

# ZONING BOARD OF APPEALS APPLICATION

## Town of Waterboro

24 Townhouse Road  
East Waterboro, Maine 04083

Dear Applicant/Agent for an Appeal:

In order for the Board of Appeals to consider a case, the law requires that you present the Board with a complete application. The purpose of this letter is to provide you with instructions on how to meet your responsibilities, so the Board may hear your case in a timely manner.

Before filing an application, you should review the Town's ordinance(s) and make sure you understand why your permit application was denied or any other basis of your appeal to the Zoning Board of Appeals. If you do not know what zoning district your property is in or specific zoning restrictions on the property, you may obtain this information from the Code Enforcement Officer.

Next, you must provide the Board with the information required on the form given to you. You must provide the Board of Appeals with proof that you have a legal interest in the property about which you are bringing an appeal, in addition to information about the property, including any details about its physical characteristics that may be relevant to your appeal.

Then you must decide what kind of appeal you wish to bring. Your options are to bring an administrative appeal or variance appeal. The Code Enforcement Officer may give you some guidance in making this decision, but ultimately it is your decision to make, not the CEO's. What are the differences?

- An administrative appeal is an appeal from a decision of either the CEO or the Planning Board. You may file an administrative appeal if you do not agree with the Town's interpretation of the ordinance or if you think the Town made some administrative error when processing your permit application. On the application you must explain what the decision said, what you want to do with your property, why you think the decision was wrong and relief you are seeking from the Board of Appeals.
- A variance appeal is used when you cannot meet one or more of the dimensional standards of the ordinance, such as setback, lot coverage, or parking space requirements. On the application you must illustrate precisely what dimensional standards you do not meet and exactly how much of a variance you seek. You will need to provide evidence to the Board that you meet all of the standards for the type of variance that you are seeking.

**An undue hardship is required for any type of variance in a shoreland zoning district, or any variance other than a dimensional variance, in any other district. The standards for an undue hardship variance are:**

***#1. That the land in question cannot yield a reasonable return unless the variance is granted.*** The Board will review your application to determine whether you can make a beneficial use of your property without a variance. A “reasonable return” in the eyes of the law does is not a maximum financial return. The Board may grant a lesser variance than you seek if it determines that the lesser variance will result in a reasonable return.

***#2. The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood.*** This standard requires a showing that your property is somehow different from other property in the neighborhood. Differences could include its shape, its topography, or its unique location.

***#3. The granting of a variance will not alter the essential character of the locality.*** To meet #3 you must prove to the Board that what you propose to do will not change the neighborhood or pose health or safety problems.

***#4. The hardship is not the result of action taken by the applicant or a prior owner.*** For this standard, you will need to present to the Board the history of how the property was created and developed over the years.

**For a dimensional variance for a property that is not located in whole or in part in a shoreland zoning district, you must meet all of the following standards:**

***#1. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood; and***

***#2. The granting of variance will not produce an undesirable change in the character of the neighborhood and will not unreasonable detrimentally affect the use or market value of abutting properties; and***

***#3 The practical difficulty is not the result of action taken by the applicant or a prior owner; and***

***#4 No other feasible alternative to a variance is available to the applicant; and***

***#5 The granting of a variance will not unreasonable adversely affect the natural environment; and***

***#6. The property is not located in whole or in part within the shoreland area as described in 38 M.R.S.A. §435.***

As used in this section “dimensional standards” means and is limited to ordinance provisions related to lot area, lot coverage, frontage and setback of front, sides and rear requirements.

In addition to the standards for an undue hardship variance or a practical difficulty variance, Section 10.04.3 requires the Board to consider the following standards when reviewing any variance application:

1. Before a variance may be issued, the Board must determine, in addition to its finding of undue hardship or practical difficulty, that the granting of a variance would not negatively impact the best interest of the community; and

2. Undue hardship shall not be construed to include: self-imposed hardships; an inability to realize as great an economic gain as would be possible if the variance were granted; or a hardship that is not unique to the applicant's land; and

3. A variance, if granted, should necessitate only a slight departure from the stated requirements of an ordinance, usually not exceeding a fifteen (15) percent increase or decrease from the stated requirements; and

4. A variance, if granted, must not subvert the intent of the Town's Comprehensive Plan, this ordinance or local subdivision regulations as manifested in the language of the Plan or the particular provisions from which the variance is sought; and

5. A variance, if granted, must not have a harmful effect on the use of nearby land and structures insofar as that land is being used in conformity with state and local land use ordinances and regulations. The Board in granting a variance may attach appropriate conditions which will avoid harm to adjacent property owners and the public.

**BE SURE TO COMPLETE** the application form(s) and provide the Board with as much evidence in support of your case as you can. In addition to any written material submitted with the application, you may also bring to the hearing any witnesses you wish to have present evidence on your behalf about the property in question, any sworn written statements from individuals with personal knowledge of the property, and any documentation of previous building permits or ordinances.

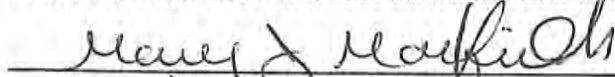
An administrative appeal must be submitted to the Board of Appeals within 30 days of the issuance of the CEO's or Planning Board's decision in order for the appeal to be heard by the Zoning Board. The Board will not hear your appeal until you have provided them with a complete application. You are also **required** to submit a fee of \$330.00 in order for the application to be judged complete.

The Town will notify property owners of the hearing on your appeal as set forth in Article 9 Section 9.05 of the Zoning Ordinance. You are responsible for the costs of such notice.

In the event you are granted a variance, you must record the variance in the Registry of Deeds within 90 days according to state law in order for the variance to be valid. The Board of Appeals will provide you with the signed form.

Any decision of the Board is subject to reconsideration or appeal within 45 days of the Board's vote.

I have read and understand the above information.

  
\_\_\_\_\_  
Applicant/Agent Signature



  
\_\_\_\_\_  
Date



Rec'd  
9/29/2021

## Town of Waterboro, Maine Zoning Board of Appeals

24 Townhouse Road  
East Waterboro, Maine 04030

Telephone: (207) 247-6166 x121

email: ceosec@waterboro-me.gov

### APPLICATION FOR ADMINISTRATIVE APPEAL

Please print LEGIBLY.

Appellant(s): Mary + Robert Maxfield

Mailing Address: 442 Flag Pond Rd Best contact number: 284-1797  
Town/State/Zip: Saco, Maine 04072 cell (207-590-1801)

Email: Mary.Maxfield@maine.edu Tax Map# 034 Lot # 001A

Physical Address: 141A West Shore Rd  
East Waterboro, ME 04030

Agent Information (if applicable):

Name: \_\_\_\_\_

Relationship to Appellant(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Town/State/Zip: \_\_\_\_\_

Best contact number: \_\_\_\_\_ Email: \_\_\_\_\_

Owner of Record: Maxfield Family Living Trust (Robert + Mary)

Deed Information: Book 15602 Page 0941-942 Date of Recording: 4/8/2009  
conf. Deed → Book 17217 Pg. 767-768 4/19/2010

An Administrative Appeal is being sought for the relief from the decision, or lack of a decision, of the Code Enforcement Officer or the Planning Board in regard to an application for a permit or use approval. The undersigned believes that: (Check one)

☐ An error was made in the denial of a permit or use.

☒ The denial was based on a misinterpretation of the ordinance.

☐ There had been a failure to approve or deny a permit or use within a reasonable period of time.

☐ Other – please specify: \_\_\_\_\_

1. Attach a copy of any relevant papers (applications, site drawings, decisions, etc.) concerning the decision by the Code Enforcement Officer or Planning Board.

2. Attach a recorded copy of the deed, sales agreement, or contract that gives you title, right, or interest in this appeal, whichever is most current.

3. Indicate what section(s) of the ordinance(s) that you believe is/are relevant to your appeal: 15(B)(4)  
15(B)(5)

4. Attach a statement describing the facts concerning your filing appeal.

I hereby acknowledge that I have read this application and pertinent sections of the ordinances, and state that the information in this document is to the best of my knowledge true and accurate.

Applicant/Agent Signature:

Printed Name(s):

Date(s) Signed:

Mary J. Maxfield

Mary J. Maxfield

9/28/2021

Robert E. Maxfield

Robert E. Maxfield



# Town of Waterboro

## Code Enforcement Office

24 Townhouse Road

East Waterboro, Maine 04030

(207) 247-6166 x120

[ceo@waterboro-me.gov](mailto:ceo@waterboro-me.gov)

September 20, 2021

Robert & Mary Maxfield  
442 Flag Pond Rd  
Saco, ME 04072

Re: 141A West Shore Rd  
E. Waterboro, ME 04030

Map / Lot 34/001A

Dear Mr. & Mrs. Maxfield,

Upon review of your most recent application regarding the three (3) retaining walls and stairs, at this time your application is denied. The retaining walls and stairs, which will be considered structures, will not meet setback requirements as defined in the Waterboro Shoreland Zoning Ordinance.

1. On your site plan there are two (2) sets of stairs which lead to the waterfront. Shoreland Zoning standards for a footpath are explained in Section 15 (B)(5).
2. The walls are considered a structure which once again are required to meet setbacks as specified in Section 15 (B)(4) of the Waterboro Shoreland Zoning Ordinance. Following a site visit with Jeff Kalinch of the MDEP, he stated they are not necessary for erosion control. He felt the slope can be covered with vegetation and stabilized in the steeper sections with large round stone.

Based on this site visit and his recommendation, I feel I must deny your application at this time. If you wish to appeal this decision you may do so with the Zoning Board of Appeals. Should you have any further questions please feel free to contact our office at (207)247-6166 ext. 121.

Thank you,

Mike Gilpatrick, CEO, LPI





**WATERBORO BUILDING PERMIT APPLICATION**  
**BUILDING & INSPECTIONS OFFICE**  
24 Town House Road  
East Waterboro, ME 04030  
247-6166 ext. 120

RECEIVED DATE

**PLEASE PRINT ALL INFORMATION CLEARLY**

Property Owner Robert + Mary Maxfield Phone No. (H) 284-1797 (C) 207 580-1801

Mailing Address 442 Flag Pond Rd Email: Mary.maxfield@  
Saco, Me 04072 maine.edu  
Application date 9/7/2021

Applicant Name (if different then owner) \_\_\_\_\_ Company Name: \_\_\_\_\_

Mailing Address \_\_\_\_\_ Phone No. (H) \_\_\_\_\_ (C) \_\_\_\_\_

Email: \_\_\_\_\_

Location of Project 141A West Shore Rd Map/Lot 34/001A District Zone Shadand

Type of permit requested: ☒ new structure ( ) remodeling/renovating ( ) residential ( ) commercial  
( ) other retaining walls for erosion + land stabilization

Square footage of all existing buildings \_\_\_\_\_ Present lot coverage ( % or sq. ft. ) \_\_\_\_\_

Present uses on the property \_\_\_\_\_

Present dwellings units 1 Total acres of the lot .13

Number of bathrooms : present \_\_\_\_\_ proposed \_\_\_\_\_

Number of bedrooms: present \_\_\_\_\_ proposed \_\_\_\_\_

{ project construction value  
\$ 32,500

Actual setbacks : front yard 50-75' side yard \_\_\_\_\_ rear yard \_\_\_\_\_

Special Zones—check all that apply: ☒ shore land ( ) floodplain ( ) wellhead protection ( )

Name of sub-division if applicable \_\_\_\_\_ Seasonal? ( ) yes or ( ) no

**CORRECT INFORMATION AND ENSURING ALL SET-BACKS ARE MET IS THE PROPERTY OWNERS RESPONSIBILITY.**

Description of work / detailed and scaled drawings required.

Tore down old camp - Built new camp back  
away from water 75-100' from HWM. As a result  
there is a slope piece of land (mostly where old camp  
was located) as a result of moving camp - land unstable

If the project is within the shore land district, you must supply Erosion Control Certification Number and the following;

Contractor Name Gary Moreau Certification # 2846

Address (excavator) Phone # \_\_\_\_\_

Robert & Mary Maxfield  
442 Flag Pond Rd  
Saco, Maine 04072

September 29, 2021

Re: 141A West Shore Rd  
East Waterboro, Maine 04030

We are requesting an administrative appeal to the decision set forth by the code enforcer dated September 20, 2021. The property in question is part of the original "Johnson Lots on Ossipee Lake" The original camp, one floor with a dirt basement, was torn down (Sept 2020) due to the fact that the sills were rotten and the walls had insect infestation. In order to get a larger footprint we had to move the camp back further from the water. The front of the new camp is at 75' NHM (24' X 28'). Due to it being a nonconforming lot we were not able to go back further as we needed space to put in a new septic and leach field. When I talked with DEP last summer the response I received was that going back from the water was something that they approved of as most people want to move structures closer to the water.

On August 6, 2021 we applied for a permit by rule with DEP. In the rule it states that "if you do not hear from the Department within 14 days of when application (including payment) is submitted then it is approved". On the last day-Aug. 20, 2021, I received an email from Anna Smith (Environmental Specialist II - Land Bureau) of DEP stating she had questions about the proposed walls. Additional pictures were sent showing the erosion that had occurred due to all the driving rain we had experienced that summer. I also explained that the walls were not for aesthetic reasons but were in fact for erosion control and land stabilization. We also plan on having grass and vegetation along the flat sections of the walls [(section 15 (4) (f)]. The only other correspondence I received was a courteous email (dated 8/23/2021) from Anna Smith stating that she had accepted my NRPA PBR application. I therefore assumed everything was fine and contacted my contractor that we were all set to begin after Labor Day. I was never notified, within the 14-day period, by Jeff Kalinch of the MDEP that my application had been denied. Mr. Kalinch did not even visit the property until the first week of September, well after the deadline had passed.

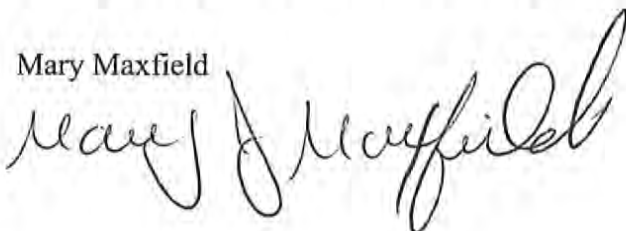


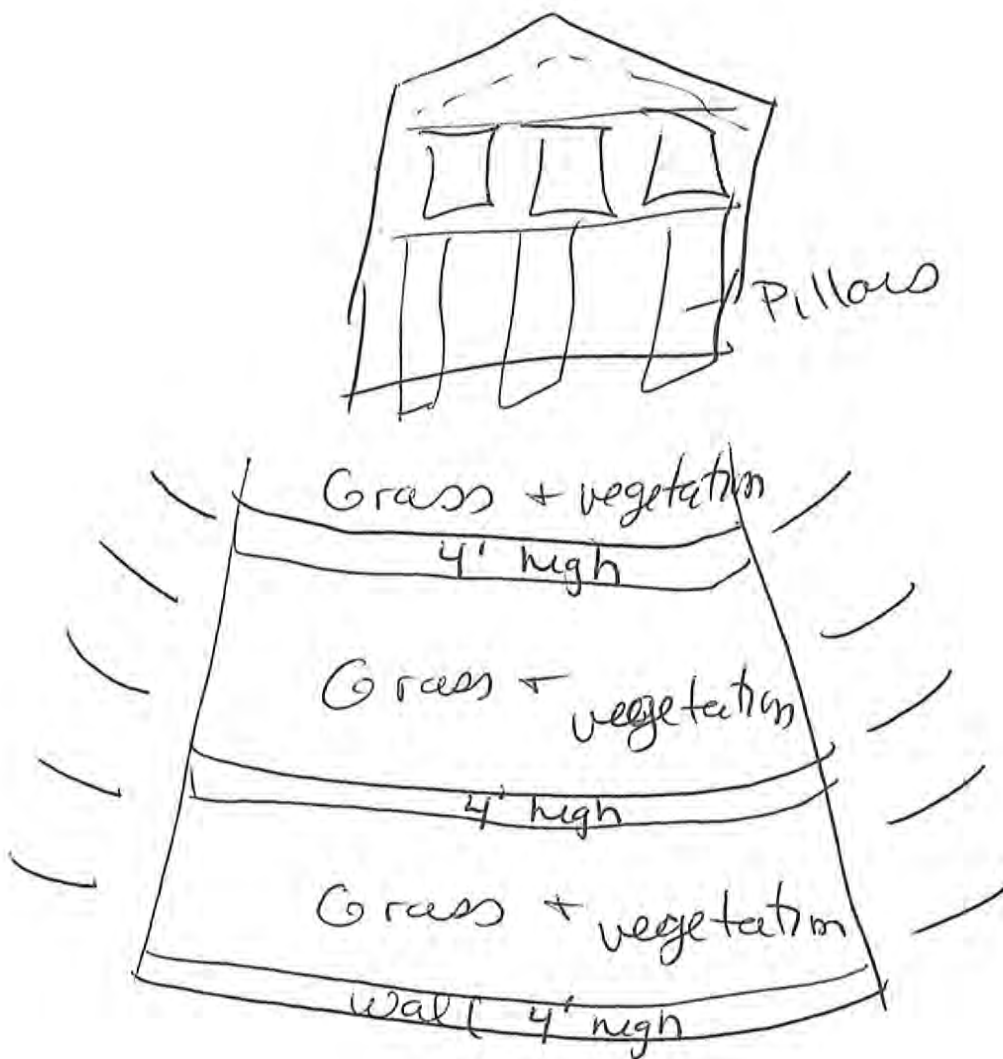
- 1) The two sets of stairs are not going all the way to the shoreline. They will end at approximately the 50' NHW, which is further back then where the original camp was located. The stairs are necessary to allow access to both sides of the property in order to adequately and safely maintain the property. I understand that the maximum width of the stairs shall not be greater than 4' in width as stated in the Shoreland Zoning Ordinance Section 15(B)(5).
- 2) As stated in Section 15 (B) (4) of the Waterboro Shoreline Zoning Ordinance "retaining walls that are not necessary for erosion control shall meet the setback requirements". I believe that the tiered walls are indeed needed to help with land stabilization and to stop further erosion. (pictures attached) I do not agree with Jeff Kalinch of the MDEP that the walls are not needed for erosion control and that the slope can be covered with vegetation and stabilized with large round stones. A great deal more erosion due to rain, snow, and ice would not give any vegetation the time to grow roots. As for the "large round stones" Mr. Kalinch proposed to help stabilize the steeper sections. I believe that this would potentially be more of an issue if the land under and around the stones washed away which would result in the large round stones rolling into the lake. The excavator on the job, who is state certified in erosion control (#2846), also agreed that tiered walls would be a good solution to the erosion situation.

The granting of the variance will not alter the essential character of the locality. (Unlike the use of large round stones). The proposed walls are like other retaining walls located on the lake and allow property to be maintained and yet does not take away from the beauty of the lake.

Thank you for your consideration in this matter.

Mary Maxfield

A handwritten signature in cursive script, appearing to read "Mary Maxfield", written in dark ink.



flat area  
loom an grass  
planted.

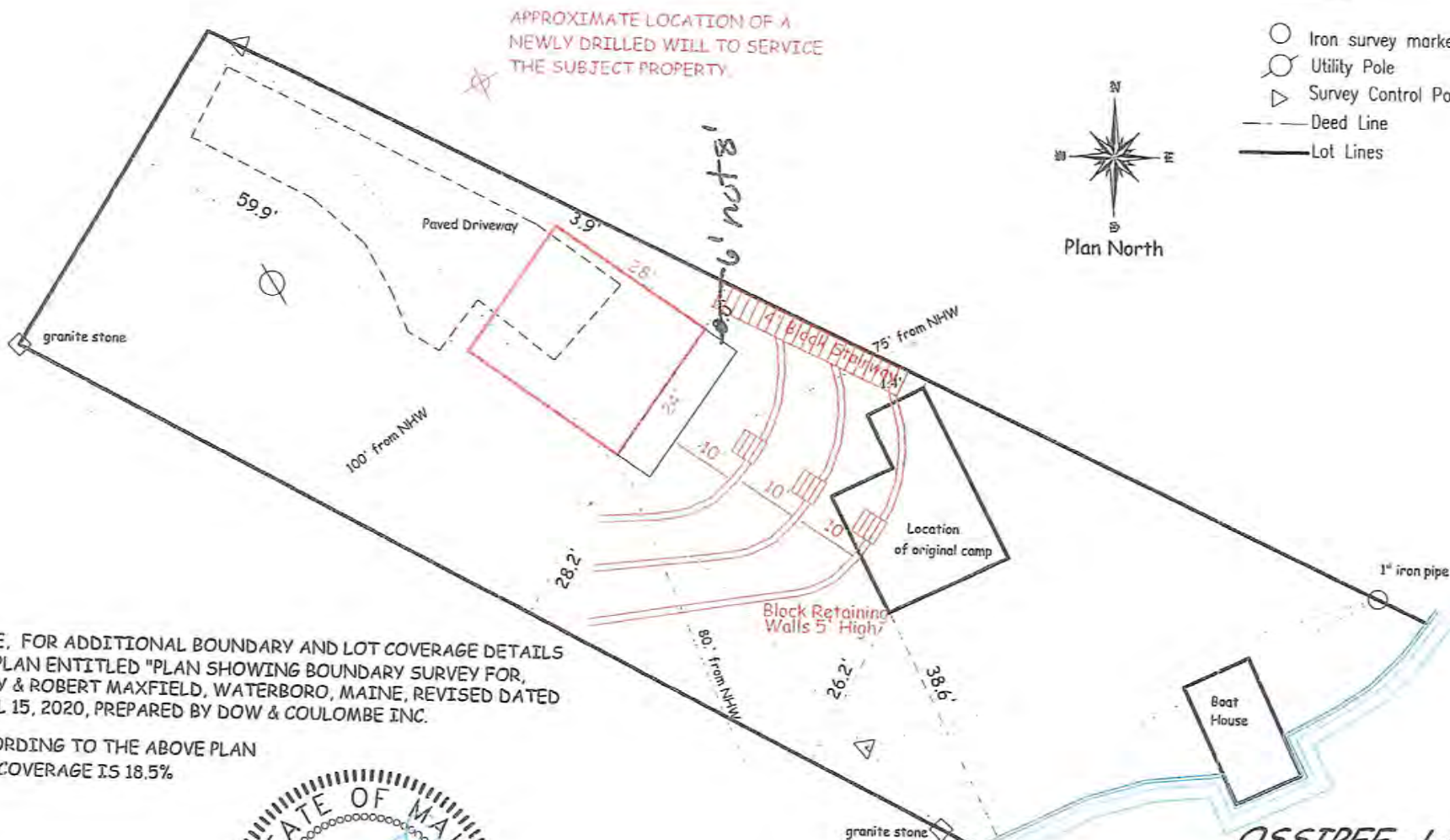
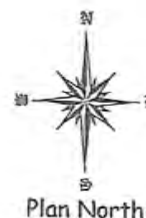
Present Stone wall

not to  
Scale

Shaeline

# LEGEND

- Iron survey marker found
- Utility Pole
- △ Survey Control Point
- - - Deed Line
- Lot Lines



NOTE, FOR ADDITIONAL BOUNDARY AND LOT COVERAGE DETAILS  
SEE PLAN ENTITLED "PLAN SHOWING BOUNDARY SURVEY FOR,  
MARY & ROBERT MAXFIELD, WATERBORO, MAINE, REVISED DATED  
APRIL 15, 2020, PREPARED BY DOW & COULOMBE INC.

ACCORDING TO THE ABOVE PLAN  
LOT COVERAGE IS 18.5%



## CERTIFICATION

I hereby certify to Mary & Robert Maxfield that this survey meets all the  
requirements of the Board of Licensure for Land Surveyors of the State  
of Maine, for its expressed purpose, to the best of my knowledge and belief.

**OSSIPEE LAKE**  
**Site Plan Update**  
**New Well Location and**  
**Block Retaining Wall for Erosion Control**  
141A West Shore Road  
Waterboro, Maine  
for

**Mary & Robert Maxfield**

Scale 1"=25' Aug. 5, 2021

Prepared by Stephen W. Everett PLS 2161





BK 17217 PGS 767 - 768  
INSTR # 2016014142  
RECEIVED YORK SS

04/19/2016 03:03:42 PM  
DEBRA ANDERSON  
REGISTER OF DEEDS

### CONFIRMATORY DEED

PENNY A. CURTIS, f/k/a PENNY A. PROVOST, of Waterboro, County of York and State of Maine, for consideration paid, hereby grants to MARY J. MAXFIELD and ROBERT E. MAXFIELD, Trustees of the MAXFIELD FAMILY LIVING TRUST, whose mailing address is 442 Flag Pond Road, Saco, ME 04072, the following property:

A certain lot or parcel of land, situated in the Town of Waterboro, County of York and State of Maine, bounded and described as follows:

All my right, title and interest to that certain land situated on the Westerly side of Ossipee Lake, so-called, in said Waterboro, located on the Easterly side of a certain right-of-way as shown on the Plan entitled "Johnson Lots on Ossipee Lake In Waterboro, York County, Me." Extension of Plan recorded in Book 11, Page 119 dated 1933 made by Ernest G. Knights and recorded in the York County Registry of Deeds in Plan Book 11, Page 133, (Plan) being all of that land, together with any improvements thereon, lying Northeasterly of the hereinbelow described line.

BEGINNING at a 4" x 6" granite monument approximately 4 inches tall located on the Southeasterly side of the above referenced right-of-way, which monument also marks the Southwesterly corner of Lot V8 as shown on the aforementioned Plan, being the lot owned by the Grantee herein and the Northwesterly corner of lot V7 shown on the aforementioned Plan, being the lot owned by the Grantors herein; thence S 63° 8' 20" E a distance of approximately One Hundred Sixty and Sixty-nine Hundredths (160.69') feet as measured through another 4" x 6" granite monument to the apparent low water line at the shore of Ossipee Lake.

The purpose of this deed is to confirm and define the common boundary line of the properties of the Grantors and the Grantee herein.

2pg Woodmen, Edmund

### WARRANTY DEED

I, **CHARLENE F. JOHNSON**, of Saco, County of York, State of Maine, for consideration paid, grant to **MARY J. MAXFIELD and ROBERT E. MAXFIELD, Trustees of the Maxfield Family Living Trust**, of Saco, County of York, State of Maine, with a mailing address is 442 Flag Pond Road, Saco, ME 04072, with **WARRANTY COVENANTS**, as joint tenants, the land in Waterboro, York County, Maine, described as follows:

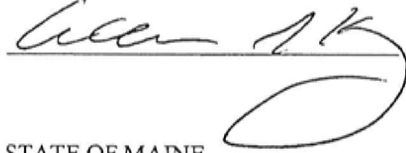
A certain lot or parcel of land with the buildings thereon, situated on the westerly shore line of Ossipee Lake, so-called, in Waterboro, in said County of York, and being the southerly section or part of the camp lot numbered and designated as "V 8", described on a certain plan recorded in York Registry of Deeds in Plan Book numbered 11, and entitled: "Johnson Lots on Ossipee Lake, in Waterboro, York County, Maine", extension of Plan recorded in Book 11, Page 119, and more particularly bounded and described as follows: Beginning at an iron pipe driven in the ground for the northeasterly corner of land now or formerly owned by Charles S. Towle on lot number "V 7", which iron pipe is also the corner of the premises hereby conveyed; thence running north  $29 \frac{1}{2}^{\circ}$  East, fifty-seven (57) feet, more or less, running by the avenue, or street, shown on said Plan, to an iron pipe driven in the ground; thence running in a more or less easterly direction by the line of land now or formerly owned by Kenneth A. Stackpole et al (formerly Robert Smart) to an iron pipe driven in the ground at the shore line of said Lake as a corner of the Stackpole lot, and which is a corner of the lot hereby conveyed; thence running southerly by the shore line, aforesaid, to a stone post in the ground at the shore line of said Lake, said post being the corner of lot numbered "V 7", aforesaid, the land now or formerly of said Charles S. Towle; thence running westerly, one hundred and seventy-five (175) feet, more or less, by said Towle land to the iron pipe begun at.


Together with all my right, title and interest in and to a right of way over any and all streets and avenues as shown on Plan of Johnson Lots on Ossipee Lake, above-mentioned, and over any and all streets and avenues that may be hereafter constructed by the owners of said Johnson Development for the benefit and enjoyment of lot owners therein, and all title and rights to the lake shore between the sidelines of the above described premises prolonged in straight lines to the water, said rights being the same described in a Quitclaim Deed from Frank W. Wormwood and Lewis C. Wormwood to Donald R. Pitman dated July 28, 1954 and recorded in said Registry, Book 1260, Page 352.

Being a portion of the premises conveyed by deed of Kenneth A. Stackpole to Charlene F. Johnson dated June 10, 2003 and recorded in the York County Registry of Deeds in Book 13008, Page 140.

WITNESS my hand and seal, this 31<sup>st</sup> day of March, 2009.

Witness:



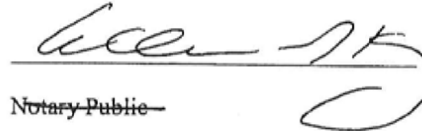
  
Charlene F. Johnson

STATE OF MAINE  
COUNTY OF YORK

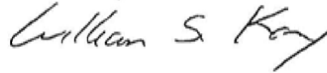
March 31, 2009

Then personally appeared the above named Charlene F. Johnson, and acknowledged the foregoing instrument to be her free act and deed.

Before me,

  
~~Notary Public~~

Attorney-at-Law



End of Document

SMITH ELLIOTT SMITH & GARMEY  
P.O. BOX 1179  
SACO, ME 04072



8/8



In addition to the above referenced Plan, reference may also be had to the deed of Charlene F. Johnson to the Grantee herein by deed dated March 31, 2009 and recorded in said Registry of Deeds in Book 15602, Page 941. Reference may also be had to deed of Robert C. Hurrell to John Provost dated May 21, 1997 and recorded in said Registry of Deeds in Book 8267, Page 8. Further reference may be had to deed of John Provost to Penny Provost dated May 7, 2002 and recorded in said Registry of Deeds in Book 11612, Page 001.

WITNESS my hand this 12 day of April, 2016.

Eric Cote  
Witness

Penny A. Curtis  
Penny A. Curtis, f/k/a  
Penny A. Provost

STATE OF MAINE  
YORK, SS.

4/12, 2016

Personally appeared the above named Penny A. Curtis, f/k/a Penny A. Provost and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Eric Cote

Notary Public / Attorney at Law

Printed Name: ERIC COTE

RETURN TO:

Thomas Danylik, Esquire  
P.O. Box 468  
Biddeford, ME 04005-0468


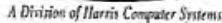
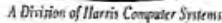
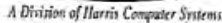
# Waterboro

Map Lot 034-001A

Account 4945

Location 141 WEST SHORE ROAD

Card 1 Of 1 9/06/2016

Building Style 0			SF Bsmt Living 0			Layout 0		
1.Conv	5.Garr/Col	9.Other	Fin Bsmt Grade 0 0			1.Typical 4. 7.		
2.Ranch	6.Split	10.Mohome	OPEN 5 OPTIONAL 0			2.Inadeq 5. 8.		
3.R Ranch	7.Contemp/	11.Condo	Heat Type 100% 0			3.Not func 6. 9.		
4.Cape	8.Log	12.	1.HWBB 5.FWA 9.No Heat			Attic 0		
Dwelling Units 0			2.HWCI 6.GravWA 10.			1.1/4 Fin 4.Full Fin 7.		
Other Units 0			3.HWRAD 7.Electric 11.			2.1/2 Fin 5.F/Stair 8.		
Stories 0			4.Steam 8.F/WallM 12.			3.3/4 Fin 6. 9.None		
1.1	4.1.50	7.1.25	Cool Type 0% 9 None			Insulation 0		
2.2	5.1.75	8.	1.Refrig 4.W&C Air 7.			1.Full 4.Minimal 7.		
3.3	6.2.50	9.	2.Evapor 5. 8.			2.Heavy 5.Unk 8.		
Exterior Walls 0 Wood Siding			3.H Pump 6. 9.None			3.Capped 6. 9.None		
0.Wood	4.Asb/Asph	8.Alum/Vin	Kitchen Style 0			Unfinished % 0%		
1.Wood	5.T-111	9.Other	1.Modern 4.Obsolete 7.			Grade & Factor 0 0%		
2.Wd Sh	6.Br/St	11.	2.Typical 5. 8.			1.E Grade 4.B Grade 7.AAA Grad		
3.Compos.	7.Nov	12.	3.Old Type 6. 9.None			2.D Grade 5.A Grade 8.		
Roof Surface 0			Bath(s) Style 0			3.C Grade 6.AA Grade 9.Same		
1.Asphalt	4.Composit	7.	1.Modern 4.Obsolete 7.			SQFT (Footprint) 0		
2.Slate	5.Wood	8.	2.Typical 5. 8.			Condition 0		
3.Metal	6.Other	9.	3.Old Type 6. 9.None			1.Poor 4.Avg 7.V G		
SF Masonry Trim 0			# Rooms 0			2.Fair 5.Avg+ 8.Exc		
OPEN-3-CUSTOM 0			# Bedrooms 0			3.Avg+ 6.Good 9.Same		
OPEN-4-CUSTOM 0			# Full Baths 0			Phys. % Good 0%		
Year Built 0			# Half Baths 0			Funct. % Good 100%		
Year Remodeled 0			# Addn Fixtures 0			Functional Code 9 None		
Foundation 0			# Fireplaces 0			1.Incomp 4.Small 7.Layout		
1.Concrete	4.Wood	7.				2.O-Built 5.CDU 8.Other		
2.C Block	5.Slab	8.				3.Damage 6.Style 9.None		
3.Br/Stone	6.Prs/Post	9.				Econ. % Good 100%		
Basement 0			Economic Code None					
1.1/4 Bmt	4.Full Bmt	7.				0.None 3.Services 7.		
2.1/2 Bmt	5.None	8.				1.Location 4.Traffic 8.		
3.3/4 Bmt	6.	9.None				2.Encroach 9.None 9.		
Bsmt Gar # Cars 0			Entrance Code 0					
Wet Basement 0						1.Interior 4.Vacant 7.		
1.Dry	4.	7.	2.Refusal 5.Estimate 8.					
2.Damp	5.	8.	3.Informed 6.Office 9.					
3.Wet	6.	9.	Information Code 0					
						1.Owner 4.Agent 7.		
						2.Relative 5.Estimate 8.		
						3.Tenant 6.Other 9.		

Date Inspected

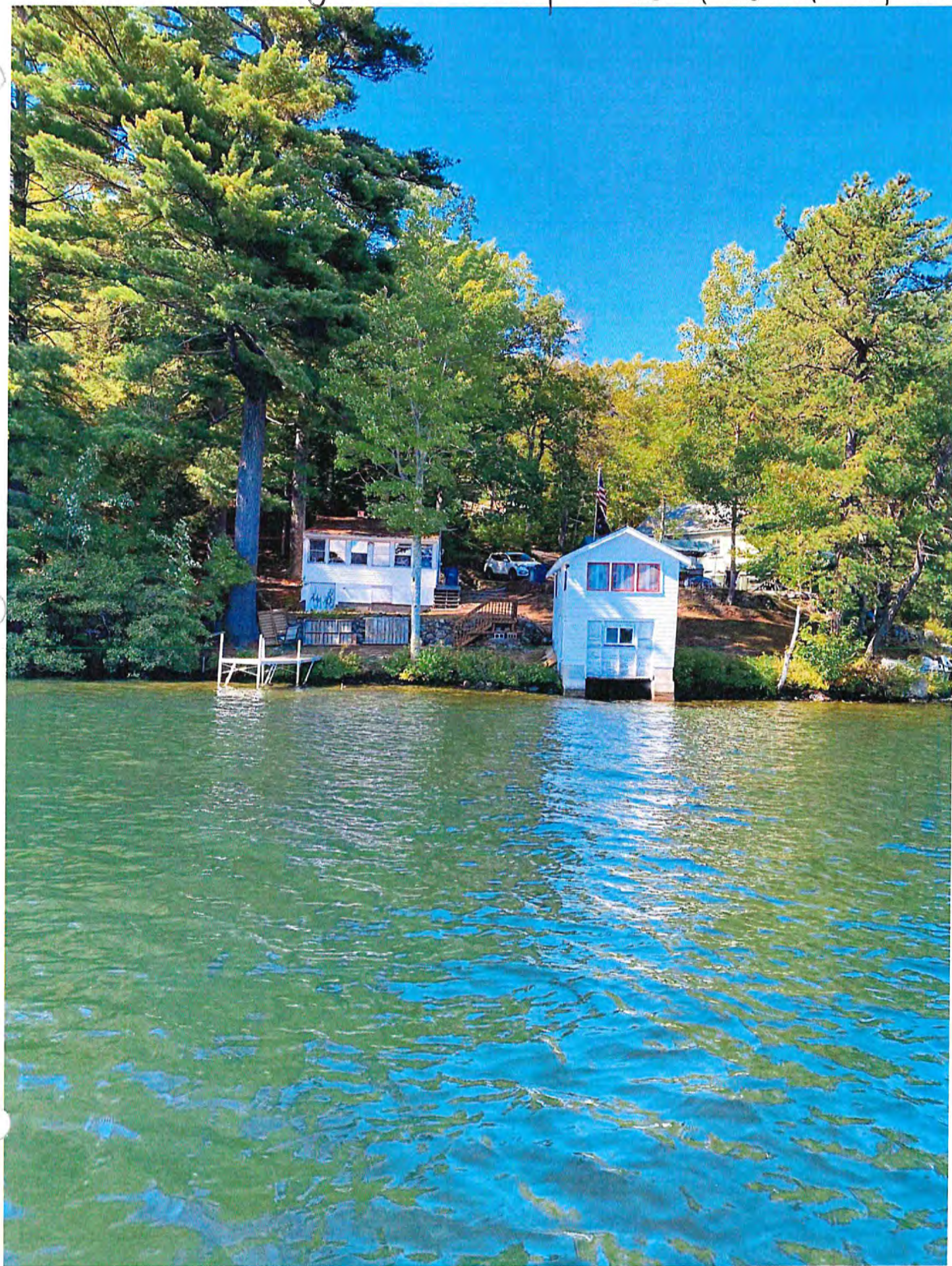
## Additions, Outbuildings & Improvements

Type	Year	Units	Grade	Cond	Phys.	Funct.	Sound Value	
121 CAMP/CABIN	1940	180	3 100	3	75 %	100 %		1.One Story Fram
1 One Story Frame	1940	620	3 100	3	75 %	100 %		2.Two Story Fram
21 Open Frame	0	22	3 100	3	75 %	0 %		3.Three Story Fr
					%	%		4.1 & 1/2 Story
					%	%		5.1 & 3/4 Story
					%	%		6.2 & 1/2 Story
					%	%		21.Open Frame Por
					%	%		22.Encl Frame Por
					%	%		23.Frame Garage
					%	%		24.Frame Shed
					%	%		25.Frame Bay Wind
					%	%		26.1SFr Overhang
					%	%		27.Unfin Basement
					%	%		28.Unfinished Att
					%	%		29.Finished Attic





original camp torn down Sept 2020







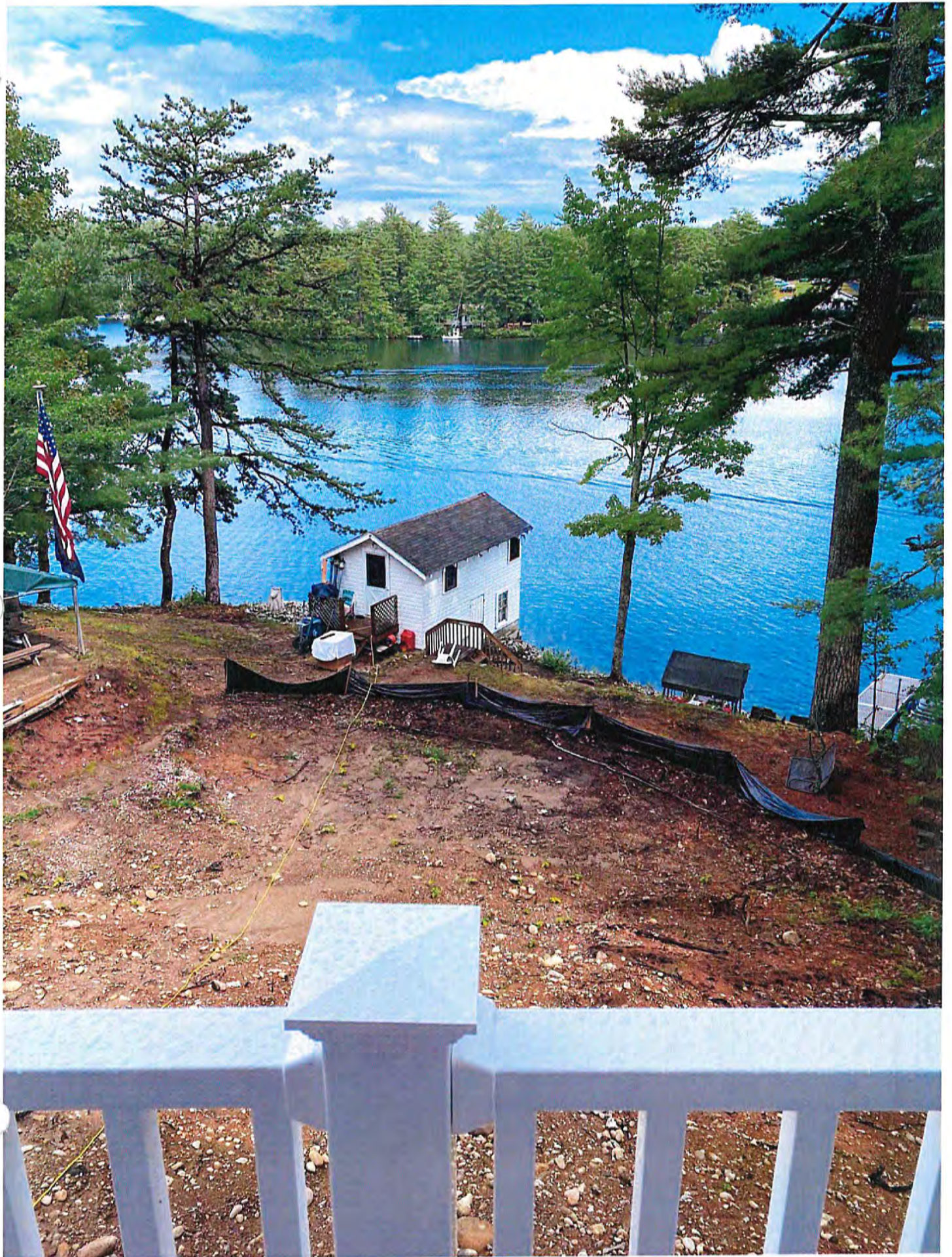


new camp 2021





July 30, 2021





Aug 2, 2021





Aug 29, 2021





Aug. 29, 2021





Aug 29,  
2021





Aug 29, 2021







Have been  
using hay bales  
as a temporary  
solution.

corner of  
pillar has  
little land  
for support.

Sept. 5, 2021





Sept. 5, 2021





Sept. 5, 2021

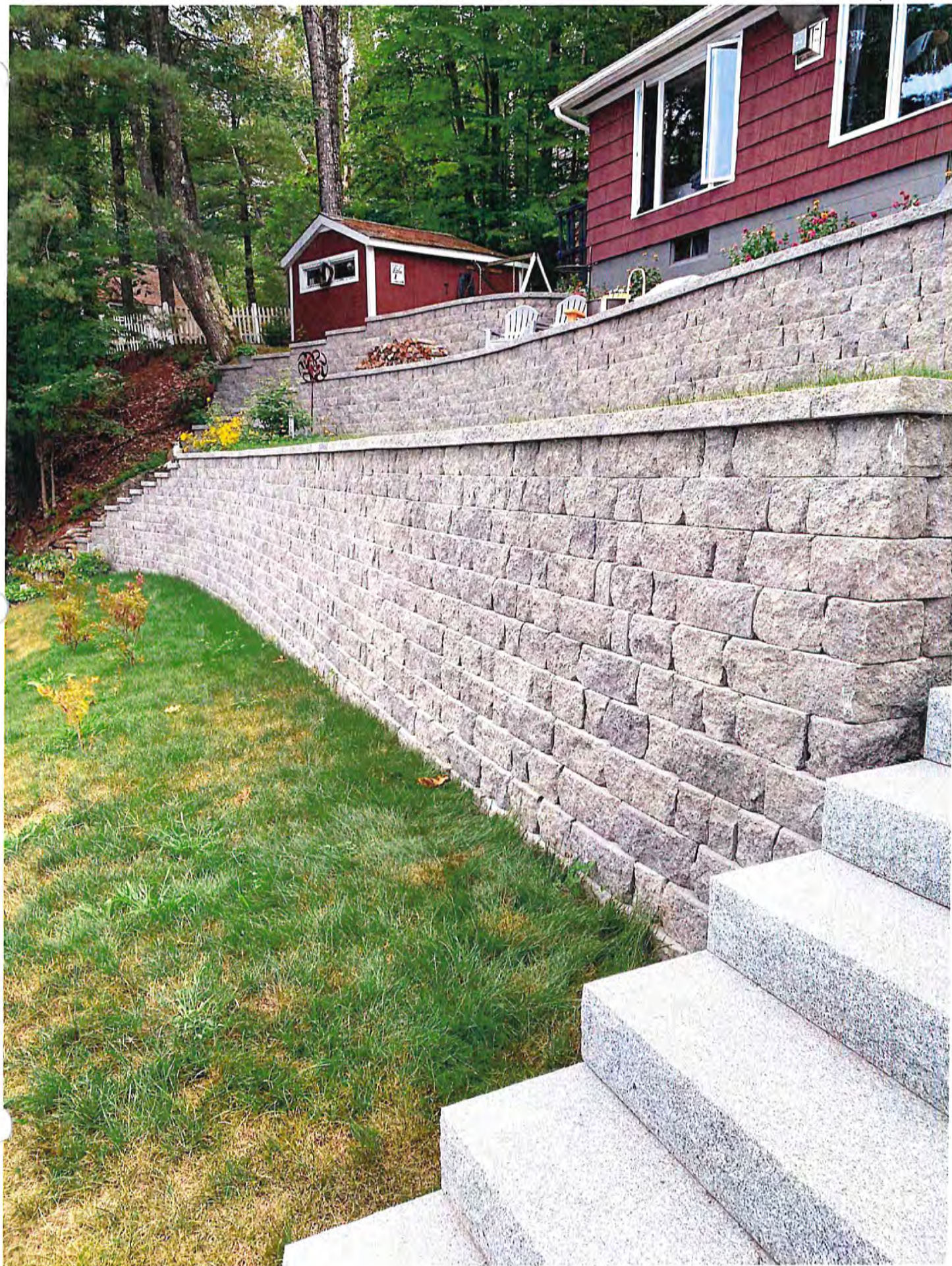




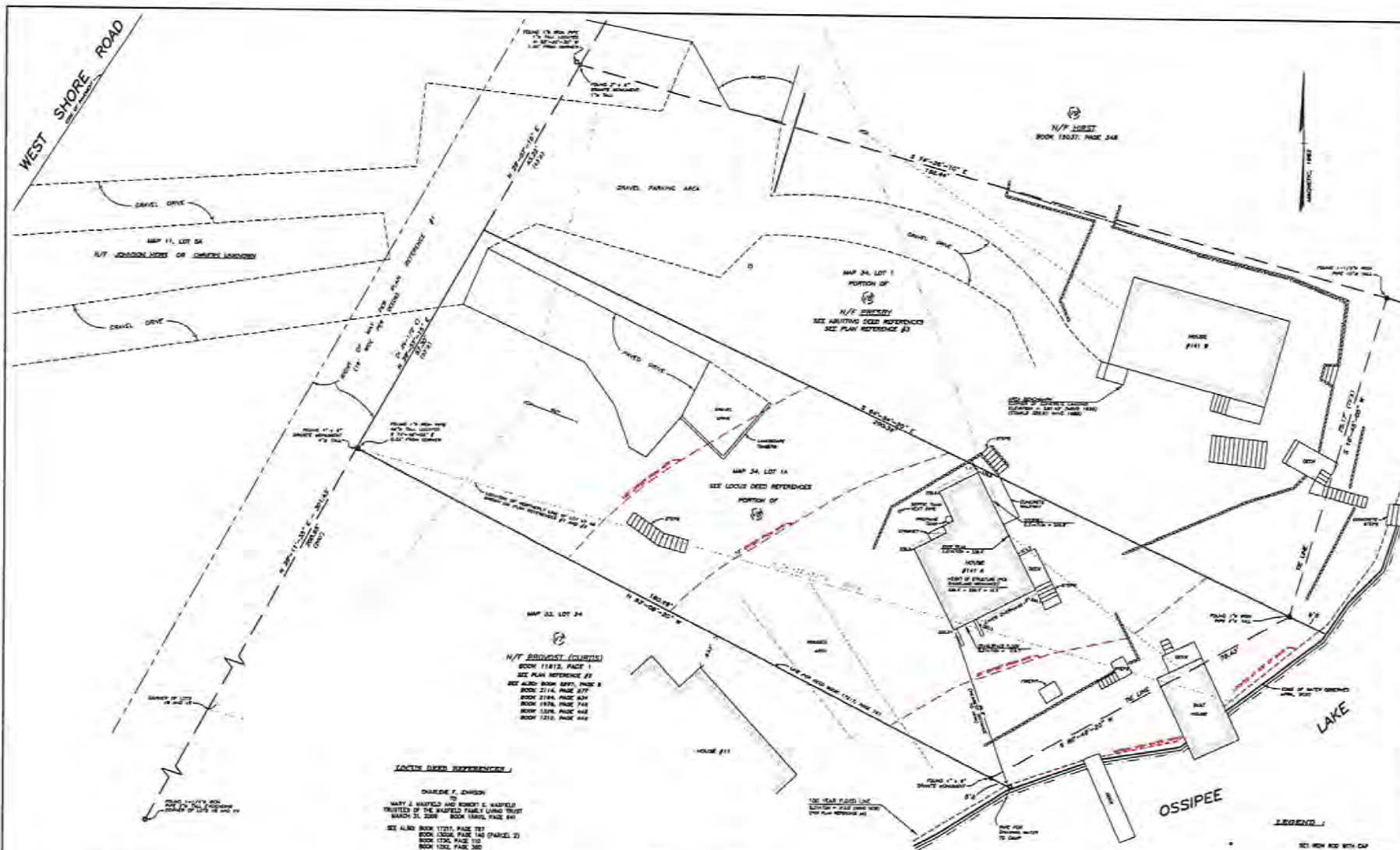
Sept. 5,  
2021



This is similar to what we are proposing







No.	Revision	Date
1	As Surveyed	January 15, 2018



PLAN SHOWING A BOUNDARY SURVEY MADE FOR  
**MARY J. MAXFIELD AND  
 ROBERT E. MAXFIELD**  
 (MAINE ADDRESS: 445 FINE FORD ROAD, SACO, MAINE 04072)  
 PARCEL LOCATED AT 1414 WEST SHORE ROAD  
**WATERBORO MAINE**

**Dow & Coulombe, Inc.**  
 Land Surveyors & Land Planners Since 1864  
 13 Paul Street, Saco, Maine 04072  
 Telephone: (207) 284-4551 • Fax: (207) 284-4552  
 info@dowcoulombe.com • www.dowcoulombe.com

Date: **JANUARY 15, 2018**  
 H. Scale: Drawn by: **1" = 10' (25)**  
 C&G by: **APP'D by:**  
 MLC **POS**

SHEET 1 OF 1  
**ZONE-56**  
 (CITY OF MAINE)

- LOT AREA COVERAGE NOTES:**
- THE AREA OF THE SURVEY PARCEL TO THE OBSERVED WATER LINE EQUALS 11,506.6 SQUARE FEET
  - THE SURVEY PARCEL IS LOCATED WITHIN AN A-2 ZONE (AGRICULTURE AND RESIDENTIAL)
- AREA OF NON-DEVELOPED SURFACES TO SURVEY PLOT AND OBSERVATION OF TOTAL PARCEL AREA:**
- | ITEM   | AREA           | AREA           |
|--|----------------|----------------|
| HOUSE, BOAT HOUSE, STEPS, DECK, AND EXTERIOR OVERHANGS | 885.6          | (7.72)         |
| GRAVEL DRIVE, PAVED DRIVE, DRIVE, AND CONCRETE WALKWAY | 1,377.4        | (11.92)        |
| <b>TOTAL</b>   | <b>2,263.0</b> | <b>(19.64)</b> |
- \* EXCLUDES PART OF BOAT HOUSE HANGING OVER OBSERVED WATER LINE
- LOCUS DEED REFERENCES:**
- CHARLES E. JOHNSON  
 TO  
 MARY J. MAXFIELD AND ROBERT E. MAXFIELD  
 TRUSTEES OF THE MAXFIELD FAMILY TRUST  
 MARCH 21, 2009 BOOK 13002, PAGE 841  
 SEE ALSO BOOK 13002, PAGE 787  
 BOOK 13002, PAGE 140 (PARCEL 2)  
 BOOK 13002, PAGE 150  
 BOOK 13002, PAGE 300  
 BOOK 13002, PAGE 304  
 BOOK 13002, PAGE 308  
 BOOK 13002, PAGE 310  
 BOOK 13002, PAGE 312
- ADJUTING DEED REFERENCES:**
- CHARLES E. JOHNSON  
 TO  
 LINDA A. PRESTON AND JOSEPH W. PRESTON  
 MARCH 21, 2009 BOOK 13002, PAGE 830  
 SEE ALSO BOOK 13002, PAGE 140 (PARCEL 1)  
 BOOK 13002, PAGE 148  
 BOOK 13002, PAGE 222 AND 289  
 BOOK 13002, PAGE 290
- PLAN REFERENCES:**
- JOHNSON LOTS ON OSSEEP LAKE WATERSHED, YORK COUNTY, ME. EXTENSION OF PLAN RECORDED IN 11, 1077, DATED 1923 BY LINDA E. JOHNSON, RECORDING AT THE YORK COUNTY REGISTER OF DEEDS IN PLAN BOOK 11, PAGE 133.
  - PLAN SHOWING A STANDARD BOUNDARY SURVEY MADE FOR POINT PROPERTY OF PROPERTY LOCATED AT 11 EITHER LAND WATERSHED NAME DATED AUGUST 11, 2009 BY NORTH LAND SURVEYING, LLC.
  - PLAN SHOWING A BOUNDARY SURVEY MADE FOR LINDA A. PRESTON AND JOSEPH W. PRESTON, WATERSHED, MAINE, DATED JANUARY 7, 2014, MADE BY DOW & COULOMBE, INC.
  - DEED - FROM COMMUNITY FARM, MAINE 2009 BOOK 13002, WITH EXTENSION DATED FEBRUARY 1, 1988.
- NOTES:**
- TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY CONTAINS NO STATE OF MAINE BOARD OF LANDS FOR PROFESSIONAL LAND SURVEYING STANDARDS CHAPTER 640, REVISED 2009.
  - AREA EQUALS 11,506.6 SQUARE FEET OR 0.264 ACRES TO THE OBSERVED WATER LINE.
  - INFORMATION IN PARAGRAPHS COPIED FROM DEED AND PLAN REFERENCES.
  - LOT NUMBERS (1) REFER TO PLAN REFERENCE (1).
  - REFERENCE IS MADE TO AFFIDAVIT GIVEN BY ROBERT E. MAXFIELD (PREVIOUS OWNER OF RECORD OF LOTS 18 AND 19) DATED FEBRUARY 6, 2011.
  - ELEVATION NOTE IN SURVEYING RECORDS VERTICAL DATUM OF 1985 (NAVD 83) IS CONVERTED TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) BY ADDING 1.48 FEET TO THE ELEVATION OF THE SURVEY POINT.
  - THE NORMAL HIGH WATER LINE IS DETERMINED BY THE TIDE OF SURVEYING AS THAT LINE WHICH IS APPARENT FROM USABLE MARKERS CHANGES IN THE CHARACTER OF TIDE DUE TO PROLONGED ACTION OF THE WATER IN CHANGES IN VELOCITY AND WHICH DETERMINES BETWEEN PROBABLY AQUATIC AND PROBABLY AQUATIC TERRESTRIAL LAND.
- LEGEND:**
- SEE HIGH AND LOW WATER
  - UTILITY POLE
  - LIGHT POLE
  - CHIMNEY
  - HOUSE OR FURNACE
  - OVERHEAD UTILITY LINES
  - STONE & MASONRY RETAINING WALL
  - SPOT ELEVATION (NOT PLUS SIGN)
- GRAPHIC SCALE**
- 1" = 10' (25)  
 1" = 10' (25)  
 1" = 10' (25)

**Town of Waterboro**  
**ZONING BOARD OF APPEALS**

The Town of Waterboro Zoning Board of Appeals will hold a public hearing on October 21, 2021 at 6:30 p.m. at the Town Hall. The purpose of this hearing is to review the administrative appeal request of Robert & Mary Maxfield (Tax Map 034 Lot 001A). The applicant is requesting and administrative appeal to build retaining walls within the Town of Waterboro Shoreland Zone.

The application can be viewed at the code enforcement office during regular business hours.

Robert Leeman  
Vice - Chairman





# 200 foot Abutters List Report

Waterboro, ME  
October 04, 2021

## Subject Property:

Parcel Number: 034-001A  
CAMA Number: 034-001A  
Property Address: 141 WEST SHORE ROAD

Mailing Address: MAXFIELD MARY J & ROBERT E  
TRUSTEES,  
442 FLAG POND ROAD  
SACO, ME 04072

---

## Abutters:

Parcel Number: 011-005A  
CAMA Number: 011-005A  
Property Address: 0 WEST SHORE ROAD

Mailing Address: PROVOST, JOHN K & CHRISTINE M  
4 BRUNO CIRCLE  
SACO, ME 04072

Parcel Number: 033-024  
CAMA Number: 033-024  
Property Address: 11 ESTHER LANE

Mailing Address: CURTIS, PENNY A  
11 ESTHER LN  
E WATERBORO, ME 04030

Parcel Number: 033-025  
CAMA Number: 033-025  
Property Address: 9 ESTHER LANE

Mailing Address: BORNSTEIN DONALD I & DOROTHY S H  
1935 ACADIA GREENS DR  
SUN CITY CTR, FL 33573

Parcel Number: 034-001  
CAMA Number: 034-001  
Property Address: 141 WEST SHORE ROAD

Mailing Address: MARY MAXFIELD, TRUSTEE  
456 FLAG POND ROAD  
SACO, ME 04072

Parcel Number: 034-002  
CAMA Number: 034-002  
Property Address: 143 WEST SHORE ROAD

Mailing Address: HIRST, CAROLINE M.  
PO BOX 145  
N WATERBORO, ME 04061

Parcel Number: 034-003  
CAMA Number: 034-003  
Property Address: 145 WEST SHORE ROAD

Mailing Address: BROWN RONALD A & OLSON SHIRLEY\*  
C/O KATHY OLSON FERENT 109 DONNA  
RD  
HOLLISTON, MA 01746



www.cai-tech.com

10/4/2021

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Page 1 of 1

## **Zoning Board of Appeals**

October 4, 2021

**John & Christine Provost**  
**4 Bruno Circle**  
**Saco, ME 04072**

***SUBJECT: Tax Map 034 Lot 001A, 141A West Shore Road, E. Waterboro, 04061***

As an abutter to the subject property, I am writing to advise you that the Waterboro Zoning Board of Appeals will hold a Public Hearing on **Thursday, October 21, 2021 at 6:30 p.m.** at the Waterboro Town Hall.

The property owner, Robert & Mary Maxfield is seeking an administrative appeal regarding the denial of construction permit for retaining walls in the shoreland zone.

This application may be viewed at the town hall Code/Planning Office during regular business hours or at [www.waterboro-me.gov](http://www.waterboro-me.gov).

If you have any questions, you may contact me at 207-247-6166x121 or [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov).

Sincerely,

Angela Theriault  
Zoning Board of Appeals Admin Assistant  
(207) 247-6166x121  
Email: [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov)



## **Zoning Board of Appeals**

October 4, 2021

**Penny Curtis  
11 Esther Lane  
E. Waterboro, ME 04030**

***SUBJECT: Tax Map 034 Lot 001A, 141A West Shore Road, E. Waterboro, 04061***

As an abutter to the subject property, I am writing to advise you that the Waterboro Zoning Board of Appeals will hold a Public Hearing on **Thursday, October 21, 2021 at 6:30 p.m.** at the Waterboro Town Hall.

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Sincerely,

Angela Theriault  
Zoning Board of Appeals Admin Assistant  
(207) 247-6166x121  
Email: [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov)

## **Zoning Board of Appeals**

October 4, 2021

**Donald & Dorothy Bornstein**  
**1935 Acadia Greens Dr.**  
**Sun City Ctr., FL 33573**

***SUBJECT: Tax Map 034 Lot 001A, 141A West Shore Road, E. Waterboro, 04061***

As an abutter to the subject property, I am writing to advise you that the Waterboro Zoning Board of Appeals will hold a Public Hearing on **Thursday, October 21, 2021 at 6:30 p.m.** at the Waterboro Town Hall.

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Sincerely,

Angela Theriault  
Zoning Board of Appeals Admin Assistant  
(207) 247-6166x121  
Email: [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov)



## **Zoning Board of Appeals**

October 4, 2021

**Mary Maxfield, Trustee**  
**456 Flag Pond Road**  
**Saco, ME 04072**

***SUBJECT: Tax Map 034 Lot 001A, 141A West Shore Road, E. Waterboro, 04061***

As an abutter to the subject property, I am writing to advise you that the Waterboro Zoning Board of Appeals will hold a Public Hearing on **Thursday, October 21, 2021 at 6:30 p.m.** at the Waterboro Town Hall.

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Sincerely,

Angela Theriault  
Zoning Board of Appeals Admin Assistant  
(207) 247-6166x121  
Email: [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov)

## **Zoning Board of Appeals**

October 4, 2021

**Caroline Hirst**  
**Po Box 145**  
**N. Waterboro, ME, 04061**

***SUBJECT: Tax Map 034 Lot 001A, 141A West Shore Road, E. Waterboro, 04061***

As an abutter to the subject property, I am writing to advise you that the Waterboro Zoning Board of Appeals will hold a Public Hearing on **Thursday, October 21, 2021 at 6:30 p.m.** at the Waterboro Town Hall.

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If you have any questions, you may contact me at 207-247-6166x121 or [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov).

Sincerely,

Angela Theriault  
Zoning Board of Appeals Admin Assistant  
(207) 247-6166x121  
Email: [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov)



## **Zoning Board of Appeals**

October 4, 2021

**Ronald Brown & Shirley Olson  
C/O Kathy Olson Ferent  
109 Donna Rd  
Holliston, MA 01746**

***SUBJECT: Tax Map 034 Lot 001A, 141A West Shore Road, E. Waterboro, 04061***

As an abutter to the subject property, I am writing to advise you that the Waterboro Zoning Board of Appeals will hold a Public Hearing on **Thursday, October 21, 2021 at 6:30 p.m.** at the Waterboro Town Hall.

The property owner, Robert & Mary Maxfield is seeking and administrative appeal regarding the denial of construction permit for retaining walls in the shoreland zone.

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If you have any questions, you may contact me at 207-247-6166x121 or [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov).

Sincerely,

Angela Theriault  
Zoning Board of Appeals Admin Assistant  
(207) 247-6166x121  
Email: [ceosec@waterboro-me.gov](mailto:ceosec@waterboro-me.gov)