

Bond Case Briefs

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ZONING & PLANNING - MAINE

Grant v. Town of Belgrade

Supreme Judicial Court of Maine - December 5, 2019 - A.3d - 2019 WL 6598354 - 2019 ME 160

Landowner appealed decision of town zoning board of appeals (BOA) denying landowner's applications to operate seasonal dock and boat rental business on shoreland property, which was located in limited commercial district and that had been used for residential purposes.

The Superior Court affirmed BOA's decision. Landowner appealed.

The Supreme Judicial Court held that:

- BOA's determination that it had authority to classify landowner's use of shoreland property as commercial was reasonable;
- Shoreland zoning ordinance and minimum lot size ordinance applied concurrently to landowner's shoreland property; and
- Shoreland zoning ordinance's section excepting nonconforming lots from area, shore frontage, and lot width requirements did not exempt landowner's nonconforming lots from any area and shore frontage requirements for uses allowed in limited commercial zoning district.