

Decision: 2022 ME 18
Docket: Fra-21-279
Argued: March 8, 2022
Decided: March 24, 2022

Panel: STANFILL, C.J., and MEAD, GORMAN, JABAR, HORTON, and CONNORS, JJ.

LUCAS J. SIROIS et al.

v.

TOWN OF RANGELEY et al.

PER CURIAM

[¶1] Lucas J. Sirois appeals from a judgment of the Superior Court (Franklin County, *Mills, A.R.J.*) dismissing his appeal of a decision of the Town of Rangeley Zoning Board of Appeals as untimely pursuant to 30-A M.R.S. § 2691(3)(G) (2021). The Board’s decision affirmed the Rangeley Code Enforcement Officer’s issuance of a building permit to Dirigo Solar, LLC, for a proposed solar farm project.¹

[¶2] Although Sirois filed his appeal in the Superior Court² more than forty-five days after the Board’s original vote affirming the issuance of the

¹ There were additional petitioners in the Superior Court who did not join this appeal, and Dirigo Solar, LLC, was a party-in-interest in the Superior Court.

² Sirois earlier filed another appeal, which was dismissed.

permit, Sirois argues that his appeal is nonetheless timely because he relied on the Town's official notices sent thereafter regarding the procedure to appeal the Board's decision to the Superior Court, he was required under the Rangeley Town Code to request reconsideration of the Board's decision, and he timely appealed after the Board resolved his request for reconsideration. Because the Court is evenly divided, we affirm the Superior Court's judgment. *See Day v. State Tax Assessor*, 2008 ME 39, ¶ 1, 942 A.2d 685.

The entry is:

Judgment affirmed.

Lynne Williams, Esq. (orally), Williams Law Office, Bar Harbor, for appellant Lucas J. Sirois

Kristin M. Collins, Esq. (orally), and Cameron A. Ferrante, Esq., Preti Flaherty Beliveau & Pachios LLP, Augusta, for appellee Town of Rangeley

Gordon R. Smith, Esq. (orally), and Scott D. Anderson, Esq., Verrill Dana, LLP, Portland, and Emma Akrawi, Esq., Dirigo Solar, LLC, Portland, for appellee Dirigo Solar, LLC