

TOWN OF PARSONSFIELD
APPLICATION FOR A VARIANCE OR APPEAL
TO BOARD OF ZONING APPEALS

Name of Appellant Gerard Clifford

Mailing Address 993 North Road

City or Town Parsonsfeld State Maine

Telephone 207-929-0644 Map/Lot Abutter, Public Record

Name of Owner: Nate Sells Real Estate LLC Application in Parsonsfeld, Maine (De Novo Review)

The undersigned requests that the Board of Appeals Consider one of the following:

1. **An Administrative Appeal.** (Application for an administrative appeal shall be filed at the office of the Town Clerk, who shall notify the Chairman of Board of Appeals and the Code Enforcement Officer. No Fee.) Relief from the decision, or lack of decision, of the **Code Enforcement Officer** or Planning Board in regard to an application for a permit. The undersigned believes that (check one):

- An error was made in the denial of the permit
- The denial of the permit was based on a misinterpretation of the ordinance.
- There has been a failure to

Parsonsfeld's requirements for the construction of a new home (not approved by the Planning Board on 11.19.19) have not been met by the CEO (De Novo Review).

Please explain in more details the facts surrounding this appeal (please attach a separate piece of paper.) You should be as specific as possible so that the Board of Appeals can give full consideration to your case. (See attached)

2. **A Variance** (Application for a variance shall be made to the Code Enforcement Officer on the form provided for that purpose, accompanied by a **\$25.00 fee and \$150.00** escrow amount.)

A. Nature of Variance: Describe generally the nature of the variance. In addition, a sketch plan of the property must accompany this application showing the dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of the proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question.

B. Justification of Variance: In order for a variance to be granted, the appellant must demonstrate to the Board of Appeals that the strict application of the terms of the zoning ordinance would cause undue hardship. There are four criteria, which must be met before the BOA can find that a hardship exists. Please explain how your situation meets each of these criteria listed:

1. The land in question cannot yield a reasonable return unless the variance is granted. _____
2. The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood. _____
3. This hardship is not the result of action taken by the appellant or a prior owner. _____
4. The granting of a variance will not alter the essential character of the locality. _____

I certify that the information contained in this application and its supplement is true and correct.

Date: 5/14/20 Appellant Signature: Gerard Clifford

Note to Appellant: This form should be returned to the Code Enforcement Officer. You will be contacted by the Chairman of the Appeals Board to schedule your hearing.

Dear Zoning Board of Appeals members,

On November 20, 2019, an eight-lot subdivision was approved on route 160 bordering Hussey Road by Nathan Wadsworth. Under that agreement, the remaining 28.6 acres of this parcel of land retained by the property owner shall not be further divided or subject to additional timber harvest without Planning Board Approval for a period of ten years from final approval.

This is an appeal of the Code Enforcement Officer's approval of the house currently being constructed on Hussey Road within the Watson Woods Subdivision and without Planning Board Approval. It is also in violation of Conditions of Approval dated 11.20.19, sections 1,2 and 3 signed by the Planning Board Chairperson.

This Appeals Board is required to remand this current approval by the Code Enforcement Officer back to the Planning Board due to the multiple violations of regulations that were put in place to protect the health and safety of the people.

Attached is the Conditions of approval violated and additional information will follow prior to the reopening of the Parsonsfield Town Hall.

Sincerely,

Gerard Clifford, Abutter