

Town of Phippsburg  
Appeals Board  
Site Walk for Henry & Joan Cook  
Hearing for a Variance for Henry & Joan Cook  
July 17, 2007

*Site Walk:*

Present: Mr. Thomas Totman, Chairman David Thombs, Mr. Thomas Cashman, Mr. John Morse, Mr. Storrs Bigelow and CEO Lee Rainey

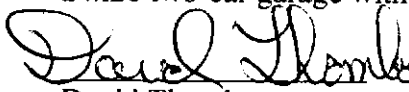
The Appeals Board was requested to grant a setback variance in a Resource Protection zone, for Henry and Joan Cook of 42 Perrys Cove Drive (Map 038, Lot 001) for a 24x26 two car garage with a 28x44 attached barn. Board members were shown where the garage and barn were proposed to be by stakes. Mr. Cook explained why he put the proposed barn and garage where he did. The spot was going to be the least intrusive to the surrounding area- no blasting for ledge, already cleared, no trees to cut down. The NW corner of the garage was only 80' from the pond, instead of 125' per the Ordinance- hence the requirement of a setback variance. Mr. Cook explained he had obtained a permit from the DEP already and the Planning Board already approved the amount of fill needed to level the ground. Board then decided to go to the Town hall to continue the Hearing.

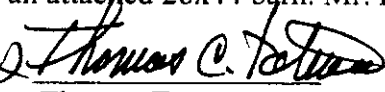
*Hearing:*

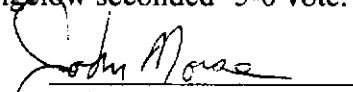
Present: Mr. Thomas Totman, Chairman David Thombs, Mr. Thomas Cashman, Mr. John Morse, Mr. Storrs Bigelow

Chair David Thombs opened the hearing at 6:38.

Chair Thombs explained the reason for the Hearing – for a setback variance in the Resource Protection zone for Henry and Joan Cook for a 24x26 two car garage with a 28x44 attached barn. Henry and Joan Cook already have a DEP permit for the buildings and a Planning Board permit for fill of more than 10 cubic yards. Lee Rainey spoke to Mike Morse from DEP- they had no problem at all with the proposed plan. Chair Thombs asked Mr. Cook to explain the placement of the garage and barn- why not just move it 20' to get out of the Zone? Mr. Cook explained that where it is laid out is good proximity to the house, best place with out ledge removal and needs to be able to turn around with boats he will be working on. Notice to abutters was given of this hearing. Mr. Cook owns 10 acres, 6 of which fall into the 250' setback for significant wildlife habitat put out by DEP to be enforced by the Town next year, leaving only 4 acres to do anything with- thus a hardship will be incurred. Board discussed the amount of the variance that was needed. The Appeals Board affirmed that the lot was in the 125' setback zone of the Shoreland zoning map. Mr. Totman motioned on Section 15 B.1. to grant a variance from 125' to 80' equal to a 45' setback to apply to the plans submitted by Henry and Joan Cook of a 24x26 two-car garage with an attached 28x44 barn. Mr. Bigelow seconded- 5-0 vote.

  
David Thombs

  
Thomas Totman

  
John Morse

  
Thomas Cashman

  
Storrs Bigelow