

**Town of Buxton
Appeals Board Minutes
November 6, 2025**

Meeting Minutes: Roxanne Gardner

Members present: Michael Pettis, Gemma Baldinelli, Chad Havu, Henry Huntley. Also attending on behalf of the town: Patti McKenna, Code Enforcement officer, Roxanne Gardner, Code Enforcement Secretary. Other attendees: Diane Friedlander, Grace Amoroso, Arnold Amoroso. Others attended but did not sign in.

Absent from meeting: John Bartlett

Appointments:

Public Hearing - Diane Friedlander - Application for a variance to reduce lot size – 11 Union Falls Rd-Map 11 Lot 37.

Mike made a motion to open the public hearing for - Diane Friedlander - Application for a variance to reduce lot size – 11 Union Falls Rd-Map 11 Lot 37 at 7:06pm. Gemma seconded the motion. Motion passed 4-0 in favor.

Diane Friedlander spoke on behalf of the application she stated that she is seeking a variance to reduce lot size using the practical difficulties variance. Her property is ¼ acre-11,356sq' feet short of being two 200,000sq' lots. Currently there is a 24-year-old house and a one in a half year old ADU on the property. The dwellings have separate driveways, power, water, and septic. The two dwellings are 500 feet apart with woods and a driveway between them. Diane stated that she is asking for a variance so she can sell the older house and be able to settle her finances.

Mike asked if there were any abutting neighbors or residents that would like to speak.

Jerome Williams abutter to the applicant at 283 Simpson Rd map 11 Lot 35 Stated he doesn't think that lot was ever 10 acres. In his opinion, regarding the lot size, it is what it is.

Chad made a motion to close the public hearing at 7:21pm. Henry seconded the motion: Motion passed 4-0 in favor.

The following six questions were used in determining practical difficulty to review this application and were answered by the applicant and voted on by the Appeals Board as follows:

Question 1:

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

Question 2:

The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties.

Question 3:

The practical difficulty is not the result of action taken by the petitioner or a prior owner.

Question 4:

No other feasible alternative to a Variance is available to the petitioner.

Question 5:

The granting of a Variance will not unreasonably adversely affect the natural environment.

Question 6:

The property is not located in whole or in part within the shoreland areas as defined in 38 M.R.S.A. §435.

Mike stated that the board has reviewed the answers provided by the applicant and at this time the board will move forward to vote on each section.

The Board reviewed and voted on those sections as follows:

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

Mike made a motion the applicant meets the criteria due to the unique circumstances of the property. Chad seconded the motion. The motion passed 4-0 in favor.

2. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties.

Mike made a motion the applicant meets the criteria that granting a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties. Chad seconded the motion. The motion passed 4-0 in favor.

3. The practical difficulty is not the result of action taken by the petitioner or a prior owner.

Mike made a motion the applicant meets the criteria that the practical difficulty is not the result of action taken by the petitioner or a prior owner. Gemma seconded the motion. The motion passed 4-0 in favor.

4. No other feasible alternative to a Variance is available to the petitioner.

Mike made a motion the applicant meets the criteria that no other feasible alternative to a Variance is available to the petitioner. Chad seconded the motion. The motion passed 4-0 in favor.

5. The granting of a Variance will not unreasonably adversely affect the natural environment.

Mike made a motion the applicant meets the criteria that granting of a Variance will not unreasonably adversely affect the natural environment. Chad seconded the motion. The motion passed 4-0 in favor.

6. The property is not located in whole or in part within the shoreland areas as defined in 38 M.R.S.A. §435.

Gemma made a motion the applicant meets the criteria that granting of a Variance will not unreasonably adversely affect the natural environment. Chad seconded the motion. The motion passed 4-0 in favor.

DECISION

Chad made a motion to approve the applicants request for a dimensional variance to reduce the lot size by 11,356sq'ft at 11 Union Falls Rd-Map 11 Lot 37. Mike seconded the motion. The motion passed 4-0 in favor.

Minutes:

Chad made a motion to approve the October 16,2025 meeting minutes as written. Gemma seconded the motion. Motion passed with a vote of 3-1 in favor Mike was absent from the meeting.

Bills:

Portland Press Herald Legal Ad invoice fee \$40.74 for public hearing 11/6/2025.

Mike made a motion to pay Portland Press Herald invoice \$40.74 for legal ad. Chad seconded the motion. The motion passed 4-0 in favor.

Communications:


None currently.

Other Business:

None currently.

Adjourn Chad made the motion to adjourn at 7:28PM. Gemma seconded the motion. The motion passed with a vote of 4-0 in favor.

Date Approved: 12/4/25

Signed: 
Michael Pettis, Chairman

Next meeting –Thursday, December 4,2025 at 7p.m.