

**City of Ellsworth  
Board of Appeals Minutes  
November 27, 2023**

**The meeting of the Ellsworth Board of Appeals was attended by Members Jeffrey Toothaker, Jarad Wilbur, Bruce Sawyer, Matt Welch and Steve Shea. Also in attendance was Loretta Roberts – CEO and Robert Grant - CEO.**

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

**1. ADOPTION OF MINUTES: From the October 23, 2023 hearing. Mr. Toothaker motioned to adopt the minutes as written. Mr. Wilbur seconded the motion. The motion passed with all five Members in favor.**

**Minutes Approved**

**2. HEARING AND CONSIDERATION: Request of Lewis and Gloria Sirois for a variance to the ten-foot sideline setback reduced to seven feet. The property is located at 7 McDonald Avenue on Tax Map 137 Lot 36 in the (N) Neighborhood Zone.**

**Variance – to install a cement pad for a proposed generator 3’ into the sideline setback.**

Mr. Toothaker reviewed what items have been submitted to the Board for their review, application, photos, a property site plan and a letter from the neighbor indicating there are no issues with the setback encroachment. Mr. Toothaker commented that the neighbor also has a generator between the two houses.

Mr. Toothaker confirmed that the Code Office had not received additional comments from neighbors. He also asked Mrs. Roberts if the City had any additional concerns and she stated there are none.

Mr. Shea inquired if the neighbor’s generator met the ten foot setback and Mr. Sirois answered that it did meet setback requirements.

Mr. Toothaker asked the Board if they had additional questions. Mr. Shea discussed the site plan and the opportunity to locate the generator behind the house. Mr. Sirois responded by saying two electricians indicated the generator should be as close to the meter as possible. The further away from the meter requires additional wiring (\$8.50/foot), plus the labor to go through or around the house and there is a deck in the back of the garage. On the opposite side of the house he has a bedroom window and a cellar window, which he was told the location of the generator should not be near a window. Mr. Welch mentioned that the Fire Department would probably like to see it visible on the roadside of the house, for emergencies.

**Mr. Toothaker motioned the appellant has met all the criteria, which are impossible to meet. Mr. Shea asked how do you justify that? Mr. Toothaker indicated we are part of the government and being asked to grant a three-foot variance. Mr. Shea said that we should follow the standards set by the state. Mr. Toothaker stated he is in favor of granting the variance and that Mr. Shea can vote in opposition. Mr. Sawyer seconded the motion. The motion passed with four Members in favor and one Member in opposition.**

**Approved**

**3. ADJOURNMENT: Mr. Toothaker motioned to adjourn. Mr. Sawyer seconded the motion. The motion passed with all five Members in favor.**

**Adjournment  
[6:40PM]**

**View meeting at: <https://www.youtube.com/watch?v=GsxvW9ixw s&t=4s>**

**Link to video**

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Steve Salsbury, Secretary

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Date

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