



6. Referenced the letter from the abutter and the trailer sitting on the back lot.
7. The appellant owns the right-of-way.
8. When asked if he had an Attorney his response was unclear.
9. Discussion with the Board over the meaning of a "title".
10. Building permit application for electrical & septic system for a (3) bedroom submitted with no building plans.
11. Appellant having financial problems.
12. Currently fighting foreclosure on his property.
13. Looking to place a 28' wide, 60' long modular home similar to his current home if the appeal is granted.
14. Did not disclose the above to Codes when submitting his application.
15. The Assessing Department told him it was a house lot and why the property was appraised at 70K.

With no further questions from the Board, Mark Patterson called on Shirley Sheesley for her rebuttal. Following is Shirley's response;

1. Getting back to the original appeal, it was not a denial letter but a letter asking for more information from the appellant.
2. Never said that this was a sub-division.
3. Needed street frontage per the zoning ordinance in order to obtain a building permit.
4. Displayed the 1995 Ordinance as it has not changed.
5. Looks at the current ordinance when reviewing a proposed building application.
6. The old ordinance (1995) references section 15.5 which is now section 280.77 of the current ordinance regarding a rear lot.
7. Maintains it is not a rear lot of record.
8. Items submitted for the record;
  - a. Development of rear lots submitted as exhibit A.
  - b. Tax Map showing lot 46F where his current house is located and lot 46G where appellant proposes to build his new home, all part of a larger piece of property at one time. This lot does not fit the definition of a rear lot as shown to the Board. Submitted as exhibit B.
  - c. Photographs were presented to the Board showing property adjacent to the appellant's lot, the appellant's lot with home (46F) and the appellant's proposed site lot 46G. Also displayed, the appellant's right-of-way. Appellant admitted to harvesting trees on the proposed site in March of 2012. Town has ownership of lot 46H. Submitted as exhibit C.
9. Discussions back and forth with the Board on a letter from the Sanford Planning Department in 2003 regarding the street frontage on lot 46G. An existing non-conforming lot. Required 100 feet of frontage even for a private way.
10. Lot 46H which is owned by the Town has not been formally recognized due to lack of street frontage.
11. Summarized her rebuttal.

12. Further discussion on issuing an 1190 CMP form if lot not buildable, issuing a septic system permit when a lot is unbuildable or installing a well, etc., etc. Applicant interjected with Board member Paul Demers who was summarizing what he understood from the Code Enforcement Officer indicating he (appellant) held off giving the Code office any potential building plans because he wanted first to see if it was approved before putting 10k to 15k forth toward building a new home.

Paul further iterated that the applicant should have submitted a plot plan showing location of his septic system, building location, where he planned to place his well and set backs etc., etc.

The applicant claimed that when he gets a ruling from the Town with regard to his property, he will then submit the building plans and location of his home.

With no further questions from the Board to the Code Enforcement Officer, Mark Patterson asked if there was any person(s) wishing to speak relevant to the case.

The Chairperson next read aloud the letter from an abutter as the abutter was unable to attend the hearing.

With no further comment(s), the Chairperson turned the hearing over to the appellant for his final summary and rebuttal.

1. The appellant referenced the letter from the abutter and the trailer notated in the letter. Appellant states the trailer is on the Town's property and not his property.
2. The CEO did a good job in explaining the properties and entrances to them.
3. Appellant states he has the Town Engineer's approval of his road (right-of-way) should he go forth with his plan.
4. Right-of-way is wider then 50 feet across.

Conversation between the Board and appellant with regard to the date of the deed and the history of how the lot was broken up through the sale in 2003.

With no further questions the hearing was closed to the public.

Next came the deliberations from the Board members followed by their conclusions.

You may review the Zoning Board of Appeals decision listed in the "Findings of Fact" dated August 13, 2012.

**Old Business:**

None stated.

**New Business:**

None stated.

Meeting adjourned at 9:03 P.M.