



Raymond Zoning Board of Appeals

423 Webbs Mills Road

VIA ZOOM

Minutes

Tuesday, September 30, 2025

7:00 pm

Call to order: Greg Dean called the meeting to order at 7:00 pm. Roll was called and a quorum declared

Present: Greg Dean, Vice Chair; Tom Hennessey, Fred Miller and Pete Lockwood

Staff: Jason Williamson, CEO; John Hamer, Attorney for the Zoning Board of Appeals and Sandy Fredricks, Administrative Assistant PB & ZBA

Absent: David Murch, Chair

Dean read the Agenda and Opening Statement into the Record.

New Business:

APPLICANT	Teresa Ellis, Dennis Martin & Lisa Martin
LOCATION	Map 78/Lot 62A Zone LRR 1
DESCRIPTION	Administrative Appeal of Permit Issued July 22 nd , 2025 to Sheena Jo Randall and Jonathan Stickney for a 4 x 4 temporary platform with stairs to access Thomas Pond.

Dean moved to elect David Murch as Chair for FY 2026.

Hennessey seconded.

Any discussion? None.

All in favor? 4 yes – 0 no – 0 abstain

Hennessey moved to elect Greg Dean as Vice Chair for FY 2026.

Miller seconded.

Any discussion? None.

All in favor? 4 yes – 0 no – 0 abstain

Miller moved to approve the Minutes of March 13, 2025 as written.

Hennessey seconded.

Any discussion? None.

All in favor? 4 yes – 0 no – 0 abstain

Martin/Ellis Administrative Appeal: Dean asked Hennessey to read the Site Walk Summary into the record.

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Hennessey read: " ZBA Site Walk- 9/20/2025

Attendees:

Greg Dean
 Fred Miller
 Pete Lock-
 wood
 Tom Hennes-
 sey
 Laurie Wallace
 Teresa Ellis
 Dennis Martin
 Jonathan Stick-
 ney
 Sheena Randall
 Marcia Hennes-
 sey

The Site Walk began at 9:00am and ended at 9:09am.

We walked down the ROW and out onto a large boulder. We observed an approximate 4' by 5' aluminum platform in front of the boulder in the lake. The platform had handrails and stairs into the lake."

Miller moved to enter the Site walk summary into the record.

Hennessey seconded.

Any discussion? None.

All in favor? 4 yes – 0 no – 0 abstain

Dean asked Attorney Hamer if the correct procedure is first the Appellant speaks, then the Town (CEO), then open to public to speak. Hamer confirms that is correct.

Teresa Ellis and Dennis Martin both approached podium to address the Board. Ellis explained which property they own then she stated they submitted their argument with their application to appeal the CEO's decision to grant Permit to Ms. Randall. She continued that they have the same Deed restrictions and rights as the permit applicants, Ms. Randall and Mr. Stickney, as well as two additional property owners. Ellis further stated that they (Randall & Stickney) need permission from all owners with interest in the ROW to modify the ROW.

Ryan Martin stated we went through this last year, and he agrees with what Teresa and Denis said. He is opposed to the permit issued.

CEO Williamson explained the ROW was created in 1956 for the backlots to have access to the shore. He continued that, apparently, there are some civil issues among the property owners. Last year the applicant for the permit applied for a dock permit, which was denied. He further stated looking at the ROW, he believed that the fences that are there now did not exist when the ROW was created. There were no

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structures on the backlots until 1995. He further stated he felt the stairs were allowed to give access and made the decision that this was the right interpretation and right thing to do.

Hennessey asked if it influenced him at all that ADA was written into the permit application. Williamson stated it did not.

Hennessey asked the CEO if he had seen what was put in versus the sketch submitted. Williamson stated he has seen pictures, but he has not seen it in person.

Greg asked what section of the Ordinance he based this on. §17a.

Miller stated if there were no backlot structures until 1995 and the ROW was created in 1956 giving the backlots right of access, they should have access. Hennessey stated he recalled from last year the boulder is 8' wide with a 2' path to get to the water. Dean asked if when he looked at the application for Sheena-Jo Randall, it seemed that all owners should have been listed. Jonathan Stickney was named as an owner of another lot but the rest of the owners who have rights in the ROW were not on the application, correct? Dean continued by asking Williamson what he would do if any of the other owners with right of access applied for a permit, what would he do. Williamson stated that this permit is for use by any of the ROW properties. Lockwood stated he believed that everyone who has access to the ROW should have a say.

Dean stated that the Board should be focused on this application, not the last one or any information not in the current record. Hamer stated that is correct.

Dean asked Ellis to explain what is on the photo that was submitted with the appeal. Ellis explained the items in the photo.

Dean opened the hearing to public comments.

Laurie Wallace, 36 Pulpit Rock Road, stated when the land was purchased, the ROW was clear, and she sees no reason for any special dispensation.

Doug Morrell, Thomas Pond Terrace, stated his family has been on Thomas Pond for approximately 60 years. He continued that his concern is they own about 100 acres behind Stickney and Randall and a structure in a 10' ROW impedes rights of others.

Jonathan Stickney stated he doesn't understand how a 4' ROW at the end impedes their use. He further stated he would like to see someone jump off that rock now as others have stated they had done for years.

No one wished to speak, and Dean closed the public comment.

Dean asked Ellis for her redirect. She stated the intent of the ROW was to give them access to the water and there is nothing in the Deeds giving access into the water. She further stated the platform that the stairs come off of is the same platform they had put in as a dock.

Dean opened the Board's Deliberations. Hamer pointed out that it is not up to the Board to decide if the use of the ROW is being impinged upon, that's a civil matter. The Board needs to focus on whether the person who received the permit had the right to apply and receive a permit.

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Hennessey stated certainly looked like they were recycling part of the dock from last year. He further stated that not all of the ROW owners signed off on the application. Miller stated he was having the same thoughts as Hennessey; he believed there was supposed to be a certain distance from dock.

Hamer suggested that the Board first consider if Sheena-Jo Randall had standing to apply for a permit and then if she didn't, the permit should not have been issued. He continued that if she did have standing the Board has to decide the issue. Dean stated he felt that there was inadequate ownership in the application for the permit. Lockwood stated it goes back to that there are multiple owners and that a larger percentage should have been included in the application.

Stickney asked what Ordinance they are relying on that all owners must be in agreement for permit. Dean advised Stickney that this is no longer time for questions; the Board is conducting their Deliberations.

Miller stated if all homeowners have to be on the permit, then we can't let the structure stay there. Hamer reminded the Board that they should be considering if a minority of owners is sufficient to apply for a permit; that's part of interpretation of the Ordinances. Hennessey stated Ellis referred to State Statute 33 MRSA, §459 stating "The owner of an easement or right-of-way leading to or touching up a water body does not have the right by implication to construct a dock on the easement or right-of-way or use the easement of right-of-way to facilitate the construction of a dock on the water . . ." doesn't that have some application here. Hamer stated it does not apply as it is for ROWs established on or after 2018.

The Board members discussed, at length, how they wished to proceed in wording of the Motion for this matter.

Dean moved to grant the appeal and vacate the permit because all owners of the ROW did not consent to the application.

Miller seconded.

Any discussion? None.

All in favor? 4 yes – 0 no – 0 abstain

Dean stated the Board will confirm and vote to ratify their Decision on October 28th, 2025.

Miller moved to adjourn.

Hennessey seconded.

Any discussion? None.

All in favor? 4 yes – 0 no – 0 abstain.