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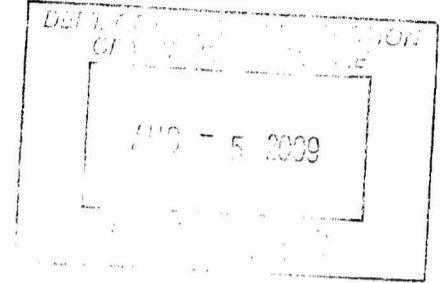
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30 Taunton, PI  
04-3-6

July 27, 2009



Via Hand Delivery

Honorable Robert E. Crowley  
Cumberland County Superior Court  
142 Federal Street  
Portland, Maine

RE: Alfred L. Aydelott, et al v. Zoning Board of Appeals, City of Portland, et al.  
Docket No. AP-08-35

Dear Justice Crowley:

Pursuant to the enclosed Order on 80B Appeal issued in the above referenced matter on May 21, 2009, the Portland Zoning Board of Appeals (ZBA) held a hearing on July 16, 2009 to review the Ashton's building permit application in accordance with Ordinance Section 14-436(a). I have enclosed a copy of the ZBA's written decision.

As specified in the Order, this Court retained jurisdiction over this matter until a final judgment is entered. The parties in this matter seek guidance from the Court regarding the procedural status of this case and what steps need to be taken by the parties now that the ZBA has issued its decision. It is unclear whether a party would need to appeal the ZBA decision separately, or whether this Court will address it as part of its final decision.

In a related matter, the parties also seek the Court's guidance on the status of the house in question in this matter. Pursuant to the building permit issued by the City under Section 14-436(b), the Ashton's have completed the second floor building extension to the house. They are now asking the City for a final inspection of the extension so it can be occupied. In light of

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City of Portland  
Planning Division

this Court's and the ZBA's decisions, the City is specifically seeking guidance as to whether or not it can proceed with an inspection of the house and allow occupancy.

Thank you for your attention to this matter. I would be happy to participate in either a telephone or in-person conference in order to resolve the procedural questions outlined in this letter.

Sincerely,



Mary E. Costigan  
Associate Corporation Counsel

Cc: Jonathan Goldberg, Esq.  
Daniel Cummings, Esq. )

Enclosure  
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