

Parsonsfield Zoning Board of Appeals
634 North Rd Parsonsfield, ME
Thursday, July 9th, 2020
Minutes

Request for Appeal: Dana & Darla Gould, Gerard Clifford
Vs. Nathan Wadsworth Watson Woods Subdivision

In Attendance: Mike Sandahl (Chair), Donald Murphy, Donald Winslow, George Stacey
Absent: None

Also, In Attendance: Lindsay Gagne, Harvey Macomber, Darla Gould, Ralph Austin, Nathan Wadsworth, Jack Wadsworth, Corey Lane, Gerard Clifford, Jeff Wright, Marion Wright, Jessie Winters, Clifford Krolick, Steve Anderson, Donna Burk

Mr. Sandahl Opens the meeting at 7:00pm. Explains this meeting is to review the request for appeal of Dana & Darla Gould vs Watson Woods Subdivision and Gerard Clifford vs Watson Woods Subdivision. This is a DiNovo review of the CEO decision made on the building permit. The Public hearing was held on June 25th. The board has received evidence from the public and the town and will conclude their decision on the two applications. This meeting is open to the public; however, the board will not be taking public comment. Any other issues that have been mentioned regarding zoning and enforcement violations are not in the scope of this review. A role call is completed. Mr. Crooker has resigned from the board and there are four regular board members present.

Review minutes from 6/25/2020

Mr. Murphy Motions to accept the minutes as they are

Mr. Winslow Seconds the motion

The motion passes by unanimous vote: 4-0

Review of request for appeals by Dana & Darla Gould and Gerard Clifford

Mr. Sandahl States the building permit application was completed on March 25th and the building permit was approved on April 14th. In accordance with the land use ordinance Article 5, Section 4 (B) "Permits requiring CEO approval" requires a permit to be issued within 5 business days of determining a complete building permit application. In addition, the building permit application form itself, did have a printing error of the word "Brownfield" replacing Parsonsfield in some areas. The CEO has the ability to correct this error. He asks other board members for further input.

Mr. Murphy States the printing error, he believes, was an unintentional error

Mr. Sandahl States as the ordinance follows, the CEO is responsible for issuing the permit and it does not require planning board approval. On the building permit it shows Map R08 Lot# 37 as the parcel. Looking at the approved subdivision plan the eight lots are delegated and a separate area for owner retained land is designated as the 28 acres. This building permit reflects the parcel size as 13.71 acres. He understands this area refers to Area A, the buildable area of the 28 acres, however he believes the building permit should reflect the 28 acres, the retained land area in whole.

Mr. Stacey States the current deed of the property shows all the subdivided lots as well as the retained land. When he sells either a lot or the retained land, there will be a deed created to show transfer of ownership. The owner had stated he would sell the house lot as the whole 28-acre lot.

Mr. Sandahl States the driveway permit was not included in with the building permit application. The application includes a list of required materials to be provided, of which the driveway permit is one. There was however a driveway permit submitted during the appeals procedure. The ordinance may indicate the driveway permit can be issued before an occupancy permit is approved, but the building permit application requires otherwise. In looking at the conditions of approval from the planning board, there is no language in there suggesting the home must be permitted by planning board approval. If the retained land remains whole and is not further subdivided, the owner can build a home. He asks the board for any other facts and findings. There is none. He asks if there is a motion to approve the building permit as it is. There is no motion made. He asks if there is a motion to disapprove the building permit as it is written

Mr. Murphy Motions to disapprove the building permit as it is written

Mr. Stacey Seconds the motion

The motion passes by vote: 4-0

Mr. Sandahl This concludes the building permit is invalid and the proper corrections will need to be handled by the CEO.

Mr. Winslow Makes a motion to adjourn the meeting

Mr. Stacey Seconds the motion

Motion passes, vote: 4-0

The meeting is adjourned at 7:36pm.

Draft completed by: Lindsay Gagne