

**City of Ellsworth
Board of Appeals Minutes
May 24, 2021**

The regular meeting of the Ellsworth Board of Appeals was attended by Members Jeffrey Toothaker, Jarad Wilbur, Steve Shea, Bruce Sawyer and Mike Wight. Also in attendance were Dwight Tilton and Larry Gardner

**Call to Order
[6:30PM]**

** Mr. Raymond Williams, Ellsworth resident, questioned whether this hearing is a valid meeting as he noticed the agenda in the Ellsworth American did not denote a time for the meeting. He also inquired how many times an advertisement for the Appeal hearing needs to appear in the paper. Mr. Tilton explained no more than 14 days before the meeting and no less than 7 days before the meeting. Mr. Toothaker stated the, as the Chairman, the meeting was valid for two reasons, 1. The Board always meets Monday at 6:30, and 2. The meeting is on the website.

**City of Ellsworth –
Variance
Granted**

1. PUBLIC HEARING AND CONSIDERATION: Request of the City of Ellsworth for a Variance appeal to replace/upgrade the sewer pump station located at 27 Water Street and encroach 6” into the north property sideline and the replacement generator encroaches 8’ into the west property sideline (Tax Map 134 Lot 187), in the General Development “GD” zone.

Mr. Nate McLaughlin, representing Woodard & Curran on the engineering for the City’s Wastewater Department. Mr. McLaughlin indicated the City is proposing to upgrade the pump station on Water Street and the final design requires a variance on the ten-foot property line setback. Mr. Toothaker asked if it would encroach on any abutting property. Mr. McLaughlin stated there is no encroachment on the abutting property only in to the ten-foot setback. He indicated it could not be designed as intended with the capacity of the pumps needed. Mr. Toothaker outlined the variance criteria; the land in question cannot yield a reasonable return, the need for the variance is due to the unique circumstances of the property and not the general conditions of the neighborhood, the granting of the variance will not alter the essential character of the neighborhood, and the hardship was not created by Woodard & Curran or the City.

Mr. Toothaker motioned to grant the variance and finds all criteria for a variance has been met. Mr. Wilbur seconded the motion. Mr. Toothaker opened up discussion asking the Board if they had any comments. Mr. Sawyer asked if there were any concerns from the abutters. Mr. McLaughlin stated his supervisor, Brent Bridges, has been in extensive discussion with Lori Chase, owner of Coastal Interiors, about some esthetic improvements around her property, which will mitigate the visual impacts of the project. The other abutter is RF Jordan & Sons who has not commented about the project. Mr. Shea asked if the project is encroaching on just one property line. Mr. McLaughlin stated there is an encroachment of six-feet on the southwest corner for the standby emergency generator and an encroachment of less than a foot on the north property line for the proposed building. The motion passed with all Members in favor.

2. PUBLIC HEARING AND CONSIDERATION: Request of Randall M. Griffin for an Administrative appeal on a Minor Site Development permit issued to Mr. Lynn French to construct a 600’ x 20’ driveway for the property located at 674 Winkumpaugh Road (Tax Map 99 Lot 16) in the Drinking Water “DW” zone.

**Randall Griffin –
Administrative
Appeal
POSTPONED To
the 6-28-2021
hearing, due to
quorum issues.**

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3. **PUBLIC HEARING AND CONSIDERATION:** Request of Hermany Realty Corp c/o Walgreens appeal for the FY 2021 tax assessment for the property located at 226 High Street, (Tax 131 Map Lot55) in the Commercial ‘C’ zone.

Hermany Realty Corporation – Tax Appeal

View meeting at: https://www.youtube.com/watch?v=nidoD_u8gqQ.

5. **ADJOURNMENT:** [7:38PM] Mr. Toothaker motioned to adjourn. Mr. Sawyer seconded the motion. The motion passed with all five Members in favor.

Adjournment [7:38PM]

Date

Steve Salsbury, Secretary
Ellsworth Board of Appeals

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