

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
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1/12/2023

RESPONSE TO WRITTEN COMPLAINT RECEIVED 1/11/2023 FROM TERRY N. TOWNE

Map 14, Lot 28 located at 9 Cove Road is currently owned by Christine Cohen. She purchased this property on 6/17/2019 from Kermit & Donna Theall.

The lot in question is 1.3 acres, has 150' of road frontage and 210' of shore frontage. All three abovementioned dimensions are ostensibly restricting the property to one single family dwelling only.

See Exhibit "A". Even if the property owner had 20 acres, 2000' of road and shore frontage (hypothetically speaking), due to the deed restriction highlighted, only one single family dwelling unit is ever allowed on this property.

However, turning to Exhibit "B" we see that Permit # 04-52 was issued to the Theall's by Dennis Ford for a "single family residence" (this constituting a second dwelling unit on the property).

Exhibit "C" comes from the 2004 building application showing the proposed new garage/dwelling unit.

Exhibit "D" outlines what Kermit Theall is asking to do with his permit.

Exhibit "E" is the Lamoine Code Officers' Building permit Application Checklist. Interestingly, there are no check list provisions for dimensional, road or shoreland requirements.

Exhibit "F" is a legally obtained internal plumbing permit for 20 fixtures (11/15/2005).

Exhibit "G" is a legally obtained septic system showing a 4 bedroom design (2013).

Exhibit "H" shows the development of the lot in question prior to the 2004 build.


Exhibit "I" show and enlargement of the current tax card. Highlighted is an area in which a garage apartment is indicated.

Exhibit "J" shows the bedroom loft in the new garage.

Exhibit "K" shows that a second dwelling unit was added in a garage by the original owners Charles and Anita Wiesenberger.

The town has no information that this, (unpermitted, it appears) dwelling unit was contented or received complaints about.

Considering that the second dwelling unit was erected 33 years ago, and had nothing to do with the current owner, I consider this a non-issue. Therefore, there is no basis for the town to issue a notice of violation.



Rebecca Albright, Code Officer