



APPROVED

**TOWN OF WELLS, MAINE
ZONING BOARD OF APPEALS**

**MEETING MINUTES OF
JUNE 11, 2018**

CALL TO ORDER

Chairman Robert Lavoie called the meeting to order at 7:00 P.M. Members present: John Ardini, Tom Pulsifer, Jason Heft, Dr. Carol Kingston and Michael Findley

Excused: Dr. Louis Cohen and John McDermott.

Staff present: Code Enforcement Officer Jodine Adams, Meeting Recorder Cinndi Davidson.

ELECTION OF OFFICERS

MOTION

Motion by Mr. Ardini, seconded by Mr. Heft, to nominate Mr. Lavoie as Chairman.
PASSED unanimously.

MOTION

Motion by Mr. Ardini, seconded by Mr. Heft, to nominate Dr. Cohen as Vice Chairman.
PASSED unanimously.

MOTION

Motion by Mr. Ardini, seconded by Mr. Heft, to nominate Mr. Findley as Secretary.
PASSED unanimously.

PUBLIC HEARING

A. MISLOCATED BUILDING APPEAL

There is a quorum and Ms. Pamela Moody-Maxon represented the property owners. Mr. Lavoie read §145-67.5 and the Board has jurisdiction to hear this appeal. Mr. Pulsifer is a long-time friend of Ms. Moody-Maxon's family but has no relationship with the sellers or financial interest in the property. The consensus was that there is no conflict of interest.

This is the original footprint of the building which was built in the 1950's before the Town had a zoning ordinance. There are no additions on the house. Lots 8 and 8-A have always been separate lots of record. They are owned by the same people and being sold to 2 different parties.

Ms. Adams noted that the zoning ordinance was established on March 11, 1950 and this subdivision was approved on July 6, 1956. This part of Town did not have zoning at that time. It became the RA District in 1976 and had setback requirements. The lot was conforming when the house was built since there were no standards then. It is now legally non-conforming. The buyers need the issue of the setback cleared up for the financing. The buyers apparently have no plans to remodel or tear down and rebuild.

There were no questions or comments from members of the public.

MOTION

Motion by Mr. Ardini, seconded by Mr. Heft, to close the public hearing. **PASSED** unanimously.

DELIBERATIONS

A. MISLOCATED BUILDING APPEAL

50' wide lots were typical in the 1950's. These have always been two separately deeded lots. There was no evidence of willful or premeditated action or gross negligence. A straw poll was unanimous to grant the appeal. The standard template will be used to draft Findings of Fact, which will be voted on at the June 25 meeting.

MINUTES- December 11, 2017

MOTION

Motion by Mr. Ardini, seconded by Mr. Pulsifer, to approve the minutes as written. **PASSED** 5-0-1 with Mr. Heft abstaining.

ADJOURN

MOTION

Motion by Mr. Ardini, seconded by Mr. Pulsifer, to adjourn. **PASSED** unanimously.

RESPECTFULLY SUBMITTED:

Cinndi Davidson
Cinndi Davidson, Recorder

DATE:

6/25/18

ACCEPTED BY:

Robert Lavoie
Robert Lavoie, Chairman

DATE:

6/25/18