

**MINUTES
TOWN OF PARSONSFIELD
ZONING BOARD OF APPEALS MEETING
6:00 PM
Monday, March 18, 2021
TOWN OFFICE BUILDING**

(RECORDER'S NOTE: There were two Public Hearings held at this meeting regarding the property owned by Nate Sells Real Estate, LLC. The minutes for these hearings are combined in the overall formatting of them because some of the evidence presented in the first hearing (for Mr. & Mrs. Gould) also pertains to the second hearing (for Mr. Clifford). However, they are separated into two separate sections as noted at the beginning of each Public Hearing.)

I. Call to Order (Public Hearing for the Gerard Clifford Appeal)

George Stacey made a motion to open the Public Hearing for Gerard Clifford at 8:39 p.m. The motion was seconded by Don Murphy. Motion carried with all in favor.

Present: Jim Barron, Don Murphy, George Stacey, Recorder Desirae Lyle, Gerard Clifford

Guests Present: Town Attorney David Lourie, Nathan Wadsworth, Amy McNally – Attorney for Mr. Wadsworth, Dana & Darla Gould, Jeff Wright, Jack Hennessey, Roger Demanche, Michael Nelligan, Corey Lane (of Porter)

II. Summarize Nature of Appeal/Complaint

a. Review Applications for Administrative Appeal (Dated 8/31/2021)

Jim Baron presented as evidence the application for Administrative Appeal which stated that the request for this appeal is based on the following reason;

Requesting that the Board of Appeals rescind the permit issued by the Code Enforcement Officer dated July 14, 2020.

III. Hearing Notices sent out:

a. To Appellant(s)

The Public Hearing Notice was sent to Gerard Clifford on March 1, 2021.

b. To Abutters

The Public Hearing Notices to abutters were mailed on March 1, 2021.

c. Public Postings:

The Public Hearing Notice was posted at the Parsonsfield Town Office, Kezar Falls Post Office, East Parsonsfield Post Office at least seven (7) days prior to the Public Hearing.

d. Advertised:

The Public Hearing Notices were submitted for advertisement in "Your Weekly Shopping Guide" on March 2, 2021.

IV. Parties to the Action:

a. Appellant(s): Gerard Clifford

b. Code Enforcement Officer: Jesse Winters

V. Testimony

a. Code Enforcement Officer

The Code Enforcement Officer left during the previous appeal.

b. Appellant(s)

The applicant's testimony occurred throughout the Public Hearing proceedings.

c. Supporters/Opponents

Testimony from Mr. Wadsworth's attorney occurred throughout the Public Hearing.

Jim Baron invited Gerard Clifford to present his case.

Gerard Clifford, 'First of all, gentlemen, it's troubling that after all of the information you've been presented with you've denied Mrs. Gould's appeal. I see that none of you have any of the information that I sent to you, do you actually have the information that you are required to by law from the Planning Board? I don't see it. Do you actually have that information sir?' Jim Baron, 'I've read it.' Mr. Clifford, 'Why isn't it available to all of the members of the Board sir?' David Lourie, 'Sorry, are you asking about the Planning Board?' Mr. C, 'No, I'm saying that this Board is supposed to get information from the Board to review, from the Planning Board, so that they are able to understand the scope of...' Mr. Lourie, 'This is an appeal of the CEO's granting of a permit.' Mr. C, 'Yes, but for them to do their due diligence they need to know the facts, and there has been a lot of confusion in regards to the conditions of approval. In regards to the conditions of approval, Mr. Lourie, you stipulated that there would be no timber harvesting on the remaining land for ten (10) years without Planning Board approval. There was, twice, a fifty six (56) acre cut permit was taken out by Mr. Wadsworth after he was told in the conditions of approval that he could

only cut on the building envelopes, he violated that, went through the wetlands, destroyed them, destroyed Great Brook, which is a trout and salmon brook, which is a great fishery that we have lost, because Mr. Wadsworth violated those... The CEO I think waited for six (6) or seven (7) months, he refuses to do anything, he won't even respond to me. So, the idea that the CEO is going to do something, he is working with Mr. Wadsworth. And as far as... Let's go over the permit gentlemen as far as legality, and not get on these other issues. Let's get down to the meat and potatoes of the legality of this. The first Board Mr. Murphy was on and also Mr. Stacey, they turned down the permit because... The first Appeals Board hearing we had you guys threw out the permit for 198 (Hussey Road). You yourself Mr. Murphy... 'Don Murphy, 'Please, don't point at me.' Mr. C, 'Excuse me?' Don, 'Don't point at me, that's an aggressive action.' Mr. C, 'Excuse me sir, I'm sorry. Yourself, Mr. Murphy, and Mr. Stacey along with Mr. Sandahl and the other members of the Board threw the application out because it had Brownfield on it, it was grossly incomplete it didn't even have the Town of Parsonsfield on it and those were the reasons you threw the application out gentlemen. And now, let me read to you, has Hiram on the application, there's no storm water management plan as required, two (2) copies of the storm water management by the CEO. He didn't check the foundation before it was backfilled. He did nothing, because he wasn't licensed, and I don't understand why you gentlemen cannot understand, it's like the warrant enforcement officer is arresting people on the road, but he never went to the criminal justice academy, he's never been hired by a police force, but he's running around illegally when he was never certified to do so. You gentlemen condone that, you think that you think that this permit that you just denied for Mrs. Gould was, what you actually did was legal? It goes against everything you gentlemen are supposed to do to protect the health and safety of the constituents you represent. You are failing to recognize not only... I'll give you an example this is a letter from Mr. Wadsworth's attorney dated March 12, 2021, I didn't receive it until two (2) days ago gentlemen, why is information being denied to me constantly? Constantly I'm being denied information, that's a violation of my due process rights. How can I make a case before you gentlemen if I can't even respond to this letter because I'm supposed to legally be getting it in order to respond to it, I have to ask the Town for it, and then I get it two (2) days before the meeting, less than two (2) days? This is so inappropriate gentlemen. And let me read some of the things that are in Mr. Winters application that this Board basically threw out for the same exact reasons on their denying Mrs. Gould's, George the same exact reasons that you threw out the permit that had Brownfield on it, it now has Hiram on it. But you gentlemen are telling Mrs. Gould that that's not applicable when you already set precedent when you two (2) gentlemen, excuse me sir for pointing, when you two (2) gentlemen voted to revoke Mr. Winters application because it was grossly incomplete. What did he submit? The same application, only instead of having the Town of Brownfield, Subdivision approved by the Town of Brownfield on it, the first application that you denied. The second application said the Town of Hiram, gentlemen, Subdivision. That doesn't trouble you? That isn't illegal? What Town do we live in? Is this the Town of Parsonsfield? Is it Brownfield or Hiram? So, if Mr. Winters gentlemen, if Mr. Winters is filling out an application that says the Town of Brownfield and you gentlemen revoke that for that reason, why aren't you revoking this permit because it says the Town of Hiram on it? It has none of the applicable... it doesn't have two (2) copies of the storm water management papers that are necessary. He

doesn't, when he issued the occupancy permit he wasn't licensed to issue the occupancy permit. This is beyond amazing that you guys sat here and you listened to all of this, when you two (2) gentlemen already threw this out for the same reasoning, and we found out then, we assumed Mr. Winters was licensed and to show you how disingenuous Mr. Winters was he was employed for two (2) years by this Town and at the September public meeting Mr. Wright asked if the Code Enforcement Officer was licensed, he said no, but I have two (92) years to be licensed. That was a lie. He needed to get his LPI on day one (1), he failed to which is the subsurface water and licensed plumbing issues, he never did. The only reason Mr. Winters is licensed is because we've all complained. So, this man would have gone on masquerading, issuing permits in this Town and your praising him, and your praising him and do you know what else gentlemen? I have it on the record Mr. Nelligan can attest to this. Mr. Wright can attest to this. Mr. Winters is harasses people that brings issues to his attention, he terrorizes them, I've had to call the police numerous times, that's why I don't think it's funny when George talks about me getting assaulted on the road when I'm being terrorized by our CEO. Mr. Wright's been threatened on Facebook by our CEO for asking about code issues. Mr. Nelligan has had issues before this Board, has been threatened by our CEO and had to have the police there. And then the CEO the other night was threatening him outside that he's going to come and get him for code violations. What you gentlemen are doing is empowering a tyrant that is going to get you into Superior Court and make this Board look really bad, because these two (2) gentlemen already agreed to throw out a permit that is basically the same or even worse, because now we know he's not licensed and that's why there's two (2) different Town's on the permit. There isn't even permit numbers and as I pointed out to you gentlemen the Town of Parsonsfield hasn't issued driveway permits supposedly, because of our annual reports, in years. How is that possible? How is that possible? That means that Mr. Lary isn't doing his job. So, we've got some serious problems here gentlemen. We have an application that says Hiram on it when you threw out one (1) for Brownfield. We have a situation where this is all been deforested when the conditions of approval, can I read them for you sir? Can I grab that map and read them for you sir? Thank you, sir. "Restoration of buffer: the buffer must be replanted in its entirety through all eight (8) lots prior to the sale of any lot to ensure that the buffer is completely restored." He built Mr. Hennessey's house without restoring the buffer. He violated that condition gentlemen.' George Stacey, 'Gerard, isn't that in the development? That lot was not in the development.' Mr. C, 'George this is about restoration of buffer, did you hear what I said about restoration of buffer? George, this is about 160. George. I respect you sir, but you're so uneducated about this situation it's troubling. "Retained land: Twenty eight point six (28.6) acres." Well according to Mr. Wadsworth its twenty seven point four one (27.41) now. Where did that acreage disappear? These gentlemen come up with three (3) different acreages several different times. This lot was supposed to be included with Mr. Bosche and the whole subdivision it was initially included on three (3) submissions. Why was it taken out, so that they could put more homes in and hid this on the submissions and act like it wasn't part of the house? This is the man who tried to defraud to subdivide this land that he wasn't supposed to, who's upset with him because he was going to sell him land that he knew wasn't legally, he couldn't own. That's why Mr. Bosche is upset. And look at this corner, and you're telling me that this is legal, look at this blind corner and you tell me it's legal? This is a forty five

(45) mile an hour road gentlemen and Maya Lary, illegally... I went and fought DOT tooth and nail over this because I had proof that Maya Lary changed the speed limit to thirty (30) miles an hour illegally and then I see two (2) days later it goes to twenty five (25). I said the State doesn't work that fast, so I called up the State and I asked the State did you change the speed limit? Gentlemen, they said no, so I complained to the Town of Parsonsfield that the speed limit was illegally changed on Hussey Road, and it was obvious that it was an attempt to lower the site distance measurements so that Mr. Wadsworth could get his homes in. And what happened, I made a complaint to DOT and I got a letter from a Freedom of Information Act that show that Maya Lary reached out to the Town, reached out to the State DOT and put a priority on this road that is the most lowest density road and DOT told me we don't do that, we don't go out on roads that are this low density and do speed limit study, he says "I've never done that in the whole history I work here". And the Town of Parsonsfield was requesting them to go out and make the... first it was thirty (30), then two (2) days later it turned to twenty five (25). Then we I complained to the State they go no that's not legal, someone could have been arrested on the road for speeding when they weren't and then the DOT was contacted by the Town cause the Town got pull, and what happened was they asked them to do a speed study and DOT was troubled because they couldn't believe that they wanted them to do a speed study on a road like this and the next thing you know the speed limits twenty five (25) miles an hour. This whole thing stinks and George, I respect you highly, but it is troubling George, when you make light on the site walk and you make light here in public about me getting assaulted by these mobsters.' George, 'I'm sorry about that, I apologize.' Mr. C, 'Thank you sir. Thank you it's much appreciated. I do respect you George, but I've been terrorized by these people and I've been terrorized by Jesse. Darren (Cyr-York County Sherriff) has been called so many times that when I was on the site walk the other day Jesse got screaming up in my face the same way he did with Mr. Nelligan tonight and I was taping it. Jesse Winters was screaming in my face.' Don Murphy, 'Because of the insult you put onto him.' Mr. C, 'No, that's because I spoke the truth that he wasn't licensed, sir, that's not an insult.' George, 'You irritated him, and you do that well.' Mr. C, 'I irritated him because I told him the truth?' Mr. Lourie, 'Mr. Clifford, you've spent a lot of time about what happened with the speed limit on...' Mr. C, 'Here's the point Mr. Lourie, if this Board, the majority of this Board turned down the application that had Brownfield on it, but now has Hiram on it, do you think that's acceptable when there's no permit number, no storm water management.' Mr. L, 'That is something you need to complain to the Selectmen about.' Mr. C, 'You know my history with complaining to the Selectmen sir. You had to go into executive session because they weren't doing their job.' Mr. L, 'You can go to the newspapers. What can I say this Board can't handle this stuff.' Mr. C interrupted, 'Mr. Lourie they're supposed to follow the law and they are supposed to protect the public health and safety. They are not protecting the public health and safety.' Mr. L, 'The speed limit on North Street...' Mr. C, 'It's not North Street it's Hussey Road that I was referring to. And I was just bringing up that point to show how disingenuous this was, sir. It was about the Town illegally doing it to fix the job for Mr. Wadsworth. My other point why Mr. Lourie is so confused in regards to all this, is because it was all done secretly. As I told you gentlemen early, and I want it on the record when Ms. Lane and Mr. Wright and all the parties were there to fight against this development as they had been doing so sir, for a number of years the chairman of the Planning Board told the

public that Mr. Wadsworth was not on the agenda and to go home. And at the end of the night the Planning Board all got together in secret and asked that the camera be shut off. The Selectmen's assistant, the Planning Board assistant would not allow it and without looking at any, at this map at all or researching anything as they are required to do in here they all signed it that's why Darla's complained that there's two (2) different maps. There are two (2) different maps, how is that possible gentlemen if there wasn't fraud going on? So the problem we have here is everything is fraudulent and if you gentlemen are going to deny my application when it has Hiram on it, I highly think that a Superior Court judge when Mr. Winters wasn't licensed and is harassing everyone that brings issues to him, do you think that a Superior Court judge is going to accept this, you're throwing this out, it's going to be sent right back to you.' George, 'May I speak? Would you be willing to accept another building permit if it was made out and didn't have Hiram on it?' Mr. C, 'I'm not willing to accept anything Mr. Winters does, sir, because as I've told you I've had to call the police on him many times. I've been terrorized by him. I have a tape; I've been to the Selectmen George, just to let you know. Me and Mr. Wright were on North Road and Mr. Winters before he was CEO came up to Mr. Wright and said that he was trespassing get off this land, I'm in front of my home and it was because he wanted to build the whole subdivision and he was harassing me and Jeff. I have the whole thing on tape, I've showed it to the police and he's harassed Mr. Wright because Mr. Wright put up a on Facebook... This is, you're saying go to the CEO, go to the Selectmen, these people are harassing us. They violated our civil rights and if you gentlemen are going to deny this then this is just going to go to Superior Court and be back in your laps again. Why are you wasting your Town attorney and Town's money and disenfranchising me. Look at these crushed faces.' Mr. Demanche, 'Why are you threatening them with Superior Court?' Mr. C, 'I'm not threatening them with Superior Court I'm telling them we should have a resolution here, so your tax dollars and my tax dollars don't go out the window. The Town won't hire a CEO, sir that is certified, they knew in October, and they gave him a raise. They knew it at Town Meeting; I want to read it into the record. The Town knew in October of 2020 that Mr. Winters was not licensed and he mislead the public at the September Town meeting telling the public that he had two (2) years to be certified, which was completely disingenuous. And all the permits that he has issued for Watson Woods Subdivision, for the two (2) four (4) five (5) houses that are there now, there are all illegal. So, you gentlemen by rubber stamping this are basically saying that you are going to empower a CEO to go out and continually break the law and to continually... and to police projects that he's built homes on. That is such a conflict of interest, it's unbelievable. And I understand you standing up for Jesse, but you have to keep... look at this as a juror George. You can't, you have to look at this as juror, you can't have feelings for Jesse and take those feelings and use them, you have to look at the ordinance and apply the law not your feelings George. When I'm on the Planning Board if my feelings get involved, I recuse myself, because I don't want the parties to feel like they might be treated unfairly because my involvement with people might make them think that there is a conflict so it's important that I recuse myself so that people aren't, don't feel like there is anything underhanded going on. But gentlemen, as far as adjacent goes perhaps you should read the definition of adjacent. Because you gentlemen were talking about adjacent.' Jim Baron, 'How does this apply to you?' Mr. C, 'Well how it applies, it applies to the application. You gentlemen are complaining about that adjacent only

is the same side of the road, look at the Webster Dictionary definition of adjacent.' Jim, 'I looked up the definition and one (1) of them said that there is no definition for adjacent.' Mr. C, 'So Mr. Lourie's interpretation of adjacent, I mean we could go into court and play this word game, and I'd like to make another point. It's Mr. Lourie's job to protect this Town against liability.' Jim, 'This definition of adjacent is the same one (1) I saw.' Mr. C, 'Mr. Lourie's job in advising you is more to protect this Town from a lawsuit than it is to give you guys the facts about how you need to proceed. I respect that, he has two (2) jobs, he has to protect this town from lawsuits, but because of that he has to advise this Board in a way to where he has to look at the Town's best interests and that kind of is shady with conflict because I respect that he has to do that.' Jim, 'Do you have an issue with the work going on, or do you have an issue with everybody?' Mr. C, 'I have an issue with all the conflict sir, I...'. Jim, 'What is the issue you're bringing before us?' Mr. C, 'The issue I'm bringing before you is the fact that this application is incomplete, it has Hiram on it, it has none of the appropriate things that are in our Land Use Ordinances and, and you gentlemen are supposed to go by our Land Use Ordinances and you're denying... you will be violating your own oath to follow the law if you don't deny this application because as I told Mr. Murphy and Mr. Stacey, they already denied it for the fact that it had Brownfield on it. If you think an application is complete and it has a different Town's name on it, it isn't filled out at all, and you think that's acceptable sir...'. Mr. L, 'One of the reasons that the Board gave...the right-of-way information wasn't on the form, the wrong size lot was described, and everything was corrected.' Mr. C, 'No sir.' Mr. L, 'I'm saying efficiency; it was corrected except for the name...'. Mr. C, 'no I respectfully disagree sir, if you look at the application it's still not filled out with any permit numbers or anything. There's nothing on there, it's the same application, it's the same bag of bad apples with just a different stamp on it.' Mr. L, 'I agree that it's no work of art. On the other hand, it is not the same things that were missing the first time, so it's not the Board that's being inconsistent necessarily, except on the issue of the Town name there's nothing the same between this application and the one (1) before.' Mr. C, 'Mr. Lourie, Brownfield was on the first one (1) and then after it being appealed and going in our favor, he put Hiram on the second one (1), probably because he wasn't licensed, and he was committing fraud.' Mr. L, 'There are a whole bunch of things when you piece them together, I can agree that he shouldn't have had the wrong Town name on there...'. Mr. C, 'What about the permit numbers sir?' Mr. L, 'I'm addressing only the issue of whether this application is the same as was refused the last time by the Board.' Mr. C, 'It is the same; it is grossly incomplete Mr. Lourie. That's what I was just telling the Board. This application is the same bad bag of apples that this Board is entertaining, that two (2) members of this Board threw out.' Mr. L, 'On the other hand, it's already there so they don't have as much flexibility as they had before it's being built.' Mr. C, 'They still have to follow the ordinance. Correct? They still have to follow the Land Use Ordinances, correct? Am I correct Mr. Lourie?' Mr. L, 'I'm just saying that the remedy that they give you is for different facts that they have to consider.' Mr. C, 'But you didn't answer my question sir, am I correct? That they have to follow the Land use Ordinances.' Mr. L, 'Of course, at all times.' Mr. C, 'Ok, and if the Land use Ordinance stipulates that the numbers are supposed to be there, that the two (2) copies of storm water management papers, that the inspection for the foundation before it's backfilled, none of that was done. Those are all in the Land use Ordinance.' George, 'Gerard...'. Mr. C, 'They're supposed to

be followed.’ George, ‘Gerard, how do you know that there was no inspection?’ Mr. C, ‘Because it’s right on the application that Jesse didn’t inspect before the...’ George, ‘He didn’t inspect the foundation?’ Mr. C, ‘Where it’s applicable George, on the paper, he never filled it out. So, if he didn’t fill it out, he didn’t do it.’ George, ‘That doesn’t mean so, maybe he went and did it and didn’t fill it out.’ Mr. C, ‘George...’ George, ‘You’re giving him no benefit of the doubt.’ Mr. C, ‘George, he did it wrong the first time and he did it the same way the second time, is that doing your due diligence? I don’t think so. So gentlemen, I don’t know what else to say, I mean what’s ironic is if you look at all of these wetlands this was supposed to be a hundred (100) foot easement, this is all gone. Great Brook is all gone; it’s destroyed after they cut the fifty six (56) acres, which if I can read right here off the final approval, “Remaining land parcel of twenty six point eight (26.8) acres retained by the property owner shall not be further divided nor subject to additional timber harvest without Planning Board approval for a period of ten (10) years”. Now I know this is a CEO issue, but this is an issue in regards to what Mr. Lourie said as far as credibility, Mr. Wadsworth after being told by the Town that he was only to cut on the building envelopes cut the whole thing again even after he was fined \$16,000.00 to replant the buffer here, which he hasn’t done. And he was supposed to do it before he built these homes, and he already has this home these homes and these homes in and he claims he replanted the buffer, but as Darla pointed out, I have proof that all of the trees that he has marked out were existing, they were already there. So, he is claiming to have planted a buffer that already existed. We have extensive photographs. That’s the kind of con artist we’re dealing with, and you know, this is a gentleman that at one (1) of the Appeals Board meetings was blowing kisses at Ms. Lane. The atmosphere that goes on in these meetings with an abusive CEO who isn’t licensed with this man blowing kisses.’ George, ‘An abusive CEO?’ Mr. C, ‘Yes, ask a number of people in this Town how many times Jesse Winters has had the police called on him, because...’ Mr. Demanche, ‘What does that have to do with this Board?’ Mr. C, ‘Someone complained about a code violation and he went crazy on them and said he was going to investigate them. That’s not being a Code Enforcement Officer.’

Jim asked Ms. McNally to speak. Amy McNally, ‘I just want to reiterate again, we’ve laid it out in our memorandum reminding the Board of the scope of the issue in front of you. I did here a lot issues explained by Mr. Clifford, but I didn’t hear any new issues this Board hasn’t already addressed in the context of the Gould Appeal. They are strikingly similar if not identical appeal issues. This Board has just decided that the building permit was permissible and adequately filed, and you didn’t have any issues with it. To the extent that there are no new issues that I heard from Mr. Clifford that were brought to the Board’s attention, I would just reiterate what we have done in the Public Hearing with the Gould’s, reminding them of the scope here, we’re looking at the building permit. I’ve heard the Board say that they were fine with the site distance, the driveway is adequate, the building permit, otherwise on its face, is adequate, so we would just reiterate that for the Board today we did not hear Mr. Clifford raise any additional issues. Any additional issues that maybe weren’t talked about in the Gould’s Public Hearing again deal with enforcement. I heard reference to back filling, things like that, again that’s inspection issues, enforcement issues, violation issues that are the prevue of the CEO and not this Board, because it comes

subsequent to a building permit. To the extent that any of those issues were addressed by Mr. Clifford, again we think that the Board has looked at this building permit, found it to be acceptable and approved it, denying the appeal for the Gould's, we would ask again that Mr. Clifford's appeal likewise be denied.' Jim, 'Would you talk about the timber harvesting issues?' Ms. McNally, 'My understanding is that the building envelope and driveway was what was cut for the purposes of the home, there was no timber harvesting done by Mr. Wadsworth. Mr. Wadsworth would be happy to speak to that if the Board was so inclined to hear from him. Jim, 'Sure.' Nate Wadsworth introduced himself, 'Before I timber harvest...Let me back up. Back in 2016 when I purchased the land I heavily cut the whole piece, before I purchased it in 2016 we had managed it for Tom Watson, as licensed foresters we've cut it four (4) times, so the land has been cut, over and over and over again. Last year before I went to build a house on the remaining land we entered in and cut the driveway, the house site and a little bit of lawn. I didn't cut anything else because I knew that Gerard was watching very closely, so I was very careful, about the law.' George Stacey, 'So, the South side of the house, the view side?' Mr. W, 'There's just a little bit of lawn space down front.' George, 'No stumps down there that we can go take a peek at?' Mr. W, 'I don't own it any more. We brought a GPS map showing less than an acre was cut.'

Corey Lane, 'I would like to just address what Mr. Wadsworth had just told you, which I don't know many loggers take out a timber harvesting permit for fifty six (56) acres if they're not cutting the land. He did that last year and the Town wouldn't police it. He's not telling you the truth. It's just what's been going on the whole time, and not to mention they keep saying it's out of your purview, it's out of your purview, so keep that in mind, there's a lot out of your purview that these abutter's have to go to Jesse Winters, who built the first house. There's no relief here, there's not, and it's too bad that you guys can't look at this permit and see what's wrong with it, like you did the last time. Thank you.' Mrs. Gould, 'I have something to rebut about that. I live right there, I heard the saws more than one (1) day, and where the house is and driveway was, they initially cut that, this was after, well after they got going on the house that comes in from (Route) 160. I mean they were out there a few days chopping away with those great big saws. I listened to them saws so I know that's not true. And, that building permit, that newest one (1) would you double check on that for me, double check, can you look on that and see if it says subdivision application?' George, 'The house across from you?' Mrs. G, 'Yes, I just want to make sure, it seems there was something that about saying it was a subdivision application.' George, 'It says name of subdivision amended application.' Ms. McNally, 'If we can be clear for the record, you're reading from the Town of Parsonsfield application for building permit, that's the title.' Mrs. G, 'You just gave that...' George, 'The new building permits have been corrected.' Mrs. G, 'Brownfield was the first one (1) this is the second one (1).'

George, 'And they made an error again. I'm telling you what I heard and you tell me what you heard, and I'll take the two (2).'

Mrs. G, 'That's the final one (1) that she's just handed you. It has Hiram on it, it has subdivision on it.'

George, 'They took one (1) from another Town that they liked the looks of better than the Parsonsfield one (1) and Jesse Winters was actually CEO of Brownfield, and he was CEO here. That's how that first one (1) happened to have Brownfield on it. This one (1) here he told me that it really got screwed up because when they sent it out they had this printed up

new after they had the scrape with the last one (1) and it had Hiram on it.' Mrs. G, 'They're trying to say it's not part of the subdivision.' George, 'It was supposed to be taken out, but it wasn't and it's been corrected since, from what I understand.' Mrs. G, 'I know they think I'm being picky but you guys.' George, 'This one (1) isn't corrected Gerard, but I'm saying that the new permits that they've had printed up, and they've thrown the old ones as I understand, and the new ones are printed correctly.' Mr. C, 'What new ones?' George, 'The new permits that they will be using the next time he writes a permit out. I'm saying that this was an error by the printing company.' Mr. C, 'Please, it was an error by the printing company? Twice?' George, 'I'm only telling you what I was told.' Mrs. G, 'It's a subdivision application, it's not a subdivision application, get the fricking application right.' George, 'I understand. On the top it says application for a building permit. Right at the top, Town of Parsonsfield application for building permit.' Mrs. G, 'It still had subdivision on it.' George, 'For office use only subdivision information, it says amended application.' Mrs. G, 'Did you really look it over?' George, 'No not until just now.' Mr. C, 'You should have, that's what the Board is supposed to do, you're supposed to look at all this stuff, your making determinations and you're admitting that you didn't look at the facts. Talk about not doing your due diligence. You didn't look at my stuff...' Jim, 'I did, there's just so much.' Mr. C, 'What did you guys do, just listen to the lawyer?' Don Murphy, 'Do you like insulting people, is that your life.' Mr. C, 'It's frustrating sir.' Mr. Demanche, 'It's frustrating listening to you.' Mr. C, 'It's frustrating. I pay taxes, not to be treated like this.' Mr. D, 'You just insulted the Board like six (6) times.' Jim, 'We have a thick skin. You know I did read this online, I do read this, I don't have it with me because I don't like all the paperwork.'

Don Murphy made a motion to close the Public Hearing portion of this meeting. The motion was seconded by George Stacey. Motion carried with all in favor.

VI. Board Discussion and Decision

Jim Baron, 'As far as this being an issue of one (1) Town or another, the Town decided to go with...I don't know whether the Planning Board approves these. If they thought this was the better permit. And because there were problems with the printer, I'm not going to hold the Town responsible.' Mr. Clifford asked the Board members to speak up. Jim, 'The issue with the permit, I just don't see that being a problem, to tell you the truth, I know it comes from a different Town and again I understand what happened. It had the wrong Town, but I don't see that as being an issue. It is a Town of Parsonsfield permit. I'm not going to deny it on that. The timber harvesting keeps being brought up, it's got to be somebody else's issue, it's not a CEO issue.' George Stacey, 'When we did the site walk it wasn't brought up.' Jim, 'It was, but what we saw was just the building, we're not there to take issue with the whole fifty six (56) acres. So that building permit for what was done was fine, and we just did that site walk we didn't go through the whole twenty eight (28) acres that go with that property.' Mr. Lourie, 'The timber harvesting issue is not really before you.' Jim, 'I know, but it was brought up.' George, 'I guess you'd call the Maine foresters or something like that.' Jim, 'That's somebody else's purview, I don't even think the CEO bothers with that unless it's depending on where it's at. As far as this

application goes. I would move to deny this application.' Don, 'I feel that the evidence that we have here, there are some accidental printing errors and that doesn't invalidate what is clearly a Town of Parsonsfield permit.' George, 'If I agree I won't say anything, if I disagree, I would say something.'

VII. Motion

Don Murphy made a motion to deny the appeal. The motion was seconded by George Stacey.

VIII. Vote

Motion carried with all in favor.

IX. Complete Administrative Appeal Decision Form

Each Board member signed the Administrative Appeal Decision Form for this Public Hearing. The original signed copy is hereby included with the file documentation for this appeal.

X. Right to Appeal to Superior Court with 45 days of tonight's decision.

This decision can be appealed to the Superior Court within 45 days from this decision

XI. Adjournment

George Stacey made a motion to adjourn at 9:28 p.m. The motion was seconded by Don Murphy. Motion carried with all in favor.

Respectfully submitted,



**Desirae Lyle
Zoning Board of Appeals Executive Secretary**