

**TOWN OF OLD ORCHARD BEACH
ZONING BOARD OF APPEALS MEETING MINUTES
JUNE 24, 2013**

<p>Call to Order at <u>7:00 pm</u></p>	<p>Call to Order</p>
<p>Pledge to the Flag</p>	
<p>Roll Call: Present: Ron Regis, Paul Weinstein, Chair Ray DeLeo, Mark Lindquist, Tianna Higgins. Absent: Owen Stoddard.</p> <p>Staff Present: Alan Borg, Assistant Code Officer, Valdine Helstrom, ZBA Clerk</p>	<p>PUBLIC HEARING</p>
<p><u>ITEM 1:</u> Acceptance of the minutes of the May 20, 2013 meeting.</p> <p>Ron Regis made a motion to approve the May 20, 2013 meeting minutes, seconded by Paul Weinstein.</p> <p>All in favor.</p>	<p><u>ITEM 1</u></p> <p><u>MOTION</u></p> <p><u>VOTE</u></p> <p>(5-0)</p>
<p><i>Chair DeLeo read the criteria for the Public Hearing.</i></p>	
<p><u>ITEM 2: Variance:</u> Chamberlain Homes, Elliot Chamberlain, Applicant for 103 Ocean Avenue Owner Karen E. Rand, MBL 314-8-7 in the R-2 Zone. Applicant is seeking variance to allow construction of 28’x 58’ new single family dwelling which is handicapped accessible so owner can use property. Applicant is Appellant on behalf of the owner.</p> <p>Elliot Chamberlain from Chamberlain Homes introduced himself and brought the Board Members up to date on what the applicant is proposing. The structure on the 40’ x 80’ house lot on 103 Ocean Avenue is in disrepair. Mr. Chamberlain went on to say that if the building was to come down under the current setbacks of 15’ on each side and 20’ on the front and rear, you would have a building envelope that that is 10’x 40’ which would include decks, overhangs, etc. The surrounding properties are within less than 5’ from the side property lines. The idea was to go down to 10’ on the front and rear and 5’ on the 2 sides. This would give us a building envelope of 30’ x 60’. We are also hoping to put in a one or two car garage on the front of the building with an entrance on the side.</p> <p>Keith Finley from 101 Ocean Avenue (abutter) introduced himself and stated that he thought that what the applicant is proposing is too big of a house for that lot. He is also concerned with fire safety with being so close to other properties.</p> <p>Ray DeLeo informed the board members that he and Jim Butler had a conversation stating that if the applicant was building in the existing footprint, they would have only had to have filled out a miscellaneous appeal application.</p> <p>Ron Regis was concerned that the variance should be coming from the person who owns the property. Elliot Chamberlain explained that the applicant does have a contract on the property but does not actually own it. They want to see if they can build on the lot before</p>	<p><u>ITEM 2</u></p> <p><u>VARIANCE</u></p>

<p>actually purchasing the property.</p> <p>Dan Englehart, Karen Rand's brother wanted to note that in the rear of the building, a large tree has been growing in between the cinderblocks and the tree has broken the foundation.</p> <p>Ron Regis made a motion to table this item without prejudice until the applicant can bring in some plans with dimensions of the home that they want to build. The Board will also seek legal advice to see if the Board can approve this even though the applicant does not own the property.</p> <p>Ray DeLeo – Agree Paul Weinstein – Agree Ron Regis – Agree Tianna Higgins – Agree Mark Lindquist - Agree</p>	<p><u>MOTION</u></p> <p><u>VOTE</u></p> <p>(5-0)</p>
<p>Tianna Higgins made a motion to adjourn at 7:49 p.m., seconded by Mark Lindquist.</p> <p>All in favor.</p>	<p><u>MOTION</u></p> <p><u>VOTE</u></p> <p>(5-0)</p>
<p>GOOD AND WELFARE ADJOURNMENT CHAIRMAN RAY DELEO</p>	

I, Valdine Helstrom, Zoning Board of Appeals Clerk for the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of Two (2) pages is a true copy of the original minutes of the Zoning Board of Appeals Meeting held on June 24, 2013.

Valdine L. Helstrom