

A meeting of the Zoning Board of Appeals was held October 6, 2008 for the purpose of reviewing applications.

MEMBERS PRESENT

William Truesdell, Chair
Bruce Goodwin
Pam Murray
Harry Story
Eleanor Holland
Thomas Watson
Rick Davis

MEMBERS ABSENT**STAFF PRESENT**

Scott Davis, Codes Enforcement Officer
Morgan Decker, Recording Secretary

Chair William Truesdell called the meeting to order in the Zoning and Planning Room at 7:00 p.m.

Mr. Truesdell stated the following: "Welcome. The October 6, 2008 meeting of the Bath Zoning Board of Appeals will come to order. I appreciate your presence here and your recognition of the authority of this board. This is a public proceeding and, unless the Board specifically votes to go into executive session, you have the right to hear everything that is being said and to look at all of the exhibits that are offered. Please notify me if you are unable to hear or see. The Board works from a prepared agenda and will be considering tonight's items in the following order." Mr. Truesdell read the agenda.

"Generally speaking, appeals from adverse decisions must be filed with the appropriate Appeals Board or Superior Court, as otherwise provided by law, within 45 days of this Board's decision. Also, to be certain that you preserve your individual right to file any such appeal, you must be certain that this Board's record evidences your appearance this evening in opposition and the basis for your opposition. Are there any questions?"

Hearing no questions, Mr. Truesdell called on the applicant to present his appeal.

Appeal Number 1020

Request from Bath Public Schools for the relocation of a non-conforming structure at 6 Old Brunswick Road (Map 22, Lot 17) in the C2 zone.

Before proceeding, Mr. Goodwin asked to be removed from the proceedings as there is a strong financial connection. The board agreed to let Mr. Goodwin not participate.

Rob Prue, representing the applicant, informed the Board that the existing building at the Bath Middle School, used for storage, had been demolished due to disrepair. Rather than obtaining a building permit, the contractor poured the cement slab for the

replacement building. When this slab was poured, it was moved one foot back from the pavement, and eight feet closer to the Middle School.

Mr. Truesdell opened the public session of the meeting for members of the public wishing to comment.

Andrew Winglass, an abutter across the road, said that mistakes were clearly made by the contractor. Mr. Winglass also stated that the proposed building would detract from the neighborhood, and the avenue RSU 1 is trying to take does not seem legal.

Hearing no further public comment, Mr. Truesdell closed the public session of the meeting and returned to the Board for further discussion.

MR. WATSON MOVED TO FIND THE NON-CONFORMING STRUCTURE RELOCATED WITHIN THE PARCEL AND MEETS THE REQUIREMENTS TO THE GREATEST EXTENT POSSIBLE

NO SECOND, MOTION FAILS

MR. STORY MOVED, SECONDED BY MRS. MURRAY THAT THE APPLICANT BE DENIED THE REQUEST FOR A RELOCATION OF A NON-CONFORMING STRUCTURE

5 IN FAVOR (MURRAY, HOLLAND, TRUESDELL, DAVIS, STORY), 1 OPPOSED (WATSON), 1 ABSTAINED (GOODWIN)

Minutes approval of September 8, 2008 meeting

MRS. MURRAY MOVED, SECONDED BY MR. STORY TO APPROVE THE MINUTES OF THE SEPTEMBER 8, 2008 MEETING AS PRESENTED

UNANIMOUS APPROVAL

Election of Officers

MRS. MURRAY MOVED, SECONDED BY MR. WATSON TO ACCEPT AS OFFICERS MR. TRUESDELL – CHAIR, MR. GOODWIN – VICE CHAIR.

UNANIMOUS APPROVAL

There being no further business before the Board, **MR. WATSON MOVED, SECONDED BY MRS. MURRAY TO ADJOURN**

UNANIMOUS APPROVAL

Meeting adjourned 7:37 p.m.

Minutes prepared by Morgan Decker, Recording Secretary