

**Town of Groveland  
Zoning Board of Appeals**

**Meeting  
Monday, August 15, 2011**

Zoning Board of Appeals members present: Ron Merrick, Chairman, David Doty, Phil Livingston, and Courtney Burnette.

Absent: William Magee and Patricia Niedermaier, Alt.

Also present: CEO Ron Maxwell, Charles McLaughlin and John Polito.

Chairman Ron Merrick opened the meeting at 7:00 PM.

Review and approval of the May 15, 2011 ZBA meeting minutes. Motion by David Doty to approve the minutes as submitted, seconded by Phil Livingston. All in favor.

Chairman Ron Merrick read the public notice for the application of Charles McLaughlin for clarification of a special use permit granted to him under the Dock and Moorings Law allowing him to place a dock in the water adjacent to the five (5) foot easement owned by him, located at 5675 West Lake Road and is requesting clarification as to the mooring of a boat to the dock. The Chairman stated that the Zoning Board of Appeals received a letter dated 6/27/2011 from John Polito stating his points of contention in this matter. Charles McLaughlin handed a letter dated 8/15/2011 that he wrote to the Board members. He stated that it was his response to Mr. Polito's complaint.

Mr. Polito explained that Mr. McLaughlin has a pontoon boat moored at his dock and is concerned about the large percentage of the waterfront he is occupying. He said that one of the operators of the boat hit his boat and did minor damage to it because of the tight space between boats. He feels that introducing additional people and a large boat created more of a problem and goes beyond the scope of what is allowed. Mr. McLaughlin stated that he was not aware of the damage because someone else operating the boat caused the damage.

Ron Maxwell, CEO stated that he spoke with the Town Attorney and the Town Attorney told him that the Town can not legally approve use of a larger space than the 5 foot right of way. Ron said that legally they can not have a boat and the only option is to try to come to an agreement. David Doty asked if they could resolve this problem between themselves. Mr. McLaughlin responded that he would be willing to get a smaller boat. Mr. Polito said that the problem is mostly the big boat and to a lesser degree the angle of the dock and Mr. McLaughlin responded that they install their dock at the same angle as the neighbors. John said that he spoke to them last year and told them he felt that the boat was too big and they put the same boat back this year. Mr. McLaughlin said that John had deposited a pile of dirt in the r-o-w and it was interfering with their use of the r-o-w. John explained that the dirt was put there to improve the land. Phil Livingston suggested anchoring the boat out farther or at the end of the dock since the r-o-w is not wide enough for a dock and boat. John offered to get together with Mr. McLaughlin next week to come to a consensus; Charlie agreed to meet with him.

The Zoning Board of Appeals determined that they can not approve use of space larger than the 5 foot right of way that was granted to Mr. McLaughlin in his deed in 2001.

Motion by Courtney Burnette to adjourn the meeting at 7:50 PM, seconded by Phil Livingston. All in favor.

Submitted by  
Karol Thomas  
Recording Secretary

*Karol Thomas*