

**TOWN OF GRAY**  
**ZONING BOARD OF APPEALS**  
**AGENDA • MAY 25, 2022**

**Zoning Board of  
Appeals Regular  
Meeting**

**Henry Pennell Municipal Complex**  
**24 Main Street**  
**Gray, Maine**

**7:00 PM**

**This meeting will be conducted either remotely using  
Zoom videoconferencing or in-person at the Henry Pennell  
Municipal Complex. Please check the Town website,  
www.graymaine.org the day of the meeting. Zoom Link -  
<https://us06web.zoom.us/j/85230259863>**

**I. MEETING COMMENCES**

Roll Call

**II. MINUTES APPROVAL**

- a. Approval of February 23, 2022 meeting minutes.

**III. NEW BUSINESS: PUBLIC HEARINGS**

- a. Randall Variance Request:

Martyn Randall Jr. is requesting a practical difficulty variance for a 30-foot reduction of a 50 foot rear setback to construct a pool and adjacent patio on his property located at 147 Ramsdell Road, Gray Tax Map 33, lot 14-17, in a Rural Residential & Agricultural Zoning District.

- b. Ryan Variance Request:

Thomas Ryan & Brenda Johnson are requesting a practical difficulty variance for 7 foot reduction of a 25 foot side setback for an existing deck attached to their house located at 93 Long Hill Road, Gray Tax Map 59, lot 37-6-2 in a Rural Residential & Agricultural Zoning District.

**IV. ADJOURNMENT**

*\* The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

**Gray Zoning Board of Appeals  
Minutes from February 23, 2022, Meeting  
Meeting held virtually via Zoom link**

Attending: Brad Fogg (ZBA Chair), Lena Reichardt (ZBA), Joshua Sibert (ZBA), Martin Meany (TC Liaison,), Bryant Wing (applicant), Jake Sullivan (neighbor), Scott Dvorak (CEO), Doug Webster (Community Development, scribe for meeting).

Chair Fogg opened the meeting at 7:02. Roll Call was called. Voting members tonight are Brad Fogg, Marlena Reichardt, and Joshua Sibert. The applicant is Bryant Wing.

Ms. Reichardt moved to approve the minutes from 1-26-22 ZBA meeting as written, Mr. Sibert seconded the motion, they were approved 3-0.

Chair Fogg asked if there was a motion to open the public hearing for the agenda item, Ms. Reichardt made a motion to open the public hearing for the agenda item, Brad Fogg seconded. The motion was approved 3-0.

The applicant indicated that he had the trees cut then called the Site Evaluator who informed him of the applicable setbacks. He then talked with the CEO regarding the setbacks. He was under the impression that he was all set.

He picked up the building permit. He had to measure the setback solo and had to turn the house sideways to meet the setback and had to move the septic field as well.

He was under the impression that the setback was 10' and later found out that this was not the correct setback. He had already moved the ROW from 60' to 50' but this was not enough to meet the correct setback.

Ms. Reichardt asked about the information the applicant had received from the CEO. Scott Dvorak pointed out that it was an interim CEO that had issued the building permit.

Mr. Sibert asked why the applicant did not go at least 50' back from the road. The applicant indicated that it was due to the banking that drops off the further the house is from the road. Mr. Sibert clarified his understanding that going further from the road was not a viable option. The applicant, Mr. Wing confirmed this.

Chair Fogg noted that he asked the town for a copy of the original building permit. He noted that Doug Webster noticed the setback oversight and there was a corrected plot plan. Chair Fogg understands that the applicant was told 10' but that he was told the correct applicable setback was 50' the next day. A revised plot plan reflecting the 50' setback was submitted as part of the issued permit.

Chair Fogg asked about the timing of the excavator. He noted that it appears that the applicant was aware of the setback when the excavator started. The applicant indicated that he had challenges meeting the setback due to the banking. Chair Fogg asked why

when the excavator and the applicant were not able to measure the setback when they were both on site.

The applicant indicated that he was unaware that the house was in the setback when he set the pins for the house that the excavator used to dig the foundation. The turning of the house and adding the stairs further encroached into the setback.

Ms. Reichardt asked about the possible implications if the ZBA were to not grant the variance. Scott Dvorak indicated that the Town would not issue a no action letter.

Mr. Sibert clarified the extent of the variance that is currently being requested. Chair Fogg clarified when the applicant was aware of the setback. Ms. Reichardt understands that the 10' indication is frustrating, but the applicant was told of the applicable setback prior to excavation on the site.

Chair Fogg sees the error regarding the 10' setback was corrected prior to excavation. There were two parties on site that could have verified the setback. Ms. Reichardt suspects that the applicant knew that he needed the 50' but the reduction of the ROW from 60' to 50' was not contemplated until the encroachment was discovered. The applicant's efforts to change the ROW from 60' to 50' was an attempt to address the encroachment.

Ms. Reichardt and Chair Fogg clarified the history of the ordinance change from 60' to 50' in 2011. Scott Dvorak clarified that the minimum ROW width is 50'. Ms. Reichardt commends the applicant for trying to take steps to correct the setback, but she still feels that it still seems like a self-inflicted situation. It's not unusual to be extra careful when the setback is close.

Ms. Reichardt moved criteria "a" per the application, seconded by Mr. Sibert. Ms. Reichardt commented that the request seems like a legitimate request to grant this finding. Chair Fogg asked what portion of the house would need to be removed. The applicant indicated that the farmers porch and part of the foundation would need to be removed. Ms. Reichardt asked if the porch and stairs were removed, would it meet setbacks. The applicant indicated that it would still be 2' in the setback. The farmer's porch is 6' wide.

Chair Fogg asked about the photographs that were submitted with the applicant. The applicant indicated that these are photographs of other structures that are within the ROW or encroach in the setbacks.

Chair Fogg asked what the applicant felt was a reasonable return for the property. There were questions about the investment in the property. Mr. Sibert indicated that he feels comfortable voting on these criteria. Chair Fogg called for a vote on "a" *That the land in question cannot yield a reasonable return unless a variance is granted.* The vote was 3-0, motion carried.

Ms. Reichardt moved criteria “b”, seconded by Mr. Sibert. Ms. Reichardt noted the presence of the stream but also that the lot is quite deep. If the house were not already built, it seems it could conceptually be built meeting setbacks. Mr. Sibert asked if the house could have been deeper into the lot. The applicant indicated that there were beavers there for many years that created a marshy area. Scott indicated that the setback to the stream is 75'. The applicant indicated that the brook is 80' +/- from the house.

Ms. Reichardt asked if it would have helped to have a surveyor mark the setbacks. Chair Fogg referenced the Wayne Wood survey. The applicant indicated that the brook moved 50' to 60' when the beavers dammed the stream. The applicant turned the house. The side of the house now faces the road. Ms. Reichardt tried to clarify the various portions of the house.

Mr. Sibert asked Scott Dvorak if there was another location on the parcel to locate the house. Joshua asked if a variance would have been required regardless due to the shape of the land. Scott replied that this was hard to determine as he is not super familiar with the site. Ms. Reichardt reminded the ZBA members of the motion on the table “b” *That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.* Chair Fogg called for vote. The vote 1-2, motion denied (Fogg, Sibert).

Chair Fogg called for a vote. Joshua voted no. Brad indicated that he is going to vote no, since 8' is not going to make a difference. Ms. Reichardt in support, Mr. Sibert & Chair Fogg not in favor. Vote was yes for Ms. Reichardt, no vote for Mr. Sibert and Chair Fogg. The motion for “b” did not carry, motion denied.

Ms. Reichardt moved the question for criteria “c” *That the granting of a variance will not alter the essential character of the locality.*  
The vote 3-0 in favor, motion carried.

Ms. Reichardt asked that the minutes reflect that the applicant left the meeting after the vote on criteria “c”.

Ms. Reichardt moved criteria “d”. Mr. Sibert seconded. Ms. Reichardt felt it relevant that the applicant indicated he was aware of the applicable setback prior to excavation. Mr. Sibert indicated that the building of the porch further towards the road perhaps could have been avoided. Chair Fogg called for a vote on “d” *That the hardship is not the result of action taken by the applicant or a prior owner.*  
The vote 0-3, motion denied.

Fogg noted that a small portion of the parcel in the SZ. He noted that Maine DEP did not comment on the requested variance.

Chair Fogg noted the main motion made by Ms. Reichardt to grant the variance. Mr. Sibert asked if members could vote in favor of the main motion if not all of the criteria are met per the prior votes. Chair Fogg indicated that members cannot vote in favor of the

main motion unless each of the criteria have been met. Chair Fogg called for a vote. All three opposed to main motion. Vote 0-3 motion denied. Variance not granted.

Ms. Reichardt noted that this is a hard Town board to be a member of. She is aware that there is the OAC that she is considering making some recommendations regarding the ordinances. Scott suggested that it would be ideal for the ZBA to submit a letter on their behalf to the Town Council for their considerations.

The consensus of the board was that they plan to meet at 7:00 on March 23, even if there are no ZBA applicants, to discuss possible proposals for ordinance changes regarding zoning.

Ms. Reichardt moved to adjourn the meeting. Mr. Sibert seconded. Chair Fogg called for the vote. All in favor, the motion carried. Meeting adjourned at 7:58pm.



VARIANCE APPLICATION - PRACTICAL DIFFICULTY  
 ZONING BOARD OF APPEALS  
 TOWN OF GRAY MAINE

For Office Use Only  
 Date Submitted: 12/2/21  
 Tent. Sched. for: 5/25/22  
 Amount Paid: \$300

**PROPERTY INFORMATION**

Property Location/Address	147 Ramsdell Road	Property Map/Lot	033 . 014 . 017 . 000
Zoning District	RRA	Lot Acreage	1.84
Owner Name	Martyn H. Randall Jr.	Owner Phone Number	207-714-0460
Number of Dwelling Units	1		

**APPLICANT**

Name (IF different than owner)		Email Address	herrick7355@icloud.com
Mailing Address	147 Ramsdell Road	Contact Phone Number	207-714-0460
Mailing City/State/Zip	Gray, Maine 04039	Alternate Phone Number	

**VARIANCE INFORMATION**

Per Gray Zoning Ordinance 402.9.2.B.3:  
 Practical Difficulty Variance: The Board may grant a variance from the dimensional standards of the Zoning Ordinance when strict application of the ordinance to the petitioner and the petitioner's property would cause a practical difficulty and when the following conditions exist:

- a. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood;
- b. 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;
- c. The practical difficulty is not the result of action taken by the petitioner or a prior owner;
- d. No other feasible alternative to a variance is available to the petitioner;
- e. The granting of a variance will not unreasonably adversely affect the natural environment; and
- f. The property is not located in whole or in part within shoreland areas as described in Title 38, section 435.

As used in this subsection, "dimensional standards" means and is limited to ordinance provisions relating to lot area, lot coverage, frontage and setback requirements.  
 As used in this subsection, "practical difficulty" means that the strict application of the ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the zoning district in which the property is located and results in significant economic injury to the petitioner.

Describe request (description may be attached separately- plot plan/site map required to be attached)

*See Attached*

	Current Requirement	Currently Existing	Proposed
Front Setback			
Rear Setback	50'	50'	20'
Side Setback			
Other Setback (describe)			
Max. Lot Coverage			
Min. Lot Area			
Min. Street Frontage			
Other (describe)			

**CRITERIA- BRIEFLY DESCRIBE HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING:**

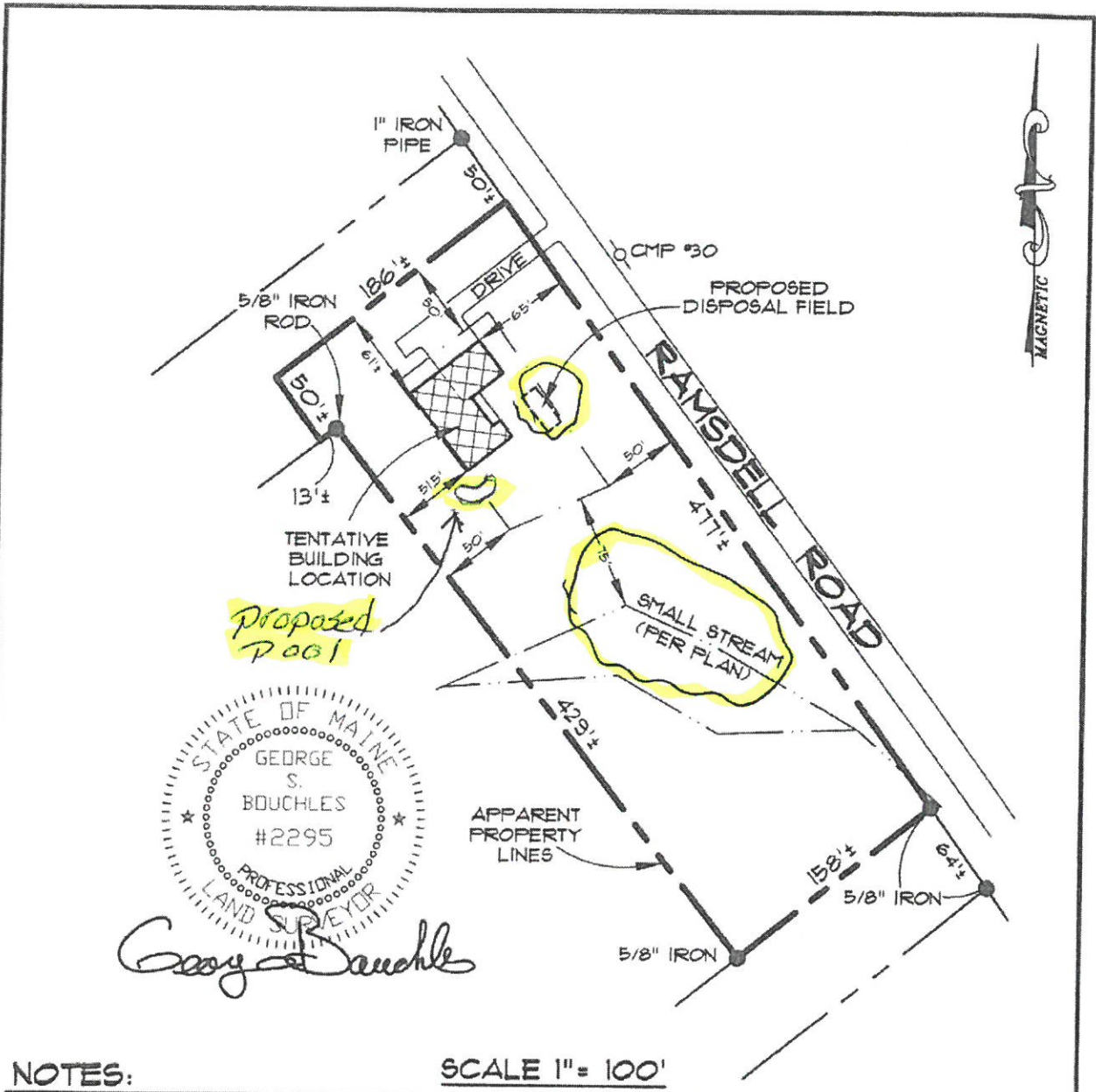
- a. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood;  
This is correct, teh area we are looking at to put the pool is really the only reasonable area to place it.
- b. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;  
This is correct. if anything this will enhance this area once construction is finished.
- c. The practical difficulty is not the result of action taken by the petitioner or a prior owner;  
This is correct, it is simply an odd shaped lot that had a building envelope which is where the house was built.
- d. No other feasible alternative to a variance is available to the petitioner;  
This is correct.
- e. The granting of a variance will not unreasonably adversely affect the natural environment; and  
This is correct. when all is done it will actually improve the small area and not affect the natural enviroment.
- f. The property is not located in whole or in part within shoreland areas as described in Title 38, section 435.  
This is correct.

Per Gray Zoning Ordinance 402.9.2.B.4:  
Variance Review Criteria: In hearing variance appeals under this section, the Board of Appeals shall determine that the applicant has demonstrated that all of the undue hardship or practical difficulty criteria in sub-Sections 2 and 3 above have been met. Additionally, the Board shall consider the following criteria in its decision to grant any variances or impose conditions:

- a. What effect will be proposed variance have on the prevailing character of the area?
- b. Does the proposed variance require special screening or fencing to separate or protect the property of abutting owners?
- c. Will the proposed variance create drainage, erosion or flooding problems?
- d. Will the proposed variance increase water pollution?
- e. Will the proposed variance generate vehicular traffic, access circulation or parking conditions which create hazardous situations?
- f. Will granting of the variance violate any of the performance standards of this Ordinance apart from the specific relief authorized by this Section?
- g. Will the proposed variance create to any degree nuisances to abutting property owners?
- h. Is the variance request the least modification of the Zoning Regulations necessary to afford relief?
- i. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance.

PLEASE REFER TO THE CURRENT FEE SCHEDULE FOR APPLICABLE FEES TO INCLUDE REQUIRED ADVERTISING AND ABUTTER NOTIFICATIONS

Applicant Signature <i>Martyn H. Randall Jr.</i>	Printed Name <i>Martyn H. Randall Jr.</i>	Date <i>12/2/21</i>
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STATE OF MAINE  
 GEORGE S. BOUCHLES  
 #2295  
 PROFESSIONAL LAND SURVEYOR  
*George S. Bouchles*

**NOTES:**

**SCALE 1" = 100'**

1.) THIS IS NOT A BOUNDARY SURVEY. THE SOLE PURPOSE OF THIS BUILDING LOCATION SKETCH PLAN IS TO SERVE AS A VISUAL AID IN THE REVIEW OF THE PROPOSED LOCATION OF A NEW BUILDING AS STAKED OUT BY OTHERS, AND WAS PREPARED WITHOUT THE BENEFIT OF A BOUNDARY SURVEY AT THE REQUEST OF THE CLIENT AND IS SUBJECT TO VARIATIONS THAT A BOUNDARY SURVEY MAY REVEAL. NO MONUMENTS WERE SET AT THE CORNERS SHOWN ABOVE BY THIS SURVEYOR.

2.) AT THE REQUEST OF THE CLIENT, NO INDEPENDENT INVESTIGATION WAS MADE TO DETERMINE COMPLIANCE WITH LOCAL AND/OR STATE LAND USE REGULATIONS BY THIS SURVEYOR. THEREFORE, PRIOR TO THE USE OF THIS SKETCH PLAN, YOU ARE STRONGLY ADVISED TO CONFER WITH THE LOCAL CODE ENFORCEMENT OFFICER AND/OR LEGAL COUNSEL AS TO COMPLIANCE WITH LOCAL REGULATIONS.

<b>PROJECT NAME</b> HERRICK & STEPHANIE RANDALL PROPERTY RAMSDELL ROAD - GRAY, MAINE		<b>RECORDING INFORMATION</b> BOOK 35844 PAGE 114 COUNTY: CUMBERLAND PLAN BOOK _____ PAGE _____	
<b>CONSTRUCTION SAFETY CHECK SKETCH</b> PREPARED FOR <b>FORTIN CONSTRUCTION, INC.</b> 35 MARKARLYN STREET AUBURN, ME 04210		prepared by <b>CADmaster Drafting,          Land Surveying          &amp; Septic Design</b>  586 Park Avenue - Auburn, ME 04210 tel./fax = 659-3232 cell=240-5567	
DATE: 2/14/2020	FILE NAME: 20-005.DWG	JOB NO. 20-005	

To the Zoning Board of Appeals

Because of this unique lot, the only reasonable area to place the pool is where we are proposing it goes. The area going toward the front of the house is quite steep and not really feasible due to the septic system which we don't want to get anywhere near. This proposed area stays within the building envelope (except the small area we are asking for the variance for), The area toward the woods would require a lot of trees to be removed and would put us too close to the small stream that runs through the property naturally.

Thank you for your consideration.

April 5, 2022

Town of Gray  
24 Main St.  
Gray, Maine 04039

To Whom It May Concern:

I purchased my home in the town of Gray in July of 2020. Several weeks before the closing, I was informed that the deck on the back of the house, according to the zoning law, was not set back far enough from the property line. Instead of being set back for the required 25 feet, it was only set back 20 feet.

The deck is in good repair, adds value to the home, and it would be costly to dismantle and rebuild. I am requesting a variance to permit me to leave the deck as is, and change the set back requirement to 18 feet.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Thomas R. Ryan".

Thomas R. Ryan  
93 Long Hill Road  
Gray, ME 04039  
(607) 316-1918





VARIANCE APPLICATION - PRACTICAL DIFFICULTY  
 ZONING BOARD OF APPEALS  
 TOWN OF GRAY MAINE

For Office Use Only  
 Date Submitted: 4/29/22  
 Tent. Sched. for: 5/25/22  
 Amount Paid: \$300

PROPERTY INFORMATION

Property Location/Address	93 LONG HILL RD., GRAY ME	Property Map/Lot	059 .037 .006 .002
Zoning District	22RA	Lot Acreage	2.11
Owner Name	THOMAS R. RYAN	Owner Phone Number	(607) 226-3010 207-841-7117
Number of Dwelling Units	1		

APPLICANT

Name (IF different than owner)		Email Address	ryanbleigh@hotmail.com
Mailing Address	93 LONG HILL RD	Contact Phone Number	(607) 226-3010
Mailing City/State/Zip	GRAY ME 04039	Alternate Phone Number	(607) 316-1918

VARIANCE INFORMATION

Per Gray Zoning Ordinance 402.9.2.B.3:

Practical Difficulty Variance: The Board may grant a variance from the dimensional standards of the Zoning Ordinance when strict application of the ordinance to the petitioner and the petitioner's property would cause a practical difficulty and when the following conditions exist:

- The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood;
- 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;
- The practical difficulty is not the result of action taken by the petitioner or a prior owner;
- No other feasible alternative to a variance is available to the petitioner;
- The granting of a variance will not unreasonably adversely affect the natural environment; and
- The property is not located in whole or in part within shoreland areas as described in Title 38, section 435.

As used in this subsection, "dimensional standards" means and is limited to ordinance provisions relating to lot area, lot coverage, frontage and setback requirements.

As used in this subsection, "practical difficulty" means that the strict application of the ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the zoning district in which the property is located and results in significant economic injury to the petitioner.

Describe request (description may be attached separately- plot plan/site map required to be attached)

	Current Requirement	Currently Existing	Proposed
Front Setback	50	50	50
Rear Setback	50	50	50
Side Setback	25	25	18
Other Setback (describe)	N/A	N/A	N/A
Max. Lot Coverage	10%	± 2%	± 2%
Min. Lot Area	80,000	92,031 *	92,031
Min. Street Frontage	200	200	200
Other (describe)	N/A	N/A	N/A

\* FROM MORTGAGE INSPECTION

**CRITERIA- BRIEFLY DESCRIBE HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING:**

- a. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood; *I purchased this house with this deck attached. I'm asking for an 18 FT building Envelope in case the Attached Boundary Survey is off.*
- b. 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; *The Deck attached actually adds value to house and does not affect value to abutting homes.*
- c. The practical difficulty is not the result of action taken by the petitioner or a prior owner; *The Deck was built prior to purchase, not sure if or what Contractor Built it?*
- d. No other feasible alternative to a variance is available to the petitioner; *I would rather not Rip the Deck off the House if Possible.*
- e. The granting of a variance will not unreasonably adversely affect the natural environment; and *will not or does not affect the environment in any way.*
- f. The property is not located in whole or in part within shoreland areas as described in Title 38, section 435. *Property is in the RRA.*

Per Gray Zoning Ordinance 402.9.2.B.4:

**Variance Review Criteria:** In hearing variance appeals under this section, the Board of Appeals shall determine that the applicant has demonstrated that all of the undue hardship or practical difficulty criteria in sub-Sections 2 and 3 above have been met. Additionally, the Board shall consider the following criteria in its decision to grant any variances or impose conditions:

- a. What effect will be proposed variance have on the prevailing character of the area?
- b. Does the proposed variance require special screening or fencing to separate or protect the property of abutting owners?
- c. Will the proposed variance create drainage, erosion or flooding problems?
- d. Will the proposed variance increase water pollution?
- e. Will the proposed variance generate vehicular traffic, access circulation or parking conditions which create hazardous situations?
- f. Will granting of the variance violate any of the performance standards of this Ordinance apart from the specific relief authorized by this Section?
- g. Will the proposed variance create to any degree nuisances to abutting property owners?
- h. Is the variance request the least modification of the Zoning Regulations necessary to afford relief?
- i. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance.

**PLEASE REFER TO THE CURRENT FEE SCHEDULE FOR APPLICABLE FEES TO INCLUDE REQUIRED ADVERTISING AND ABUTTER NOTIFICATIONS**

Applicant Signature <i>Thomas R Ryan</i> <i>Brenda L Johnson</i>	Printed Name <i>Thomas R. Ryan</i> <i>Brenda L. Johnson</i>	Date <i>6-20-21</i>
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E-FILED

Date/Time: 7/16/2020 / 9:13

Book: 316954

Page: 115

Initial: JR

Return to:  
Thomas R. Ryan and Brenda L. Johnson

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS: That **James R. Bellavance and Robin M. Bellavance**, of 93 Long Hill Road, Gray, ME 04039, for consideration paid, grant to **Thomas R. Ryan and Brenda L. Johnson**, of 1497 Country Road 36, Norwich, NY 13815, as *joint tenants*, with WARRANTY COVENANTS:

**SEE ATTACHED EXHIBIT A**

MEANING and INTENDING to describe and convey the same premises conveyed to the grantors herein by deed of Custom Built Homes of Maine, Inc. dated 2/11/1999 recorded at Book 14547, Page 192 in the Cumberland County Registry of Deeds.

Executed this 17 day of July, 2020.

James R. Bellavance  
James R. Bellavance

Robin M. Bellavance  
Robin M. Bellavance

State of Maine

County of State of Maine  
County of Cumberland

7 117 12020

Then personally appeared before me the said James R. Bellavance and Robin M. Bellavance and acknowledged the foregoing to be their voluntary act and deed.

Jane L. Barriault  
Notary Public/Attorney at Law  
Commission expiration: NA

Jane L. Barriault  
Attorney at Law

TRR  
BJJ

1

THIS IS NOT A BOUNDARY SURVEY

This copyrighted document expires 09-23-20. Reproduction and/or dissemination after this date is unauthorized.

MORTGAGE INSPECTION OF: DEED BOOK as proposed PAGE ----- COUNTY Cumberland  
 PLAN BOOK unrecorded PAGE ----- LOT 92.031sq.ft.

ADDRESS: 93 Long Hill Road, Gray, Maine

Job Number: 1070-93

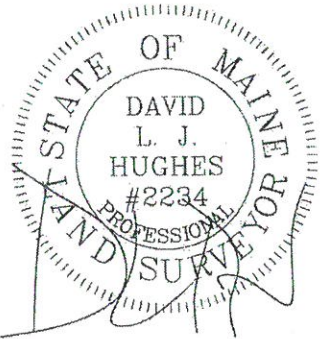
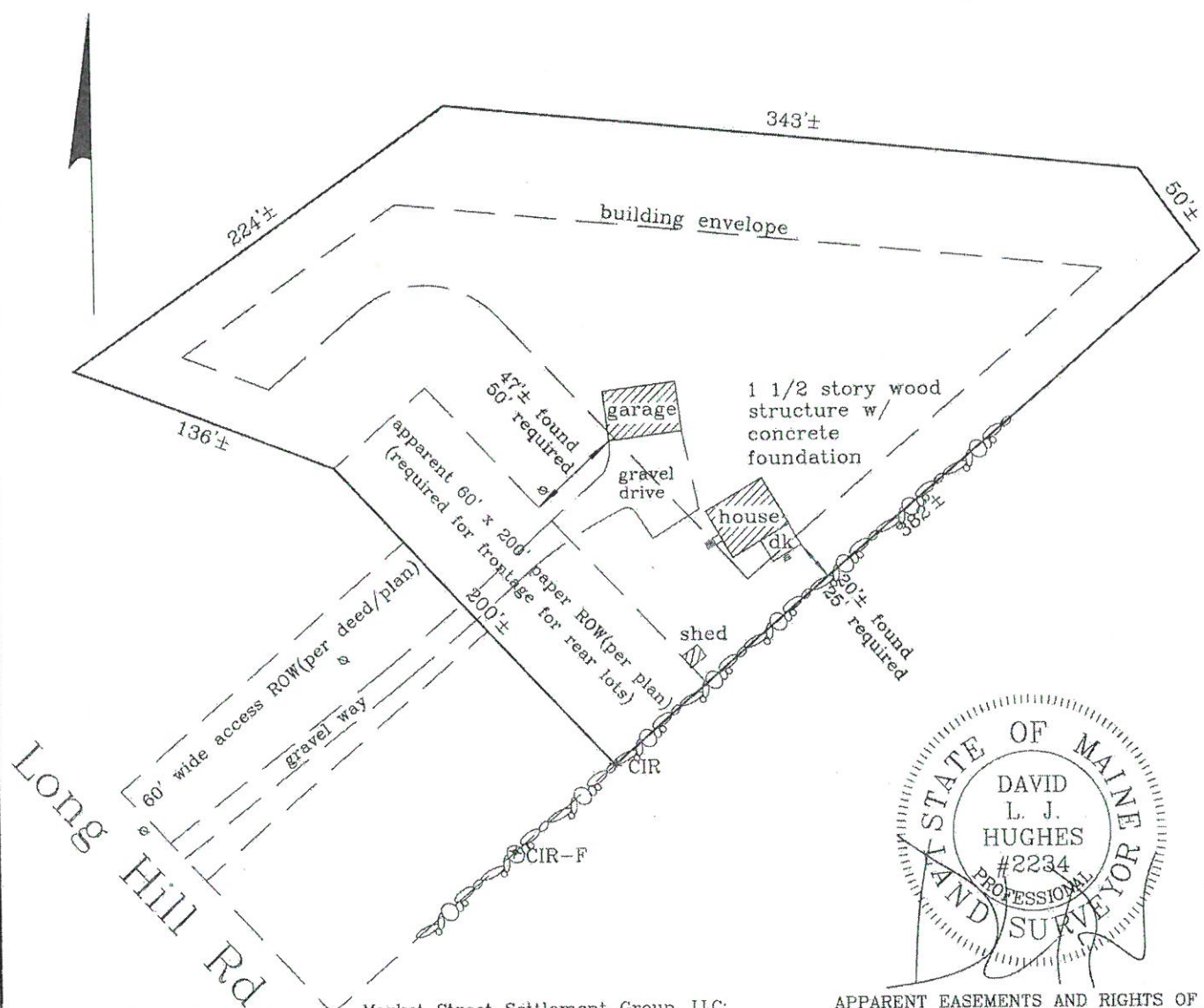
Buyers: Thomas R. Ryan & Brenda L. Johnson

Inspection Date: 6-23-20

Scale: 1" = 80'

Sellers: James R. Bellavance & Robin M. Bellavance

Client File #: 1310220-00934



APPARENT EASEMENTS AND RIGHTS OF WAY ARE SHOWN. OTHER ENCUMBRANCES, RECORDED OR NOT, MAY EXIST. THIS SKETCH WILL NOT REVEAL ABUTTING DEED CONFLICTS, IF ANY. copyright©

I HEREBY CERTIFY TO: Market Street Settlement Group, LLC; Academy Mortgage Corporation and its title insurer.  
 Monuments found did not conflict with the deed description.  
 The dwelling setbacks do ~~XXX~~ violate town zoning requirements.  
 As delineated on the Federal Emergency Management Agency Community Panel 230048-0015 A :  
 The structure does not fall within the special flood hazard zone.  
 The land does not fall within the special flood hazard zone.  
 A wetlands study has not been performed.

**Livingston-Hughes**  
 Professional Land Surveyors  
 88 Guinea Road  
 Kennebunkport, Maine 04048  
 207-967-9761 phone 207-967-4831 fax  
 www.livingstonhughes.com

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY

THIS IS NOT A BOUNDARY SURVEY

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MORTGAGE INSPECTION OF: DEED BOOK as proposed PAGE --- COUNTY Cumberland  
 PLAN BOOK ----- PAGE --- LOT 92.031sq.ft.

ADDRESS: 93 Long Hill Road, Gray, Maine

Job Number: 1070-93

Buyers: Thomas R. Ryan & Brenda L. Johnson

Inspection Date: 6-23-20

Scale: 1" = 80'

Sellers: James R. Bellavance & Robin M. Bellavance

Client File #: 1310220-00934



I HEREBY CERTIFY TO: Market Street Settlement Group, LLC; Academy Mortgage Corporation and its title insurer.

APPARENT EASEMENTS AND RIGHTS OF WAY ARE SHOWN. OTHER ENCUMBRANCES, RECORDED OR NOT, MAY EXIST. THIS SKETCH WILL NOT REVEAL ABUTTING DEED CONFLICTS, IF ANY.

- Monuments found did not conflict with the deed description. \*(see deck)
- The dwelling setbacks do not violate town zoning requirements.
- As delineated on the Federal Emergency Management Agency Community Panel 230048-0015 A :
- The structure does not fall within the special flood hazard zone.
- The land does not fall within the special flood hazard zone.
- A wetlands study has not been performed.

**Livingston-Hughes**  
 Professional Land Surveyors  
 88 Guinea Road  
 Kennebunkport, Maine 04046  
 207-967-9761 phone 207-967-4831 fax  
 www.livingstonhughes.com

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY

EXHIBIT A

A certain lot or parcel of land, together with any improvements thereon, situated in the **Town of Gray, County of Cumberland and State of Maine**, on the northeasterly side of the Long Hill Road, but not adjacent to and bounded and described as follows:

Beginning at an iron rod set in a stone wall about 185 feet from an iron on the easterly side of the Long Hill Road;

Thence by the following courses and distances:

N 49° 37' 51" E along a stone wall about 382.32 feet to a wall corner;  
Thence turning and running N 35° 45' 04" W along a stone wall about 50.00 feet;  
Thence N 84° 18' 09" W about 343.23 feet to a point;  
Thence S 55° 23' 24" W about 224.00 feet to a point;  
Thence S 68° 55' 01" E about 136.32 feet to a point;  
Thence S 43° 07' 35" E about 200.00 feet to the point of beginning.

Said lot or parcel of land to contain 92,031 square feet.

TOGETHER WITH a 60 foot by 185 foot wide right-of-way, for ingress and egress on foot and for vehicular traffic, for the installation, maintenance, and use and replacement of all utilities, above or below ground commonly placed within or along public roadways, and being described as follows:

Beginning at a point on the easterly side of the Long Hill Road, 90 feet from and northwesterly from the southwesterly corner of land now or formerly of Zachary Bellavance and running as follows:

N 49° 37' 51" E about 185.00 feet to a point;  
N 43° 07' 35" W about 60.00 feet to a point;  
S 49° 37' 51" W about 185.00 feet to a point;  
S 43° 07' 35" E about 60.00 feet to the point of beginning.

RMB  
JRB  
TRR  
BJD

