

# **Bond Case Briefs**

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## **ZONING - MAINE**

### **Day v. Town of Phippsburg**

**Supreme Judicial Court of Maine - February 10, 2015 - A.3d - 2015 ME 13**

Owner of property abutting beachfront lot filed a complaint against owner of lot and town, seeking a declaratory judgment that lot was not a grandfathered nonconforming lot, created by the merger of two nonconforming lots, within town zoning ordinance. The Superior Court entered judgment in favor of owner of lot and the town. Property owner appealed.

The Supreme Judicial Court of Maine held that grandfathered development status of merged nonconforming lot was permanently lost when that merged lot was unlawfully divided.