

MATHEW DONDERO

v.

TOWN OF ELIOT

Submitted on Briefs February 3, 2005
Decided February 28, 2005

Panel: CLIFFORD, RUDMAN, DANA, ALEXANDER, CALKINS, and
LEVY, JJ.

MEMORANDUM OF DECISION

Mathew Dondero appeals from a judgment entered in Superior Court (York County, *Brennan, J.*) pursuant to an M.R. Civ. P. 80B appeal, affirming the decision of the Town of Eliot Zoning Board of Appeals ruling that a code enforcement officer correctly found that the operation of Dondero's auto recycling business violated his conditional use permit and exceeded the limitations of a limited auto recycling operation as defined by the Town's Code, *see* Eliot, Me., Code § 1-2 (March 2, 1997). Contrary to Dondero's contentions, the Zoning Board of Appeals did not err in its determination that Dondero was acting in violation of the conditional use permit, and that he exceeded the limited auto

recycling operation in the way he was running his business, *see H.E. Sargent, Inc. v. Town of Wells*, 676 A.2d 920, 923-24 (Me. 1996).

The entry is:

Judgment affirmed.

Attorney for plaintiff:

Patrick S. Bedard, Esq.
P O Box 366
Eliot, ME 03903

Attorneys for defendant:

Christopher L. Vaniotis, Esq.
Joan M. Fortin, Esq.
Bernstein, Shur, Sawyer & Nelson, P.A.
P O Box 9729
Portland, ME 04104-5029