

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Permit Number: 081166

Please Read Application And Notes, If Any, Attached

This is to certify that ASHTON RICHARD & PAUCIA ASHTON LITS/Horizontal holder

has permission to Rough Second floor shell w/ stairs & de

AT 38 TORRINGTON AVE Peaks Island 084 S006001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permit is on production before this building or part thereof is started or closed-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name

Thomas W. Mearns 9/12/08
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

SCANNED

11/13/08
ZBA Approved The original interpretation
Approval of The Building Permit

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-1166	Issue Date:	CBL: 084 S006001
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Location of Construction: 38 TORRINGTON AVE Peaks Isla	Owner Name: ASHTON RICHARD & PATRICIA	Owner Address: 50 SILVERHILL RD	Phone:
Business Name:	Contractor Name: Horizon Builders Inc.	Contractor Address: P O Box 802 Portland	Phone: 2072523551
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone: IR-2

Past Use: Single Family Home	Proposed Use: Single Family Home - Rough Second floor shell w/ stairs & decks	Permit Fee: \$520.00	Cost of Work: \$49,800.00	CEO District: 1
Proposed Project Description: Rough Second floor shell w/ stairs & decks		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB IRC 2003 Signature: <i>DM</i> 9/18/08	

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)	
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied	Signature: _____ Date: _____

Permit Taken By: ldobson	Date Applied For: 09/16/2008	Zoning Approval
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</p>	<p>Special Zone or Reviews</p> <p><input checked="" type="checkbox"/> Shoreland part of existing covered open porch is within 75'</p> <p><input type="checkbox"/> Wetland setback</p> <p><input type="checkbox"/> Flood Zone setback</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p><i>OK w/lead.hov</i> Date: 7/22/08</p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date: _____</p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p><i>ABU</i> Date: _____</p>
	<p><i>panel 15 - zone C</i></p> <p><i>using section 14-43-3(b) using 41% of lot area at present</i></p>		

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

4-1-10

- Pot CM in Hall Second floor done JMT
- 7 x 17 ft dale
- Floor outlets on Arc fault? Do they need G.F.I. OK per Steve

4-10 close - SMW

City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-1166	Date Applied For: 09/16/2008	CBL: 084 S006001
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Location of Construction: 38 TORRINGTON AVE Peaks Isla	Owner Name: ASHTON RICHARD & PATRICIA	Owner Address: 50 SILVERHILL RD	Phone:
Business Name:	Contractor Name: Horizon Builders Inc.	Contractor Address: P O Box 802 Portland	Phone: (207) 252-3551
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

Proposed Use: Single Family Home - Rough Second floor shell w/ stairs	Proposed Project Description: Rough Second floor shell w/ stairs
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 09/22/2008

Note: Original application was to add two second floor decks, but proposal for the two decks has been withdrawn **Ok to Issue:**

First floor footprint is 1423 sf. 80% is 1138.4 sf. Proposed second floor is 858.69 sf total minus 394.55 sf existing for a total of 464.14 sf increase which is 41% of allowable 80% increase.

- 1) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 09/18/2008

Note: **Ok to Issue:**

- 1) Hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level.
- 2) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.
- 3) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Comments:

9/16/2008-amachado: I need more information from Tom Childs about the existing floor area on the second floor. I'm moving the permit forward to plan review but I'm not ready to sign off.

9/22/2008-amachado: Tom brought in the information.



BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

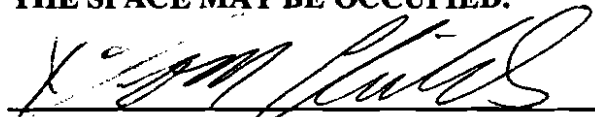
Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling

Final inspection required at completion of work.

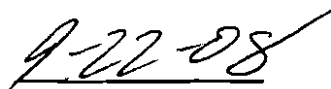
Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

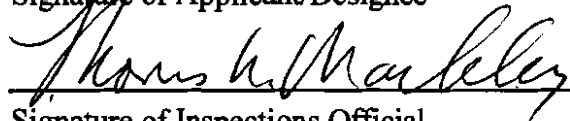
CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.



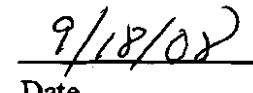
Signature of Applicant/Designee



Date



Signature of Inspections Official



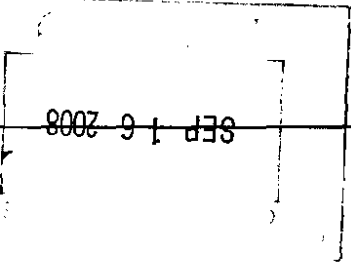
Date





General Building Permit Application

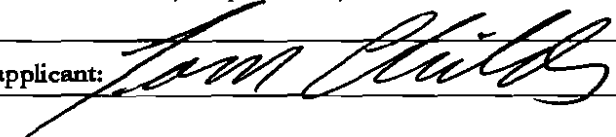
If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: 38 TORRINGTON AVE, PEAKS ISLAND		
Total Square Footage of Proposed Structure 1060 SF	Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Chart# 84 Block# S Lot# G	Owner: PATRICIA YRICK ASHTON	Telephone: 508 473-7862
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: 50 SILVER HILL RD, MILFORD, MA. 01757	Cost Of Work: \$ 49,800 Fee: \$ _____ C of O Fee: \$ _____
Current legal use (i.e. single family) SINGLE FAMILY If vacant, what was the previous use? N/A Proposed Specific use: SAME Is property part of a subdivision? NO If yes, please name _____ Project description: ROUGH SECOND FLOOR SHELL w/ STAIRS DECKS not doing second floor decks per conversation w/ Tom Childs 8/16/08		
Contractor's name, address & telephone: HORIZON BUILDERS, INC PO BOX 802 PORTLAND, ME		
Who should we contact when the permit is ready: TOM CHILDS		
Mailing address:	Phone: 252-3552	

Please submit all of the information outlined in the Commercial Application Checklist. Failure to do so will result in the automatic denial of your permit.

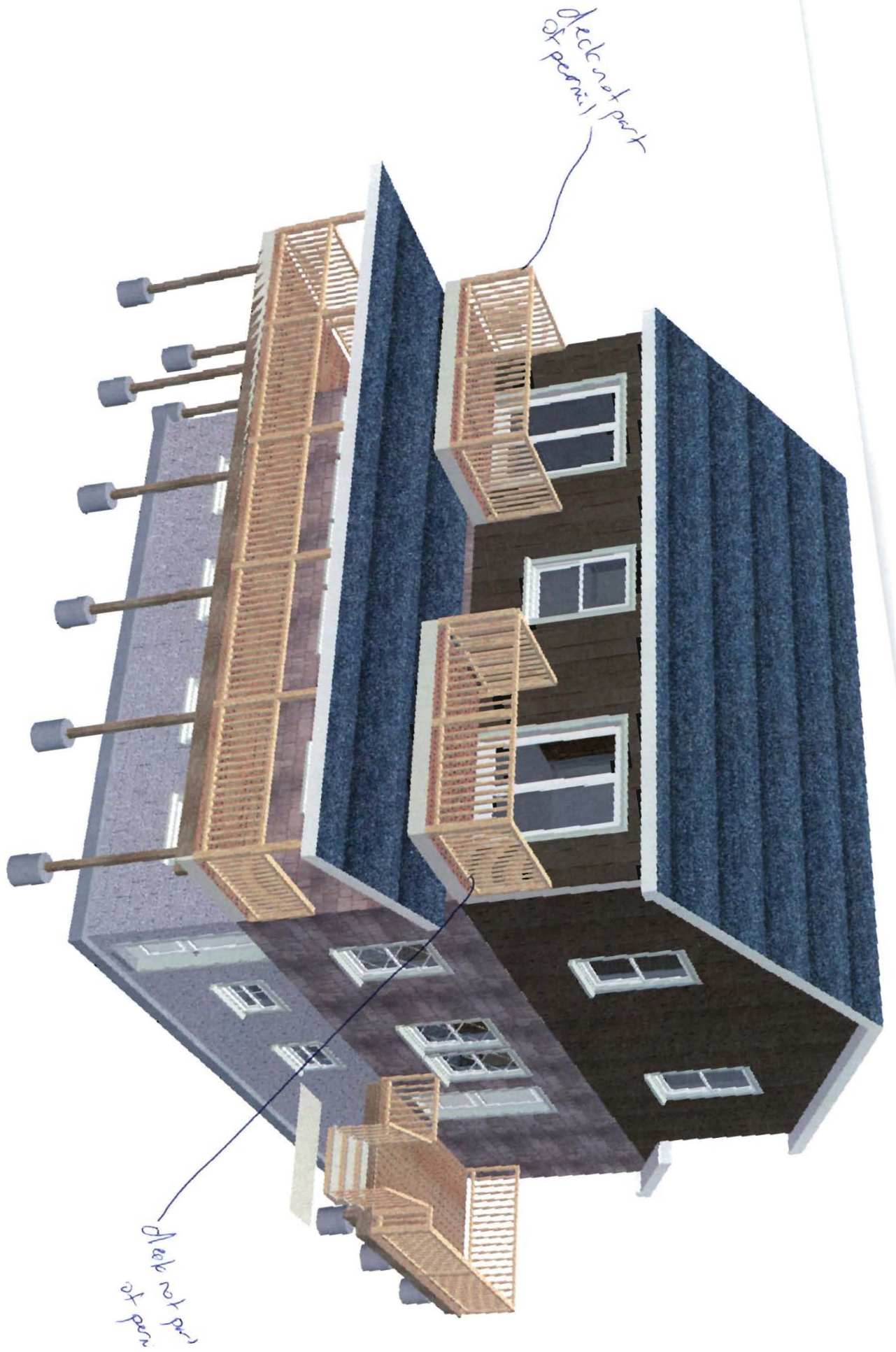
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: 	Date: 9-15-08
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This is not a permit; you may not commence ANY work until the permit is issued.





deck not part
of permit

not for
deck





CITY OF PORTLAND, MAINE

Department of Building Inspections

9.16.09 2009

Received from Horizon Builders

Location of Work 38 Torrington

Cost of Construction \$ _____

Permit Fee \$ 520

Building (1L) Plumbing (15) Electrical (12) Site Plan (U2)

Other _____

CBL: 84-5-6

Check #: 3129

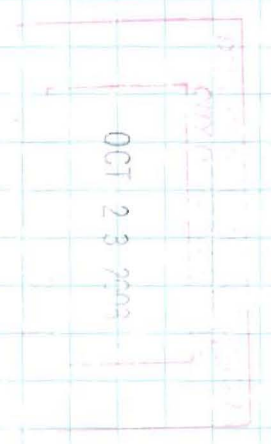
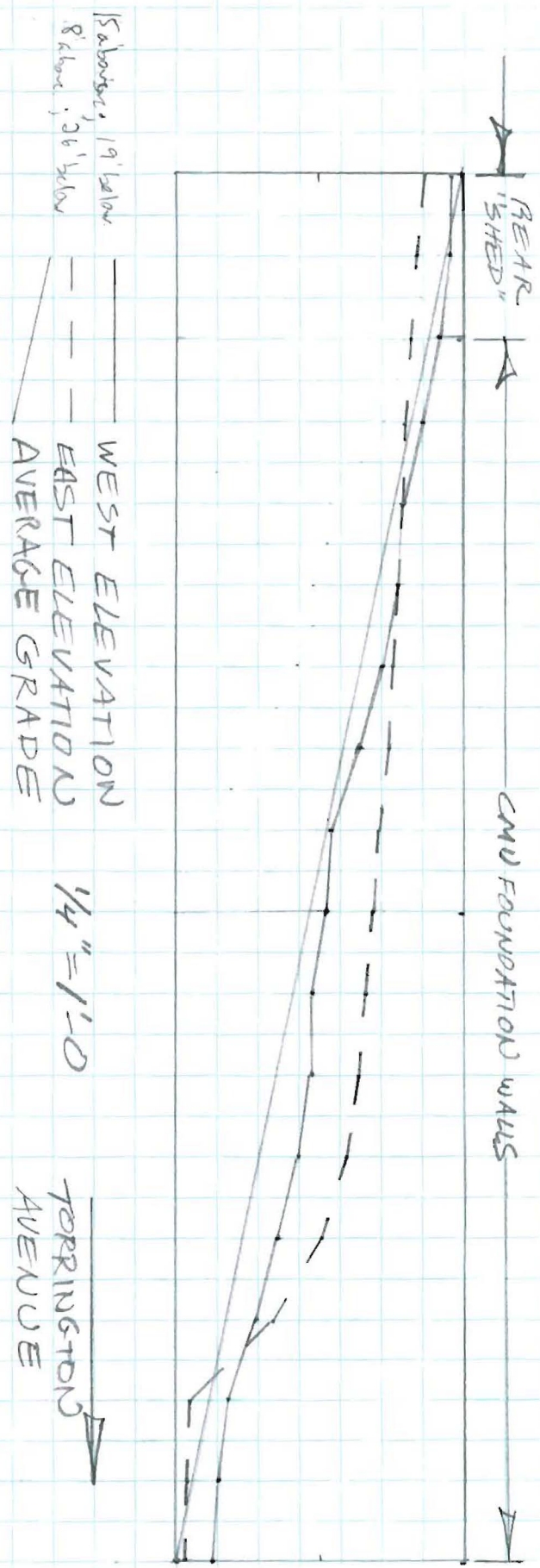
Total Collected \$ 520

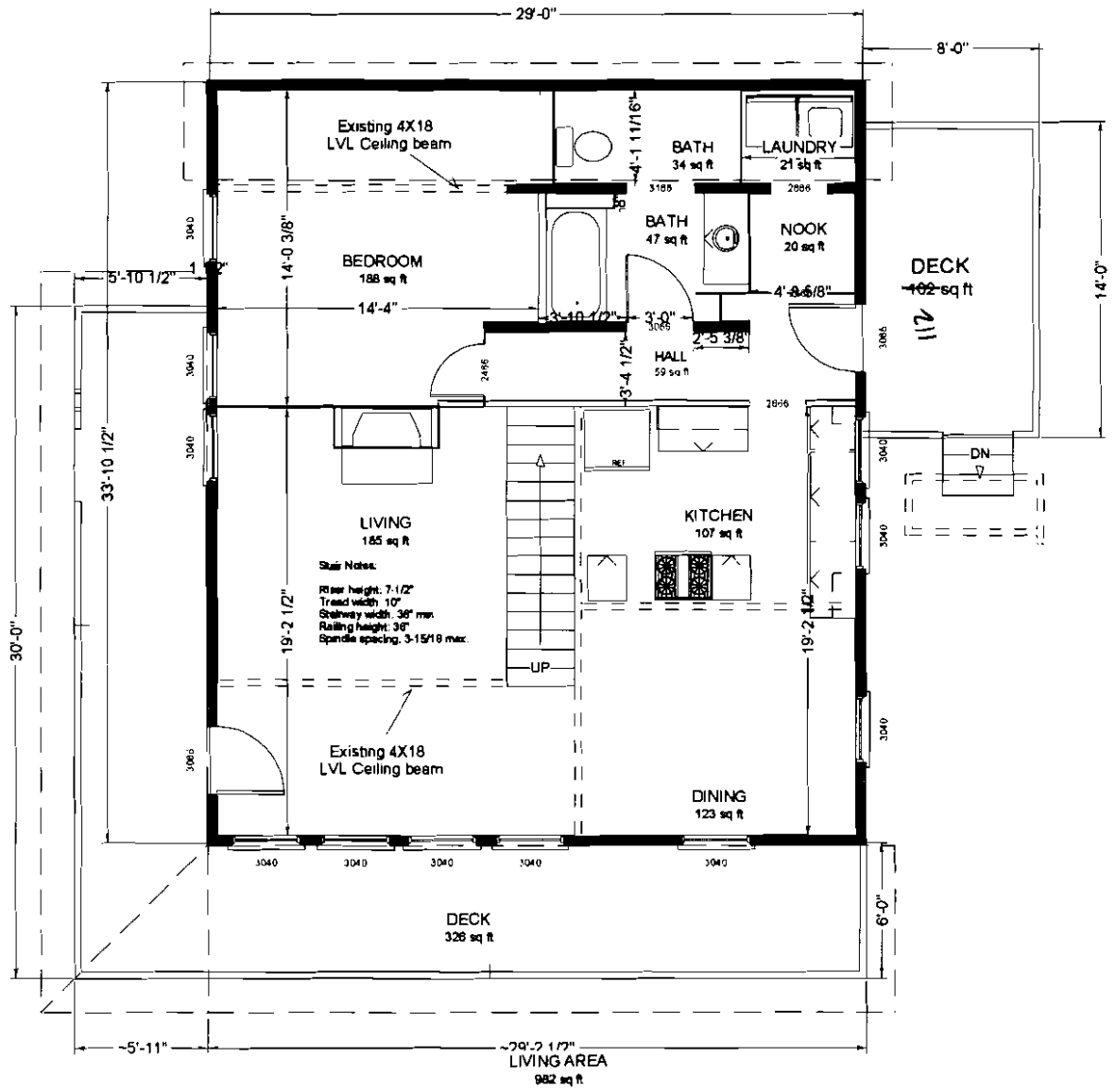
THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$10.00 or 10% whichever is greater.

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

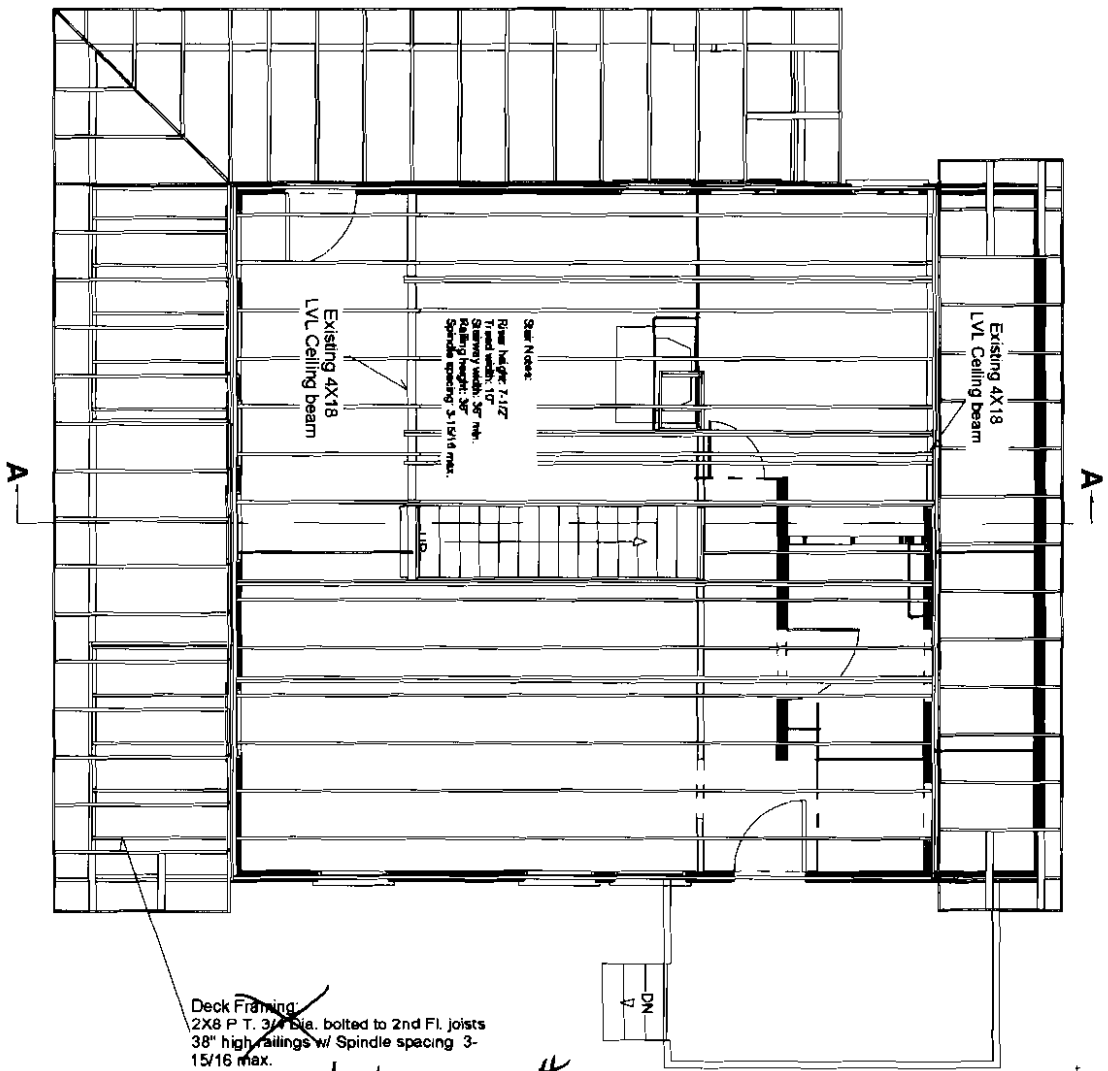






**First Floor Plan
(To Remain)**

**38 Torrington Avenue
Peaks Island, Maine**

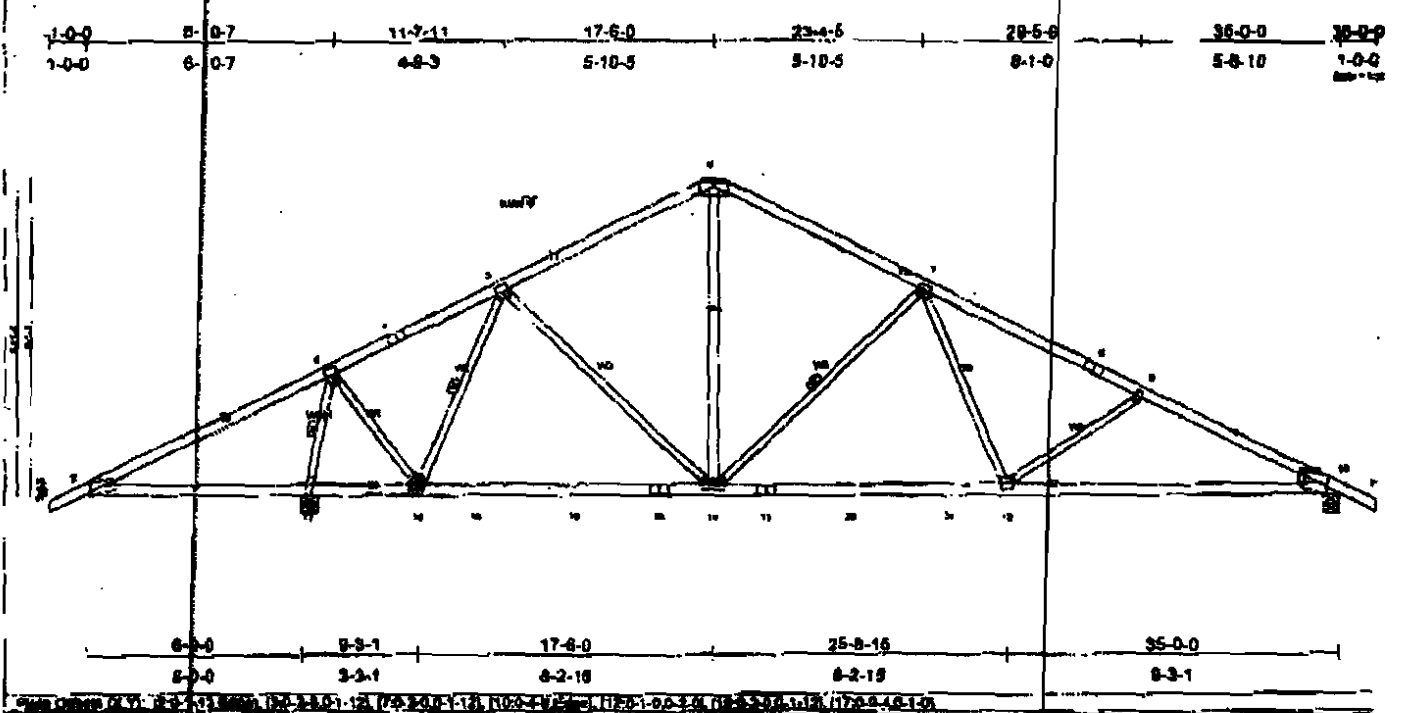


Deck Framing:
 2X8 P.T. 3/4 dia. bolted to 2nd Fl. joists
 38" high railings w/ Spindle spacing 3-
 15/16 max.

~~per notes~~
 PERMIT #
 8-1359
 for Deck

38 Torrington Avenue
 Peaks Island, Maine

Second floor
framing layout



LOADING (psf)	SPACING	CB	DEFL	PLATES	COMP
TCCL 58.0	2-0 0	TC 0.88	In (in)	MT20	148/120
Roof Snow (psf)	Plate Increase 1.15	BC 0.81	Vert(LL) -0.30 12-14	MT18H	168/120
TCOL 7.0	Lumber Increase 1.15	WB 0.88	Vert(TL) -0.48 10-18		
BCOL 0.0	Req. Stress Incr YES	(Metric)	Horz(TL) 0.10 10		
Roof	Case 80CA/TFW02			Weight 125 lb	

LUMBER	BRACING
TOP CHORD 2 X 4 SPF No.2 "Except"	TOP CHORD Structural wood sheathing directly applied.
T2 2 X 4 SPF No.2, T3 2 X 4 SPF 2x06F 1.88	Roof sheathing directly applied or 5/2-5 oc bracing.
BOT CHORD 2 X 4 SPF 880F 1.56 "Except"	1 Plate at ridge 6-16, 7-14, 3-17
B0 2 X 4 SPF No.2	with 2 X 4 SPF-5 No.2 with 2 - 10s (0.148"x3") have any open space spacing of 13-0-0 oc.
WEBS 2 X 3 SPF No.2	
W4 2 X 4 SPF-3 No.2	

REACTIONS	7-33740-5-8, 10-22030-6-8
Max Horz	7-158(LC 7)
Max UpR	7-1198(LC 6), 10-888(LC 7)
Max Dow	7-33740(LC 7), 10-8488(LC 2)

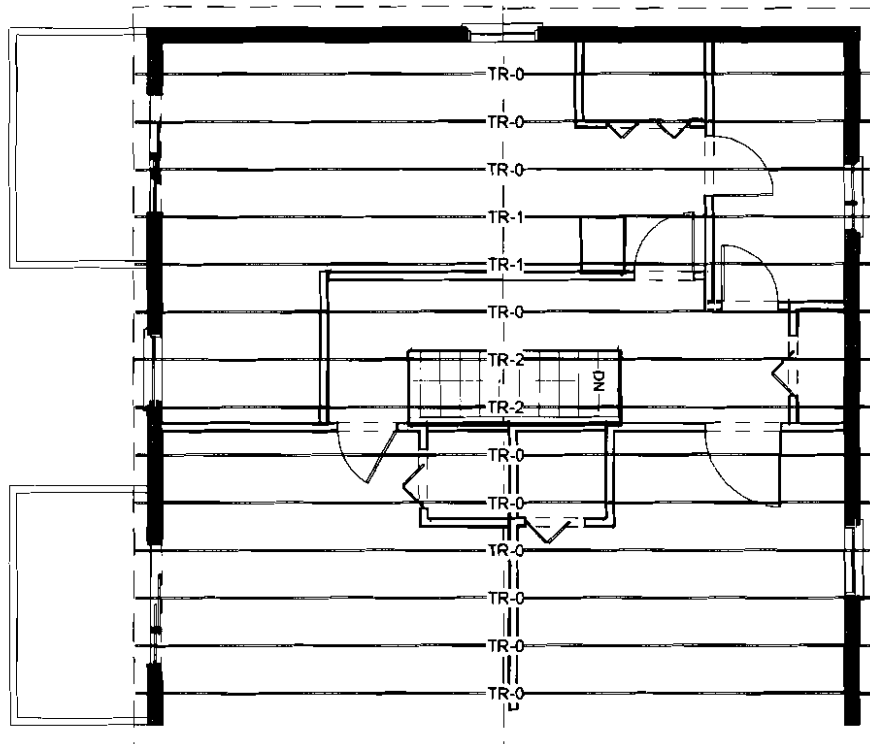
FORCES (lb) - Max. Comp./Max. Ten. - All loads 250 (lb) or less except when shown.
TOP CHORD 2-3-59/1882, 3-4-88/888, 4-5-818/346, 5-6-1878/679, 6-7-1888/883, 7-8-2/129-43, 8-9-33/3022, 9-10-4882/1184
BOT CHORD 3-17-1/34882, 14-17-7882/88, 16-18-125/1181, 18-19-125/1181, 19-19-125/1181, 14-15-125/1181, 13-14-4882/488, 13-20-4882/488, 20-21-4882/488, 12-21-4882/488, 10-12-1882/484
WEBS 3-16-488/888, 3-16-1318/14, 5-14-888/84, 6-14-2882/16, 7-14-1882/888, 7-12-1882/888, 8-12-7882/888, 3-17-326/1882

- NOTES (R)
- Wind ASCE 7-02; 10 mph; h=35'; TCCL=4.3psf; BCCL=6.0psf; Category R; Exp C; partially MWFRS (see notes) gable end zone; cantilever full exposed; Lumber DOL=1.25 plate grip DOL=1.25.
 - Roof design snow load has been reduced to account for slope.
 - Unbalanced snow loads have been considered for this design.
 - As requested, plates have not been designed to provide for placement tolerances or rough handling and erection conditions. It is the responsibility of the fabricator to increase plate sizes to account for these factors.
 - All plates are MT20 plates unless otherwise indicated.
 - This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-8-0 tall by 2-0-0 wide will fit between the bottom chord and any other members.
 - Provide mechanical connection (by others) of truss to building frame capable of withstanding 100 lb uplift at joint(s) except (3-8) 17-1188, 10-888.
 - Warning: Additional bracing and stability bracing for truss system (not part of this component design) is always required.
 - This truss design is based upon the building code shown. This code has been specified by the project engineer/architect or building designer. The applicability of this code in any particular jurisdiction should be confirmed with the building official prior to truss fabrication. This determination is not the responsibility of the component/truss designer.

LOAD CASES	Structure
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DOOR SCHEDULE				
NUMBER	QTY	SIZE	DESCRIPTION	HEADER
D01	1	2466	PANEL DOOR	2X6X32 (2)
D02	3	2666	PANEL DOOR	2X6X34 (2)
D03	3	2666	BIFOLD	2X6X34 (2)
D04	1	3266	PANEL DOOR	2X7X42 (2)
D05	1	3666	BIFOLD	2X7X46 (2)
D06	1	5062	EXT. SLIDER-GLASS	2X11X64 (2)
D07	1	5064	EXT. SLIDER-GLASS	2X11X64 (2)

WINDOW SCHEDULE					
NUMBER	QTY	SIZE	DESCRIPTION	HEADER	COMMENTS
W01	1	3020	DOUBLE HUNG	2X7X40 (2)	
W02	1	3048	DOUBLE HUNG	2X7X40 (2)	
W03	1	3048	DOUBLE HUNG	2X7X40 (2)	
W04	2	3046	DOUBLE HUNG	2X8X40 (2)	
W05	1	3046	DOUBLE HUNG	2X9X40 (2)	



Notes.

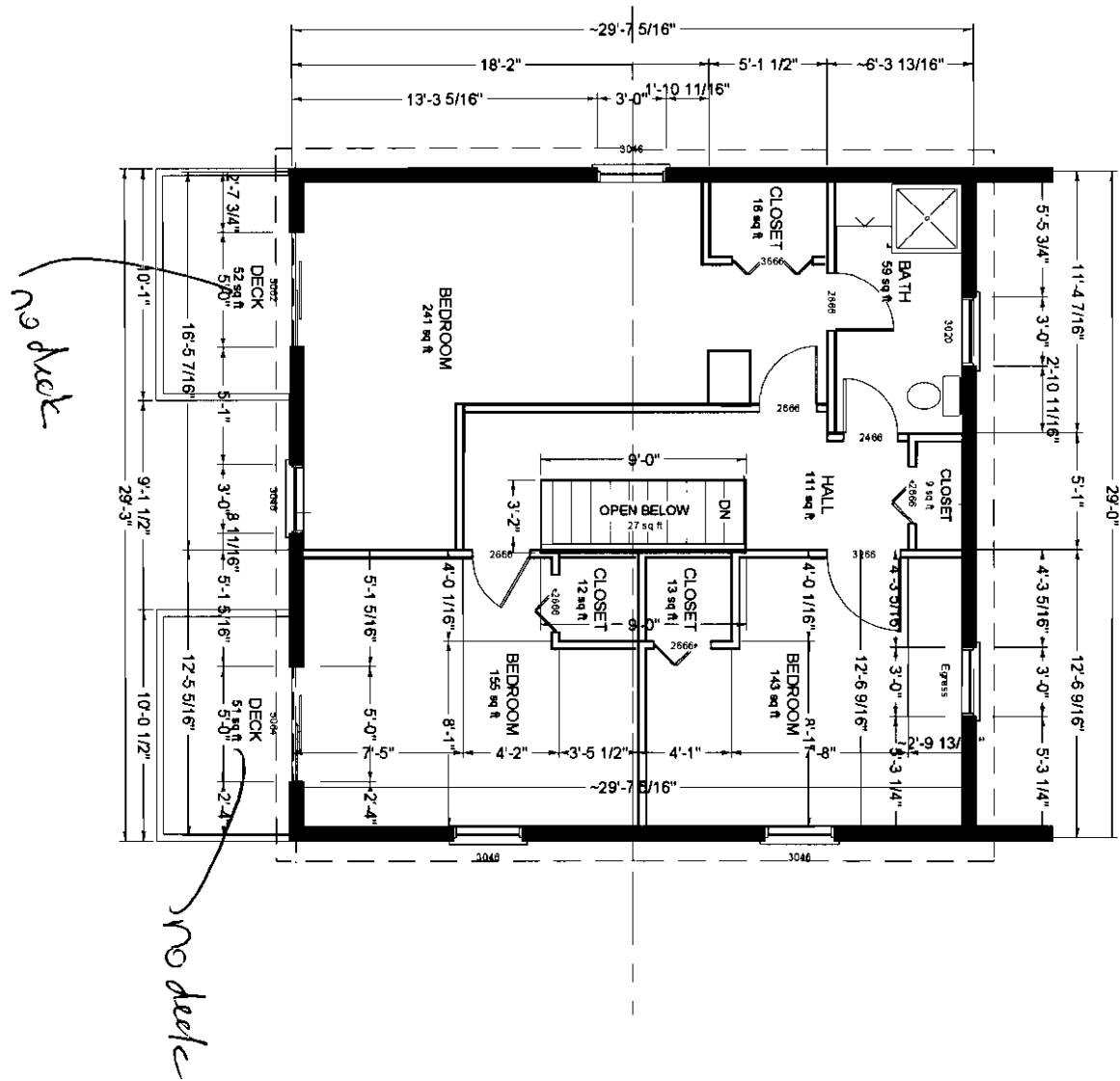
1. Sister existing 2X6 floor joists with 2X8
2. 3/4" Advantec sub-floor
3. Exterior wall framing: 2X6@2' o.c., R-19, 1/2" OSB, with cedar shingles
4. Roof trusses per attached shop drawings
5. 3/4" Advantec roof sheathing, ice & water shield, Owens Corning architectural roofing
6. Second floor deck: 2X6 framing, 1X6 decking, railings @ 42" high w/ 1-1/2" spindles @ 5" o.c.

38 Torrington Avenue
Peaks Island, Maine

Roof truss
layout

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NUMBER	QTY	SIZE	DESCRIPTION	HEADER
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W04	2	3046	DOUBLE HUNG	2X8X40 (2)	
W05	1	3046	DOUBLE HUNG	2X9X40 (2)	



Notes:

1. Sister existing 2X6 floor joists with 2X8
2. 3/4" Advantec sub-floor
3. Exterior wall framing: 2X6@2' o.c., R-19, 1/2" OSB, with cedar shingles
4. Roof trusses: per attached shop drawings
5. 3/4" Advantec roof sheathing, ice & water shield, Owens Corning architectural roofing
6. Second floor deck. 2X6 framing, 1X6 decking, railings @ 42" high w/ 1-1/2" spindles @ 5" o.c

38 Torrington Avenue
Peaks Island, Maine

**Proposed Second
Floor Plan**

09X29.11 = 858.69

1ST FL AREA

INSULATED

180
296
123
107
59
47
34
21
20
<hr/>
896

UN-INSULATED

325
102
<hr/>
427

GROSS = 1323

LIMIT @ 80% = 1323

2.8
<hr/>
1058

29x34 = 947
 8x14 = 112
 6x29 = 174
 6x30 = 180

1423
 80% = 1128.4

PROPOSED 2ND FL

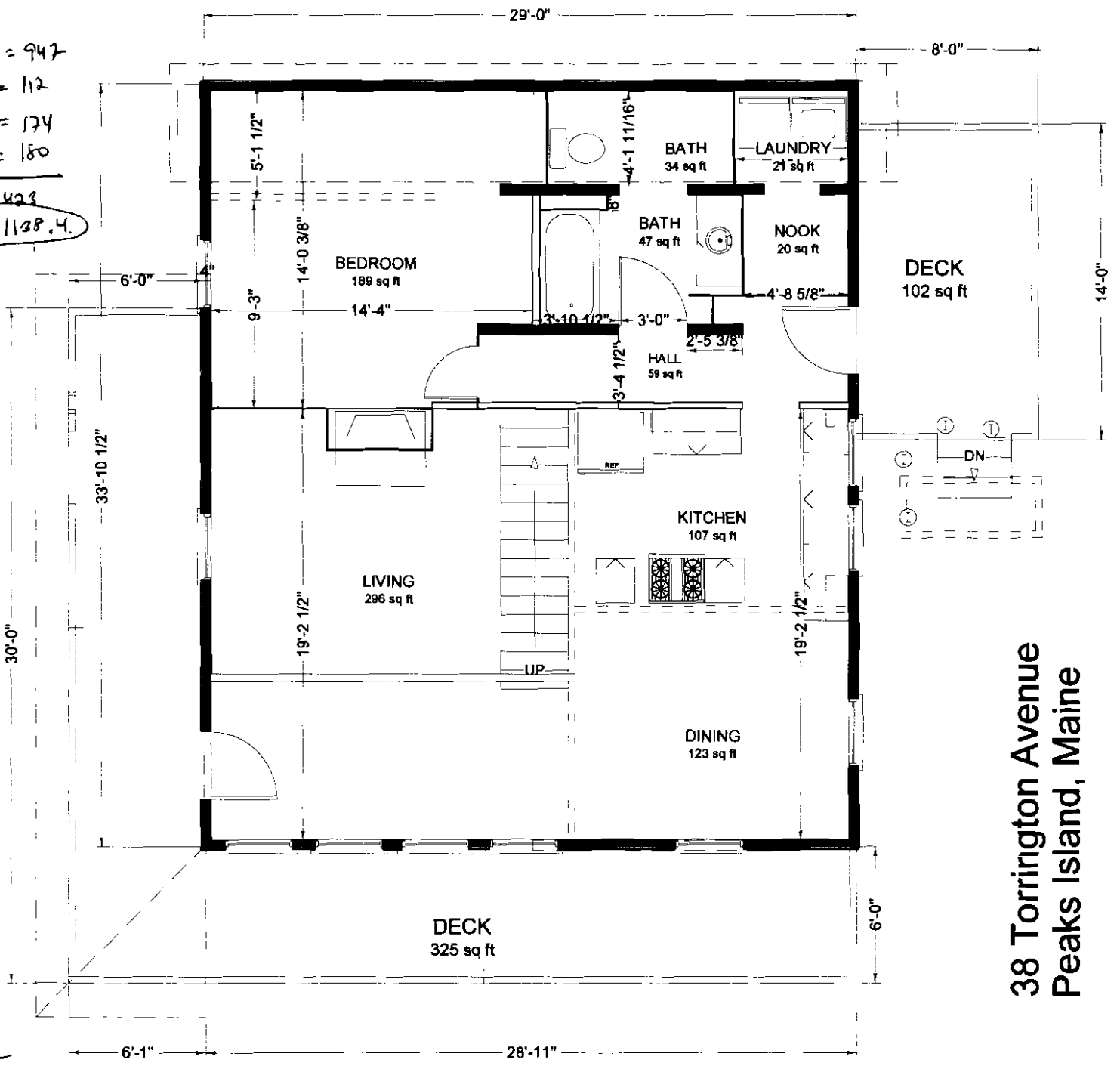
AREA = 1060 -
 VOLUME = 7200 CF N/A
 not in standard.

29x29.61 = 858.69

- 394.55 (existing)

464.14 increase

41% of allowable
 sq ft.



38 Torrington Avenue
 Peaks Island, Maine

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME

SEP 22 2008

REPORTED

Second floor existing living
area bounded by gable
walls and four-foot-high knee
walls: 394.55 square feet



OPEN BELOW

3'-6"

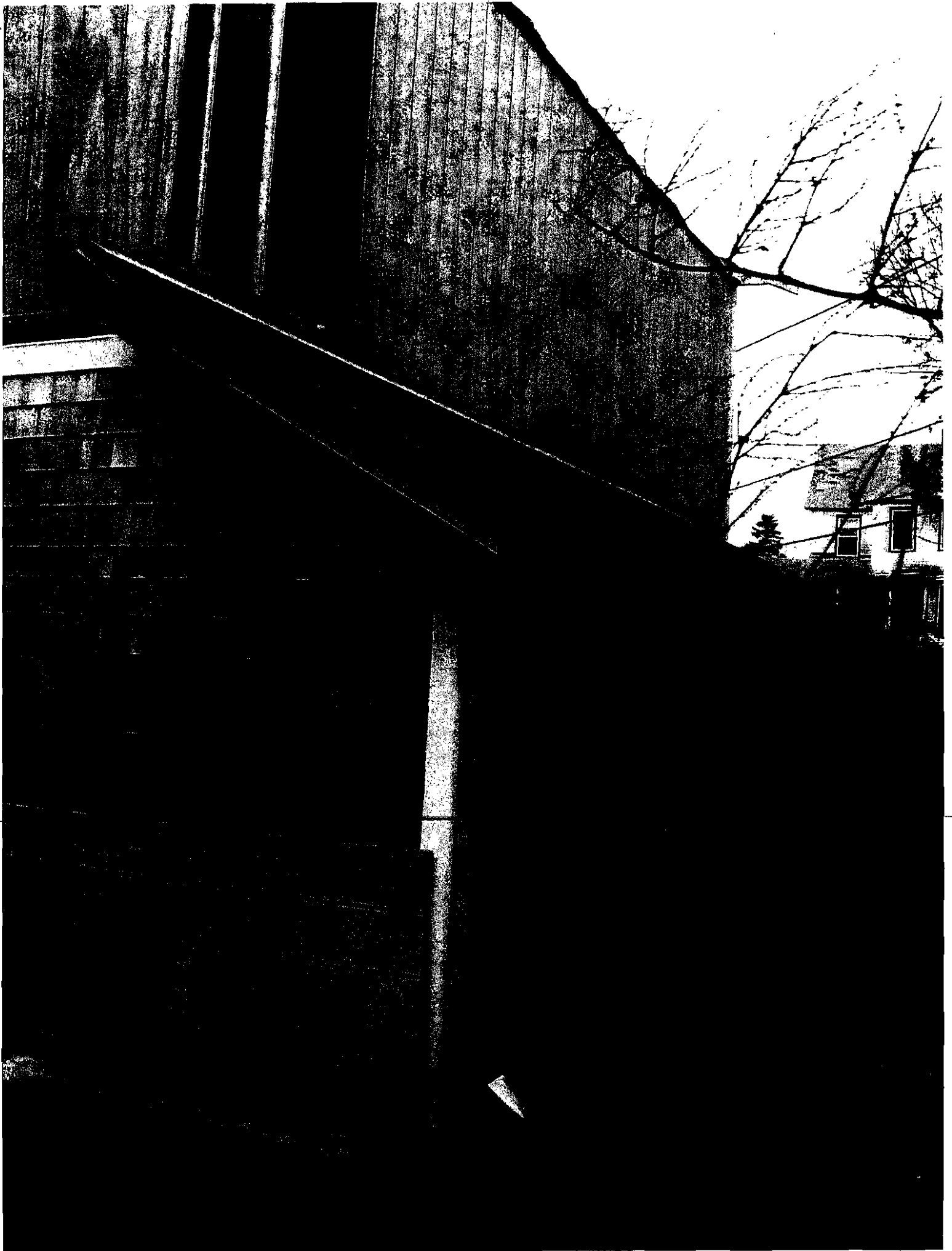
2'-4"

8'-6 1/2"

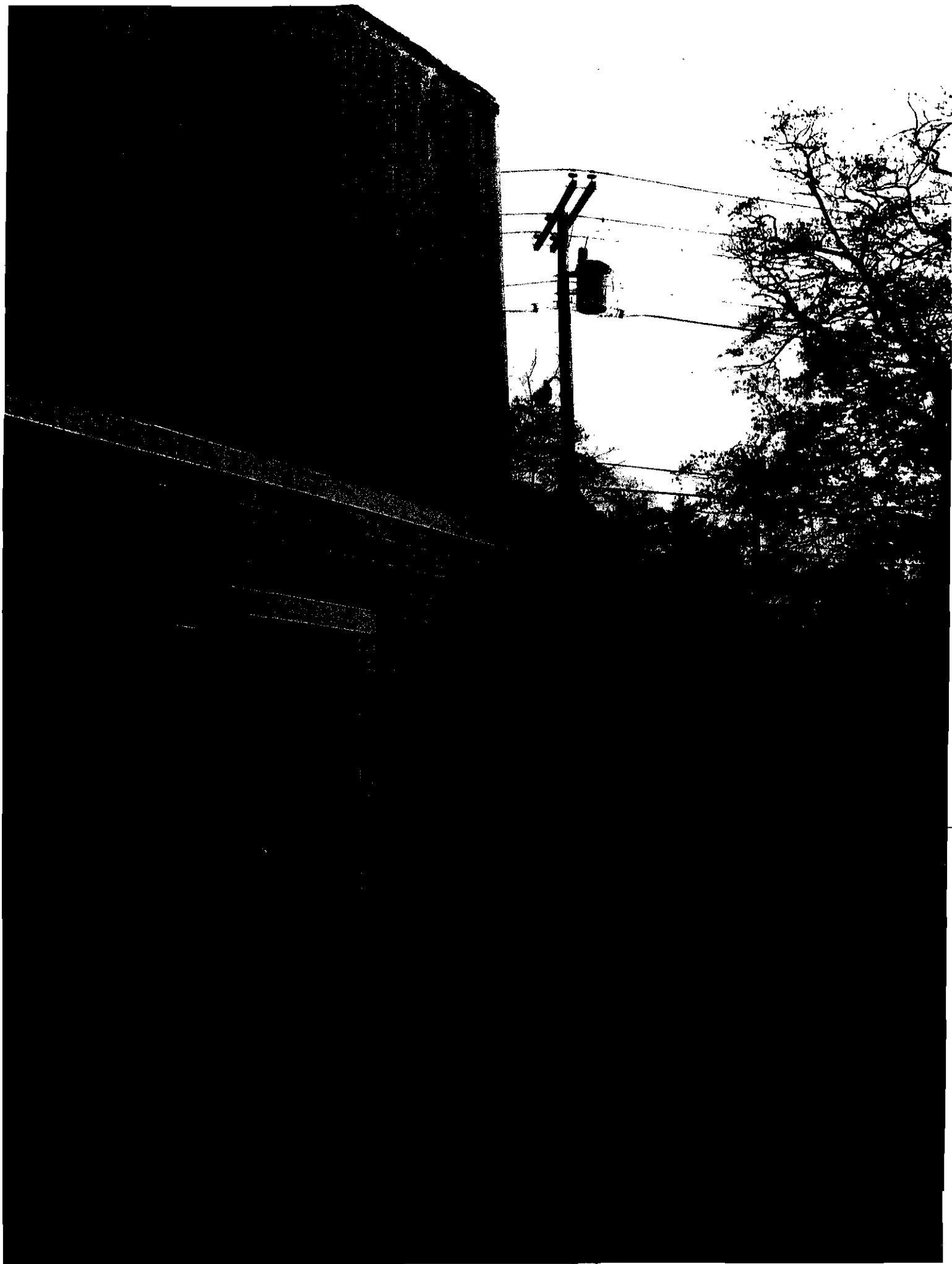
12'-0 1/2"

8'-6 1/2"

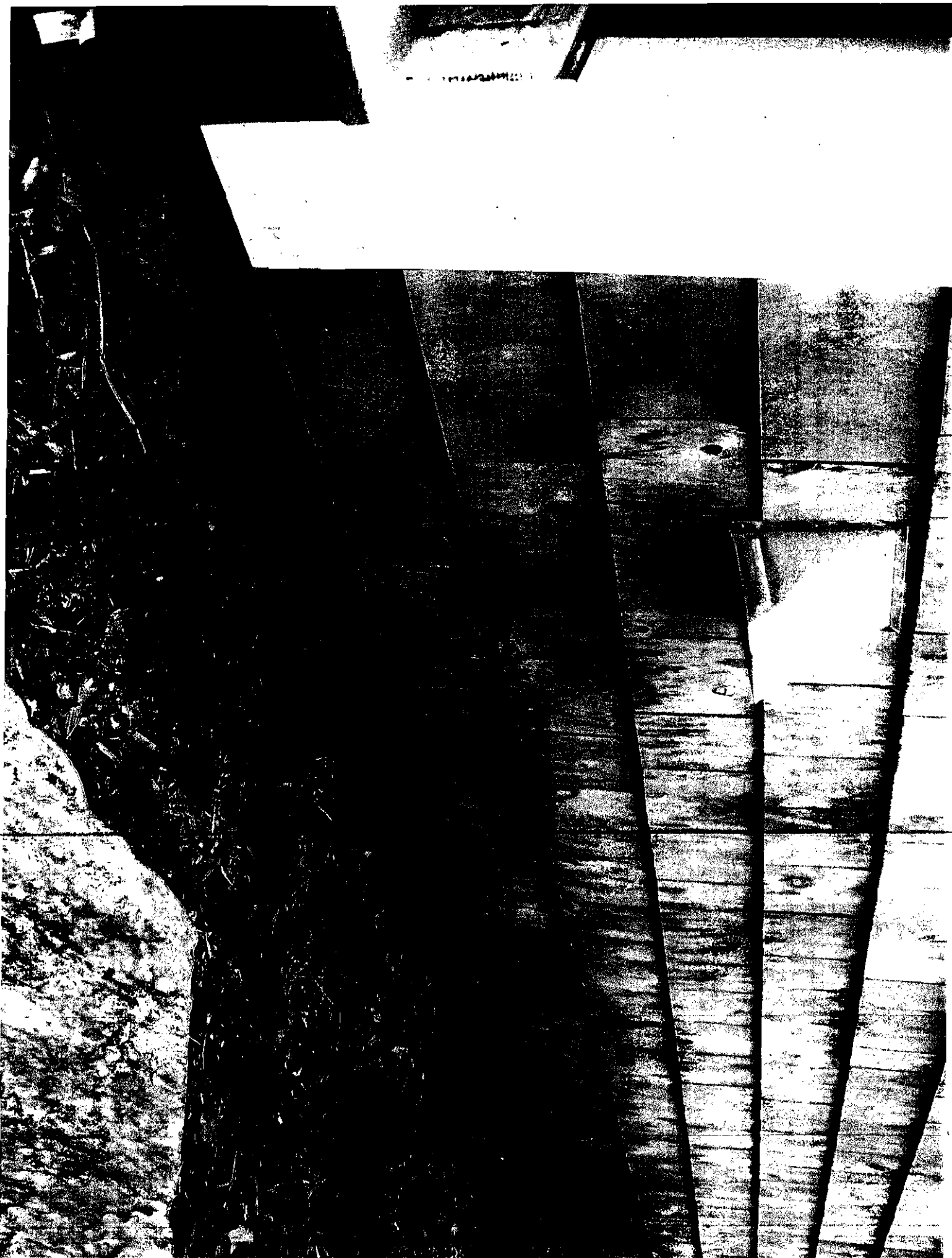
28'-8 1/2"



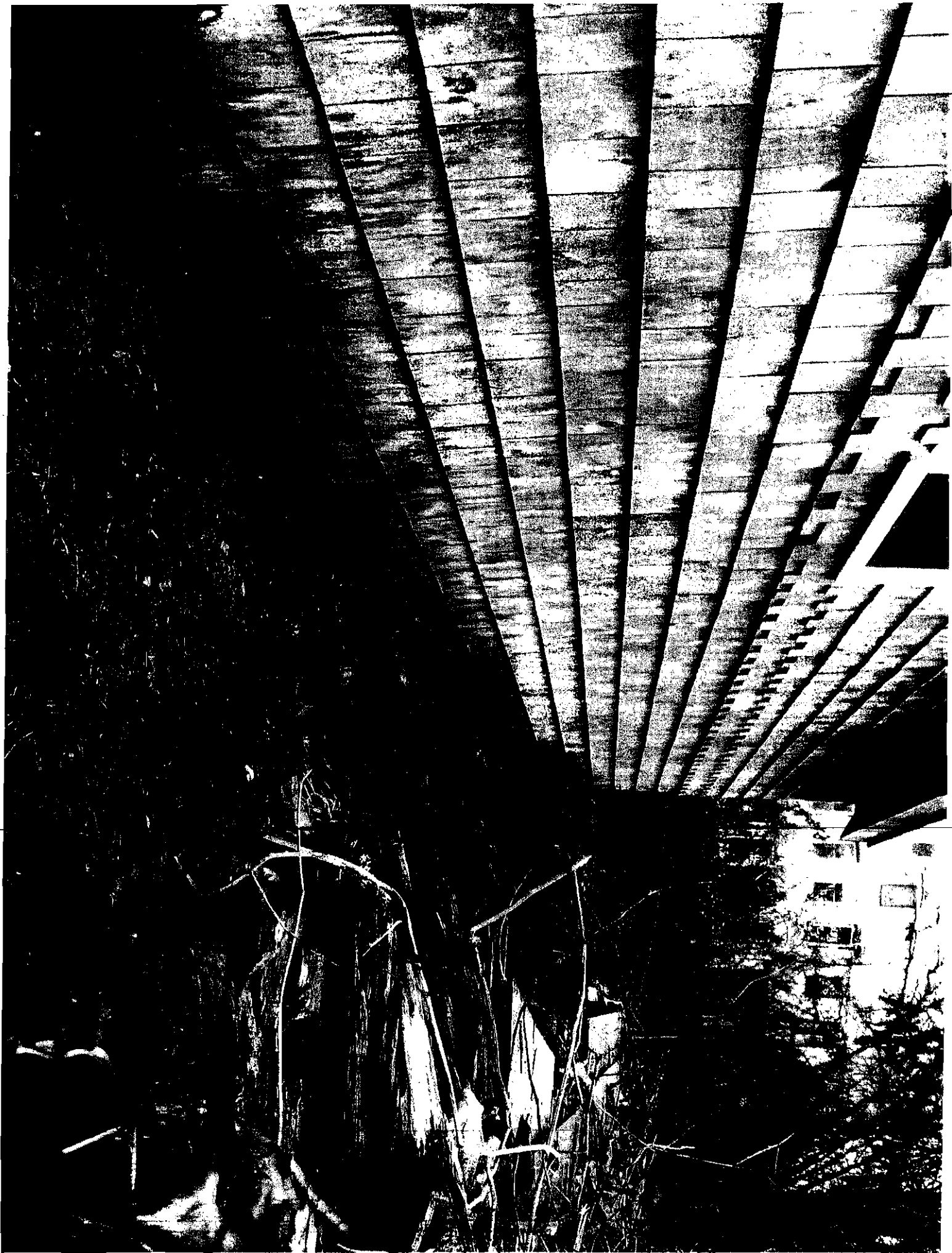
11/13/00



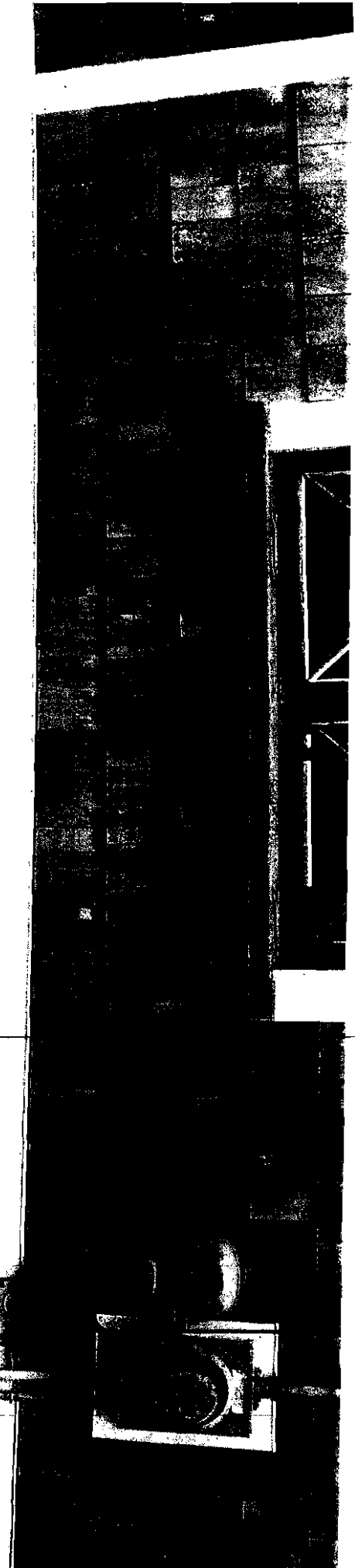
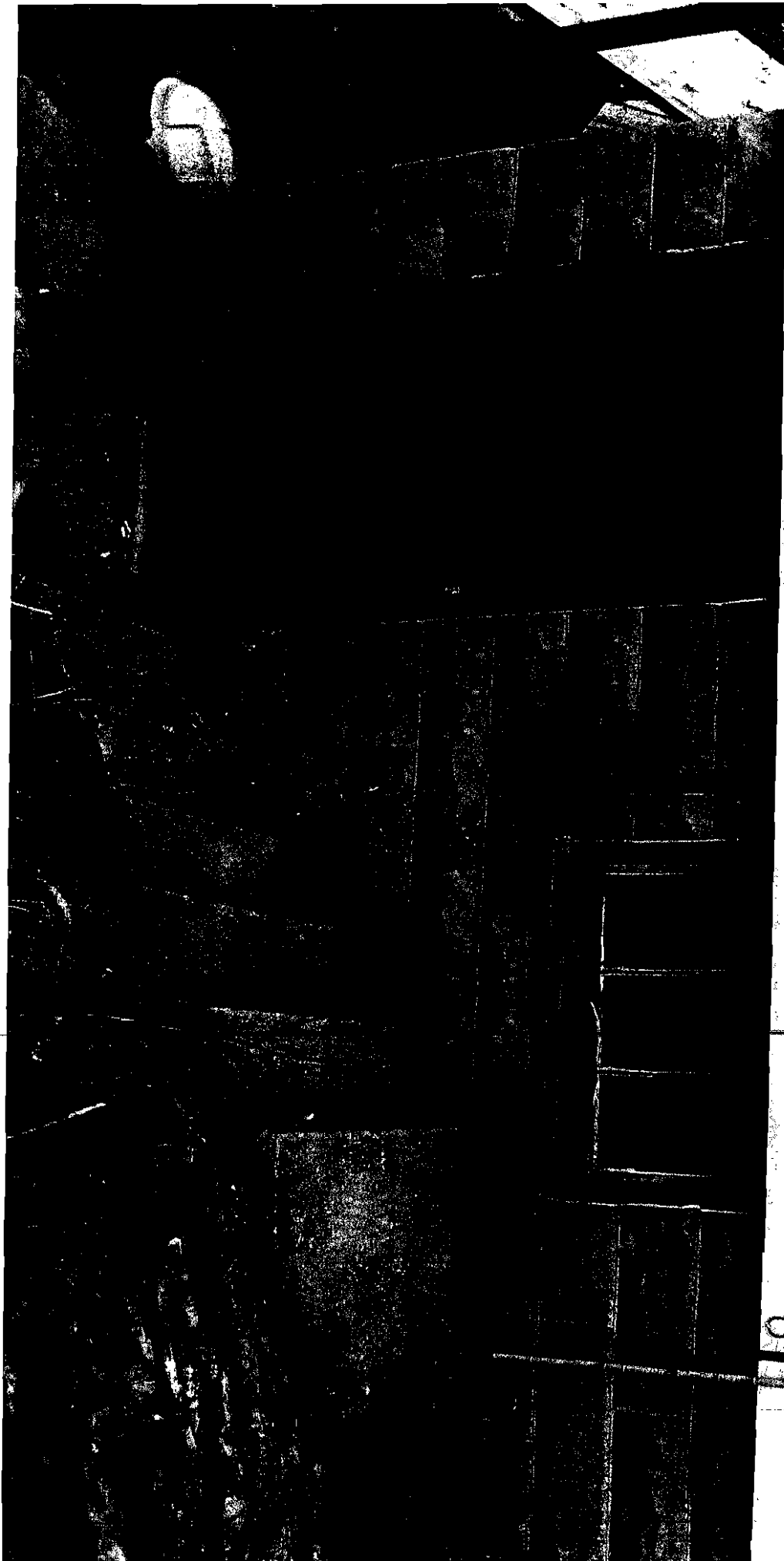
11/13/08



11/13/08



11/3/09



11/31 09

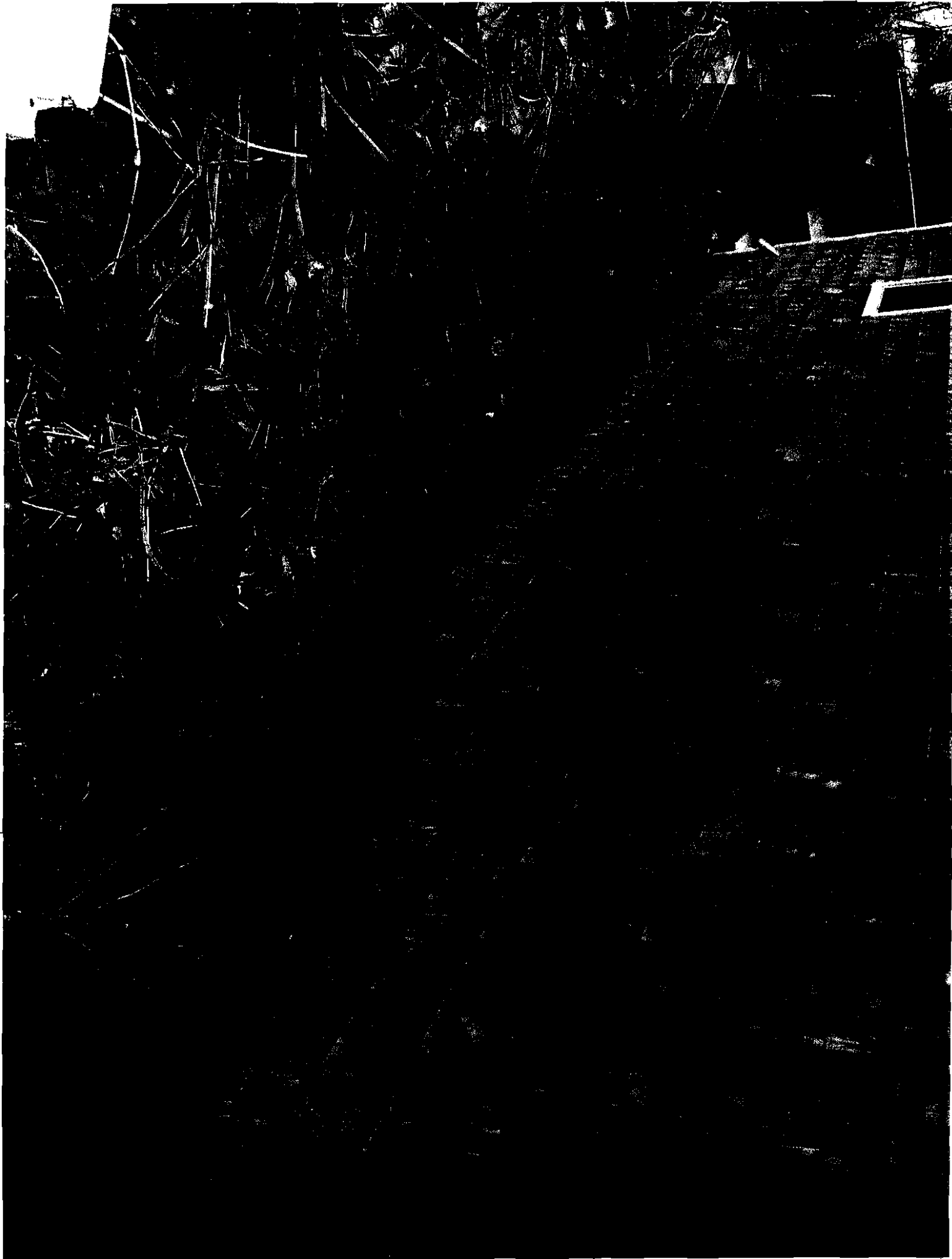


11/3/00

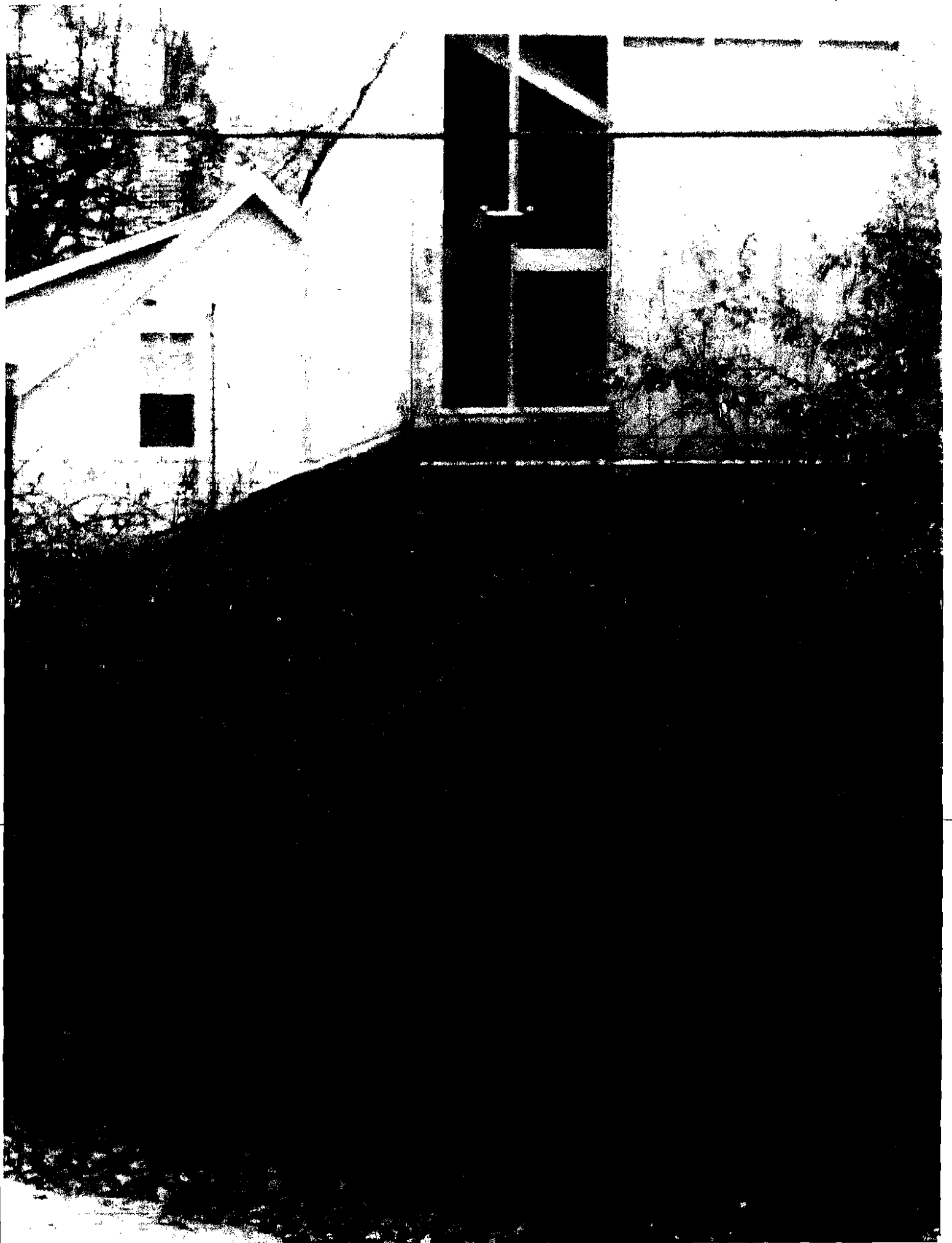
City of Portland
Recycles

GreenGuard
Low Emiss. Building Insulation
R-11

11/3/00

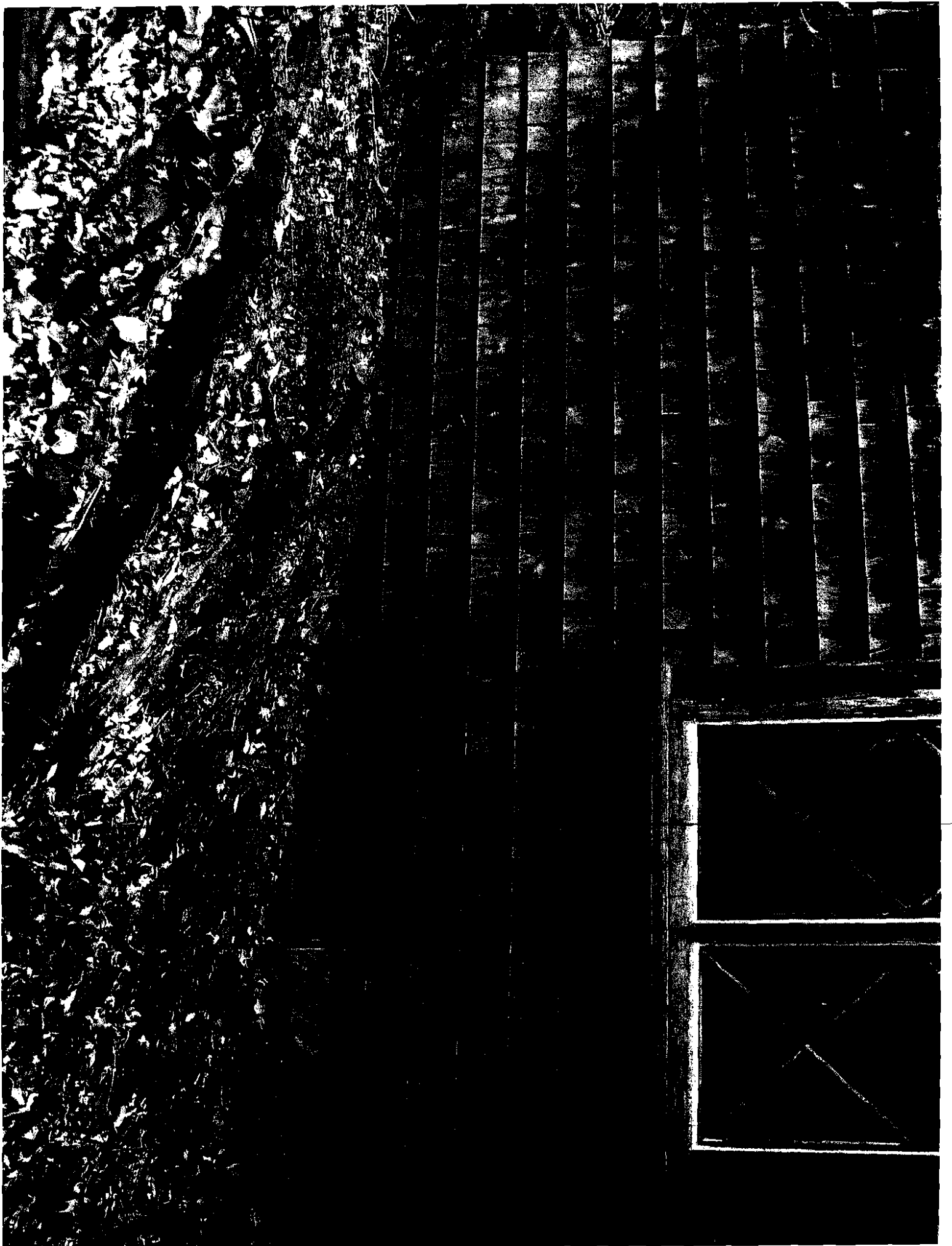


11/13/08



11/2/08

4/13/00

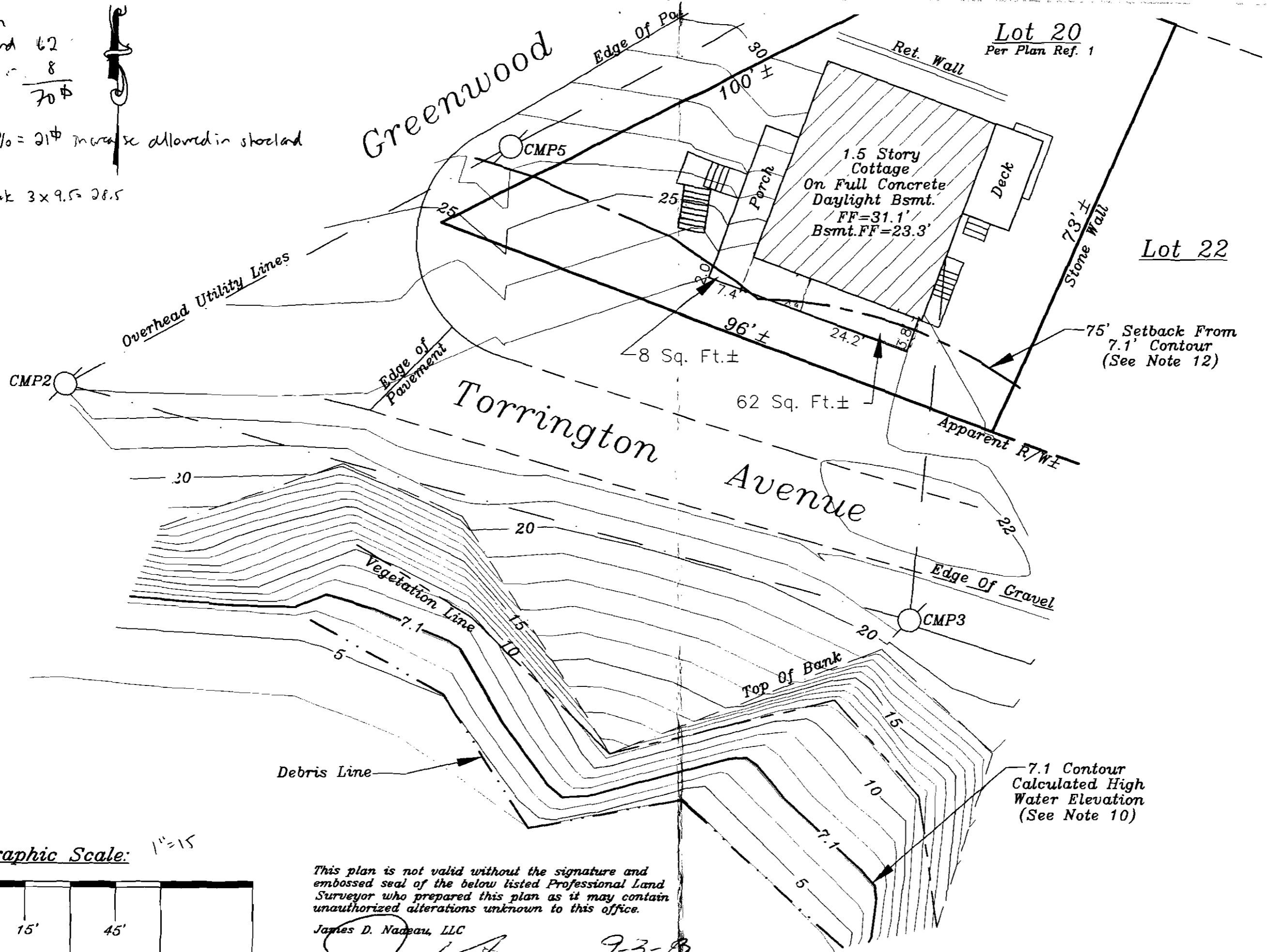


11/13/06

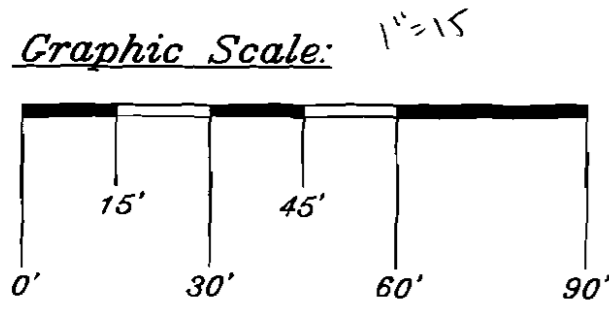
area in
shoeland 62
8
70#

30% = 21# increase allowed in shoeland

right deck 3 x 9.5 = 28.5



- an acc research if any.
- 7. This of
- 8. This of Referen
- 9. Locus as Lot
- 10. Elevati base of
- 11. The ap based field perform
- 12. Contour grades rocky



This plan is not valid without the signature and embossed seal of the below listed Professional Land Surveyor who prepared this plan as it may contain unauthorized alterations unknown to this office.

James D. Nadeau, LLC
James D. Nadeau
 James D. Nadeau, P.L.S. #2124 (agent) Date: 9-3-08

Sketch

To
PEA

PREPARED BY:

918 BRIGHTON AV
 PORTLAND, ME 04

RECORD OWNER:

Richard & Patricia
 50 Silverhill Road
 Milford, MA 01757

General Notes:

1. This plan is not intended to depict limits or extent of fee title ownership. An opinion of title should be rendered by a title attorney.
2. This office reserves the right to be held harmless by all 3rd party claims.
3. This survey does not purport to reflect any of the following:
 - a. easements other than those that are visible or specifically stated in the referenced documents.
 - b. building setback compliance or restrictive covenants.
 - c. zoning or other land use regulations.
 - d. the location of any underground utilities or structures.
4. This office reserves the right to be held harmless for unknown or unobtainable private records which could affect the results of this survey.
5. Reference is made to "Letter of Agreement" between James D. Nadeau, LLC and the below listed client(s), which shall be considered an integral part of this survey.
6. This office recommends that a boundary survey be performed to determine an accurate location of the depicted boundary lines. No records research has been performed to determine if on-site appurtenances exist, if any.
7. This office has not made any determination pertaining to wetlands on-site.
8. This office does not accept any liability for errors in the Plan References listed hereon.
9. Locus Parcel is shown on the City of Portland Assessor's Map 84, Block S, as Lot 6, and is known as 38 Torrington Avenue.
10. Elevations are based on NGVD29 per Plan Reference 2. TBM = PK Nail in base of Pole CMP4 (EL=36.28').
11. The apparent right of way and boundary lines depicted on this sketch are based on Plan Reference 1 listed hereon and monumentation found in the field. This is not a boundary survey. No records research has been performed by this office. These boundary lines are apparent only.
12. Contour lines are based on interpolation of actual ground shots with spot grades. Errors in contours may exist between actual ground shots due to rocky terrain.

Sketch Plan Depicting The Location Of High Water
Made For

Horizon Builders, Inc.

Torrington Avenue & Greenwood Street

PEAKS ISLAND, PORTLAND, MAINE

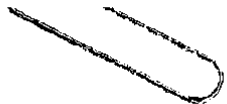
PREPARED BY:

James D. Nadeau, LLC
Professional Land Surveyors

9 BRIGHTON AVENUE
PORTLAND, ME 04102

PH. (207) 878-7870
FAX (207) 878-7871

CORD OWNER: Richard & Patricia Ashton Silverhill Road Weymouth, MA 01757	DRAWN BY: TPB	PLAN DATE: 9/2/2008
	CHECKED BY: JDN/SBH	SURVEY DATE: Aug. 2008
	INSTR. Topcon GPT-3003W	SCALE: 1" = 30'
FIELD BOOK: FB 378/379 & Topcon Ranger	JOB No: 2081056	SHEET No: 1 Of 1



38 Longton
84-5-006

STATE OF MAINE

SUPERIOR COURT
Cumberland, ss.
Docket No. AP08-35

DISTRICT COURT
Location _____
Docket No. _____

NOTICE AND BRIEFING SCHEDULE

Alfred L. Aydelott, etal
v.
City of Portland/Zoning
Board of Appeals, etal

- 80B Appeal of Governmental Actions
- 80C Appeal of Final Agency Actions
- 76G Appeal of District Court Civil Action

DEC 18 2008

An appeal has been filed. Pursuant to the Maine Rules of Civil Procedure, the briefing schedule for the appeal in this Court is as follows:

80B Appeal of Governmental Actions

The plaintiff's brief is due 40 days after December 17, 2008 (DUE 1-26-09), which is the date on which the complaint was filed in this Court. Unless otherwise required by statute, it is the plaintiff's responsibility to submit the record of the proceedings on or before the date that the plaintiff's brief is filed.

The defendant's brief is due 30 days after service of the brief by the plaintiff.

The plaintiff has 14 days after service of the brief by defendant to file a reply brief.

80C Appeal of Final Agency Actions

The petitioner's brief is due 40 days after _____, which is the date on which the state agency record was filed in this Court.

The respondent's brief is due 30 days after service of the brief by the petitioner.

The petitioner has 14 days after service of the brief by respondent to file a reply brief.

76G Appeal of District Court Civil Action

The appellant's brief is due 40 days after _____, which is the date on which the District Court Record was filed in this Court.

The appellee's brief is due 30 days after service of the brief by the appellant.

The appellant shall have 14 days after service of the brief by appellee to file a reply brief.

A timely motion under the Maine Rules of Civil Procedure may suspend running of these time limits.

FAILURE OF PETITIONER/PLAINTIFF/APPELLANT TO COMPLY WITH THESE REQUIREMENTS WILL RESULT IN DISMISSAL OF THIS APPEAL.

Failure of respondent/defendant/appellee to comply with these requirements may forfeit the right to be heard at oral argument.

Unless the court otherwise directs, all appeals will be in order for oral argument 20 days after the date on which the responding party's brief is due or is filed, whichever is earlier. The parties may, by agreement, waive hearing and submit the matter for decision on the record and the briefs. The clerk of court will schedule oral argument for the first appropriate date after the appeal is in order for hearing.

Date: December 17, 2008
cc: Jonathan Goldberg, Esq.

Paul L. Mitchell
Adm. Clerk