

IN RE THE APPEAL OF CODE ENFORCEMENT OFFICER DECISION

Received
5-7-19 *jm*

Request for Postponement of Hearing

May 7, 2019

Chairman of
Board of Appeals
Town of Lamoine
Lamoine, Maine 04605

Re: Appeal Re: Building Permit for Lot 48

Mr. Chairman:

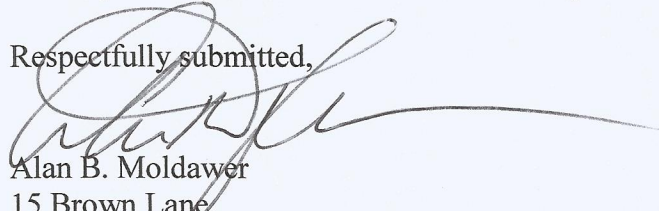
I have not been given written notice but I have been told that as of yesterday, a Board of Appeals hearing has been scheduled for Monday, May 13, on the Appeal to the Board of Appeals I filed on May 2, 2019. Public notice was posted on the Town of Lamoine website yesterday afternoon.

I will be out of town on May 13, having a prior commitment in the Washington, D.C. area that day and the two following, that cannot be changed. While I understand that there may be threshold issues that the Board may want to address on May 13, fairness and due process would seem to dictate that more than a week's notice of a public hearing that could be dispositive of the issues raised by the Appeal should be provided me, as well as others who may want to participate. I respectfully ask that the Board of Appeals hearing be re-scheduled for a later date.

In addition, regardless of the procedural issues involved, if any, the facts are unmistakable that there is a house still under construction that has never been inspected, that has had the Code misapplied to it, that clearly violates the Building and Land Use Code in multiple respects, and that may pose a threat to neighbors' property as well as an adjoining stream or wetland and sensitive shoreland. The serious issues involved should require notice to all abutting landowners, including the co-owners of Lot 48 (Harris families), and an opportunity for all interested and "aggrieved persons" to attend and be heard. While the convenience of the Board of Appeals is not unimportant, convenience of scheduling should not take precedence over the opportunity for all persons to be heard on the issues raised.

Thank you for your consideration of this request.

Respectfully submitted,



Alan B. Moldawer
15 Brown Lane
Lamoine, Maine 04605

Cc: Mr. John Holt, Planning Board Chair
Ms. Rebecca Albright, Code Enforcement Officer

Richard & Marion Arnold