

From: Jonathan Zdziarski <jzdzarski@icloud.com>  
Sent: Sunday, July 19, 2020 4:56 PM  
To: Town of Lamoine  
Subject: Fwd: Attic

Follow Up Flag: Follow up  
Flag Status: Flagged

Hi Stu, et. al

I received an email that our property at 102 Marlboro Beach Rd. is on the docket for the July 24 board of appeals meeting. I am not sure if we are required to be at this meeting, so I have attached two emails that I'd like to make sure are on the record if this matter arises. Both of these were sent from the CEO prior to our closing on the property on May 1, 2020. The first is an email directly to me from the CEO citing her findings that the finished attic does not constitute a third story. Rebecca did research and also inspected the property in person. The second email is to both the listing and selling agent confirming that there are no violations regarding the Arnold's property.

Rebecca fulfilled her fiduciary duties to resolve all open issues satisfactorily regarding the property prior to closing, and had they not been fully resolved, we would not have proceeded with closing on the home. As part of that due diligence, Rebecca did raise and follow up on other issues that had to be resolved prior to closing (which were satisfactorily resolved), but did not consider the finished attic to be a violation, and therefore required no additional remedy; the second email makes it clear that she considered this matter closed prior to sale.

We believed the CEO to have fulfilled her fiduciary duties serving in the town's capacity in her findings that the finished attic did not constitute a violation, and made a significant purchasing decision based on her authoritative answer. If the town is to reverse that decision - 23 years after the property has been built - then we will aggressively pursue the matter with the town as necessary with counsel. Given that we did not build this property, and the town - having every affordance to inspect the attic - did not hold up the closing of the property or raise any violations when a review was specifically requested, we feel that this matter has been satisfactorily addressed and requires no further action by the town.

Lastly, given that we are new to town, we have no desire to get involved in the petty neighbor-against-neighbor politics, and the un-rightful using of the town's office of CEO as a weapon against neighbors, rather than the instrument it was intended to be. If there are any presently-open complaints that were filed by the previous owners of our property against any other property owners, we wish to withdraw such complaints to the degree we have a right to as the new owners. We have no dog in this fight, and do not wish to be involved with any of the petty drama going on on this street.

Sincerely and thank you,  
Jonathan and Jessica Zdziarski

Begin forwarded message:

From: beck albright <lamoineceo@gmail.com>  
Subject: Re: Attic  
Date: March 16, 2020 at 3:16:20 PM EDT  
To: Jonathan Zdziarski <jzdzarski@icloud.com>

Hi Jonathan. I did a lot of research on Wednesday and found that the third floor doesn't constitute a third story. Rebecca

On Fri, Mar 13, 2020, 6:42 PM Jonathan Zdziarski <jzdzarski@icloud.com> wrote:  
Hi Rebecca-

Have you got a definition of attic that the town uses? It sounds like everybody agrees the property's finished room up there is an attic, I'm just looking to confirm that in a definition or by a determination made by your office, I'm not sure how difficult it would be to get you into the property, so looking for alternatives in case that doesn't happen during due diligence.

Thanks!

Sent from my iPhone

Begin forwarded message:

From: beck albright <lamoineceo@gmail.com>  
Subject: Richard Arnold  
Date: April 13, 2020 at 2:11:35 PM EDT  
To: Sarah Stanley <sarah@acadiacornerstone.com>  
Cc: Jamie OKeefe <jamie@knowlesco.com>

I find no violation regarding Richard Arnold's property. Sincerely, Rebecca Albright