C Lot 033 – 107 Huddle Rd)**
  - Marks Jones, who owns the property with Joanne Aliano as of October of 2012, was invited to speak to the board in regard to the property and the request for appeal. Mr. Jones shared the request was to build a detached one (1) car garage on the property less than the 50 foot required setback (request was 25 feet from Huddle Rd). He wished to place the structure on an already existing graveled area. They have made the home their permanent year-round residence for the last few years, and with the Maine winters, decided they would like a garage for snow cover. The property is 1.3 acres with a 1400 square foot house. The house is currently 33 feet from the road and was built in the early 1900’s.
  - Jones shared he believed it would be impossible to place the garage in any other location due to the topography of the property and a drainage issue. He believed that current home standards most often times have a need for a garage, and he believed the return on his investment would be diminished without a garage.
  - Jones also shared the two abutting properties were only 20 feet from the road (both constructed prior to the Land Use Ordinance in 1993). He believed this would be in keeping with the current character of the neighborhood. The board reminded Mr. Jones the intent on the ordinance was designed to bring all new construction into compliance with the current Land Use Ordinance. It was not intended to approve variances on what the standard was prior to the adoption of the ordinance.
  - The board asked if any professional opinions have been received for the drainage issue or the topography. Jones stated no professional opinions have been requested.
  - The board asked what the slope of the land was in feet. Jones was unsure but estimated it to be between 3 and 4 feet to the 50 foot setback.
  - The board also stated a proposed structure would need to also meet the setback to **Mels Ln**, which abuts the side lot line. It may be possible to meet this setback with the proposed structure pushed back to the 50 feet from Huddle Rd.
  - The board went through the Findings of Fact, deciding the applicant did not meet the criteria for a setback variance. Items suggested for review for the property owner were to have a soils test to indicate the structure could not be placed in a different location. It was

- also suggested for a site planner to review the property in order to determine meeting the setback was possible.
- Vote: Davidson made a motion to deny the setback variance appeal, Lowd Seconded. All in favor.

Meeting adjourned at 6:49pm. No future meetings scheduled at this time.

Respectfully submitted,  
Jessica Westhaver  
Staff Liaison