

July 24, 2020

Lamoine Board of Appeals  
Town of Lamoine  
Lamoine, ME 04605

Re: Administrative Appeal ~ 102 Marlboro Beach Road

**VIA EMAIL**

Dear Board:

We have received the Supplemental Memorandum prepared by Rudman & Winchell on behalf of the Zdziarskis. We agree that appealing a 20+ year old building permit would be well past the deadline, however that is not the subject of our appeal. Our appeal is the finding of no violation for the unpermitted 3<sup>rd</sup> story. 3 stories is not now, nor has it ever been permitted by Lamoine Land Use Ordinances.

The third story was never permitted and the certificate of occupancy is not proof to the contrary. The certificate of occupancy references permit #95-008, a copy of which was included in our September complaint and our appeal, before the file disappeared. Neither the permit nor the respective plan has any indication of a third story or a dormer. The Arnold's could build a dormer for an attic but when they converted it to living space they overbuilt the permit. Similar to the Raposa case, we had no opportunity to appeal this use.

We are appealing the town's decision of no violation and consequently no enforcement. The CEO made her determination on April 13, 2020, we filed our appeal 2 days later, on April 14, 2020.

Sincerely,



Thomas N. True