

SOUTHWEST HARBOR BOARD OF APPEAL

28 SEPTEMBER 2022

MINUTES

The Board of Appeal met in person at the Town Offices to hear an Appeal for a Set Back Variance from Robert and Alice Thaggard. The Meeting was available and recorded with the Zoom video-conferencing software on September 28, 2022. to elect officers, review terms, and briefly review ordinances. Present were John Izenour, Chair, Theodore G. Fletcher, and Jane Ayres Peabody. Also present were Robert Thaggard, Appellant, John Larson, CEO, and the Zanders and Dows who are abutters.

1. The Board heard the Appeal for a Set Back Variance from the Robert and Alice Thaggard, having been denied a permit for an external garage by the Code Enforcement Officers because the proposed location was within the setback mandated by the Land Use Ordinance. The Board denied the Thaggard appeal for the reasons set out in the Finding of Fact and Decision that is attached to these Minutes. (Peabody/Fletcher)
2. The Board adopted the Conduct Policy presented by the Board of Selectmen. (Peabody/Fletcher)
3. The Board considered the proposed changes to the Board of Appeal ordinance, as proposed by Town Counsel. The Board moved to table recommendation of adoption of the changes pending further inquiry of Town Counsel of the necessity of these changes and explanation of statutory changes and case law development that may be driving these changes; the Board also seeks further consultation with the Board of Selectmen.
4. The Board moved to adjourn at 6:50 PM.

Respectfully submitted,

Theodore G. Fletcher, Secretary of the Board of Appeal