

TOWN OF LONG ISLAND LETTERHEAD

January 7, 2021

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James S. and Agota K. Mitchell
11490 Northwest 87th Lane
Doral, FL 33178

McAleney & Co.
c/o Ed McAleney
3 Garfield Street
Long Island, ME 04050

Rodney C. Jacobs and Emily C. Jacobs
85 Stewart Drive
Scarborough, ME 04074

Re: NOTICE of Violations and ORDER to Correct Violations of the Land Use Ordinance
Property Located at 285 Beach Avenue, Long Island, Maine, Tax Map 161-0, IR-1
Zoning District

Dear Mr. and Mrs. Mitchell, Mr. and Mrs. Jacobs, and Mr. McAleney:

Pursuant to Section 8.2 of the Land Use Ordinance of the Town of Long Island, Maine ("Land Use Ordinance"), you are hereby notified of the following violations on the above-referenced property:

1. You installed a subsurface wastewater disposal system without a permit in violation of Section 3 of the Maine Wastewater Disposal Rules and Section 3.2(E)(1)(d) of the Land Use Ordinance, as well as lack of compliance with the notice provisions in Section 7.2 of the Land Use Ordinance.
2. The above referenced property was transferred from Mr. & Mrs. Jacobs to Mr. and Mrs. Mitchell on October 21, 2020 via quitclaim deed recorded in the Cumberland County Registry of Deeds at Book 37331, Page 76, without inspection and certification of the subsurface wastewater disposal system in violation of Section 7.16 of the Land Use Ordinance.

You are hereby ORDERED to take the following actions to correct those violations by January 21, 2020:

- a) Apply for and obtain an after-the-fact subsurface wastewater system permit with a double application fee in compliance with the notice provisions in Section 7.2 of the Land Use Ordinance; and
- b) Pay a fine to the Town in the amount of \$500.00 for the violations listed above.

Unless these violations are corrected by the date indicated above, I will refer this matter to the municipal officers for possible commencement of legal action in the Maine District Court. If the Town is the prevailing party in enforcement litigation, you may be liable for the Town's attorney fees and costs plus civil penalties. Fines of up to \$2,500.00 per

violation per day may be imposed pursuant to 30-A M.R.S. § 4452.

If you wish to dispute anything in this Notice and Order, you may appeal to the Town of Long Island Board of Appeals pursuant to Section 13.1(A) and 13.4 of the Land Use Ordinance. Such appeal must be filed in the office of the Code Enforcement Officer at the Long Island Town Office on forms provided by the Town, together with the appropriate filing fee, within thirty (30) days after the date of issuance of this Notice and Order. Failure to appeal within thirty (30) days may deprive you of your ability to contest the contents of this Notice and Order in any subsequent proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your responsibility to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Order, please contact me immediately,

Sincerely,

Jim Nagle
Code Enforcement Officer