

Town of Winslow

Zoning Board of Appeals

Meeting Minutes
05-04-2023

Call to order

A meeting of the Town of Winslow Zoning Board of Appeals was held at The Winslow Public Library at 136 Halifax St., Winslow ME 04901 on May 04, 2023, at 6:06 PM.

Board Members Present: Zoning Board of Appeals Chair – Joseph Marcoux, Rodney Cloutier, Wyatt Quirion, Jerome Leclair, Charles Kriegal

In-person attendees: Code Enforcement Officer - Jim Flanders, Administrative Assistant - Kaitlyn Philbrick, Mark Robie, Gary Owen, and several un-named residents

Procedural Business

1. Determine that a quorum is present.

Discussion:

There was a quorum present.

2. Discuss whether possible conflicts of interest exist.

Discussion:

There were no conflicts of interest.

New Business

1. Public Hearing

Applicant: Mark Robie

Location: 264 Cushman Rd. Winslow ME 04901 Map 1 Lot 114

Purpose: Variance Request - To construct a hoop house within 10' of the property line.

Discussion:

The applicant would like to construct a 14'X50' hoop house over his existing garden plot. He says that this is the only area on the property that he can place the hoop house where it would get enough sunlight. The hoop house is considered a permanent structure and would be placed within 10 feet of the property line so therefore would not meet the setback requirements.

Decision:

The Board reviewed the following criteria to determine whether the strict application of the terms of the Zoning Ordinance would cause undue hardship:

1. The land in question cannot yield a reasonable return unless the variance is granted.
 - a. The applicant says that the property would be worth more with the hoop house than without.
2. The need for a variance is due to the unique circumstance of the property and not the general conditions of the neighborhood.
 - a. The applicant says that this is true because there are not any other areas on the property where he can plant a garden that gets enough sunlight.
3. The granting of a variance will not alter the essential character of the locality.
 - a. The applicant stated that it will not.
4. The hardship is not the result of action taken by the applicant or a prior owner.
 - a. Both the applicant and the Code Enforcement Officer stated that the current location of the garden (and proposed location of the hoop house) is the only area to place it that will provide enough sunlight without negatively impacting the landscape and vegetation of the property.

Jerome Leclair made a motion that the Zoning Board of Appeals grant the 40' variance to erect a hoop house with the condition that it have no permanent structure or floor and cannot exceed 14'X50'. It also shall not have any further attachments. If it is not in use for 1 year (12 months) it must be removed. Charles Kriegal seconded the motion, and the Board voted in favor by a vote of 5-0. The Board reached this conclusion as this is the only area to place a garden/hoop house without negatively affecting the surrounding environment and all requirements of the variance were met.

Discussion Items

1. Combined Zoning Board of Appeals and Board of Appeals Training

Discussion:

The Town is offering to provide a recording of the Local Planning Board & Board of Appeals Workshop offered by Maine Municipal Association. This would be split between two training sessions and offered to any members of the Planning Board and Zoning Board of Appeals who have not previously taken the training. The purpose of this is to offer a more flexible training option as Board members can choose a date that works for those interested in attending.

Several Board Members showed interest and stated that they have wanted to attend the in-person training offered by Maine Municipal Association but were unable to attend due to the days/times.

Adjournment

Elery Keene motioned to adjourn the meeting at 7:55 PM, Larry Desmond seconded the motion, and the Board voted in favor 6-0.

Secretary – Kaitlyn Philbrick

Date of approval

Zoning Board of Appeals Chair

Zoning Board of Appeals Vice-Chair

Zoning Board of Appeals Member

Zoning Board of Appeals Member

Zoning Board of Appeals Member

Zoning Board of Appeals Member

Zoning Board of Appeals Member
