

Town of Farmingdale  
Appeals Board Meeting Minutes  
September 24, 2025

Members Present- David Cyr (Chair), James Grant, Scott Avore, Heather Thompson  
Other Present- Alayna Bouchard, Greg Lumbert CEO, Mark Colfer and Edward Tibbetts

This meeting was called due to an administrative appeal filed by Edward Tibbetts, to appeal a decision made by the Code Enforcement Officer who found 5 sheds on the property, all in violation to the setbacks listed in the land use ordinance.

Meeting was called to order by David Cyr at 6:00pm

The Appeals Board asked Mr. Tibbetts to present his case and evidence to the board at this time.

Edward Tibbetts stated that the little shed has been on the property for a few years, the bigger ones were moved down from the front property 3 years ago. He stated it hasn't been an issue until recently when Mr. Colfer made him aware that the sheds were supposed to be 20 feet from the property line. Mr. Colfer offered to sell him the additional land needed for \$30,000, which Mr. Tibbetts stated he is not able to afford right now while he is building his house. He filed for an appeal due to the sheds being connected to power and it will be costly to move them.

Mark Colfer, the abutting land owner, then spoke to the board about his concerns about one resident being allowed a variance while others are not. The Appeals Board assured Mr. Colfer that variances are only given in unavoidable circumstances or when it would impose an unneeded hardship for the land owner.

After the Appeals Board reviewed the application, the board was given an opportunity to ask any question they would like to Mr. Tibbetts regarding this case.

**Heather Thompson:** Questioned his application statement saying some of the sheds have been in place for 10+ years, but looking at google earth pictures from 2020 it shows no sheds on the property and another photo from 2024 shows all the sheds. Mr. Tibbetts stated that he has dragged them from the front property which he used to own. Heather questioned his statement that since these sheds are portable, he doesn't have to follow the setback guidelines. Mr. Tibbetts said he had heard this from an individual that was not affiliated with the town.

**David Cyr:** Questioned Mr. Tibbetts regarding how many sheds are on the property, a diagram he submitted showed 6 sheds, but only 5 were listed on the original violation letter. Mr. Tibbetts explained that he has removed one of the sheds. David reviewed the setback distance and confirmed with Mr. Tibbetts that all the remaining sheds are all not compliant with the required setback of 20 feet from the property line.

**Greg Lumbert, CEO:** Original complaint came from the abutter Mr. Colfer stating Mr. Tibbetts had a shed on his property. The office looked through the building permit history and were only able to locate a building permit that was pulled for his house. Google Earth pictures from 2020 & 2024 make it evident that these sheds haven't been there for the 10+ years he stated. I included a photo that was taken today of

the sheds, as far as where the property line is I'm not a surveyor but by Mr. Tibbetts own admission, he agrees that they are not within the required setbacks. Mr. Tibbetts was offered two choices, to move the sheds and pull building permits for each shed, or file an appeal.

There was a debate of where the property lines are between Mr. Tibbetts and Mr. Colfer. The board reviewed a copy of a survey that was submitted back in 2022 with the building permit for Mr. Tibbett's house, comparing this to the drawing of the property lines from Mr. Tibbetts.

Appeals Board started a discussion on the application and made their decisions, while reviewing all facts and evidence before them. Chair David Cyr, confirmed with all board members that no one has any conflict of interest and feels they are able to make an informed decision tonight, all agreed.

*James motioned to end discussion and move forward to a vote, Scott seconded, all in favor.*

*James motioned to refuse the administrate appeal, based on the information presented here and that all of our residents are required to follow the same Code of Ordinance, Scott seconded, all in favor.*

The Appeals Board and Code Enforcement Officer discussed with Mr. Tibbetts on a reasonable amount of time to remedy the issues presented tonight. Mr. Tibbetts asked for 60 Days.


*James motioned to allow Mr. Tibbetts 60 Days to become compliant, Heather seconded, all in favor.*

*Heather motioned to adjourn at 6.37pm, Scott seconded, all in favor.*

Date \_\_\_\_\_

  
David Cyr, Chair

  
James Grant

  
Scott Avore

  
Heather Thompson

**\* Disclaimer: While every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and the actions that took place. For official audio of the meeting minutes please call the Farmingdale Town Office at 207-582-2225.**