

Minutes of a Special Meeting of the Pine Orchard Association Zoning Board of Appeals

October 1, 2024

A special meeting of the Pine Orchard Association (POA) Zoning Board of Appeals (ZBA) was held on October 1, 2024 with the following members in attendance: regular members, Maureen Herbert, Jeanne Hughes, James Killelea, Eric Rose, and alternate members Vining Bigelow and Michelle Blank. Also present was POA attorney Peter Berdon.

The ZBA President James Killelea called the meeting to order at 7:10 pm and stated the purpose of the meeting: to consider, discuss, and determine if Francis Wihbey established a lawful non-conforming use of 3 Crescent Bluff in his appeal of the ZBA's decision of November 25, 2019. To that end the ZBA retired to executive session until 7:50 pm. At that time, ZBA members read for the record appropriate sections from the 1994 Zoning Ordinance for the Pine Orchard Association, specifically pertinent parts of Section IV listing permitted uses, 4.1 "A single-family dwelling", as well as from Section XIII with definitions, "Single Family Dwelling: A building designed for and occupied exclusively as a home or residence for not more than one family" and "Family: One or more persons related by blood, marriage or adoption, and in addition, any domestic servants or gratuitous guests. A roomer, boarder or lodger, shall not be considered a member of a family." The members of the ZBA agreed that the transcripts of the previous ZBA meetings (10/29/19 and 11/25/19) addressing this issue indicated that Mr. Wihbey was unaware of the POA regulations and made no attempt to verify that his renters were a family unit. POA attorney Berdon was charged with preparing a summary for the ZBA. The meeting adjourned at 8:05 pm.

Respectfully submitted,

Maureen Herbert,
Secretary