

1 Mr. Kaminsky stated that the house will remain in basically the same envelope, the
2 same architectural character and remain as a residential use.
3
4 Chairman Johnson asked Mr. Kaminsky if the shed would be removed and a new
5 structure build. Mr. Kaminsky said yes, that was correct. The roof line for the new
6 structure would be tied into the existing roof. Mr. Kaminsky stated that there were
7 photos and a survey to show this submitted with the application.
8
9 Mr. Howe asked if the Kaminskys had discussed this with their neighbors or had they
10 heard from any neighbors after the notices were sent out. Mr. Kaminsky replied that
11 they received return cards from all the neighbors and the response was positive. Mrs.
12 Kaminsky also remarked that conversations with the neighbors were positive.
13
14 Code Officer Smith said that he had received a couple of telephone calls to inquire what
15 was going on. They had no issues.
16
17 Mr. Chatmas inquired about the Portland mailing address on the application. Mr.
18 Kaminsky replied that they did have their mail sent to a secure Post Office box due to
19 their residence's rural location. The house on the application at 8 Gladys Road is their
20 primary residence - since 1997.
21
22 Code Officer Smith commented on Conclusion Number 2 concerning sewage disposal:
23 A design for a replacement system was done and recorded. The code allows that
24 system to be recorded for future installation if the system in place fails. If any issues
25 arise in the future there is a plan recorded in the registry.
26
27 Upon question from Mr. Gulino, Mr. Kaminsky replied that their son currently resides
28 with them.
29
30 Mr. Chatmas asked the Code Enforcement Officer if the design was for a four bedroom
31 septic. Mr. Smith replied that it was. It allows for a one bedroom accessory dwelling
32 apartment at 120 gallons a day and three bedroom main unit which is 390 gallons a day
33 total for the two. The code allows for the new plan to be recorded and current system
34 used until it fails.
35
36 After inquiring and finding no further comments, Chairman Johnson closed the public
37 portion of the meeting after a motion was made by Mr. Howe and seconded by Mr.
38 Kinley to do so. All were in favor.
39
40 Mr. Gulino commented that the purposed use falls within the definition of Accessory
41 Dwelling Unit. This property is in a RA Zone which under 19 – 6 – 1, allows for this use.
42 Given that this is just basically finishing off of existing space it seems that the applicant
43 meets all the conditional use standards.
44
45 Mr. Chatmas asked Mr. Smith to comment on the durability of this Conditional Use
46 Permit upon sale of the property. Mr. Smith said that this would be transferable under
47 the same conditions, unless the board places a condition on the permit. There just
48 needs to be a close personal relationship between the two residents. They could not
49 advertise the unit for rent. These limitations were discussed with the applicant.

1 After inquiring and finding no further comments, Chairman Johnson closed the board
2 discussion after a motion was made by Mr. Gulino and seconded by Mr. Black to do so.
3 All were in favor.

4

5 Finding of Facts:

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7 1. The appellants are the owners of a property at 8 Gladys Road, Tax Map U19, Lot 53,
8 which is in the Residential A District containing 17,290 square feet.

9

10 2. The use is listed as a conditional use in that district, specifically as accessory
11 dwelling unit use.

12

13 3. The existing floor area is 1,877square feet.

14

15 Conclusions:

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17 1. The proposed use will not create hazardous traffic conditions when added to existing
18 and foreseeable traffic in its vicinity. All were in favor.

19

20 2. The proposed use will not create unsanitary conditions by reason of sewage
21 disposal, emissions to the air, or other aspects of its design or operation. All were in
22 favor.

23

24 3. The proposed use will not adversely affect the value of adjacent properties. All were
25 in favor.

26

27 4. The proposed site plan and layout are compatible with adjacent property uses and
28 with the Comprehensive Plan. All were in favor.

29

30 5. The design and external appearance of any proposed building will constitute an
31 attractive and compatible addition to its neighborhood, although it need not have a
32 similar design, appearance or architecture. All were in favor.

33

34 Judgment:

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36 A motion was made by Mr. Gulino and seconded by Mr. Kinley to approve the
37 application of Phillip and Sherrie Kaminsky, 8 Gladys Road, for a conditional use permit
38 for an accessory dwelling unit. All were in favor.

39

40 Chairman Johnson congratulated the Kaminskys on the approval of the application and
41 noted there were four conditions of approval:

42

43 1. There shall be one dedicated parking space for the accessory dwelling unit.

44

45 2. No home occupation or home business is permitted now or in the future.

46

47 3. The single family and accessory dwelling units shall be held in the same ownership.

48

1 4. An attested copy of this conditional use permit shall be filed in the Cumberland
2 County Registry of Deeds within ninety (90) days of this approval.

3

4 **F. Communications** – Mr. Smith received a communication from Jim Walsh, Town
5 Council, seeking input on how best to have open communications between the town
6 boards and the public. A copy was given to each board member. Members should
7 contact Mr. Walsh directly with any input.

8

9 Mr. Gulino noted that there is a process, and if the public would like to comment, they
10 are welcome to come and speak. There is more thoughtful communication when
11 people are face-to-face verses firing off emails from their personal computer. Mr.
12 Gulino would urge Town Council to maintain the formality of the process.

13

14 Mr. Smith noted that because of the nature of this board, all meetings are posted public
15 hearings; therefore, there is always an opportunity to speak.

16

17 There was more discussion about workshops, policy meeting, and postings on the
18 internet and how best to solicit input from the public.

19

20 Mr. Chatmas thanked the recording secretary for a job well done. Chairman Johnson
21 and Mr. Smith echoed that sentiment.

22

23 **G. Adjournment** – Motion by Mr. Howe to adjourn; seconded by Mr. Black. All were in
24 favor. Meeting adjourned at 7:25 pm.