

TOWN OF RAYMOND APPLICATION TO THE ZONING BOARD OF APPEALS

Staff Use Only:		Received Date
Application Fee Notice Fee \$8.00/abutter Publishing Fee Escrow TOTAL	\$ \$ \$	DE BE 1 WE AUG 1 3 2025
Fees will be calculated after application is submitted prior to being scheduled for Hearing	ş	

Name of Applicant Teresa Ellis, Dennis Martin, Lisa Martin
Mailing Address P.O. Box 63, Raymond, ME 04071
Primary Phone 763-234-8582 . C X H W email ellis. teresame q mail.com
Date property acquired: (month and year) Dec 2021 and May 2023
Name of Owner (if different than applicant)
Mailing Address
Town: State Zip Code
Primary Phone C H W email
Property Address (street number and name): Lot 62A
Town of Raymond Map 78 Lot 62 A Zone LRR1
Deed Reference Book 39019 Page 127 (Ellis-Wartin parce)
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
X Other: Error was made in the approval of the permit
2. VARIANCE (the information listed on page 3 must be submitted)
3. CONDITIONAL USE PERMIT For (use) in Zone4. VARIANCE PROVISION(S) FOR NON-CONFORMING Lot Structure Use
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: 8/11/2025 Property Owner Appellant: Appellant:
Date: 8/11/2025 Property Owner: Illisa Ellis
Date: 9/11/2025 Property Owner: This Marking

Grounds for Appeal of Dock Permit

We, Dennis Martin and Teresa Ellis are the owners of real property along Shore Road, Raymond, Maine including lots 98, 60, 61 and 62, and Lisa Martin real property owner of lots 63, 64, and 65 on plan entitled Thomas Pond Shores, filed or recorded in Cumberland County Registry of Deeds, Plan Book 45, Page 37, and dated July 1956. Our street addresses are 31 Shore Road, Raymond, ME 04071 and 33 Shore Road, Raymond, ME 04071.

We are formally appealing the permit decision, permit number 2025394 secured by Sheena Jo-Randall of 32 Shore Road, and Jonathan Stickney of 34 Shore Road, Raymond, Maine to install a 4 x 4 temporary platform and stair access to Thomas Pond.

I. Background:

A Right-of-Way (ROW) exists abutting our lakeside property. The ROW is identified as lot 62A on map 78.

Lot 62A in the Thomas Pond Shores subdivision is not recognized by the town as a separate lot as it has no assigned map and lot number, nor a tax card. Lot 62A is not owned by the parties who applied for the permit to install the dock.

Six properties with five parties have deeded use of ROW at lot 62A, including the applicants Sheena Jo Randall (lots 99-100) and Jonathan Stickney (lot 101-103), an LLC owning lot 97, Lisa Martin (lots 63-65), Teresa Ellis and Dennis Martin, lot 98, and also lots 60-62, both with deeded rights. Our deeds expressly include the benefit of "a right-of-way to and from the shore to Shore Road over lot 62A." Ms. Randall's and Mr. Stickney's deeds include the same language.

Ms. Randall and Mr. Stickney have made multiple previous attempts to install a dock at the end of the ROW with an ever changing narrative and inaccuracies in the permit applications, including the incorrect statement of owning lot 62A and that we don't have deeded rights to name a couple.

The first attempt was to install the dock without other deed holders permissions or a Town of Raymond permit. The Town ordered the removal of the dock. Ms. Randall appealed the decision, however was upheld by the Zoning Board of Appeals.

Next in June 2025 Ms. Randall and Mr. Stickney applied for a permit to install the dock with no attempt to get permission or consent of other deed holders. The permit was denied on June 3 and June 20, 2025.

Then, on June 27 2025, Ms. Randall and Mr. Stickney again applied for permit 2025394 using nuanced language to basically install the same components except to detach the fixed platform from the floating dock. The justification this time was listed as providing

stakeholders contradicts her previous position that consensus is needed for work on the ROW. For example:

-In her letter to Dennis Martin and Teresa Ellis dated July 19, 2022, she states "The only permits in public record for #31 are for tree removal and re-plant (should be no trees from ROW removed without permission from all owners)" For reference our permit was to remove and replant trees on our own private property.

-Again on February 7, 2024, Ms. Randall's sent a letter to Michael S Reali, Trustee, where acknowledged "the town won't issue a permit without <u>ALL</u> owners rights to ROW giving permission". The Reali Trust representative responded on March 12, 2024 that they also did not give consent to change the ROW.

Issuing a permit for this work also contradicts the previous decisions by the CEO as noted in the following examples:

-As recently as June 3, 2025, the applicants were denied a building permit by the Town of Raymond to install a dock at the end of Lot 62A. The denial stated "Rights of Way do not implicitly allow for dock installation", and "All applications shall be signed by an owner or individual who can show evidence of right, title or interest...."

The approval of this permit is a reversal and inconsistent with the prior denial.

-Also on June 20, 2025, the dock permit denial letter acknowledges this is a ROW, and not land owned by Ms. Randall and Mr. Stickney. The denial also notes that all property owners have not agreed to installing a dock. The CEO stated "This is a civil issue that should be settled by all property owners who have deeded access to pass over the ROW before a permit is submitted." This never happened and just 7 days later another permit was submitted and approved without consensus.

We feel that it would be appropriate to use the state statutes as they are now written for subdivisions made post 2018 to help guide and make the a permit decision in this case and remain consistent. This statute states "The owner of an easement or right-of-way leading to or touching upon a water body does not have the right by implication to construct a dock on the easement or right-of-way or use the easement or right-of-way to facilitate the construction of a dock on the body of water..." (See 33 MRSA S 459).

The structure proposed is in essence a dock based on the description and apparent intended use. The Town Ordinance regarding docks/structures above and below the high water mark does not have any exceptions to permit requirements based on any particular dock size, platform, structure or stairs. (350-5.4 Table 1 - Land Uses in Shoreland Zone). The applicant has hand written in her own addition to the zoning standard to add that "& or a 4' stair" is included in the Raymond Zoning Standard (see permit application.)

The applicants keep making attempts to change the terminology of what is being installed and for what purpose in order to gain permit approval. The intended use

Additionally, Maine courts have held that the installation of docks by a right of way or easement holders unreasonably interferes with the right of other right of way holders to use the same right of way. See Uzdavinis v. Wagemann, No. CV-15-027. This case was litigated in 2017 regarding a deeded ROW on Thompson Lake in Oxford, ME and has very similar circumstances to the issue here. The court found in favor of the Plaintiffs, who were a abutting lakefront property owners. They found the defendants did not have a right to establish or maintain a dock as such a structure overburdens and unreasonably interferes with the Plaintiffs' easement rights. In the Thompson Lake case, a dock was installed on a 30' wide ROW, and in our case a dock is being installed on a mere 10' wide ROW, making this situation more obstructive.

The Uzdavinis vs. Wagemann case also cited that the defendant had "no right to occupy any particular part of an easement to the exclusion of others or to exclude them from or to appropriate sole use of a particular portion of common property without prior consent"

All co-tenants should have a say and not unreasonably interfere with other easement holders. This includes our right to pass over the ROW as noted in our deed as well as not be physically excluded from using the ROW. (See Uzdavinis vs. Wagemann as well).

Not only does the platform in the water impede our ability to use the shorefront from the rock, the additional stair/structure over the rock on the ROW interferes with our rights to use land portion at the ROW.

See Ms. Randall letter dated 9/17/224 to the to Town of Raymond regarding our fence installation. In that letter, she states in bold "....there are State statues to blocking, creating barriers and cutting off shoreline." And also "ROW's and private Lots deeded to landowners their are no barriers on the shoreline." Once again a contradiction to her own words.

Also on October 16, 2023, Ms. Randall sent an email to Teresa Ellis. In that email she she noticed we were doing some landscape work on our property. (We were actually simply seeding to repair any lawn damage from the construction.) In her email she states "please be sure that whatever you do that it is on your private property side. Put nothing inside the deeded ROW of others." Hypocritically to her statement to Ellis/ Martin, in this case apparently it is okay to occupy and obstruct the ROW for her personal enjoyment and supersede our deeded rights.

As of July 28, 2025, a portion of the platform and stairs have been installed in the lake. A sign has clearly been posted that this is "Private Property. No Trespassing". In doing so, Ms. Randall and Mr. Stickney have blocked the ROW for their own personal use, violating our deed and use of the end of the ROW. Additionally, Ms. Randall has already started to occupy the end of the ROW, storing additional personal property and attempting to take over the land for their private use. We don't agree and ask that personal property not be stored and all belongings to be removed from the ROW so we

RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS 07/01/2022, 11:01:29A

Register of Deeds Jessica M. Spaulding E-RECORDED

Stickney lots

EXHIBIT "A"

Three certain lots of parcels of land, with any improvements thereon, situated in the Town of Raymond, County of Cumberland and State of Maine, being known as Lots numbered one hundred one (101), one hundred two (102) and one hundred three (103) as shown on Plan of Thomas Pond Shores, Section #4, made by Clifford L. Swan Co., Inc., and recorded in the Cumberland County Registry of Deeds in Plan Book 45, Page 37.

This conveyance is made together with a right of way to and from the premises over shore Road and Libby Road to Meadow Road, so-called.

This conveyance is also made together with a right of way to and from the shore to Shore Road over Lot #22A, Sheet #3, and a right of way to and from the shore to Shore Road over Lots 62A, Section #3 as shown on said Plan of Thomas Pond Shores.

Meaning and intending to convey the same premises described in the deed from Stephen P. Williams and Sharon A. Williams to Robert F. Murray and Judith A. Murray recorded in the Cumberland County Registry of Deeds in Book 8190, Page 191, and Abstract of Referee's Report in the matter of Judith A. Murray v. Robert F. Murray wherein the premises were set aside to Robert F. Murray, recorded in said Registry of Deeds in Book 12167, Page 218.

NO. 206

Know all Men by these Presents,

Uhat,	I, Margan	ret Ann	Clark, Tr	ustee,of	the	Town	of	Casco, County	of
Cumber	and and	State	of Maine,						

in consideration of one dollar and other valuable considerations,

paid by Earl L. and Helen K.Briggs, both of the City of Portland, County of Cumberland, State of Maine,

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and conney, unto the said Earl L.Briggs and Helen K.Briggs,

as joint tenants, and not as tenants in common, their heirs and assigns forever, Excertain lotsor parcelsof land situated in the

Town of Raymond, County of Cumberland and State of Maine, being known as lots numbered Sixty-three (#63), Sixty-four (#64) and Sixty-five (#65), as shown on plan of Thomas Pond Shores, Section #3, made by Clifford L.Swan Co., Inc., and filed or recorded in the Cumberland County Registry of Deeds, Plan Book 45, Page 33, Dated July, 1956.

The above described premises are conveyed subject to the following restrictions for the benefit of all lots at said Thomas Pond Shores, and binding upon the Grantors and the respective Grantees, in deeds of said lots and upon the successors, heirs and assigns of the Grantors and said Grantees until July, 1976, but sand Grantors shall be under no obligation to enforce any of such restrictions or to restrain or enjoin any violation thereof.

(1)No building shall be erected thereon unless the plans of the main camp, cottage or other dwelling have been approved in writing by the Grantors, unless the cottage has a minimum of 700 square feet of first floor space, asphalt roof and clapboard siding or better.

(2)No building or any part of a building shall be built or placed nearer than fifteen feet to the shore of the lake on which the lots front.

(3)No sewerage shall be emptied into the lake or pond upon which the premises border nor onto adjoining land or streets or private ways, but all sewerage shall be properly taken care of by the owners of the premises by septic tank or other adequate means to prevent pollution of the lake or pond and to prevent offensive appearances and odor and shall conform to any and all State Municipal and District reguelations applicable thereto.

The above described premises are conveyed together with a right of way to and from the premises over Shore Road and Libby Road to the Meadow Road so-called, also a right of way to and from the shore to the Shore Road over Lot #22A and Lot #62A.

Clark Tr

to

Briggs

War

Know All Gen by These Presents.

Chai I, Richard M. Norris of Windham, County of Cumberland and State of Maine,

Norris

in consideration of one dollar and other valuable considerations (Actual cash consideration being less than one hundred dollars)

to Norris

paid by Constance G. Norris of said Windham

-War

the receipt whereof I de hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said

Constance G. Norris, her .

heirs and assigns forever, a reliable to the town of Raymond, County of Cumberland, and State of Maine, being lots numbered ninety-eight (98), sixty (60), sixty-one (61), and sixty-two (62) as snown on a map or plan entitled Thomas Pond Shores, made by Clifford L. Swan Co., Inc., and filed or recorded in the Cumberland County Registry of Deeds, Plan Book 45, Page 37, and dated July, 1956.

Book 8380 Page

The above described premises are conveyed subject to the following restrictions for the benefit of all lots at said Thomas Fond Shores, and binding upon the Grantors and the respective Grantees, in deeds of said lots and upon the successors, heirs and assigns of the Grantors and said Grantees until July, 1976, but said Grantors shall be under no obligation to enforce any of such restrictions or to restrain or enjoin any violation thereof.

- (1) No building shall be erected thereon unless the plans of the main camp, cottage or other dwelling have been approved in writing by the Grantors, unless the cottage has a minimum of 700 square feet of first floor space, asphalt roof and clapboard siding or better.
- (2) No building or any part of a building shall be built or placed nearer than fifteen feet to the road on which the lot fronts.
- (3) No sewerage shall be emptied into the lake or pond upon which the premises border nor onto adjoining land or streets or private ways, but all sewerage shall be property taken care of by the owner of the premises by septic tank or other adequate means to prevent pollution of the lake or pond and to prevent offensive appearances and odor and shall conform to any and all State, Municipal and District regulations applicable thereto. The above described premises are conveyed together with a right-of-way to and from the premises over Shore Road and Libby Road to the Meadow Road, so-called, also a right-of-way to and from the shore to the Shore Road over Lot #62A, Section 3.

Said lot numbered ninety-eight (98) was conveyed to this Grantor by Periey J. MacDonald and Ruth L. MacDonald, Trustees, by deed dated August 12, 1961, and recorded in the Cumberland County-Registry of Deeds, in Book 2108, Page 37. Under date of June 7, 1961, said lots numbered sixty (60), sixty-one (61) and sixty-two (62) were conveyed to this Grantor by Perley J. MacDonald and Ruth L. MacDonald, Trustees, by deed recorded in said Registry in Book 2108, Page 37.

have good right to sell and convey the same to the said that Grantee to hold as aforesaid; and that I and heirs shall and will Warrant and Briend the same to the said Grantee , her heirs and assigns forever, against the lawful claims and demands of all persons. in Witness Whereof. I the said Richard M. Norris, unmarried, and of the maid nila teining wincobier deed as a winter and a second Pattudatering and convoling . wight by descent and alk ather hand and seal this eleventh day of July in the year of our Lord one thousand nine hundred and sixty-three Signed, Seuled und Belinered in presence of Richard M. Non . State of Maine. Cumberland July 11 19 63. Personally appeared the above named Richard M. Norris and acknowledged the foregoing instrument to be his free act and deed. JJL 17 1963 REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE Justice of the Peace Received at 3 H /O _M P.M, and recorded in BOOK 2762 PAGE 443 Register

Know all Men by these Presents,

Utat We, John E. Williams and Dolores Williams, both of South Portland, in the County of Cumberland and State of Maine

in consideration of one dollar and other valuable considerations

paid by Raymond F. Gillespie and Julia E. Gillespie, both of Portland, in the County of Cumberland and State of Maine

the receipt whereof we do hereby acknowledge, do hereby give, grant, burgain, sell and convey, unto the said Raymond F. Gillespie and Julia E. Gillespie

as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land situated in the form of Raymond, Cennty of Cumberland and State of Maine, being knewn as let numbered one hundred (100), as shewn on a map or plan entitled Themas Fond Sheres, made by Clifford L. Swan Co., Inc., and recorded in the Cumberland County Registry

of Deeds.

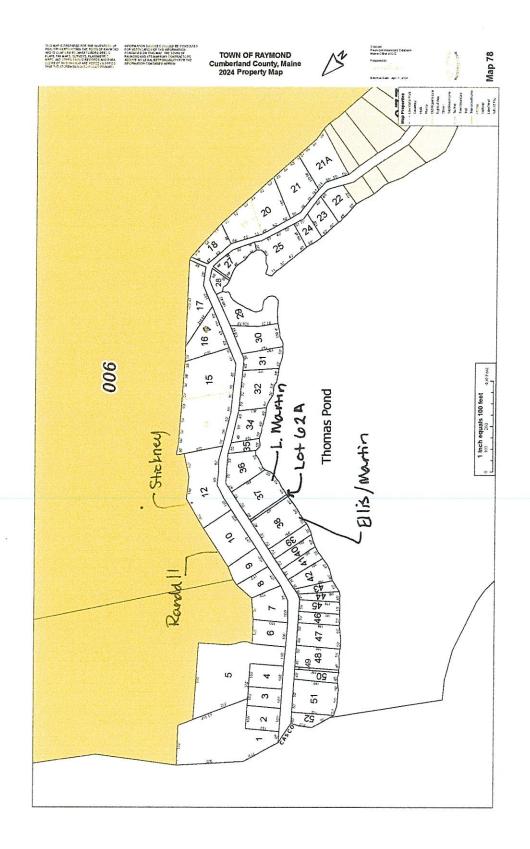
The above described premises are conveyed subject to the following restrictions for the benefit of all lets at said Themas Pend Sheres, and binding upon the for the benefit of restrictive Grantees, in deeds of said lets and upon the successors, Granters and the respective Grantees, in deeds of said lets and upon the successors, theirs and assigns of the Granters and said Grantees, until June, 1976, but said Granters shall be under me obligation to enforce any of such restrictions or to restrain or enjoin any violation thereof.

(1) We building shall be erected thereen unless the plans of the main camp, cettage or other duelling have been approved in writing by the Granters, unless the cettage has a minimum of 700 square feet of first fleer space, asphalt roof and clapbeard siding or better.

(2) No building or any part of a building shall be built or placed nearer than fifteen (15) feet to the read on which the let fronts.

(3) No sewerage shall be emptied into the lake or pend upon which the premises berder mor ento adjoining land or streets or private ways, but all sewerage shall be properly taken care of by the swar of the premises by septic tank or other adequate means to prevent pellution of the lake or pend and to prevent effensive appearances and eder and shall conform to any and all State, Municipal and District regulations applicable thereto. The above described premises are conveyed tagether with a right of way to and from the premises ever Shere Read and Libby Read to the Meadew Read, so called, also a right of way to sad from the shore to the Shere Read over Lot 62A, Section # 3. Also Let 22A, Sheet # 1, Section # 1.

Being the same premises conveyed to the Granters herein from Cedric F. Williams, Sr. by Warranty Deed dated December 23, 1966 and recorded in Cumberland County Registry of Deeds in Beek 2985, Page 669.



2. Application from 6-35-35 meding w/ CEO 18/11 BUILDING PERNITY APPLICATION FEE Zone	ALL PARTS WHICH APPLY TO JOB. PROPER PLANS MUST ACCOMPANY FORM. Phone Phone Phone Phone Phone PORCI-CORP. PARTE COND. TYPE OF USE: PROPOSED USE: CODE LAY FUMIN WILLIAM Subdivision CODE	Feet unfinished a Street From Back Side Side Side Street From Control Back Side Side Side Street From Side Side Street Size Size Size Size Street Street Size Size Street Street Size Size Street Street Size Street Street Size Street S	OOF: 1. Truss or Rafter Six. 2. Sheathing Type 3. Roof covering Type TlIMNEYS: Type Trype	Service Entrance Size UMBING: I. Approval of soil test if required: Yes No No The person actually doing the plumbing must get the Plumbing Permit.	APPLICANT IN RESPONSIBILE FOR OBTAINING A DIG SAFE NUMBER WHEN NEEDED SWIMMING POODS: MUST BE FENCED IN. 1. Type 2. Pool size **MILET COURSE AND STATEMENT OF THE STATEMENT OF	SIGNATURE OF APPLICANT EMAY, ADDRESS SIGNATURE OF APPLICANT SIGNATURE OF CLEOD COLVED INC. SIGNATURE OF CLEOD COLVED INC. INSPECTION BY LIFTSAFETY REQUIRED. YES NO INSPECTION BY LIFTSAFETY RE
Permit# Town of RAYMOND, MAINE BUILDING PERMITY APPLICATION FEE	The state of the control of the cont	Innensions Charles Fotal souther Feet finished Ford Foundation States Foundation Foundation States Foundation Foundation Other	FLOORS: 1. Sill size 2. Girdbe size 3. Lolly column spacing 3. Lolly column spacing 4. Joist size 5. Bridging type 6. Floor sheathing Type 7. Other material	ndows Spacing EL EL Span No Span	Insulation type Sheathing type Siding type Weather exposure Metal materials	Interior walls 1. Studding she 2. Header size Span(s) 3. Wall covering wpe 4. Fire wall if required 5. Other materials IN

ACKNOWLEDGEMENT OF SHORELAND ZONING BUFFER STANDARDS

This sheet provides notification of standards required by the Town of Raymond Shoreland Zoning Provisions. By signing this form, the applicant acknowledges understanding of the standards; agrees to comply with them; and to notify all others associated with the proposed project of these restrictions. Violations of any of these standards will require the contractor(s) and/or landowner(s) to fully restore any site conditions found not in compliance to their pre-construction conditions.

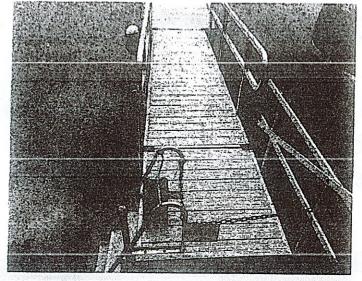
NOTE: This form summarizes key Ordinances provisions. Other restrictions and Maine DEP requirements also apply. Approval of a DEP permit under Natural Resources Protection Act (NRPA) does not supersede these standards, which, in some cases, are more restrictive. See Section 14 of the Shoreland Zoning Ordinance for more information about which activities require a local permit, and Section 15 details the standards that apply to those various activities.

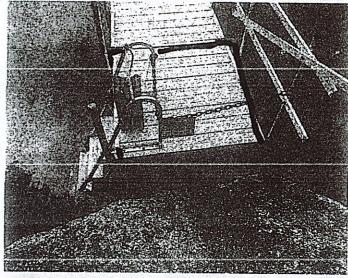
The following standards apply within the buffer area (within 100' of the normal high waterline of great ponds and rivers flowing to great ponds; within 100' of the normal high water line of other rivers and zoned streams; and within 100' of the upland edge of zoned wetlands. NOTE: However, that other standards apply at distances greater than the buffer width. See the Official Raymond Zoning Map to determine how a particular parcel is zoned):

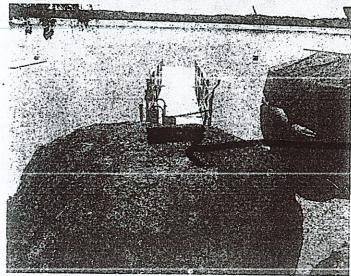
- One (1) winding foot path of no more than six (6) feet in width is allowed for each lot. A winding path is required in order to provide opportunities for water to disperse into the buffer.
- Structures are not allowed within the buffer area, except for water-dependent structures. This prohibition
 includes but not limited to storage buildings, boathouses, patios, decks and tent platforms.
- Vegetation less than three (3) feet in height cannot be removed, killed, or otherwise damaged.
- In the off-season, temporary docks should be stacked on the footpath to avoid damage to buffer vegetation, or removed from the buffer area entirely.
- Fill cannot be brought into the buffer area except for path construction or to re-vegetate bare ground as
 part of an approved re-vegetation plan. Path construction material must consist of washed stone, bark
 mulch, or other material that will not wash into the water.
- Pruning of tree branches is permitted on the bottom 1/3 of the tree.
- · Openings, or view corridors, in existence prior to January 1, 1989 can be maintained but not enlarged.
- Openings that have "closed" with growth of woody vegetation, cannot be "re-opened."
- Grandfathered buildings within the buffer may be expanded after obtaining a permit, if the expansions are no closer to the water body than the original structure. Such expansions of floor area and/or volume are limited to 30% of the floor area and volume in existence as of January 1, 1989. Before any construction begins, pre-construction photos must be taken. Silt fence or other erosion control measures must properly be installed, at the upland extent of the buffer area, below any construction.
- No disturbance of the ground cover (including the duff and leaf layer) or vegetation shall be caused within the buffer. Equipment movement and excavation must be carefully controlled to avoid any impact to the buffer. For example, it is not permissible to locate a foundation at the buffer limit if that placement will cause any disturbance within the buffer. The placement of silt fence at the buffer limit is intended to prevent disturbance within the buffer and to satisfy state and local requirements.
- Clearing of vegetation and timber harvesting must not remove more than 40% of the volume of trees in any ten (10) year period. The creation of cleared openings is prohibited and a well-distributed stand of trees must be maintained. These provisions may limit the percentage of cut to less than the specified maximums.

Date: W-27-25	Shell to JEROU LEU			
Map: Lot:	Signature of Owner			
	Signature of Contractor			

50611







ADA accessability
4x4 ramp wiran imps or
Steurs to be

designed and
contructed
to step down
to step down
Ladder (stair
style) to Water.

Boulder approx 6 wide.

June 28, 2025

To: Jason Williamson and Chris Hanson

Code Enforcement
Town of Raymond, Maine

Dear Jason and Chris,

We sent an email on Friday objecting to the permit application filed by Sheena Randall and Jonathan Stickney to install stairs and dock platform at the end of the Right of Way (ROW) lot 62A.

After further review and consideration we wanted to supplement our response with the following statements justifying our objection to the permit request.

Firstly, the town ordinances require the permit applicants demonstrate ownership/title.

Ordinance 350-7.3 Permit application requires:

The application must be signed by the property owner, or an agent, representative, or contractor with authorization from the owner, certifying the information is complete correct.

The applicants do not own lot 62A and a permit was previously denied in part, based on the lack of ability "to show right, title, and interest to permit the installation of a dock". As noted in the last permit denial, the deeded access states "rights of way to and from the shore to the Shore Road over lot 62A" and the right is to pass over to get from Shore Road to the shore. The deeds to not include a reference to "access" into the water. Additionally, they do not include any reference to the ability to install a dock, stairs, platform etc, or make modifications to the ROW.

In the last denial, the issue was described as a "civil issue that should be settled by all property owners who have access to pass over the ROW before a permit application is submitted." This has not taken place.

We feel that just removing the middle section of the dock from the previously denied application and installation, does not materially change the request and, in our opinion, and should also be denied on the same grounds.

We previously hired an attorney have have demonstrated we have deeded rights to lot 62A. We should not be unilaterally usurped by others and/or have our deeded rights waived by a portion of the deeded rights land owners without our say as we are affected landowners.

Secondly, the structure noted on the permit request meets the definition of a dock or structure requiring a permit as defined by the town ordinance.

Ordinance 350-5.4 Table 1 - Land Uses in the Shoreland Zone

Land Use 17A (Piers, docks, wharves, bridges, boat launches and other structures and uses extending over or below the normal high-water line or within a wetland - Temporary); LRR1 requires a permit from the CEO excluding bridges and other crossings not involving earthwork, in which case no permit is required.



BUILDING PERMIT

General/Location

Permit No:

2025394

Permit Type:

BUILDING PERMIT

Use Type:

Residential

Project Cost:

Proposed Use: SINGLE FAMILY Site Address:

City/State/Zip:

32 SHORE ROAD RAYMOND, ME 04071

078010000000

Parcel No: Lot:

010

Subdivision:

Project Description: 4 X 4 TEMPORARY PLATFORM WITH STAIRS TO ACCESS THOMAS POND

Applicant/Owner

Applicant:

SHEENA-JO RANDALL &

JONATHAN STICKNEY

Address:

32 SHORE RD

City/State/Zip:

RAYMOND, ME 04071

Phone:

207-899-5606

Email:

sheena-jorandall@aol.com

Owner:

Address:

City/State/Zip:

32 SHORE RD RAYMOND, ME 04071

RANDALL, SHEENA-JO

207-899-5606

Phone: Email:

sheenajorandall@aol.com

Contractors:

Name: Owner

Email:

Name: Owner

Email:

Address:

License #: N/A

Address:

License #: N/A

Phone:

Exp. Date: 12/31/2030

Phone:

Exp. Date: 11/30/2030

Fee

Amount

Payment Date

Amount

Building Permit Minimum Fee

\$50.00

07/15/2025

\$50.00

Total Fee: \$50.00

Total Paid: \$50.00

This permit is approved on the basis of information provided by the applicant regarding his ownership and boundary locations. The applicant has the burden of ensuring that he has legal right to use the property and that he is measuring required setbacks from the legal boundary lines of the lot. The approval of this permit in now way relives the applicant of this burden. Nor does this permit approval constitute a resolution in favor of the applicant of any issues regarding the property boundaries, ownership, or similar title issues. It is hereby certified that the above use as shown on the plats and plans submitted with the application conforms with all applicable provisions of the Town of Raymond Land Use and Ordinance and Shoreland Zoning Provisions.

Jason Williamson, Code Enforcement Officer

07/22/2025

Date



Conditions of Approval

07/22/2025

SHEENA-JO RANDALL & JONATHAN STICKNEY 32 SHORE RD RAYMOND, ME 04071

Re: Permit Number 2025394

Subject Property: 32 SHORE ROAD, RAYMOND, ME 04071

Parcel ID #: 078010000000 Current Use: SINGLE FAMILY Proposed Use: SINGLE FAMILY

Project Description: 4 X 4 TEMPORARY PLATFORM WITH STAIRS TO ACCESS THOMAS POND

The approval of your permit is conditioned upon the following:

Other

N/A

Temporary platform and stairs to be used to access water. No floats or watercraft shall be tied to any part of platform or stairs.



Denied Building Permit

06/03/2025

SHEENA JO RANDALL 32 SHORE RD RAYMOND, ME 04071

Re: Building Permit 2025265 Denied

Owner: RANDALL, SHEENA-JO

Location: 32 SHORE ROAD, RAYMOND, ME 04071

Parcel: 078010000000

Zoning: Limited Residential/Recreational 1 (LRR1)

Dear SHEENA JO RANDALL,

You applied for a building permit (No. 2025265) to install dock at the above-mentioned parcel.

Right of ways do not implicitly allow for dock installation.

Please see the following relevant ordinance section:

§ 350-7.3Permit application. [Amended 6-13-2023 ATM by Art. 26]

A.

В.

Every applicant for a permit shall submit a written application, including a scaled site plan, on a form provided by the municipality, to the appropriate official as indicated in Article 5.

All applications shall be signed by an owner or individual who can show evidence of right, title or interest in the property or by an agent, representative, tenant or contractor of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct.

§ 350-7.4 Procedure for administering permits.

B.
The applicant shall have the burden of proving that the proposed land use activity is in conformity with the purposes and provisions of these ordinance provisions

In conclusion and pursuant to § 350 Article 7, I regret to inform you that this office has denied your permit application. You have the right to appeal this decision to the Board of Appeals within thirty (30) days of the date of this letter pursuant to Article 6 of the Town of Raymond, Maine. If any of the proposed work shown on the building permit application has been completed, it has been done without the required permit and may be considered in violation of the Town's Land Use Ordinance.

Denied Building Permit

06/20/2025

SHEENA JO RANDALL 32 SHORE RD RAYMOND, ME 04071

Re Building Permit 2025285 Denied

Owner: RANDALL, SHEENA-JO

Location: 32 SHORE ROAD, RAYMOND, ME 04071

Parcel: 078010000000

Zoning: Limited Residential/Recreational 1 (LRR1)

Dear SHEENA JO RANDALL.

You applied for a building permit (No. 2025265) to install temporary dock at the above-mentioned parcel.

Lot 62A in the Thomas Pond Shore subdivision is not recognized by the town as a separate lot as it has no assigned map and lot number, nor a tax card. According to our assessing department, map 78 lot 10 and map 78 lot 12 do not pay taxes as owners of the ROW over lot 62A in the Thomas Pond Shores subdivision.

All deeds for the 4 lot owners with deeded access state a, "right of way to and from the shore to the Shore Road over lot 62A" with no mention of a dock, with 2 applying for the dock, and at least one disputing the permit application

This is a civil issue that should be settled by all property owners who have deeded access to pass over the ROW before a permit application is submitted.

Therefore, the application as submitted does not show right, title, and interest to permit the installation of a dock.

Please see the following relevant ordinance section:

§ 350-7.3Permit application. [Amended 6-13-2023 ATM by Art. 26]

Every applicant for a permit shall submit a written application, including a scaled site plan, on a form provided by the municipality, to the appropriate official as indicated in Article 5.

All applications shall be signed by an owner or individual who can show evidence of right, title or interest in the property or by an agent, representative, tenant or contractor of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct.

When the easement rights are not provided for in a deed or other written document, an easement can be established by use or the history of the property at issue. If this right is disputed, the party claiming it must go through the courts to obtain a judgment that provides the scope and rights of the easement.

A common way in which a non-express right-of-way easement is established is by the **prescriptive use** of the land of another. Someone who has been using a way for over twenty years, and wants to make sure they will have the right to do so in the future will require a Maine court to rule that a prescriptive easement has been established based on the historical facts.

This legal right is similar to a claim of adverse possession, which is when a party claims title to a parcel of land based on at least twenty years of use. A prescriptive easement only establishes the right to use the land as it has been used for over the prescriptive period but does not take the actual title of the land away from the landowner.

An *implied easement* is created when a landowner conveys a portion of their land, and the owner of the conveyed portion of land establishes that they have the right to cross the grantor's remaining land. An implied easement can be established in a couple of ways. An *implied quasi-easement* arises when a landowner conveys a parcel of land but retains all the surrounding land, and there is the intent that an easement exists to cross the remaining land of the grantor. An **easement by necessity** is generally created when a landowner conveys a portion of land but retains all the land surrounding the conveyed parcel, and there exists no access to the conveyed land.

III. What Rights Does a Right-of-Way Easement Provide?

A right-of-way easement grants the holder only the rights as stated in the express easement or granted by court order. Typically the right is simply to cross over the land of another. The easement holder does not have the right to change the nature or location of the right-of-way. For instance, if a right-of-way was explicitly granted to allow only foot traffic down to a pond, that footpath may not be converted into a drivable road.

Daniel Col

ONE CANAL PLAZA, SUITE 1000, P.O. BOX 7320, PORTLAND, ME 04112-7320 TEL: 207.774.9000 • FAX 207.775.0612 • www.curtisthaxter.com

Jason J. Theobald, Esq. jtheobald@curtisthaxter.com

April 16, 2024

Via Certified Mail; Return Receipt Request and First-Class Mail

Sheena-Jo Randall 32 Shore Rd. Raymond, ME 04071

Sheena-Jo Randall 4 Bridge St. Cornish, ME 04020

RE: Right of Way over Lot 62A in Thomas Pond Shores

Dear Ms. Randall:

This law firm represents Teresa Ellis and Dennis Martin ("Ellis and Martin"). Both Ellis and Martin and you are the owners of real property located along Shore Road in the Thomas Pond Shores subdivision in Raymond, Maine. This letter concerns your use, and proposed use, of a certain right of way over a 10-foot-wide strip of land known as "Lot 62A" depicted on a subdivision plan, which provides access to Thomas Pond. As discussed in detail below, Ellis and Martin demand that you cease and desist from any and all efforts to install a dock, remove trees, or make any other alterations to Lot 62A without a permit from the Town of Raymond and written consent from all other right of way holders, including Ellis and Martin.

You are the owner of real property situated at 32 Shore Road in Raymond, Maine, by virtue of a deed dated September 2, 2015, and recorded September 8, 2015, in the Cumberland County Registry of Deeds (the "Registry") at Book 32572, Page 131 (the "Randall Parcel"), which describes your property as Lots 99 and 100 depicted on a subdivision plan for Thomas Pond Shores, Section 4, made by Clifford L. Swan Co., Inc., dated July 1956, and recorded August 4, 1956, in the Registry at Plan Book 45, Page 37 (the "Plan – Section 4").

Ellis and Martin are the owners of real property situated at 31 Shore Road in Raymond, Maine, by virtue of a deed dated December 20, 2021, and recorded December 22, 2021, in the Registry at Book 39019, Page 127 (the "Ellis-Martin Parcel"), which describes their property as Lots 60, 61, and 62 depicted on a subdivision plan for Thomas Pond Shores, Section 3, made by

Sheena-Jo Randall April 16, 2024 Page 3

existence at the time of its creation and how the right of way was used in the years shortly after its creation. See Sleeper v. Loring, 2013 ME 112, ¶ 20, 83 A.3d 769; Guild, 1997 ME 120, ¶ 9, 695 A.2d 1190.

Dennis Martin's family has owned various properties in the Thomas Pond Shores subdivision for over sixty years including the Martin-Ellis Parcel abutting Lot 62A. During that time, there has never been any dock located at the end of Lot 62A, which has strictly been used as a walking path to the lake. The boulder at the end of the right of way has, for many years, been used as a place for children to jump off into the water and swim or to fish from. The installation of a dock at the end of the right of way is inconsistent with the historical use of Lot 62A as a means access the water to jump in, swim, or fish. Furthermore, installation of a dock and potentially tying up boats so close to the boulder would create an unsafe condition for people to jump in and swim. The large boulder at the shoreline of Lot 62A also makes dock installation impractical.

Additionally, the installation of any dock at the end of the right of way over Lot 62A for your exclusive, personal use would unreasonably interfere with the rights of other holders of a right of way to use Lot 62A for access to Thomas Pond. It is well-established law in Maine that the holder of a right of way in common with others may only exercise their rights in a manner that does not infringe upon the reasonable use and enjoyment of the right of way by the other holders of a right of way. *Poire v. Manchester*, 506 A.2d 1160, 1162 (Me. 1986). Maine courts have held that the installation of docks by a right of way or easement holders unreasonably interferes with the rights of other right of way holders to use the same right of way. *See Uzdavinis v Wagemann*, No. CV-15-027, 2017 WL 3448996, at *2 (Me. Super. Ct. June 21, 2017) (holding that the installation of a dock with a boat at the end of a right of way unreasonably interfered with the rights of others to use the right of way); *Chase v. Eastman*, 563 A.2d 1099, 1103 (Me. 1989) (holding the placement of additional docks on an easement area unreasonably restricted the rights of all easement holders to use the area for recreation and restricted the placement of docks).

Lot 62A is a mere ten-feet wide. The majority of that width is blocked by the large boulder, which is roughly eight-feet wide. This leaves a mere two feet of space along the shoreline of Lot 62A for direct access to the water of Thomas Pond. The installation of a dock for your exclusive, personal use on the remaining two feet of shoreline would unreasonably prevent other holders of rights of way from using Lot 62A to access the water. Furthermore, in all likelihood, the installation of a dock on the remaining two feet of shoreline would unlawfully encroach onto the abutting Ellis-Marcel Parcel.

Therefore, your right of way over Lot 62A does not include the right to install a dock, and the installation of a dock would unlawfully interfere with the rights of others to use and enjoy Lot 62A.

STATE OF MAINE OXFORD, ss.	SUPERIOR COURT DOCKET NO. CV-15-02	7
JOAN UZDAVINIS, et al.		
Plaintiffs, v.	STATE OF Cumberland, se	MAINE Clerk's Office
DEBORAH J. WAGEMANN, et al.	JUN 2	1 2017 09PM
Defendants.	RECE	WED

Plaintiffs complain that Defendants' installation of a dock in a lake at the end of a shared right-of-way, and storage of boats within the right-of-way, are unreasonable interferences of their co-tenant easement rights. Defendants seek a determination of the use and scope of the right-of-way. Evidence germane to the resolution of these issues were presented to the court in a nonjury trial on January 30 and 31, 2017. Several weeks after trial, the parties filed proposed finding of facts and conclusions of law.

Upon careful consideration of the evidence, the court makes certain findings of fact and renders judgment as set forth below.

I. Background

Plaintiffs Joan Uzdavnis, Mary Malandrino, Thomas D. Boody, and Maureen D. Boody are owners of lake-front lots on Thompson Lake, Oxford, Maine, (Pl's' Ex. 16, 23-24), and they have the right to use a 30-foot right-of-way abutting their properties that runs between a private road and Thompson Lake. Plaintiffs Sean Reardon, Karen C. Reardon, and Anne B. Turner as Trustee of the Owen Family Irrevocable Trust Dated April 25, 2008, and Defendants Deborah J. Wagemann, Diane L. Page, and Douglas O. Wiles own non-waterfront lots, (Pl's' Ex. 15, 19-22) with rights to the same right-of-way based on language in their deeds "to use the said passageway to the shore and to use the shore fronting on the same for bathing and boating purposes."

Plaintiffs argue that Defendants' boat storage in the passageway unreasonably interferes with their use of the passageway. (Pl's' Post-Trial Br. 14.) A right-of-way/passageway allows the holder to pass or cross, and the right of ingress and egress is the right to pass over, not control. 28A C.J.S. Easements §§ 8(a), 144; Ballentine's Law Dictionary (copyright 2010), available at LEXIS ("passageway."). However, an easement providing a right-of-way may be found to support other uses besides passage, depending on its purpose. See Badger v. Hill, 404 A.2d 222, 226-228 (Me. 1979) (a dock was permissible at the end of a right-of-way to a river given its purpose to provide access to the river.)

Here, Plaintiffs concede that boat storage "may very well be within the scope of the common easement." But, throughout the boating season, Defendants have stored canoes, kayaks, a 19½-foot wellcraft, and an 18-foot pontoon boat in the right-of-way. Plaintiff Reardon testified that he has ceased to launch his pontoon boat from the passageway because of the stored boats (and dock), and Plaintiffs Uzdavinis and Boody testified that the boat storage interferes with their lateral access to the passageway from the sides of their properties. Plaintiff Uzdavnis testified that the reduced width of the right-of-way affects her ability to install and retrieve her dock between seasons. As such, Defendants' boating-season storage of boats in the passageway unreasonably interferes with Plaintiffs' access and opportunity to use the passageway.

ii. Use of the shorefront

· "[A]s soon as the ice clears and into the late fall." (Pl's' Post-Trial Br. 5.)

Defendants counter that Plaintiffs Uzdavinis and Malandrino have stored their docks in the passageway in the winter. (D's' Post-Trial S. of Facts 5 ¶ 17.) However, the passageway's express purpose is to support boating and bathing which are generally non-winter activities. Defendants counter that Plaintiffs Uzdavinis and Malandrino have stored their docks in the passageway in the winter. (D's' Post-Trial S. of Facts 5 ¶ 17.) However, the passageway's express purpose is to support boating and bathing which are generally non-winter activities that are unaffected by winter boat storage in the passageway.

other easement holders. Defendants' dock unreasonably interferes with Plaintiffs' use of the waterfront.

2. Physical exclusion

No cotenant has the right to occupy any particular part of an easement to the exclusion of others, or to exclude them from or to appropriate sole use of a particular portion of the common property without prior consent. 20 Am.Jur. 2d Cotenancy and Joint Ownership §§ 2, 42; 86 C.J.S. Tenancy in Common §§ 3, 22; Bank of Me. v. Giguere, 309 A.2d 114, 119 (Me. 1973). Temporary exclusion may be permissible, but the installation of a permanent structure is not reasonable where it is for one party's own benefit. (Id.) (both parties were entitled to reasonable use of an entire parking area for purposes of parking, ingress, and egress, but the construction of a drive-in bank teller unit by one party would be an unreasonable interference with the other party's rights of use.)

Defendants have stored boats in the passageway and have installed a dock on the waterfront during the entire bathing and boating season without prior consent. This behavior is effectively an unreasonable, permanent physical appropriation, particularly where Defendants have labeled the dock with their name and where there is conflicting testimony as to whether all cotenants are able to use the dock. Even that conflicting testimony militates in favor of the court's conclusion already expressed, that Defendants invitation to use the dock is not only dubious but that as a practical matter could not be exercised in the same way, for example, that a parking area could.

Improvements to the shared easement

A tenant in common has the right to make improvements, provided they are not injurious or detrimental to the rights of the cotenants, where the right to improve is subservient to the rights of co-owners to use the entire property. 86 C.J.S. *Tenancy in Common* § 78b; 28A C.J.S. *Easements* § 174. For example, a permanent obstruction that

all the easement holders, including Defendants, had been able to launch boats prior to the dock's installation. Furthermore, the dock substitutes its footprint and the space around it from either boating or bathing to only boating for the entire boating/bathing season. Therefore, the dock is an unreasonable improvement to the shared waterfront area.

b. Use and scope of the easement

Defendants seek a determination of the permissible use and scope of the right-of-way. Plaintiffs argue the court should not consider Defendants' counterclaim because an essential party, the fee holder of the easement, is not joined. Necessary parties are all persons who have a stake in a controversy such that a decree cannot be made without affecting their interests. M.R. Civ. P. 19(a); 28A C.J.S. Easements § 194; See Everly v. Fowler, No. RE-14-36, 2015 Me. Super. LEXIS 125, at *4 (June 18, 2015). In Levasseur, the court did not require all holders of an easement for water access to be parties when deciding the rights of two holders to maintain docks. Levasseur, 2008 Me. Super. LEXIS 63, at *5, *13. In *Indermuehle* in a lawsuit between beach easement holders and others claiming similar privileges, the court joined two additional easement holders to the suit because they had expressed a future intended use that would be directly affected by the findings in the case, then declared reasonable uses that would not substantially interfere with the rights of the easement holders in light of the circumstances and contemplated use of the property for the express purposes of bathing and swimming. Indermuehle, 1987 Me. Super. LEXIS 146, at *5-6. In Sleeper in a suit between the holder of an easement in a lot and person claiming to have fee simple title to the lot, the Court remanded the case ordering a determination of whether other fee holders and easement holders whose interests would be prejudiced by the ruling should be joined. Sleeper v. Loring, 2013 ME 112, ¶ 22, 83 A.3d 769. The lower court

63, at *5; See Chase, 1988 Me. Super. LEXIS 212, at *2; See Brewer v. Bean, 1997 Me. Super. LEXIS 177, at *5 (June 5, 1997); See Tully v. Frautten, No. RE-12-26, 2013 Me. Super. LEXIS 132, at *13 (June 26, 2013); See Badger, 404 A.2d at 226-227; See Sleeper v. Loring, No. CUMSC-AP-10-20, 2015 Me. Super. LEXIS 116, at *7-8 (June 12, 2015). Defendants, who bear the burden of proof, have provided no persuasive evidence on the issue of the intent of the easement's grantor. Levasseur, 2008 Me. Super. LEXIS 63, at *10. Therefore, Defendants are not entitled to the injunctive and declaratory relief they seek.

II. Conclusion

Judgment in favor of the Plaintiffs/Counterclaim Defendants as to Counts I and II of the Complaint and Counts I, II, and III of the Counterclaim. The court declares the following:

- 1. Defendants do not have a right to establish or maintain a dock as such a structure overburdens and unreasonably interferes with the Plaintiffs' easement rights.
- 2. Defendants are enjoined from establishing or maintaining a dock at the terminus of the 30-foot passageway and shall remove any dock now existing at the terminus of the 30-foot passageway.
- 3. Defendants do not have a right to store boats on the 30-foot passageway; Defendants shall remove all such boats from the 30-foot passageway; and Defendants are enjoined from storing boats upon the 30-foot passageway.

The Clerk is directed to enter this Order on the civil docket by reference pursuant to Maine Rule of Civil Procedure 79(a).

Date: June 21, 2017

Lance E. Walker
Justice, Superior Court

February 7, 2024 Michael S. Preali. Trustee 37 Show Fid U.C. 7 Whispering Pinas Unit 107 Jumber Land ME 04021 RE: 27 Showerd hot 97 PDW deaded rights great Northern Docks hone 04071 ME

Chris Hanson

Code Enforcement Officer

Town of Raymond, Maine

401 Webbs Mills Road

Raymond ME 04071

RE: **APPEALING** Notice of Violation dated August 7, 2024

SENT VIA CERTIFIED MAIL. FIRST CLASS MAIL AND ELECTRONIC MAIL

Dear CEO

I will begin by advising you that I have filled out the appropriate permit application(s) for my shed(s). I will hand deliver them on Tuesday August 27, 2024. I have noted on the application of the existing shed that I was under the understanding that I did not need to obtain a permit for the structure if it was on wheels or skids. I did notice when you came to inspect and photograph my property on June 28, 2024 that you were across the street. At that distance I don't believe you could have seen the skids, as shown in your photographs. If my understanding is correct, could you please respond by rescinding the violation. If my understanding is incorrect, my application(s) are in your office.

I would like to continue with the facts surrounding the installation of the dock on June 22, 2024. I'll share my facts.

On June 25, 2024 at approx. 11:30 am I witnessed you coming down my road and stepped to the edge of my yard. You did not witness the installation of the dock; what you did do was slow down and proceed to roll your window down. You stated "I heard you put a dock out", I replied with yup, I did; then you proceeded to roll your window back up and move forward and away as you stated "I'll send you a NOV". I continued to talk stating the "State Wardens were here yesterday," you replied "what do you mean State" I replied with the Martins had called a complaint into the Warden Service and they found only that my mooring ball(s) needed a blue strip in the middle. The Wardens also let me know that they expressed to the Martins that they didn't own the water. You continued on your drive stating again "I'll send you an NOV". Yes, the dock installer was here placing a hand rail on the right side to help secure the "JUMP" from the rock to the dock. There was no inspection done on that day. You were on way to #34 Shore Rd for an inspection.

During that inspection you also questioned my neighbor, Jonathan Stickney (JS) regarding the dock that was put into the lake. That conversation was met with a few questions...stairs to the dock?...he was told you would not approve without permission from all owners. JS expressed that his attorney questions that validity of your response and you stated "that's my understanding". You also expressed that a dock could not be placed on a "common area". Let's explore that ownership.

mecreet

ownerships (lots 99-103) are new and that those lots were previously bought and sold to waterfront ownerships. The 2 ownerships that have the small unbuildable back parcels (lots 97-98) do indeed have waterfront property used during the year. In a legal arena the question becomes..." What is it that the back parcel lot ownerships are keeping the waterfront lots from doing when Lot 62A is used for their right to enjoy Thomas Pond access?" Then the questions turns to ..." What is it that the waterfront lot ownerships are keeping the back lot ownerships from doing when Lot 62A cannot be used for their right to enjoy Thomas Pond access?" Then a question of who owns Thomas Pond?

Let's walk Lot 62A. My findings got interesting. Lot 62A (a 10'x200' strip of land with deeded rights to Thomas Pond and taxed by the Town of Raymond as such) has 4 ownerships. Then proceeds to 10'-15' of shoreline that is indeed controlled under the Town of Raymonds jurisdiction to the "High water line" described as A line which is apparent from visible markings which distinguishes between predominantly aquatic and predominantly terrestrial land. Then proceeds to this hugh boulder that sits in the water 365 days out of the year and extends beyond the Thomas Ponds Low water visible markings. A place which doesn't have a line due to it being "waterbody". This waterbody is under State jurisdiction and is open to public use.

For the reasons I have stated above it was determined that the placement of the dock/structure beyond the low water markings of Thomas Pond would make that placement a permitted use of public property; the lake. The dock/structure was built to the commercial specifications for its use and it is not in placement more than 7 months out of the year. The dock company in which was used has been in business over 40 years and has placed many dock/structures on all the lakes in the Town of Raymond. The dock/structure is not attached to the private property of others, the shoreline, or the boulder. It is free standing and I have to do what the Ellis/Martins stated I needed to do if I wanted to get into the lake from my deeded lot access..." Jump off the rock".

It is my belief that I did not need a permit for placement of a dock/structure to gain access to the lake. Please respond faithfully to the Towns position of my appeal of the NOV.

Chris; as stated when I came to you and spoke for a few moments that there is a legal action pending regarding the "stormwater runoff" being directed to my property via a permit issued by you to the Ellis/Martins. I would request you at this time to seek guidance from the Selectboard; I would also agree to attending any meeting of such.

Thank you for you time and I will look forward to hearing from you.

Respectfully,

Sheena-Jo Randall

32 Shore Road

Raymond ME 04071

(207) 899-5606

CC: Selectboard

Dennis E Martin

Teresa M Ellis

P O Box 63

Raymond ME 04071

July 19, 2022

Good day to both;

I'm writing once again regarding the underground electrical service you are planning; your planning has the service coming off Pole #6 which services 32 and 35 Shore Rd. The service for 31 comes from pole #5. This pole is located in front of the lot owned by Glen Martin, per Cumberland County registry deeds.

I have made an objection on July 8, 2022 to your plan and requested CMP to do another field plan. This was scheduled by Dave L. for August 23 @ 8:30 am. The basis for my objection were in my first letter to you. You can add...that I find it a bit out of the ordinary to cross another's drive entrance and cross the ROW to the lake taxed and deeded to others.

There is no reason you can't use the existing pole, located directly across from the south west corner of your property...there is already a flag there. Please cross to your own property line and dig your ditch down your own road frontage to your new home project.

I did notice today a contractor with white paint, he appeared puzzled to what he was to do. I spoke briefly to advise of my objection to digging in the easement that abuts my property. You were there.

Again, today I made contact with CMP, spoke with Shawn whom is now sharing with his superiors. I also checked with the Town of Raymond to see if an electrical permit had been issued so I would have the name of your contractor whom will be doing the work. The only permits in public record for #31 are for tree removal and re-plant (should be no trees from ROW without permission from all owners) and a building demo permit. Please provide your electrical contractor info, I will turn this over to my attorney.

I will continue to object to your intrusion/encroachment to my project at my property line. Please keep your project to your own property lines. Thank you.

Regards,

Sheena-Jo Randalf

32 Shore Rd

Raymond ME 04071

207-899-5606

