



Town of Harpswell
Board of Appeals Minutes
March 25, 2015
Adopted April 22, 2015

Members Present

Ned Simmons, Chair
Jim Knight
Ellen Lebauer
John Perry
Ellen Shillinglaw
Pat Lawson, Associate Member

Members Absent

Staff Present

Diane Plourde, Recording Secretary

The Town of Harpswell Board of Appeals meeting, being duly advertised in the Brunswick *Times Record* was called to order at 6:30 p.m. by Ned Simmons, Chair. The chair read the agenda, introduced the board members and reviewed the procedures.

The Chair appointed Pat Lawson a full voting member for this meeting.

Old Business: Continuance for: **15-02-01BA** – Robert D. Graves, Jr., 232 Ash Point Road, Map 17 Lot 131 – Undue Hardship Variance

The Chair stated that the Board voted at last month's meeting the criteria for this application and to draft conclusions and conditions of approval for this month's meeting. The Board discussed the wording of the conditions of approval.

Chris Hall, resident also asked the Board about the wording of the variance WITH regard to charter boating and commercial fishing licenses for the property. Mr. Knight noted that the applicant agreed to the use of the term "commercial fishing" as preferred language. He asked Mr. Cunningham if the types of clauses if not listed allows greater latitude. Mr. Cunningham agreed that the activity related to commercial fishing included but not limited to and it gives examples that do not restrict, but illustrate what was intended.

Ned Simmons moved seconded by Ellen Lebauer that on the basis of the above Findings of Fact and Conclusions of Law, the Board of Appeals voted to grant the application for variance subject to the conditions of approval that we have been discussing. Motion carries 5-0

The Chair noted that there are certain rights of appeals to any aggrieved party.

15-02-02BA – Gerald E. Mitchell, Map 45 Lot 37, Pinkham Point Road, Harpswell – Continuance of February 25, 2015 meeting.

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Gerald Mitchell has requested that his application be continued to next meeting because the surveyor has been unable to complete the survey.

Ned Simmons moved seconded by Jim Knight to continue until such time Mr. Mitchell informs the Board when he is ready to proceed. Motion carries 5-0

Other Business: Consideration of Minutes of February 25, 2015

Ned Simmons moved seconded by Ellen Lebauer to accept the February 25, 2014 minutes as drafted. Motion passed 5-0

The chair informed the Board that the Town Administrator would like a workshop with the Town Attorney, the Board of Appeals and Planning Board. The Board asked for Wednesday, May 22 at 4:00 PM before the regularly scheduled Board of Appeals meeting.

Adjournment: The meeting adjourned at 7:00 PM.

Respectfully submitted by:

Diane E. Plourde
Recording Secretary