

ROBERT W. BASSETT et al.

v.

CITY OF BIDDEFORD et al.

Argued April 8, 2014
Decided April 22, 2014

Panel: SAUFLEY, C.J., and ALEXANDER, SILVER, MEAD, GORMAN, and
JABAR, JJ.

MEMORANDUM OF DECISION

Robert W. Bassett and Dorothy M. Bassett appeal from a judgment of the Superior Court (York County, *O'Neil, J.*) in which the court affirmed a decision of the Biddeford Zoning Board of Appeals upholding the Biddeford Planning Board's grant of Michael S. Small and Jodie R. Small's application for a shoreland zoning permit and site plan approval to build a residential unit above an existing garage space. Because the Bassetts have not challenged the sufficiency of the Planning Board's findings, *see* 1 M.R.S. § 407(1) (2013); *Bodack v. Town of Ogunquit*, 2006 ME 127, ¶ 14, 909 A.2d 620; *Christian Fellowship & Renewal Ctr. v. Town of Limington*, 2001 ME 16, ¶ 15, 769 A.2d 834, and because the Planning Board properly applied the nonconformance requirements in Biddeford, Me., Zoning Ordinance art. XIV, § 12 (Feb. 2, 2010) rather than the land use standards in Biddeford, Me., Zoning Ordinance art. XIV, § 15 (Feb. 2, 2010), to the Smalls' application, *see* Biddeford, Me., Zoning Ordinance art. XIV, § 7 (Feb. 2, 2010); *Wister v. Town of Mount Desert*, 2009 ME 66, ¶ 17, 974 A.2d 903, we discern no error in the court's decision to affirm the Planning Board.

The entry is:

Judgment affirmed.

On the briefs:

David P. Silk, Esq., and Benjamin M. Leoni, Esq., Curtis Thaxter LLC,
Portland, for appellants Robert W. Bassett and Dorothy Bassett

Sandra L. Guay, Esq., Woodman Edmands Danylik Austin Smith & Jacques,
P.A., Biddeford, for appellee City of Biddeford

John C. Bannon, Esq., Murray, Plumb & Murray, Portland, for appellees
Michael Small and Jodie Small

At oral argument:

David P. Silk, Esq. for appellants Robert W. Bassett and Dorothy Bassett

Sandra Guay, Esq. for appellee City of Biddeford

John C. Bannon, Esq., for appellees Michael and Jodie Small