



**TOWN OF RAYMOND
APPLICATION TO THE
ZONING BOARD OF APPEALS**

Staff Use Only:		Received Date
Application Fee	\$ _____	<div style="border: 2px solid blue; padding: 5px; transform: rotate(-15deg); display: inline-block;">RECEIVED AUG 27 2024 By <i>[Signature]</i></div>
Notice Fee \$8.00/abutter	\$ _____	
Publishing Fee	\$ _____	
Escrow-if required	_____	
TOTAL	_____	

Name of Applicant Sheena-Jo Randall
Mailing Address 32 Shore Rd Raymond ME 04071
Primary Phone 207 899 5666 ☒ H ☐ W ☐ email sheenajorandall@aol.com
Date property acquired: (month and year) September 2015
Name of Owner (if different than applicant) same
Mailing Address _____
Town: _____ State _____ Zip Code _____
Primary Phone _____ C ☐ H ☐ W ☐ email _____
Property Address (street number and name): 32 Shore Rd. Raymond ME 04071
Town of Raymond Map 0078 Lot 0010 Zone Limited Res/Res 1 (LRRI)
Deed Reference Dic #47193 Book 32572 Page 131

The undersigned applies for the following:

- ☒ 1. ADMINISTRATIVE APPEAL. Applicant requests relief from the decision, or lack of decision, of the Code Enforcement Officer. The undersigned believes that (check one)
____ An error was made in the denial of the permit
____ Denial of the permit was based on the misinterpretation of the ordinance
☒ The permit was not approved or denied within a reasonable period of time
☒ Other: mitigating circumstances regarding ownerships and use thereof.
- ____ 2. VARIANCE (the information listed on page 3 must be submitted)
- ____ 3. CONDITIONAL USE PERMIT For _____ (use) in _____ Zone
- ____ 4. VARIANCE PROVISION(S) FOR NON-CONFORMING Lot ☐ Structure ☐ Use ☐

I have read, understand and agree to the above instructions and conditions. I also authorize any Board Member or other Town Officials to enter onto the site. I certify that the information contained in this application and its supplement is true and correct.

Date: 8-27-24
Date: 8-27-24

Appellant: Sheena-Jo Randall
Property Owner: SAME SJR

VARIANCE CRITERIA

- a. Nature of variance: Describe the nature of the variance. Attach separate sheet if necessary.

N/A

NOTE: Eight (8) copies of a sketch plan of the property must accompany this application showing the dimensions and shape of the lot, the size, setbacks and location of **existing** buildings, the location and dimensions of proposed buildings or alterations, the location of any buildings within 100 feet of the lot, and any natural or topographic peculiarities of the lot in question.

- b. Justification of variance: In order to be granted, the Appellant **MUST DEMONSTRATE** to the Board of Appeals that the strict application of the zoning ordinance would cause **UNDUE HARDSHIP**. **MAINE STATE LAW REQUIRES FOUR CRITERIA, WHICH MUST BE MET** before the Board of Appeals can find that the hardship exists. Please explain how your situation meets **EACH** of these criteria listed below: (If these are not answered, the appeal will not be scheduled.)

1. The land in question cannot yield a reasonable return unless the variance is granted.

N/A

2. The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood.

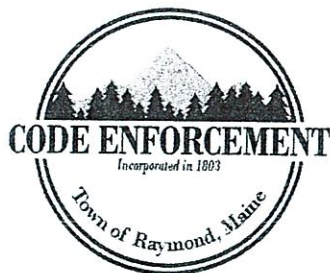
N/A

3. The granting of the variance will not alter the essential character of the locality.

N/A

4. The hardship is not the result of action taken by the appellant or a prior owner.

N/A



NOTICE OF VIOLATION

08/07/2024

RANDALL, SHEENA-JO
4 BRIDGE STREET
CORNISH, ME 04020

Location: 32 SHORE ROAD
Parcel ID: 078010000000
Zoning: Limited Residential/Recreational 1 (LRR1)

SENT VIA CERTIFIED MAIL & US FIRST CLASS MAIL

Dear RANDALL, SHEENA-JO,

An evaluation of the above-referenced property on 32 Shore Rd and the ROW, on 6/26/24, I witnessed the installation of the Dock by you and the dock installer. I mentioned that you had not applied for a permit for the dock. I have not issued a permit to date. I also witnessed on that date that you installed a shed on the property without a permit.

Below is a list of the violations and the related ordinance sections:

In order to correct the existing violations, you will need to do the following:

-----Remove the Dock and shed or apply for the proper permits.----- § 350-7.2 Permits required. After the effective date of these ordinance provisions, no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur; or expand, change or replace an existing use or structure; or renew a discontinued nonconforming use. A person who is issued a permit pursuant to these ordinance provisions shall have a copy of the permit on site while the work authorized by the permit is performed 17. Piers, docks, wharves, bridges, boat launches and other structures and uses extending over or below the normal high-water line or within a wetland — — — 17A. Temporary CEO7 CEO

This is a notice of violation pursuant to § 350-7.8 of the Shoreland Zoning Ordinance of the Town of Raymond, Maine, and 30-A M.R.S.A. § 4452. All referenced violations shall be corrected within thirty (30) days of the date of this notice. A follow-up inspection will be completed on or around 09/06/2024. Failure to comply will result in this office referring the matter to the Selectboard who may consider legal action or fines, as provided for in § 350-7.8(D) of the Shoreland Zoning Ordinance of the Town of Raymond, Maine, and 30-A M.R.S.A. § 4452(3)(B). Fines of \$100.00 to \$5,000.00 per violation per day may be imposed. This constitutes an appealable decision pursuant to § 350-7.7.(A)(1) of the Shoreland Zoning Ordinance; however, filing an appeal to the Board of Appeals does not relieve you of your responsibility to correct the violations. If you wish to appeal this decision the applications are available at the Town Office and we are open Tuesday through Friday. You must file the appeal within thirty (30) days of the date of this Notice; if you fail to appeal the decision within that time period, you will lose your right to challenge the decision included in this letter. Please feel free to contact me if you wish to discuss the matter or have any questions. I can be contacted by phone at (207) 655-4742 ext. 161, or by email at chris.hanson@raymondmaine.org.

Sincerely,

August 25, 2024

Chris Hanson

Code Enforcement Officer

Town of Raymond, Maine

401 Webbs Mills Road

Raymond ME 04071

RE: **APPEALING** Notice of Violation dated August 7, 2024

SENT VIA CERTIFIED MAIL. FIRST CLASS MAIL AND ELECTRONIC MAIL

Chris.hanson@raymondmaine.org

Dear CEO

I will begin by advising you that I have filled out the appropriate permit application(s) for my shed(s). I will hand deliver them on Tuesday August 27, 2024. I have noted on the application of the existing shed that I **was under the understanding that I did not need to obtain a permit for the structure if it was on wheels or skids**. I did notice when you came to inspect and photograph my property on June 28, 2024 that you were across the street. At that distance I don't believe you could have seen the skids, as shown in your photographs. If my understanding is correct, could you please respond by rescinding the violation. If my understanding is incorrect, my application(s) are in your office.

I would like to continue with the facts surrounding the installation of the dock on June 22, 2024. I'll share my facts.

On June 25, 2024 at approx. 11:30 am I witnessed you coming down my road and stepped to the edge of my yard. You did not witness the installation of the dock; what you did do was slow down and proceed to roll your window down. You stated "I heard you put a dock out", I replied with yup, I did; then you proceeded to roll your window back up and move forward and away as you stated "I'll send you a NOV". I continued to talk stating the "State Wardens were here yesterday," you replied "what do you mean State" I replied with the Martins had called a complaint into the Warden Service and they found only that my mooring ball(s) needed a blue strip in the middle. The Wardens also let me know that they expressed to the Martins that they didn't own the water. You continued on your drive stating again "I'll send you an NOV". Yes, the dock installer was here placing a hand rail on the right side to help secure the "JUMP" from the rock to the dock. There was no inspection done on that day. You were on way to #34 Shore Rd for an inspection.

During that inspection you also questioned my neighbor, Jonathan Stickney (JS) regarding the dock that was put into the lake. That conversation was met with a few questions...stairs to the dock?...he was told you would not approve without permission from all owners. JS expressed that his attorney questions that validity of your response and you stated "that's my understanding". You also expressed that a dock could not be placed on a "common area". Let's explore that ownership.

Title searches were done on ALL properties in the Thomas Pond Shores subdivision dated July 1956. Lot 62A (a 10'x200' strip of land between the addresses of #31 and #33 Shore Rd for deeded access to Thomas Pond) The owners of Lot 62A are; Lot 97 (27 Shore Road LLC) Lot 98 (Teresa Ellis / Dennis Martin) Lots 99, 100 (Sheena Randall) Lots 101, 102, 103 (Jonathan Stickney) of the Thomas Pond Shores subdivision; also known as Map 78 Lots 8-12 respectfully on the Raymond Tax Maps, the map also shows Lot 62A. Those deeds were presented to the Town thru Alex Sirois Full time CEO.

On June 28, 2024 I witnessed you and the Ellis/Martins at the end of Lot 62A taking photographs. You continued your lengthy visit with discussions inside their garage and taking photographs of my property from across the street. I would dare guess that this was your inspection of another complaint from the Ellis/Martins. Complaints beyond the several already made and that Alex Sirois made statement to both myself and JS that it was now a Civil Issue and our attorneys would need to get involved. Note that both Randall and Stickney have regularly sought legal advice since the Ellis/Martins purchased 31 Shore Road and made claim that Lot 62A was private property owned by them and that we were trespassing in December 2022.

Surveys were done. Ellis/Martins had their side done and erected a spite fence in April 2023 from the high-water mark back approx. 50'. This fence starts at the Birch tree on the shoreline in which I was permission by the previous CEO before Alex to take limbs down but leave the ball for shoreline integrity. I was also given permission by then owner Debra Mosher at #33 to remove the small trees from Lot 62A planted into the lot by her late partner for privacy. She had the tops cut off to decrease any growth till the work was done. All this was expressed in the lengthy permit submitted on November 3, 2022. Followed by another permit submission later with more detail at the request of Alex. When #33 was sold to Lisa Martin in May 2023, that side was also surveyed and this time was staked with serial numbers. This was the third (3) time that side had been surveyed. Someone continued to remove the pins and flags having the surveyor back to replace. He found them either moved to other location or just gone. It remains flagged and has had to be noted on stakes not to remove. Martins have removed them to allow traffic for boat launch and heavy equipment to pass over and between #31 and #33 Shore Road.

This is how I understand the ownership use and placement of the dock to Thomas Pond that you have now sighted me for in an NOV dated August 7, 2024. After two (2) permits to the CEO and several meetings with Alex Sirois since November 2022. Aside from the in-person visits, the permit applications were ghosted. Never did I receive a call, letter, or even a discussion from you regarding the permits. When I asked Alex...he stated you had them on a back burner. It was disturbing to me that my deeded rights to and from the lake were being denied by a town officer. Lot 62A is a deeded right of access...the lot (10'x200') has approx. 10'-15' of shoreline (including the birch tree blocking entry) after the surveyed pinned the private property lines of #31 and #33. It continues to a huge boulder approx. 6'-8' wide and 6' out from the shoreline. The following is "my understanding".

Lake front property is sometimes messy so I did extensive research and spoke to several State offices to get a good picture of just what Lot 62A is.

You have a deeded Lot to 4 ownerships; 2 of those ownerships now have year-round residents on the back parcel lots that have the deeded rights. The other 2 ownerships use their deeded right parcels for storage sheds, winter boat storage and parking cars. Its fair to say that the resident

ownerships (lots 99-103) are new and that those lots were previously bought and sold to waterfront ownerships. The 2 ownerships that have the small unbuildable back parcels (lots 97-98) do indeed have waterfront property used during the year. In a legal arena the question becomes..." What is it that the back parcel lot ownerships are keeping the waterfront lots from doing when Lot 62A is used for their right to enjoy Thomas Pond access?' Then the questions turns to ..." What is it that the waterfront lot ownerships are keeping the back lot ownerships from doing when Lot 62A cannot be used for their right to enjoy Thomas Pond access?" Then a question of who owns Thomas Pond?

Let's walk Lot 62A. My findings got interesting. Lot 62A (a 10'x200' strip of land with deeded rights to Thomas Pond and taxed by the Town of Raymond as such) has 4 ownerships. Then proceeds to 10'-15' of shoreline that is indeed controlled under the Town of Raymonds jurisdiction to the "High water line" described as *A line which is apparent from visible markings which distinguishes between predominantly aquatic and predominantly terrestrial land.* Then proceeds to this huge boulder that sits in the water 365 days out of the year and extends beyond the Thomas Ponds Low water visible markings. A place which doesn't have a line due to it being "waterbody". This waterbody is under State jurisdiction and is open to public use.

For the reasons I have stated above it was determined that the placement of the dock/structure beyond the low water markings of Thomas Pond would make that placement a permitted use of public property; the lake. The dock/structure was built to the commercial specifications for its use and it is not in placement more than 7 months out of the year. The dock company in which was used has been in business over 40 years and has placed many dock/structures on all the lakes in the Town of Raymond. The dock/structure is not attached to the private property of others, the shoreline, or the boulder. It is free standing and I have to do what the Ellis/Martins stated I needed to do if I wanted to get into the lake from my deeded lot access..." Jump off the rock".

It is my belief that there is no violation here. It is also my belief that I did not need a permit for placement of a dock/structure to gain access to the lake. Please respond faithfully to the Towns position of my appeal of the NOV.

Chris; as stated when I came to you and spoke for a few moments that there is a legal action pending regarding the "stormwater runoff" being directed to my property via a permit issued by you to the Ellis/Martins. I would request you at this time to seek guidance from the Selectboard; I would also agree to attending any meeting of such.

Thank you for your time and I will look forward to hearing from you.

Respectfully,

Sheena-Jo Randall

32 Shore Road

Raymond ME 04071

(207) 899-5606

sheenajorandall@aol.com

cc: Selectboard



Shoreland Project Permit Application

☐ Soil Disturbance

☐ Dock

☒ Tree Removal

☐ Other

Project Address: Shore Rd Raymond 10x200 ROW Parcel ID: 102A

Applicant/Owner Information

Applicant Name: Sheena-To Randall

Owner Name:

Address: 32 Shore Rd

Address:

City, State, Zip: Raymond ME 04071

City, State, Zip:

Phone: 207 891 5606

Phone:

Email:

Email:

Contractor Information

Name:

DEP Certification #*:

Address:

Email:

City, State, Zip:

Phone:

Site Plan: Please include all lot lines. Tree cutting applications must label each tree requesting to be cut, their type, and diameter.

1. Row of partial growth "privacy" line planted by my previous own inside ROW in measurement error. Debbie Musher was made aware at purchase after closing survey and is aware they needed to come down... she had someone come and cut tops off to stunt growth.

2. Spruce tree at right of rock at end of ROW. Previously w/ predisese... Cut dead limbs - Cut limbs that obstruct entrance to water - Leave ball as is for ground. All to make safe passage in and out of water.

3. Three small trees planted by Martin to obstruct unloading in ROW. Camouflage ROW Entrance. He Glen Martin - was going to take down but sold house.

I hereby certify that I am the owner of record of the named property, or that the owner of record authorizes the proposed work and I have been authorized by the owner to make this application as his/her agent. I agree to conform to the applicable laws and ordinances of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official/Inspector shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This request will clear and make possible that all needed rights to ROW can safely pass through without obstruction.

Owner/Applicant: Sheena To Randall

Date: 11-3-22

* All contractors disturbing more than one cubic yard of dirt must provide a DEP Certification Number.
Note: ROW language to needed rights is being created for signatures.

Permit Number:



Shoreland Project Permit Application

☐ Soil Disturbance

☐ Dock

☒ Tree Removal/Trim

☐ Other

Project Address: ROW to 32 Shore Rd

Parcel ID:

Applicant/Owner Information

Applicant Name: Sheena-Jo Randall	Owner Name: Sheena-Jo Randall
Address:	Address: 32 Shore Rd
City, State, Zip: same as owner	City, State, Zip: Raymond ME 04071
Phone:	Phone: 207 899 5106
Email:	Email: Sheena.jorandall@aol.com

Contractor Information

Name:	DEP Certification #: Taxes Pd on lot
Address: N/A	Email: 62A @ ID ownership
City, State, Zip:	Phone:

Site Plan: Please include all lot lines. Tree cutting applications must label each tree requesting to be cut, their type, and diameter.

Tait to K...
200' Road Frontage

Shore Rd Raymond

Martin
to
Martin 2022

Tait/Musher
2023 to
Martin

Property Line - Sun...
Shoreline

Property Line

Rock

I hereby certify that I am the owner of record of the named property, or that the owner of record authorizes the proposed work and I have been authorized by the owner to make this application as his/her agent. I agree to conform to the applicable laws and ordinances of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official/Inspector shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

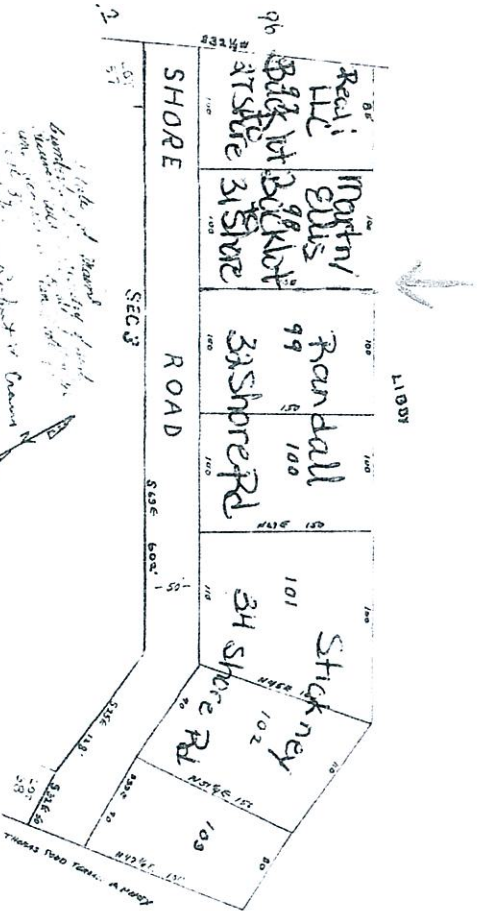
Sheena-Jo Randall
Owner/Applicant

Date

* All contractors disturbing more than one cubic yard of dirt must provide a DEP Certification Number.

1. 5" overhangs to water w/ dead secondary branch } All create a climb through limbs to get into water. very unsafe.
2. 7" overhangs rock to east
3. Dual limb 1" to 3" overhangs rock entrance to water

1. Applicant requesting permission to remove 5 dying trees from deeded ROW. These trees were planted by Al Tait to provide privacy to girlfriend Debbie Mosher upon his death when back lot would be sold by Tait daughters. Al planted two rows which upon a survey at sale, found one row inside ROW. Mosher agreed that Randall could remove when home project start. Mosher had the tops cut off to prevent further growth. Randall has been trimming branches for safe passage to date. Trees are not healthy and small in size
1. 4 1/2" 2. 3" 3. 5 1/2" 4. 4" 5. 5" Pictures show where Mosher had tops cut at time of agreement.
Applicant requesting permission to now CEO's to remove 3 limbs from birch tree that has a strong ball to shoreline. 1 Limb is dead, 1 Limb hangs over rock growing east, 1 Limb hangs low enough to cause injury to enter water.
This request was previously approved with Scott Djorack(?) when met over original Septic design and plan (which I was also made to do again) in 2015. The Limbs Create a hazard that can cause bodily harm,



THOMAS POND SHORES

SECTION FOUR

JULY 1956

RAYMOND, ME

LOTS 97-98-99-100-101-102-103

PROPERTY OF WILLARD LIBBY

LOTS 90-91-92-93-94-95-96

PROPERTY OF MAY E. HAN COCK

DEVELOPED BY

CLIFFORD L SWAN CO INC

PORTLAND, ME SCALE 1 INCH = 50 FT

WE THE MUNICIPAL OFFICERS OF THE TOWN OF RAYMOND ME HEREBY CERTIFY OUR APPROVAL OF THIS PLAN AS REQUIRED BY THE REVISED STATUTES OF THE STATE OF MAINE OF 1944 CHAPTER 80 SECTION 85 AND THE AMENDMENTS THERE TO.

Wendell E. Smith

David C. Smith

Charles E. Smith

Charles E. Smith

Charles E. Smith

Charles E. Smith

Charles E. Smith

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Charles E. Smith

Only 14 Back lots in Raymond

#27 #32 #34 #31*

7 Back lots

deded rights with

deded rights to

102A

#6 #8 #10 #18

#7 WE A

5 Back lots w/

deded rights to



006

McFrell
Children

Riberts

Thomas Pond

