

**TOWN OF RAYMOND
ZONING BOARD OF APPEALS**

Notice of Decision

Re: Administrative Appeal of Building Permit 2025394, issued on July 22, 2025, to Sheena Jo Randall and Jonathan Stickney for a 4'x4' platform with stair access to Thomas Pond

Appellants: Teresa Ellis, Dennis Martin, and Lisa Martin

Location: Right-of-Way between Tax Map 78, Lots 36 and 37, also known as Lot 62A of Thomas Pond Shores subdivision plan, Section 3

Property Owners: See below for discussion

Property Zoning: LRR 1 Zone

Hearings Date: Public Hearing: 09/30/2025
Findings Adopted: 10/28/2025

Procedural History

On or about June 27, 2025, Sheena Jo Randall and Jonathan Stickney applied to the Town for a building permit to construct a 4'x'4' platform with stairs leading to Thomas Pond at the end of a right-of-way that is known as Lot 62A. The Town, through the Code Enforcement Officer, issued a building permit on July 22, 2025. The permit was subject to and conditioned upon it being a "[t]emporary platform and stairs to be used to access water. No floats or watercraft shall be tied to any part of platform or stairs." Teresa Ellis, Dennis Martin, and Lisa Martin filed an administrative appeal on August 11, 2025. The Raymond Zoning Board of Appeals held a public hearing on the appeal on September 30, 2025.

Findings and Conclusions

Based on the Appellants' submissions, the Appellants' presentation, public comment, a presentation by the Code Enforcement Officer, a statement from Jonathan Stickney, and notes from the site walk, the Raymond Zoning Board of Appeals makes the following findings of fact:

1. A narrow strip of land that is part of the Thomas Pond Shores subdivision and known as Lot 62A¹ is a private right-of-way that runs from Shore Road to Thomas Pond.
2. The right-of-way provides “a right-of-way to and from the shore to Shore Road over lot 62A.”
3. Four properties have deeded rights to use the right-of-way on Lot 62A, including Sheena Jo Randall, Jonathan Stickney, Lisa Martin, and Teresa Ellis and Dennis Martin.
4. There is no clear underlying fee ownership of Lot 62A, nor is the lot recognized by the Town as a lot of record.
5. On June 27, 2025, Sheena Jo Randall and Jonathan Stickney filed an application for a building permit for a “4’x4’ temporary platform with stairs to access Thomas Pond” from a big rock located on the shore of Lot 62A.
6. The building permit application is subject to the Shoreland Zoning Ordinance and the Land Use Ordinance.
7. Shoreland Zoning Ordinance § 350-7.3 provides that a application for a permit “shall be signed by an owner or individual who can show evidence of right, title or interest in the property or by an agent, representative, tenant or contractor of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct.”
8. The Land Use Ordinance § 300-5.2 provides that a building permit is required for the “construction, alteration or removal of any building.”
9. The definition of the term “building” in Article 12 of the Land Use Ordinance includes structures.
10. Land Use Ordinance § 300-5.3 requires that “[a]ny application for a building permit shall be submitted to the Building Inspector on forms specified by the Building Inspector.”
11. The building permit application requires an applicant to identify the “owner.”
12. Sheena Jo Randall and Jonathan Stickney did not have the consent of the other right-of-way owners to file this building permit application.

¹ The lot numbers reference the subdivision plan, not the tax map numbers.

13. On June 28, 2025, Teresa Ellis and Dennis Martin sent a letter to the Code Enforcement Officer objecting to the permit application.
14. On July 22, 2025, the Code Enforcement Officer approved the building permit with the condition that the temporary platform and stairs could only be used to access water and no floats or watercraft may be tied to the platform or stairs.
15. Teresa Ellis, Dennis Martin, and Lisa Martin filed a administrative appeal of the issuance of the building permit on August 13, 2025.
16. The Town denied a building permit to install a temporary dock at the same location for failure to demonstrate right, title, and interest in the property, on June 20, 2025.

Based on the Raymond Zoning Board of Appeals findings of fact, the Board reaches the following conclusions:

1. The administrative appeal of the issuance of the building permit on August 13, 2025, by Teresa Ellis, Dennis Martin, and Lisa Martin is timely.
2. The Shoreland Zoning Ordinance requires a building permit applicant subject to the shoreland zoning regulations to demonstrate right, title, and interest to proceed with an application.
3. The Board interprets the Land Use Ordinance to require an applicant to submit evidence of sufficient right, title, and interest to proceed with an application by virtue of § 300-5.3 and the application permit.
4. Since Sheena Jo Randall and Jonathan Stickney filed the building permit application without the consent of the other right-of-way owners (or even disclosing their ownership interest in the right-of-way), they lacked sufficient right, title, and interest to proceed to file a building permit application.
5. This conclusion is consistent with the June 20, 2025, building permit denial.
6. The Code Enforcement Officer erred in issuing Building Permit 2025394 and it is therefore vacated.

Since the Board granted the appeal on the basis of lack of sufficient right, title, and interests, the Board does not reach the question of whether the permit complies with the requirements of the Land Use Ordinance and Shoreland Zoning Ordinance.

Final Conclusion

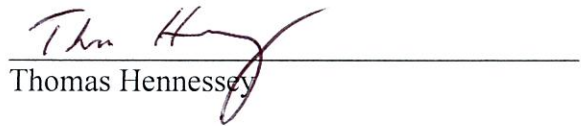
The Raymond Zoning Board of Appeals granted the appeal by a vote of 4 in favor to 0 against with 1 abstention so the building permit is vacated.

The Raymond Zoning Board of Appeals adopted these Findings and Conclusions, with such amendments as specified, at its meeting on October 28, 2025, by a vote of 4 in favor to 0 against with 1 abstention.

Dated: October 28, 2025

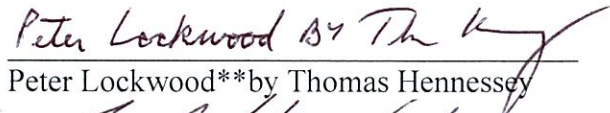
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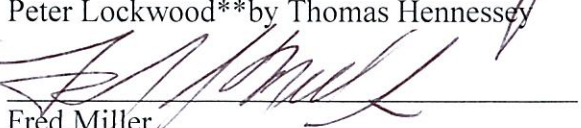


Greg Dean, Acting Chair

Thomas Hennessey

David Murch*



Peter Lockwood**by Thomas Hennessey

Fred Miller

* Did not participate in the decision.

** Peter Lockwood designated Thomas Hennessey to sign on his behalf due to time limitations.