

Town of Pownal – Board of Appeals

Notice of Decision
August 20, 2019



Dear Appellant,

This letter is to inform you that on August 20, 2019 the Zoning Board of Appeals conducted a public hearing regarding your application for a Variance Appeal regarding moving the lot lines of 407 Hallowell Rd 413 Hallowell Rd. The ZBA voted to approve this appeal based on these findings and conclusions:

Finding of Facts:

1. The properties in question, located at 407 & 413 Hallowell Rd, Map 5 Lots 29 & 30, is in fact owned by Rosalie Edwards. Larry Edwards, a family member who runs the store on lot 30, is representing her throughout this hearing.
2. The Edwards' filed and paid for a Variance Appeal in order to obtain approval for changing the property lines of the parcels in question.
3. As is sits, the septic system for the restaurant on lot 29 is actually on lot 30. The proposed change would move the line to include the area that the septic system is located with lot 29.
4. Both lots are technically nonconforming in regard to lot size dictated by the Town's Zoning Ordinance. This change would make lot 29 slightly bigger but still nonconforming and lot 30 slightly smaller and also still nonconforming.
5. Without approval for the proposed change the two parcels would be difficult to sell separately.
6. The circumstance in which the drainage field for lot 29 was partially built on lot 30 is completely unique to these parcels and not a general condition of the neighborhood.
7. This change would not alter the essential character of locality.
8. This hardship is not a result of action by the applicant or prior owners.

Conclusion:

The Zoning Board of Appeals voted to approve the appeal for a variance, with the stipulation that any other future changes to this lot will need to be addressed by the Planning Board, due to the fact that the proposed change will not have any negative impacts on the neighborhood. The appellant has proven hardship unless the variance is awarded.

Richard Hogue, Chair 

Date: 10/15/19

Philip Wentworth, Member 

Date: 10-15-19

Thomas Hall, Member 

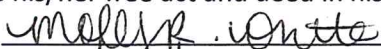
Date: 10/15/19

Nicholas Cote, Member 

Date: 6/19/19

STATE OF MAINE, COUNTY OF CUMBERLAND

Then personally appeared before me the above-subscribed Board of Appeals members and acknowledge the above "Findings of Facts" to be his/her free act and deed in his/her official capacity.

Notary Public Signature  Printed Name Molly R. White

My commission expires: 01/20/2020