

**Board of Appeals
Notice of Decision – First Appeal
Administrative Appeal from Bryce & Gail Molloy
For a Decision made by the Planning Board
At 542 Wallston Road**

Nature of Appeal

Bryce and Gail Molloy filed an administrative appeal on September 1, 2016 on a decision made by the Planning Board for a denial of a ramp and float located at 542 Wallston Road. The appellants state that the appeal is because an error was made in the denial of the permit and the denial of the permit was based on a misinterpretation of the Shoreland Zoning Ordinance by the Planning Board. The hearing was scheduled for September 22nd at 7:00 p.m. at the Town Office in St. George. The September 22nd hearing was held and the appellants requested a continuance. The appeal was postponed for 90 days.

Discussion

The Board of Appeal discussed the issues concerning the appeal and find the Planning Board did not write the Findings of Fact; there were no conclusions stated during the meeting; there was no Board vote on Findings of Fact/Conclusion of Law and no real decision was made by the Planning Board.

Conclusion

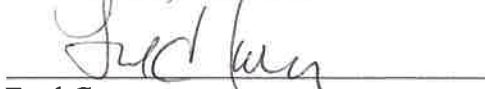
The Board of Appeals concluded that the Findings of Fact/Conclusion of Law were not written. The application was remanded back to the Planning Board with directions to write findings of fact/conclusion of law to support their decision in denying the application.

Decision


On a vote of 5-0, the Board of Appeals granted the appeal.

Date Dec. 22, 2016


Steve Miller, Chairman


Fred Carey


William Reinhardt


Mark Bartholomew


Richard Cohen