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APPLICATION FOR VARIANCE OR ADMINISTRATIVE APPEAL TO THE APPEALS BOARD

Name of Appellant Kimberly (Houle) LaMarre; Anthony LaMarre

c/o Edmond Bearor, Esq.
Rudman Winchell

Mailing Address 32 Primrose Lane Telephone (207) 947-4501

Town/City Freeport Zip 04032

Name of Property Owner
Appellants' Property: Kimberly (Houle) LaMarre — Map 63 Lot 020
Subject Property: Nicholas Namer; Jodi Namer — Map 63 Lot 022

Location of Property
Appellants' Property: 17 Gilman Dr. — Book 2950 Page 217
Subject Property: 8, 10, 12, & 13 Gilman Drive — Book 1288 Page 144

The undersigned requests that the Board if Appeals consider one of the following:

✓ 1. **An Administrative Appeal.** Relief from the decision, or lack of decision, of the Code Enforcement Officer or Planning Board in regard to an application for a permit, pursuant to the China Land Development Code, Chaptper 9, Appeals, Section 2(B):

____ an error was made in the denial of the permit.

____ the denial of the permit was based on a misinterpretation of the ordinance.

____ there has been a failure to approve or deny the permit within a reasonable period of time.

✓ other ___ See Attachment A. The decision to issue the permit and the decision to affirm issuance of the permit following an investigation of the original decision were based on misinterpretations of Land Use Ordinance.

Please explain in more detail the facts surrounding this appeal (please attach a separate piece of paper). You should be as specific as possible so that the Board of Appeals can give full consideration to your case.

____ 2. **A Variance.**

a. Nature of Variance: Describe generally the nature of the variance _____

_____

_____

_____

In addition, a sketch plan of the property must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic features of the lot in question.

b. Justification of Variance: In order for a variance to be granted, the appellant must demonstrate to the Board of Appeals that the strict application of the terms of the land use ordinance would cause undue hardship. There are four criteria, all of which must be met before the Board of Appeals can determine that a hardship exists. Please explain how your situation meets each of these criteria listed below, pursuant to the China Land Development Code, Chapter 9, Appeals, Section 2(A):

1. The land in question can not yield a reasonable return unless the variance is granted.

_____

_____

2. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.

_____

_____

3. The granting of a variance will not alter the essential character of the locality.

_____

_____

4. The hardship is not the result of action taken by the appellant or a prior owner.

_____

_____

I certify that the information contained in this application is true and correct.

Date: __8/6/2019_____ Signature of appellant _____

Please return this form to the China Town Office at 571 Lakeview Drive, China, ME 04358 with the $100 application fee. You will be notified of the date of the hearing on your appeal. Please note, all costs to advertise the public heating notice in the newspaper and to send notice certified mail, return receipt to all abutters (China Land Development Code, Chapter 9, Appeals Section 2(A)(IV), Notification) is the responsibility of the appellant.

APPLICATION FOR ADMINSTRATIVE APPEAL OF KIMBERLY (HOULE) & ANTHONY LAMARRE REGARDING PERMIT # 2018-21

Appellants, Kimberly (Houle) and Anthony LaMarre (collectively, the "LaMarres"), hereby appeal the decision of the Town of China Code Enforcement Officers ("CEOs") to issue Nicholas Namer[1] a permit to "locate a camper pursuant to the application and site plan submitted to the Code Enforcement Officer on 8/15/2018," and, following an investigation of that decision approximately one year later, the decision to affirm the issuance of the permit. Permit # 2018-21 is included as Attachment B. CEO Paul Mitnick's written decision granting the permit is included as Attachment C. The Namers' after-the-fact application for said permit (including a sketch plan) is included as Attachment D. CEO Bill Butler's correspondence with the LaMarres concerning his investigation of and decision to affirm CEO Mitnick's decision to issue the permit is included as Attachment E. Email correspondence between Ms. LaMarre and the Town officials that was shared with CEO Butler as part of his investigation are included as Attachment F. As discussed below, the CEOs erred as matter of law when they determined that the Namers' structure was an RV and was a grandfathered non-conforming use. Therefore, Appellants respectfully request the Appeals Board grant this appeal and remand this matter to the CEO with instructions to revoke the Namers' permit and to order the Namers remove the illegal structure.

FACTUAL BACKGROUND

Mr. Namer acquired the subject property in early 2018. The prior owners occasionally located a mobile camper in the southeasterly portion of the subject property. On or about July 8, 2018, Mr. Namer installed a structure—purported to be a mobile recreational vehicle—in the southwesterly portion of the subject property. Mr. Namer did not obtain any approval or permit

[1] The permit was issued to property owner Nicholas Namer ("Mr. Namer"). The stated applicant for the permit is Mr. Namers' mother and the occupant of the disputed structure, Marie Bourque-Namer ("Ms. Namer"). Both are referred to collectively as the "Namers."

to install this structure. On July 21, 2018, CEO Paul Mitnick issued a Notice of Violation to the Namers for moving a mobile home onto the lot without getting a building permit or submitting a written sewage disposal plan. Attachment C. The LaMarres did not receive a copy of this notice.

On July 31, 2018, Ms. LaMarre complained to CEO Mitnick about the location of the newly installed structure. Attachment F. At that time, CEO Mitnick told Ms. LaMarre he would instruct the Namers to move the structure because it was not a recreational vehicle and the Namers cannot build any new structures on their property because of the size of the lot. When no such action occurred by August 8, 2018, Ms. LaMarre contacted the Town Manager and CEO Mitnick concerning the status of her complaint. She received no response. *Id.*

On August 15, 2018, the Namers submitted an after-the-fact application for a CEO permit to "relocate the campsite previously located on the east side of the property nearest to RT 202, to a site adjacent to cabin 12 on the same property (same septic system) for the purpose [of] oversight[.] This is to be occupied less than 120 days a year. The camper is identified as a PMRV-park model rv. See attachments[.]" Attachment D. The application describes the type of permit sought as "Other: Private campsite move on property." *Id.* The LaMarres did not receive notice of this application. When Ms. LaMarre again contacted the Town about her complaint on August 20, 2018, she received no response. Attachment F.

On August 21, 2018, CEO Mitnick issued the permit, subject to the above-described and standard permit conditions. Attachment B and D. The specific findings of fact now appealed are as follows:

- This lot is grandfathered due to the existence of the structures and lot prior to Ordinance enactment. Non-conformity is allowed to continue, as long as conditions do not become more non-conforming.
- An RV was formally on this site in a different location. It was attached to the existing septic system.

- In accordance with Section 2(E)(IV)(b)[,] resumption of this non-conforming use is allowed, since it was not discontinued for more than one year.
- Although the current structure moved unto the lot has the appearance of a mobile home, the state regulations would not consider this a manufactured home due to the fact that it was not constructed in compliance with HUD standards.
- The Structure meets the definition of an RV included within Chapter 11 of the China Land Development Code since
    - It can be towed by a motor vehicle (A one ton pickup is a motor vehicle)
    - Is built on a single chassis
    - Is less than 400 sf (actual size is 399 sf)
    - Its wheels are placed on the ground
    - It is registered with that State Dept. of Motor Vehicles
    - It will be used as temporary living quarters (No more than 12 days per year).
    - In accordance with Section 2(P) . . . Placed is being interpreted as meaning occupied since most RV are parked on a lot for more than 120 days when not being used.

Attachment C. The LaMarres did not receive notice or a copy of either the written decision or the permit.

In July 2019, Mr. LaMarre met with the Town Manager to discuss the LaMarres' complaint and the Town's failure to respond to the LaMarres' repeated requests for updates. *See* Attachment E. The Town Manager and the new Town CEO, Bill Butler, subsequently informed the LaMarres that a permit had been issued but that the Town was investigating that decision. On July 8, 2019, following a site visit to the Namers' property and inspection of the structure, CEO Butler informed the LaMarres that while he agreed with CEO Mitnick's decision to grant a permit for the structure based on the finding that it is a RV, the LaMarres may now appeal this decision to the Appeals Board because they complained about the structure but were not provided notice of the original decision.[2] *Id.*

[2] Absent a new written decision. Appellants assume that CEO Butler affirmed all of CEO Mitnick's findings of fact.

JURISDICTION OF APPEALS BOARD

Pursuant to 30-A M.R.S. § 2691(4) and Land Use Ordinance Chapter 9, Section 1 and Section 2(B), the Appeals Board has jurisdiction to hear this appeal of the decision to issue the permit to the Namers on August 21, 2018, and the July 8, 2019, decision to affirm issuance of this permit upon re-investigation.

REASONS PERMIT IS UNLAWFUL

I. The Namers' Structure is not a "Recreational Vehicle" and Cannot Comply with the Dimensional Requirements for a Principle Structure

The CEOs erroneously concluded that the new structure is a RV, not a mobile or manufactured home, because they misinterpreted and misapplied the applicable definitions of the Land Use Ordinance. The plain language of that Ordinance makes clear that the Namers' new structure is a "Manufactured Home" or "Manufactured Housing," as well as a "Structure" and a "Dwelling," not a "Recreational Vehicle." An additional principle structure of this size cannot be located anywhere on the Namers' property because the Namers' lot does not have sufficient lot size or shore frontage. Where it is presently located, the structure also does not meet the required setbacks.

Several definitions are relevant. The Namers applied for a permit to move an existing private campsite and locate an RV on it. Attachment C. But the Namers' structure is not an RV as that term is defined by the Ordinance. The Ordinance defines "Individual Private Campsite" as "[a]ny premises providing temporary accommodation in a *recreational vehicle* or tent and used exclusively by the owner of the property and his or her family and friends." Land Use Ordinance, Ch. 11. To qualify for an individual campsite permit, therefore, the living quarters to be located on the campsite must be either a RV or a tent. *Id.* (emphasis added). "Recreational Vehicle" is defined as "[a] vehicle or an attachment to a vehicle designed to be towed, and designed for

temporary sleeping or living quarters for one or more persons, and which may include a pick-up camper, travel trailer, tent trailer, camp trailer, and motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on the ground, and must be registered with the State Division of Motor Vehicles." *Id.*

Under the principles of ordinance interpretation, a category defined by a non-exhaustive list of examples may be interpreted to include other items that are of the same type of those items listed. *Penobscot Nation v. Stilphen*, 461 A.2d 478, 489 (Me.1983). An ordinancy observer would readily conclude the Namers' structure is along the lines of a mobile home or a conventional house. Such structures are more like a permanent traditional residential home than they are like a "pick-up camper, travel trailer, tent trailer, camp trailer, and motor home," all of which are temporary shelters that are designed to be moved frequently and conveniently. The Namers' structure also differs aesthetically from the examples listed in the definition, all of which are the traditional types of temporary shelters that one would expect at a typical campground in Maine.

Rather, the Namers' structure is a "Manufactured Home" and/or a "Manufactured Housing," both of which are a "Dwelling" and a "Structure." The Ordinance defines "Manufactured Home" as "[a] structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days." Land Use Ordinance, Ch. 11.

Here, the structure satisfies the characteristics of the first sentence. Even if it did not, and it is a park trailer as the manufacturer's certificate purports it to be, it is still a "Manufactured

Home" under the Land Use Ordinance because it is placed on the ground for more than 120 days per year. The CEOs avoided application of this clear definition by interpreting "place on" to mean "occupy" because "most RV are parked on a lot for more than 120 days when not being used." Attachment C. This interpretation defies the plain meaning of the phrase "placed on." A town must interpret its own ordinance based on the plain and ordinary meaning of undefined words. *Rockland Plaza Realty Corp. v. City of Rockland*, 2001 ME 81, ¶ 12, 722 A.2d 256. A dictionary is a source for such plain and ordinary meaning. According to the Merriam-Webster dictionary, the verb place, as used here, means "to put in or as if in a particular place or position" or "to direct to a desired spot." *See* https://www.merriam-webster.com/dictionary/place. These definitions have nothing to do with whether the object is occupied. Because this meaning is clear from the unambiguous text of the Ordinance, the CEOs' reliance on an apparent common practice of RV owners to leave RVs parked for greater than 120 days is unnecessary. *Clarke v. Olsten Certified Healthcare Corp.*, 1998 ME 180, ¶ 6, 714 A.2d 823 (holding that there is no need to resort to extrinsic evidence if the plain text is unambiguous). Their interpretation is also illogical. If this structure meets the definition of RV because it is not occupied for more than 120 days per year, then a China resident could claim that a cabin with a foundation qualifies as an RV (and, therefore, does not have to comply with setbacks or other dimensional requirements) if it is occupied for less than 120 days per year. Even more likely, this precedent could lead to the proliferation of structures on China Lake that are, by all appearances, mobile homes. Ordinance language must be construed so as to avoid such illogical, inconsistent, or absurd results. *Id.*

The Namers' structure also meets the definition of "Manufactured Housing," a structural unit that either meets the HUD standards or the state "modular home" standards, the latter of

which are now codified in Title 10, Chapter 953.[3] The CEOs appeared to have only considered whether it met the HUD standards, and did not consider whether it met the state definition of mobile home. The state defines mobile home as follows:

> a structure, transportable in one or more sections, which: A. is 8 body feet or more in width and 32 body feet or more in length; B. is built on a permanent chassis; C. is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and D. includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

10 M.R.S. § 953. Based on the written findings CEO Mitnick did make, the Namers' structure appears to be a mobile home under state law because it exceeds the above dimensions, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and the structure includes includes the plumbing, heating, air-conditioning and electrical systems. Attachments C and D (see manufacture's certification).

Therefore, the Namers' structure is "manufactured housing" and/or a "manufactured home," not a RV. While an RV is exempted from the definition of a "dwelling," a mobile home (employed in the Ordinance interchangeably with manufactured home and housing) is not. *See* Land Use Ordinance, Ch. 11. It is also a "structure," because it is built for the enclosure of persons. *Id.* Therefore, the Namers' structure is a principle structure and the dimensional standards for principle structures are applicable. As the CEOs correctly concluded, these standards cannot be met because the subject property is too small for yet another principle structure. It cannot meet the minimum lot area of 40,000 square feet or the minimum shore frontage of 200 feet per principle structure. *Id.* Ch. 2, § 5(A)(l)(a). Further, the structure is

[3] The Land Use Ordinance refers to Title 10 Chapter 975; this appears to be in error as no such chapter now exists. Presumably, the intent was to incorporate the standards of Title 10, Section 953 concerning mobile homes.

presently located only five feet away from the property line of Lucy and Dan Tucker, a distance well short of setbacks. *Id.*

II. The CEOs Unlawfully Allowed a Non-Conforming Use to Become More Non-Conforming

The Land Use Ordinance states that non-conforming uses and structures shall be allowed to continue so long as non-conforming conditions do not become more non-conforming, except as specifically provided otherwise. *Id.* Ch. 2, §§ 2(A)(II), 2(C)(I), 2(C)(IV)(b), 2(C)(V).

There is no dispute that when the Namers acquired this property in early 2018, they acquired the grandfathered rights to a non-conforming individual private campsite in the southeasterly corner, which had historically been used to locate a motorized RV. This use was non-conforming because it could not meet the dimensional requirements for lot size or shore frontage. The relocation and placement of the new structure makes the property more non-conforming and violates the Non-Conforming Existing Structures, Lots and Uses Section of the Land Use Ordinance. This is true regardless of whether the Namers' structure is considered an RV or a manufactured home.

First, the CEOs failed to determine whether an expansion occurred. A structure is "expanded" when any addition causes the structure to cover a greater area of land. *Id.* Ch. 11. Based on the photos submitted, it appears the Namers' structure is larger than the prior motor home that sometimes occupied the grandfathered campsite. This is an unlawful increase of a non-conforming use. *Id.* Ch. 2, § C(II)(a). Whether the Namers' structure is or is not an RV, the CEOs should have made this finding.

Second, the CEOs allowed relocation of the removed non-conforming use without making the requisite determination that the relocated structure conforms to all setback requirements to the "greatest practical extent." *Id.* § 2(C)(IV). In determining whether the

relocated structure meets setbacks to the greatest practical extent, the CEO must consider the zone of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type of vegetation to be removed to accomplish this relocation. Put plainly, a finding that the relocated structure meets setback requirements is not sufficient.

But that is exactly what the CEOs did here. The written decision makes no mention of the "greatest practical extent" standard. Rather, it simply concludes that the relocated structure "meets the 100 foot setback requirement from China Lake's high water mark."[4] Attachment C. Here, there is substantial evidence in the record that the relocated structure does not conform to all setbacks to the greatest practical extent. There are already five non-conforming permanent structures on this relatively small lot, which is located in a densely occupied section of the shoreline. The southwesterly corner is a particularly inappropriate location given how much closer it is to abutting properties, including the LaMarre and Tucker properties.

Finally, the CEO permitted the structure to be hooked up to the existing grandfathered septic system, even though the disposal bed for that system is undersized for the new structure. Attachment C. It is conceivable that this new structure will stress an already undersized septic system, which may imperil the water quality of China Lake. Also, the CEOs erred by relying on the fact the system is grandfathered to conclude that the Namers met the subsurface sewage disposal system requirements. A non-conforming structure may be relocated only if "the applicant demonstrates that the present subsurface sewage disposal system meets the

[4] Moreover, the written decision does not include the required condition that, where feasible, upon granting relocation of a non-conforming structure, the original location be replanted. Land Use Code, Ch. 2, § 2(IV)(second unnumbered paragraph (b)).

requirements of State law and the State of Maine Subsurface Wastewater Disposal Rules (Rules) (10-144; Chapter 241) *without being a grandfathered system . . . .*" Land Use Ordinance, Ch. 2, § 2(C)(IV)(a) (emphasis added). This condition deems the fact system was grandfathered is irrelevant; the Namers must demonstrate current compliance with subsurface waste disposal system requirements.

Because the Namers' structure cannot be approved as a relocated grandfathered non-conforming use, it is subject to all applicable permitting requirements for a new use. As previously discussed, it cannot meet the requirements for a new principle structure. Even if the Namers' structure is an RV and not a new principle structure, the Namers cannot comply with the conditions applicable to new individual private campsites. Because the subject property (approximately 1.35 acres or 58,806 square feet) contains at least five other principle structures, it is not large enough to meet the dimensional requirement of 30,000 square feet for the campsite, plus 40,000 square feet for each additional pre-existing residential structure.

Therefore, the CEOs' decisions are based on the erroneous interpretations and misapplications of the Ordinance, and should be reversed. To be clear, this does not mean that Ms. Namer would be without a structure to live in for the season. The structure could conceivably be relocated to the former location. Or, if the view from that location is not desirable or ideal for the claimed purpose of monitoring renters, then Ms. Namer could relocate to one of the many other rental structures on the subject property.

TOWN OF CHINA
CEO PERMIT

****

DATE: 8/21/2018 PERMIT #: 2018-21

ISSUED TO: Namer, Nicholas
PO Box 6445
China Village, ME 04926

MAP: 63
LOT: 022

PHYSICAL ADDRESS: Gilman Drive

THE TOWN OF CHINA HEREBY ISSUES THE FOLLOWING PERMIT:

locate a camper pursuant to the application and site plan submitted to the Code Enforcement Officer on 8/15/2018.

CONDITIONS:

PROJECT MUST BE STARTED BY 8/21/2019 AND COMPLETED BY 2/21/2021.

Town of China
571 Lakeview Drive
China ME 04358
(207) 445-2014
info@chinamaine.org

Paul Mitnik
Codes Enforcement Officer
Local Plumbing Inspector
(207) 445-3540
ceo@chinamaine.org

8-9-18

Gilman Drive
Map 63 Lot 22

Decision of Paul Mitnik, P.E.
8-7-18

This spring I met with Marie Namer concerning the placement of a gravel pad and an RV on this lot. Her son, Nicholas Namer purchased this property in April 12 of this year (Book 12881, page 0144). The lot contains five yellow colored seasonal camps and has historically contained an RV. The location that Ms. Namer wanted to place the new RV was a different location than previously but meets the 100 foot setback requirement from China Lake's high water mark. I verbally approved this location but told her it could not be occupied more than 120 days.

A park model RV was moved unto this site. I issued a Notice of Violation on July 26 for movement of a mobile home unto the lot without a building permit and a written sewage disposal plan. The mobile home was referred to as a principal structure. The Notice is rescinded due to new information that I discovered when meeting with the Namers on 8-7-18 and more carefully investigating facts and Ordinance requirements.

Findings

- Map 63 Lot 22 is approximately 1.35 acres.
- It does not meet the minimum lot size and water frontage requirements in China's Land Use Ordinance of 40,000 SF per dwelling unit and 200 feet, respectively (Sect 5(A)(I).
- This lot is grandfathered due to the existence of the structures and lot prior to Ordinance enactment. Non-conformity is allowed to continue, as long as conditions do not become more non-conforming .
- An RV was formerly on this site in a different location. It was removed in April of this year when this property was sold to the present owner. It was attached to the existing septic system.
- In accordance with Section 2(E)(IV)(b) resumption of this non-conforming use is allowed, since it was not discontinued for more than one year.
- Although the current structure moved unto the lot has the appearance of a mobile home, the state regulations would not consider this a manufactured home due to the fact that it was not constructed in compliance with HUD standards.
- The structure meets the definition of an RV included within Chapter 11 of the China Land Development Code since

  -It can be towed by a motor vehicle (A one ton pickup is a motor vehicle)

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Paul Mitnik
Codes Enforcement Officer
Local Plumbing Inspector
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Is built on a single chassis
-Is less than 400 sf (actual size is 399 sf)
-Its wheels are placed on the ground
It is registered with the State Dept of Motor Vehicles
-It will be used as temporary living quarters (No more than 120 days per year)

- In accordance with Section 2(P) of China's Land Use Ordinance, one recreational vehicle may be placed on a private campsite for up to 120 days without having to meet requirements for residential structures except water setback. Placed is being interpreted as meaning occupied since most RV are parked on a lot for more than 120 days when not being used.
- The hookup to the septic system has historically been done by the previous owner. Although the current wastewater disposal bed is undersized for the RV and five camps, it is a grandfathered system which is allowed to continue so long as failure of the system does not occur (confirmed by personal communication with Brent Lawson, state plumbing inspector 8-7-18).

Path Forward

The owner, Nicholas Namer has agreed to obtain a CEO permit for the movement of the private campsite to another location. This permit will be conditioned to occupying the RV no longer than 120 days (typically Mid May to mid September).

ATTACHMENT D

Town of China, Maine CEO Permit Application

Applicant Marie Bourque-Namer

Mailing Address PO Box 6445 China Village 04926-0445

Property Owner Nicholas Namer

Property Location Gilman Drive - Sunset Pines

Email aLakeMaine@gmail.com

Map 63 Lot 22

Deed - Book 12 881 Page 144

Phone (applicant's) (207) 650-5761

Owner (cell) (978) 549-2512

(other #)

☐ Shoreland ☐ Resource Protection ☐ Stream Protection

. all that apply)

☐ Commercial Paving

☐ Fuel Tank Removal or Reinstallation

☐ Private Campsite

☐ Mineral Exploration

proved construction ☐ Gravel Pit

th-Moving (up to 100 yards) ☑ Other Private campsite move on property

Proj .: (include dimensions and descriptions)

We req .elocate the campsite previously located on the east side of the property nearest to RT 202, to a site adjacent to cabin 12 on the same property (same septic system) for the purpose of property overs ght This is to be occup ed less than 120 days a year The camper is identified as a PMRV-park model rv See attachments

Standard Conditions of Permit: *Visit www.china.govoffice com for China's Land Development Code.*

1. The property owner applicant/contractor shall comply with the China Land Development Code.
2. All dimension requirements including setbacks from property lines, lot coverage and lot area shall be maintained.
3. Erosion control measures shall be maintained as indicated in permit.
4. The applicant is responsible for contacting the CEO for all required inspections giving a minimum 24 hours notice to the CEO. Messages left on the CEO's phone do not constitute notice.
5. The applicant is responsible for following submitted plans.
6. Permission for the Town to enter onto the property during reasonable hours to conduct inspections is hereby granted.
7. The applicant hereby certifies that all information contained in this application is true and correct.
8. The applicant must comply with all special conditions as noted by the CEO on the reverse side of this document.

YOU MUST SKETCH YOUR PLANS FOR YOUR APPLICATION TO BE REVIEWED.

DATE: August 15, 2018 SIGNATURE: Marie Bourque-Namer

REVISED 11 2015

The following is a list of other information that you must furnish. If you don't know the setbacks and/or dimensions, you must go out and measure before completing this application!

Road setback	170	road frontage	100
Side setbacks	20 & 7	water frontage	167
Rear setback	30	water setback	139

Please sketch your lot on a separate piece of paper or below with all dimensions, showing any buildings as they appear on the lot, along with proposed additions, decks, accessory buildings, or garages. In addition to the above list, please show where any of the following are located on the property: well & septic, any wetlands, rights-of-way, driveways, north arrow, and anything else which might assist the code officer in determining where your new building/addition will be located on your property. **Your application will not be reviewed until a sketch is received.**

Condition of permit.

1. The park model RV or any other RV replacing the current RV shall be occupied not more than 120 days per calendar year (typically mid May to mid sept).
2. Additional RVs shall not be occupied on the lot, except for up to three days.

CEO USE ONLY

CEO PERMIT # 2018-21

Receipt #
Date 8-21-18

Special conditions of permit: See above

Erosion control required: _____ **Type:** _____ **Inspection of erosion control:** _____

This permit expires if: Substantial construction is not started by _____

The project is not completed by _____

Campsite already establish per approval by CEO.

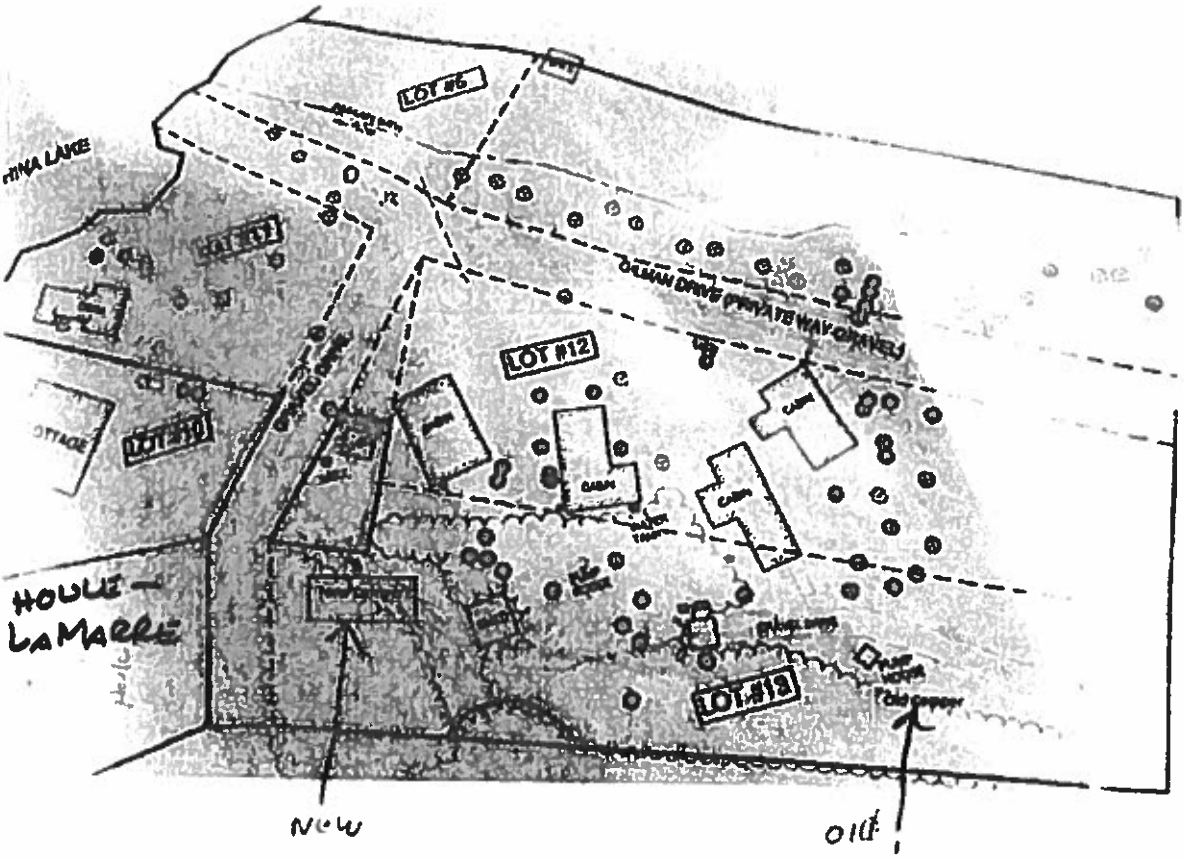
TOTAL FEE DUE: $ 20

Notes: _____

Signed: Paul Mutosh **Date:** 8-21-18

CEO, Plumbing and Building Inspector

The image below shows the location of the old campsite(red) as well as the new campsite location(blue).



PAT JACKSON INC. - TRI-CITY
SEPTIC TANK CLEANING SERVICE
P.O. BOX 691
AUGUSTA, MAINE 04332
(207) 623-3223 • 622-2567

Ordered by	PO #	Phone	Date

NAME

ADDRESS

SOLD BY	TRUCK #	RC	BILL	CASH	CHECK	MC/VISA

QTY	DESCRIPTION	AMOUNT
	HT • Grease	
	on • Evaluation	

(207) 623-3223
PAT JACKSON INC
163 PENIEL ROAD
BELGRADE, ME 04917

03 26 2017 16:12:11
CREDIT CARD
VISA SALE

Card XXXXXXXXXXXX9261
SEQ #: 8
Batch #: 103
INVOICE 8
Approval Code 033320
Entry Method Manual
Mode Online
Avs Code YYY

SALE AMOUNT $300.00

TAX	
TOTAL	

ecommend Risers ☐ Need Cover
aille or Filter Needed ☐ Recommend Evaluation
ustomer Notified
ce. 1 ½% per month interest after 30 days.

CUSTOMER COPY

PJI is not responsible for damage to covers, driveways & lawns during time of service.

No. 221421

Thank You

Pat Jackson Inc. / Tri-City

Septic Tank Cleaning Service

Inspection Number: 2017 - 8103 - 4698

-------- Septic System Inspection ---------

Date Ordered:	09/20/2017		
By Whom:	Jodi Namer	Telephone:	
Requesting Agency			
Date Completed:	09/26/2017		

Name/Own:		Billing Name:	Jodi Namer
Site Address:	Gilman Dr 4 Yellow Camps CHINA ME 04358	Billing Address:	4 Howard St SCARBOROUGH, ME 04070
Phone Number		Phone Number:	(617)852-8444

Picture Numbers:

Inspection conducted by: Steve Quimby

Section A: Preliminary Information

1 Estimated age of dwelling. . . . . 1960's
2 Estimated age of sewage disposal system currently in use . . . . . Mid 1990's
3. Most recent number of people occupying dwelling: 0
4 Is dwelling currently being occupied . . . . . No
5 If dwelling is presently unoccupied, for how long has it been vacant: Seasonal

NOTE 5A: If vacancy is greater than one week or the system has only been minimally used, only estimat ons and opinions may be given as to the functional operations and performance of the system when put into use

6. Type of water source: . . . . . Drilled Well
7. Is the dwelling occupied only on a seasonal basis: . . . . . Yes
If yes, at what frequency : Summers
8. When was the treatment tank last pumped . . . . . Unknown
What is the typical pumping frequency: . . . . . Unknown

NOTE 8A: If the sewage disposal system has not been serviced within the past two years then the treatment tank may need to be pumped through the main central manhole.

Pump the tank if you know that the following conditions exist:

a. The tank has an unplugged hole and or possible structural damage
b. You do not have enough background information (ie service records) to evaluate the present condition of the tank

Exception

If the system is overloaded, DO NOT PUMP until the root cause of the condition is remedied Pumping the system wou d not allow an objective inspection if a second opinion is sought

After you pump a tank, keep detailed records on file that inc ude:

Was treatment tank or absorption system overloaded?

Did the absorption system flow effluent back into the treatment tank?

9. Has the washing machine water been disconnected from the sewage disposal system: Unknown

SEE SECTION G - Item # 5

Section B: Treatment Tank

Septic Tank:	Yes	Est Capacity:	750 Gallon
Pump Tank:	No	Est Capacity:	
Grease Trap	No	Est Capacity:	
Other Tank:	No	Est Capacity:	

Section C: Condition of Treatment Tank

1 When the tank was last pumped, were these components inspected at that time . . . . . .
2. Top/Cover - 20" . . . . . Sat
2a Inlet Cover - 14"x16" . . . . . Sat
2b Outlet Cover - 14"x16" . . . . . Sat
3 Inlet Baffle - . . . . . Sat
4. Outlet Baffle - . . . . . Sat
5. Liquid Level - . . . . . Sat
6. Thickness of Scum . . . . . 0 inches . . . . Sat
7. Depth of Sludge . . . . . 6 inches . . . . . Sat
8. Elec./Mech. Operat ons of Pumps . . . . . Sat
9. Line between Treatment Tank and Absorption System . . . . . Sat

*Sat sfactory is based on opinions, on cond tion, operation, and/or whether the component would be judged adequate by current standards

Section C Comments (See Appendix 1)

Section D: Absorption System

Page 3

Est Cesspool:		Est Capacity:	
Est Seepage Bed:		Est Absorption Area:	
Est Trench System:		Est Absorption Area	
Chambers:	Plastic Infiltrators	Est Absorption Area:	6 rows of plastic infiltrators in step down series, each row was 62'+/- in length.

Other (Specify):

Section E: Condition of Absorption System

1	Was treatment tank pumped?	No
	-Was tank pumping recommended?	No
	-Was liquid level at the invert of the outlet pipe in the treatment tank?	Yes
2	Evidence of Current Failure?	No
3	Indications of previous failures:	No
	If yes, please comment	
4.	Is seepage visible on the lawn?	No
	Is lush vegetation present?	No
5.	Does effluent discharge on the ground or into a body of water?	No

Section E Comments (See Appendix 2)

Section F: Checklist Summary

1	Is the treatment tank currently satisfactory, and in good working condition?		Yes
2	Is the absorption system currently satisfactory* and in good working condition?		Yes
3	Is a pump necessary to transport effluent from the treatment tank to a soil absorption system?		Yes
	If yes, is pump operation satisfactory?		Yes
4	Is a pump necessary to transport sewage from the home to the tank?	N/A	
	If yes, is pump operation satisfactory?		N/A

*Satisfactory is based on opinions, on condition, operation, and/or whether the component would be judged adequate by current standards

Section G: Company Disclaimer

All statements are the opinions of Pat Jackson Inc.

1. In order to do a thorough inspection of a septic system, Pat Jackson Inc. must physically dig up covers on septic tanks and inspection holes These will be conducted with the least disrupt on of property as reasonably possible.

2. Based upon our opinions and observations and our considerable experience in on site wastewater technology, we submit this Septic System Inspection Checklist based on the present condition of the on-site sewage disposal system. Our company has not been retained to warrant, guarantee, or certify the proper functioning of the system for any period of time in the future. Because of the numerous factors (usage, soil characteristics, previous failures, ground water, etc.) which may affect the proper operation of a septic system as well as the inability of our company to supervise or monitor the use or maintenance of the system, this report shall not be construed as a warranty by our company that the system will function properly for any particular perspective buyer. Pat Jackson Inc. disclaims any warranty, either expressed or implied, arising from the inspection of the septic system or this checklist. We are also not ascertaining the impact the system is having on the ground water.

3. During winter months with extreme weather conditions (snow & frost) Pat Jackson Inc can only make estimated based on the inspectors best judgments and opinions Pat Jackson Inc. will return if retained to re-inspect the system during the summer months when snow and frost are gone to verify estimation and opinions.

4. Pat Jackson Inc. recommends second opinions and will supply names of other companies doing inspections if called

5. Maine Subsurface Disposal Rules require the washing machine to be connected to the septic tank or put into an approved gray water system

6. Pat Jackson Inc finds and located septic systems on the ground and does not determine property lines or location of systems in relation to property lines If this is needed a licensed land surveyor should be retained for this purpose.

7. This report shall remain the sole property of Pat Jackson, Inc. Pat Jackson, Inc. reserves the right to distribute this report at it's sole discretion.

Thank you for allowing us the opportunity to be of service
If you have any additional questions please do not hesitate to call

INSPECTING COMPANY:

Pat Jackson Inc.
P.O. Box 691
Augusta Maine 04332
Office: (207) 623-3223
Fax: (207) 495-2731

I have studied the information contained herein and assert that my assessment is honest, thorough, and to the best of my ability true and correct.

This inspection meets HUD requirements in Handbook 4150, Rev-1, Page 12-42 to 12-45, Section 12-16.

Signature: _____ **Date:** 9.21.10

Steve Quimby **MEVO#** **546**
Septic Systems
Inspector
Pat Jackson, Inc

Appendix 1 - Gilman Dr Septic Inspection

Treatment Tank:

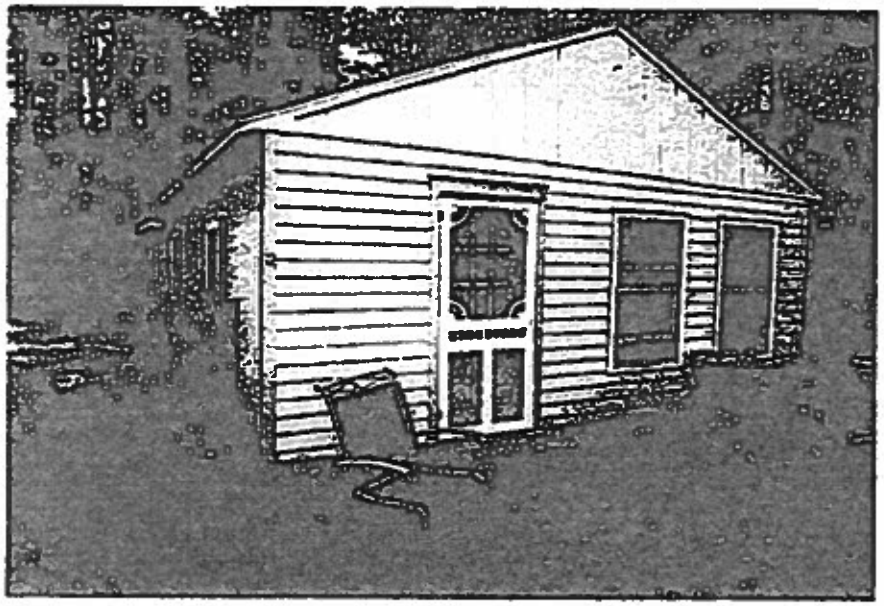
On the day of the inspection a 750 gallon concrete septic tank and a 3'x3' well tile pump station were located. They service camps 6+8 (first two camps). The outlet cover of the septic tank was located and exposed. The liquid level was at the invert of the outlet pipe. The inlet and outlet baffles were satisfactory. The center cover has a concrete cinder block riser with a well tile top at ground level. The cinder blocks are allowing dirt and water to enter the tank due to the spaces between them because of the way they were placed on top of the tank. The cover to the pump station was removed for the inspection. The pump was cycled 4-5 times and was operational. In my opinion the septic tank itself and the pump station were satisfactory on the day of the inspection.

Note: There is low grade electrical wires and septic cords on top of the ground that run from the camps to the pump station. Camp #6- The shower discharges onto the ground due to the broken p.v.c. pipe. Camps 10+12- There was only a 3'x3' well tile pump station located behind camp #10. The pump was not working and there was roughly 4' of water above the pump. This could be a grinder pump, but no tank was located for cabins #10-12. Once the pump station is pumped out and the pump has been fixed then P.J.I. can revisit the property to inspect the system for #10+12.

Appendix 2 - Gilman Dr Septic Inspection

Absorption Area:

On the day of the inspection the absorption area located was constructed of 6 rows of plastic infiltrators in step down series, each row was 62'+/- in length. The distribution box was located and exposed and was satisfactory. A test pit was dug down by an infiltrator in row 2 and the coarse gravel fill was dry, clean and with no sign of bio-matt. There was no liquid within the infiltrator. Water was introduced into the absorption area 100+/- gallons and no pooling occured in the test pit nor did it back up into the distribution box. Only row 1 is presently in use leaving rows 2-6 to still come into use.
In my opinion the absorption area was in satisfactory condition on the day of the inspection.



PJI

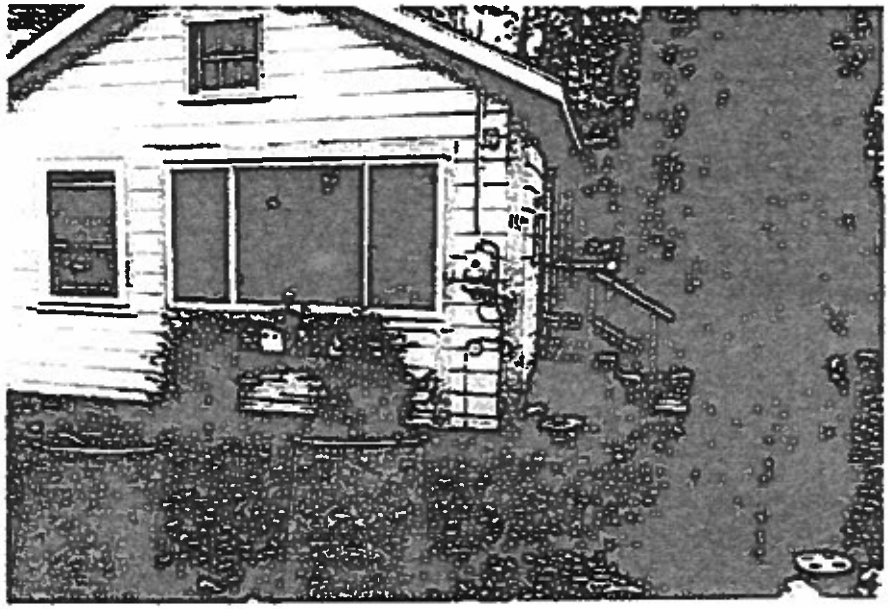
Pat Jackson Inc./Tri-City
Septic Tank Service

SEPTIC SYSTEM INSPECTION

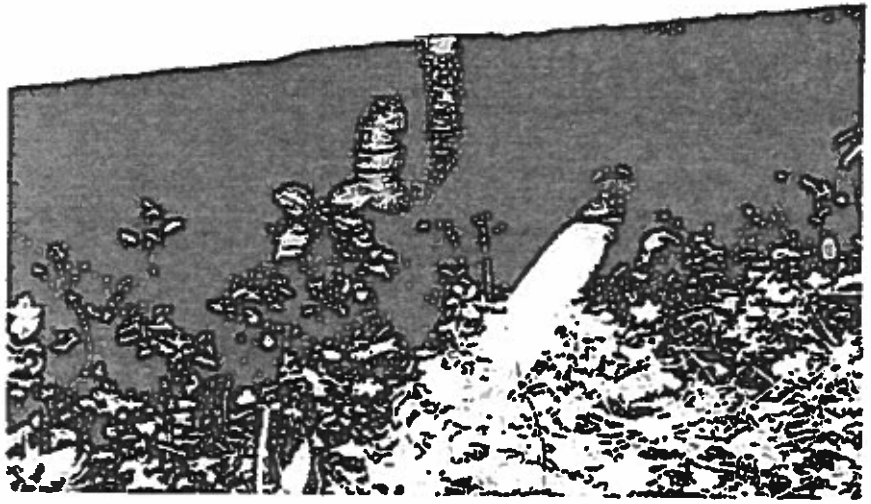
Name: Jodi Namer

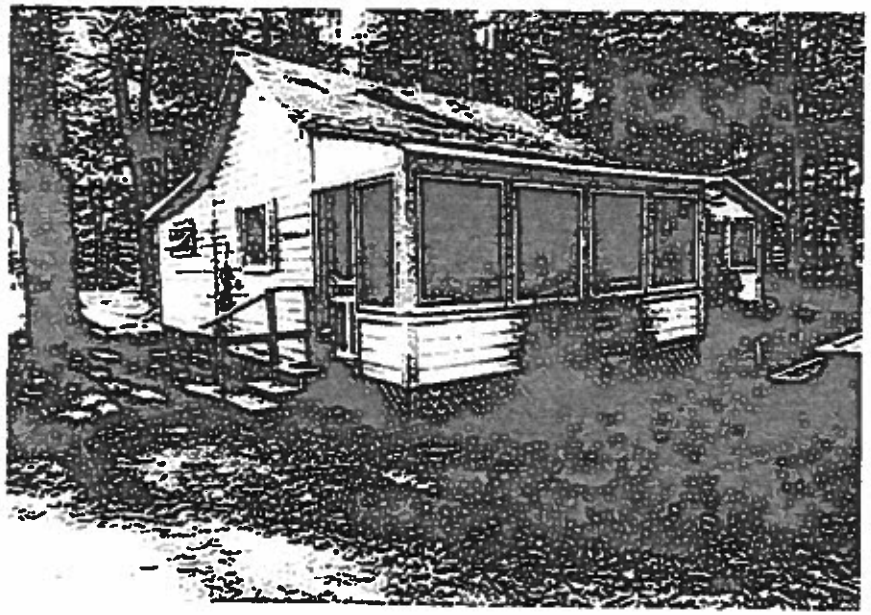
Gilman Dr.

Location

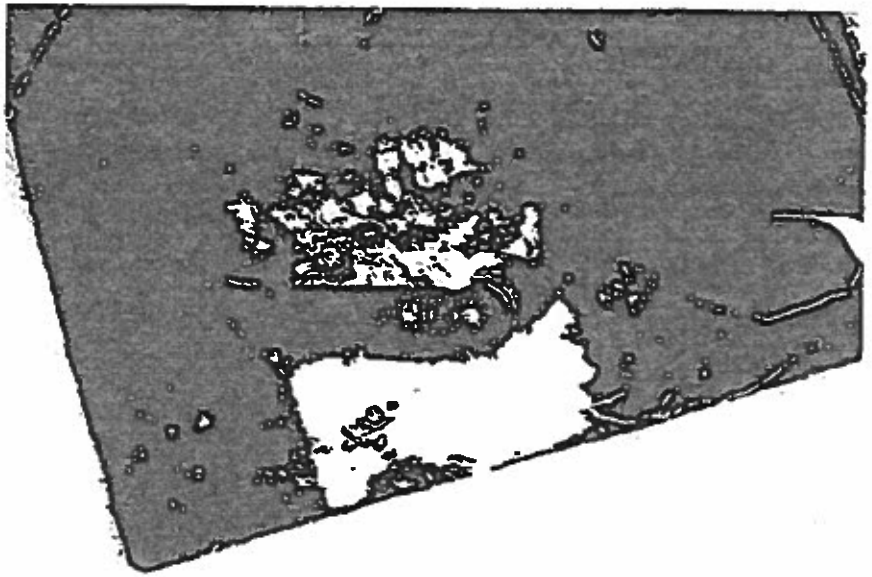


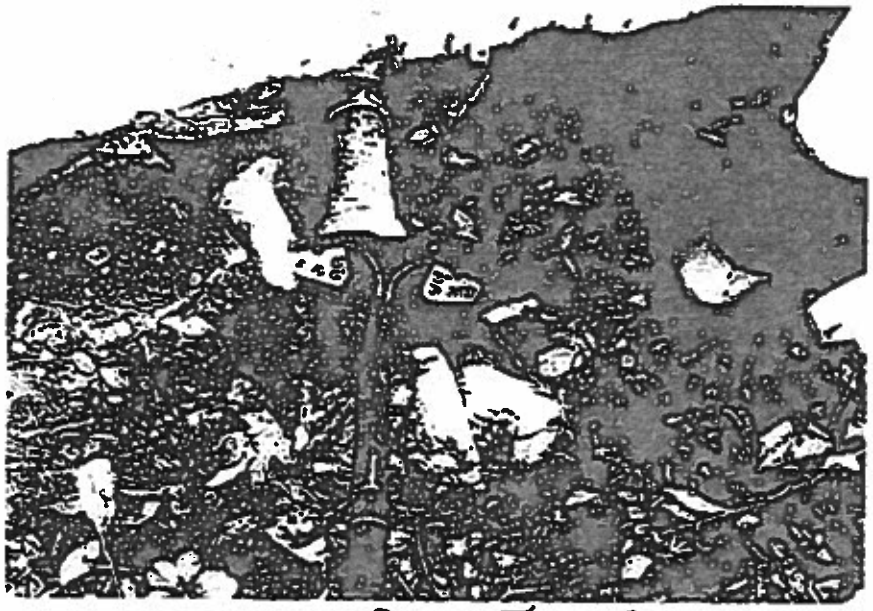
Camp 6 Broken Pipe ↓



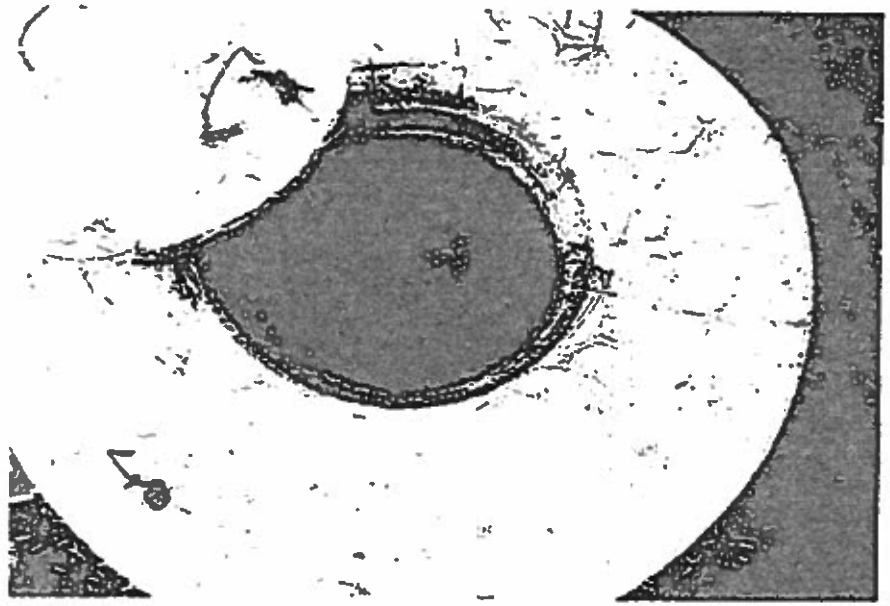


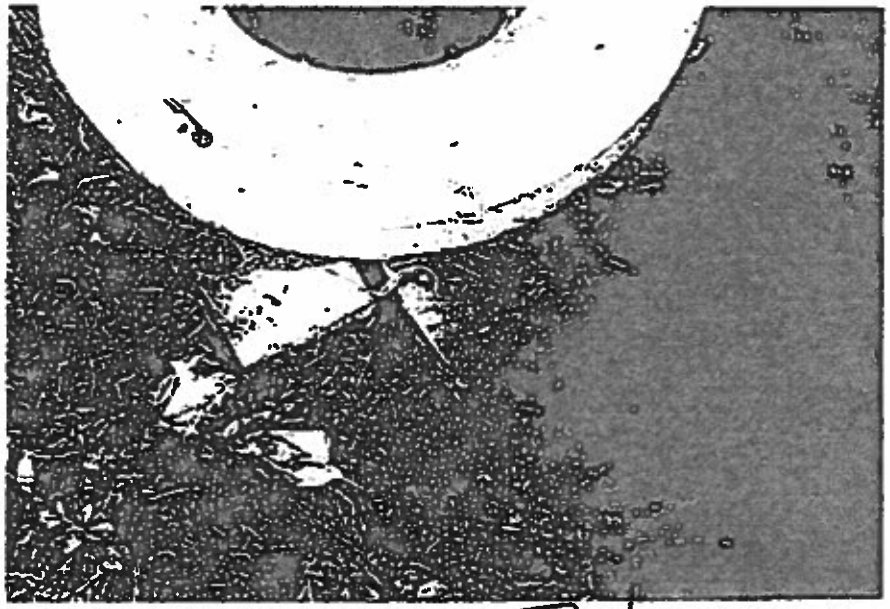
Camps 10+12 pumpstation ↓



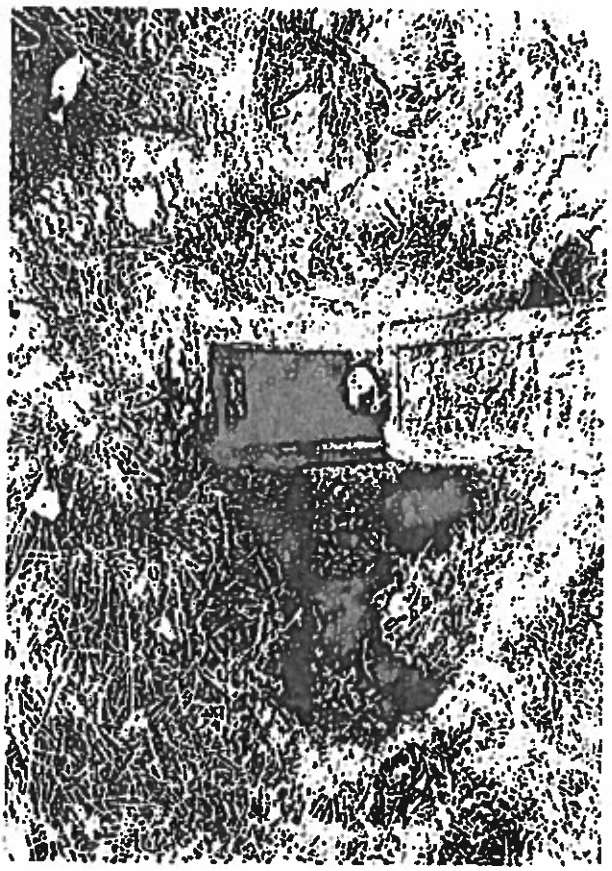


Camp 10 Inlet Pipe From Camp to tank pitches up hill

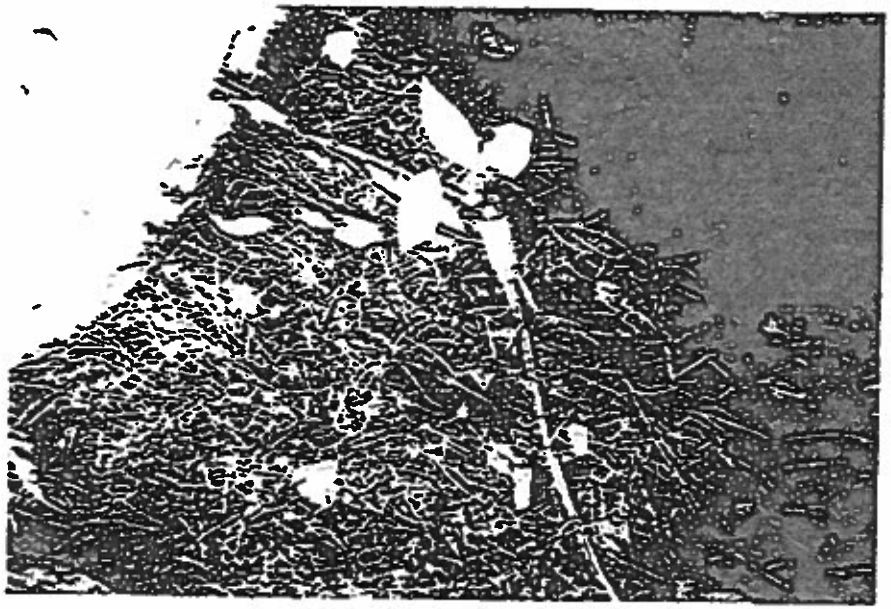


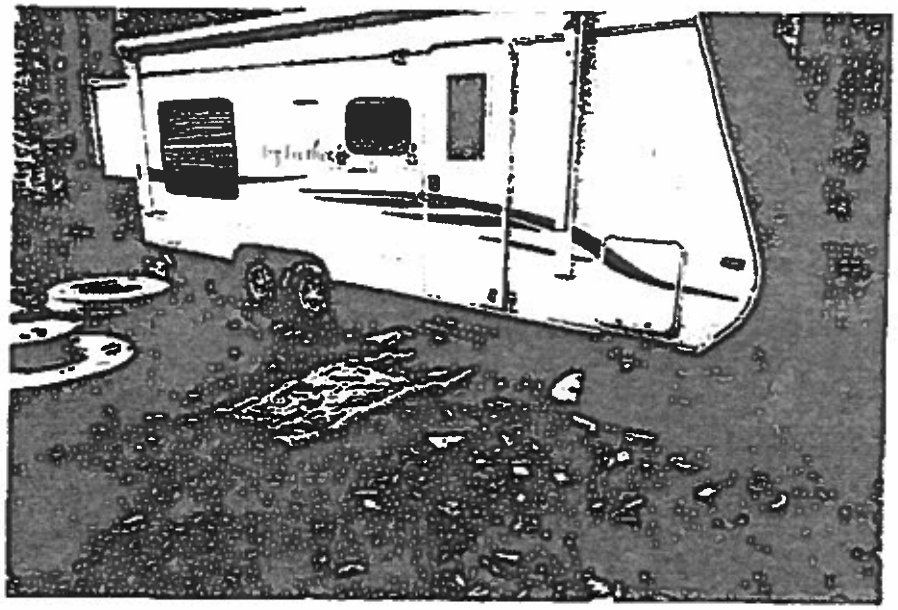


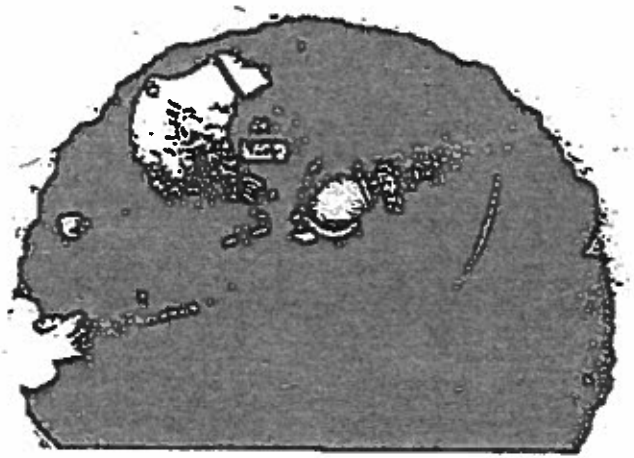
Riser on Septic Tank
For Camps 6+8

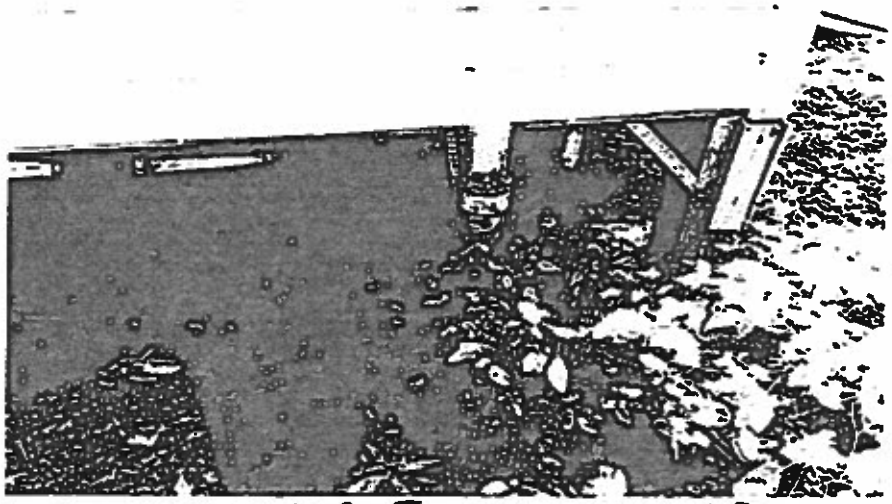


Electric Lines to Pump









Cast Iron pipe from Camp 6+8 to Septic Tank

State of Maine Vehicle Registration

Eff. Date is Validation Date But Not Prior To 08/01/2018 Expires: 08/31/2019 Insurance:

CLASS	REGISTRATION NUMBER
TL	8853369

VIN	YEAR	MAKE	BODY	COLOR	SEATS	TIRES	AXLES	NET WEIGHT	REGISTERED WEIGHT	FUEL
1SV900R3XHM000122	2017	SKYL	500CTM	CY	CT	6	3			

REGISTRANT(S): NAMER. DANIELLE

DOB: 08/02/1982

LEASOR:

SCRT #:

DEM #:

MAILING ADDRESS: 635 MOUNTAIN ROAD
WOOLWICH ME 04579

LEGAL RESIDENCE: 635 MOUNTAIN ROAD
WOOLWICH

LEGAL RESIDENCE CODE: 23100
ME

Registration Void
Unless Validated
VALIDATED REGISTRATION
WOOLWICH
23100 08/02/2018
$0.00
21287642

Base	32.207
Mil. Rate	0.0175
Local	
Ex Tax	563.62
ExTx Bal	563.62
ExTx Date	08/01/2018
Fees	20.00
Agent Fee	4.00
CTA #	MM63350
-CAMPER TI	
-4 21287636	

User Id CDL E-Correct

Tax Receipt #: 21287642

Sticker # (M)_____ (Y)_____

MVR-10 Rev 08-2016 REGISTRATION

www.maine.gov/sos

SHORE PARK

12' SERIES PARK MODELS
STANDARD FEATURES

LIVING AREAS
- Upgrade Carpet
- Valance with 1½" Wood Blinds
- Large Cove at Ceiling
- Phone Jack
- TV Jack
- Chandelier Dining Light
- 52" Paddle Fan

KITCHEN
- Flat Panel Cabinetry Available in Two Styles
  - Shaker Hardwood Espresso Oak Doors and Face Frames
  - Hardwood Maple Doors and Face Frames
  - White and Gray Vacuum-Pressed Doors and White and Gray Face Frames
- Drawer Over Door Base Cabinet Construction with Soft Close Drawer Guides
- Modular Cabinet System with Adjustable Shelves and [illegible] Bottom Light Rail
- [illegible] Shelves in Base Cabinet
- Stainless Steel Fans
- Single Lever Faucet at Sink with Sprayer
- [illegible] Cu. Ft. Double Door Frost-Free Refrigerator
- 30" Deluxe Gas Range
- Spacesaver Microwave Range Hood
- Valance with 1½" Wood Blinds
- Large Cove Above Cabinets
- Cabinet Above Refrigerator
- Deluxe Cabinet Door and Drawer Hardware
- 6" Ceramic Tile Backsplash

BATHROOM
- Flat Panel Cabinetry Available in Two Styles
  - Shaker Hardwood Espresso Oak Doors and Face Frames
  - Hardwood Maple Doors and Face Frames
  - White and Gray Vacuum-Pressed Doors and White and Gray Face Frames
- Fiberglass Tub with Full Surround (most models)
- Single Lever Faucet at Lav
- Privacy Locks
- Towel Bar and Paper Holder
- Power Vent Fan with Light – Fan Only at Loft Models
- Elongated China Commodes
- China Sink with Overflow and Pop-Up Drain
- 6" Ceramic Backsplash at Lav

BEDROOM
- Upgrade Carpet
- Valance with 1½" Wood Blinds
- Mirrored Wardrobe Doors with Drawers Below (per floor plan)
- Ventilated Wire Shelving
- Phone Jack
- TV Jack

ADDITIONAL FEATURES
- ANSI 119.5 Approved
- Cathedral Ceiling or Flat Ceiling (per floor plan)
- Detachable Hitch
- Shingle Roof with Ridge Vent
- 25 Year Shingles
- Vinyl Lap Siding
- Deadbolt at Rear Door
- Sliding Glass Door (Insulated)
- Exterior Light at All Exterior Doors
- Single Hung Vinyl Windows
- Egress Windows in Bedrooms
- Window Grids
- Exterior GFI Protected Receptacles
- Textured Ceiling
- LED Lighting Throughout
- Carpet Pad with Tack Strip
- Gas Furnace
- 20 Gallon Electric Water Heater
- PEX Water Lines
- Iron Gas Piping with Shut-off Valves
- Water Shut-off Valves Throughout
- White Interior Passage Doors
- Pre-Finished Door Jambs
- Insulation: R-22 Roof, R-11 Floor and R-11 Walls
  The Higher the "R-Value" the Greater the Insulation Power
- 7'-6" Sidewall Height (per floor plan)
- 2 x 4 Sidewall, 16" O. C.
- 2 x 6 Floor Joists, 16" O. C.
- CO2/Smoke Detector with Battery Backup and False Alarm Control
- Fiberglass Insulated Heating Runs
- The Kick Registers in Kitchen and Bath
- LP Detector
- Fire Extinguisher

For your comfort and safety, Skyline park model designs are approved and inspected for conformance to RPTIA standards. Overall length does not include approximately four foot hitch. Room sizes are measured from floor ends and wall centers.

Because of progressive product improvement, all prices and specifications are subject to change without or at notice or obligation to Skyline Corporation.

Your Retailer, an independent contractor who is not an agent of Skyline Corporation, is the party responsible for your purchase contract and any additions, deletions, alterations, or attachments made to or in your park model.

MANUFACTURER'S CERTIFICATE OF ORIGIN
— PARK TRAILER —

The undersigned manufacturer hereby certifies that the new Park Trailer described below, the property of said manufacturer, has been transferred this 7TH day of APRIL, 2016 on Invoice No. 554562

to SPEEDWAY HOMES

whose address is 785 MAIN STREET
OXFORD, ME 04270

Trade Name of Park Trailer STONE HARBOR Series or Model Name 500CTM

Sq. Feet 399 Model Year 2017

Unit Type PARK MODEL No. of Wheels 6

Length 40'5" ft. including Hitch 36'9" ft. excluding Hitch

Serial No. V311-0122-J Width 12'

VIN No. 1SV900R3XHM000122 Shipping Weight 20,016 LBS.

Date of Manufacture APRIL (month) 2016 (year)

Other Data:

This park trailer was manufactured in accordance with the Department of Housing and Urban Development Standards ____ or ANSI Standard A119.5 X.

Said manufacturer hereby certifies that this written instrument constitutes the first conveyance of said vehicle after its manufacture and that the manufacturer's serial number set forth above has not been and will not be used by the manufacturer on any other vehicle manufactured by said manufacturer, and that there are no other manufacturer's certificates issued by the manufacturer for the vehicle described above.

SKYLINE (HOMETTE CORP)
manufacturer

by _____ DIVISION MANAGER
sign name — title or position

SKY 901 04 15 99

Recreation Vehicle Trailer Bill of Sale

BE IT KNOWN, that for payment in the sum of $29,000, the full receipt of which is acknowledged, the undersigned Speedway Homes, 785 Main Street, Oxford, ME 04270 (Seller) hereby sells and transfers to Danielle E. Namer, 635 Mountain Road, Woolwich, ME 04579 (Buyer), the following described recreation vehicle (RV) trailer:

Make: STONE HARBOR	**Model: 500 - CTM**
Year: 2017	**Color: GRAY**
VIN #: 1SV900R3XHM000122	**Style: PARK MODEL TRAILER**
Serial No: V311-0122-J	**Square Feet: 399**
Shipping Weight: 20,016 lbs.	**No. of Wheels: 6**

This park trailer was manufactured in accordance with the Department of HUD ANSI Standard A119.5.

The sale is subject to the following conditions and representations:

Seller acknowledges receipt of $29,000 payment in full for the Recreation Vehicle Trailer, from the Buyer, as well as sales tax of $1,595 (5.5%). Total paid in full $30,595 to Speedway Homes

Seller warrants to Buyer that Seller has good and marketable title to said property, full authority to sell and transfer said property, and that said property is sold free of all liens, encumbrances, liabilities, and adverse claims of every nature and description whatsoever.

Seller has no knowledge of any hidden defects in and to the Vehicle, and believes to the best of the Seller's knowledge that the Vehicle being sold is in good operating condition. Skyline Corporation 15-month warrantee is included in the purchase price.

Date signed: 7/12/2018

Seller Signature: Jeff Shock dba Speedway Homes

Jeff Shock

Buyer Signature: Danielle Namer

Danielle Namer

SECRETARY OF STATE
BUREAU OF MOTOR VEHICLES
VEHICLE SERVICES-TITLE SECTION
29 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0029
207-624-9000 EXT. 52138
TTY users call Maine relay 711

THIS IS NOT A CERTIFICATE OF TITLE

APPLICATION FOR CERTIFICATE OF TITLE (MVT-2)

☐ Check if supplemental application ($33.00 fee required)
☑ Check if rush requested - (Additional $10.00 fee required)

CTA MM83350

INSTRUCTIONS: Typewrite or print legibly on hard surface. Distribute copies as indicated at bottom of form. If vehicle is new, attach a manufacturer's certificate of origin to original copy; for used vehicle, attach last previous certificate of title

FEE $33.00

OWNER INFORMATION

1 Name(s) Last, First, Middle, Initial (conjunctive "or" not permitted)
a. [illegible] Joint ownership ☐
b.

2 Date(s) of birth (M/D/Y)
a. [illegible]
b.

3 Telephone [illegible]

4 Mailing address No. & Street (If P.O. Box # 6 must be completed)
City State Zip Code

5 MSRP
☐ New: Recorded on Monroney Label
☐ Used: Recorded on prior title
☐ Not required

MSRP Amount
$ [illegible]

If more than one owner, common ownership will be assumed unless joint ownership box checked.

6 Legal residence, if other than mailing address

7 If a leased vehicle, name and address of lessee

MSRP INSTRUCTIONS

MSRP equals the total vehicle price minus the destination charge on new vehicles requiring the Monroney label. If the vehicle is used, list the MSRP if recorded on previous Maine title. DO NOT attach Monroney label to application

VEHICLE INFORMATION

8 Year | 9 Make | 10 Model | 11 Vehicle identification number: [illegible] HM | 12 Body type

13 New ☐ Used ☐ Rebuilt ☐ | 14 Purchase date Mo/Day/Year | 15 Prior to title no: MCO | 16 State of origin: ME | 17 Other date BMV USE

18 Current odometer reading ☐ MI ☐ KM
DO NOT ESTIMATE - NO TENTHS

19 Mileage stated is
☐ Actual mileage
☐ In excess of mechanical limits
☐ Not actual - odometer discrepancy

20 If not actual
☐ Odometer changed
☐ Odometer broken
MUST FILE MVT-32

SENT TO SECRETARY OF STATE

DATE _____

INITIAL _____

LIEN INFORMATION

21 First lien holder's name if vehicle financed. If no lien, state "none"

22 Date of lien Mo/Day/Year

23 Address No. & Street City State Zip Code

24 Second lien holder's name

25 Date of lien Mo/Day/Year

26 Address No. & Street City State Zip Code

The lien holder is the institution or person financing the vehicle. Title will be mailed to the first lien holder, otherwise it will be mailed to the vehicle owner.

MUNICIPAL AGENT VALIDATION

FEE PD. $ _____

SELLER INFORMATION

27 Name and address of seller

28 Plate #, if a Maine licensed dealer D ☐ LC ☐ MC ☐

BMV USE: DO NOT WRITE IN THIS SPACE

SIGNATURE OF SELLER IF A DEALER

29. The undersigned hereby certifies that the vehicle described was sold to the owner(s) named and further certifies that the information shown is true and correct to the best of my knowledge, information and belief.

Signature of dealer's representative Official title Date

R _____

SIGNATURE(S) OF OWNER(S)

Authorized person may sign for a company

30. The undersigned hereby certify that all liens against the vehicle described are listed above and that information contained herein is true and correct to the best of my / our knowledge and belief. If representing a company, I further certify that I have been authorized by the company to sign on their behalf.

D ☐ L ☐ O ☐

READ PENALTY BEFORE SIGNING

Signature(s) of owner(s) as named in block #1. All owners must sign. Power(s) of attorney must accompany this form. If under age 12 parent or guardian must also sign. Date

DATE

If owner is a company, authorized representative sign here. Official title Date

APPROVED BY

PENALTY

A person who uses a false or fictitious name or address, makes a material false statement, fails to disclose a security interest, or conceals any other fact in an application for certificate of title is guilty of a Class D crime.

MVT-2 Rev. 7/11

OWNER'S COPY

From: KIMBERLY LAMARRE <kim.lamarre@comcast.net>
Sent: Tuesday, August 06, 2019 9:09 AM
To: Stephen W. Wagner; Edmond J. Bearor
Subject: Fwd: BOA PACKET
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Here it is.

thanks

---------- Original Message ----------
From: Code Enforcement Officer <CEO@chinamaine.org>
To: Kim LaMarre <Kim.LaMarre@comcast.net>
Cc: Dennis Heath <DLHeath@ChinaMaine.org>, Becky Hapgood <Becky@chinamaine.org>
Date: July 8, 2019 at 10:24 AM
Subject: BOA PACKET

Hello Kim-

It was pleasant speaking with you and your husband this morning. Please find attached the Board of Appeals law (see third page of document), BOA application, and a copy of relevant information regarding the permit approval of the RV at 13 Gilman Drive. The fee for the BOA application is $100 plus $10 per abutter notice and cost of public notice.

As we discussed on the phone, your appeal would be considered du novo which means at the hearing you must have all documentation ready to present your case. Also please make sure, in addition to the emails you shared with me, that you provide a summary in your appeal application on your discussions with the town and the fact that you were not told of the appeal option.

Sincerely,

William Butler
Code Enforcement Officer
Local Plumbing Inspector
Building Inspector
Local Health Officer
Town of China
445-3540
ceo@chinamaine.org

From: Kim LaMarre <Kim.LaMarre@comcast.net>
Sent: Monday, July 08, 2019 9:38 AM
To: CEO@ChinaMaine.org
Subject: Fwd: Setback requirements for campers? 17 Gilman Drive

Bill-

Nice talking with you this morning.
Here is our first communication with Paul, prior to installation of the structure.
More communication to come.
Kim

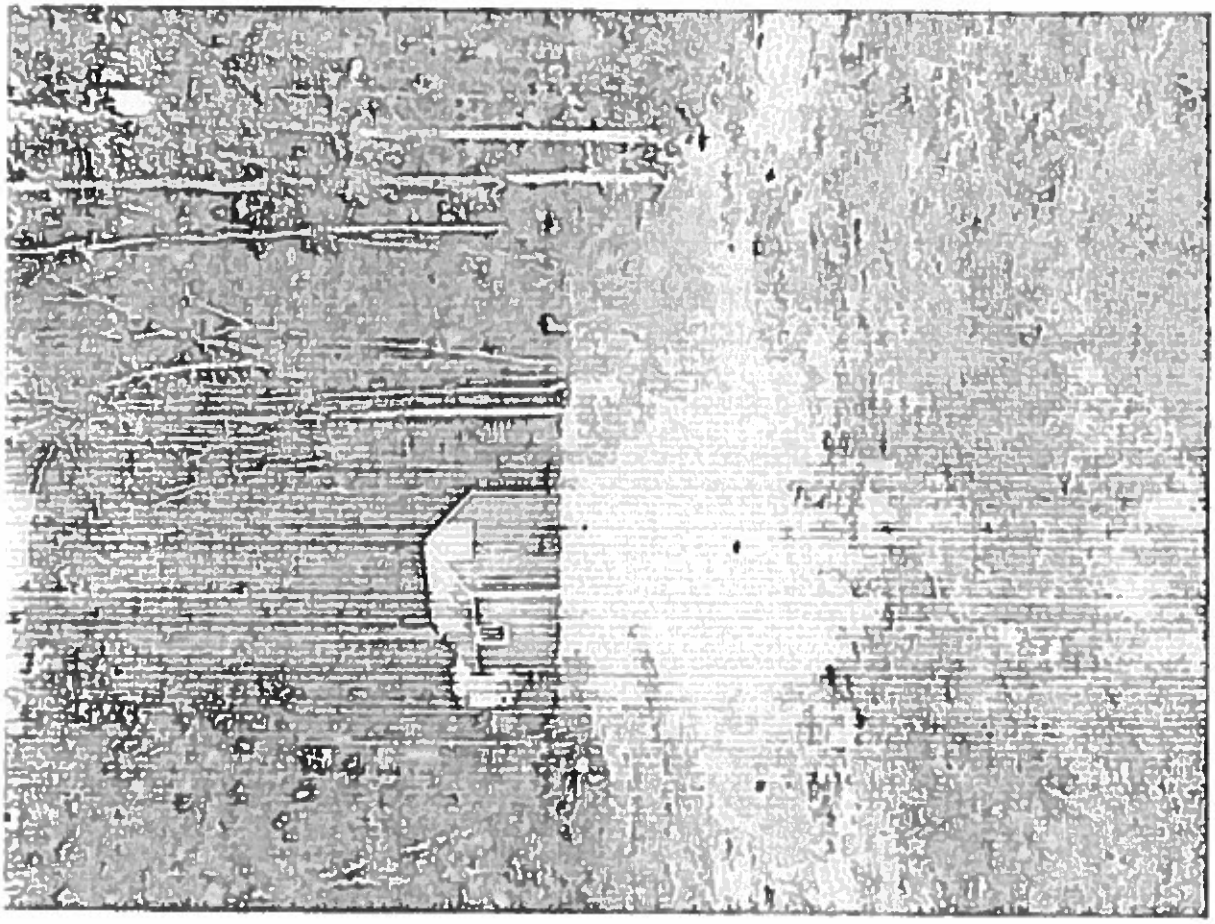
Begin forwarded message:

> **From:** "Code Enforcement Officer" <CEO@chinamaine.org>
> **Date:** June 26, 2018 at 3:49:01 PM EDT
> **To:** "Kim LaMarre" <Kim.LaMarre@comcast.net>
> **Subject: RE: Setback requirements for campers? 17 Gilman Drive**
>
> Hello Kim
>
> A person is allowed to have one campsite per lot. The only setback mentioned in China's ordinance is the 100 foot setback from China lake's high water mark. An RV or camper is not treated as a structure unless it is occupied more than 120 days in a calendar year.
> I would have to research the ordinance before I can answer the question about the rental but I think the answer is no.
>
> Paul Mitnik, P.E.
> Codes Officer
> Local Plumbing Inspector
> Building Inspector
> Local Health Officer
> Town of China
> 445-3540
> ceo@chinamaine.org
>
> **From:** Kim LaMarre [mailto:Kim.LaMarre@comcast.net]
> **Sent:** Tuesday, June 26, 2018 10:40 AM
> **To:** Code Enforcement Officer
> **Cc:** Anthony LaMarre
> **Subject:** Setback requirements for campers? 17 Gilman Drive
>
> Hi Paul-
>
> Just wondering if the town has set back requirements from adjacent property and roadways for campers?
>
> Our new neighbors have cleared some trees, added a leveling pad and a sewer hook up for a "park model" camper they intend to install on their property. The owner, Nick Namer, has suggested that it is for his mother to live in and oversee the rental cabins. Also wondering if there is anything in the code to preclude him from turning that into a

rental?

While I would like to have an amicable relationship with this owner, he does seem like someone likely to push boundaries and I would just like to have a better understanding of the codes.

Thanks so much-
Kim LaMarre

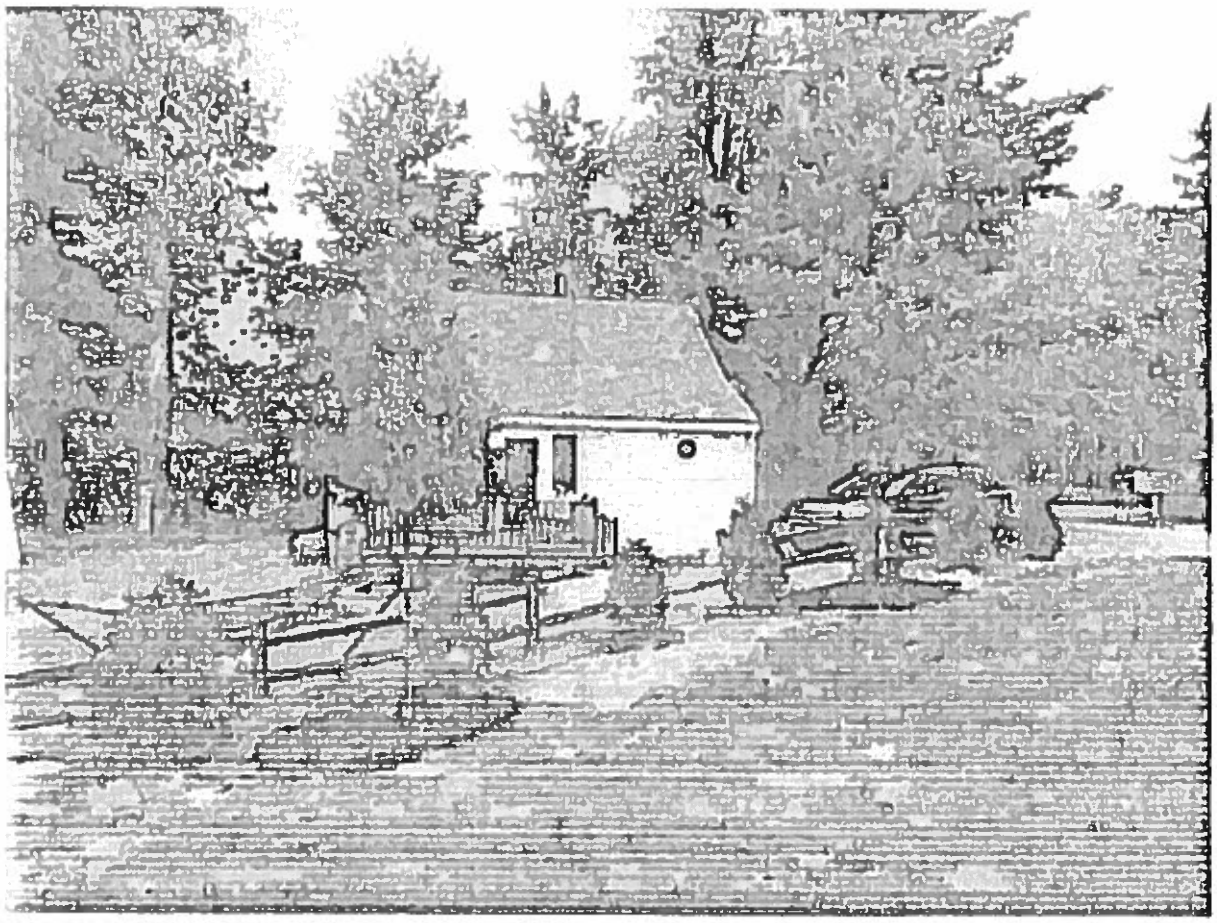


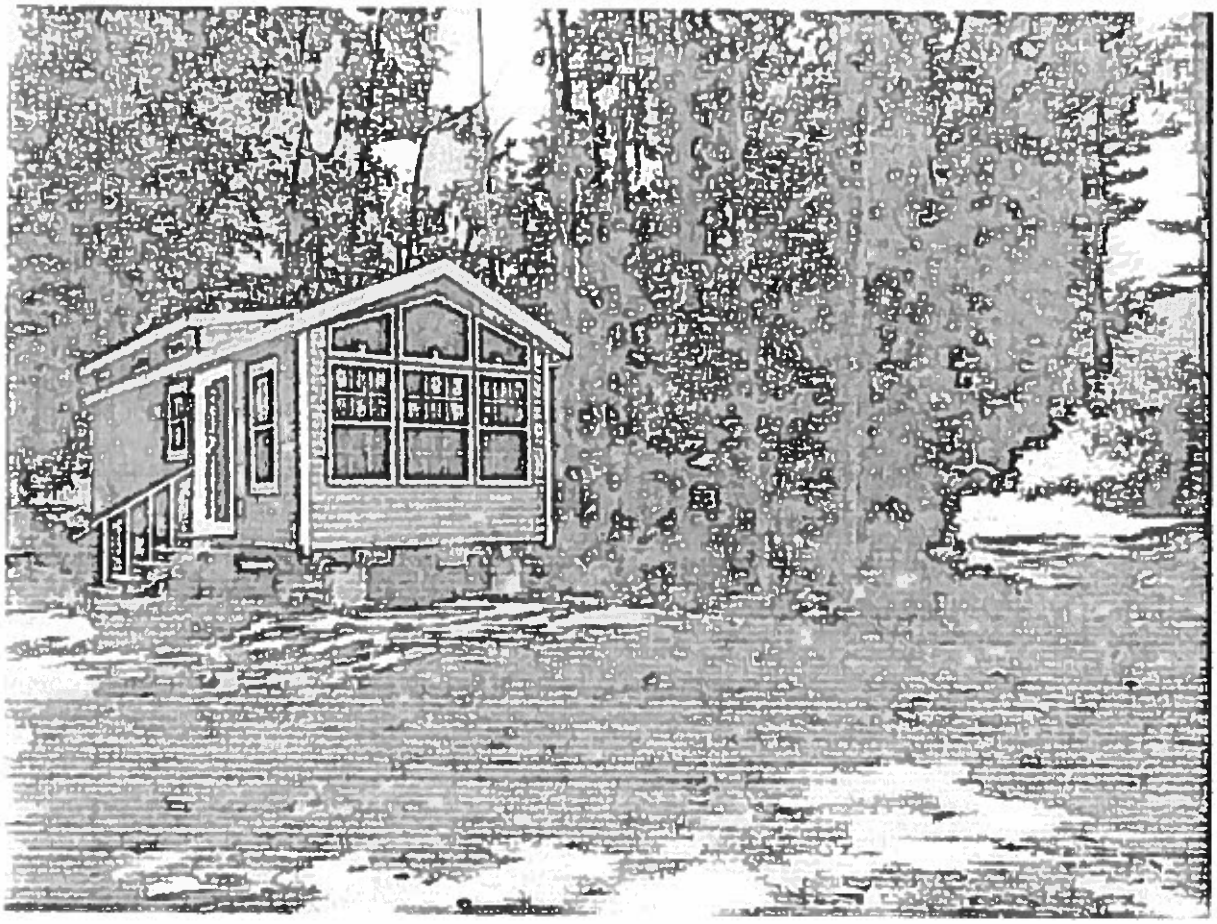
From: Kim LaMarre <Kim.LaMarre@comcast.net>
Sent: Monday, July 08, 2019 9:42 AM
To: CEO@ChinaMaine.org
Subject: Fwd: Trees planted 17 Gilman Drive

And this one dated August 20, 2018.
Never heard back from anyone.

Begin forwarded message:

> **From:** Kim LaMarre <Kim.LaMarre@comcast.net>
> **Date:** August 20, 2018 at 1:04:50 PM EDT
> **To:** CEO@ChinaMaine.org
> **Subject: Trees planted 17 Gilman Drive**
>
> Hi Paul-
>
> Per the permit for tree removal, I'm sending along a picture of the replacement trees. Arborvitaes are planted and we just added the two. 2-inch caliper native rubrum maples. They are about 10 to 12 ft tall (I'm 5-4" and the branches begin at the top of my head).
>
> I'm also enclosing a picture of a camper that has been added to the Namer property. If the town is calling her mobile home a camper. and only one camper per lot is allowed. what is this thing? Incidentally, that is the type and location of the camper once owned by Judy Gilman. It was never a tiny home/mobile home, which is what we now have back yard.
>
> Regards-
> Kim LaMarre





From: Kim LaMarre <Kim.LaMarre@comcast net>
Sent: Monday, July 08, 2019 9:41 AM
To: CEO@ChinaMaine.org
Subject: Fwd: Gilman Drive mobile home Email 2

I believe you have this one, too.
Dated August 8th, 2018.

From: Kim LaMarre <Kim.LaMarre@comcast.net>
Sent: Thursday, June 13, 2019 4:28 PM
To: Alton Stevens <astevens@mardendubord.com>
Cc: ajlamarre@houlesphac.com
Subject: Fwd:

Begin forwarded message:

From: Kim LaMarre <Kim.LaMarre@comcast.net>
Date: August 8, 2018 at 3:38:07 PM EDT
To: dlheath@chinamaine.org
Cc: CEO@ChinaMaine.org
Subject: Gilman Drive mobile home

Greetings-

I'm writing to express my displeasure with the mobile home that has been placed on Gilman Drive.

I own property on 17 Gilman Drive and it has been in my family since 1965. Sunset Pines was previously owned by Judy Gilman but recently purchased by Nick Namer. Subsequent to his purchase, he introduced himself and said he planned to put a camper on the lot across the road from us. He also indicated that the camper would be set back from the road and that it would be for his mother to supervise the cabin renters (the trouble we've had with renters is a whole other story). Judy Gilman would plop a camper down on the portion of that land facing Lakeview Drive, and it was a camper...drive it in/drive it out. What a surprise we had to see that trees were cut, a gravel pad put in and literally a mobile home installed in our back yard. Just because you purchase a mobile home from an RV business doesn't mean it is camper! The structure has a steel frame supporting it, moveable furniture, and requires a tractor-trailer to move it! Additionally, fixed steps have been installed, landscape is arriving, electricity has been brought in and the home is connected to the septic system! NOT a camper! It was my understanding that the size of this lot is insufficient to add additional cottages, yet Namer has essentially added another permanent structure!

I am incredibly disappointed in the town for allowing this to continue.
What is the point of having codes if they are not enforced?
What about set back requirements?
What is to prevent them from turning this mobile home into a rental property?

We continue to try to be good residents and good neighbors on this lake. I want to cut trees, I call the code enforcement officer...we need to pull a concrete pier, I get DEP to approve. I've got 53 years of dealing with assorted craziness related to the rental cabins...late night parties, nasty dogs...and this week an average of 12 to 15 cars along the road.

As of one week ago, it was my understanding that the Namers were told to remove the structure as it is A MOBILE HOME. How has this been allowed to continue?

Sincerely-
Kimberly Houle LaMarre

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