

Town of Norway

Appeals of Land Use Decisions

How to Appeal Decisions of the Planning Board / Code Enforcement Officer / Appeals Board

If you believe that the written decision of the code enforcement officer or planning board is wrong based on the town ordinances (or Maine or federal law) you may appeal in writing within 30 days of that official, written decision to the Appeals Board when it is expressly authorized by local Building Code or Shoreland Zoning ordinances or state law.

Only the applicant or a person with “standing” may appeal to the Appeals Board. To have “standing” an individual must be able to show “particularized injury” (that enjoyment or use of property is adversely affected more than the general public) and be able to show actual participation for the record in the official hearing conducted where the issuance of the permit was considered.

The applicant (or an aggrieved party who participated during the proceedings before the Appeals Board) may appeal to the Maine Superior Court within 45 days of the Appeals Board decision. (This also applies to people with standing not authorized by ordinance or state law to appeal decisions of the code enforcement officer or planning board to the Appeals Board.)

A request to the Appeals Board to *reconsider* a decision may be filed within 10 days of the original Appeals Board decision. (This may be an appropriate option if there is a change in the information or circumstance under which the original decision was made.) A vote to reconsider and the action taken on that reconsideration must occur and be completed within 45 days of the date of the vote on the original decision. The board may conduct additional hearings and receive additional evidence and testimony as provided in the state law

* This is only a summary of the timeline to apply for an Appeal; please review the Appeals section of the specific Ordinances or State Law for a more complete application process.