

James and Cheryl Crotty
144 East Shore Beach Rd.
Naples, ME 04055

November 14, 2022

Kate Matthews, Code Enforcement Officer Town of Naples
PO Box 1757
Naples, ME 04055

Re: CEO – Setback Reduction Request by Frank Silver at 142 East Shore Beach Road, Dated
October 28, 2022

Dear Ms. Matthews:

We received a copy of the referenced Setback Reduction Request by Mr. Silver seeking to reduce the setback to 12' on the right side of his lot, adjacent to our lot at 144 East Shore Beach Road. This is the second setback reduction request made by Mr. Silver, the first being for a reduction to 10'. We objected to the first request for the reasons outlined in our letter to you dated July 15, 2022, and his request was denied by you. We also object to this current request for the same reasons and we feel the difference from 10' to 12' is not significant and does not resolve any of our concerns.

If the 12' reduction request were approved, it would put the proposed structure 10' from our house and 5' from the walkway that we have always used and maintained. Additionally, the walkway is the only reasonable access to our yard and the water. Lastly, it would obstruct all views from our kitchen and dining area windows. This seems unreasonably close given that there is ample room on the other side of the property to move his trailer closer to that property line.

We have reached out to Mr. Silver multiple times to attempt to find a reasonable compromise but have not received any response from Mr. Silver. Additionally, we have openly and continuously used, maintained, cared for, and walked over the walkway along the side of our house that is on his land for over 30 years, so will likely be seeking to extend the existing easement to include this pathway as well. Until we are able to resolve this issue, we have no choice but again to object to Mr. Silver's reduction request. We respectfully ask your office to continue to uphold statutory setback requirements.

Sincerely,


James and Cheryl Crotty

James and Cheryl Crotty
144 East Shore Beach Rd.
Naples, ME 04055

July 15, 2022

Katie Matthews, Code Enforcement Officer
Town of Naples
PO Box 1757
Naples, ME 04055

Via hand delivery

Re: CEO – Setback Reduction Request by Frank Silver at 142 East Shore Beach Road

Dear Ms. Matthews:

We are in receipt of a CEO Variance form sent on June 30, 2022, filed by Frank Silver, regarding 142 East Shore Beach Road. We are the property owners at 144 East Shore Beach Road. Mr. Silver has requested that the side setback requirement for the right side yard that abuts our property be reduced to 10 feet.

We have owned 144 East Shore Beach Road since August 1992. In all of those years, Mr. Silver has maintained a 306 sq. ft. trailer, as stated in his Zoning Permit application. For the entire time that we have been at 144 East Shore Beach Road, the main structure on our property has had an easement through the right side yard of 142 East Shore Beach Road, plus we have additionally always maintained a walkway alongside that easement on Mr. Silver's property to get to the back yard.

If Mr. Silver was granted the variance he is requesting, the new structure that Mr. Silver proposes would only be 8 feet from our house and approximately 3 feet from the walkway that we have always used. Additionally, it would obstruct all views from our kitchen and dining area windows. This seems unreasonably close given that there is ample room on the other side of the property to move his trailer closer to that property line.

We have discussed Mr. Silver's plans with Mr. Silver, and he has indicated that he actually plans to place his new structure 15 feet from the property line at the front of the trailer and 13.5 feet from the property line at the back of the trailer, as shown in Exhibit A hereto. Exhibit B shows pictures of the stake representing the back corner of the new trailer to the property line (also showing the walkway and stairs on our property that we have used for 30 years), and Exhibit C shows pictures of the stake representing the front corner of the new trailer to the property line (showing the walkway that is outside the existing easement that is needed for us to access the back of our property).

We object to Mr. Silver's request for a 10 foot variance, particularly in light of the fact that Mr. Silver is seeking to put a structure on the property that is 393 sq. ft., which is almost 30% larger

than his existing structure and in line with our house, whereas his existing trailer is further set back from our house. In light of Mr. Silver's actual plans, if Mr. Silver's Setback Reduction request is not denied, it would be more appropriate to amend the variance request to be limited to a setback of 13.5 feet at the back and 15 feet at the front.

Please let us know if you need any further information and please provide us with notice if there will be a hearing on this matter.

Sincerely,

James M. Crotty
Cheryl X. Crotty

James and Cheryl Crotty

978-468-7340

Permanent mailing address:

10 Stanton St.

Wenham, MA 01984

Exhibit B
Back Corner





Exhibit C
Front Corner



