

Bond Case Briefs

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ZONING & PLANNING - MAINE

Moreau v. Town of Parsonsfield

Supreme Judicial Court of Maine - October 22, 2024 - A.3d - 2024 WL 4537133 - 2024 ME 75

Landowner filed zoning appeal against town and neighbor, seeking to vacate town zoning board of appeals' (ZBA) decision setting aside town planning board's approval of permit for landowner to operate automotive repair shop on his lot in residential district.

The Superior Court, York County, vacated ZBA's decision. Neighbor appealed.

The Supreme Judicial Court held that:

- An appealable decision, triggering time to appeal, occurred at second of two ZBA meetings;
- Administrative decision on review was that of planning board;
- Commercial use of lot was not grandfathered in as a nonconforming use; and
- Commercial road standards for private access roads serving a business on a rear lot applied to shop.