

Bond Case Briefs

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ZONING & PLANNING - MAINE

Town of Sabattus v. L.P. Poirier & Son, Inc.

Supreme Judicial Court of Maine - July 30, 2026 - A.3d - 2026 WL 2192784 - 2026 ME 73

Town filed land use citation and complaint against operators of gravel mine for violating conditional approval by expanding pit beyond four acres, expanding into buffer zone, not maintaining required slope ratios, and expanding into shoreland zone.

The District Court approved consent judgment between town and mine operators after granting abutting property owners' motion to intervene and holding hearing on their objection to proposed consent judgment. Abutting property owners appealed.

The Supreme Judicial Court held that:

- Consent judgment did not violate state performance standards requiring a natural buffer strip at least 50 feet wide from an excavation and prohibiting the removal of existing vegetation within a natural buffer strip;
- Consent judgment did not have to meet buffer zone requirements of current site plan review ordinances;
- Consent judgment did not unreasonably interfere with the town's land use scheme; and
- Consent judgment did not have a legally impermissible effect on abutting landowners.