

May 28, 2013 Zoning Board minutes

Posted 3/18/2014 @ 9:00 AM

North Yarmouth Zoning Board of Appeals

Meeting Minutes

Tuesday, May 28, 2013

7 PM @ Downstairs Meeting Room, Municipal Building

Michael Traister, Chairman, called the meeting to order at 7:11 PM.

In attendance: Michael Traister (Chairman), Shana Mueller, Thaddeus Day, Barbara Skelton (Code Enforcement Officer)

Absent: Ande Smith, Alan Corrow

A quorum was present.

Michael encouraged residents to consider joining the Zoning Board of Appeals as they are in need of members.

1. Minutes of April 23, 2013

The minutes were circulated by mail. There was no discussion.

Shana Mueller and Thaddeus Day seconded to approve the minutes as printed. The vote was unanimous.

2. Workshop – Thaddeus Day made a presentation on the MMA Board of Appeals Manual.

The manual is laid out by chapter and documents case law. The Zoning Board of Appeals is an independent board and the Board doesn't answer to anybody. They are a review board.

One highlight – the manual would recommend that bylaws be established for circumstances of a tie vote – Page 42 refers to tie votes reference cases.

Half of the book is references – Page 36 covers decision making questions and contains a check list for reviewing evidence.

Thad provided handouts from Title 30-A §2691 on Board of appeals and §8104-D on Personal liability – a copy of each document is attached.

Page 8 of the manual regarding the Maine Tort Claims Act was reviewed.

Site visits are covered on page 21 – a report should be given to the ZBA at the meeting and it is important to keep people together at a site walk.

Email – poses a problem of chatting about substantive issues.

Elections – to be held at the next meeting and will be for the chair and secretary.

There was a discussion about the alternates law and the 7 day rule.

Findings and development of them may be done by delay until another meeting.

The bylaws should include the election in a certain month.

3. Any other items as the Chair may deem appropriate.

There were no other items

It was moved and seconded to adjourn the meeting. The meeting ended at 8:14 pm.