

**Town of Groveland
Zoning Board of Appeals**

Meeting – June 17, 2013

Present: William Magee, Acting Chairman, Phil Livingston, Courtney Burnette, Kevin Niedermaier, Patricia Johnston, Alt. Absent: Ron Merrick

Also present: CEO Ron Maxwell and Charles McLaughlin.

Meeting was called to order at 7:00 PM by William Magee, acting chairman.

Review and approval of minutes:

March 18, 2013 minutes: Motion by Courtney Burnette to approve the minutes as submitted, seconded by Phil Livingston. All in favor.

April 15, 2013 minutes: Motion by Kevin Niedermaier to approve the minutes as submitted, seconded by Courtney Burnette. All in favor.

May 20, 2013 minutes: Motion by Phil Livingston to approve the minutes as submitted, seconded by Patti Johnston. All in favor.

William Magee opened the public hearing and read the public notice for the application of Charles McLaughlin for the renewal of a dock and mooring permit to place a dock and small john boat in a 5 foot right of way located at 5675 West Lake Road pursuant to the Dock and Mooring Law of the Town of Groveland.

The Chairman noted that no correspondence has been received regarding the application. The Chairman asked if anyone at the hearing wanted to speak.

Bryan Raffa, the neighbor on the north side of the r-o-w (5671 Sutton Pt. N.) stated that the dock issues have been going on for the last 8 years. He had 3 requests he wanted the Board to consider. First, the dock on their property is located approximately 11 feet north of their south boundary line and wants to put a boat hoist on the property line; second, he asked if Mr. McLaughlin's dock could be placed at a 90 degree angle rather than perpendicular to the shore due to the fact that they are located in a cove and third to have him put his dock in after the property owners on the north and south of the r-o-w.

Courtney Burnette asked Bryan if he could move his dock farther north since they own 50 foot of lake frontage. Bryan responded that he does not think it is fair that he should have to move his dock just because he has more frontage. Bryan said that if Mr.

McLaughlin ran his dock out in a straight line it would be okay. Bryan also stated that he had a survey done last year.

John Polito, the neighbor south of the r-o-w said that he was in the process of selling his property at 5673 Sutton Pt. N. He has 40 feet of lakeshore and said he will do what the code enforcement officer feels is necessary.

Gwen Thompson, owner of the property south of Mr. Polito at 5677 Sutton Pt. N. stated that she has 57 feet of lakeshore and John has his boat placed on the south line of his property. Her dock is placed at a 90 degree angle to the shoreline. She asked if John's dock should be 5 feet in from his property line.

There was a discussion regarding the exact location of the r-o-w because the survey pins are no longer in place. John Polito said he has to have a survey as a requirement of the sale of his property. The survey map should show the location of the r-o-w. Kevin asked John when the survey will be done and he responded that it will probably be next week.

The Board said that the r-o-w is not big enough for a boat next to the dock. The boat can only be placed at the end of the dock unless other arrangements are made with John Polito or the new owner.

Motion by Kevin Niedermaier to grant a special dock and mooring permit to Charles McLaughlin to place a dock and whatever water vessel will fit within the 5 foot r-o-w and when John Polito's survey has been completed the CEO will resolve the dock placement issue; and Bryan Raffa will be allowed to angle his dock and move it so it will be 12 feet north of his south boundary line from the shoreline and at the end of the dock. Motion seconded by Courtney Burnette. All in favor.

Motion by Phil Livingston to adjourn the meeting at 8:25 PM, seconded by Kevin Niedermaier. All in favor

Submitted by
Karol S. Thomas
Recording Secretary