

February 28, 2022

VIA HAND DELIVERY

David Murch, Chair
Town of Raymond Zoning Board of Appeals
401 Webbs Mills Road
Raymond, ME 04071

RE: Administrative Appeal of Management Controls, LLC
January 28, 2022 Notice of Violation
28 Whitetail Lane, Raymond, Maine (the "Property")

Dear Chairman Murch and Fellow Zoning Board of Appeals Members:

I represent Management Controls, LLC, owner of the above-referenced Property, in conjunction with its administrative appeal relating to a Notice of Violation issued by the Code Enforcement Officer on January 28, 2022 (the "NOV"). The alleged violations cited in the NOV arise from a shoreline stabilization project conducted at the Property. To the extent that there are any violations, which is specifically denied, they resulted from errors and/or oversights by the contractor who Management Controls, LLC hired to do the work. Additionally, we ask the Board to bear in mind as it reviews this administrative appeal that the driving purpose of this project was to stabilize the shoreline area in order to prevent active and severe erosion and discharge of soil into Sebago Lake, consistent with the informing purposes of the Town's Shoreland Zoning Ordinance ("SZO").

As noted in my cover letter, given a sincere desire to have a positive relationship with the Town, my client has developed and submitted to the CEO a mitigation/remediation plan with respect to the alleged violations cited in the NOV. Accordingly, the parties have agreed that this matter should be tabled until at least March 18, 2022 to allow the parties reasonable time to negotiate and finalize a consent agreement. Based on the timelines outlined on the Town's website, it appears that this matter would be heard (in the unlikely event that it becomes necessary) at the Board's April 26th meeting. Per the Board's practice, submissions for this meeting are due by March 25, 2022. If this appeal moves forward, Management Controls, LLC reserves the right to supplement its administrative appeal materials in advance of the March 25, 2022 submission deadline.

In broad terms, however, my client appeals the NOV for the following reasons.

- 1. Management Controls, LLC Reasonably Relied on its Contractor to Obtain All Required Permits and to Conduct All Work in a Manner Consistent With Governing Ordinance Requirements**

Ensuring that all required permits were secured for the shoreline stabilization project and that all work was conducted in a manner consistent with governing local and state law, was of critical importance to Mr. Buteau, Management Controls, LLC's principal. It was so important to him that it was the very first term enumerated in his contract with Big Lake Marine Construction ("BLMC"). Specifically, it imposes on BLMC the clear duty to "obtain all necessary permitting from then Town and DEP." The contract provides for a substantial sum to compensate BLMC for obtaining said permits. Attached as Exhibit 1 is a copy of said contract. Given that the contract expressly requires BLMC to obtain all necessary permits, and compensates BLMC handsomely for doing so, it was more than reasonable for Management Controls, LLC to expect BLMC, which held itself out as an expert in shoreline projects, to have acquired proper permits and to have employed the erosion control measures required by law.

2. Substantive Disagreements With Allegations Contained in NOV

- With respect to Violations Nos. 1 and 2 (alleging filling and earthmoving without a permit), much of the activity conducted was in the nature of "soil and water conservation" practices, which is allowed without a permit in the LRR2 zone. See Section 14 of the SZO, item #8 of the Land Use Table. Moreover, the NOV cites the language of section 15(U)(1) of the SZO, which requires that various activities in the shoreland zone "shall be conducted in such a manner to prevent erosion and sedimentation of surface waters." Yet, there was no explanation or evidence offered to support a conclusion that the work was not conducted in a manner that would prevent erosion and sedimentation. In fact, the overarching goal of the project was to prevent erosion of the shoreline. Prior to construction, the shoreline at the Property was actively eroding and discharging soil in to Sebago Lake during times of higher water levels. It is my client's understanding that while the contractor was on site during construction, unexpected saturated soil conditions posed a significant threat of additional soil erosion and sedimentation into Sebago Lake. He therefore expanded the project scope by extending filter fabric and riprap higher than originally intended to prevent catastrophic shoreline failure and soil discharge in to the Lake.
- Violation No. 3 asserts that a boat launch at the Property was unlawfully enlarged or expanded without a permit. Photographic evidence attached to the CEO's own NOV, attached here as Exhibit 2, suggests that the boat launch existed at the location for many years prior to the shoreline stabilization project. The project simply replaced the original structure with a crushed stone ramp of similar material as the adjacent shoreline riprap. The minor widening in a southerly direction occurred after removal of a large tree stump, which left a large void and unstabilized soils, which needed to be filled in order to prevent additional destabilization and erosion.
- Violation No. 4 asserts that the shoreline has been enlarged or expanded without a permit. It was not enlarged or expanded. It was stabilized.
- Violation No. 5 alleges that there has been construction of a "beach" without providing any facts to support that contention or even to identify what is meant by a "beach," which term is not defined in the SZO. No beach was created. On-site evidence included from the CEO's

NOV, attached as Exhibit 3, clearly demonstrates this fact as no new fill was placed below the normal high water line aside from the riprap. During construction, several medium or large sized existing riprap stones near the base of the stairway had separated from the riprap slope. This stone was relocated to the riprap slope as a necessary and exempt maintenance activity to ensure long-term shoreline slope stability. *See* 38 M.R.S. section 480-Q.2. Because no beach was created, no beach construction permit is required.

- With respect to Violations Nos. 6 and 7, an aerial drone photo taken by the Portland Water District prior to this project (attached as Exhibit 4) show that existing vegetation on the slope was limited in both area and density. It appears to have been growing opportunistically at or near the base of the slope on pockets of soil that had previously failed/slumped from the adjacent slope. This vegetation likely provided negligible or no benefit to slope stability, and the vegetation near the base of the slope and any accompanying soil would have likely eroded into the lake during typical high lake water events. In any event, existing vegetation was not “removed,” it was trimmed down with all root systems remaining intact. The NOV also appears to include an area of grass lawn that was disturbed during construction and several ornamental shrubs that were removed at the top of the slope between the house and the shoreline. Vegetation removal within existing lawns and ornamental shrubs are not typically regulated by municipalities. In any event, the lawn area has been stabilized for winter conditions using erosion control mulch and both the lawn and ornamental shrubs will be replanted in Spring 2022 with appropriate species to enhance soil stability.
- With respect to Violation No. 9, the CEO alleges that the shoreline stabilization project could have been completed by the contractor’s barge rather than by land. This allegation is incorrect. Site conditions did support use of the barge and associated equipment to conduct maintenance of the existing riprap at the Property and a barge was employed accordingly. However, use of the barge was not feasible for the remaining work for several reasons. First, the depth of the lake was not sufficient for a barge to approach the shoreline closely enough to perform the majority of the work (particularly, a barge loaded with the kind of heavy equipment and materials necessary for this project). Second, the size of the equipment required to conduct the necessary work was too large to fit on the barge. Finally, the contractor had no dedicated material loading access location on the lake and use of the existing boat ramp was not possible due to shallow water depth.
- Violation Nos. 10 through 12 allege unpermitted tree removal. As is necessary for nearly all shoreline stabilization projects, trees were removed in order to accommodate construction equipment. Additionally, some hazard trees were removed to avoid injury to person or property in the event of hazard trees. Tree removal for both of these purposes is allowed provided that replanting of similar native tree species occurs. *See* sections 15.R and 15.T of the SZO. The property owner has committed to replacing the trees identified in the NOV.

3. Procedural Flaws in the NOV

- A number of the purported violations are unduly repetitive and do not enumerate violations that are truly separate and distinct. For example:

February 28, 2022

Page 4

- Alleged Violations Nos.1 and 2 are really one in the same. Violation No. 1 is entitled, “Filling and Earthmoving of More than 10 Cubic Yards,” while Violation No. 2 is entitled, “Filling and Earthmoving of More than 10 Cubic Yards Without a Permit.”
- Similarly, Violation No. 6 is entitled, “Removal of Vegetation Less than 3’ in Height” while Violation No. 7 is entitled, “Removal of Vegetation Less than 3’ in Height Without a Permit.”
- Alleged Violations No. 3 and 4 both cite the identical provision of the SZO (i.e., section 14(17)(B)), yet are included as two separate violations.
- Similarly, both Violations Nos. 8 and 9 cite the exact same provision of the SZO (i.e., section 15(C)(12)), yet they are fashioned as two separate violations.
- Violations No. 10 through 12 all involve alleged unpermitted tree removal, yet again, they are redundantly fashioned as three separate violations.

Given that all of the above-referenced groupings of violations are inextricably linked and relate to the same land use activities, and often cite identical provisions of the SZO, it is unnecessary to name them as separate violations. To do so unnecessarily and unfairly subjects the property owner to potentially duplicative fines given that 30-A M.R.S. section 4452 provides that fines for land use violations are calculated on a per day, *per violation* basis.

Additionally, the NOV requires correction and an inspection within thirty days of the notice. Yet, the parties had already agreed that the property owner would submit a mitigation plan, which it has done. Given current conditions (i.e., frozen ground), the NOV outlines a timeline for corrective action that is physically impossible.

As noted above, my client is hopeful that the parties can reach resolution of this matter based on the mitigation plan that has already been submitted to the CEO and that this administrative appeal need not be heard. The parties will notify you on or about March 18, 2022 regarding their progress and the need to schedule a hearing of this and the two other related administrative appeals.

Thank you for your attention to this matter.

Sincerely,



Leah B. Rachin

February 28, 2022
Page 5

cc: Donald Buteau
Alex Sirois, CEO
Sandy Fredericks, Administrative Assistant to ZBA
Matthew D. Manahan, Esq.
Eric Wycoff, Esq.

Big Lake Marine Construction

PO Box 741

ME 04062

Invoice

Date	Invoice #
10/13/2021	267

Bill To
Management Controls, LLC PO Box 2058 Auburn, ME 04210

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	Project located at Project Location #2 Raymond, ME will consist of the following: Big Lake Marine will obtain all necessary permitting from town and DEP 4 ft X 285 ft of Erosion control measures as required by the DEP. Any and all dead wood will be cut up and removed from project location as DEP allows Banking will be sloped at as required Build up 2.5 X 2" Berm Bark mulch over berm Install 3" rip rap in boat ramp area with 3/4" crushed stone / compacted Install filter fabric on entire 4 ft X 285 ft work area All cavities to be filled in with 3/4" stone at a 45 degree angle to prepare for installation of 6X12" rip rap Install approximately 2 ft X 285 ft of filter fabric and approximately 4" of bark mulch above rip rap Replace fallen rocks around deck area All work to be completed by land and by barge as necessary to complete project Loam, seed and hay all disturbed areas by Big Lake Marine equipment	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00
	Permit fee	6,000.00	6,000.00
	Project total	68,500.00	68,500.00
	**Any and all overages will be approved by homeowner		
Total			\$74,500.00

EXHIBIT B

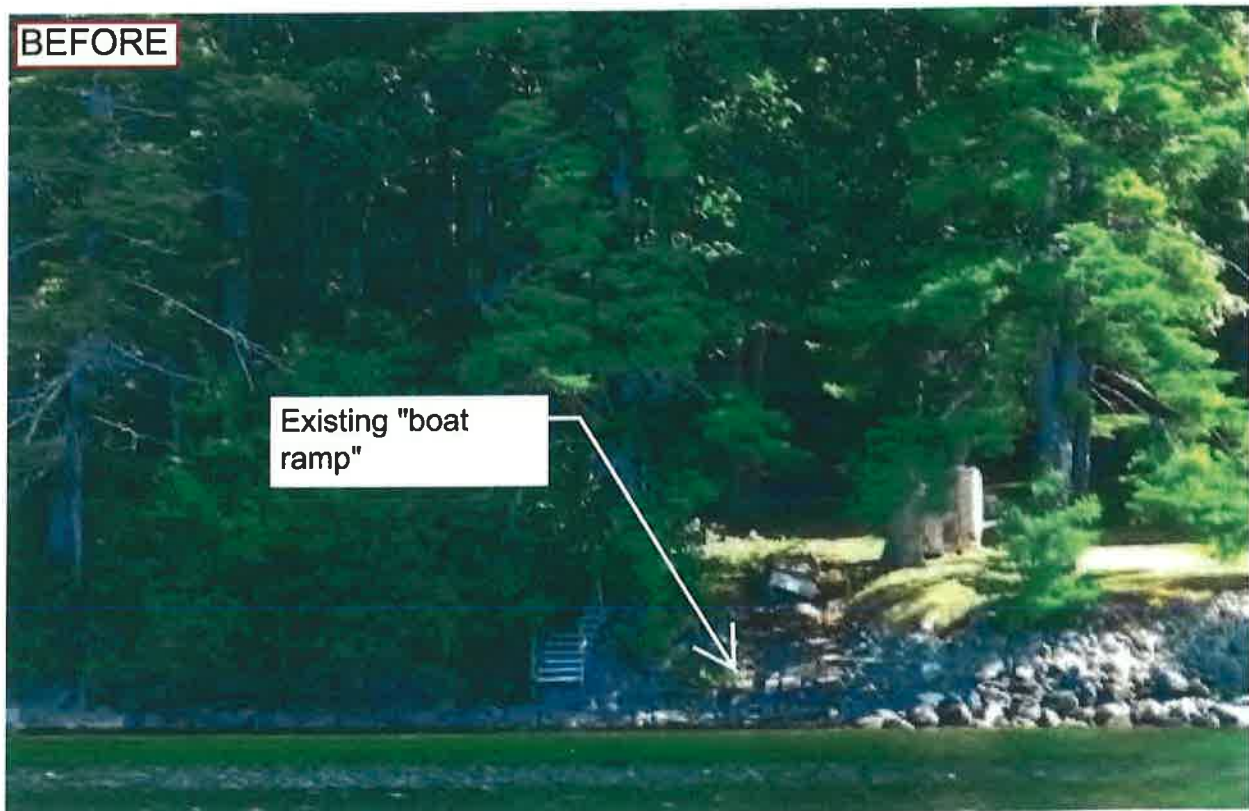


EXHIBIT B



AFTER

New expanded
"boat ramp"

EXHIBIT C





GENERAL NOTES

1. TOTAL SITE AREA: 9.40 ACRES
2. ZONING DISTRICT: RAYMOND, MAINE 04071
3. RECORD OWNERS: JIMMY (LIMITED RESPONSIBILITY / RECREATIONAL II) PULLEN & JANET E. PULLEN
4. BOOK & PAGE: C.C.R.O. BOOK 6587 PAGE 125
5. TAX MAP: TAX MAP 001, LOT 020
6. EXISTING CONDITIONS AND BOUNDARY INFORMATION TAKEN FROM A PLAN ENTITLED: "BOUNDARY SURVEY, RAYMOND, MAINE FOR NORMAN W. PULLEN & JANET E. PULLEN, 297 CAPE ROAD, RAYMOND, MAINE, DATED JULY 18, 2008, PREPARED BY SURVEY, INC. P.O. BOX 210, WINDHAM, MAINE 04092"
7. METRIC INFORMATION TAKEN FROM A PLAN ENTITLED: "METRIC DELINEATION REPORT" DATED OCTOBER 10, 2008, PREPARED BY SWEET ASSOCIATES, 190 GRAY ROAD, FALMOUTH, MAINE 04103.
8. SPACE AND BUILD REQUIREMENTS / OPEN SPACE SUBDIVISION:

MINIMUM LOT AREA	2.5 ACRES
MINIMUM SHORE FRONTAGE	225 FEET
MINIMUM FRONT YARD	25 FEET
MINIMUM SIDE YARD	20 FEET
MINIMUM REAR YARD	40 FEET
MINIMUM SHORE SETBACK	MAX. 35 FEET
MINIMUM BUILDING COVERAGE	MAX. 15 PERCENT
MINIMUM IMPROVED SURFACE AREA	MAX. 15 PERCENT
9. ALLOWABLE DENSITY:

MINIMUM LOT SIZE (LIR)	3.0 AC
TOTAL ALLOWABLE LOTS:	3.13 OR 3 LOTS
10. ALL ROADS IN THIS SUBDIVISION SHALL REMAIN PRIVATE ROADS TO BE MAINTAINED BY THE DEVELOPER OR THE LOT OWNERS AND SHALL NOT BE ACCEPTED OR MAINTAINED BY THE TOWN UNTIL THEY MEET ALL MUNICIPAL STREET DESIGN AND CONSTRUCTION STANDARDS AND ARE APPROVED AS SUCH BY THE TOWN MEETING.

GENERAL NOTES (CONTINUED)

11. ALL TREES OUTSIDE OF THE BUILDING ENVELOPE SHALL BE PRESERVED. NO CUTTING OR CLEANING OF DISEASED, UNSAFE, OR DEAD TREES.
12. EXCEPT TO REMOVE STORM DRAINAGE, DISEASED, UNSAFE, OR DEAD TREES.
13. THE SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS AND HOMEOWNERS' ASSOCIATION DOCUMENTS PER ARTICLE XIX, SECTION D.2 OF THE COMMON OPEN SPACE) AND SHALL BE SUBJECT TO THE DECLARATION OF COVENANTS AND HOMEOWNERS' ASSOCIATION DOCUMENTS PER ARTICLE XIX, SECTION D.2 OF THE LAND USE ORDINANCE.
14. THE EXISTING GARAGE IS PART OF LOT #2 (NOT PART OF THE COMMON OPEN SPACE) AND SHALL BE SUBJECT TO THE DECLARATION OF COVENANTS AND HOMEOWNERS' ASSOCIATION DOCUMENTS PER ARTICLE XIX, SECTION D.2 OF THE LAND USE ORDINANCE.
15. WITHIN THE 30' VEGETATED BUFFER, NO CUTTING OR CLEANING OF VEGETATION SHALL BE PERMITTED EXCEPT TO REMOVE STORM DRAINAGE, DISEASED, UNSAFE, OR DEAD TREES.
16. WITHIN THE 60' VEGETATED ACCESS EASEMENT, NO CUTTING OR CLEANING OF VEGETATION SHALL BE PERMITTED EXCEPT TO REMOVE STORM DRAINAGE, DISEASED, UNSAFE, OR DEAD TREES. NO PATH OR TRAIL SHALL BE DEVELOPED OR CONSTRUCTED.
17. EXISTING STONE WALLS SHALL BE PRESERVED AS SHOWN ON THE SUBDIVISION PLAN.

SURVEY NOTES

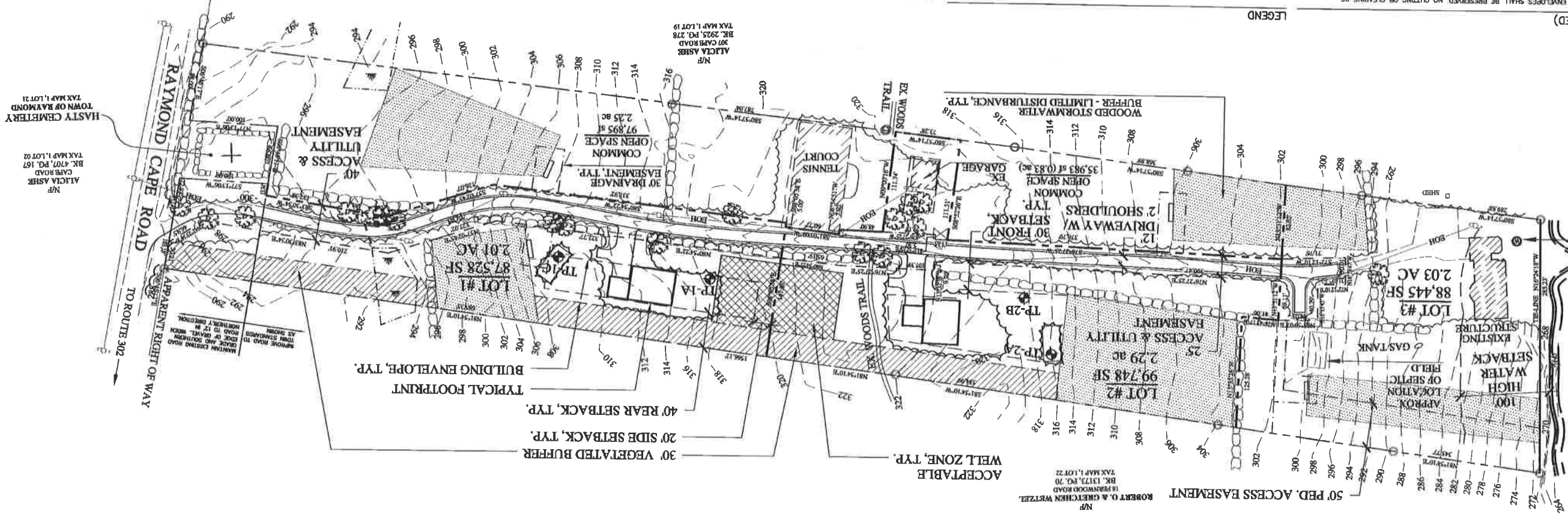
1. TOPOGRAPHY: 2' CONTOURS SHOWN WERE LOCATED ON SITE BY SURVEY, INC.
2. HORIZONTAL REFERENCE: STATE PLANE (NAD83), 1802 - MAINE WEST
3. VERTICAL REFERENCE: MVD 66 - BENCHMARK ESTABLISHED WITH TOPCON HIPER-LITE 095 UNIT. STAVING OBSERVATIONS WERE TAKEN ON SEPT. 8, 2008. NGS OPUS SOLUTION (+/- 5CM).
4. NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING ELEVATION, SIZE, DENSITY, CONDITION, CAPACITY, OR LOCATION OF ANY UNDERGROUND UTILITY, MINOR OR PUBLIC SERVICE.
5. PROPERTY IS SUBJECT TO EASEMENTS AND/ OR RIGHTS-OF-WAY OF RECORD.

PLAN REFERENCES

- (A) SKETCH PLAN FOR: NORMAN W. PULLEN & JANET E. PULLEN
- (B) STANDARD BOUNDARY SURVEY FOR: ROBERT D. & GRETCHEN WETZEL LOT 3: 288 FEET 2.5 ACRES (OPEN SPACE CLUSTER SUBDIV.) PROPOSED
- (C) PLAN OF DIVISION OF LAND FOR: HARRY LAUB RILEY BY: HARLAND H. SWETSER DATED: MAY 1949
- (D) PLAN SHOWING PARTITION OF THE THOMAS AVERY LAMB ESTATE IN THE TOWNS OF RAYMOND AND STANISH AS ORDERED BY THE SUPREME COURT. DATED: SEPTEMBER 1944
- (E) STANDARD BOUNDARY SURVEY FOR: FRANKLIN DEXTER & DANICE A. SMITH BY: LAND SERVICES INC. DATED: 4-15-99

9. ALLOWABLE DENSITY:

MINIMUM LOT AREA	9.40 AC
GROSS LOT AREA:	3.0 AC
TOTAL ALLOWABLE LOTS:	3.13 OR 3 LOTS
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LEGEND

- EXISTING**
- PROPERTY LINE
 - EASEMENT LINE
 - SETBACK LINE
 - TREELINE
 - TEST PIT
 - WELL
 - NOW OR FORMERLY DEED BOOK / PAGE
 - STONEMANT
 - GATE VAULT
 - GAS TANK
 - OVERHEAD UTILITIES
 - EDGE OF GRAVEL
 - CONTOUR LINE
 - TREELINE
 - TREE
 - STONEMANT
- PROPOSED**
- PROPERTY LINE
 - EASEMENT LINE
 - SETBACK LINE
 - TREELINE
 - TEST PIT
 - WELL
 - SEPTIC FIELD
 - VEGETATED BUFFER
 - VEGETATED BUFFER
 - ACCEPTABLE WELL ZONE
 - LEVEL UP SPREADER
 - CULVERT

SURVEY, INC.
 WINDHAM, ME 04062
 SURVEY.JINC@VERIZON.NET
 (207) 892-2556 (207) 892-2571 FAX

PLAN BY: MLC @ SURVEY, INC.
 DATE: JUNE 2008
 JOB NO. 04-078

I CERTIFY THAT THIS SURVEY CONFORMS TO THE STANDARDS OF THE MAINE BOARD OF LICENSED PROFESSIONAL LAND SURVEYORS AND IS CORRECT TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL OPINION.

Jason T. Parthing
 P.L.S. 2890
 5/27/07

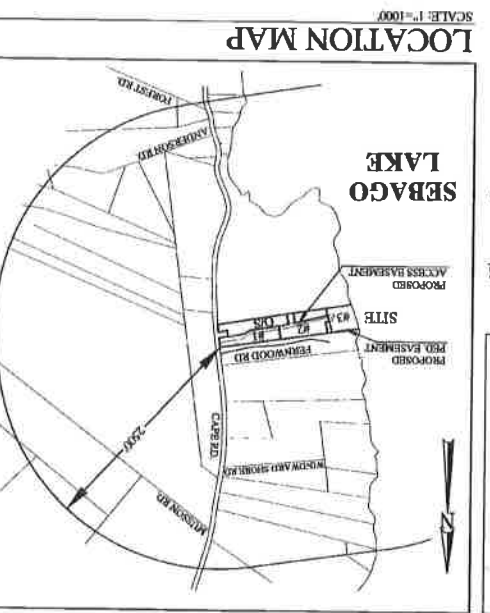
tyd&a

Terrence J. DeWan & Associates
 Landscape Architects & Planners
 121 West Main Street, Yarmouth, ME 04096
 Telephone: 207.846.0757 Fax: 207.846.0675

GRAPHIC SCALE
 0 30 60 90 120

Open Space Subdivision Plan
 November 29, 2006
 Sheet # C-100

1-16-07: Revised per town comments & Conditions of Approval.
 3-28-07: Revised per final Conditions of Approval.



Waivers Granted

1. MAINTENANCE OF 2% DRAINAGE GRADE WITHIN 75' OF INTERSECTION AS REQUIRED BY SECTION 5.5 (A) OF THE TOWN OF RAYMOND STREET ORDINANCE TO ALLOW THE EXISTING GRADE OF THE FIRST 130' OF THE DRIVEWAY TO REMAIN.

2. REQUIREMENT TO INCLUDE WATER FRONTAGE IN THE OPEN SPACE OF THE PROPOSED OPEN SPACE SUBDIVISION AS REQUIRED BY ARTICLE 4.6 OF THE TOWN OF RAYMOND SUBDIVISION ORDINANCE, ON THE CONDITION THAT A FEET (50) FOOT WIDE VEGETATED ACCESS EASEMENT IS PROVIDED ALONG THE NORTHERN PROPERTY LINE FROM THE SHORELINE TO THE POINT AT WHICH THE EASEMENT NO LONGER AVOIDS THE NORTHERN PROPERTY LINE.

3. PROPERTY IS SUBJECT TO EASEMENTS AND/ OR RIGHTS-OF-WAY OF RECORD.

4. NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING ELEVATION, SIZE, DENSITY, CONDITION, CAPACITY, OR LOCATION OF ANY UNDERGROUND UTILITY, MINOR OR PUBLIC SERVICE.

5. PROPERTY IS SUBJECT TO EASEMENTS AND/ OR RIGHTS-OF-WAY OF RECORD.

6. EXISTING CONDITIONS AND BOUNDARY INFORMATION TAKEN FROM A PLAN ENTITLED: "BOUNDARY SURVEY, RAYMOND, MAINE FOR NORMAN W. PULLEN & JANET E. PULLEN, 297 CAPE ROAD, RAYMOND, MAINE, DATED JULY 18, 2008, PREPARED BY SURVEY, INC. P.O. BOX 210, WINDHAM, MAINE 04092"

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CONDITION OF FINAL APPROVAL

1. THE DEVELOPER SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE PLANS, SPECIFICATIONS, TESTIMONY, SUBMISSION, AND SUPPORTING DOCUMENTS PRESENTED TO THE PLANNING BOARD IN CONJUNCTION WITH THE DEVELOPER'S APPLICATION FOR SUBDIVISION APPROVAL.

2. APPROVAL: Town of Raymond Planning Board
 Date: April 11, 2007

3. RECEIVED: April 17, 2007
 AT 3:40 PM, AND RECORDED IN PLAN BOOK 601, PAGE 217
 REGISTER: David E. Folsom

4. STATE OF MAINE
 CUMBERLAND COUNTY REGISTRY OF DEEDS

WAIVERS GRANTED

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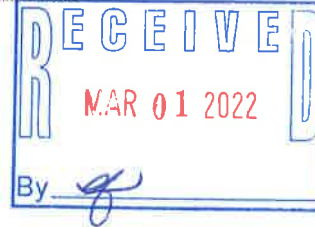
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February 28, 2022



VIA HAND DELIVERY

David Murch, Chair
Town of Raymond Zoning Board of Appeals
401 Webbs Mills Road
Raymond, ME 04071

RE: Administrative Appeal of Management Controls, LLC
January 28, 2022 Notice of Violation
28 Whitetail Lane, Raymond, Maine

Dear Chairman Murch and Fellow Zoning Board of Appeals Members:

Enclosed please find the eight (8) copies of administrative appeal of Management Controls, LLC of a Notice of Violation issued by the Raymond Code Enforcement Officer on January 18, 2022. In conjunction with said appeal, please find the following:

1. Management Control, LLC's Zoning Board of Appeals completed application form;
2. Authorization for Drummond Woodsum to represent Management Control, LLC in this matter;
3. Application fee in the amount \$431.00;
4. Plan of the property (shown as Lot # 3 on the attached plan); and
5. Letter outlining grounds of appeal.

I have been communicating with Attorney Matt Manahan, copied here, who is representing the CEO. My clients have submitted a mitigation plan to the CEO with the respect to the alleged violations at both the Whitetail Lane property (the subject of this appeal) as well as the Fernwood Drive property (the subject of two currently pending appeals). We are waiting for the Town to review said plan at which point we intend to negotiate a consent agreement with the Town relating to all issues raised in the NOV's. As a result, counsel have agreed that this matter will be tabled until at least March 18, 2022. In the unlikely event that the three appeals matters cannot be resolved, then we will request that they be scheduled for a consolidated hearing.

I thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'LR' with a flourish.

Leah B. Rachin

February 28, February 25, 2022
Page 2

cc: Donald Buteau
Alex Sirois, CEO
Sandy Fredericks, Administrative Assistant to ZBA
Matthew D. Manahan, Esq.
Eric Wycoff, Esq.



**TOWN OF RAYMOND
APPLICATION TO THE
ZONING BOARD OF APPEALS**

Staff Use Only:		Received Date
Application Fee	\$ 75.00	
Notice Fee \$8.00/abutter	\$ 56.00	
Publishing Fee	\$ 300.00	
Escrow-if required		
TOTAL	431.00	

Name of Applicant Leah B. Rachin c/o Drummond Woodsum
 Mailing Address 84 Marginal Way, Suite 600, Portland, ME 04101
 Primary Phone (207) 253-0578 C H W email LRachin@DWMLaw.com
 Date property acquired: (month and year) April 2019


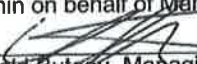
Name of Owner (if different than applicant) Management Controls, LLC/ Donald Buteau, Managing Director
 Mailing Address P.O. Box 2085
 Town: Auburn State ME Zip Code 04211
 Primary Phone (305) 393-7762 C H W email DButeau@FutureGuard.net

Property Address (street number and name): 28 Whitetail Lane, Raymond, ME
 Town of Raymond Map 001 Lot 020 Zone LRR2
 Deed Reference Book 38666 Page 124

The undersigned applies for the following:

1. ADMINISTRATIVE APPEAL. Applicant requests relief from the decision, or lack of decision, of the Code Enforcement Officer. The undersigned believes that (check one)
 An error was made in the denial of the permit
 Denial of the permit was based on the misinterpretation of the ordinance
 The permit was not approved or denied within a reasonable period of time
 Other: Appeal from January 28, 2022, Notice of Violation from CEO. (See attached letter outlining grounds of appeal.)
2. VARIANCE (the information listed on page 3 must be submitted)
3. CONDITIONAL USE PERMIT For _____ (use) in _____ Zone
4. VARIANCE PROVISION(S) FOR NON-CONFORMING Lot Structure Use
5. SETBACK REDUCTION (do not complete Page 3)

I have read, understand and agree to the above instructions and conditions. I also authorize any Board Member or other Town Officials to enter onto the site. I certify that the information contained in this application and its supplement is true and correct.

Date: 02-28-2022 Appellant: 
 Date: 02-28-2022 Property Owner: 
Leah B. Rachin on behalf of Management Controls, LLC
Donald Buteau, Managing Director
Management Controls, LLC

From: Don Buteau <dbuteau@FUTUREGUARD.NET>
Sent: Sunday, February 27, 2022 12:56 PM
To: Leah B. Rachin <LRachin@dwmlaw.com>
Cc: Don Buteau <don@futureguard.net>; Brenda Buteau <brenda@mgtcontrols.com>
Subject: Authorization
Importance: High

Leah,

Please accept this as my authorization, in my capacity as Managing Director of Management Controls, LLC, for Drummond Woodsum to represent Management Controls, LLC in the administrative appeal of the CEO's Notice of Violation dated January 28, 2022 relating to 28 Whitetail Lane on the same terms as stated in my notarized authorization dated January 18, 2022, which I incorporate herein by reference.

Thank you,
Don Buteau

Donald R. Buteau

President/Chief Executive Officer
Management Controls, LLC.
P.O. Box 2058, 101 Merrow Road
Auburn, Maine 04211-2058
(Tel) 207-795-6536
(Fax) 207-786-9351
(Cell) 305-393-7762
don@mgtcontrols.com



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AUTHORIZATION

To Whom It May Concern:

Management Controls, LLC, hereby authorizes the law firm of Drummond Woodsum, including, but not limited to Leah B. Rachin, Esq., to represent Management Control, LLC's interests in its administrative appeal of a Notice of Violation issued to it by the Town of Raymond's Code Enforcement Officer on December 16, 2021, relating to property located at 18 Fernwood Road, Raymond Maine.

Management Controls, LLC

By: Donald Buteau, its Managing Director

State of Maine
County of Androscoggin

The foregoing instrument was signed and sworn before me this 18th day of January, 2022, by Donald Buteau, in his capacity as Manager Director of Management Controls, LLC, on behalf of said LLC.

Name of Notary Public/Attorney

Notary Public, State of Maine

My commission expires: *October 19, 2026*

Phone: 800-858-5818
Fax: 800-352-2409

Post Office Box 2030
101 Merrow Road
Auburn, ME 04211-2030

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

DrummondWoodsum
DRUMMOND WOODSUM & MacMAHON
OPERATING ACCOUNT
84 MARGINAL WAY, SUITE 800
PORTLAND, MAINE 04101-2480
(207) 772-1941

BANGOR SAVINGS BANK
BANGOR, MAINE 04401
52-7438/2112

133161

PAY:

Four Hundred Thirty One and 00/100 Dollars

NUMBER

DATE

AMOUNT

000133161

02/28/2022

*****431.00

TO THE
ORDER
OF

Town of Raymond
401 Webbs Mills Road
Raymond, ME 04071

VOID AFTER 120 DAYS



AUTHORIZED SIGNATURE

MP

⑈ 133161⑈ ⑆ 211274382⑆ 2010088805⑈

DrummondWoodsum **Town of Raymond** **133161**

DATE	INVOICE NUMBER	MEMO	BALANCE
02/28/2022		ZBA Application	431.00