



TOWN OF GRAY
ZONING BOARD OF APPEALS
AGENDA • JUNE 22, 2022

**Zoning Board of
Appeals Regular
Meeting**

Henry Pennell Municipal Complex
24 Main Street
Gray, Maine

7:00 PM

I. MEETING COMMENCES

Roll Call

II. MINUTES APPROVAL

- a. Approval of meeting minutes from May 25, 2022

III. NEW BUSINESS: PUBLIC HEARINGS

- a. 27 Qualey Road-Undue Hardship Variance:

Paul Zagami is requesting a undue hardship variance for a 5-foot reduction of a 25-foot front line (road) setback and a 3-foot reduction of a 10-foot side line setback to reconstruct a residential dwelling unit on his property located at 27 Qualey Road, Tax Map 32. lot 304-3, in a Limited Residential (Shoreland) Zoning District.

- b. 71 Portland Road-Administrative Appeal:

Elvin and Randall Copp have filed an administrative appeal of a Notice of Violation dated April 28, 2022, regarding the use of their property located at 71 Portland Road, Tax Map 52, lot 32-24, in a Commercial Zoning District and two Shoreland Districts; Resource Protection and Limited Commercial.

IV. ADJOURNMENT

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

**TOWN OF GRAY
GRAY ZONING BOARD OF APPEALS
MINUTES – MAY 25, 2022**

Gray ZBA	Henry Pennell Municipal Complex	7:00 PM
Regular Meeting	24 Main Street, Gray, ME 04039	

Before the actual meeting began, Brad Fogg – Chair made three quick announcements: 1. To remind citizens of the Town of Gray to make sure they get to the polls and vote for Town Councilors on June 14, 2022. 2. On the GCTV Page on the Town’s Website is the link for the Town Councilor candidate’s forum to get to know the Town Councilor candidates better. 3. GCTV is looking for locally produced programming. He then stated that in August 2022, the Zoning Board of Appeals will have two vacancies. He explained they need three voting members in order to have a quorum, of which this meeting has. He said he encourages people to apply for vacancies.

I. MEETING COMMENCED AT 7:00 PM

This meeting took place in-person at the Town Office and via “Zoom” and began at 7:09 pm.

Roll Call:

Attendee Name	Title	Status
Brad Fogg	Chair	Present
Lena Reichardt	Vice Chair	Present
John Swiger	Regular Board Member	Present
Joshua Sibert	Regular Board Member	Absent
Tammy Munson	Code Enforcement Officer	Present
Martin Meaney	Council Liaison	Absent

II. MINUTES APPROVAL: The following motion was made.

MOTION: *by John Swiger, seconded by Lena Reichardt, to approve the Zoning Board of Appeals meeting minutes of February 23, 2022, as presented.*

VOTED: *3-0 (Passed).*

III. NEW BUSINESS: PUBLIC HEARINGS:

a. Randall Variance Request: *Martyn Randall Jr. is requesting a Practical Difficulty Variance for a 30-foot reduction of a 50-foot rear setback to construct a pool and adjacent patio on his property located at 147 Ramsdell Road, Gray Tax Map 33, Lots 14-17, in a Rural Residential & Agricultural Zoning District. This property is located in the RRA Zoning District.*

The following motion was made to open this Public Hearing.

MOTION: *by John Swiger, seconded by Lena Reichardt to hear the Public Hearing request by Martyn Randall for a Practical Difficulty Variance for a 30-foot reduction for construction of a swimming pool.*

VOTED: *3-0 (Passed).*

Present at this meeting was Martyn Randall Jr. He said he is requesting a 30-foot reduction for construction of a swimming pool. He explained why the variance is needed. He stated that the property is an odd shape. It is quite long. It is 487 feet long. Its depth is roughly 176 feet. There is a small building envelope the house was built on in 2020. The landscaping is done. This is the only good place to put this without affecting streams, getting to near the septic system etc. He needs the variance in order to position the pool. He does not want to affect the natural stream that is there. This is a very small area. The pool is not big. They want to put a patio around it and make it look aesthetically nice. This is a condensed area where they would like to put it. He had pictures available to present. He said he does not want to encroach on the leach field.

Lena Reichardt said the building envelop is only 58-feet wide. John Swiger said he found his package very complete and informative.

When asked, Tammy Munson, the new Code Enforcement Officer, said she had no comments, at this time. At this point, Brad Fogg introduced Tammy Munson. She then thanked him and said she was glad to be here.

The main motion was made.

MOTION: *by Lena Reichardt, seconded by John Swiger to grant the Practical Difficulty Variance for a 30-foot reduction of a 50-foot rear setback to construct a pool and adjacent patio on his property located at 147 Ramsdell Road, Gray Tax Map 33, Lots 14-17, in a Rural Residential & Agricultural Zoning District.*

VOTED: *3-0 (Passed).*

The following motions and brief discussions were made on the Criteria Questions 1-6, per the Gray Zoning Ordinance 402.9.2.B.3.

MOTION: *by John Swiger, seconded by Brad Fogg, that the need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood.*

VOTED: *3-0 (Passed).*

Lena said being such a narrow lot, it is a condensed building envelop, to have the impact of the septic there, and the hill, and the stream, it does seem it would be difficult to put it within the building envelop.

MOTION: *by John Swiger, seconded by Lena Reichardt, that the granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties.*

VOTED: *3-0 (Passed).*

Lena said having a pool is a typical characteristic of a residential neighborhood. Brad stated that there is no negative affect to the neighbors of Ramsdell Road.

MOTION: *by John Swiger, seconded by Brad Fogg, that the practical difficulty is not the result of action taken by the petitioner or a prior owner.*

VOTED: *3-0 (Passed).*

Lena said it is likely that this house and lot existed before the setbacks were what they were. It is not anything that somebody created an issue in error. Brad said that this is not something that was man-made and created. It is natural lot conditions.

MOTION: *by John Swiger, seconded by Lena Reichardt, that no other feasible alternative to a variance is available to the petitioner.*

VOTED: *3-0 (Passed).*

Lena said that this is the one she struggles with more than any of the others, but feasible is subjective. She said it sounds like the property owner has done his due diligence. She feels the Board should be supportive of his desires to make sure he is not creating additional issues or impacts to the stream, etc. All the possible alternatives have been well thought out. She said this makes the most sense. John said the safety concerns presented for the other options clearly lead you back to the original location he presented. At this point in the discussion, Brad asked if this is an in-ground or above-ground pool? Martyn responded that it is an in-ground pool.

MOTION: *by John Swiger, seconded by Brad Fogg, that the granting of a variance will not unreasonably adversely affect the natural environment.*

VOTED: *3-0 (Passed).*

Lena said that this has been covered in several of the other conditions or requirements. This is the best possible location for the natural environment. John said that this is the least impactful option available on that lot.

MOTION: *by John Swiger, seconded by Lena Reichardt, that the property is not located in whole or in part within shoreland areas as described in Title 38, Section 435.*

VOTED: *3-0 (Passed).*

Lena said that this makes this much easier to review. Brad said that the small stream is certainly no consideration, but it is there.

There was no discussion on the main motion. All the Board Members were in favor of the main motion and the consensus of the Board was that all the Criteria Items have been met with a vote of 3-0. Brad told the appellant that seven days is needed to prepare for the Board Chairs signature. Lena said the Notice of Decision will need to be recorded.

Lena then thanked the appellant for putting together a very thorough packet.

b. Ryan Variance Request: *Thomas Ryan & Brenda Johnson are requesting a Practical Difficulty Variance for a 7-foot reduction of a 25-foot side setback for an existing deck attached to their house located at 93 Long Hill Road, Gray Tax Map 59, Lot 37-6-2 in a Rural Residential & Agricultural Zoning District.* This property is located in the RRA Zoning District.

The following motion was made to open this Public Hearing.

MOTION: *by John Swiger, seconded by Lena Reichardt to hear the Public Hearing request by Thomas Ryan & Brenda Johnson for a Practical Difficulty Variance for a 7-foot reduction of an existing deck.*

VOTED: *3-0 (Passed).*

Present at this meeting was Brenda Johnson. She stated that she is a co-owner. She provided a summary of why she is asking for a practical difficulty for her project. She said there is an existing deck that was there when they

purchased the home. She is not sure how long it has been there. They would like to keep the deck, if possible. Brenda said that the surveyor came. Lena said that this is a 7-foot encroachment. Brenda commented that this structure was there when they purchased the home. Lena commented that a copy of the Warranty Deed is in the packet. There is also a sketch for mortgage purposes only.

Brad wanted to confirm that this was the existing original lot, as it was designed. Lena said there have been no boundary changes since 1999. Tammy Munson said the file on this property was very minimal. There was very little information. There was no inspection records and no permit for the deck. There was an original permit to build the house in the file. There were no building plans or site plan attached to the placard in the file. No permits were filed for the deck.

Lena asked the appellant when the house was built. Brenda responded that it was built in 1999 and is in pretty good shape.

The main motion was made.

MOTION: *by Lena Reichardt, seconded by John Swiger, to grant the Practical Difficulty Variance for a 7-foot reduction of a 25-foot side setback for an existing deck attached to their house located at 93 Long Hill Road, Gray Tax Map 59, Lot 37-6-2 in a Rural Residential & Agricultural Zoning District.*

VOTED: 3-0 (Passed).

The following motions and brief discussions were made on the Criteria Questions 1-6, per the Gray Zoning Ordinance 402.9.2.B.3.

MOTION: *by John Swiger, seconded by Brad Fogg, that the need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood.*

VOTED: 3-0 (Passed).

Brad said, due to the unique circumstances of the property – the unique circumstance is that somebody built the deck without telling the Town and there is no Town authorization to build the deck. The deck was built improperly. To take it down would have a negative impact. It is not the current owner's fault. Lena asked if there is any additional information to give the Board as to why that location lends it better. John asked if there is a reason that she is aware of why the house was set so far as to one boundary. He asked if there were wetlands, stream, slope, etc. that are unfavorable. Brenda responded none that she is aware of. Brad asked if that is the only exterior door. Brenda responded no and that there is a side door. Lena said the side door goes toward the front setback of where the right-of-way (ROW) is. Brad said the deck would be exposed to the road front. This would not be a possible location for a deck. Brenda said there is a front door and a door to the right of the house and around back is the deck. She showed the Board the door locations. Lena said this is impractical to have a deck there. She also said the location of the house on the property is a bit unique in that it is tucked into the corner, and it does not leave a lot of options. Brad said the current owners had no control of where the house was built.

MOTION: *by John Swiger, seconded by Lena Reichardt, that the granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties.*

VOTED: 3-0 (Passed).

This is an easy piece to justify. Brad asked if there is a neighbor on the back side of the deck. Brenda responded that there is a stone wall. There are no houses there.

MOTION: *by John Swiger, seconded by Brad Fogg, that the practical difficulty is not the result of action taken by the petitioner or a prior owner.*

VOTED: 3-0 (Passed).

Lena said she struggles with this one. With the house being built in 1999, the setbacks very likely existed prior to the deck being built. Because the deck was put in this location, by a prior owner, does not necessarily make the Practical Difficulty the case of the prior owner if there wasn't another feasible location that was more feasible. John said Code Enforcement is saying a permit was never sought. He asked is it the Town's position that there would not have been a chance that a permit could have been filed and approved, just not in the file. Or it was legally built at the time. Tammy responded that any permits taken out would be in that file. He then asked Tammy if she was aware if the setbacks have changed since 1999 until now. Tammy responded not that she is aware of. She said the Town does not know who built the deck. She said the Town assumes that there was only one owner. She said the Town does not know who built that deck technically. John said there has only been one previous owner. The previous owner had it built at their direction, or some other strange thing occurred. Brad said he struggles with this also. He said we do know the prior owner is probably the contributing factor. However, how does the current occupant prevent any type of legal action by the prior owner. He is looking at this for a new request for a permit for the deck and the need for two feet even though it is existing. He said how can a new owner control the actions of a prior owner. Brad said no evidence has been produced from anyone concerned about the granting of this to document that. This was the actions of the prior owner, but no documentation has been if it was. Nobody has come forth to testify that they did.

Lena said she cannot come up with a scenario of how this could have possibly happened. Tammy provided a few scenarios of how she thought this could have happened. John said we do not have anybody this evening presenting testimony that they do know that it was a prior owner or objecting to this because the prior owner did not follow the proper permitting.

MOTION: *by John Swiger, seconded by Lena Reichardt, that no other feasible alternative to a variance is available to the petitioner.*

VOTED: *3-0 (Passed).*

John said the only other option is to tear it down. Lena commented that there is an expense to tear the deck off.

MOTION: *by John Swiger, seconded by Brad Fogg, that the granting of a variance will not unreasonably adversely affect the natural environment.*

VOTED: *3-0 (Passed).*

Lena said there is no adverse effects and no evidence that there has never been an issue as to where it is.

MOTION: *by John Swiger, seconded by Brad Fogg, that the property is not located in whole or in part within shoreland areas as described in Title 38, Section 435.*

VOTED: *3-0 (Passed).*

This is not located in a Shoreland Zone. It is in the RRA Zoning District.

All the Board Members were in favor of the main motion and the consensus of the Board was that all the Criteria Items have been met with a vote of 3-0.

Brad asked Tammy if the Board were to grant the motion, would it be legal to stipulate in addition to granting the motion, that a side rail be built. Tammy asked Brenda if the deck is over 30 inches in height or how many steps up to the deck? She said you can grant the variance and if there is anything in violation that that be corrected or you can say that any part of the deck that is 30 inches above grade, then you ask for a guardrail to be installed. John said the better amendment is that the deck meet all aspects of the building code. He suggested giving Code Enforcement the opportunity of inspecting the deck at least once. Tammy suggested that the better way to handle this is that an After-The-Fact (ATF) Permit could be granted for this deck. She suggested granting the variance with a condition of approval.

The following amendment to the above main motion was made.

AMENDED

MOTION: *by Lena Reichardt, seconded by John Swiger to amend the main motion to include a condition requiring the applicant to seek a building permit for the deck.*

VOTED: *3-0 (Passed).*

Brad said the Town will notify Brenda when the paperwork is done and what she will need to do after that.

John Swiger thanked Tammy Munson for joining the Town as the new Code Enforcement Officer. He said she has been incredibly helpful and informative.

IV. ADJOURNMENT: The following motion was made to adjourn the meeting.

MOTION: *by Lena Reichardt, seconded by John Swiger, to adjourn the meeting at 7:52 p.m.*

VOTED: *3-0 (Passed).*

Respectfully submitted,

Doreen M. Christ
Transcriptionist/Minute Taker - Town of Gray



VARIANCE APPLICATION-SHORELAND
ZONING BOARD OF APPEALS
TOWN OF GRAY MAINE

For Office Use Only
Date Submitted: 5/27/22
Tent. Sched. for: 6/24/22
Amount Paid: 300

PROPERTY INFORMATION

Property Location/Address	27 Qualey Rd Limited Residential Lake District	Property Map/Lot	032-304-003-000
Zoning District		Lot Acreage	1.86 Acres
Owner Name	Paul Zagami	Owner Phone Number	617-780-6694
Number of Dwelling Units	1		

APPLICANT

Name (IF different than owner)		Email Address	Pzagami64@gmail.com
Mailing Address	231 Central St North Reading MA 01864	Contact Phone Number	
Mailing City/State/Zip		Alternate Phone Number	

VARIANCE INFORMATION

Per Shoreland Zoning Ordinance 403.16.H.2: Variance Appeals:
Except as provided in subsection 2-A, Variances may be permitted only under the following conditions:

- Variances may be granted only from dimensional requirements including but not limited to, lot width, structure height, percent of lot coverage, and setback requirements.
- Variances shall not be granted for establishment of any uses otherwise prohibited by this Ordinance.
- The Board shall not grant a variance unless it finds that:
 - The proposed structure or use would meet the provisions of Section 15 except for the specific provision which has created the non-conformity and from which relief is sought; and
 - The strict application of the terms of this Ordinance would result in undue hardship.
- The Board of Appeals shall limit any variances granted as strictly as possible in order to insure conformance with the purposes and provisions of this Ordinance to the greatest extent possible, and in doing so may impose such conditions to a variance as it deems necessary. The party receiving the variance shall comply with any conditions imposed.
- A copy of each variance request, including the application and all supporting information supplied by the applicant, shall be forwarded by the municipal officials to the Commissioner of the Department of Environmental Protection at least twenty (20) days prior to action by the Board of Appeals. Any comments received from the Commissioner prior to the action by the Board of Appeals shall be made part of the record and shall be taken into consideration by the Board of Appeals.

Describe request (description may be attached separately). Survey of property required to be attached.

	Current Requirement	Currently Existing	Proposed
Road Setback	25'	5' old house	20'
Rear Setback	50'	50' +	50'
Side Setback	-10 + 25'	10' -	7'
Water Setback			
Max. Lot Coverage	20%		
Min. Lot	1.84 - 1.86	1.86	1.86
Min. Street Frontage	200'	53.51	53.51
Other (describe)			

PLEASE RESPOND TO EACH REQUIREMENT: (YOU'RE ENCOURAGED TO ATTACH SEPERATELY)

a. That the land in question cannot yield a reasonable return unless a variance is granted;

b. That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;

c. That the granting of a variance will not alter the essential character of the locality; and

d. That the hardship is not the result of action taken by the applicant or a prior owner.

Per 403.16.H.5 b.: Decision by Board of Appeals

(i) A majority of the board shall constitute a quorum for the purpose of deciding an appeal. A member who abstains shall not be counted in determining whether a quorum exists.

(ii) The concurring vote of a majority of the members of the Board of Appeals present and voting shall be necessary to reverse an order, requirement, decision, or determination of the Code Enforcement Officer or Planning Board, or to decide in favor of the applicant on any matter on which it is required to decide under this Ordinance, or to affect any variation in the application of this Ordinance from its stated terms. The board may reverse the decision, or failure to act, of the Code Enforcement Officer or Planning Board only upon a finding that the decision, or failure to act, was clearly contrary to specific provisions of this Ordinance.

(iii) The person filing the appeal shall have the burden of proof.


(iv) The Board shall decide all appeals within thirty five (35) days after the close of the hearing, and shall issue a written decision on all appeals.

(v) All decisions shall become a part of the record and shall include a statement of findings and conclusions as well as the reasons or basis therefor, and the appropriate order, relief or denial thereof. The Board shall cause written notice of its decision to be mailed or hand-delivered to the applicant and to the Department of Environmental Protection within seven (7) days of the Board's decision. Copies of written decisions of the Board of Appeals shall be given to the Planning Board, Code Enforcement Officer, and the municipal officers.

Per 403.16.H.6.: Appeal to Superior Court

Any party may take an appeal, within forty five (45) days of the date of the vote on the original decision, to Superior Court from any order, relief or denial in accordance with the Maine Rules of Civil Procedure, Rule 80B. This time period may be extended by the court upon motion for good cause shown. The hearing before Superior Court must be without a jury.

PLEASE REFER TO THE CURRENT FEE SCHEDULE FOR APPLICABLE FEES TO INCLUDE REQUIRED ADVERTISING AND ABUTTER NOTIFICATIONS

Applicant Signature 	Printed Name Paul Zagari	Date 5-24-22
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Variance Application -Shoreland Zoning Board Of Appeals

Request for variance on Lot 27 Qualey Rd. Gray, Maine

- Request for side setback from lot line for Lot 25 and lot 27 Qualey Road. Request for 7' side set back from proposed overhang from house to property line
- Request variance from left corner of proposed deck from 25' to 20' to front property line. Only a small section of deck is within 25' setback because of front property line angle.

The land in question cannot yield a reasonable return unless a variance is granted;

- Existing house and bunk house were demolished and hauled to Pine Tree Waste. Rebuilding onsite is the only option. A building permit for this site has been issued.
- Existing house was 5' from front property line and 10' from Lot 25 and Lot 27 Property Line

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

- Front setback to 20' on front left hand corner of deck would leave a small section of the deck within the 25' setback. Right corner has plenty of clearance. This is due to angle of Right of Way from Lot 27 to Lot 29 property pin.
- Left hand side setback from Property line Lot 27 and Lot 25:
- Reduce to 7' from overhang of building due to existing drilled well on Lot 27. Existing well leaves approximately 36'-37' to property line of lot 25 and 27. Plan would be to pour footings to casings of well and leave 4-6" for placing and unlocking concrete panels.
- Property line on the right side Lot 27 and Lot 29 has an elevation increase from the road 300.5' to rear line pin, 150' distance (346.1) ft.
- At this point in the excavation the right slope from Lot 29 Property line is a concern as can be seen in the photo. There is a 30' height differential from footing height to top of the existing slope at the rear of the excavated cellar hole.

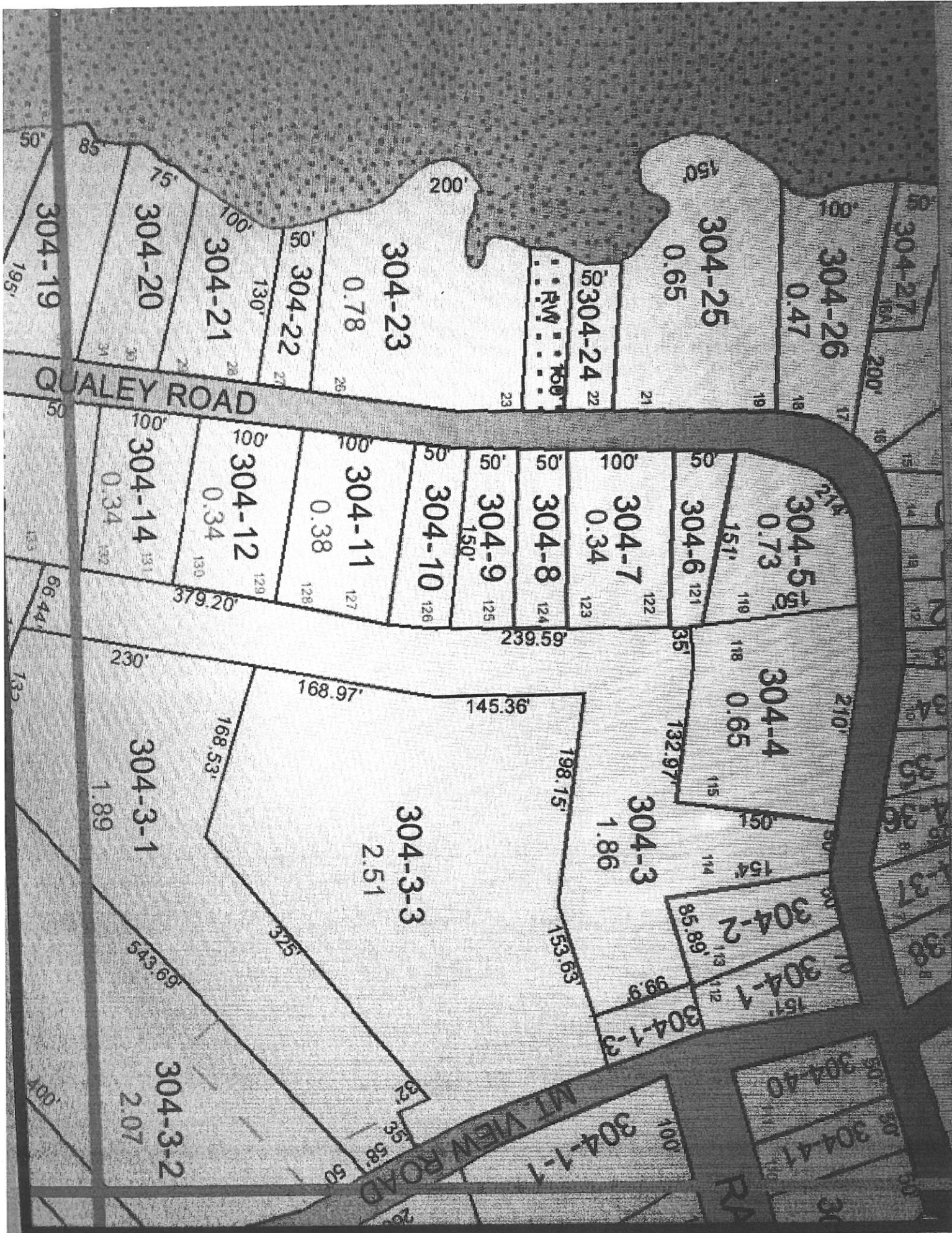
Granting of this variance will not alter the essential character of the locality.

- Moving the house from the previous location to the back of the property will allow for driveway and parking where it once located in the right of way. It will also provide neighbors with more views of the lake.

Granting of the variance will not be the result of hardship.

Site Photos/ Variance Appeals Board

1. Shows-- Survey of property- Town Tax Map 304-3 1.86 Acres
2. Shows-- Tape indicating Property Line on Lot 25 and Lot 27 Qualey Road. Lot 25 shed and deck is 1' from the property line. This is the property line we are requesting a variance for.
3. Shows-- Front property line on Lot 27 on Qualey Road. This property line has angle from Lot 25-27 to Lot 27-29 Property pin. Asking for variance on front corner; nearest lot 25-37 property line to deck area.
4. Shows-- Property pin and slope – Lot 27 to Lot 29
5. Shows-- Existing drilled well location of Lot 27. Tape on the ground and staked area are for proposed concrete wall- foundation. Pouring concrete footing to well casing and leaving room to set and unlock concrete panels.
6. Shows-- Rear stake for proposed foundation, tape indicates proposed concrete wall.
7. Shows-- Excavation for footing in foundation area; back lift from excavated base is 16' high- right side of bank 25'-30' high. Rip rap slope beyond 2nd cut is 18' in height. There is a 46' vertical height in 150 ' from Right of Way Qualey Road.
8. Shows--Existing house before it was demolished. Front corner of the deck is 5' from property line; rear steps are 7' from property line.
9. Shows—Section of site and property plan retracement showing steps, deck and well location.





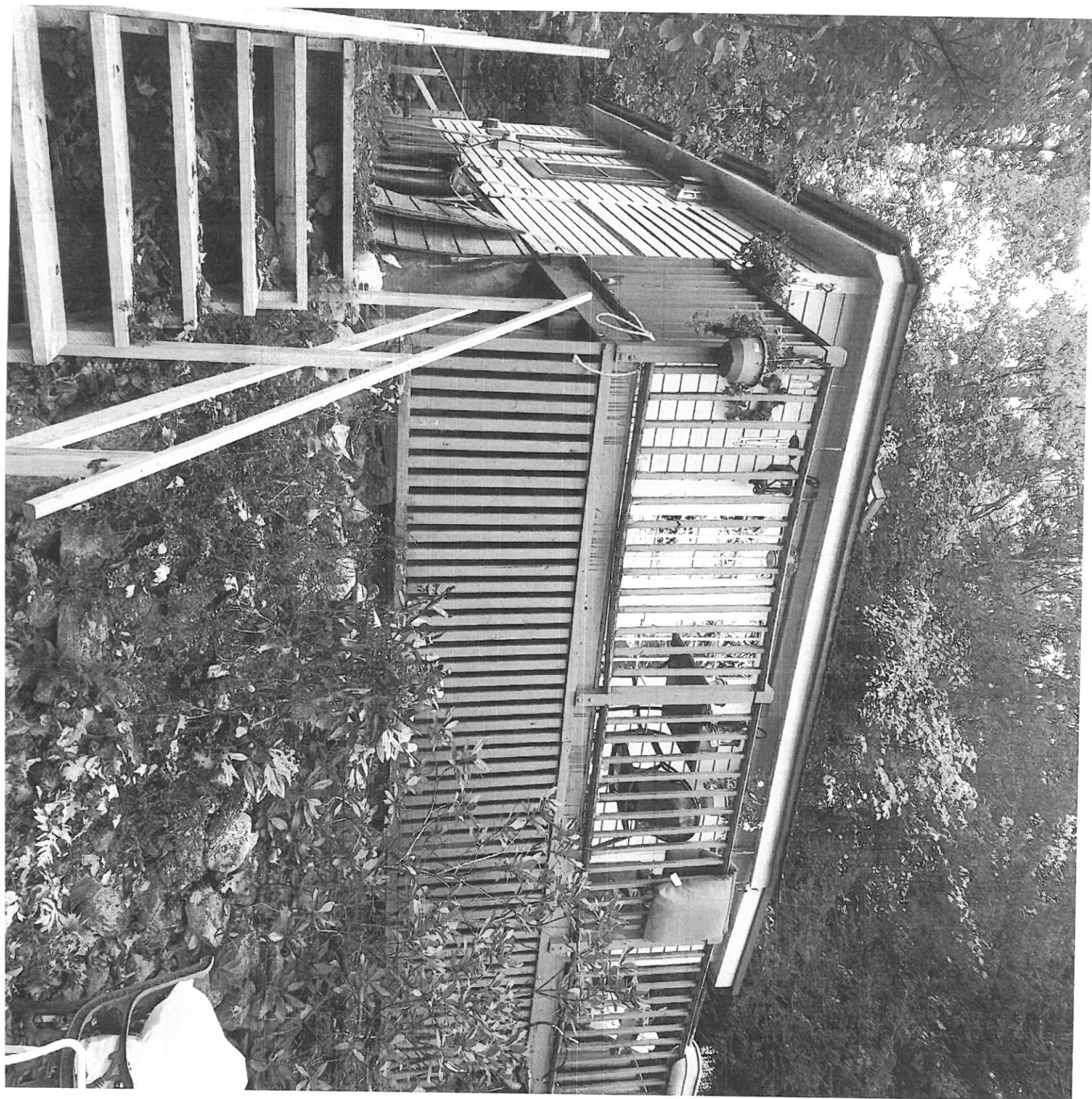


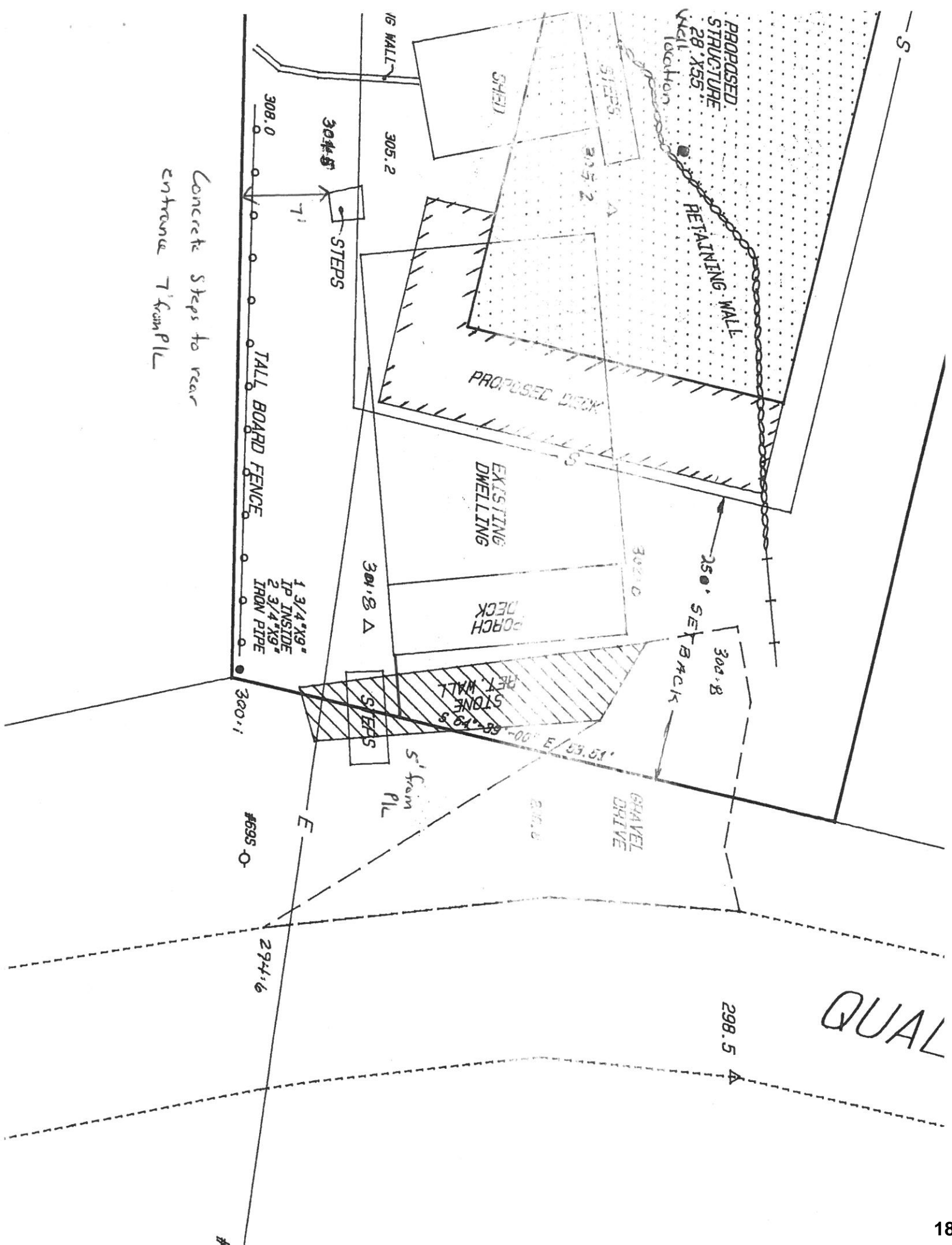












Concrete Steps to rear entrance 7' from PL

QUAL



**APPLICATION FOR ADMINISTRATIVE APPEAL
ZONING BOARD OF APPEALS
TOWN OF GRAY MAINE**

For Office Use Only
 Date Submitted: 5/27/22
 Date Paid/Initials: 5/27/22
 Amount Paid: 300

CONTACT INFORMATION

Name	James F. Pross	E-Mail Address	jpross@sta-law.com
Street Address	500 Canal Street	City/State/Zip	Lewiston, ME 04240
Phone Number	207-784-3200	Work Phone	
Name of owner on property which is subject to appeal:		Randall E. Copp & Elvin H. Copp	

APPEAL

Please describe in detail the facts surrounding this appeal, what you think is wrong about the decision which you are appealing, and what actions you want the board of appeals to take in this matter. If additional space is needed, please continue on a separate sheet of paper and attach it to this application.

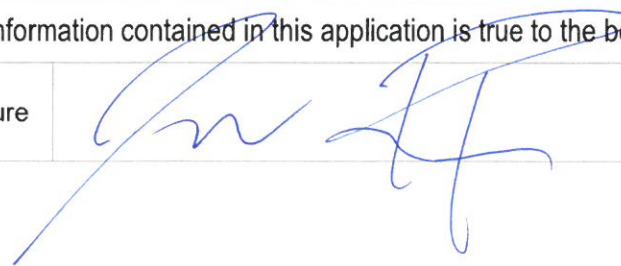
Please see the Correspondence from Skelton Taintor & Abbott, submitted in connection with this Administrative Appeal.

RECEIVED

MAY 27 2022

CERTIFICATION

I certify that the information contained in this application is true to the best of my knowledge and belief.

Applicant Signature		Date	05/26/2022
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PERMISSION TO REPRESENT PROPERTY OWNER

PROPERTY & OWNER INFO

Property Location/Address	71 Portland Road	Property Map/Lot	52 . 32 . 24 .
Zoning District	CRP	Lot Acreage	35.5
Number of Dwelling Units	0	Deed Reference	BK37717 PG314
Owner Name	Elvin & Randall Copp	Owner Phone Number	207-777-5521

I **Elvin & Randall Copp**, residing at **15 Mill Road, West Cumberland**
85 Pointers Way, Cumberland, am the deeded owner of the above referenced property.

I authorize **James F. Pross** to represent me & the above referenced property regarding application for **Administrative Appeal of Notice of Violation**

Authorization extended to: (Check all that apply)

- Submit application for the Zoning Board of Appeals
- Present case at the scheduled Zoning Board of Appeals / Planning Board Meeting
- Other (please describe) **See required affidavit**

REPRESENTATIVE INFO

Name of Individual	James F. Pross	Email Address	jpross@sta-law.com
Company Name (if applicable)	Skelton Taintor & Abbott	Primary Phone Number	207-783-3200
Mailing Address	500 Canal St.	Alternate Phone Number	
Mailing City/State/Zip	Lewiston, ME 04240	Other?	

James F. Pross

Printed Name

Signature

May 26, 2022

Date

RECEIVED

MAY 27 2022

AFFIDAVIT OF AUTHORITY

Date: **May 27, 2022**
To: **Town of Gray, State of Maine**
From: **Owner: Randall Copp & Elvin Copp**
Re: **Property: 71 Portland Road, Gray, Maine (Tax Map 52 Lot 32-24)**

We, Randall Copp and Elvin Copp, the Owner(s) of 71 Portland Road, Gray, Maine (the "Property") first being duly sworn do hereby designate and authorize Attorney James F. Pross to act as our agent and to represent the Owners with regard to an administrative appeal of the Notice of Violation issued by Scott Dvorak, Code Enforcement Officer, dated April 28, 2022 (the "NOV"), to the Zoning Board of Appeals ("ZBA"). This authority includes but shall not be limited to the filing of the administrative appeal, communicating directly with the Town and its representatives regarding the NOV, the administrative appeal, or any matter involving the Property, and appearing before the ZBA at any duly noticed hearing it may hold.

Executed this 27 day of May, 2022.

Mary M. Dault
Witness

By: Elvin Copp
Name: Elvin Copp

Mary M. Dault
Witness

By: [Signature]
Name: Randall Copp

STATE OF MAINE
COUNTY OF Cumberland

Personally, appeared before me the above-named **Randall Copp and Elvin Copp**, known to me, this ___ day of May, 2022, and made oath that the foregoing Affidavit is their own free act and deed.

Deborah L. Corrao
Notary Public/ Maine Attorney at law
Print/type name: DEBORAH L. CORRAO
My commission expires: 1/28/29

DEBORAH L CORRAO
Notary Public, State of Maine
My Commission Expires Jan. 28, 2029

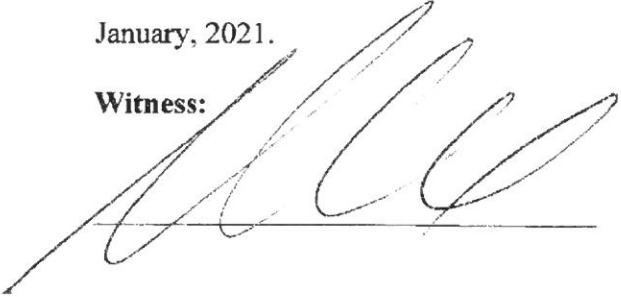
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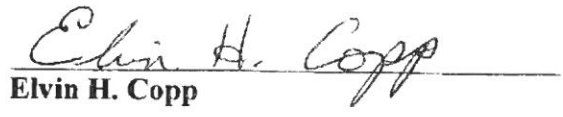
QUITCLAIM DEED WITH COVENANT

Elvin H. Copp with a mailing address at 15 Mill Road, West Cumberland, Maine 04021, grants to Elvin H. Copp with a mailing address at 15 Mill Road, West Cumberland, Maine 04021 and Randall E. Copp with a mailing address at 144 Gray Road, Cumberland Center, Maine 04021, as joint tenants, with Quitclaim Covenant, certain lots or parcels of land, together with any buildings situated thereon, located in Gray, County of Cumberland, and State of Maine, as more fully described in Exhibit "A" attached hereto and made a part hereof.

In Witness Whereof, the undersigned has hereunto set his hand effective this 15th day of January, 2021.

Witness:



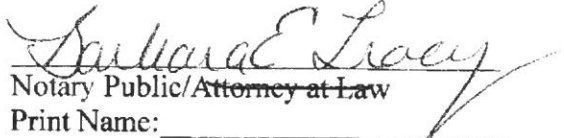

Elvin H. Copp

STATE OF MAINE
ANDROSCOGGIN, SS

January 15, 2021

Personally appeared the above-named Elvin H. Copp, and acknowledged the foregoing instrument to be his free act and deed.

Before me,


Notary Public/Attorney at Law
Print Name: _____

My Commission Expires: Barbara E. Tracy
Notary Public, State of Maine
My Commission Expires May 11, 2021

The preparer did not conduct a title search or examination in connection with this instrument on the property described herein, and therefore title is neither warranted nor guaranteed by the preparer. The preparer expresses no opinion as to the title the grantee will receive. The preparer of this Deed makes no representation as to the status of title, property use, zoning regulations, or any other matter.

EXHIBIT A

71 Portland Road, Gray, Maine

A certain lot or parcel of land, with any buildings thereon, located on the easterly side of the Portland Road, so-called, in the Town of Gray, County of Cumberland and State of Maine, being more particularly bounded and described as follows:

1. All land conveyed to Gerald E. Copp, also known as Jerald E. Copp, Elvin H. Copp and Ronald W. Copp by Dennis R. McLellan and Priscilla G. McLellan by deed dated April 11, 1975, recorded in the Cumberland County Registry of Deeds in Book 5687, Page 327, to which deed reference is had for a more particular description of the premises hereby conveyed.

2. All property conveyed to Elvin H. Copp, Ronald W. Copp and Jerald E. Copp by Maitland D. Trafford, et ux., by deed dated April 5, 1979, recorded in the Cumberland County Registry of Deeds in Book 4403, Page 262, to which deed reference is had for a more particular description of the premises herein conveyed.

EXCEPTED AND RESERVED are the following:

1. Property conveyed to Wallace R. Watson by deed dated February 28, 1986, recorded in the Cumberland County Registry of Deeds in Book 7093, Page 248.

2. Property conveyed to Wallace R. Watson by deed dated January 7, 1988, recorded in the Cumberland County Registry of Deeds in Book 8139, Page 104.

The premises are conveyed subject to any easements and restrictions of record and this deed includes all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

Being the same premises conveyed by Quitclaim Deed with Covenant from Ronald W. Copp, Sr. and Eleanor M. Copp to Elvin H. Copp dated July 1, 1988 and recorded in the Cumberland County Registry of Deeds at Book 14447, Page 121.

The preparer did not conduct a title search or examination in connection with this instrument on the property described herein, and therefore title is neither warranted nor guaranteed by the preparer. The preparer expresses no opinion as to the title the grantee will receive. The preparer of this Deed makes no representation as to the status of title, property use, zoning regulations, or any other matter.

May 27, 2022

VIA HAND DELIVERY

Mr. Doug Webster
Zoning Board of Appeals
Henry Pennell Municipal Complex
24 Main Street
Gray, ME 04039

**RE: Administrative Appeal of April 28, 2022 Notice of Violation
71 Portland Road / Map 52 Lot 32-24**

Dear Mr. Webster and Members of the Zoning Board of Appeals:

Please be advised that I represent Randall E. Copp and Elvin H. Copp (the “Appellants”) with regard to the real property that they own at the above captioned address (the “Property”). This correspondence and the attached documents are submitted in support of the Administrative Appeal from the Code Enforcement Officer’s Notice of Violation dated April 28, 2022 (the “NOV”). This correspondence will outline the basis for the Appeal and is incorporated by reference into the Appeal Application. The Appellants reserve the right to submit additional documentation, evidence, or argument at any scheduled hearing by the Zoning Board of Appeals (“ZBA”). Enclosed herewith are the required 14 copies of the Appeal documents. Also enclosed is a check payable to the Town of Gray in the Amount of Three Hundred Dollars (\$300) in payment of the Application Fee for this Administrative Appeal. I also enclose a copy of the Deed for the Property, and several documents. My clients are dropping off, or has dropped off an original Affidavit authorizing me to act on their behalf regarding this Administrative Appeal.

After receiving the NOV, Mr. Copp reached out multiple times to the CEO to discuss it. Unfortunately, upon information and belief, the Code Enforcement Officer who issued the NOV is no longer employed by the Town of Gray. Several weeks passed before he could establish contact with the new Code Enforcement Officer, despite a couple of attempts. When he reached the new Code Enforcement Officer she indicated that she was not familiar with case file, or was otherwise unable to speak the Appellants about what would be necessary to remedy any violations, since she had just stepped into the role and had a full plate getting through her first couple of weeks. Without the ability to fully understand the alleged violations or what is necessary to remedy the violations, the Appellants are filing this appeal to preserve their rights. To the extent that ZBA can delay action on this appeal and allow an opportunity for the Appellants to address any violations with the new Code Enforcement Officer, they request that opportunity.

The NOV issued on April 28, 2022 is being challenged on several grounds. The NOV alleges that the Appellants have violated the Site Plan dated December 9, 2005, the Town of Gray’s Land Use Ordinance, Chapter 402, Article 10, and the Consent Agreement dated March

3, 2003, recorded at the Cumberland County Registry of Deeds in Book 24748, Page 160 and Book 20357, Page 135. (The NOV is attached hereto as **Exhibit A**.) (The recorded copies of the 2003 Consent Agreement with the Site Plan are attached hereto as **Exhibit B**.) (The recorded amendment to the Consent Agreement is attached hereto as **Exhibit C**.)

In support of the allegation that the Appellants are in violation of the 2003 Consent Agreement, the second paragraph of the NOV alleges, “In the above consent agreement, you were required to obtain and maintain a Recycling license with the Town of Gray.” (**Exhibit A**, p. 1.) This is simply not true. A careful review of the Consent Agreement and the Amendment to the Consent Agreement will reveal that *there is no such requirement set forth in either document*. The NOV does not allege that the Appellants are in violation of State statute or local ordinances governing automobile recycling facilities or automobile graveyards. The only basis offered by the CEO for requiring a license from the Town is the seemingly false allegation that the Consent Agreement requires it. The Appellants have been unable to speak with the CEO regarding the basis for this allegation, but a review of the documents reveals that it is not an accurate statement.

The NOV also alleges that the area of the salvage yard has been enlarged beyond what was approved in the December 9, 2005 Site Plan. As noted in the NOV, the Site Plan shows “the approximate edge” of the salvage yard. Reference to the Site Plan at Exhibit B, page five reveals that the delineation on the Site Plan says exactly that: “approximate edge.” In the NOV, the CEO relies on Google Earth images to support that allegation that the salvage yard area has been expanded beyond the “approximate edge.” He writes, “Using Google Earth’s timeline, it appears that over the years since the dated site plan that you have enlarged the area beyond what was previously approved.” (**Exhibit A**, p. 1.) The Appellants make two points regarding this allegation: first, the site plan delineation of the edge of the salvage yard area is “approximate.” Second, as the recorded Statement of Affidavit dated January 10, 2007 indicates, “The attached plan document (Site Plan) is not a boundary survey or existing conditions plan and states such under note #5.” (Statement of Affidavit is attached hereto as **Exhibit D**.) From this language, we know that the Site Plan does not show the actual location at the time that it was drawn and approved. Therefore, comparing a timeline of Google Earth images tells us nothing relative to the Site Plan, as the Site Plan never represented a baseline of what was actually on the ground.

The NOV cites to the Planning Board’s Conditions of Approval, Item #2 which requires, “That you provide a visual buffer along Route 100 to limit the visibility of operations into the yard.” (Conditions of Approval attached as **Exhibit E**.) This is in reference to the salvage yard at the southern edge of the Property. As you will see, the Site Plan references the “proposed planting” of four (4) pines on the southern edge of the property along Portland Road. (**Exhibit B**, p. 5.) The photos attached hereto are from Google Street View and are marked **Exhibit F1** and **F2**. These pictures depict four pine trees, planted for screening, per the Site Plan, and do as the Conditions of Approval require: “provide a visual buffer along Route 100 to limit the visibility of operations into the yard.” It should be noted that the pines are behind the fire hydrant, which is also depicted on the Site Plan. The pines appear to be in the exact location called for by the Site Plan, relative to the hydrant. In any case, the term “limit” is ambiguous and subject to interpretation. It certainly does not mean “prevent,” but rather to “screen,” which is different from “blocking” which might require stockade fencing as opposed to planted pines.

The pines *do* provide a visual buffer that limits and screens the visibility of the salvage yard area from Portland Road as intended by the Site Plan. This is clear from the attached photos. Pines were similarly planted in the middle of the yard, as called for on the Site Plan and the Conditions of Approval, and are visible on aerial imaging or a site visit. These pine plantings were performed by the Appellants as depicted on the Site Plan.

Another issue identified as a violation is the removal of stones from the front of the Property “at some time between 2007 and 2012.” (**Exhibit A**, p. 1.) The purpose of the stones was to limit the flow of vehicular traffic in and out of the Property to two (2) sixty (60) foot entrances, per the Conditions of Approval. (*See*, **Exhibit E**.) The Appellants do not understand why moving the stones and replacing them with vehicles, as the NOV describes is a violation. The Conditions of Approval required that access to Portland Road be provided, “by way of two (2) separate sixty (60) foot wide ways.” (**Exhibit E**.) The placement of parked and infrequently moved vehicles, in place of the stones at the front of the Property still provides the two separate sixty (60) foot wide ways for regular vehicular traffic coming in and out of the Property as required by the Conditions of Approval. The NOV does not indicate that the Site Plan or conditions of approval required “stones to be placed” to “limit the curb cuts,” only that the access must be through two (2) sixty (60) foot wide ways, which the parked vehicles allow for and preserve. This is not a violation, and continues to comply with the Conditions of Approval in this regard.

The NOV alleges that the, “parking spaces on route 100 are now filled with semi-tractors, a concrete form truck and busses,” and the Appellants do not deny that. (**Exhibit A**, p. 2.) However, it is unclear to the Appellants how or what this is a violation of. Parking spaces are for vehicles. They sell trucks, truck equipment, heavy equipment, and their parts. Placing vehicles in parking spaces at the front of the building seems to be a low cost means of advertising this fact. There is nothing in the Site Plan, in the Consent Agreement, or in the Conditions of Approval that require these parking spaces to be left open and vacant. Imagine any car dealership parking lot; the inventory is parked in parking spaces. Regardless, it is unclear how parking vehicles in parking spaces is a violation of the Site Plan, or any specific ordinance, and none is referenced in the NOV. Unfortunately, the Appellants have never been given the offered opportunity to talk with Code Enforcement about this alleged violation.

The Appellants do acknowledge that it has expanded the recycle yard to some degree in the seventeen (17) years that have passed since 2005, but they deny the allegations in the third bullet point on page one of the NOV, and the third bullet point on page two. (**Exhibit A**.) However, if a Code Enforcement Officer can point specifically an area or material that is being referenced, the Appellants stand prepared to remedy the situation. The fact of the matter is that some items that the Code Enforcement Officer may be calling “junk” are in fact materials that are waiting to be sold. This is specifically regarding the allegation in the third bullet point of page one. There are two excavators in that location that are designated for retail sale, and the Appellants are in the process of selling them. They might look like “junk” (as evidence by the CEO’s use of the phrase “what *appears* to be the vehicle recycling business”), but they are quite valuable and are not part of the vehicle recycling business. “One man’s trash is another man’s treasure,” and available for retail sale.

The Appellants also deny the allegation made in the similarly vague third bullet point on page two, where the Code Enforcement Officer says “it *appears* that you have also gone beyond the parameters of your easterly boundary...” The Appellants are remiss to understand where the Code Enforcement Officer is coming from and they deny that they have gone beyond the easterly boundary. There are stormwater trenches that were placed in that area in accordance with the Site Plan, and the Appellants maintain that their operation does not go beyond those trenches. Once again, the Appellants would point to the fact that the Affidavit filed with the recorded site Plan and the Consent Agreement plainly state that it, “is not a boundary survey or existing conditions plan.” (**Exhibit D.**) Therefore, the Site Plan should not be relied on with exactitude as to either the condition of the Property in 2005, or the exact permitted edge of the salvage yard, as the delineations of the salvage yard boundary are noted as “approximate.” (**Exhibit B**, p. 5.)

Similarly, the Appellants deny that the access road and recycling yard was expanded on the southern end in any significant way, as alleged in the second bullet on page two of the NOV. The fact is that seventeen (17) years have passed since the Site Plan was developed. Over the many years, the Appellants have had to maintain and improve the access “roads” that run through the yard. Any expansion has been *di minimis* and the result of years of working to maintain these “roads” so that their vehicles going in and out of the salvage yard don’t get swallowed up by mud or cause erosion. Furthermore, there are no access road limitations set forth in the Conditions of Approval, the Consent Agreement, or on the Site Plan, and the NOV references no ordinance that has been violated.

Finally, it is worth noting that the Consent Agreement states on page three, that “Plaintiff [the Town] agrees to relinquish its right to prosecute the Defendant, his heirs and assigns, for the violations set forth herein.” (**Exhibit C**, p. 3.) It seems that the intent of the Consent Agreement was to resolve the issues associated with the vehicle, trailer and equipment recycling business at this location, which dates back to before 1980 (purchased by Elvin Copp in 1976). Business has gone on as usual with only minor changes since the site plan was approved in 2005.

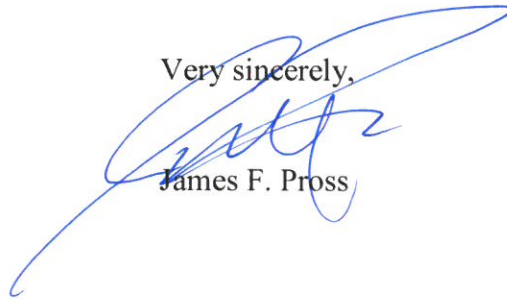
As stated on page one of this submission, the Appellants wish to have an opportunity to address any violations with the new Code Enforcement Officer. The NOV states, “If you do not contact me to establish a plan and timetable for resolving the above-described violation within 30 days, to [sic.] the Town will pursue further measures to ensure compliance [...] which could include the Town bringing an enforcement action.” (**Exhibit A**, p. 2.) The Appellants did attempt to contact Mr. Dvorak to establish a plan and time table for resolving any violations, but he left his position with the Town after issuing the NOV and before the thirty (30) days expired. From the Appellants’ perspective, because of the change in Code Enforcement Officers, and despite their attempts to contact a Code Enforcement Officer to develop some sort of plan, they have not had the opportunity to fully understand the alleged violations, or what would be necessary to remedy them. This opportunity was offered to the Appellants in the NOV. The Appellants believe that there are factual errors and legal errors, as described herein, but they have not had the opportunity to discuss them with anyone in Code Enforcement. Therefore, this Administrative Appeal is being filed to protect their rights and deny the violations as they are understood solely from the NOV, instead of being subject to Court action. Ideally, they would like to have the opportunity to work with the new Code Enforcement Officer to identify the

specific issues *on the ground*, to the extent she feels there are any, and then work on a timeline to remedy those issues.

For these reasons, the Appellants ask that the ZBA stay further proceedings, or refrain from taking formal action on this appeal, until such time that the Appellants and the new Code Enforcement Officer have an opportunity to discuss the alleged violations and “establish a plan and timetable for resolving” them, as was offered to the Appellants on page two of the NOV. In the alternative, if the Appellants have been denied the offered opportunity to establish a plan, whether due to a change in Code Enforcement Officers or any other reason, they ask that the ZBA find that the violations alleged in the NOV are without basis or merit.

I thank you for your attention to this matter. Please do not hesitate to contact me at any time regarding this matter.

Very sincerely,

A handwritten signature in blue ink, appearing to read 'James F. Pross', is written over the typed name. The signature is stylized and fluid.

James F. Pross

Enc.

Cc: Randall and Elvin Copp



TOWN OF GRAY

Henry Pennell Municipal Complex
24 Main St, Gray Maine 04039
www.graymaine.org

CODE ENFORCEMENT OFFICE

Scott Dvorak-Lead CEO
sdvorak@graymaine.org
(207) 657-3339 x 113

April 28, 2022

Notice of Violation

To: Mr. Elvin H. Copp
Randall E. Copp
15 Mill Road
West Cumberland, Rd 04021

RE: 71 Portland Road, Gray, ME
Tax Map 52 Lot 32-24
Zone: Commercial, Limited Commercial and Resource Protection

Please be advised that your property located at 71 Portland Road, Gray Maine, Tax Map 52 Lot 32-24 is in violation of (1) the approved site plan dated December 9, 2005 (2) the Town of Gray Land Use Ordinance, Chapter 402, Article 10 and (3) the Consent Agreement between you and the Town, dated March 3, 2003 all recorded in the Cumberland County Registry of Deeds in Book 24748 Page 160, as amended by the parties by a document recorded in the Cumberland County Registry of Deeds in Book 20357, Page 135.

In the above consent agreement, you were required to obtain and maintain a Recycling license with the Town of Gray. The Town of Gray appears to have no record of the property receiving approval from the Town. The State of Maine does not currently show the above address as having a license.

The above mentioned site plan, dated 12/9/2005 registered at Cumberland Count Registry of Deeds dated June 1, 2007, showed an approximate edge of the salvage yard. Using Google Earth's timeline, it appears that over the years since the dated site plan that you have enlarged the area beyond what was previously approved.

- The Planning Board Recorded Notice of Decision #2 states to provide a visual buffer to limit the visibility of the operations into the yard with a row of evergreens, and the recyclers yard is visible from Route 100.
- In 2007 stones were in place to be used to limit the curb cuts down to (2) 60ft entrances. The stones were removed and replaced with vehicles at some time between 2007 and 2012.
- The area on the recorded site plan labeled "Gray Meadows Trucking, INC., Vehicle, Trailer, and Equipment (retail sales)" is now occupied by what appears to be the vehicle recycling business.

- Parking spaces located on route 100 are now filled with semi-tractors, a concrete form truck and busses.
- An access road and recycle yard was expanded on the southern end of the developed property.
- It appears that you have also gone beyond the parameters of your easterly boundary towards the resource protection area with your recycle yard.

If you do not contact me to establish a plan and timetable for resolving the above-described violation within 30 days, to the Town will pursue further measures to ensure compliance . Such enforcement could include the Town bringing an enforcement action in the Portland District Court under the provisions of 30-A M.R.S.A. §4452. , The statute provides for penalties of between \$100 and \$2500. The court may assess these penalties on a daily basis. In addition, the Town will seek injunctive relief requiring you to bring your property into compliance with the Zoning Ordinance and State law. If the Town prevails in an enforcement action, the statute provides that you could be required to reimburse the Town for its attorney fees and costs.

You have the right to appeal this Notice of Violation to the Town of Gray Zoning Board of Appeals within 30 days of receipt of this letter in accordance with Section 402.9.2.B of the Zoning Ordinance. If you fail to appeal this letter, you may lose your right to contest the determination of violation set forth in this letter. Please call 207-657-3112 to avoid court action against you.

Sincerely,



Scott Dvorak
Town of Gray, Maine
Code Enforcement Officer

Cc:
Nate Rudy, Town Manager
Natalie Burns, Esq.

Attachments:
2003 Consent Agreement
2005 Planning Board's Notice of Decision
Amendment to Consent Agreement
10/5/2005 Site Plan

RECEIVED

Doc# 1835 Bk:24748 Pg: 162

EXHIBIT
tabbies
B

MAR 4 2003

STATE OF MAINE
CUMBERLAND, ss.

NINTH DISTRICT COURT
Div. of So. Cumberland
Civil Docket No. CV-03-77

JENSEN, BAIRD
GARDNER & HENRY

TOWN OF GRAY,

Plaintiff

v.

ELVIN COPP,

Defendant

CONSENT AGREEMENT
(M.R.Civ.P. 80K)

NOW COME the parties in the above-captioned case and stipulate and consent to Judgment as follows:

1. Plaintiff, Town of Gray, is a municipal corporation under the laws of the State of Maine.
2. Defendant Elvin Copp is a resident of the Town of Cumberland, in the County of Cumberland and State of Maine and the owner of certain property located at 71 Portland Road, Gray, Cumberland County, Maine ("Premises").
3. Both parties consent to the filing of this Consent Decree and issuance of this Order pursuant to M.R.Civ.P. 80K and waive further requirements, if any, of service of process, formal citation, and any other jurisdictional issues; it being the intent of the parties to fully vest this Court with jurisdiction over the matters contained herein.

4. ~~The parties stipulate to the following:~~ **Omitted**

- a) ~~Defendant has accumulated many unserviceable, discarded, worn out or junked motor vehicles on the Premises, in addition to box cars, cranes, light poles, engines, transmissions, tires, scrap metal, scrap construction material, discarded, scrapped and junk lumber and other scrap materials without a license or permit in violation of 30-A M.R.S.A § 3753;~~
- b) ~~Defendant established a trucking terminal and trailer storage operation without first obtaining site plan approval, as required by Section 402.33 of the Town of Gray Zoning Ordinance ("Zoning Ordinance");~~
- c) ~~Defendant has established an automobile, truck and equipment sales business on the Premises without first obtaining site plan approval, as required by Section 402.33 of the Zoning Ordinance;~~
- d) ~~Defendant is in arrears for back property taxes on the Premises owed to the Town (approximately \$13,700); and~~

EG
EC

Doc#: 2835 Bk:24748 Pg: 163

e) Plaintiff does not have a current septic inspection on file with the Town that shows the existing septic system to be adequate for the current use on the Premises.

5. Plaintiff and Defendant have reviewed this matter, have agreed to the above-referenced facts, and have agreed to consent to the entry of Judgment as set forth below.

WHEREFORE, it is hereby agreed, stipulated and ORDERED:

A. Defendant shall remove all but two (2) unserviceable, discarded, worn out or junked motor vehicles from the Premises by April 1, 2003. By that date, Defendant shall also furnish to the Town a written list of all vehicles on the Premises that are either to be kept on the Premises (and for what purpose) or to be removed from the Premises. The Town retains the unilateral authority to request Defendant to remove listed vehicles from the subject property if the Town determines by inspection that any such vehicle is unserviceable, discarded, worn out or a junk motor vehicle.

B. A complete Town of Gray Planning Board application for site plan approval on the Premises must be submitted prior to April 1, 2003 and must include all relevant materials for storage, including the metal building parts and the railway box cars, sales, repair, building construction, signs, visual screening and any other uses or construction Defendant plans to do on the Premises.

provided a reasonable extension will be granted if necessary

C. Defendant must have a septic inspection completed on the Premises and a decision rendered as to whether the existing septic system is satisfactory for the current numerous commercial uses as a part of the site plan review. If it is determined that a new septic system will have to be installed on the Premises, Defendant will have thirty (30) calendar days from site plan approval to install the Town-approved system.

by weather conditions or the unavailability of a septic

D. Defendant must pay part of his past due property taxes in the amount of \$9,500 (including interest thereon) to the Town by April 1, 2003. The remaining past due property taxes, approximately \$4,200 plus interest, shall be paid to the Town by June 1, 2003. Interest and costs will continue to accrue on all past due property taxes on the Premises until the balance is paid in full.

higher, said extension not to exceed 30 days.

E. Defendant must remove all tires from the Premises starting when weather permits with complete removal on or before July 1, 2003. The tires must be consistently removed on a weekly basis and a weekly copy of the bill of lading for the removal of the tires to a facility fully licensed by the State of Maine must be provided to the Town.

EC EC

F. Defendant must have a wetlands delineation map drafted by a licensed soil engineer, who must be agreed upon by the parties as a part of site plan review. Satisfaction of any environmental violations will be the sole responsibility of Defendant.

G. Defendant shall pay Plaintiff's attorney's fees in the amount of \$1,250 to the Town by April 1, 2003.

H. Pursuant to 30-A M.R.S.A. § 4452 Defendant is assessed a fine in the amount of \$15,000.00, payable in full to the Town on or before July 2, 2003; provided, however, if Defendant meets each and every deadline established in Paragraphs A-G of the Agreement, including all of the clean-up work and payment of all applicable monies, then this \$15,000.00 fine shall be abated in full, but not otherwise.

I. If Defendant fails to complete all of the requirements and pay all of the monies provided for above in Paragraphs A-G of the Agreement, then Plaintiff shall have the right, but not the obligation, to enter the Premises either with its own crew and equipment, or with a contractor's crew and equipment, to complete the unfinished work and have a lien on the Premises to cover the full cost of the same and seek other remedies that may be available under State law.

J. Plaintiff agrees to relinquish its right to prosecute the Defendant, his heirs and assigns, for the violations as set forth herein.

K. This Agreement shall be binding on the Defendant, his heirs and assigns, and shall be duly recorded in the Cumberland County Registry of Deeds to provide record notice of the same.

L. This Agreement shall be incorporated by reference onto the docket pursuant to M.R. Civ. P. 79(a).

Dated: February 25, 2003

Angela G. Crocker
Angela G. Crocker, Bar #9189
Attorney for Plaintiff
Town of Gray

JENSEN BAIRD GARDNER & HENRY
P.O. Box 4510
Portland, ME 04112-4510
207-775-7271

Dated: February 21, 2003

Elvin Copp
Elvin Copp

THE ABOVE ORDER IS APPROVED:

Dated: 3/3, 2003

RB
District Court Judge

Amendment to
Consent Agreement of Elvin Copp
Approved by Ninth District Court,
Div. of So Cumberland
Civil Docket No. CV-03-77
March 3, 2003

Town of Gray, is a municipal corporation under the laws of the State of Maine
and
Elvin Copp, resident of the town of Cumberland, in the County of Cumberland and State
of Maine and the owner of certain property located at 71 Portland Road, Gray,
Cumberland County, Maine

Have equally consented to the following amendments to the original consent agreement
dated March 3, 2003:

1. That all tires on the property be removed by August 1, 2003.
2. That the area designated as the staging area be organized and the remainder
of the property be cleared of various debris and materials deemed unsuitable
by the CEO no later than by August 15, 2003.
3. That you will have a site plan application in to the Planning Board by
August 1, 2003.
4. That there will be evergreen screening installed on the northern side of the
building as discussed by October 1, 2003.
5. That there will be a fine paid to the Town of Gray of \$1000 on or before
July 16, 2003.
6. That there will be a fine paid to the Town of Gray of \$1500 on or before
August 1, 2003.
7. That there be a third fine paid to the Town of Gray of \$2500 October 1, 2003,
with the condition that if all work described in the original agreement and in
this amendment is completed before October 1, 2003, Mr. Copp will be
relieved from paying the \$2500 fine.

Having read and understood all of the above conditions I, Elvin Copp, of my own
free, will do hereby agree and consent to the above conditions and terms.


Elvin Copp

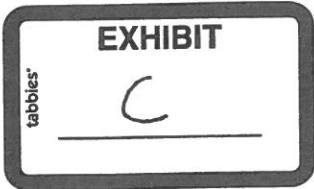
July 16, 03
date

The Town of Gray accepts this amendment to the original consent decree dated
March 3, 2003


Mitchell A. Berkowitz, Town Manager

7/14/03
date

Ronna B. Bush, Notary Public
State of Maine
My Commission Expires 7/18/2005



Amendment to
Consent Agreement of Elvin Copp
Approved by Ninth District Court,
Div. of So Cumberland
Civil Docket No. CV-03-77
March 3, 2003

Town of Gray, is a municipal corporation under the laws of the State of Maine and Elvin Copp, resident of the town of Cumberland, in the County of Cumberland and State of Maine and the owner of certain property located at 71 Portland Road, Gray, Cumberland County, Maine

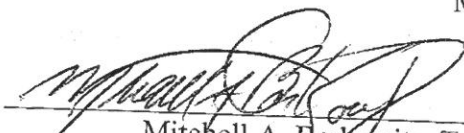
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3. That you will have a site plan application in to the Planning Board by August 1, 2003.
4. That there will be evergreen screening installed on the northern side of the building as discussed by October 1, 2003.
5. That there will be a fine paid to the Town of Gray of \$1000 on or before July 16, 2003.
6. That there will be a fine paid to the Town of Gray of \$1500 on or before August 1, 2003.
7. That there be a third fine paid to the Town of Gray of \$2500 October 1, 2003, with the condition that if all work described in the original agreement and in this amendment is completed before October 1, 2003, Mr. Copp will be relieved from paying the \$2500 fine.

Having read and understood all of the above conditions I, Elvin Copp, of my own free, will do hereby agree and consent to the above conditions and terms.


Elvin Copp
July 16, 03
date

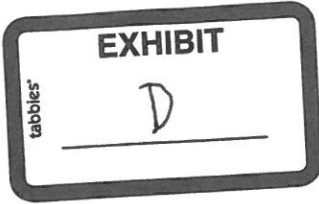
The Town of Gray accepts this amendment to the original consent decree dated March 3, 2003


Mitchell A. Berkowitz, Town Manager
7/14/03
date

Ronna B. Burs, Notary Public
State of Maine
My Commission Expires 7/18/2006

Received
Recorded Register of Deeds
Oct 08, 2003 08:23:06A
Cumberland County
John B. D Brien

846 Main St., Suite 3
Westbrook, Maine 04092
Telephone 207-591-7000
Facsimile 207-591-7329
info@stgermain.com



Statement of Affidavit

The purpose of recording the attached documents is to satisfy a condition of approval granted by the Town of Gray for a site plan application approved on December 8, 2005 for Elvin H. Copp. Scott D. Collins of St.Germain & Associates, Inc. represented Mr. Copp before the Planning Board. The attached plan document (Site Plan) is not a boundary survey or existing conditions plan and states such under note #5. This site plan was created based on documents prepared by others as noted in the reference section of the drawing, and is for the sole purpose of supplying required information to obtain planning board approval under a consent agreement dated February 28, 2003 and subsequently amended on March 3, 2003. The following documents are attached:

- December 9, 2005 Letter of approval from Town of Gray
- October 5, 2005 Site Plan (reduced)
- March 3, 2003 copy of consent agreement amendment
- February 28, 2003 copy of consent agreement

I hereby state that the above is true and accurate based on my own knowledge and belief.

Scott D. Collins

January 10, 2007

Date

State of Maine

County of Cumberland

Personally appeared the above-named Scott D. Collins and signed and made the foregoing Statement of Affidavit, before me,

Date: January 10, 2007

Wanda L. Emery, Notary Public
My Commission Expires: August 12, 2013



TOWN OF GRAY

6 Shaker Road
Gray, Maine 04039
townmanager@graymaine.org

1738
First Settled

December 9, 2005

Mr. Scott Collins, P.E. Project Manager
St. Germain & Associates
846 Main Street, Suite 3
Westbrook, Maine 04092

Dear Scott,

At last evenings Planning Board meeting, the Board approved the Site Plan of the Property of Elvin Copp, 71 Portland Road, Gray, Maine as dated October 5, 2005 subject to the following conditions:

- 1) The Planning Board Standard Condition of Approval Number One applies to the approval process.
- 2) That you provide a visual buffer along Route 100 to limit the visibility of operations into the yard.
- 3) That you provide access to the Copp property site by way of two separate 60' wide ways.
- 4) That monitoring wells be tested bi-annually for the first 5 years, then annually for the next 5 years, and, if unsatisfactory, will be continued to be monitored annually. These will be monitored by the Response Services of DEP.
- 5) That the sampling parameters of the monitoring wells be proposed by the applicant's engineer and approved by the DEP, and, that the applicant must take necessary remedial action in the event that contamination is encountered. If the applicant doesn't meet this condition, then the approval gets nullified.
- 6) That the original consent agreement dated February 28, 2003 along with the Planning Board approval be recorded and a note on the site plan be made stating that the plan was approved as a result of the consent decree.
- 7) That the applicant will present monitoring well information to the Planning Board one year from December 8, 2006 or at the first meeting in the year 2007. The Board would require 3 tests: Baseline, Mid-Term, and One Year.

Thank you and Elvin Copp for attending and participating in last evenings meeting.

Good luck with your project.

Sincerely,

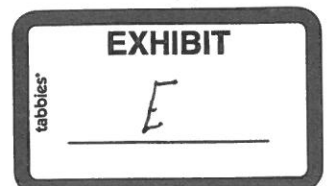


Richard F. Cahill
Town Planner



Paul J. White
Code Enforcement Officer

Cc: Elvin Copp



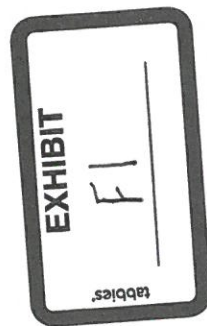




EXHIBIT
F2
tabbies®



TOWN OF GRAY

Henry Pennell Municipal Complex
24 Main St, Gray Maine 04039
www.graymaine.org

CODE ENFORCEMENT OFFICE

Scott Dvorak-Lead CEO
sdvorak@graymaine.org
(207) 657-3339 x 113

April 28, 2022

Notice of Violation

To: Mr. Elvin H. Copp
Randall E. Copp
15 Mill Road
West Cumberland, Rd 04021

RE: 71 Portland Road, Gray, ME
Tax Map 52 Lot 32-24
Zone: Commercial, Limited Commercial and Resource Protection

Please be advised that your property located at 71 Portland Road, Gray Maine, Tax Map 52 Lot 32-24 is in violation of (1) the approved site plan dated December 9, 2005 (2) the Town of Gray Land Use Ordinance, Chapter 402, Article 10 and (3) the Consent Agreement between you and the Town, dated March 3, 2003 all recorded in the Cumberland County Registry of Deeds in Book 24748 Page 160, as amended by the parties by a document recorded in the Cumberland County Registry of Deeds in Book 20357, Page 135.

In the above consent agreement, you were required to obtain and maintain a Recycling license with the Town of Gray. The Town of Gray appears to have no record of the property receiving approval from the Town. The State of Maine does not currently show the above address as having a license.

The above mentioned site plan, dated 12/9/2005 registered at Cumberland County Registry of Deeds dated June 1, 2007, showed an approximate edge of the salvage yard. Using Google Earth's timeline, it appears that over the years since the dated site plan that you have enlarged the area beyond what was previously approved.

- The Planning Board Recorded Notice of Decision #2 states to provide a visual buffer to limit the visibility of the operations into the yard with a row of evergreens, and the recyclers yard is visible from Route 100.
- In 2007 stones were in place to be used to limit the curb cuts down to (2) 60ft entrances. The stones were removed and replaced with vehicles at some time between 2007 and 2012.
- The area on the recorded site plan labeled "Gray Meadows Trucking, INC., Vehicle, Trailer, and Equipment (retail sales)" is now occupied by what appears to be the vehicle recycling business.

- Parking spaces located on route 100 are now filled with semi-tractors, a concrete form truck and busses.
- An access road and recycle yard was expanded on the southern end of the developed property.
- It appears that you have also gone beyond the parameters of your easterly boundary towards the resource protection area with your recycle yard.

If you do not contact me to establish a plan and timetable for resolving the above-described violation within 30 days, to the Town will pursue further measures to ensure compliance. Such enforcement could include the Town bringing an enforcement action in the Portland District Court under the provisions of 30-A M.R.S.A. §4452. The statute provides for penalties of between \$100 and \$2500. The court may assess these penalties on a daily basis. In addition, the Town will seek injunctive relief requiring you to bring your property into compliance with the Zoning Ordinance and State law. If the Town prevails in an enforcement action, the statute provides that you could be required to reimburse the Town for its attorney fees and costs.

You have the right to appeal this Notice of Violation to the Town of Gray Zoning Board of Appeals within 30 days of receipt of this letter in accordance with Section 402.9.2.B of the Zoning Ordinance. If you fail to appeal this letter, you may lose your right to contest the determination of violation set forth in this letter. Please call 207-657-3112 to avoid court action against you.

Sincerely,



Scott Dvorak
Town of Gray, Maine
Code Enforcement Officer

Cc:
Nate Rudy, Town Manager
Natalie Burns, Esq.

Attachments:
2003 Consent Agreement
2005 Planning Board's Notice of Decision
Amendment to Consent Agreement
10/5/2005 Site Plan

846 Main St., Suite 3
Westbrook, Maine 04092
Telephone 207-591-7000
Facsimile 207-591-7329
info@stgermain.com

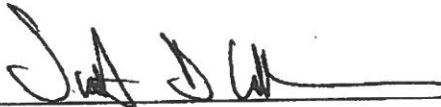


Statement of Affidavit

The purpose of recording the attached documents is to satisfy a condition of approval granted by the Town of Gray for a site plan application approved on December 8, 2005 for Elvin H. Copp. Scott D. Collins of St.Germain & Associates, Inc. represented Mr. Copp before the Planning Board. The attached plan document (Site Plan) is not a boundary survey or existing conditions plan and states such under note #5. This site plan was created based on documents prepared by others as noted in the reference section of the drawing, and is for the sole purpose of supplying required information to obtain planning board approval under a consent agreement dated February 28, 2003 and subsequently amended on March 3, 2003. The following documents are attached:

- December 9, 2005 Letter of approval from Town of Gray
- October 5, 2005 Site Plan (reduced)
- March 3, 2003 copy of consent agreement amendment
- February 28, 2003 copy of consent agreement

I hereby state that the above is true and accurate based on my own knowledge and belief.



Scott D. Collins

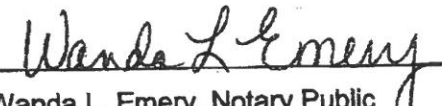
January 10, 2007
Date

State of Maine

County of Cumberland

Personally appeared the above-named Scott D. Collins and signed and made the foregoing Statement of Affidavit, before me,

Date: January 10, 2007



Wanda L. Emery, Notary Public
My Commission Expires: August 12, 2013

SEAL

TOWN OF GRAY

6 Shaker Road
Gray, Maine 04039
townmanager@graymaine.org

1738
First Settled

December 9, 2005

Mr. Scott Collins, P.E. Project Manager
St. Germain & Associates
846 Main Street, Suite 3
Westbrook, Maine 04092

Dear Scott,

At last evenings Planning Board meeting, the Board approved the Site Plan of the Property of Elvin Copp, 71 Portland Road, Gray, Maine as dated October 5, 2005 subject to the following conditions:

- 1) The Planning Board Standard Condition of Approval Number One applies to the approval process.
- 2) That you provide a visual buffer along Route 100 to limit the visibility of operations into the yard.
- 3) That you provide access to the Copp property site by way of two separate 60' wide ways.
- 4) That monitoring wells be tested bi-annually for the first 5 years, then annually for the next 5 years, and, if unsatisfactory, will be continued to be monitored annually. These will be monitored by the Response Services of DEP.
- 5) That the sampling parameters of the monitoring wells be proposed by the applicant's engineer and approved by the DEP, and, that the applicant must take necessary remedial action in the event that contamination is encountered. If the applicant doesn't meet this condition, then the approval gets nullified.
- 6) That the original consent agreement dated February 28, 2003 along with the Planning Board approval be recorded and a note on the site plan be made stating that the plan was approved as a result of the consent decree.
- 7) That the applicant will present monitoring well information to the Planning Board one year from December 8, 2006 or at the first meeting in the year 2007. The Board would require 3 tests: Baseline, Mid-Term, and One Year.

Thank you and Elvin Copp for attending and participating in last evenings meeting.

Good luck with your project.

Sincerely,



Richard F. Cahill
Town Planner



Paul J. White
Code Enforcement Officer

Cc: Elvin Copp

MAR 4 2003

STATE OF MAINE
CUMBERLAND, ss.

NINTH DISTRICT COURT
Div. of So. Cumberland
Civil Docket No. CV-03-77

JENSEN, BAIRD
GARDNER & HENRY

TOWN OF GRAY,

Plaintiff

v.

ELVIN COPP,

Defendant

CONSENT AGREEMENT
(M.R. Civ.P. 80K)

NOW COME the parties in the above-captioned case and stipulate and consent to Judgment as follows:

1. Plaintiff, Town of Gray, is a municipal corporation under the laws of the State of Maine.

2. Defendant Elvin Copp is a resident of the Town of Cumberland, in the County of Cumberland and State of Maine and the owner of certain property located at 71 Portland Road, Gray, Cumberland County, Maine ("Premises").

3. Both parties consent to the filing of this Consent Decree and issuance of this Order pursuant to M.R. Civ.P. 80K and waive further requirements, if any, of service of process, formal citation, and any other jurisdictional issues; it being the intent of the parties to fully vest this Court with jurisdiction over the matters contained herein.

4. ~~The parties stipulate to the following:~~

Dismissed

- a) ~~Defendant has accumulated many unserviceable, discarded, worn out or junked motor vehicles on the Premises, in addition to box cars, cranes, light poles, engines, transmissions, tires, scrap metal, scrap construction material, discarded, scrapped and junk lumber and other scrap materials without a license or permit in violation of 30-A M.R.S.A § 3753;~~
- b) ~~Defendant established a trucking terminal and trailer storage operation without first obtaining site plan approval, as required by Section 402.33 of the Town of Gray Zoning Ordinance ("Zoning Ordinance");~~
- c) ~~Defendant has established an automobile, truck and equipment sales business on the Premises without first obtaining site plan approval, as required by Section 402.33 of the Zoning Ordinance;~~
- d) ~~Defendant is in arrears for back property taxes on the Premises owed to the Town (approximately \$13,700); and~~

*EG
EC*

e) Plaintiff does not have a current septic inspection on file with the Town that shows the existing septic system to be adequate for the current use on the Premises.

5. Plaintiff and Defendant have reviewed this matter, have agreed to the above-referenced facts, and have agreed to consent to the entry of Judgment as set forth below.

WHEREFORE, it is hereby agreed, stipulated and ORDERED:

A. Defendant shall remove all but two (2) unserviceable, discarded, worn out or junked motor vehicles from the Premises by April 1, 2003. By that date, Defendant shall also furnish to the Town a written list of all vehicles on the Premises that are either to be kept on the Premises (and for what purpose) or to be removed from the Premises. The Town retains the unilateral authority to request Defendant to remove listed vehicles from the subject property if the Town determines by inspection that any such vehicle is unserviceable, discarded, worn out or a junk motor vehicle.

B. A complete Town of Gray Planning Board application for site plan approval on the Premises must be submitted prior to April 1, 2003 and must include all relevant materials for storage, including the metal building parts and the railway box cars, sales, repair, building construction, signs, visual screening and any other uses or construction Defendant plans to do on the Premises. *provided a reasonable extension will be granted. A license is required*

C. Defendant must have a septic inspection completed on the Premises and a decision rendered as to whether the existing septic system is satisfactory for the current numerous commercial uses as a part of the site plan review. If it is determined that a new septic system will have to be installed on the Premises, Defendant will have thirty (30) calendar days from site plan approval to install the Town-approved system. *by weather conditions or the availability of a soils*

D. Defendant must pay part of his past due property taxes in the amount of \$9,500 (including interest thereon) to the Town by April 1, 2003. The remaining past due property taxes, approximately \$4,200 plus interest, shall be paid to the Town by June 1, 2003. Interest and costs will continue to accrue on all past due property taxes on the Premises until the balance is paid in full. *any other said interest should be extended 30 days.*

E. Defendant must remove all tires from the Premises starting when weather permits with complete removal on or before July 1, 2003. The tires must be consistently removed on a weekly basis and a weekly copy of the bill of lading for the removal of the tires to a facility fully licensed by the State of Maine must be provided to the Town. *EC EC*

F. Defendant must have a wetlands delineation map drafted by a licensed soil engineer, who must be agreed upon by the parties as a part of site plan review. Satisfaction of any environmental violations will be the sole responsibility of Defendant.

G. Defendant shall pay Plaintiff's attorney's fees in the amount of \$1,250 to the Town by April 1, 2003.

H. Pursuant to 30-A M.R.S.A. § 4452 Defendant is assessed a fine in the amount of \$15,000.00, payable in full to the Town on or before July 2, 2003; provided, however, if Defendant meets each and every deadline established in Paragraphs A-G of the Agreement, including all of the clean-up work and payment of all applicable monies, then this \$15,000.00 fine shall be abated in full, but not otherwise.

I. If Defendant fails to complete all of the requirements and pay all of the monies provided for above in Paragraphs A-G of the Agreement, then Plaintiff shall have the right, but not the obligation, to enter the Premises either with its own crew and equipment, or with a contractor's crew and equipment, to complete the unfinished work and have a lien on the Premises to cover the full cost of the same and seek other remedies that may be available under State law.

J. Plaintiff agrees to relinquish its right to prosecute the Defendant, his heirs and assigns, for the violations as set forth herein.

K. This Agreement shall be binding on the Defendant, his heirs and assigns, and shall be duly recorded in the Cumberland County Registry of Deeds to provide record notice of the same.

L. This Agreement shall be incorporated by reference onto the docket pursuant to M.R. Civ. P. 79(a).

Dated: February 28, 2003

Angela G. Crocker
Angela G. Crocker, Bar #9189
Attorney for Plaintiff
Town of Gray

JENSEN BAIRD GARDNER & HENRY
P.O. Box 4510
Portland, ME 04112-4510
207-775-7271

Dated: February 21, 2003

Elvin Copp
Elvin Copp

THE ABOVE ORDER IS APPROVED:

Dated: 3/3, 2003

RB
District Court Judge

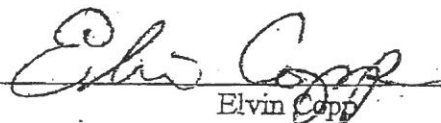
Amendment to
Consent Agreement of Elvin Copp
Approved by Ninth District Court,
Div. of So Cumberland
Civil Docket No. CV-03-77
March 3, 2003

Town of Gray, is a municipal corporation under the laws of the State of Maine
and
Elvin Copp, resident of the town of Cumberland, in the County of Cumberland and State
of Maine and the owner of certain property located at 71 Portland Road, Gray,
Cumberland County, Maine

Have equally consented to the following amendments to the original consent agreement
dated March 3, 2003:

1. That all tires on the property be removed by August 1, 2003.
2. That the area designated as the staging area be organized and the remainder
of the property be cleared of various debris and materials deemed unsuitable
by the CEO no later than by August 15, 2003.
3. That you will have a site plan application in to the Planning Board by
August 1, 2003.
4. That there will be evergreen screening installed on the northern side of the
building as discussed by October 1, 2003.
5. That there will be a fine paid to the Town of Gray of \$1000 or before
July 16, 2003.
6. That there will be a fine paid to the Town of Gray of \$1500 on or before
August 1, 2003.
7. That there be a third fine paid to the Town of Gray of \$2500 October 1, 2003,
with the condition that if all work described in the original agreement and in
this amendment is completed before October 1, 2003, Mr. Copp will be
relieved from paying the \$2500 fine.

Having read and understood all of the above conditions I, Elvin Copp, of my own
free, will do hereby agree and consent to the above conditions and terms.


Elvin Copp

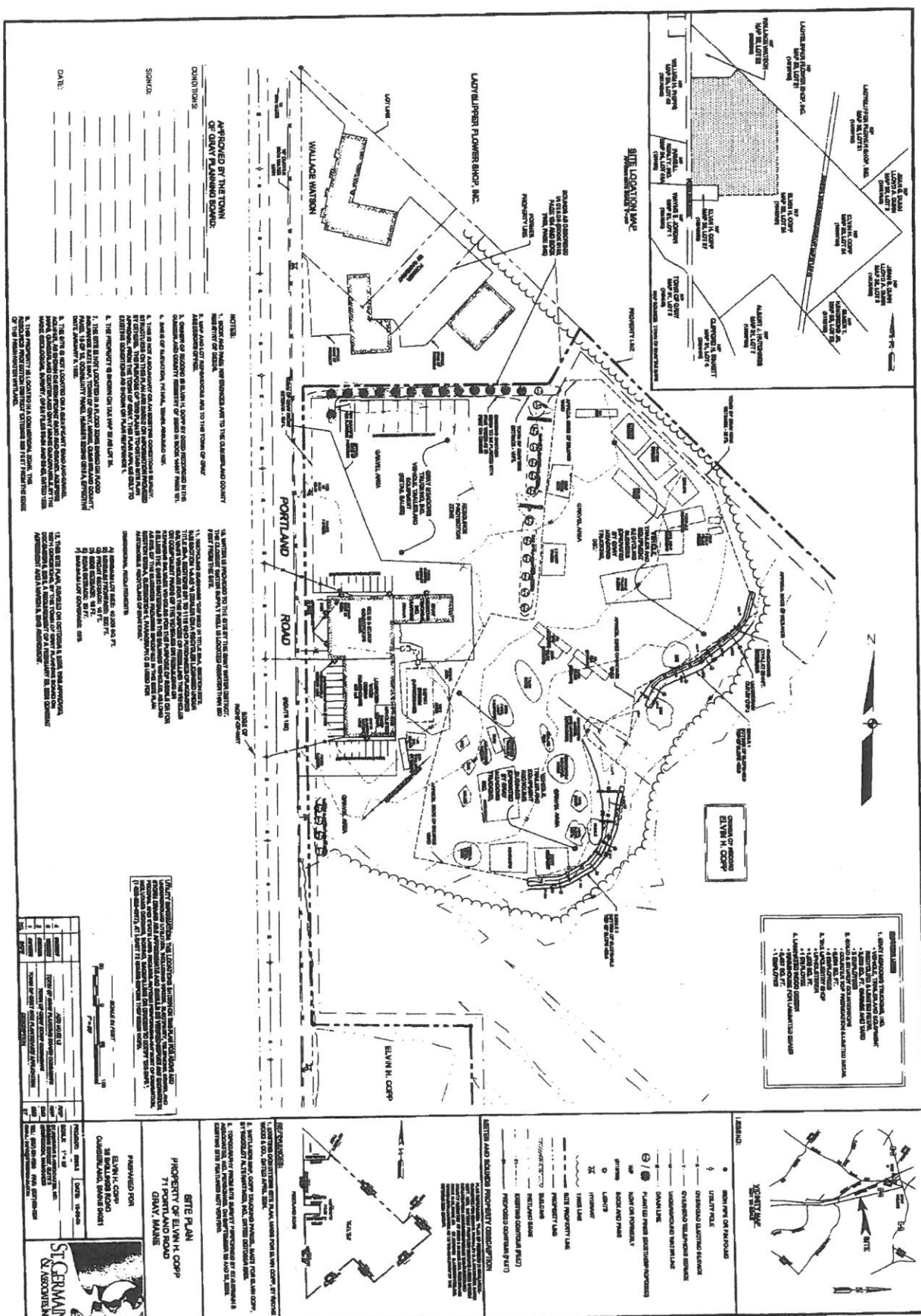
July 16, 03
date

The Town of Gray accepts this amendment to the original consent decree dated
March 3, 2003


Mitchell A. Berkowitz, Town Manager

7/14/03
date

Henri B. Sauter, Notary Public
State of Maine
My Commission Expires 7/18/2006



APPROVED BY THE TOWN OF GRAY PLANNING BOARD

CONDITIONS

SOURCE

DATE:

NOTES

1. THE TOWN OF GRAY HAS REVIEWED THIS PLAN AND FINDS IT TO BE IN ACCORDANCE WITH THE ZONING REGULATIONS AND THE SUBDIVISION ACT.

2. THE TOWN OF GRAY HAS REVIEWED THIS PLAN AND FINDS IT TO BE IN ACCORDANCE WITH THE ZONING REGULATIONS AND THE SUBDIVISION ACT.

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5. THE TOWN OF GRAY HAS REVIEWED THIS PLAN AND FINDS IT TO BE IN ACCORDANCE WITH THE ZONING REGULATIONS AND THE SUBDIVISION ACT.

1. THE SITE PLAN, SUBMITTED TO THE TOWN OF GRAY, SHOWS THE PROPOSED DEVELOPMENT OF THE PROPERTY AT 71 PORTLAND ROAD, GRAY, MAINE.

2. THE PROPOSED DEVELOPMENT IS A RESIDENTIAL DEVELOPMENT CONSISTING OF 10 UNITS.

3. THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE ZONING REGULATIONS AND THE SUBDIVISION ACT.

4. THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE ZONING REGULATIONS AND THE SUBDIVISION ACT.

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NO.	DESCRIPTION	DATE	BY
1	PREPARED FOR ELWIN H. CORP.		
2	REVISIONS		
3	REVISIONS		
4	REVISIONS		
5	REVISIONS		
6	REVISIONS		
7	REVISIONS		
8	REVISIONS		
9	REVISIONS		
10	REVISIONS		

PREPARED FOR
ELWIN H. CORP.
71 PORTLAND ROAD
GRAY, MAINE

DATE: 11/11/2007

BY: ST GERMAIN SURVEYORS

Received
Recorded Register of Deeds
Jan 11, 2007 10:47:00A
Cumberland County
Pamela E. Lovley