

MATT DUBOIS
P.O. Box 22
49 Haymarket Square
Bangor ME 04402
207 951 6395
207 433 1215 FAX
matt@duboislawmaine.com

Eric Cousens
Deputy Director
Economic & Community Development
60 Court Street
Auburn, ME 04210
BY ELECTRONIC MAIL (VIA COUNSEL) & HAND FILING

RECEIVED
JUL 09 2018
BY: RWR

July 7, 2018

**RE: PETITION FOR APPEAL
197 Turner Street Certificate of Occupancy**

Mr. Cousens:

As you know, I represent Vincent Gogan and Shanon Gogan with regard to their tobacco shop and licensed caregiver business, d/b/a Legal Peaces, located at 197 Turner Street in Auburn. Please accept this letter as a petition for appeal of the city's refusal to issue a certificate of occupancy for my clients' caregiver business. Filed with this petition is the requisite \$350 filing and advertising fee.

Please forward a copy of this notice to the board of appeals, planning director, the chairman of the planning board, the city solicitor, and all other appropriate parties and notify me as required when an appeal hearing may be scheduled before the City Council, the Zoning Board of Appeals, the city manager, **or whichever reviewing body is responsible for hearing appeals regarding certificates of occupancy** under the Auburn Code of Ordinances or City Charter. Feel free to contact me if you require additional information to schedule the hearing.

Sincerely,

A handwritten signature in cursive script that reads "Matthew T. Dubois".

Matthew T. Dubois, Esq.

Vincent Gogan: Vincent Gogan

Shanon Gogan: Shanon Gogan

MTD/mrp



60 Court Street
Auburn, Maine 04210
Tel: (207) 333-6601 ext. 1158
Fax: (207) 333-6625

RECEIPT

BILL TO:

Shanon and Vincent Gogan
560 Sabattus RD
Sabattus, ME United States

Receipt Number: TRC-012084-09-07-2018

Date: 07/09/2018

Amount**PRIMARY FEES**

Invoice Number: 11515

Petition for Appeal	\$150.00
Petition for Appeal Required Advertising	\$200.00

PAYMENTS RECEIVED

Date	Payment Method	Amount Received
07/09/2018	Cash	\$350.00
	Total Payment	\$350.00
	Change Due	\$0.00



City of Auburn
Economic & Community Development

"WE WANT DEVELOPMENT!"

- *Appointments for permits are recommended.
*Please fill out any part which applies to project.
*Proper plans must accompany application as required.

For Official Use Only
Date Issued: 6/1/18
Telephone:
Zone:
Map No.: 251-022
Bldg. Code: 1408CC 15
Use Group:
Type of Construction:
Est. Cost: 300
Fee: 125.00

Permit Number: CB-19254-2018
Address: 197 TRUCK ST
Owner: BECHTOLD, SHARON VINCENT

ADDRESS OF CONSTRUCTION: 197 Turner Street
Owner: Sharon Vincent Gagan cell # 240-7307
Address:

CONTRACTOR: Cell # 14000

* Project Description: changing office to store / Removing walls
Building Dimensions: Square Footage:
Lot Size:
Plans Submitted:
Plan Number:
Reviewed By: MS

For Commercial Properties: Is there a license required for your business? YES NO
If YES, Please be aware that the license may require a background investigation.

Email Permit To: shonngagan@aol.com Fax Permit To:

Foundation:

- 1. Type of Soil:
2. Set Backs - Front: Rear: Side(s):
3. Footings Size:
4. Foundation Size:
5. Slab Size: Slab Thickness: Heated?
6. Other:

Floor:

- 1. Sills Size: **Sills must be anchored
2. Carrying Beam Size:
3. Column Spacing:
4. Joist Size: **Spacing 16" O. C.
5. Floor Sheathing Type: Thickness:
6. Other Material:
7. Floor Coverings:

Exterior Walls:

- 1. Studding Size: Spacing:
2. Corner Posts Size:
3. No. of Doors:
4. Header Sizes: Spans:
5. Bracing: YES: NO:
6. Egress Windows: Brand: Model #:
7. Insulation Type: Thickness:
8. Sheathing Type: Thickness:
9. Siding Type:
10. Masonry Materials:
11. Metal Materials:
12. Other Materials:

Interior Walls:

- 1. Studding Size: Spacing:
2. Header Sizes: Span(s):
3. Wall Covering Type:
4. Fire Separation Wall if Required:
5. Other Materials:

Ceilings:

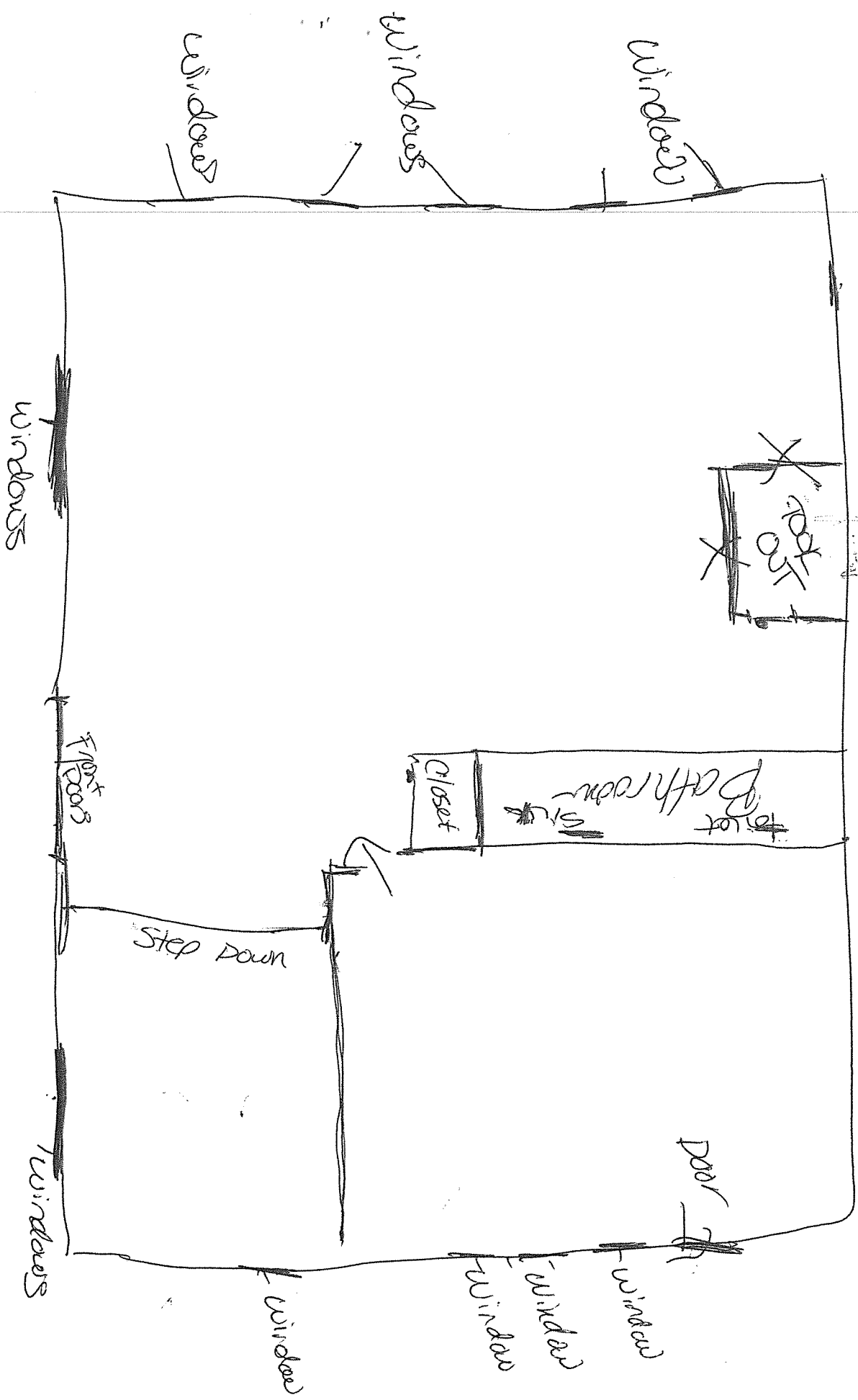
- 1. Ceiling Joist Size:
2. Type Ceilings:
3. Insulation Type:
4. Thickness:

Roof:

- 1. Truss or Rafter Size:
2. Span:
3. Sheathing Type:
4. Thickness:
5. Roof Covering Type:
6. Other:

RECEIVED
MAY 09 2018
BY:

-197 Turner Street -





60 Court Street
Auburn, Maine 04210
Tel: (207) 333-6601 ext. 1158
Fax: (207) 333-6625

RECEIPT

BILL TO:

Shanon and Vincent Gogan
560 Sabattus RD
Sabattus, ME United States

Receipt Number: TRC-011759-09-05-2018

Date: 05/09/2018

Amount**PRIMARY FEES**

Invoice Number: 11197

Commercial Alteration	\$28.00
PM: Citation Ordinance	\$40.00

PAYMENTS RECEIVED

Date	Payment Method	Amount Received
05/09/2018	Cash	\$68.00
	Total Payment	\$68.00
	Change Due	\$0.00

MORTGAGE DEED

SHANON K. GOGAN and VINCENT E. GOGAN, whose mailing address is 560 Sabattus Street, Sabattus, Maine 04280, hereinafter called the Borrowers, grants to **VIRTUAL COMMERCE, INC.**, a New Hampshire corporation, with a mailing address of 1857 White Mountain Highway #181, North Conway, New Hampshire 03860, hereinafter called the Lender, in order to secure the payment of **One Hundred Sixty-Eight Thousand Dollars (\$168,000.00)** to the Lender as evidenced by the Borrowers' promissory note of substantially even date herewith, with **MORTGAGE COVENANTS**, certain lots or parcels of land, with the buildings thereon, situated in **Auburn**, County of **Androscoggin**, State of **Maine**, bounded and described as follows:

PARCEL ONE: 197 TURNER STREET, AUBURN, MAINE

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, SITUATED IN AUBURN, ANDROSCOGGIN COUNTY AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EASTERLY LINE OF TURNER STREET AT THE SOUTHWESTERLY CORNER OF LAND CONVEYED BY THE FRANKLIN COMPANY TO SAMUEL F. HASKELL BY DEED NUMBER 1039, DATED DECEMBER 15, 1894;

THENCE RUNNING EASTERLY BY THE SOUTHERLY LINE OF SAID HASKELL LAND AND SAID LINE EXTENDED TWO HUNDRED (200) FEET;

THENCE SOUTHERLY AT A RIGHT ANGLE, ONE HUNDRED (100) FEET;

THENCE WESTERLY AT A RIGHT ANGLE, TWO HUNDRED (200) FEET TO TURNER STREET;

THENCE NORTHERLY BY THE EASTERLY LINE OF TURNER STREET ONE HUNDRED (100) FEET TO THE POINT OF BEGINNING.

BEING THE SAME PREMISES AS CONVEYED TO VIRTUAL COMMERCE, INC. BY WARRANTY DEED FROM NESSIM OHAYON DATED NOVEMBER 18, 2011 AND RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 8288, PAGE 71.

PARCEL TWO: 560 SABATTUS ROAD, SABATTUS, MAINE

A CERTAIN LOT OR PARCEL OF LAND, WITH ANY BUILDINGS THEREON, SITUATED IN SABATTUS, COUNTY OF ANDROSCOGGIN AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET IN THE GROUND AT A POINT N 3° 54' W NINETY-TWO AND TWENTY-FIVE HUNDREDTHS FEET (92.25') FROM A MONUMENT SET IN THE GROUND IN THE NORTHERLY LINE OF ROUTE 126 AT STATION 82+31.66 AS SHOWN ON THE STATE HIGHWAY PLAN RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK OF PLANS, VOLUME 3, PAGE 666;

THENCE THE LINE RUNS S 88° 9' W ALONG LAND CONVEYED BY THE MICHAUDS TO FOURNIER AND THIBODEAU BY DEED DATED AUGUST 26, 1978 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 1364, PAGE 103 FIFTY-NINE AND FORTY-THREE HUNDREDTHS FEET (59.43') TO AN IRON PIN SET IN THE GROUND IN THE NORTHEASTERLY LINE OF THE SAID FOURNIER PROPERTY;

THENCE THE LINE RUNS S 2° 51' W ALONG THE DIVISION LINE BETWEEN THE MICHAUD PROPERTY AND FOURNIER PROPERTY NINETY-THREE AND THREE TENTHS FEET (93.3') TO AN IRON PIN SET IN THE GROUND AT OR NEAR THE NORTHERLY LINE OF SAID ROUTE 126;

THENCE THE LINE RUNS S 87° 47' E ALONG THE NORTHERLY LINE OF ROUTE 126 SIXTY FEET (60') TO AN IRON PIN SET IN THE GROUND AT POINT NINE AND FORTY-SIX HUNDREDTHS FEET (9.46') WESTERLY OF THE AFORESAID HIGHWAY MONUMENT;

THENCE THE LINE RUNS N 2° 31' E ALONG THE DIVISION LINE BETWEEN THE MICHAUD PROPERTY AND THE MORIN PROPERTY NINETY-TWO AND EIGHTY-SEVEN HUNDREDTHS FEET (92.87') TO THE POINT OF BEGINNING.

BEING THE SAME PREMISES AS CONVEYED TO VINCENT E. GOGAN AND SHANNON K. GOGAN BY WARRANTY DEED FROM CHRISTOPHER NYE SOKOLL AND DEBRA S. TOWNSEND-SOKOLL DATED APRIL 25, 2013 AND RECORDED IN BOOK 8662, PAGE 31 OF THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.

The above-described premises are conveyed together with any and all rights, easements, privileges, and appurtenances belonging thereto, including, but not limited to, the right, title, and the interest, if any, of the Borrowers in and to any land lying in the bed of any adjacent stream or road and any and all interests in the following:

a) All judgments, awards of damages and settlements hereafter made as a result or in lieu of any taking of the premises or any interest therein or part thereof under the power of eminent domain, or for any damage (whether caused by such taking or otherwise) to the premises, or the improvements thereon or any part thereof, including any award for change of grade of streets; and

b) All goods and items of personal or real property which are now, or may hereafter become, fixtures upon or with respect to the premises including, without limitation, all buildings, fixtures and improvements now or hereafter situated thereon, all plumbing, electrical, heating, ventilating, air conditioning, and all other building components, machinery and equipment.

All of the foregoing shall hereinafter collectively be called the property.

It is provided, nevertheless, that if the Borrowers pay to the Lender all sums due or which may become due to the Lender in accordance with the terms of said promissory note or this mortgage deed and until such payment the Borrowers are not in default under this mortgage deed, then this mortgage deed shall be void, otherwise it shall remain in full force and effect.

I. THE BORROWERS'S COVENANTS

The Borrowers hereby covenants with the Lender as follows.

A. **Encumbrances.** The Borrowers shall pay, when due, all taxes and assessments levied or assessed against the property and shall keep the property free from any lien or encumbrance thereon which might be or become superior to this mortgage.

B. **Insurance.** The Borrowers shall keep the property insured against such risks as the Lender may from time to time require, under insurance policies issued by companies satisfactory to the Lender and with such coverage and in such amounts as the Lender may from time to time require. All such policies shall contain the Standard Maine Mortgagee Clause with loss payable to the Lender and shall otherwise be in a form satisfactory to the Lender. Whenever required by the Lender the Borrowers shall deliver to the Lender the original policies of insurance or other evidence of insurance satisfactory to the Lender.

C. **Maintenance of Property.** The Borrowers shall keep the buildings and improvements on the property in good order and repair and shall not remove the same nor make alterations or additions thereto nor construct new buildings or improvements upon the property without the prior written consent of the Lender, which consent shall not be unreasonably withheld, conditioned or delayed. The Borrowers shall commit neither strip nor waste upon the property nor suffer the same to be committed.

D. Compliance with Law. The Borrowers shall comply with all applicable federal, state, and local laws, ordinances, and regulations regarding the property or its use. If any use of the property is permitted only for so long as it continues, then the Borrowers shall not discontinue such use nor suffer it to be discontinued without the Lender's prior written consent, which consent shall not be unreasonably withheld, conditioned or delayed.

II. THE LENDER'S RIGHTS.

The Lender shall have the following rights, none of which shall be construed to impair the Lender's interest in the property.

A. Protect Security. The Lender may at any time and from time to time take any action which the Lender believes necessary to protect the value of the property or the Lender's interest therein, including, but not limited to, paying any tax, assessment, insurance premium, or other charge respecting the property, defending against or settling any claim or legal action affecting the property or the Lender's interest therein, and repairing damage to or preventing waste upon the property. Any amounts paid by the Lender pursuant to this paragraph shall be added to and become a part of the indebtedness secured by this mortgage deed and shall bear interest at the rate provided in the Borrower's said promissory note to the Lender.

B. Additional Security. The Lender may accept additional realty as security for the indebtedness secured by this mortgage deed, and the provisions of this mortgage deed shall apply to such additional realty as fully as though it had originally been included herein.

C. Releases. The Lender may at any time and from time to time release any portion of the property from the operation and effect of this mortgage deed. If the Borrowers consists of more than one individual or entity, then the Lender may at any time and from time to time release any of such individuals or entities from any or all of the obligations of this mortgage deed or from all or any part of the indebtedness secured hereby, without the consent of the other or others, and the Lender may likewise release any guarantor of said obligations or indebtedness.

D. Waiver. The Lender may waive any of the provisions of this mortgage deed which protect the Lender or make any agreement modifying the terms hereof or subordinating the Lender's interest in the property, but any such waiver or agreement must be in writing.

III. EVENTS OF DEFAULT.

This mortgage is upon *STATUTORY CONDITION*, any breach of which shall be considered an event of default. In addition, all or any one of the following, or any combination thereof, shall be considered an event of default:

A. Nonpayment. If the Borrowers fail to pay when due any amount due pursuant to this mortgage deed or the Borrowers' said promissory note subject to any applicable notice and expiration of any applicable cure period;

B. Nonperformance. If the Borrowers violate any covenant or fails to perform any other obligation provided in this mortgage deed, the Borrowers' said promissory note, or any other documents relating to or securing the Borrowers' indebtedness to the Lender, and such violation or failure continues for thirty days after written notice thereof from the Lender, unless it appears that the Borrowers have commenced to cure such violation or failure in good faith and has diligently continued to pursue such curing, but has been unable to complete the same due to the nature of the violation or failure;

C. Financial Instability. If the Borrowers file a petition for bankruptcy, makes an assignment for the benefit of creditors, or is adjudicated a bankrupt or insolvent, or if a petition is filed in a court of competent jurisdiction seeking to have the Borrowers so adjudicated or seeking the appointment of a trustee, receiver, guardian, or conservator of the Borrowers and such petition is not dismissed within sixty days, or if the Lender in any other way believes the prospects for payment of the Borrowers' indebtedness have been significantly impaired; or

D. Judicial Proceeding. If any judicial or administrative proceeding is commenced against the property or the Borrowers which might affect the Lender's interest in the property, and such proceeding is not dismissed within sixty days or the Borrowers do not bond or provide other indemnification satisfactory to the Lender against an adverse result.

IV. REMEDIES.

In the event of default, the Lender may pursue any or all or any combination of the following remedies, concurrently or serially.

A. Acceleration. The Lender may accelerate the maturity of the Borrowers' indebtedness pursuant to this mortgage deed and the Borrowers' said promissory note and demand immediate payment thereof in full.

B. Foreclosure. The Lender may foreclose the Borrowers' equity of redemption by any method now available or which later becomes available to mortgagees under Maine law.

C. Partial Payments. The Lender may accept partial payments of the Borrowers' indebtedness and may apply to the Borrowers' indebtedness any of the Borrowers' funds or any rents or profits from the property, and such acceptance or application of funds shall not be considered to waive any of the Lender's remedies, including especially the Lender's right to commence foreclosure proceedings or to continue foreclosure proceedings already commenced.

D. Other Remedies. The Lender may exercise or pursue any other remedy available to the Lender at law or in equity.

V. GENERAL PROVISIONS.

A. Modification. This mortgage deed may not be modified at any time except by a written instrument signed by both the Borrowers and the Lender, but any such modification shall not alter the priority of the Lender's interest in the property.

B. Waiver. All of the Lender's rights pursuant to this mortgage deed are cumulative, and the waiver of any right or failure to pursue any remedy shall not be construed as a waiver of a future right nor as an agreement not to pursue a future remedy. Any delay in exercising a right or pursuing a remedy shall not be construed as a waiver of the same.

C. Statement of Amount Due. Within ten days from receipt of the Borrowers' written request, the Lender will provide to the Borrowers a written statement of the amount of the Borrowers' indebtedness pursuant to this mortgage deed and the Borrowers' said promissory note.

D. Number and Gender. Wherever used in this mortgage deed, the grammatical use of the singular number may be interpreted as the plural, if necessary, and the plural as the singular, and the use of any gender shall be applicable to all genders.

E. Severability. If any provision of this mortgage deed is found to be invalid, the remaining provisions, to the maximum extent possible, shall not be affected by such finding.

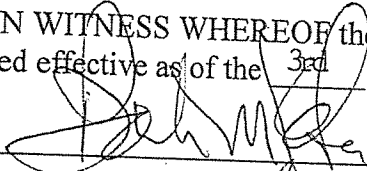
F. Successors and Assigns. The benefits and burdens of this mortgage deed shall inure to and be binding upon the successors, personal representatives, heirs, and assigns of the Borrowers and the Lender.

This Mortgage is upon the STATUTORY CONDITION and upon the further condition that all covenants and agreements on the part of the Mortgagor herein undertaken shall be fully and seasonably performed and that no breach of any other of the conditions specified herein shall be permitted for any breach of which the Mortgagee shall have the remedies provided by law, and as provided herein. Without limiting the foregoing, if the Mortgagor is a corporation, partnership,

limited liability partnership, limited liability company or trustee of a trust, said remedies shall specifically include the power known as the Statutory Power of Sale provided in Maine Revised Statutes, Title 33, Section 501-A and Title 14, Section 6203-A, as same may be amended hereafter, which is incorporated herein by reference. If the Mortgagor is a trustee of a trust, then the real estate encumbered by this Mortgage is not used exclusively for residential purposes, the real estate has more than four residential units, or none of the residential units is the principal residence of the owner or of at least one-half of the beneficial interest in the trust. No remedy herein conferred on the Mortgagee is intended to be exclusive of any other remedy and each and every remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing. The failure to exercise any right or remedy shall in no event be construed as a waiver or release thereof. Any failure by the Mortgagee to insist upon strict performance by the Mortgagor of any of the terms or provisions of this Mortgage shall not be deemed to be a waiver of any terms or provisions of this Mortgage and the Mortgagee shall have the right thereafter to insist upon strict performance by the Mortgagor of any and all of such terms and provisions. No determination that any obligation or portion of this Mortgage and Security Agreement is invalid or unenforceable under law shall affect in any way the validity and enforce-ability of any other obligations or portions hereof. The covenants and agreements herein contained shall bind, and the benefits and advantages thereof, shall inure to, the respective heirs, executors, administrators, successors, and assigns of the Mortgagor and the Mortgagee.

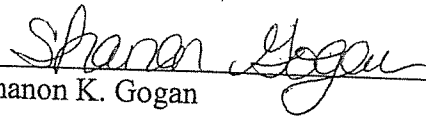
IN WITNESS WHEREOF the Borrowers have caused this mortgage deed to be signed and sealed effective as of the 3rd day of May, 2018.

Witness



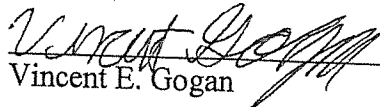
 to both

Shanon K. Gogan



Witness

Vincent E. Gogan



STATE OF MAINE
 COUNTY OF ANDROSCOGGIN

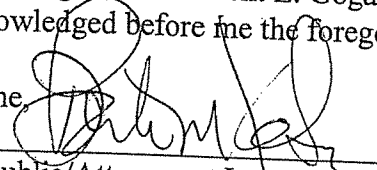
Then personally appeared the above named Shanon K. Gogan and Vincent E. Gogan known to me, this 3rd day of May, 2018 and acknowledged before me the foregoing instrument to be their free act and deed.

Before me,

Notary Public/Attorney at Law

Print Name: _____

My Commission Expires: _____



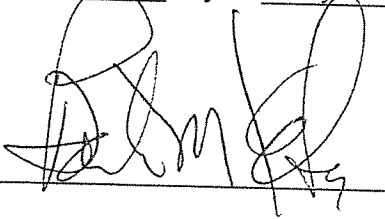
DLN 1001840025530

**Maine Short Form Warranty Deed
(197 Turner Street, Auburn, Maine)**

VIRTUAL COMMERCE, INC., a New Hampshire corporation, with a principal place of business in North Conway, New Hampshire, for consideration paid, grants to **SHANON K. GOGAN** and **VINCENT E. GOGAN**, whose mailing address is 560 Sabattus Street, Sabattus, Maine 04280, as joint tenants, with **WARRANTY COVENANTS**, a certain lot or parcel of land situated in Auburn, County of Androscoggin, Maine, being further described in the attached Exhibit A.

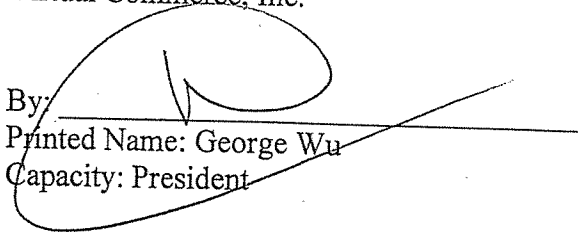
The premises are conveyed subject to any easements and restrictions of record, and this deed includes all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

IN WITNESS whereof, Virtual Commerce, Inc. has caused this instrument to be executed in its corporate name and on its behalf by George Wu, in his capacity as President, thereunto duly authorized, this 3rd day of May, 2018.



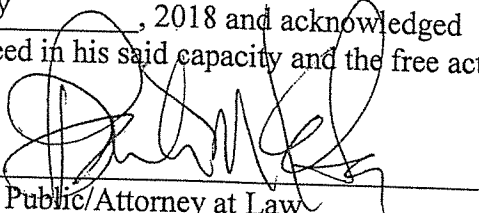
Witness

Virtual Commerce, Inc.

By: 
Printed Name: George Wu
Capacity: President

STATE OF MAINE
County of ANDROSCOGGIN, SS.

Then personally appeared the above named George Wu, in his capacity as President of Virtual Commerce, Inc., known to me, this 3rd day of May, 2018 and acknowledged before me the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Virtual Commerce, Inc.



Notary Public/Attorney at Law
Name:

My commission expires:

O:\Androtc\WPDOCS\DIANA\2018\18-0400\18-0431 Warranty Deed.docx

BARTON M. KELSEA
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES
AUGUST 28, 2023

EXHIBIT A
(197 TURNER STREET, AUBURN, MAINE)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, SITUATED IN AUBURN, ANDROSCOGGIN COUNTY AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EASTERLY LINE OF TURNER STREET AT THE SOUTHWESTERLY CORNER OF LAND CONVEYED BY THE FRANKLIN COMPANY TO SAMUEL F. HASKELL BY DEED NUMBER 1039, DATED DECEMBER 15, 1894;

THENCE RUNNING EASTERLY BY THE SOUTHERLY LINE OF SAID HASKELL LAND AND SAID LINE EXTENDED TWO HUNDRED (200) FEET;

THENCE SOUTHERLY AT A RIGHT ANGLE, ONE HUNDRED (100) FEET;

THENCE WESTERLY AT A RIGHT ANGLE, TWO HUNDRED (200) FEET TO TURNER STREET;

THENCE NORTHERLY BY THE EASTERLY LINE OF TURNER STREET ONE HUNDRED (100) FEET TO THE POINT OF BEGINNING.

BEING THE SAME PREMISES AS CONVEYED TO VIRTUAL COMMERCE, INC. BY WARRANTY DEED FROM NESSIM OHAYON DATED NOVEMBER 18, 2011 AND RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 8288, PAGE 71.

NOT AN OFFICIAL COPY
NOT AN OFFICIAL COPY
DLN 1001840025530

NOT AN OFFICIAL COPY
Maine Short Form Warranty Deed
(197 Turner Street, Auburn, Maine)

VIRTUAL COMMERCE, INC., a New Hampshire corporation, with a principal place of

business in North Conway, New Hampshire, for consideration paid, grants to **SHANON K. GOGAN** and **VINCENT E. GOGAN**, whose mailing address is 560 Sabattus Street, Sabattus, Maine 04280, as joint tenants, with **WARRANTY COVENANTS**, a certain lot or parcel of land situated in Auburn, County of Androscoggin, Maine, being further described in the attached Exhibit A.

The premises are conveyed subject to any easements and restrictions of record, and this deed includes all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

IN WITNESS whereof, Virtual Commerce, Inc. has caused this instrument to be executed in its corporate name and on its behalf by George Wu, in his capacity as President, thereunto duly authorized, this 3rd day of May 2018.

Witness

Virtual Commerce, Inc.

By:
Printed Name: George Wu
Capacity: President

STATE OF MAINE
County of ANDROSCOGGIN, SS.

Then personally appeared the above named George Wu, in his capacity as President of Virtual Commerce, Inc., known to me, this 3rd day of May, 2018 and acknowledged before me the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Virtual Commerce, Inc.

Notary Public/Attorney at Law

Name:

My commission expires:

Zoning Approval or Disapproval

Date: 5/18/2018

PID # 251-022

Address: 197 TURNER ST

Owner: _____

Zoning District: GENERAL BUS.

Proposed Use: STORE / RETAIL

Comments: _____

Required Setbacks: Front 25 Rear 35 Sides 25

Comments: Setbacks are met

Shoreland Zone: Yes _____ No X

Flood Plain Zone: Yes _____ No X Flood Map # _____

Comments: _____

Parking Acceptable: Yes X No _____ # of req. spaces: 5

Does it meet green space requirements: Yes X No _____

Comments: _____

Planning Board Approval Required: Yes _____ No X

Approved X Denied _____ Date: _____

Upon review of project, it appears that the zoning requirements:

Have been met X Have not been met _____

Comments: _____

Zoning Representative: (signature) Zach Nash



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

Excavation PERMIT

Permit No: EXC-12284-2018

Work Class: Private Property
 Status: Issued

Expiration Date: 07/14/2018

Permit Information

Job Address	Parcel:	251022000	Square Feet:	0
197 TURNER ST AUBURN, ME 04210	District:	City of Auburn	Valuation:	\$0.00
	Issue Date:	5/15/2018		

Description of Work

tree and stump removal and install gravel pad

Additional Info

Contacts

Type	Contact Name	Address	Business Phone
Applicant	Mid Maine Construction		
Owner	Shanon and Vincent Gogan	560 Sabattus RD Sabattus, ME United States	240-7307

Contractors

Permit Conditions

Fees Due

Fees Paid

Inspections

IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

1. The City's approved plans and permit inspection card must remain on the job site for use by City inspection personnel.

Date: 5/15/2018

Approved By: _____

PLUMBING APPLICATION

PL-12288-2018

PID: 251022000

PROPERTY ADDRESS

Town or Plantation _____ City of Auburn
 Street _____ 197 TURNER ST
 Subdivision Lot # _____ AUBURN, ME United States 04210

Town/City: Auburn Permit Date Issued: 05/16/2018
 Permit Number: _____
 Fee Total: \$40.00 Double Fee Charged?
 Local Plumbing Inspector Signature _____ L.P.I. Number _____

PROPERTY OWNERS NAME

Shanon and Vincent Gogan

Applicant Name: Ron Theriault
 Mailing Address of Owner/Applicant (If Different) _____

Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Signature of Owner/Applicant _____ Date _____ Local Plumbing Inspector Signature _____ Date Approved _____

PERMIT INFORMATION

- | | | |
|---|--|--|
| <p>This Application is for</p> <p>1. <input type="checkbox"/> NEW PLUMBING</p> <p>2. <input type="checkbox"/> RELOCATED PLUMBING</p> | <p>Type of Structure To Be Served:</p> <p>1. <input type="checkbox"/> SINGLE FAMILY DWELLING</p> <p>2. <input type="checkbox"/> MODULAR OR MOBILE HOME</p> <p>3. <input type="checkbox"/> MULTIPLE FAMILY DWELLING</p> <p>4. <input type="checkbox"/> OTHER - SPECIFY _____</p> | <p>Plumbing To Be Installed By:</p> <p>1. <input type="checkbox"/> MASTER PLUMBER</p> <p>2. <input type="checkbox"/> OIL BURNERMAN</p> <p>3. <input type="checkbox"/> MFG'D. HOUSING DEALER/MECHANIC</p> <p>4. <input type="checkbox"/> PUBLIC UTILITY EMPLOYEE</p> <p>5. <input type="checkbox"/> PROPERTY OWNER</p> |
|---|--|--|

LICENSE # 2155

Hook-Up & Piping Relocation Maximum of 1 Hook-Up	Column 2 Number Type of Fixture	Column 1 Number Type of Fixture
<p>HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District.</p> <p style="text-align: center;">OR</p> <p>HOOK-UP: to an existing subsurface wastewater disposal system.</p> <p>1 PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.</p> <p style="text-align: center;">OR</p> <p style="text-align: center;">TRANSFER FEE [\$6.00]</p>	0 Hosebib / Sillcock	0 Bathtub (and Shower)
	0 Floor Drain	0 Shower (Separate)
	0 Urinal	0 Sink
	0 Drinking Fountain	0 Wash Basin
	0 Indirect Waste	0 Water Closet (Toilet)
	0 Water Treatment Softener, Filter, etc.	0 Clothes Washer
	0 Grease / Oil Separator	0 Dish Washer
	0 Roof Drain	0 Garbage Disposal
	0 Bidet	0 Laundry Tub
	0 Other:	0 Water Heater
0 Fixtures (Subtotal) Column 2	0 Fixtures (Subtotal) Column 1	
	0 Fixtures (Subtotal) Column 2	
	0 Total Fixtures	
	0 Fixture Fee	
	0 Transfer Fee	
	\$40.00 Hook-Up & Relocation Fee	
	\$40.00 Permit Fee (Total)	



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

Fill PERMIT

Permit No: FL-12283-2018

Work Class: Private Property
Status: Issued

Expiration Date: 05/23/2019

Permit Information

Job Address 197 TURNER ST AUBURN, ME 04210	Parcel:	251022000	Square Feet:	0
	District:	City of Auburn	Valuation:	\$0.00
	Issue Date:	5/23/2018		

Description of Work

trying to clean up a steep slope for future building addition

Additional Info

Project Area: Steep Slope wetland or great pond?: No Proposed Use: Clean up and level out slope Larger than One Acre: No Stabilization Measures: Loam & Seed Within 75 feet of a drainage course,

Contacts

Type	Contact Name	Address	Business Phone
Owner	Shanon and Vincent Gogan	560 Sabattus RD Sabattus, ME United States	240-7307

Contractors

Type	Contact Name	Address	Business Phone
Contractor	Mid Maine Construction		

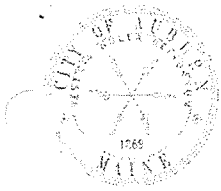
Permit Conditions

Fees Due	Invoice Number: 11224	
	Fill Permit	\$25.00
	Invoice Total:	\$25.00

Fees Paid	Invoice Number: 11224	
	Check 332	
	Fill Permit	\$25.00
Invoice Fees Paid:		\$25.00

Inspections	

Fill permits expire one year after the approved date. All permanent stabilization measures must be in place prior to the expiration of the permit. Fill permits can be renewed upon request and review prior to their expiration date. Additional fill areas will require new applications.
 All fill material shall be inert fill defined as: clean soil material, rocks, bricks, and cured concrete which are not mixed with other solid or liquid waste, and which are not derived from an ore mining activity. Stumps, trees and brush may be utilized if they originate from the same parcel and if the fill area is less than one acre. Pavement is not an inert fill material.
 Existing drainage of streets and abutting property must remain unaffected. Existing drainage structures and patterns shall not be changed nor altered unless approved by the City Engineer.
 All filling, including side slopes, must not extend beyond the approved fill area. Side slopes must be graded no steeper than 2.5 horizontal to 1 vertical, anticipating any final settlement or slumping.
 Temporary erosion control methods, to prevent disturbed soils from leaving the approved fill area, should be placed prior to the filling operation and maintained until the site is stabilized.
 All applicable Federal and State and Local permits need to be secured prior to any fill placement. All applicable Federal, State and Local regulations must be complied with.



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

Permit No: EL-12318-2018

Work Class: Commercial
Status: Issued

Expiration Date: 05/24/2019

Permit Information

Job Address	Parcel:	251022000	Square Feet:	0
197 TURNER ST AUBURN, ME 04210	District:	City of Auburn	Valuation:	\$ 0.00
	Issue Date:	5/24/2018		

Description of Work:

30 New wire openings and 1 240v

Additional Info

Dwelling 1 & 2, Multi-Family (incls. service): 0.00 Manufactured Homes (incls. service): 0.00 Temp/Feeder: 0.00 Wiring Openings: 0.00
 Emergency Lighting Systems: 0.00 Equipment: 0.00 Additional Meters: 0.00 Additional Feeder: 0.00 Equipment: 0.00 Additional
 Meters: 0.00 Additional Feeder: 0.00 Electric Heat: 0.00 Gas, Oil or Other: 0.00 Fire & Burglar Alarm Outlets: 0.00 Computer, phone,
 cable, dish, sound, etc.: 0.00 Permanent: 0.00 Temporary: 0.00 Enter Amps: 0.00 120 Volts Openings: 0.00 240 Volts Openings: 0.00
 Enter HP: 0.00 Pump Motors: 0.00 Inground: 0.00 Above Ground: 0.00 Spas/Sauna/Hydrobath Tubs: 0.00

Contacts

Type	Contact Name	Address	Business Phone
Owner	Shanon and Vincent Gogan	560 Sabattus RD Sabattus, ME United States	240-7307

Contractors

Type	Contact Name	Address	Business Phone
Contractor	Integrated Electrical Services, Inc	3 Galina Lane Lewiston, ME 04240	

Permit Conditions

Fees Due	Invoice Number: 11263	
	Elec Wiring Openings	\$15.00
	Electrical 240v Fixed Equipment	\$27.00
	Invoice Total:	\$42.00

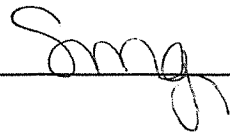
Fees Paid	Invoice Number: 11263	
	Credit Card	
	Electrical 240v Fixed Equipment	\$27.00
	Elec Wiring Openings	\$15.00
		\$42.00
Invoice Fees Paid:	\$42.00	

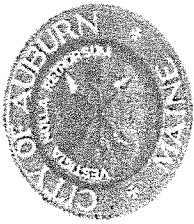
Inspections	

IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

- The City's approved plans and permit inspection card must remain on the job site for use by City inspection personnel.

Date: 5/24/2018

Approved By: 



City of Auburn Electrical Permit Application

Permit #:

EL-1231820

Location of Work:

197 Turner St.

Owner's Name:

Warry Coogan - Lea Peaces

Fee:

42

Email address to send issued permit: IESelectricians@gmail.com

Residential Min Fee \$32.00

Commercial Min Fee \$42.00

All electrical work shall conform to the National Electrical Code adopted on the issuance date of the permit.

RELATED FEE: Fee for electrical work undertaken prior to the issuance of the appropriate electrical permit. **First offense** per calendar year-\$200.00. **Second or additional offenses** per calendar year double to a max of \$1600.00 per offense

A 48 HOUR NOTICE IS REQUIRED FOR ANY NON-EMERGENCY APPOINTMENT

THE INSTALLER IS RESPONSIBLE FOR SCHEDULING APPOINTMENTS

CONTRACTOR INFORMATION

Contractor Name: Home Owner

Todd Perreault
Integrated Electrical Services, Inc.

Contractor Address:

3 Galina Lane
Lewiston, ME 04240

Email Address:

IESelectricians@gmail.com

License #:

MS60020531

Telephone #:

576-320

207-577-6338

Cell #:

Per Unit	# of Units	Fee
\$150		
\$12		
\$15	<i>30</i>	<i>15</i>
\$20		
\$0.50		
\$5		
\$10	<i>1</i>	<i>10</i>
\$37		
\$12		
\$3		
\$10		
\$8		
\$12		
\$18		
\$2		

Per Unit	# of Units	Fee
\$18		
\$24		
\$30		

Private inspection / report	1 - 10	11 - 30	31 - 60	60+
Outlet Openings				
ie. Luminaries, receptacles, switches, detectors, etc...				
Appliances / Fixed Equip	120 VAC			
Spas / Saunas / Hydrobath Tubs	240 VAC			
Heating Equipment - Gas, Oil, Other				
Electric heat per KW				
Pump Motors-Fuel, Sewer, Water, etc				
Motors HP	Motors up to 5 HP			
	6 - 10 HP			
	11 - 25 HP			
	each additional 5 HP			
Transformers / Generators KVA/				
Transfer Equipment	1 - 10 KVA			
	11 - 25 KVA			
	25+ KVA			

Alarm Systems / L.V. Equip	per unit	Fee
Copper or Fiber	Fire / Burglar	\$18
Data, Phone, CATV, Satellite, misc. L.V.		\$18
EM Lighting Systems	additional .50 per outlet over 10	\$0.50
Service Request		\$7
	Service Inspection	
	General Inspection	
	Final Inspection	

Per Unit	# of Units	Fee
\$58		
\$42		
\$40		
\$50		
\$25		
\$12		
\$7		
\$7		
\$7		
\$10		
\$30		
\$7		
\$7		
\$10		
\$50		
\$100		

Temporary sign	per unit	Fee
Permanent sign		\$15
		\$25
		\$40
		\$250

Dwellings	per unit (includes service)	Fee
Manufact Home(s) per unit (includes service)		
Swimming Pools	Above ground	
	Inground	
Service Equipment / Feeder Panels	Temporary service or feeder	
Single Phase Equipment	Up to 100 amps	
	each additional 100 amps or fraction of	
	each additional meter	
	each feeder panel up to 100 amps	
	additional panels 100 amps or fraction of	
Three Phase Panels / Feeders	Up to 100 amps	
	each additional 100 amps or fraction of	
	each additional meter	
	each feeder panel up to 100 amps	
	additional feeder panels 100 amps or fraction of	
Special Events-Mass Gatherings - up to 400 amps		
	400+ amps	

Signs	per unit	Fee
Temporary sign		\$15
Permanent sign		\$25
		\$40
		\$250

Special Agency Inspection	per unit	Fee
Early Industrial Permits		
Inspection Information		
	<input type="radio"/> Rough In	<input type="radio"/> Active
	<input type="radio"/> Final	<input type="radio"/> Closed
Inspector Notes		
Date:		
Remarks:		

Work will commence on:	Ready for Inspection on:	Anticipated comp. date:

Permit Issued By:



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

Permit No: SI-12303-2018

Work Class: Permanent
Status: Issued

Expiration Date: 11/25/2018

Sign
PERMIT

FOR ELECTRIFIED SIGNS: Sign Permits are NOT valid until an Electrical Permit has been obtained by a licensed Electrician.

Permit Information			
Job Address	Parcel:	251022000	Square Feet: 76
197 TURNER ST AUBURN, ME 04210	District:	City of Auburn	Valuation: \$ 1,500.00
	Issue Date:	5/29/2018	

Description of Work
 2 new ground sign faces

Additional Info
 Number of Signs: 2.00

Contacts			
Type	Contact Name	Address	Business Phone
Owner	Shanon and Vincent Gogan	560 Sabattus RD Sabattus, ME United States	240-7307

Contractors			
Type	Contact Name	Address	Business Phone
Contractor	The Sign Store	325 Center ST Auburn, ME 04210	207-786-3500

Permit Conditions

Fees Due	Invoice Number: 11245	
	Sign SqFt Fee	\$38.00
	Sign Fee	\$50.00
	Invoice Total:	\$88.00

Fees Paid	Invoice Number: 11245	
	Cash	
	Sign Fee	\$50.00
	Sign SqFt Fee	\$38.00
		\$88.00
	Invoice Fees Paid:	\$88.00

Inspections

IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

- The City's approved plans and permit inspection card must remain on the job site for use by City inspection personnel.

5/29/2018

Approved By:



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

RECEIPT

BILL TO:

Shanon and Vincent Gogan
 560 Sabattus RD
 Sabattus, ME United States

Receipt Number: TRC-011807-21-05-2018

Date: 05/21/2018

Amount

PRIMARY FEES

Invoice Number: 11245

Sign SqFt Fee	\$38.00
Sign Fee	\$50.00

PAYMENTS RECEIVED

Date	Payment Method	Amount Received
05/21/2018	Cash	\$88.00
	Total Payment	\$88.00
	Change Due	\$0.00



<< Quote >>

Order Id

048862

Phone (207) 240-7307

Fax

E-mail



The Sign Store & Flag Center
325 Center Street
Auburn, ME, 04210- USA
Phone: (207)-784-4515 Fax: (207)-786-7269
www.signstor.com
sales@signstor.com

Table with Quote Date (5/22/2018), SalesRep (AARON), Terms Code (50 DEP/BAL COD), and Cust Id (GOGAN001)

Table with Job Name (Roadside sign)

Table with Phone (207) 240-7307 and Cell

SOLD TO GOGAN, VINCENT
AUBURN, ME USA

SHIP TO GOGAN, VINCENT
AUBURN, ME USA

Table header with columns: Item ID, Qty, Unit Price, Extended Price

Table row 1: Lexan .177 (3/16") Qty 2 Unit Price \$232.97 Extended Price \$465.94

Table row 2: Lexan .177 (3/16") Qty 2 Unit Price \$449.35 Extended Price \$898.70

Table row 3: LABOR Qty 2 Unit Price \$75.00 Extended Price \$150.00

1.GUARANTY Each sign is guaranteed for a period of 180 days after completion against defective workmanship and materials. 2. COMPLETION AND PERFORMANCE: SELLER shall commence the construction of the sign and prosecute the work thereon with due diligence until completion. Reference completion date is approximate only. All obligations to be performed by the SELLER hereunder shall be subject to delay or failure resulting from riot, war, fire, labor disputes, unforeseen commercial delays, acts of God, laws, regulations or restriction of governmental or public authorities, accidents, forces, conditions or circumstances, whether or not similar to the foregoing, beyond its reasonable control. 3. TERMS OF PAYMENT A fifty percent (50%) deposit is required with contract, balance due upon completion. Any invoices more than 30 days overdue are subject to a service charge of one and one-half percent per month interest on the unpaid balance. In the event that this bill is referred for collection, it shall be subject to a twenty percent attorney's fee charge. 4. TAXES The amount of any present or future sales, license, excise, or other tax, Federal, State, or Local, which may now or hereafter be Assessed against the SELLER, or the PURCHASER, for services or materials covered by this contract, or against such services, shall be paid by the PURCHASER, to the SELLER, upon demand by the SELLER, as an additional charge over and above the price as set forth in this contract.

Signature _____ Date: _____

Table with OrderTotal \$1,589.70

Summary table with columns: Taxable (\$1,364.64), NonTaxable (\$150.00), SalesTax (\$75.06), Freight (\$0.00), Misc (\$0.00), OrderTotal (\$1,589.70)

RECEIPT

DATE 5.23.18 No. 928322

RECEIVED FROM Legal Peaces \$ 4.00

Four dollars ⁰⁰/₁₀₀ DOLLARS

FOR RENT
 FOR Sign Permit @ 197 Turner St.

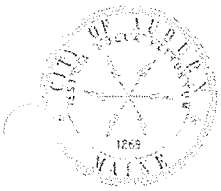
ACCOUNT	
PAYMENT	<u>4.00</u>
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____

BY R. Paul

3-11



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

**Electrical
PERMIT**

Permit No: EL-12291-2018

Work Class: Commercial
Status: Issued

Expiration Date: 05/16/2019

Permit Information

Job Address	Parcel:	251022000	Square Feet:	0
197 TURNER ST AUBURN, ME 04210	District:	City of Auburn	Valuation:	\$ 0.00
	Issue Date:	5/16/2018		

Description of Work:

Installing new gas furnace/thermostat (low voltage)

Additional Info

Dwelling 1 & 2, Multi-Family (incls. service): 0.00 Manufactured Homes (incls. service): 0.00 Temp/Feeder: 0.00 Wiring Openings: 0.00
 Emergency Lighting Systems: 0.00 Equipment: 0.00 Additional Meters: 0.00 Additional Feeder: 0.00 Equipment: 0.00 Additional
 Meters: 0.00 Additional Feeder: 0.00 Electric Heat: 0.00 Gas, Oil or Other: 0.00 Fire & Burglar Alarm Outlets: 0.00 Computer, phone,
 cable, dish, sound, etc.: 0.00 Permanent: 0.00 Temporary: 0.00 Enter Amps: 0.00 120 Volts Openings: 0.00 240 Volts Openings: 0.00
 Enter HP: 0.00 Pump Motors: 0.00 Inground: 0.00 Above Ground: 0.00 Spas/Sauna/Hydrobath Tubs: 0.00

Contacts

Type	Contact Name	Address	Business Phone
Owner	Shanon and Vincent Gogan	560 Sabattus RD Sabattus, ME United States	240-7307

Contractors

Type	Contact Name	Address	Business Phone
Contractor			2077379745

Permit Conditions

Fees Due	Invoice Number: 11232	
	Electrical Commercial	\$42.00
	Minimum Fee	
	Invoice Total:	\$42.00

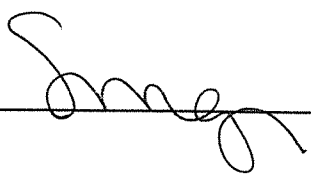
Fees Paid	Invoice Number: 11232	
	Credit Card	
	Electrical Commercial	\$42.00
	Minimum Fee	\$42.00
	Invoice Fees Paid:	\$42.00

Inspections	
--------------------	--

IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

- The City's approved plans and permit inspection card must remain on the job site for use by City inspection personnel.

Date: 5/16/2018

Approved By: 

SH Wu

~~Residential~~ Contract for Sale / Purchase

Property Address: 197 Turner Street Auburn, Maine (Parcel ID: 251-022) Androscoggin County

Buyer's full legal names: Shanon Gogan and ~~Victor~~ Vincent Gogan

Purchaser's address: 560 Sabattus Road Sabattus, ME 04280

Email: shanongogan@aol.com

Seller's full legal names: Virtual Commerce Inc

Sellers address: 1857 White Mountain Highway #181 North Conway, NH 03860

Email: wuchowasa@gmail.com

1. Purchase Price \$170,000.00 with seller financing.
 - A. Financing: Both options include 14% APR. 24 months with balloon or 60 months mortgage. If buyer pays off mortgage early all future interest still apply.
2. \$2000 deposit
3. Closing on or before 05/01/18
4. This is an AS-IS property. The property is being offered in its present condition with no warranties from the sellers. Sellers recommend property inspection, title warranty, etc.
5. 10% Bank Closing Fee

I / We understand that by signing this letter, I am making an offer to purchase the above-named property. Acceptance of an offer is not finalized until both parties execute the above-mentioned documentation.

Signed:

Shanon Gogan

Shanon Gogan

Date: 4-14-18

Vincent Gogan

[Signature]

Date:

[Signature]

4-14-18

OFFER ACCEPTED:

Virtual Commerce Inc

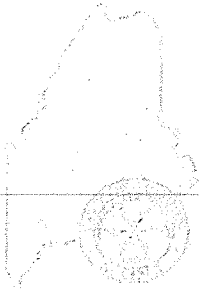
[Signature]

George Wu

President of Virtual Commerce Inc

Date:

04/14/18



City of Auburn, Maine

"Maine's City of Opportunity"

Office of the City Clerk

Certificate of Sole Proprietor Adopting Name Other Than His/Her Own

The undersigned hereby certifies that he/she intends to engage in the _____

Smoke Shop business as sole proprietor thereof,
(type of business)

and to adopt the name, Legal Peaces style, and designation in the
(name of business)

conduct of said business.

Vincent Gogan
Name (printed)

560 Sabattus Road Sabattus Me
Residence address 04280

Vincent Gogan
Signature

"Same"
Mailing address

207-240-7307
Phone number

120 Center Street Suite 107
Business Address

Fee: \$10.00

State of Maine
Andrew Gogan ss

Date: 12-4-17

Personally appeared before me the above signed Vincent Gogan
and made oath to the truth of the above certificate on this 4th day of December,
2017.

Kelsey L. Gault
Notary Public/Attorney at Law

City of Auburn, Maine
"Maine's City of Opportunity"
Office of the City Clerk

CERTIFICATE OF SOLE PROPRIETOR ADOPTING A NAME OTHER THAN OWN
(Title 31 M. R. S. A. Section 2)

The undersigned hereby certifies that (s)he intends to engage in the
Small Shop business, as sole proprietor thereof, and to
(type of business)

adopt the name, style or designation of Legal Place
(name of business)
in the conduct of said business.

Vincent Gagan
Printed Name of Proprietor

[Signature]
Signature of Proprietor (signature must be witnessed by
a Notary Public or attorney)

5600 Sabattus Rd
Home Address Sabattus me
Zip Code 04280

197 Turner Street Auburn
Business Location Address (cannot be a PO Box)
(MUST be in Auburn) Zip Code 04210

207-240-7307
Home (or Cell) Phone Number

207-240-7307
Business Phone Number

Sharon.gagan@aol.com
Email

www. N/A
Business Website

BELOW INFORMATION MUST BE COMPLETED BY A NOTARY PUBLIC OR ATTORNEY

STATE OF MAINE

Androscoggin County, SS.

May 29th A.D. 2018

Then Vincent Gagan, personally appeared and made oath
to the foregoing certificate that the same is true.

Before me,

[Signature]
Attorney of
Notary Public (Commission Expires 10-13-21)

Note: This certificate shall be deposited in the City of Auburn Office of the Clerk in which the business is to be carried on. The City Clerk's Office is entitled to a fee of TEN dollars (\$10.00) for recording this certificate.

City of Auburn Business License



MAILING ADDRESS

Molly Watson
52 Summer St
Lisbon Falls, ME 04252

LOCATION:

Molly Watson
120 Center St. Suite #107
Auburn, ME 04210

Massage Establishment

Limits (if any):

Special Restrictions:

Total Fees: \$150⁰⁰

Effective Date

April 5, 2018

Expiration Date

April 30, 2019

License Number

BL001853-03-2018

Owner:

Molly Watson

Manager(s):

This license is granted subject to strict observance of all laws, ordinances, and regulations enacted for the protection of the City of Auburn so far as they may apply and is to continue in force until the license expires unless sooner revoked. A State license may also be required.



City Clerk

**THIS LICENSE MUST BE DISPLAYED AT ALL TIMES
IT IS NOT TRANSFERABLE OR ASSIGNABLE**

City Clerk's Office - 60 Court St - Auburn, Maine 04210 - Telephone (207) 333-6601

Police: OK 3/13
Fire: OK 3/13
Code: OC 414
Tax: see tax acct

Business License Application
Massage Establishment

City of Auburn

Application Date: 03-02-18 Planned Opening Date: ASAP

New Renewal Fee: \$ 150.00 Establishment/Therapist

Applicant Information

Last Name: ~~WATSON~~ WATSON First Name: ~~MOLLY~~ MOLLY MI: E

Maiden Name/Alias (aka): _____

Date of Birth: 09-27-93 Phone: 207-212-7593

Email: mollywatson.mt@gmail.com

Home Street Address: 29 vale st.

City: LEWISTON State: ME Zip: 04240

Mailing Address: 52 Summer St.

City: LEWISTON Falls State: ME Zip: 04252

Business Information

Business Name: MOLLY WATSON, LMT, CPP, CH.

Corporation or LLC in the State of Maine: Yes No

Physical Location: 120 center st #107 Auburn, ME

Mailing Address: 52 Summer St.

City: LEWISTON Falls State: ME Zip: 04252

Business Phone: (207)212-7593 Email/Web site: mollywatson.mt@gmail.com

Background Information

List all residences within the last ten years:

If additional space needed use a back of application.

Address: ^{3710 Oroblanco Drive} Colorado Springs City: Colorado Springs State: CO
How long? 11 months

Address: 52 Summer St City: Watson Falls State: ME
How long? 3 years

Address: 29 Vale St. City: Lewiston State: ME
How long? 1 year

Address: _____ City: _____ State: _____
How long? _____

Address: _____ City: _____ State: _____
How long? _____

Address: _____ City: _____ State: _____
How long? _____

Have you ever been charged and/or convicted of any violation of the law, other than minor traffic violations, within the past ten years? Yes No

If yes, complete below. If additional space needed use a back of application.

Offense: _____ Date of Conviction: _____

Disposition: _____ Court Location: _____

Offense: _____ Date of Conviction: _____

Disposition: _____ Court Location: _____

Offense: _____ Date of Conviction: _____

Disposition: _____ Court Location: _____

Offense: _____ Date of Conviction: _____

Disposition: _____ Court Location: _____

Chapter 14-Business Licenses & Permits-Article XII Sec.14-375(a)6 Application and Information Each applicant for a license shall provide a copy of a criminal background check dated not more than 3 days prior to submission of application. You can do it yourself on-line by going to the following site, <http://www5.informe.org/online/pcr/> or we can do the background check for you for an additional fee.

Chapter 14-Business Licenses & Permits-Article XII Sec.14-375b Application and Information The application shall be accompanied by a photograph, in duplicate, of the applicant, which meets specifications for a passport photograph and is current within 30 days annually. Along with a copy of a government issued identification.

Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer. Please allow at least 3 weeks for this process.

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

READ CAREFULLY BEFORE SIGNING

I hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

Signature: _____



Date: _____

03-02-13

City of Auburn Business License



MAILING ADDRESS

Molly Watson
52 Summer St
Lisbon Falls, ME 04252

LOCATION:

Molly Watson
120 Center St. Suite #107
Auburn, ME 04210

Massage Establishment

Limits (if any):

Special Restrictions:

Total Fees: \$150 --

Effective Date

April 5, 2018

Expiration Date

April 30, 2019

License Number

BL001853-03-2018

Owner:

Molly Watson

Manager(s):

This license is granted subject to strict observance of all laws, ordinances, and regulations enacted for the protection of the City of Auburn so far as they may apply and is to continue in force until the license expires unless sooner revoked. A State license may also be required.



City Clerk

**THIS LICENSE MUST BE DISPLAYED AT ALL TIMES
IT IS NOT TRANSFERABLE OR ASSIGNABLE**

City Clerk's Office - 60 Court St - Auburn, Maine 04210 - Telephone (207) 333-6601



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

MOLLY E WATSON
52 SUMMER ST
LISBON FALLS, ME 04252

Transaction Response #: MIQ99D524493

Criminal History Record

Introduction

This criminal history record was produced in response to the following request
(Produced on 2018-03-10) :

Inquiries Name(s) MOLLY E WATSON (1993-09-27)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

MOLLY E WATSON
52 SUMMER ST
LISBON FALLS, ME 04252

Transaction Response #: MIQ99D524492

Criminal History Record

Introduction

This criminal history record was produced in response to the following request
(Produced on 2018-03-10) :

Inquiries Name(s) MOLLY E PHILBROOK (1993-09-27)

NO MATCH WAS FOUND FOR YOUR REQUEST.

FEB 06 2018

Police:
Fire:
Code:
Tax

CITY OF AUBURN
FSE/ON OR OFF PREMISE (Prepackaged Only)
APPLICATION

Application pulled by
Owner.
moving locations -
not doing pre-pack

New Application Renewal Application Expiration date _____

License applied for FSE/On or Off Premise (Prepackaged Only)

List changes from last license _____

Business Hours of operation 9-9 7 days a week Sq Footage 1,500

Fee \$ 150.00 (Based on square footage and type of service)

FEE:

- 1-2999 square feet \$150.00
- 3000-5999 square feet \$200.00
- 6000 + square feet \$250.00

Please attach a copy of all state licenses applicable

ALL QUESTIONS MUST BE ANSWERED IN FULL
(Use back of application if necessary)

BUSINESS

APPLICANT

Business name Legal Places Owner's name Vincent Gogan

Business address 120 Center Street Suite #107 Maiden name/ A/K/A —

City Auburn State me Zip 04280 Date of birth 9-8-87

Mailing address 560 Sabattus Rd Home address 560 Sabattus Rd

City Sabattus State me Zip 04280 City Sabattus State me Zip 04280

Business phone 207-240-7307 Mailing address ''

Email Shanongogan@aol.com City '' State '' Zip ''

Please indicate address to mail license: Business / Applicant Home phone 207-240-7307

Is applicant a corporation or LLC in the State of Maine? Yes _____ No _____
(If answer is "Yes", complete Supplementary Questionnaire for Corporate Applicants)

60 Court Street • Suite 150 • Auburn, ME 04210
(207) 333-6600 Voice • (207) 333-6601 Automated • (207) 333-6623 Fax

www.auburnmaine.gov

List all residences, including all places of business, within the last 5 years:

Address 5100 Sabattus Rd city Sabattus State ME How long 4 1/2 yrs
 Address 1796 Minot Ave city Auburn State ME How long 7 months
 Address 19 Stevens Mill Park Rd city Auburn State ME How long 1 yr

Has applicant(s) ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes No (If yes, complete the following)

Name _____ Date of conviction _____
 Offense _____ Location _____
 Disposition _____

If manager is to be employed, complete the following:

N/A
 Name _____ Home address _____ Phone _____ Date of birth _____

Has manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 year? Yes No (If yes, complete the following)

Name _____ Date of conviction _____
 Disposition _____ Location _____

Does applicant(s) own the premises? Yes No (If "No", give name and address of owner)

Name _____ Address _____
 Phone Number _____ Email _____

Criminal record and/or revocation of driver's license (include driving violations) during the last 5 years:

<u>Date</u>	<u>Charge</u>	<u>Court</u>	<u>Disposition</u>
<u>NONE - N/A</u>			

THE OMISSION OF FACTS OR ANY MISREPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.



60 Court Street
Auburn, Maine 04210
Tel: (207) 333-6601 ext. 1158
Fax: (207) 333-6625

RECEIPT

BILL TO:

Vincent and Shanon Gogan
Legal Peaces
560 Sabattus Road
Sabattus, ME 04280

Receipt Number: TRC-011368-07-02-2018

Date: 02/07/2018

Amount**PRIMARY FEES**

Invoice Number: 10812

Food Establishment On or Off Premises

\$150.00

PAYMENTS RECEIVED

Date	Payment Method	Amount Received
02/07/2018	Cash	\$150.00
	Total Payment	\$150.00
	Change Due	\$0.00

Kelsey Earle

From: Cristy Bourget
Sent: Thursday, March 15, 2018 11:55 AM
To: Kelsey Earle
Cc: Zachary Lenhart; David O'Connell; Charlie DeAngelis; Mark Stambach; Tim Cogle; Eric Cousens; Michael Chammings
Subject: Legal Pieces - Pending application.

Hi Kelsey,

Legal Pieces- Zack went to the inspection and there was no food and the owner had decided he was not going to sell any food. If I were you, I would call them and double check to make sure they are still going forward and not selling any foods to their patients. Please check on the massage establishment application as they were going to fill one out and send it in.

They may want a refund on this license, your call, however inspection was done by Zack & Charlie. Charlie had some electrical issues they were to address. Not sure if this has been done or not.

Sincerely,
Cristy Bourget

Cristy Bourget

Code Compliance Officer, Sanitarian, Economic and Community Development,
City of Auburn | 60 Court Street | Auburn, Maine 04210 | 207.333.6604
cbourget@auburnmaine.gov

The City of Auburn is subject to statutes relating to public records.
E-mail sent or received by City employees are subject to these laws.
Senders and receivers of City e-mail should presume that messages are subject to release.



2-1-2018

I, the undersigned, received the enforcement letter dated Sharon
Vincent Logan, delivered in person by the City of
Auburn authorized representative on the 5th day of
February, 2018 at _____ AM/PM

Signed: Shana Kogan Date: 2-5-18

City of Auburn by: Cristy Bourget Date: 2-5-18

Title: Code Compliance Officer

Legal Places
Location: 120 Center unit #107
Auburn, Me.
04210

follow up w/ Dept. of Ag.
re: Retail Bakery.

City of Auburn
Pre-packaged only.



Kelsey Earle - License Specialist- kearle@auburnmaine.gov
Please Note: All real estate and personal property taxes related to the business must be current before a license can be issued.

NEW RENEWAL Expires:

Please check the boxes for all licenses you are applying for:

There is a late fee of \$25.00 for renewals that are 30-45 days late, \$50.00 for more than 46 days late, and \$100.00 for reoccurring

Food Service Establishments:

Other Business Licenses Applying for:

marked wrong section

*FSE Mobile Food distribution Unit...
Not to be located less than 200 ft from nearest food service establishment. Please include a letter from property owner authorizing use of location.
3 Month \$100
6 Month \$125
12 Month \$150

*FSE Serving Malt, Vinous & Spirituous Liquor (FSE Class I)...
Sq ft: Fee:
1-2999 \$500
3000-5999 \$600
6000+ \$700

Public hearing required for new license- \$100 fee
Background check must also be included.

*FSE Serving Malt and/or Vinous...
Sq ft: Fee:
1-2999 \$300
3000-5999 \$400
6000+ \$500

Public hearing required for new license- \$100 fee
Background check must also be included.

*FSE with Sit Down (On/Off), no Alcohol.....
Sq ft: Fee:
1-2999 \$150
3000-5999 \$200
6000+ \$250

*Bottle Club/BYOB...
Sq ft: Fee:
1-2999 \$150
3000-5999 \$200
6000+ \$250

Public hearing required for new license- \$100 fee
Background check must also be included.

*Temp FSE (Per event max 7days) \$60

*All above licenses: include copy of floor plan, menu/draft menu, certified food handler certificate and a copy of all State licenses applicable.

FSE Off Premise/Retailer-Malt Liquor/Table Wine...
Sq ft: Fee:
1-2999 \$150
3000-5999 \$200
6000+ \$250

FSE Prepackaged Only
Sq ft: Fee:
1-2999 \$150
3000-5999 \$200
6000+ \$250

*Special Amusement \$125
Public hearing required for new license- \$100 fee
Please fill out supplemental questionnaire (pg 4).

*Pawnshop/Pawn Broker \$100

*Secondhand Dealer \$85

*Massage Establishment/Therapist \$150
State license #: _____

Massage: Please also include 2 copies of a passport size photograph taken within 30 days of application date (annually), copy of current State license and copy of government issued identification.

*Tattoo Artist \$150

*Above licenses: Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than 3 days prior to submission of application. You can do it yourself on-line here: http://www5.informe.org/online/pcr/

Bowling Alley (fee per lane) \$85
of lanes: _____

Roller Skating Rink
Partial Kitchen: \$60
Full kitchen: \$120

Coin-Op Devices (fee per device) \$50 per device up to 10 devices/\$30 per device 10 or more
of devices: _____
(Please provide list of devices)

Motion Picture Theater (fee per screen) \$50
of screens: _____

Juke Box (each) \$30
of boxes: _____

Lodging House
of rooms: _____
10 rms or less: \$75
More than 10: \$150

Pool Hall (fee per table) \$50
of tables: _____

Seating: _____ Occupancy load: _____

LICENSING FEE(S) TOTAL DUE: \$ _____

Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer.

There is a 14 day review period after receipt of a completed application. Incomplete applications will not be reviewed for approval and will be returned for completion. A business must not operate until approved by the required departments. Final approval and issuance of license will be from the City Clerk's Office.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

READ CAREFULLY BEFORE SIGNING

I, Sharon Geger (Print name) Owner/Operator of the business, hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. This application is accurate and true to the best of my knowledge.

Applicant Signature: Sharon Geger Date: 5-31-18

FOR OFFICE USE ONLY

REPORT OF INSPECTING OFFICERS:

<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	FIRE INSPECTOR _____
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	CODE ENFORCEMENT OFFICER _____
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	POLICE _____
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	FINANCE _____

Comments:

MAY 31 2018	
Application date: _____	License issued on: _____
Fees paid: License fee(s) _____	Public hearing fee _____ Background fee _____ Late fee _____
Total amount paid = \$ _____	



Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

PERMIT

Work Class: Permanent
 Status: Issued

Expiration Date: 11/25/2018

FOR ELECTRIFIED SIGNS: Sign Permits are NOT valid until an Electrical Permit has been obtained by a licensed Electrician.

Permit Information

Job Address	Parcel:	Square Feet:	76
197 TURNER ST AUBURN, ME 04210	District:	Valuation:	\$ 1,500.00
	Issue Date:		5/29/2018

Description of Work

2 new ground sign faces

Additional Info

Number of Signs: 2.00

Contacts

Type	Contact Name	Address	Business Phone
Owner	Shanon and Vincent Gogan	560 Sabattus RD Sabattus, ME United States	240-7307

Contractors

Type	Contact Name	Address	Business Phone
Contractor	The Sign Store	325 Center ST Auburn, ME 04210	207-786-3500

Permit Conditions

Invoice Number: 11245	
Sign SqFt Fee	\$38.00
Sign Fee	\$50.00
Invoice Total:	\$88.00


Invoice Number: 11245	
Cash	
Sign Fee	\$50.00
Sign SqFt Fee	\$38.00
	\$88.00
Invoice Fees Paid:	\$88.00

Inspection	
-------------------	--

IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

- The City's approved plans and permit inspection card must remain on the job site for use by City Inspection personnel.

Date: 5/29/2018

Approved By: 



60 Court Street
Auburn, Maine 04210
Tel: (207) 333-6601 ext. 1158
Fax: (207) 333-6625

RECEIPT

BILL TO:

Shanon and Vincent Gogan
560 Sabattus RD
Sabattus, ME United States

Receipt Number: TRC-011759-09-05-2018

Date: 05/09/2018

Amount**PRIMARY FEES**

Invoice Number: 11197

Commercial Alteration	\$28.00
PM: Citation Ordinance	\$40.00

PAYMENTS RECEIVED

Date	Payment Method	Amount Received
05/09/2018	Cash	\$68.00
	Total Payment	\$68.00
	Change Due	\$0.00



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

Permit No: CB-12254-2018

Work Class: Alterations
Status: Issued

Expiration Date: 05/18/2019

Permit Information

Job Address	Parcel:	Square Feet:
197 TURNER ST AUBURN, ME 04210	251022000	0
	District:	Valuation:
	City of Auburn	\$ 300.00
	Issue Date:	
	5/18/2018	

Description of Work

changing from office space to retail/medical caregiver and removing a bathroom

Additional Info

Front Setback: 0.00 Rear Setback: 0.00 Side Setback: 0.00 Shoreside Setback: 0.00

Contacts

Type	Contact Name	Address	Business Phone
Owner	Shanon and Vincent Gogan	560 Sabattus RD Sabattus, ME United States	240-7307

Contractors

--

Permit Conditions

Conditions	COMMENTS
<p>All Construction shall meet the standards of MUBEC 2009, NEC 2014, State of Maine Internal Plumbing Code , 2015 Edition, and NFPA 101, 2009 edition, ADA 2015 & MHRA</p> <p>An occupancy permit is required to be issued prior to the use of the space affected by this building permit</p>	<p>The removal of the single user bathroom is allowed under the plumbing code, as a mercantile space less than 1500 s.f. can be served by 1 single user unisex bathroom. If and when an addition is added, an additional bathroom will be needed to be added (ADA compliant), again if the space is mercantile use only.</p> <p>With the change of use, Existing Building Code (IEBC 2015) requires at least 1 ADA compliant entrance, at least 1 accessible route from the accessible entrance to the primary function area, signage complying with IBC section 1111 , and accessible parking.</p>

Fees Due	Invoice Number: 11197	
	Commercial Alteration	\$28.00
	PM: Citation Ordinance	\$40.00
	Invoice Total:	\$68.00

Fees Paid	Invoice Number: 11197	
	Cash	
	PM: Citation Ordinance	\$40.00
	Commercial Alteration	\$28.00
	Invoice Fees Paid:	\$68.00

Inspections	

IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

- The City's approved plans and permit inspection card must remain on the job site for use by City inspection personnel.



CITY OF AUBURN

Tax Collector
60 Court St.
Auburn, Maine 04210

Monday - Friday
8:00 AM to 4:30 PM
207-333-6601 ext 1178
www.auburnmaine.gov

Owner(s) as of April 1, 2017:

VIRTUAL COMMERCE INC
1857 WHITE MOUNTAIN HIGHWAY
#181
NORTH CONWAY NH 03860

Real Estate Tax Bill

For Fiscal Year 2017 - 2018
Tax Rate Per \$1,000: \$22.99

Current Billing Information	
Land Value	\$156,300.00
Building Value	\$43,300.00
Homestead Exemptions	\$0.00
Other Exemptions	\$0.00
Taxable Valuation	\$199,600.00

TOTAL TAX	\$4,588.80
------------------	-------------------

First Payment	09/15/2017	\$2,294.40
Second Payment	03/15/2018	\$2,294.40

Bill Number: 7072

Customer Account No.: 022719
Book - Page: 8288-71
Location: 197 TURNER ST
Parcel ID: 251-022-000-000

TAXPAYER'S NOTICE

Notice is hereby given that your property TAX IS DUE BY September 15, 2017 and March 15, 2018. Interest will be charged on unpaid taxes at an annual rate of 7% beginning September 18, 2017 on the first installment and March 16, 2018 on the second installment. If taxes are not paid 8 months and no later than 12 months from the date of commitment, a lien will be placed on the property for which the taxes remain unpaid.

PLEASE NOTE: THIS IS THE ONLY BILL YOU WILL RECEIVE. This tax bill is assessed to the person who owned the property as of April 1, 2017. This tax bill covers the period of time from July 01, 2017 through June 30, 2018. If you sell your property after April 1st it is your obligation to ensure property taxes are paid in full for the entire tax year. It is important that you forward this tax bill to the current owner. If your taxes are in escrow, please send a copy of this bill to your mortgage company.

The City of Auburn offers a budget plan by making monthly or quarterly payments. If you are interested in participating in this plan you will need to contact the Tax Office. PAY YOUR BILL ONLINE by going to www.auburnmaine.gov.

As a result of the money our Municipality receives from the State Legislature through the State Municipal Revenue Sharing Program, Homestead Exemption Reimbursement and State Aid to Education, your property tax has been reduced by 35%. The City of Auburn's indebtedness at the time of printing of this tax bill is \$54,249,428

Municipal	School	County	Percentage
56%	39%	5%	100%



City of Auburn
Tax Collector
60 Court St.
Auburn, Maine 04210

VIRTUAL COMMERCE INC
1857 WHITE MOUNTAIN HIGHWAY
#181
NORTH CONWAY NH 03860

PLEASE CUT HERE AND REMIT WITH PAYMENT

Customer Account Number: 022719
Bill Number: 7072
Parcel ID:
251-022-000-000

Real Estate Tax Bill
This is the 2nd half of your tax bill
Please return with payment

Amount Paid \$ 03/15/2018 \$2,294.40

00002082017200007072200002294403



City of Auburn
Tax Collector
60 Court St.
Auburn, Maine 04210

VIRTUAL COMMERCE INC
1857 WHITE MOUNTAIN HIGHWAY
#181
NORTH CONWAY NH 03860

PLEASE CUT HERE AND REMIT WITH PAYMENT

Customer Account Number: 022719
Bill Number: 7072
Parcel ID:
251-022-000-000

Real Estate Tax Bill
This is the 1st half of your tax bill
Please return with payment

Amount Paid \$ 09/15/2017 \$2,294.40

00002082017200007072200002294403



EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)
5/10/2018

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY Champoux Insurance Agency PO Box 220 Lewiston, ME 04243-0220	PHONE (A/C, No, Ext): (207) 783-2246	COMPANY Eastern Alliance Insurance Company
FAX (A/C, No): (207) 782-7881	E-MAIL ADDRESS:	
CODE:	SUB CODE:	
AGENCY CUSTOMER ID #: VINCGOG-01		
INSURED Vincent Gogon DBA Legal Peaces 560 Sabattus Road Sabattus, ME 04280	LOAN NUMBER	POLICY NUMBER
	EFFECTIVE DATE 5/10/2018	EXPIRATION DATE 5/10/2019
		<input type="checkbox"/> CONTINUED UNTIL TERMINATED IF CHECKED
THIS REPLACES PRIOR EVIDENCE DATED:		

PROPERTY INFORMATION

LOCATION/DESCRIPTION Loc # 1, Bldg # 1, 197 Turner Street, Auburn, ME 04210
--

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

PERILS INSURED	BASIC	BROAD	SPECIAL	AMOUNT OF INSURANCE	DEDUCTIBLE
Loc # 1, Bldg # 1 Building, Special (Including theft)				\$175,000	1,000

REMARKS (Including Special Conditions)

--

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS Virtual Commerce Inc 1857 White Mountain Highway #181 North Conway, NH 03860	<input checked="" type="checkbox"/> ADDITIONAL INSURED	<input type="checkbox"/> LENDER'S LOSS PAYABLE	<input type="checkbox"/> LOSS PAYEE
	<input checked="" type="checkbox"/> MORTGAGEE		
	LOAN #		
	AUTHORIZED REPRESENTATIVE <i>Chris Naggy</i>		



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

EXISTING BUILDING PERMIT

Permit No: CB-12254-2018

Work Class: Alterations
 Status: Issued

Expiration Date: 05/18/2019

Permit Information

Job Address	Parcel:	251022000	Square Feet:	0
197 TURNER ST AUBURN, ME 04210	District:	City of Auburn	Valuation:	\$ 300.00
	Issue Date:	5/18/2018		

Description of Work

changing from office space to retail/medical caregiver and removing a bathroom

Additional Info

Front Setback: 0.00 Rear Setback: 0.00 Side Setback: 0.00 Shoreside Setback: 0.00

Contacts

Type	Contact Name	Address	Business Phone
Owner	Shanon and Vincent Gogan	560 Sabattus RD Sabattus, ME United States	240-7307

Contractors

Permit Conditions

Conditions	COMMENTS
<p>All Construction shall meet the standards of MUBEC 2009, NEC 2014, State of Maine Internal Plumbing Code , 2015 Edition, and NFPA 101, 2009 edition, ADA 2015 & MHRA</p> <p>An occupancy permit is required to be issued prior to the use of the space affected by this building permit</p>	<p>The removal of the single user bathroom is allowed under the plumbing code, as a mercantile space less than 1500 s.f. can be served by 1 single user unisex bathroom. If and when an addition is added, an additional bathroom will be needed to be added (ADA compliant), again if the space is mercantile use only.</p> <p>With the change of use, Existing Building Code (IEBC 2015) requires at least 1 ADA compliant entrance, at least 1 accessible route from the accessible entrance to the primary function area, signage complying with IBC section 1111 , and accessible parking.</p>

Fees Due	Invoice Number: 11197	
	Commercial Alteration	\$28.00
	PM: Citation Ordinance	\$40.00
	Invoice Total:	\$68.00

Fees Paid	Invoice Number: 11197	
	Cash	
	PM: Citation Ordinance	\$40.00
	Commercial Alteration	\$28.00
		\$68.00
	Invoice Fees Paid:	\$68.00

Inspections	

IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

- The City's approved plans and permit inspection card must remain on the job site for use by City inspection personnel.



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

RECEIPT

BILL TO:

Shanon and Vincent Gogan
 560 Sabattus RD
 Sabattus, ME United States

Receipt Number: TRC-011759-09-05-2018

Date: 05/09/2018

Amount

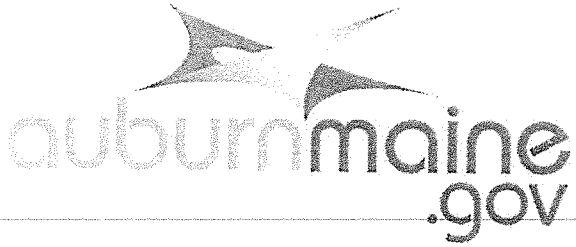
PRIMARY FEES

Invoice Number: 11197

Commercial Alteration	\$28.00
PM: Citation Ordinance	\$40.00

PAYMENTS RECEIVED

Date	Payment Method	Amount Received
05/09/2018	Cash	\$68.00
	Total Payment	\$68.00
	Change Due	\$0.00



City of Auburn, Maine
Office of The City Clerk
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov
207.333.6601

February 1, 2018

Dear business owner,

It has come to our attention that you are selling goods without proper permitting/licensing. Any person or business which intends to sell products for consumption must obtain a food license within the City.

Section 14-26 of the City of Auburn Code of Ordinances states that, except as otherwise provided, no person shall engage in any business or activity, nor maintain any equipment or device, for which a license or permit is required, without having first complied with all applicable rules and regulations and having paid the proper fee and obtained a license therefore.

As you are selling prepackaged goods only, we would require a Food Service Establishment Prepackaged Only license. Please fill out the enclosed application (include a copy of applicable State licenses), and return to the City Clerk's Office with all applicable fees for licensing to continue sales of goods for consumption within City limits.

Thank you for your immediate attention to this matter.

Sincerely,

Kelsey Earle
License Specialist, City of Auburn
(207) 333-6601 ext. 1121
kearle@auburnmaine.gov

City of Auburn Health Inspection Report

Page 1 of 1

As Authorized by 22 MRSA §§ 2496

License/EST. ID #

Date 6-1-18

Establishment

Legal Peaces

Address

197 Turner St.

City/State

Auburn, Me.

Zip Code

04210

Telephone

TEMPERATURE OBSERVATIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
<u>Handwash sink water</u>	<u>108</u>				

OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number

Violations cited in this report must be corrected within the time frames below, or as stated in sections 8-405.11 and 8-406.11 of the Food Code.

at this time only had pre-packaged foods & drinks -
final approval from City Clerk's office.
Apply for Dept of Ag. pre-package food license if selling drinks -

Home license 2-28861 for food processor -

will send via e-mail ingredient label

BBQ Made @ Home Kitchen
Baked goods,

Sharon.gogan@aol.com

Matt@duboisbw.com
Maize.com

Send Lindseys e-mail address -

Person in Charge (Signature)

Sharon Gogan

Date

6-4-18

Health Inspector (Signature)

Cristy Bourget

Date

6-4-18



City of Auburn
Economic & Community Development

"WE WANT DEVELOPMENT!"

- *Appointments for permits are recommended.
*Please fill out any part which applies to project.
*Proper plans must accompany application as required.

For Official Use Only
Date: 6/1/18
Telephone:
Zone:
Map No: 331-P22
Blg. Code: 110562 15
Use Group:
Type of Construction:
Est. Cost: 300
Fee: 128.00

Permit Number: CP-10254-2018
Address: 197 Turner St
Owner: Sharon Vincent Gagan

ADDRESS OF CONSTRUCTION: 197 Turner Street
Owner: Sharon Vincent Gagan Cell # 240-7307
Address:

CONTRACTOR: Cell #

* Project Description: Changing office to store / Removing walls
Plans Submitted:
Plan Number:
Reviewed By: 11

Building Dimensions: Square Footage:
Lot Size:

For Commercial Properties: Is there a license required for your business? YES NO
If YES, Please be aware that the license may require a background investigation.

Email Permit To: shongagan@aol.com Fax Permit To:

Foundation:

- 1. Type of Soil:
2. Set Backs Front: Rear: Side(s):
3. Footings Size:
4. Foundation Size:
5. Slab Size: Slab Thickness: Heated?
6. Other:

RECEIVED
MAY 09 2018
BY:

Floor:

- 1. Sills Size: **Sills must be anchored
2. Carrying Beam Size:
3. Column Spacing:
4. Joist Size: **Spacing 16" O. C.
5. Floor Sheathing Type: Thickness:
6. Other Material:
7. Floor Coverings:

Exterior Walls:

- 1. Studding Size: Spacing:
2. Corner Posts Size:
3. No. of Doors:
4. Header Sizes: Spans:
5. Bracing: YES NO
6. Egress Windows: Brand: Model #:
7. Insulation Type: Thickness:
8. Sheathing Type: Thickness:
9. Siding Type:
10. Masonry Materials:
11. Metal Materials:
12. Other Materials:

Interior Walls:

- 1. Studding Size: Spacing:
2. Header Sizes: Span(s):
3. Wall Covering Type:
4. Fire Separation Wall if Required:
5. Other Materials:

Ceilings:

- 1. Ceiling Joist Size:
2. Type Ceilings:
3. Insulation Type:
4. Thickness:

Roof:

- 1. Truss or Rafter Size:
2. Span:
3. Sheathing Type:
4. Thickness:
5. Roof Covering Type:
6. Other:

Chimneys: 1. Type: _____

Heating:

1. Type of Fuel - check all that apply: Oil _____ Propane _____ Natural Gas _____ Electric _____ Other _____

****If Oil Fired Appliance is being Installed - A Permit from the Fire Department must be obtained****

2. Type of Heating Source & Number of Systems - check all that apply:

<input type="checkbox"/> FHA	# _____	<input type="checkbox"/> Unit Heaters	# _____
<input type="checkbox"/> FHW	# _____	<input type="checkbox"/> Warm & Cool	# _____
<input type="checkbox"/> Radiant Electric	# _____	<input type="checkbox"/> Solar	# _____
<input type="checkbox"/> Radiant Hot Water	# _____	<input type="checkbox"/> Complete HVAC	# _____
<input type="checkbox"/> Geothermal	# _____	<input type="checkbox"/> Package Units	# _____
<input type="checkbox"/> Electric Basebds	# _____	<input type="checkbox"/> Other	# _____

Electrical:

1. Service Entrance Size: _____ Wiring Required: _____

Plumbing:

1. Approved Soil Test if Required: YES: _____ NO: _____ City Sewer: _____

2. Number of Tubs and Showers: _____ # of Flushes: _____ # of Lavatories: _____

Swimming Pools:

1. Type: _____ Pool Size: _____ Square Footage: _____

Comments/Drawing:

The permit holder, property owner, person or persons, firm or corporation accepting this permit agrees to comply with all the provisions of the statutes of Maine and the Ordinances of the City of Auburn regulating the construction, maintenance, use of buildings, structures and of the application on file in this department. Permit holder understands he/she is responsible for correct set backs from ALL PROPERTY LINES and from all buildings and structures.

Application Signature: _____

Sharon Gagan

Cristy Bourget

From: Cristy Bourget
Sent: Monday, June 04, 2018 3:22 PM
To: 'shanongogan@aol.com'
Cc: 'matt@duboislawmaine.com'
Subject: Ingredient Label
Attachments: Labeling State of Maine Food Code.docx; Home food License requirements 2015.pdf

Hi,

It was a pleasure to meet with both of you today and thank you for taking the time to meet with us.

I have attached the Labeling requirements from the 2013 Maine food Code for your reference. If you decide to sell drinks, please contact Dept. of Agriculture and also please check with Lindsay Werner, Dept of Ag. Inspector regarding the BBQ sauce you make under your home food processing license to make sure it is included in your current Dept of Ag. license. Lindsay can be reached at Lindsay.werner@maine.gov

I am not sure what type of license you have with Dept. of Ag at the Sabattus, Me. Location, I sent you a copy of home food license requirements I had for a home food processor 2015. . If it is a home food processor license-The first question states that if you make sauces (refrigerated BBQ sauce that you made at the Sabattus home) you will need to have a process review. I don't want to confuse things, so please contact Lindsay as you are able to make baked goods but anything that needs refrigeration is a potentially hazardous food and the license needs to be a commercial food processor.

Have a wonderful day!!

Sincerely,
Cristy Bourget

Cristy Bourget

Code Compliance Officer, Sanitarian, Economic and Community Development,
City of Auburn | 60 Court Street | Auburn, Maine 04210 | 207.333.6604
cbourget@auburnmaine.gov

The City of Auburn is subject to statutes relating to public records.
E-mail sent or received by City employees are subject to these laws.
Senders and receivers of City e-mail should presume that messages are subject to release.

3-602 Labeling

3-602.11 Food Labels.

(A) Food Packaged in a Food or Eating Establishment, shall be labeled as specified in Law, including 21 CFR 101 - Food Labeling, and 9 CFR 317 Labeling, Marking Devices, and Containers.

(B) Label information shall include:

- (1) The common name of the food, or absent a common name, an adequately descriptive identity statement;
- (2) If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color, or flavor and chemical preservatives, if contained in the food;
- (3) An accurate declaration of the quantity of contents;
- (4) The name and place of business of the manufacturer, packer, or distributor; and
- (5) The name of the food source for each Major Food Allergen contained in the food, unless the food source is already part of the common or usual name of the respective ingredient (Effective January 1, 2006).
- (6) Except as exempted in the Federal Food, Drug, and Cosmetic Act §403(Q)(3)-(5), nutrition labeling as specified in 21 CFR 101(Food Labeling)(2012 ed) and 9 CFR 317 Subpart B (Nutrition Labeling)(2012 ed.).
- (7) For any salmonid Fish containing canthaxanthin as a Color Additive, the labeling of the bulk Fish container, including a list of ingredients, displayed on the retail container or by other written means, such as a counter card, that discloses the use of canthaxanthin.

(C) Bulk Food that is available for Consumer self-dispensing shall be prominently labeled with the following information in plain view of the Consumer:

- (1) The manufacturer's or processor's label that was provided with the Food; or
- (2) A card, sign, or other method of notification that includes the information specified

under Subparagraphs (B)(1), (2), and (5) of this section.

(D) Bulk unpackaged Foods such as bakery products and unpackaged Foods that are portioned to Consumer specification need not be labeled if:

- (1) A health, nutrient content, or other claim is not made;
- (2) There are no state or local Laws requiring labeling; and
- (3) The Food is manufactured or prepared on the Premises of the Food or Eating Establishment or at another Food or Eating Establishment or a Food Processing Plant that is owned by the same Person and is regulated by the Food regulatory agency that has jurisdiction.

3-603 Consumer Advisory

3-603.11 Consumption of Animal Foods that are Raw, Undercooked, or Not Otherwise Processed to Eliminate Pathogens.*

(A) Except as specified in ¶ 3-401.11(C) and Subparagraph 3-401.11(D)(4) and under ¶ 3-801.11 (C), if an animal Food such as Beef, Eggs, Fish, lamb, milk, pork, Poultry, or shellfish is served raw, undercooked, or without otherwise being processed to eliminate pathogens, either in Ready-to-Eat form or as an ingredient in another Ready-to-Eat Food, the Permit Holder shall inform Consumers of the significantly increased risk of consuming such Foods by way of a Disclosure and Reminder, as specified in ¶¶ (B) and (C) of this section, using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means.

(B) Disclosure shall include:

- (1) A description of the animal-derived Foods, such as "oysters on the halfshell (raw oysters)," "raw-Egg Caesar salad," and "hamburgers (can be cooked to order)"; or
- (2) Identification of the animal-derived Foods by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients.

(C) A reminder shall include asterisking the animal-derived Foods requiring Disclosure to a footnote that states:

- (1) Regarding the safety of these items, written information is available upon request;
- (2) Consuming raw or undercooked Meats, Poultry, seafood, shellfish, or Eggs may increase your Risk of foodborne illness; or

(3) Consuming raw or undercooked Meats, Poultry, seafood, shellfish, or Eggs may increase your Risk of foodborne illness, especially if you have certain medical conditions.



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE,
CONSERVATION & FORESTRY
28 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0028

Walter E. Whitcomb
COMMISSIONER OF
DEPARTMENT OF AGRICULTURE

Ronald E. Dyer
DIRECTOR OF QUALITY
ASSURANCE & REGULATIONS

Frequently Asked Questions

Q) Which license is needed to make baked goods, jams, jellies or pickles at home to sell from home or in retail stores?

A) A home food license will allow the baking of non-potential hazardous food to be sold from the home or in retail stores. A process review from an accredited food processing authority is needed in order to process acidified foods, such as salsas, sauces, pickles etc.

Q) What is a Potentially Hazardous Food (PHF)?

A) A Potentially Hazardous Food is any food that promotes the rapid and progressive growth of pathogens with a water activity value of 0.85 or higher and a pH of 4.6 or less, 4.3 is best.

Q) Why can't I process PHF with a home food license?

A) PHF must be processed under a commercial processing license. This requires a separate kitchen dedicated to processing only. It is not be used or shared with family members as there is a higher risk of contamination with the potential growth of pathogens along with temperature abuse.

Q) May I bake products in my house if have pets?

A) Yes, except prior to processing all pets must be removed and excluded from the processing area, after which all surfaces and utensils must be washed, rinsed and sanitized prior to processing for food safety.

Q) What are the sink requirements for a license?

A) A home food license requires a two bay sink. A commercial license requires a two bay sink along with a separate hand wash sink. A retail food license requires a two bay sink and a separate hand wash sink. All hand wash sinks must be conveniently located in the processing area and used for hand washing only.

Q) What is required for product labeling?

A) Label shall have 1) name of the product, 2) list of ingredients, 3) weight or count in grams, 4) address and zip code of processor.

Q) How long is the process before I receive my license?

A) The first step is to fill out a license application and send it into the Department of Agriculture, Conservation & Forestry office. Once the application has been received and reviewed for completeness, including your signature, process reviews if necessary, water test for coliform and nitrates done by a state approved lab within 30 days of the license application date, copy of your septic approval, opening date, contact phone, and contact person, it will be entered into our database and sent to the inspector. Water test and septic approval are not necessary if supplied by municipality. An inspector will contact you within 30 days of receiving your application to schedule a convenient date for inspection.



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
DIVISION OF QUALITY ASSURANCE & REGULATIONS
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

PAUL R. LePAGE
GOVERNOR

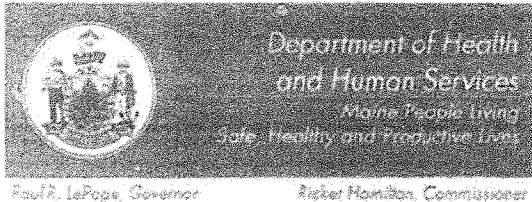
WALTER E. WHITCOMB
COMMISSIONER

RONALD E. DYER
DIRECTOR

Home Food License Requirements

- 1) Your facility must have a two bay sink or a dish washer. Dishwasher must be capable of reaching (180) degrees for proper sanitizing or you must perform a sanitizing step after the equipment and utensils are used for processing. (*see note)
- 2) All processing tables, equipment, and utensils must be of a non- corrosive material, easily cleanable. Floors and walls must be painted or sealed.
- 3) A temperature measuring device shall be located in your refrigerator for monitoring proper temperature. Refrigeration must maintain 41 degrees or less.
- 4) Storage of food items must be 6" off the floor and in covered containers to protect against contamination.
- 5) A home food license will allow the baking of non-potential hazardous food to be sold from the home or at retail stores. The process of any foods that require refrigeration to control microbial pathogens is not allowed with a home food license. This would require a commercial processing license. Prior to licensing the processing of acidified foods, such as pickles, relishes, BBQ sauces, etc... must undergo a process review with a food processing authority. For more information you may contact University of Maine, Orono at 207-581-3202.
- 6) A Mobile Vendor license is required if you plan to sell your product at farmers markets or other off premises events.
- 7) Label requirements: 1-Name of product; 2-List of ingredients in order of predominance; 3-Net quantity such as weight, volume or count; 4-Name, address and zip code of the processor.
- 8) Animals are allowed in the processing area during non- production time. **Prior to processing all pets must be removed and excluded from the processing area, after which all surfaces and utensils shall be washed, rinsed, and sanitized for food safety.**

*Sanitizing shall be performed by using an approved sanitizer, such as germicidal bleach and water, and shall be applied following manufacturer's mixing and application directions for use of the product.



Department of Health and Human Services
Maine Center for Disease Control and Prevention
286 Water Street
11 State House Station
Augusta, Maine 04333-0011
Tel.: (207) 287-8016; Fax: (207) 287-9058
TTY Users: Dial 711 (Maine Relay)

Maine Medical Marijuana Program (MMMP)

On-Site Assessment Case Number: ALMS-2018-MMMP-9 Other

MMMP Participant: Caregiver Dispensary Patient Provider

Name: VINCENT E GOGAN Donation (s)

Location (s): "LEGAL PEACES"
AUBURN, ME.

Investigator: Wade Maddox James York Mark Desjardin Matt Clark

No finding of Non-Compliance on this date: 5/14/2018 No action required at this time.

Notice of Non-Compliance on this date: _____ Further action required.

Violation Type:

- Collective
- Current registry identification card (s)
- Employee registered/card/personnel file
- Failure to notify changes
- Food establishment license if applicable
- Legible tag on each plant/patient random identification number
- Packaging and labeling
- Patient paperwork
- Pesticide license if applicable
- Plant count
- Refusal of entry
- Security/fence/locks
- Trip tickets
- Other _____

RECEIVED
JUN 18 2018 4:00 PM
BY: ZK

A Plan of Correction must be submitted to MMMP within 5 business days of receipt of this notice.

*By signing this form, I acknowledge I have received a copy of this report.

Refusal to sign

Vincent E Gogan
Participant Signature

5/14/18
Date

Wade B. Maddox
Investigator Signature

5/14/18
Date



Certificate of Occupancy

Date Issued: June 11, 2018

Certificate Number: CB-12254-2018

PID: 251022000

Issued To: Shanon and Vincent Gogan

Contractor:

d/b/a Legal Peaces
560 Sabattus Rd
Sabattus, ME

This is to certify that the building premises, or part thereof, indicated below and building, altered, changed as to use at: 197 TURNER ST under building permit # CB-12254-2018 has had a final inspection, has been found to conform substantially to requirements of the Auburn Zoning Ordinance and Building Code, and is hereby approved for occupancy, limited or otherwise, as indicated below:

Use group: - changing from office space to retail store (Tobacco Smoke Shop) - removing walls

The approval of this certificate does not authorize any uses of the building premises or the retail sales of goods that are not authorized under state law.

The removal of the single user bathroom is allowed under the plumbing code, as a mercantile space less than 1500 s.f. can be served by 1 single user unisex bathroom. If and when an addition is added, an additional bathroom will be needed to be added (ADA compliant), again if the space is mercantile use only.

With the change of use, Existing Building Code (IEBC 2015) requires at least 1 ADA compliant entrance, at least 1 accessible route from the accessible entrance to the primary circulation area, signage complying with IBC section 1111, and accessible parking.



Plumbing Inspector


Heating Appliance Inspector

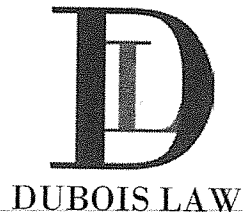

Fire Inspector


Land Use Inspector


Building Inspector


Electrical Inspector


Charlie DeAngelis
Eng



MATT DUBOIS
P.O. Box 22
49 Haymarket Square
Bangor ME 04402
207 951 6395
207 433 1215 FAX

matt@duboislawmaine.com

Eric Cousens
Deputy Director
Economic & Community Development
60 Court Street
Auburn, ME 04210
ecousens@auburnmaine.gov
BY ELECTRONIC & US MAIL

June 5, 2018

**RE: 197 Turner Street
Certificate of Occupancy**

Mr. Cousens:

As you know, I represent Vincent Gogan and Shanon Gogan with regard to their tobacco shop and licensed caregiver business, d/b/a Legal Peaces, located at 197 Turner Street in Auburn. For the reasons outlined in this letter, I am contacting your office on behalf of my clients to demand issuance of a certificate of occupancy for their business or, if your office has decided not to issue the certificate, a written decision to that effect no later than 4:30 p.m. on June 6, 2018.

A brief review of the procedural history in this matter may aid in your department's decision-making process. As you may recall, my clients first located their business at 120 Center Street #7 in Auburn. My clients were in the process of obtaining all necessary permits and approvals for that business location when they were forced to relocate the business due to a landlord-tenant dispute. In early May 2018, my clients moved their business to 197 Turner Street, and immediately applied to the City of Auburn for all necessary licenses and permits. Having obtained the necessary building and sign permits for their proposed renovations, my clients completed the renovations and applied to the city for a certificate of occupancy.

Yesterday, I appeared at 197 Turner Street to participate in several simultaneous inspections, which you advised must be conducted prior to issuance of the certificate of occupancy. Present at the inspection were code enforcement officer (CEO) and building inspector Mark Stambach, sanitarian and CEO Cristy Bourget, fire prevention officer David O'Connell, and city electrician Charlie DeAngelis. Each party conducted a walkthrough and inspection of the premises, and each party, at the conclusion of the inspection, made verbal statements to the effect that there were no issues that should prevent issuance of a certificate of occupancy.

The sole complication that arose during the inspection was uncertainty, expressed by Ms. Bourget and Mr. O'Connell, as to whether my clients required approval from Lieutenant Timothy Cogle of the Auburn Police Department prior to issuance of the certificate. Ms. Bourget stated she believed his approval was likely unnecessary, because unlike my client's former establishment, the new establishment did not lease space to a licensed massage therapist. During the prior round of inspections at the 120 Center Street location, Lt. Cogle and Ms. Bourget explained that Lt. Cogle's sole involvement in the inspection was to inspect and approve the massage therapist office, and that office was the sole area that Lt. Cogle inspected during the licensing inspections at 120 Center Street.

Despite the uncertainty that Lt. Cogle's approval was required, Mr. O'Connell called the lieutenant to ask whether he needed to inspect the premises before the certificate could issue. After the call, Mr. O'Connell told my clients and me that Lt. Cogle had advised us to call license specialist Kelsey Earle before end of business to determine whether the police department had approved the certificate of occupancy. The officials present at the inspection each reiterated that, from their perspectives, there were no issues that should prevent issuance of the certificate, and left the premises.

My clients and I then waited until approximately 4:00 p.m., and then drove to the City of Auburn to ask Ms. Earle whether the certificate of occupancy would issue. Ms. Earle advised us that the police did not approve the certificate, because police chief Phil Crowell had advised Lt. Cogle of a moratorium on medical marijuana caregivers. When I asked for clarification, Ms. Earle explained that a workshop was scheduled that evening at 5:30, at which the City Council would discuss passage of a moratorium on medical marijuana caregivers in Auburn.

My clients and I then attended the workshop, where Chief Crowell gave a presentation to the Auburn City Council urging them to pass a moratorium on medical marijuana caregiver storefronts. To my client's surprise, Chief Crowell's PowerPoint presentation prominently featured a photograph of their Legal Peaces storefront in Lewiston on the title page, and two other photographs of their prior and new storefront locations in Auburn. Chief Crowell urged that the Council make the moratorium retroactive, effectively shutting down all existing caregiver storefronts in Auburn, and that it pass the moratorium immediately at the meeting. Mayor Jason Levesque explained to Chief Crowell that the Council could not immediately pass the moratorium, because it must take the form of an ordinance and would require a public notice and comment period. The Council took the moratorium under advisement, and plans to discuss it further at a future meeting.

After yesterday's events, it is abundantly clear that certain Auburn city officials, notably including Chief Crowell, are singling out my clients and obstructing their efforts to obtain a certificate of occupancy due to the nature of their business. It is clear to me, and would be to any factfinder, that Chief Crowell instructed the clerk's office not to issue my clients a certificate of occupancy because he hoped to pass a retroactive moratorium that very evening, preventing my clients from opening their business.

I am frankly appalled at the personal nature of the efforts by certain city officials to strip my clients of their ability to do business. Chief Crowell's actions yesterday are clear evidence of

bad faith and a discriminatory intent specifically to shut down my clients' business, and those of other similarly situated caregivers, despite their vested rights. Chief Crowell attempted, without notice to the public or opportunity for public comment, to pass a retroactive moratorium depriving my clients of their ability to do business and serve their patients. His denial of my client's certificate of occupancy was clearly and directly motivated by his hopes of passing this moratorium.

Moreover, it is not clear that Chief Crowell's approval is even necessary for the certificate of occupancy to issue. Chapter 14, Section 14-33 of the Auburn Code of Ordinances (the "Code") provides that "Wherever his approval is required or upon the request of the city clerk, the police chief may cause an investigation of any applicant for a license to be conducted prior to approval of such application for a license or permit." The Code mandates police chief approval only for a limited set of license types: massage establishments (Section 14-377), taxicabs (Section 14-453), and certain entertainment businesses (Section 14-120). Because my clients have not applied for a license type subject to an inspection by the police chief or designee, unless the city clerk requested an investigation, a police inspection is not required for a certificate of occupancy to issue. The fact that Lt. Cogle's involvement at the prior facility was limited to the massage inspection, and the uncertainty expressed by Ms. Bourget and Mr. O'Connell that Lt. Cogle's input was needed, suggest that a police investigation was not requested or required.

Thus, it appears that a police investigation or inspection is not required in this case. Because no police inspection is required; because the sole reason given for the chief's denial was a theoretical future moratorium; and because the officials who conducted yesterday's inspection stated that there are no issues to bar issuance of a certificate of occupancy, my clients demand that the clerk's office issue the certificate no later than 4:30 p.m. on June 6, 2018. If the clerk refuses to issue a certificate, my clients demand a written decision without delay, stating the reasons for the disapproval and citing to the specific legal authority authorizing the refusal. See Section 14-34(h).

Please be advised that, should the city fail to issue a certificate of occupancy to my clients despite their successful inspection, my clients will zealously pursue all available legal remedies. They have invested significant money and time in their business, and each day they are forced to close their doors results in significant lost revenue. It is neither equitable nor lawful to deny them the right to do business at this stage.

Thank you for your attention to this matter. Please advise by 4:30 p.m. on June 6, 2018 whether a certificate of occupancy will issue, and please feel free to contact my office if you require further information.

Sincerely,



Matthew T. Dubois, Esq.

MTD/mrp

Cc: **BY ELECTRONIC MAIL ONLY**

Mayor Jason Levesque, jlevesque@auburnmaine.gov
Michael Chammings, mchammings@auburnmaine.gov
Sue Clements-Dallaire, sdallaire@auburnmaine.gov
Kelsey Earle, kearle@auburnmaine.gov
Mark Stambach, mstambach@auburnmaine.gov
Cristy Bourget, cbourget@auburnmaine.gov
David O'Connell, doconnell@auburnmaine.gov
Chief Phil Crowell, pcrowell@auburnmaine.gov
Lieutenant Timothy Cogle, tcogle@auburnmaine.gov
Charlie DeAngelis, cdeangelis@auburnmaine.gov
Vincent Gogan
Shanon Gogan

June 11, 2018

DELIVERY BY E-MAIL

Matt Dubois, Esq.
P.O. Box 22
49 Haymarket Square
Bangor, ME 04402

RE: Legal Peaces, 197 Turner Street, Auburn, Maine – Pre-Packaged Food Establishment Business License and Certificate of Occupancy Request

Dear Matt:


As you know, I represent the City of Auburn in the above-identified matter. I understand that your clients, Vincent and Shanon Gogan d/b/a Legal Peaces, submitted an application on May 31, 2018 for a pre-packaged food establishment business license and are awaiting receipt of a certificate of occupancy (“COO”) from the City to change the use of a pre-existing office building to a retail store for the sale of tobacco products, pre-packaged food, and medical marijuana.

In your letter to Mr. Eric Cousens, dated June 5, 2018, you assert that the license and COO has not issued because of a “discriminatory intent specifically to shut down my clients’ business.” To the contrary, the license and COO has not issued because, at your clients’ request, the inspection that had been scheduled for Friday, June 1, was cancelled and rescheduled for Monday, June 4, which resulted in some delay in processing the application. It also bears mention that the City’s Business License Application expressly states that there is a 14-day review period after the receipt of a completed application. Moreover, the license application submitted by your clients, and the inspection conducted on June 4, has raised some question as to whether your clients’ proposed retail sale of medical marijuana at 197 Turner Street is a lawful use under applicable state statutes and rules.

Pursuant to Article II, Section 14-26 of the City’s Code of Ordinances, all applicants for business licenses are required to comply with state statutes and rules which pertain to the business or activity for which a license is desired. The burden is on your client to satisfy all applicable ordinance provisions. Accordingly, I have advised the City to issue a limited license and COO authorizing your clients to engage in the sale of tobacco products and pre-packaged foods, but not authorizing the retail sale of medical marijuana from this business location.

To the extent your clients wish to expand the City’s authorizations to include the retail sale of medical marijuana at 197 Turner Street, please submit evidence, such as a statement from the Maine Department of Health and Human Services, that your clients’ intended retail caregiver medical marijuana storefront complies with the Act and related state rules.

Very truly yours,


Agnieszka A. Dixon



MATT DUBOIS
P.O. Box 22
49 Haymarket Square
Bangor ME 04402
207 951 6395
207 433 1215 FAX
matt@duboislawmaine.com

Susan Clements-Dallaire
City Clerk
60 Court Street
Auburn, ME 04210
VIA HAND DELIVERY & ELECTRONIC MAIL

June 15, 2018

**RE: 197 Turner Street Certificate of Occupancy
Notice of Appeal**

Dear Ms. Clements-Dallaire:

As you know, I represent Vincent Gogan and Shanon Gogan with regard to their tobacco shop and licensed caregiver business, d/b/a Legal Peaces, located at 197 Turner Street in Auburn. Please accept this letter as notice of my clients' appeal of the city's refusal to issue a certificate of occupancy for their caregiver business without further documentation from Maine DHHS. Because the Auburn Code of Ordinances does not place the burden of proof upon applicants to prove that their business model complies with state law, other than to furnish any required licenses, the city is holding my clients to a standard not provided by law. The city's refusal to issue the certificate based upon a nonexistent legal standard is arbitrary and capricious, and amounts to a taking of my clients' property rights without due process.

Thank you for your attention to this matter. Please forward this notice to the appropriate parties and notify me when an appeal hearing may be scheduled before the Auburn City Council. Feel free to contact me if you require additional information to schedule the hearing.

Sincerely,

A handwritten signature in cursive script that reads "Matthew T. Dubois".

Matthew T. Dubois, Esq.

MTD/mrp

Cc: **BY ELECTRONIC MAIL ONLY**
Agnieszka A. (Pinette) Dixon, ADixon@dwmlaw.com
Vincent Gogan
Shanon Gogan

June 22, 2018

DELIVERY BY E-MAIL

Matt Dubois, Esq.
P.O. Box 22
49 Haymarket Square
Bangor, ME 04402

RE: Legal Peaces, 197 Turner Street, Auburn, Maine – Pre-Packaged Food Establishment Business License and Certificate of Occupancy Appeal; Moratorium on Retail Medical Marijuana Caregiver Storefronts

Dear Matt:

As you know, on Monday, June 18, 2018, the Auburn City Council enacted a moratorium on retail medical marijuana caregiver storefronts. The moratorium governs and applies to all proceedings, licenses, and applications for retail medical marijuana caregiver storefronts that were or are pending before the City on or any time after May 31, 2018. The moratorium also nullifies the issuance of any final approvals of the City Clerk, Code Enforcement Officer, or the Planning Board made on or any time after May 31, 2018 that authorizes the operation of a retail medical marijuana caregiver storefront.

City records indicate that your clients submitted a business license application for the sale of pre-packaged food at your clients' proposed retail medical marijuana caregiver storefront at 197 Turner Street on May 31, 2018, and that the license is currently pending before the City Clerk.

City records also indicate that your clients submitted an application on May 9, 2018 for a change of use of an office space to a tobacco shop and retail medical marijuana caregiver storefront, and that a certificate of occupancy for these premises was issued by the Code Enforcement Officer on or about June 13, 2018.

With respect to both the business license and the certificate of occupancy, you were advised by me on June 11, 2018 that these City approvals would be limited to authorizing the sale of tobacco products and pre-packaged foods but would not authorize the retail sale of medical marijuana. You were also informed that, to the extent your clients wanted to expand these approvals to include the retail sale of medical marijuana, your clients would need to submit evidence to the City that your clients' intended retail caregiver medical marijuana storefront complies with the Maine Medical Use of Marijuana Act and related state rules.

In response, on June 18, 2018, you submitted a snapshot of a one-page on-site assessment report completed by an investigator at the Maine CDC on May 14, 2018. In addition, on June 15, 2018, you filed a letter on behalf of your clients appealing to the Auburn City Council the City's "refusal to issue a Certificate of Occupancy for their caregiver business without further documentation."

June 22, 2018

Page 2

Because the moratorium applies to all pending proceedings as of May 31, 2018, the City Clerk is without jurisdiction to act on your pending business license application. Likewise, because the moratorium nullifies the issuance of any final approvals that City officials made on or after May 31, 2018, the certificate of occupancy issued on June 13 is nullified by the moratorium to the extent it authorizes a retail medical marijuana caregiver storefront. The certificate of occupancy remains in effect with respect to your clients' operation of a tobacco shop.

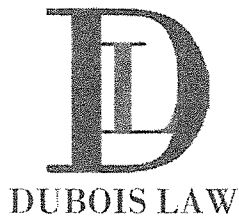
With respect to your June 18 submission seeking to expand the City's approval of the certificate of occupancy to include authorization to operate a retail medical marijuana caregiver storefront, the moratorium suspends all proceedings and applications for retail medical marijuana caregiver storefronts pending on or after May 31. Accordingly, to the extent your June 18 submission can be considered a pending proceeding or application, the City cannot accept your request for processing because of the enactment of the moratorium.

Finally, with respect to your June 15 notice of appeal to the City Council, I have advised the City Clerk to place this matter on the next Council agenda. Please note, however, that I will be advising the Council that it does not have jurisdiction to take up your appeal. In light of this, please let me know if you wish to proceed with your appeal to the City Council.

Very truly yours,

/s/ Agnieszka Dixon

Agnieszka A. Dixon



MATT DUBOIS
P.O. Box 22
49 Haymarket Square
Bangor ME 04402
207 951 6395
207 433 1215 FAX
matt@duboislawmaine.com

Eric Cousens
Deputy Director
Economic & Community Development
60 Court Street
Auburn, ME 04210
BY ELECTRONIC MAIL (VIA COUNSEL) & HAND FILING

RECEIVED
JUL 09 2018
BY: RWR

July 7, 2018

**RE: PETITION FOR APPEAL
197 Turner Street Certificate of Occupancy**

Mr. Cousens:

As you know, I represent Vincent Gogan and Shanon Gogan with regard to their tobacco shop and licensed caregiver business, d/b/a Legal Peaces, located at 197 Turner Street in Auburn. Please accept this letter as a petition for appeal of the city's refusal to issue a certificate of occupancy for my clients' caregiver business. Filed with this petition is the requisite \$350 filing and advertising fee.

Please forward a copy of this notice to the board of appeals, planning director, the chairman of the planning board, the city solicitor, and all other appropriate parties and notify me as required when an appeal hearing may be scheduled before the City Council, the Zoning Board of Appeals, the city manager, **or whichever reviewing body is responsible for hearing appeals regarding certificates of occupancy** under the Auburn Code of Ordinances or City Charter. Feel free to contact me if you require additional information to schedule the hearing.

Sincerely,

Matthew T. Dubois, Esq.

Vincent Gogan: Vincent Gogan

Shanon Gogan: Shanon Gogan

MTD/mrp



60 Court Street
 Auburn, Maine 04210
 Tel: (207) 333-6601 ext. 1158
 Fax: (207) 333-6625

RECEIPT

BILL TO:

Shanon and Vincent Gogan
 560 Sabattus RD
 Sabattus, ME United States

Receipt Number: TRC-012084-09-07-2018

Date: 07/09/2018

Amount

PRIMARY FEES

Invoice Number: 11515

Petition for Appeal	\$150.00
Petition for Appeal Required Advertising	\$200.00

PAYMENTS RECEIVED

Date	Payment Method	Amount Received
07/09/2018	Cash	\$350.00
	Total Payment	\$350.00
	Change Due	\$0.00

9/19/2018

Dubois Law Mail - Legal Peaces Appeal



Matthew Dubois <matt@duboislawmaine.com>

Legal Peaces Appeal

4 messages

Michael Malloy <msm@malloyfirmmaine.com>

To: matt@duboislawmaine.com

Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Wed, Jul 18, 2018 at 12:06 PM

Dear Matt:

I am the City Attorney for Auburn. I recently received your Petition for Appeal regarding the Certificate of Occupancy for 197 Turner Street. I will be assisting the Zoning Board of Appeals in its consideration of your clients' petition. I understand Aga Dixon from Drummond Woodsum will likely represent the department in this matter.

I am working with City staff to schedule a hearing date and will be in touch once I know more, but I wanted to reach out to give you a head's up and open the line of communication with you.

If you have questions or concerns, feel free to contact me at your convenience.

Regards,

Michael S. Malloy

THE MALLOY FIRM

178 Court Street, Second Floor

P.O. Box 3171

Auburn, Maine 04212-3171

msm@malloyfirmmaine.com

207-312-9239

Matthew Dubois <matt@duboislawmaine.com>
To: Michael Malloy <msm@malloyfirmmaine.com>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Mon, Jul 23, 2018 at 12:52 PM

Hi Michael,

Thank you for the update. I look forward to hearing from you regarding the petition. Please let me know if the Board requires anything further from my clients as we move toward a hearing date.

Best regards,
Matt Dubois

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | **Fax:** (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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[Quoted text hidden]

Michael Malloy <msm@malloyfirmmaine.com>

Mon, Jul 23, 2018 at 6:48 PM

9/19/2018

Dubois Law Mail - Legal Peaces Appeal

To: Matthew Dubois <matt@duboislawmaine.com>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Thank you. We are targeting August 9th for a hearing date. Are you available that evening?

Michael

Michael S. Malloy

THE MALLOY FIRM
178 Court Street, Second Floor
P.O. Box 3171
Auburn, Maine 04212-3171
msm@malloyfirmmaine.com
207-312-9239

From: Matthew Dubois <matt@duboislawmaine.com>
Sent: Monday, July 23, 2018 12:52 PM
To: Michael Malloy <msm@malloyfirmmaine.com>
Cc: Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
Subject: Re: Legal Peaces Appeal

Hi Michael,

Thank you for the update. I look forward to hearing from you regarding the petition. Please let me know if the Board requires anything further from my clients as we move toward a hearing date.

9/19/2018

Dubois Law Mail - Legal Peaces Appeal

To: Matthew Dubois <mattduboislawmaine.com>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

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Michael

Michael S. Malloy

THE MALLOY FIRM
178 Court Street, Second Floor
P.O. Box 3171
Auburn, Maine 04212-3171
msm@malloyfirmmaine.com
207-312-9239

From: Matthew Dubois <mattduboislawmaine.com>
Sent: Monday, July 23, 2018 12:52 PM
To: Michael Malloy <msm@malloyfirmmaine.com>
Cc: Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
Subject: Re: Legal Peaces Appeal

Hi Michael,

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https://mail.google.com/mail/u/0/?ui=2&ik=c803a5c5c6&jsver=H3WAlj9wt4;en.&cbl=gmail_fe_180911.11_p4&view=pr&q=ADixon%40dwmlaw.com&qs=true&search=query&th=164c9aafa19d1d&siml... 3/6

9/19/2018

Dubois Law Mail - Legal Peaces Appeal

Best regards,
Matt Dubois

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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https://mail.google.com/mail/u/0/?ui=2&ik=c803a5c5c6&jsvef=HwVAtjgw4.en.&cbi=gmail_fe_180911_11_pd&view=pt&q=ADixor%40dwnlaw.com&qs=true&search=query&th=164c9aafaa19d1d&siml... 4/6

9/19/2018

Dubois Law Mail - Legal Peaces Appeal

consequences of any proposed course of conduct with a client and counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law and counsel or assist a client regarding conduct expressly permitted by Maine law.

On Wed, Jul 18, 2018 at 12:06 PM, Michael Malloy <msm@malloyfirmmaine.com> wrote:

Dear Matt:

I am the City Attorney for Auburn. I recently received your Petition for Appeal regarding the Certificate of Occupancy for 197 Turner Street. I will be assisting the Zoning Board of Appeals in its consideration of your clients' petition. I understand Aga Dixon from Drummond Woodssum will likely represent the department in this matter.

I am working with City staff to schedule a hearing date and will be in touch once I know more, but I wanted to reach out to give you a head's up and open the line of communication with you.

If you have questions or concerns, feel free to contact me at your convenience.

Regards,

Michael S. Malloy

THE MALLOY FIRM

178 Court Street, Second Floor

P.O. Box 3171

Auburn, Maine 04212-3171

msm@malloyfirmmaine.com

207-312-9239

Mon, Jul 23, 2018 at 8:23 PM

Matthew Dubois <mattd@duboislawmaine.com>
To: Michael Malloy <msm@malloyfirmmaine.com>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Hi Michael,

Thank you for working with me on a hearing date. I will be out of the state from August 1 through August 15, so if at all possible I would greatly appreciate it if the hearing could be scheduled after that time. Would that be possible?

Best,
Matt

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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[Quoted text hidden]



Matthew Dubois <mattd@duboislawmaine.com>

Petition for appeal

2 messages

Mon, Aug 20, 2018 at 8:13 AM

Eric Cousens <ECousens@auburnmaine.gov>
To: Matthew Dubois <mattd@duboislawmaine.com>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>, Michael Malloy <msm@malloyfirmmaine.com>, Peter Crichton <pcrichton@auburnmaine.gov>, Michael Chamming <mchamming@auburnmaine.gov>

Matthew,

We have polled the Zoning Board and we are narrowing down a date for the appeal. I would like to confirm your availability for the following Thursdays in September at 6PM:

- Thursday, September 13?
- Thursday, September 20?
- Thursday, September 27?

Your request for appeal is very general asking for us to schedule your appeal with multiple boards or individuals. Please confirm that you wish to have your appeal heard by the Zoning Board of Appeals and whether it should be processed as a Variance request, Administrative appeal or an Interpretation. The ordinance regarding jurisdiction is available at: https://library.municode.com/me/auburn/codes/code_of_ordinances?nodeId=PTIIICOOOR_CH60ZO_ARTXVBOAP_DIV4PODU The Board prefers time to review materials ahead of the meeting and we will prepare a public notice and staff report based on whatever materials are submitted and what type of appeal is proposed. I suspect you will want an Administrative to challenge the decision to limit activities to those that are legal and the request for documentation from DHHS regarding the sale of medical marijuana. Please advise.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154

https://mail.google.com/mail/u/0/?ui=2&ik=c803a5c5c6&jsver=HawWaj9wtf4.en.&cbi=gmail_fe_180911.11_p4&view=pl&q=ECousens%40auburnmaine.gov&qs=true&search=query&th=165632d1375f06...



The City of Auburn is subject to statutes relating to public records.

E-mail sent or received by City employees are subject to these laws.

Senders and receivers of City e-mail should presume that messages are subject to release.

Wed, Aug 22, 2018 at 3:47 PM

Matthew Dubois <mattd@duboislawmaine.com>
To: Eric Cousens <ECousens@auburnmaine.gov>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>, Michael Malloy <msm@malloyfirmmaine.com>, Peter Crichton <pcrichton@auburnmaine.gov>, Michael Chamming <mchamming@auburnmaine.gov>
Bcc: Shanongogan@aol.com, legalpeaces420@gmail.com

Hi Eric,

Thank you for coordinating with the ZBA regarding the dates you've proposed. September 27 will work for my clients and me. Please schedule the hearing and notify us of the time and location at your earliest convenience.

To clarify the language in my petition letter, I deliberately drafted it as broadly as possible. My clients do not seek an appeal from multiple entities; the list of reviewing bodies was subjunctive (an 'or' list), requesting a hearing before whichever body is appropriate. This is because my clients initially appealed to the Auburn City Council, as the Council has jurisdiction over appeals regarding business licenses. See Article II, Chapter 14, Section 14-37, 39. Ms. Dixon cited Section 14-26 in her June 11 letter, and all of our discussions and correspondence to date have revolved around Chapter 14 and the moratorium (Chapter 61). Ms. Dixon then advised us, without explanation, that she would advise the council it lacked jurisdiction to hear the appeal. After I requested clarification, she explained she felt the ZBA was the appropriate appeal body. You appear to agree.

However, the provision you cite (Chapter 60, Article XV, Division 4) provides that the ZBA "shall interpret provisions of the zoning ordinance which are called into question" (Sec. 60-1185), and "The board of appeals may hear appeals in the administration of the zoning chapter in order to determine if the building inspector or code enforcement officer erred in granting or denying a permit." Sec. 60-1185 (emphasis added). The zoning ordinance, Chapter 60, does not contain the permitting and licensing provisions in dispute, nor does it contain the moratorium on medical marijuana caregiver storefronts (Chapter 61).

Because the issues and provisions in dispute are not based in the zoning ordinance, I do not believe the ZBA, which is limited to interpreting and hearing appeals in the administration of the zoning chapter, is the appropriate reviewing body here. However, my clients and I do not wish to muddy the waters by arguing over the appropriate appeal body. We are willing to defer to your office on this issue, and schedule an appeal with the ZBA, if it is capable of providing a final decision and is the body which typically hears such matters.

As for the issues to be heard, my clients seek an administrative appeal of the city's decision to refuse, without a rational basis, to issue a certificate of occupancy for their caregiver storefront, despite the fact that my clients had met all the prerequisites to its issuance two weeks prior to passage of the moratorium on caregiver storefronts. They also raise due process, equal protection, and bias claims, as my clients were the only such caregiver business to be shut down by the moratorium, and there appears to be no rationale for the city to have made the moratorium retroactive other than to justify denial of their application for a certificate of occupancy.

Regarding the materials for review, I have attached several documents which should be part of the record. Additionally, the following should be considered part of the record:

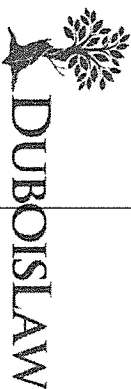
- All applications, permits, notes, correspondence, and any and all other non-privileged documents in the city's files in any way pertaining to my clients' Center Street and Turner Street locations
- All relevant Code sections and statutes, including but not limited to Chapter 14, Chapter 60, and Chapter 61
- The agendas and minutes from all Council workshops and meetings where the moratorium was mentioned
- I will also forward to you and to Ms. Dixon a number of e-mail conversations which should be included.

Please let me know if there are additional materials that should be included.

Thank you again for your work to coordinate a hearing. Please let me know if you require any more information from me or my clients. I look forward to hearing from you.

Regards,
Matt

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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


9/19/2018

Dubois Law Mail - Petition for appeal

consequences of any proposed course of conduct with a client and counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law and counsel or assist a client regarding conduct expressly permitted by Maine law.

[Quoted text hidden]

7 attachments

-  **180706 Petition for Appeal.pdf**
249K
-  **Purchase and Sale Agreement for 197 Turner Street.pdf**
89K
-  **180514 CDC Assessment Report - Signed.pdf**
612K
-  **180605 Letter re 197 Turner Street Certificate of Occupancy.pdf**
146K
-  **180611 Letter from ADixon to MDubois re Proof of Compliance.pdf**
267K
-  **180615 Notice of Appeal.pdf**
196K
-  **180622 Letter from ADixon to MDubois re Moratorium.pdf**
121K



Matthew Dubois <mattduboislawmaine.com>

Fwd: Re: CDC Assessment Report for Legal Pieces

9 messages

mattduboislawmaine.com <mattduboislawmaine.com>

Wed, Aug 22, 2018 at 4:07 PM

To: ECousens@auburnmaine.gov

Subject: Re: CDC Assessment Report for Legal Pieces

From: Matthew Dubois <mattduboislawmaine.com>

To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Cc: tlawrence@dwmlaw.com

Date Sent: Tue, 19 Jun 2018 16:32:03 -0400

Date Received: Tue, 19 Jun 2018 13:32:03 -0700 (PDT)

Hi Aga,

It was good meeting you at the council meeting in Auburn yesterday. I am following up with you regarding the documentation from the Maine CDC that I asked you and Tynan to forward to the City of Auburn, and which my clients filed with the city yesterday afternoon. While I don't believe it is my clients' burden to prove compliance beyond possession of their caregiver licenses, I nonetheless provided the documentation to help move things along.

Please advise regarding the city's posture toward my clients' certificate of occupancy, as well as the status of their appeal as soon as you can. Thank you again for your time and attention to this matter.

Regards,
Matt Dubois

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: mattduboislawmaine.com
Web: duboislawmaine.com



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On Mon, Jun 18, 2018 at 4:03 PM, Matthew Dubois <[mailto:matt@duboislawmaine.com]> wrote:

Hi Tynan,

I understand Ms. Dixon is out of the office this afternoon. Please accept the documentation attached to the forwarded email to Ms. Dixon, and pass it along with my request to the Auburn City Council as soon as possible.

Please feel free to contact me for more information.

Matt Dubois

----- Forwarded message -----

From: Matthew Dubois <[mailto:matt@duboislawmaine.com]>

Date: Mon, Jun 18, 2018, 4:00 PM

Subject: CDC Assessment Report for Legal Pieces

To: Agnieszka A. (Pinette) Dixon <[mailto:ADixon@dwmlaw.com]>

Hi Aga,

I have attached a photograph of the requested documentation from the Maine CDC showing that no non-compliance was found and no action was required to be taken at the May 14, 2018 on-site inspection by Wade Maddox, an inspector for the CDC's medical marijuana program. The report form reflects that the inspection occurred at my clients' Legal Peaces storefront in Auburn. I was present for said inspection at the storefront. Because the inspector found no non-compliance at my clients' medical marijuana caregiver storefront, after the Department inspected the entire operation from seed to sale, and the report reflects no non-compliance at Legal Peaces, this report should satisfy the city's request for documentation. Please forward the report to the City of Auburn, along with my clients' request that the certificate of occupancy for the caregiver storefront issue immediately.

If the city issues the certificate of occupancy and allows my clients to fully open for business, my clients will drop their appeal to the City Council, as it will then be moot.

My clients will file a hard copy of this report with the city today as well.

Thank you for your attention to this matter, and please feel free to contact me if you require any more information.

Matt

9/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

To: "matt@duboislawmaine.com" <matt@duboislawmaine.com>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>, Michael Malloy <msm@malloyfirmmaine.com>, Michael Chamblings <mchamblings@auburnmaine.gov>

Hello Matt,

I received 45 emails from you yesterday evening with various subject lines. Was this intentional or a technical problem? I have not had a chance to review all of them but I would ask that you provide 10 paper copies of everything that you would like included in the Boards information packet so I can ensure that they get what you would like them to have. We are still working on nailing down a hearing date with a quorum of Board members but I think we are getting close.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street Auburn, Maine 04210 | 207.333.6601 X1154



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From: matt@duboislawmaine.com <matt@duboislawmaine.com>
Sent: Wednesday, August 22, 2018 4:08 PM
To: Eric Cousens <ECousens@auburnmaine.gov>
Subject: Fwd: Re: CDC Assessment Report for Legal Pieces

6/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

Subject: Re: CDC Assessment Report for Legal Pieces
From: Matthew Dubois <mattd@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmrlaw.com>
Cc: tlawrence@dwmrlaw.com
Date Sent: Tue, 19 Jun 2018 16:32:03 -0400
Date Received: Tue, 19 Jun 2018 13:32:03 -0700 (PDT)

Hi Aga,

It was good meeting you at the council meeting in Auburn yesterday. I am following up with you regarding the documentation from the Maine CDC that I asked you and Tynan to forward to the City of Auburn, and which my clients filed with the city yesterday afternoon. While I don't believe it is my clients' burden to prove compliance beyond possession of their caregiver licenses, I nonetheless provided the documentation to help move things along.

Please advise regarding the city's posture toward my clients' certificate of occupancy, as well as the status of their appeal as soon as you can. Thank you again for your time and attention to this matter.

Regards,

Matt Dubois

Matthew T. Dubois, Esq.

Attorney, Dubois Law

P.O. Box 22 | Bangor, ME 04402

Phone: (207) 951-6395 | **Fax:** (207) 433-1215

9/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

Email: matt@duboislawmaine.com

Web: duboislawmaine.com



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On Mon, Jun 18, 2018 at 4:03 PM, Matthew Dubois <matt@duboislawmaine.com> wrote:

Hi Tynan,

I understand Ms. Dixon is out of the office this afternoon. Please accept the documentation attached to the forwarded email to Ms. Dixon, and pass it along with my request to the Auburn City Council as soon as possible.

Please feel free to contact me for more information.

Matt Dubois

9/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

----- Forwarded message -----

From: Matthew Dubois <mattd@duboislawmaine.com>
Date: Mon, Jun 18, 2018, 4:00 PM
Subject: CDC Assessment Report for Legal Pieces
To: Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>

Hi Aga,

I have attached a photograph of the requested documentation from the Maine CDC showing that no non-compliance was found and no action was required to be taken at the May 14, 2018 on-site inspection by Wade Maddox; an inspector for the CDC's medical marijuana program. The report form reflects that the inspection occurred at my clients' Legal Peaces storefront in Auburn. I was present for said inspection at the storefront. Because the inspector found no non-compliance at my clients' medical marijuana caregiver storefront, after the Department inspected the entire operation from seed to sale, and the report reflects no non-compliance at Legal Peaces, this report should satisfy the city's request for documentation. Please forward the report to the City of Auburn, along with my clients' request that the certificate of occupancy for the caregiver storefront issue immediately.

If the city issues the certificate of occupancy and allows my clients to fully open for business, my clients will drop their appeal to the City Council, as it will then be moot.

My clients will file a hard copy of this report with the city today as well.

Thank you for your attention to this matter, and please feel free to contact me if you require any more information.

Matt

Matthew Dubois <mattd@duboislawmaine.com>
To: Eric Cousens <ECousens@auburnmaine.gov>, "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>
Bcc: legalpeaces420@gmail.com, Shanongogan@aol.com

Fri, Aug 24, 2018 at 4:49 PM

Hi Eric,

You are correct that your receipt of 45 separate e-mails was a technical glitch; the app I used to forward the e-mails was meant to forward them in nested conversation form. I apologize for the inconvenience. I will re-send the e-mails in a more digestible format.

As for your request to provide 10 paper copies of every document intended for the board's review, I must request that you cite to any relevant provision regarding the appellant's responsibility to furnish materials for review. Absent a clear directive that the appellant bear the burden of providing not just one, but 10 hard copies

9/19/2018

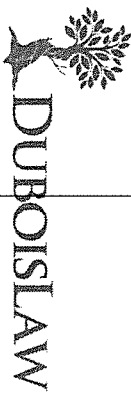
Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

of every piece of evidence, I must ask that the city work with my clients on this matter. Your office and your attorney have full access to the materials I attached to my prior e-mail, and are free to print them as needed. Your office and Ms. Dixon also have access to the each of the e-mails relevant to the issues on appeal. As I stated, I am willing to send along condensed versions of the relevant e-mails. Lastly, the city has exclusive access to most of the relevant materials in its file, and can easily furnish copies of those items to the board members as well. I expect the appeal filing fee is intended to somewhat defray the costs of preparing documents for review.

Because each of the items for review is already in your possession, my clients object to your request for 10 hard copies of each and every piece of documentary evidence. Please advise regarding how your office typically prepares the record for review by the ZBA, absent a requirement that members of the public furnish such an abundance of copies at their own expense.

Regards,
Matt

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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[Quoted text hidden]

Eric Cousens <ECousens@auburnmaine.gov>
To: Matthew Dubois <matt@duboislawmaine.com>, "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>
Cc: Michael Chamnings <mchamnings@auburnmaine.gov>, Michael Malloy <mism@malloyfirmmaine.com>

Mon, Sep 10, 2018 at 8:42 AM

9/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

Mr. Dubois,

Today is the deadline for mailed notices for the 24th hearing date. I left you a voicemail this morning with this request as well. I still need to know what type of appeal you are applying for and have not received an answer from you or your client. Is it an Administrative Appeal, Variance or Interpretation? Normally I would make that determination from the appeal package provided by the applicant, including 10 copies of everything you would like the Board to have in support of the request. I will need to know soon to get notice out and meet the deadline for the 24th.

2

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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From: Matthew Dubois <mattdubois@dwmlaw.com>
Sent: Friday, August 24, 2018 4:50 PM
To: Eric Cousens <ECousens@auburnmaine.gov>; Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
Subject: Re: Re: CDC Assessment Report for Legal Pieces

[Quoted text hidden]

Matthew Dubois <mattdubois@dwmlaw.com>

Mon, Sep 10, 2018 at 9:05 AM

https://mail.google.com/mail/u/0/?ui=2&ik=c803a5c6&jsver=HAWMaj9wtf4.en.&cb=gmil_fe_180911.11_p4&view=pl&q=ECousens%40auburnmaine.gov&qd=true&search=query&th=16567ad042b14... 8/17

9/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

To: Eric Cousens <ECousens@auburnmaine.gov>
Cc: "Agnieszka A. (Finette) Dixon" <ADixon@dwmlaw.com>

Hi Eric,

Thank you for the message. My clients seek an administrative appeal, as stated in my August 22 email. It was a long message so I understand if you missed that part.

My clients and I need to confirm: Is it standard practice for the applicant to provide 10 print copies of every document for review? I can find nothing in the Code regarding provision of Materials for review. I understand the ZBA needs the materials, but you must understand that 10 copies of the entire record would be extremely voluminous. The city website reflects that there are 6 board members. Who else requires the copies?

My clients and I need access to your department's files to ensure we have all the records for appeal. Would it be possible for you to share the file contents dealing with my clients' various applications electronically? Once my clients have access to the requested materials, we can finalize the record and provide copies in some manner to the ZBA.

Please confirm whether your office will share the requested materials, and whether we can reduce the number of hard copies of the record to be provided to the ZBA.

Best regards,
Matt

[Quoted text hidden]

6 attachments



image011.png
8K



image002.png
8K



image010.jpg
2K



image001.jpg
2K

image003.png
7K



image012.png
7K

Mon, Sep 10, 2018 at 11:14 AM

Eric Cousens <ECousens@auburnmaine.gov>
To: Matthew Dubois <mat@duboislawmaine.com>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Mr. Dubois,

Thank you for the clarification. I received about 45 emails from you on the 22nd so I was not clear on the appeal type and the files that you would like to include in support of your appeal. It is standard practice for the appellant to provide 10-12 copies of their appeal as the burden is on the appellant to convince the Board that the Building Inspector or Code Enforcement Officer erred in their decision to grant or deny a permit. 10 Copies will be enough for your current appeal as the Board is not fully staffed as you noted. I could get by with 8 copies if you also provide a single PDF File of the entire package and I can distribute the PDF Copy to the Planning Board Chair and City Attorney to save your printing the 2 additional copies.

Attached are some of the documents that I have electronically. If there is something else specific we may be able to scan them, otherwise you may wish to review the file and select any additional documents you want copies of.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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9/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

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From: Matthew Dubois <matt@duboislawmaine.com>
Sent: Monday, September 10, 2018 9:05 AM
To: Eric Cousens <ECousens@auburnmaine.gov>
Cc: Agnieszka A. (Pinette) Dixon <ADixon@dwm1aw.com>

[Quoted text hidden]

[Quoted text hidden]
[Quoted text hidden]

[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]
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[Quoted text hidden]

Hi Aga,

It was good meeting you at the council meeting in Auburn yesterday. I am following up with you regarding the documentation from the Maine CDC that I asked you and Tynan to forward to the City of Auburn, and which my clients filed with the city yesterday afternoon. While I don't believe it is my clients' burden to prove compliance beyond possession of their caregiver licenses, I nonetheless provided the documentation to help move things along.

Please advise regarding the city's posture toward my clients' certificate of occupancy, as well as the status of their appeal as soon as you can. Thank you again for your time and attention to this matter.

Regards,

Matt Dubois

Matthew T. Dubois, Esq.
Attorney, Dubois Law
 P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com

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On Mon, Jun 18, 2018 at 4:03 PM, Matthew Dubois <matt@duboislawmaine.com> wrote:

Hi Tynan,

I understand Ms. Dixon is out of the office this afternoon. Please accept the documentation attached to the forwarded email to Ms. Dixon, and pass it along with my request to the Auburn City Council as soon as possible.

Please feel free to contact me for more information.

Matt Dubois

----- Forwarded message -----

From: Matthew Dubois <mat@duboislawmaine.com>
Date: Mon, Jun 18, 2018, 4:00 PM
Subject: CDC Assessment Report for Legal Pieces
To: Agnieszka A. (Pinette) Dixon <ADixon@dwnlaw.com>

Hi Aga,

I have attached a photograph of the requested documentation from the Maine CDC showing that no non-compliance was found and no action was required to be taken at the May 14, 2018 on-site inspection by Wade Maddox, an inspector for the CDC's medical marijuana program. The report form reflects that the inspection occurred at my clients' Legal Peaces storefront in Auburn. I was present for said inspection at the storefront. Because the inspector found no non-compliance at my clients' medical marijuana caregiver storefront, after the Department inspected the entire operation from seed to sale, and the report reflects no non-compliance at Legal Peaces, this report should satisfy the city's request for documentation. Please forward the report to the City of Auburn, along with my clients' request that the certificate of occupancy for the caregiver storefront issue immediately.

If the city issues the certificate of occupancy and allows my clients to fully open for business, my clients will drop their appeal to the City Council, as it will then be moot.

My clients will file a hard copy of this report with the city today as well.

Thank you for your attention to this matter, and please feel free to contact me if you require any more information.

Matt


6 attachments


9/19/2018


Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces


 **Health Inspection Emails.pdf**
188K

 **Health Inspection Report.pdf**
104K

 **Legal Peaces.pdf**
5534K

 **197 Turner Street, C of O 6.13.18.pdf**
148K

 **197 Turner Street,, Change of use 6.6.18.pdf**
2560K

 **Appeal of Limited C of O.pdf**
2494K

Thu, Sep 13, 2018 at 3:24 PM

Eric Cousens <ECousens@auburmaine.gov>
To: Matthew Dubois <mattduboislawmaine.com>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>, Michael Malloy <msm@malloyfirmmaine.com>, Peter Crichton <pcrichton@auburmaine.gov>, Rhonda Russell <rrussell@auburmaine.gov>

Mr. Dubois,

I have not received a response from you since my email on the 10th So I wanted to follow with a courtesy reminder of the schedule. The appeal is scheduled for Monday September 24th at 6PM. It is customary for the appellant to provide copies for the Board, however, I have reviewed the ordinance and the requirement is 2 copies of the appeal petition and supporting information. I have sent you the attached documents and offered the file for your review in this office to complete the record that you wish to be available for the Board's review. It is your responsibility to submit, in duplicate, the record that you wish to be available to the Board and it is not my responsibility to construct it for you. At this time the record includes only the letter submitted on behalf of your clients, Vincent and Shannon Gogan, requesting the appeal. I will deliver the petition/appeal request to the Board on Thursday September 20th at 9am or soon thereafter. Please provide any items that you wish to include in that delivery prior to that time.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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

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From: Eric Cousens
Sent: Monday, September 10, 2018 11:15 AM
To: 'Matthew Dubois' <matt@duboislawmaine.com>
Cc: Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
Subject: RE: CDC Assessment Report for Legal Pieces

[Quoted text hidden]

6 attachments

-  **Appeal of Limited C of O.pdf**
2494K
-  **197 Turner Street, Change of use 6.6.18.pdf**
2560K
-  **197 Turner Street, C of O 6.13.18.pdf**
148K
-  **Legal Peaces.pdf**
5534K
-  **Health Inspection Report.pdf**
104K
-  **Health Inspection Emails.pdf**
188K

9/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

Thu, Sep 13, 2018 at 3:47 PM

Matthew Dubois <mattd@duboislawmaine.com>
To: Eric Cousens <ECousens@auburnmaine.gov>, "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Mr., Coousens:

Thank you for looking into the code sections regarding the record, and for sending along some of the file materials. My clients and I are willing to submit hard copies of the materials we would like included, in duplicate. When would be a good time for my clients or I to appear at your office and obtain copies of the file? Also, would your office or the clerk provide photocopying services, for a fee or otherwise?

Regards,
Matt

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: mattd@duboislawmaine.com
Web: duboislawmaine.com



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[Quoted text hidden]

Eric Cousens <ECousens@auburnmaine.gov>
To: Matthew Dubois <mattd@duboislawmaine.com>, "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Mr. Dubois,

Mon, Sep 17, 2018 at 9:16 AM

9/19/2018

Dubois Law Mail - Fwd: Re: CDC Assessment Report for Legal Pieces

They can review the file anytime M-F 8-4:30. If they need copies they can mark the documents they wish to have and we can copy them while they are here if it is not too busy or we will copy them within 24 hours if it is busy in the office. If they prefer to schedule a time I can do Tuesday at 10 or Wednesday at 2 but would need to confirm soon so the times don't get booked with other commitments.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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From: Matthew Dubois <mattd@duboislawmaine.com>
Sent: Thursday, September 13, 2018 3:47 PM

[Quoted text hidden]

[Quoted text hidden]



Matthew Dubois <mattd@duboislawmaine.com>

City of Auburn | Legal Peaces matter

5 messages

Fri, Jun 22, 2018 at 4:46 PM

Agnieszka A. (Pinette) Dixon <ADixon@dwmnlaw.com>
To: Matthew Dubois <mattd@duboislawmaine.com>

Hi Matt,

Attached is a response to your inquiry regarding the status of your notice of appeal, as well as how the recently enacted moratorium affects Legal Peaces. Please give me a call when you have a chance next week to discuss the appeal.

Regards,

Aga

Agnieszka A. (Pinette) Dixon
Attorney
207.772.1941 ext. 532
ADixon@dwmnlaw.com
84 Marginal Way, Suite 600, Portland, ME 04101-2480
800.727.1941 | 207.772.3627 Fax | dwmnlaw.com

DrummondWoodsum
ATTORNEYS AT LAW

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 **2018-06-22 ADixon to MDubois re Moratorium.pdf**
124K

Sat, Jun 30, 2018 at 3:14 PM

Matthew Dubois <matt@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Hi Aga,

I hope you're having a pleasant weekend. I apologize for the delayed response; my clients have been contemplating their next steps in this matter. You've stated that you have advised the council that they do not have jurisdiction to hear the appeal. Can you provide the reasoning behind your assessment? It appears to me that the council is the appropriate appellate body for a decision not to issue a certificate of occupancy, as it is not a decision based in the zoning ordinance, which is the purview of the ZBA.

My clients do wish to exhaust their municipal appeal options; however, if the council will refuse to hear the appeal, my clients do not wish to waste the time and money to appear at the meeting. Can you give me an idea of the date the hearing might be scheduled, and if it were scheduled, whether or not the council would hear the appeal?

Thanks,
Matt

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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[Quoted text hidden]

9/19/2018

Dubois Law Mail - City of Auburn | Legal Peaces matter

Tue, Jul 3, 2018 at 1:15 PM

Matthew Dubois <mattduboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Good afternoon, Aga. I just wanted to follow up on my prior message. I look forward to hearing from you.

Regards,
Matt

[Quoted text hidden]

Tue, Jul 3, 2018 at 4:59 PM

Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
To: Matthew Dubois <mattduboislawmaine.com>

Hi Matt,

We will be advising the City Council that neither the Charter nor the Code of Ordinances gives the Council jurisdiction to adjudicate an appeal of the issuance of a certificate of occupancy. The next Council meeting is scheduled for July 16th and the agenda packet will be posted on July 12th for that meeting. I'd appreciate it if you could let me know by July 10th if you'd like to pursue this appeal before the Council.

Thanks,

Aga

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmlaw.com

84 Marginal Way, Suite 600, Portland, ME 04101-2480

9/19/2018

800.727.1941 | 207.772.3627 Fax | dwmnlaw.com

Dubois Law Mail - City of Auburn | Legal Peaces matter

Drummond Woods

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From: Matthew Dubois <matt@duboislawmaine.com>
Sent: Saturday, June 30, 2018 3:14 PM
To: Agnieszka A. (Pinette) Dixon <ADixon@dwmnlaw.com>
Subject: Re: City of Auburn | Legal Peaces matter

Hi Aga,

I hope you're having a pleasant weekend. I apologize for the delayed response. My clients have been contemplating their next steps in this matter. You've stated that you have advised the council that they do not have jurisdiction to hear the appeal. Can you provide the reasoning behind your assessment? It appears to me that the council is the appropriate appellate body for a decision not to issue a certificate of occupancy, as it is not a decision based in the zoning ordinance, which is the purview of the ZBA.

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Thanks,

Matt

Matthew T. Dubois, Esq.

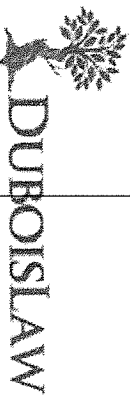
Attorney, Dubois Law

P.O. Box 22 | Bangor, ME 04402

Phone: (207) 951-6395 | **Fax:** (207) 433-1215

Email: matt@duboislawmaine.com

Web: duboislawmaine.com



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On Fri, Jun 22, 2018 at 4:46 PM, Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com> wrote:

Hi Matt,

9/19/2018

Dubois Law Mail - City of Auburn | Legal Peaces matter

Attached is a response to your inquiry regarding the status of your notice of appeal, as well as how the recently enacted moratorium affects Legal Peaces. Please give me a call when you have a chance next week to discuss the appeal.

Regards,

Aga

Agnieszka A. (Pinette) Dixon

Attorney

207.772.1941 ext. 532

ADixon@dwnlaw.com

84 Marginal Way, Suite 600, Portland, ME 04101-2480

800.727.1941 | 207.772.3627 Fax | dwnlaw.com



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6/19/2018

Dubois Law Mail - City of Auburn | Legal Peaces matter

Fri, Jul 6, 2018 at 1:47 PM

Matthew Dubois <mattd@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

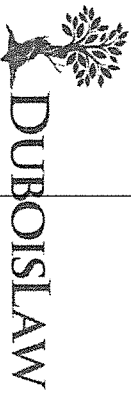
Hi Aga,

Based on my review of the Code, the Council is the appropriate body to review the decision in question, as it is not based on the zoning ordinance and does not appear to be a matter for the ZBA. However, if you're advising otherwise and the Council will likely refuse to hear the appeal, my clients will file a petition asking that an appeal be scheduled with whichever reviewing body is appropriate. Surely the city has established procedures for review of decisions regarding certificates of occupancy. My clients ask that the city treat them as it would any other appellant, and schedule the appeal with the appropriate reviewing body. I've attached a copy of the petition for appeal, which my clients will sign and file with the city today, along with the requisite filing fee.

Please advise regarding the city's response to the petition for appeal.

Best regards,
Matt


Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: mattd@duboislawmaine.com
Web: duboislawmaine.com



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 **180706 Petition for Appeal.pdf**
249K



Matthew Dubois <mattd@duboislawmaine.com>

CDC Assessment Report for Legal Pieces

7 messages

Matthew Dubois <mattd@duboislawmaine.com>

Mon, Jun 18, 2018 at 4:00 PM

To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmnlaw.com>

Hi Aga,

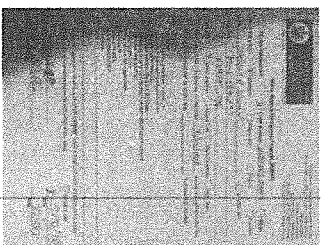
I have attached a photograph of the requested documentation from the Maine CDC showing that no non-compliance was found and no action was required to be taken at the May 14, 2018 on-site inspection by Wade Maddox, an inspector for the CDC's medical marijuana program. The report form reflects that the inspection occurred at my clients' Legal Peaces storefront in Auburn. I was present for said inspection at the storefront. Because the inspector found no non-compliance at my clients' medical marijuana caregiver storefront, after the Department inspected the entire operation from seed to sale, and the report reflects no non-compliance at Legal Peaces, this report should satisfy the city's request for documentation. Please forward the report to the City of Auburn, along with my clients' request that the certificate of occupancy for the caregiver storefront issue immediately.

If the city issues the certificate of occupancy and allows my clients to fully open for business, my clients will drop their appeal to the City Council, as it will then be moot.

My clients will file a hard copy of this report with the city today as well.

Thank you for your attention to this matter, and please feel free to contact me if you require any more information.

Matt



Assessment Report - CDC.jpeg
1369K

Mon, Jun 18, 2018 at 4:03 PM

Matthew Dubois <mattd@duboislawmaine.com>
To: tlawrence@dwmnlaw.com

Hi Tynan,

9/19/2018

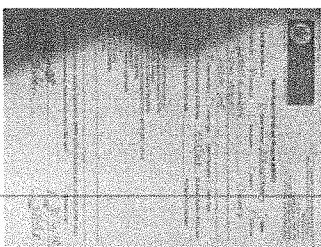
Dubois Law Mail - CDC Assessment Report for Legal Pieces

I understand Ms. Dixon is out of the office this afternoon. Please accept the documentation attached to the forwarded email to Ms. Dixon, and pass it along with my request to the Auburn City Council as soon as possible.

Please feel free to contact me for more information.

Matt Dubois

[Quoted text hidden]



Assessment Report - CDC.jpeg
1369K

Matthew Dubois <mmatt@duboislawmaine.com>

To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmrlaw.com>

Cc: tlawrence@dwmrlaw.com

Tue, Jun 19, 2018 at 4:32 PM

Hi Aga,

It was good meeting you at the council meeting in Auburn yesterday. I am following up with you regarding the documentation from the Maine CDC that I asked you and Tynan to forward to the City of Auburn, and which my clients filed with the city yesterday afternoon. While I don't believe it is my clients' burden to prove compliance beyond possession of their caregiver licenses, I nonetheless provided the documentation to help move things along.

Please advise regarding the city's posture toward my clients' certificate of occupancy, as well as the status of their appeal as soon as you can. Thank you again for your time and attention to this matter.

Regards,
Matt Dubois

Matthew T. Dubois, Esq.

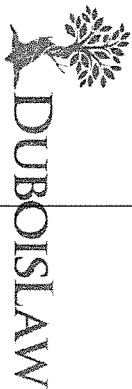
Attorney, Dubois Law

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Wed, Jun 20, 2018 at 1:50 PM

Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
 To: Matthew Dubois <math@duboislawmaine.com>

Hi Matt,

We are looking into how the moratorium will affect your client's permits and applications. We will be in contact early next week.

Regards,

Aga

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmlaw.com

6/19/2018

Dubois Law Mail - CDC Assessment Report for Legal Pieces

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800.727.1941 | 207.772.3627 Fax | dwm1aw.com

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From: Matthew Dubois <matt@duboislawmaine.com>

Sent: Tuesday, June 19, 2018 4:32 PM

To: Agnieszka A. (Pinette) Dixon <ADixon@dwm1aw.com>

Cc: Tynan Lawrence <TLawrence@dwm1aw.com>

Subject: Re: CDC Assessment Report for Legal Pieces

[Quoted text hidden]

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Wed, Jun 20, 2018 at 2:11 PM

Matthew Dubois <matt@duboislawmaine.com>

To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwm1aw.com>

Bcc: Shanongogan@aol.com

Hi Aga,

Thank you for the update. However, it is unreasonable to force my clients to wait until next week for a decision on their certificate of occupancy. They have passed the required inspections and furnished all requested documentation. All that stands in the way now is the city's decision whether or not to withhold the certificate based solely on a retroactive moratorium that affects only them.

Again, what is the status of the appeal? My clients filed a notice of appeal on Friday, June 15. Is the city planning to schedule the requested appeal hearing, or should my clients move directly to an 80B proceeding? I am in touch with trial counsel and my clients are prepared to litigate.

Regards,

https://mail.google.com/mail/u/0/?ui=2&ik=c803a5c5c6&server=HAWAij9wtf4.en.&cd=gnail_fe_180911.11_p4&view=pl&q=ADixon%40dwm1aw.com&qs=true&search=query&th=164232454d7e1a7b&sim... 4/7

9/19/2018

Dubois Law Mail - CDC Assessment Report for Legal Pieces

Matt

Matthew T. Dubois, Esq.
 Attorney, Dubois Law
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 Phone: (207) 951-6395 | Fax: (207) 433-1215
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Thu, Jun 21, 2018 at 9:14 AM

Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
 To: Matthew Dubois <matt@duboislawmaine.com>

Hi Matt,

As you know, the moratorium passed on Monday night with a retroactivity clause of May 31, 2018. It is hardly unreasonable for the City to take a few days to assess how that City Council order affects pending proceedings, licenses, and permits. In any event, I will do my best to get you a response before week's end.

Thanks,

Aga

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmlaw.com

84 Marginal Way, Suite 600, Portland, ME 04101-2480

800.727.1941 | 207.772.3627 Fax | dwmlaw.com

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From: Matthew Dubois <matt@duboislawmaine.com>

Sent: Wednesday, June 20, 2018 2:11 PM

To: Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>

[Quoted text hidden]

[Quoted text hidden]

Matthew Dubois <matt@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Thank you, Aga.

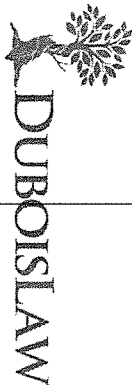
Matt

Thu, Jun 21, 2018 at 12:19 PM

9/19/2018

Dubois Law Mail - CDC Assessment Report for Legal Pieces

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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[Quoted text hidden]



Matthew Dubois <mattd@duboislawmaine.com>

Re: Legal Peaces / 197 Turner Street, Auburn - business license and COO request
2 messages

Agnieszka A. (Pinette) Dixon <ADixon@dwmnlaw.com>

Mon, Jun 11, 2018 at 4:09 PM

To: Matthew Dubois <mattd@duboislawmaine.com>

Hi Matt:

Attached is a letter concerning the certificate of occupancy and business license request related to the Legal Peaces establishment at 197 Turner Street. Please give me a call if you would like to discuss this further.

Regards,

Aga

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmnlaw.com


84 Marginal Way, Suite 600, Portland, ME 04101-2480

800.727.1941 | 207.772.3627 Fax | dwmnlaw.com

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 2018-06-11 ADixon to MDubois re Legal Peaces.pdf
263K

Fri, Jun 15, 2018 at 2:34 PM

Matthew Dubois <matt@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>
Bcc: Shanongogan@aol.com

Hi Aga,

Please accept the attached letter as notice of my clients' appeal to the Auburn City Council. My clients will hand deliver the letter to the clerk today as well. Feel free to give me a call or e-mail back to discuss.

Best regards,
Matt

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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 180615 Notice of Appeal.pdf
196K

9/19/2018

Dubois Law Mail - Re: Legal Peaces / 197 Turner Street, Auburn - business license and COO request



Matthew Dubois <mattd@duboislawmaine.com>

197 Turner Street Certificate of Occupancy

7 messages

Wed, Jun 6, 2018 at 12:07 PM

Agnieszka A. (Pinette) Dixon <ADixon@dwmnlaw.com>
To: "mattd@duboislawmaine.com" <mattd@duboislawmaine.com>

Hi Matt,

I represent the City of Auburn with respect to the Legal Peaces certificate of occupancy matter. I'm reviewing your letter and will provide you with a response by close of business tomorrow.

Regards,

Aga

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmnlaw.com

84 Marginal Way Suite 600, Portland, ME 04101-2480

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9/19/2018

Dubois Law Mail - 197 Turner Street Certificate of Occupancy

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Wed, Jun 6, 2018 at 3:03 PM

Matthew Dubois <matt@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Hi Aga,

Thank you for the prompt response. I look forward to hearing from your office as soon as practicable, as my clients are losing revenue each day. I look forward to speaking with you.

Matt

[Quoted text hidden]



ATTORNEYS AT LAW

Thu, Jun 7, 2018 at 4:59 PM

Matthew Dubois <matt@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>

Hi Aga,

I just left a voicemail, and am checking in here as well. Any word on the city's position going forward? Thanks.

Matt

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
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[Quoted text hidden]

Thu, Jun 7, 2018 at 5:08 PM

Agnieszka A. (Pinette) Dixon <ADixon@dwnlaw.com>
To: Matthew Dubois <rmatt@duboislawmaine.com>

Hi Matt,

I am awaiting some additional information from the City about this matter. I hope to get and review that information tomorrow morning and will be in touch soon thereafter.

Thanks,

Aga

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwnlaw.com

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From: Matthew Dubois <matt@duboislawmaine.com>

Sent: Thursday, June 7, 2018 5:00 PM

To: Agnieszka A. (Pinette) Dixon <ADixon@dwmmlaw.com>

Subject: Re: 197 Turner Street Certificate of Occupancy

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Thu, Jun 7, 2018 at 5:15 PM

Matthew Dubois <matt@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmmlaw.com>

Thank you for the response, Aga. My clients anxiously await the city's decision. I look forward to speaking with you sometime tomorrow.

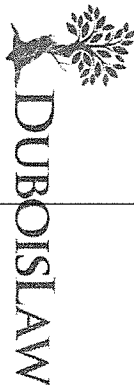
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Matthew T. Dubois, Esq.
Attorney, Dubois Law

9/19/2018

Dubois Law Mail - 197 Turner Street Certificate of Occupancy

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Web: duboislawmaine.com



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Fri, Jun 8, 2018 at 2:52 PM

Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
To: Matthew Dubois <matt@duboislawmaine.com>

Matt, my apologies, but several of the City staff I need to talk to about this matter were out of the office today. Unfortunately, this will need to wait until Monday.

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmlaw.com

84 Marginal Way, Suite 600, Portland, ME 04101-2480

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6/19/2018

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Dubois Law Mail - 197 Turner Street Certificate of Occupancy

Drummond Woods

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From: Matthew Dubois <matt@duboislawmaine.com>

Sent: Thursday, June 7, 2018 5:15 PM

To: Agnieszka A. (Pinette) Dixon <ADixon@dwmmlaw.com>

Subject: Re: 197 Turner Street Certificate of Occupancy

Thank you for the response, Aga. My clients anxiously await the city's decision. I look forward to speaking with you sometime tomorrow.

Matt

Matthew T. Dubois, Esq.

Attorney, Dubois Law

P.O. Box 22 | Bangor, ME 04402

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9/19/2018

Dubois Law Mail - 197 Turner Street Certificate of Occupancy

Phone: (207) 951-6395 | Fax: (207) 433-1215

Email: matt@duboislawmaine.com

Web: duboislawmaine.com



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On Thu, Jun 7, 2018 at 5:08 PM, Agnieszka A. (Pinette) Dixon <ADixon@dwnlaw.com> wrote:

Hi Matt,

I am awaiting some additional information from the City about this matter. I hope to get and review that information tomorrow morning and will be in touch soon thereafter.

Thanks,

Agg

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmllaw.com

84 Marginal Way, Suite 600, Portland, ME 04101-2480

800.727.1941 | 207.772.3627 Fax | dwmllaw.com

DrummondWoodsum

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From: Matthew Dubois <matt@duboislawmaine.com>

Sent: Thursday, June 7, 2018 5:00 PM

To: Agnieszka A. (Pinette) Dixon <ADixon@dwmllaw.com>

Subject: Re: 197 Turner Street Certificate of Occupancy

Hi Aga,

I just left a voicemail, and am checking in here as well. Any word on the city's position going forward? Thanks.

Matt

Matthew T. Dubois, Esq.

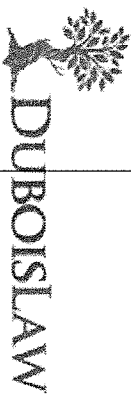
Attorney, Dubois Law

P.O. Box 22 | Bangor, ME 04402

Phone: (207) 951-6395 | Fax: (207) 433-1215

Email: matt@duboislawmaine.com

Web: duboislawmaine.com



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On Wed, Jun 6, 2018 at 3:03 PM, Matthew Dubois <matt@duboislawmaine.com> wrote:

Hi Aga,

9/19/2018

Dubois Law Mail - 197 Turner Street Certificate of Occupancy

Thank you for the prompt response. I look forward to hearing from your office as soon as practicable, as my clients are losing revenue each day. I look forward to speaking with you.

Matt

On Wed, Jun 6, 2018, 12:07 PM Agnieszka A. (Pinette) Dixon <ADixon@dwmnlaw.com> wrote:

Hi Matt,

I represent the City of Auburn with respect to the Legal Peaces certificate of occupancy matter. I'm reviewing your letter and will provide you with a response by close of business tomorrow.

Regards,

Aga

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmnlaw.com

84 Marginal Way, Suite 600, Portland, ME 04101-2480

800.727.1941 | 207.772.3627 Fax | dwmnlaw.com

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Matthew Dubois <math@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmnlaw.com>

Mon, Jun 11, 2018 at 12:09 PM

Hi Aga,

Please let me know when a decision has been reached. My clients have been closed for nine days now, and no valid reason for denial has been provided. My clients will begin the appeal process with the council in short order if a written decision is not rendered. Please provide the city's position on the certificate of occupancy by the end of the day.

Thanks,
Matt

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: matt@duboislawmaine.com
Web: duboislawmaine.com



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9/19/2018

Dubois Law Mail - 197 Turner Street Certificate of Occupancy

consequences of any proposed course of conduct with a client and counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law and counsel or assist a client regarding conduct expressly permitted by Maine law.

[Quoted text hidden]



Matthew Dubois <mattd@duboislawmaine.com>

197 Turner Street Certificate of Occupancy

6 messages

Tue, Jun 5, 2018 at 5:14 PM

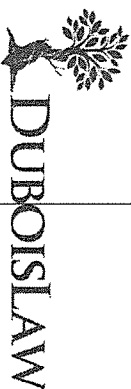
Matthew Dubois <mattd@duboislawmaine.com>
 To: Eric Cousens <ECousens@auburnmaine.gov>
 Cc: jlevesque@auburnmaine.gov, mchammings@auburnmaine.gov, Mark Stambach <mstambach@auburnmaine.gov>, chourget@auburnmaine.gov, David O'Connell <dconnell@auburnmaine.gov>, pcrowell@auburnmaine.gov, tougle@auburnmaine.gov, Charlie DeAngelis <cdeangelis@auburnmaine.gov>
 Bcc: Shanongogan@aol.com

Dear Eric:

Attached to this e-mail, please find a letter regarding the certificate of occupancy for 197 Turner Street. I have Cc'd a number of other city officials to keep them in the loop. Please review the letter and advise sometime tomorrow, June 6, regarding the certificate's status. I am hopeful we can eliminate any remaining barriers to issuance of the certificate and resolve this matter amicably. Please feel free to contact me if you require more information.

Sincerely,
Matt Dubois

Matthew T. Dubois, Esq.
 Attorney, Dubois Law
 P.O. Box 22 | Bangor, ME 04402
 Phone: (207) 951-6395 | Fax: (207) 433-1215
 Email: mattd@duboislawmaine.com
 Web: duboislawmaine.com



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180605 Letter re 197 Turner Street Certificate of Occupancy.pdf
 143K

6/19/2018

Dubois Law Mail - 197 Turner Street Certificate of Occupancy

Tue, Jun 5, 2018 at 5:18 PM

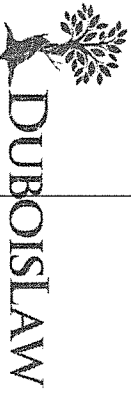
Matthew Dubois <mattduboislawmaine.com>
To: sdallaire@auburnmaine.gov

Dear Ms. Dallaire:

Please see the forwarded e-mail, below. You were meant to be Cc'd as well, but your e-mail was mistransposed. Thank you for your time and attention to this matter.

Best regards,
Matt Dubois

Matthew T. Dubois, Esq.
Attorney, Dubois Law
P.O. Box 22 | Bangor, ME 04402
Phone: (207) 951-6395 | Fax: (207) 433-1215
Email: mattduboislawmaine.com
Web: duboislawmaine.com



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[Quoted text hidden]

180605 Letter re 197 Turner Street Certificate of Occupancy.pdf
143K

Wed, Jun 13, 2018 at 1:10 PM

Eric Cousens <ECousens@auburnmaine.gov>
To: Matthew Dubois <mattduboislawmaine.com>
Cc: "Jason Levesque (Council)" <jlevesque@auburnmaine.gov>, Michael Chamblings <mchamblings@auburnmaine.gov>, "dallaire@auburnmaine.gov" <dallaire@auburnmaine.gov>, Kelsey Earle <kearle@auburnmaine.gov>, Mark Stambach <mstambach@auburnmaine.gov>, Cristy Bourget <cbourget@auburnmaine.gov>, David O'Connell <dconnell@auburnmaine.gov>, Phil Crowell <pcrowell@auburnmaine.gov>, Tim Cougle <tcougle@auburnmaine.gov>, Charlie DeAngelis <cdeangelis@auburnmaine.gov>

Mr. Dubois,

Attached is the C of O you requested.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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From: Matthew Dubois <matt@duboislawmaine.com>
Sent: Tuesday, June 05, 2018 5:14 PM
To: Eric Cousens <ECousens@auburnmaine.gov>
Cc: Jason Levesque (Council) <jlevesque@auburnmaine.gov>; Michael Chamblings <mchamblings@auburnmaine.gov>; dallaire@auburnmaine.gov; Kelsey Earle <kearle@auburnmaine.gov>; Mark Stambach <mstambach@auburnmaine.gov>; Cristy Bourget <cbourget@auburnmaine.gov>; David O'Connell <dcoconnell@auburnmaine.gov>; Phil Crowell <pcrowell@auburnmaine.gov>; Tim Cougle <tcougle@auburnmaine.gov>; Charlie DeAngelis <cdeangelis@auburnmaine.gov>
Subject: 197 Turner Street Certificate of Occupancy

[Quoted text hidden]

197 Turner Street, C of O 6.13.18.pdf
148K

Wed, Jun 13, 2018 at 1:24 PM

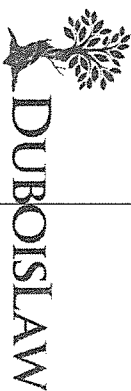
Matthew Dubois <math@duboislawmaine.com>
 To: Eric Cousens <ECousens@auburnmaine.gov>, "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>
 Cc: "Jason Levesque (Council)" <jlevesque@auburnmaine.gov>, Michael Chamblings <mchamblings@auburnmaine.gov>, "dallaire@auburnmaine.gov"
 <dallaire@auburnmaine.gov>, Kelsey Earle <kearle@auburnmaine.gov>, Mark Stambach <mstambach@auburnmaine.gov>, Cristy Bourget
 <cbourget@auburnmaine.gov>, David O'Connell <docconnell@auburnmaine.gov>, Phil Crowell <pcrowell@auburnmaine.gov>, Tim Cougle
 <tcougle@auburnmaine.gov>, Charlie DeAngelis <cdeangelis@auburnmaine.gov>

Mr. Cousens:

Thank you for sending along this certificate of occupancy. As you know, my clients are seeking a certificate of occupancy authorizing not only the tobacco shop aspect of their business, but also allowing them to serve their patients as medical marijuana caregivers at 197 Turner Street. Does this certificate authorize that use?

Matt Dubois

Matthew T. Dubois, Esq.
 Attorney, Dubois Law
 P.O. Box 22 | Bangor, ME 04402
 Phone: (207) 951-6395 | Fax: (207) 433-1215
 Email: matt@duboislawmaine.com
 Web: duboislawmaine.com



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[Quoted text hidden]

Wed, Jun 13, 2018 at 1:45 PM

Eric Cousens <ECousens@auburnmaine.gov>
 To: Matthew Dubois <math@duboislawmaine.com>, "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>
 Cc: "Jason Levesque (Council)" <jlevesque@auburnmaine.gov>, Michael Chamblings <mchamblings@auburnmaine.gov>, "dallaire@auburnmaine.gov"
 <dallaire@auburnmaine.gov>, Kelsey Earle <kearle@auburnmaine.gov>, Mark Stambach <mstambach@auburnmaine.gov>, Cristy Bourget

9/19/2018

Dubois Law Mail - 197 Turner Street Certificate of Occupancy

<cbourget@auburnmaine.gov>; David O'Connell <dconnell@auburnmaine.gov>; Phil Crowell <pcrowell@auburnmaine.gov>; Tim Cougle <tcougle@auburnmaine.gov>; Charlie DeAngelis <cdeangelis@auburnmaine.gov>

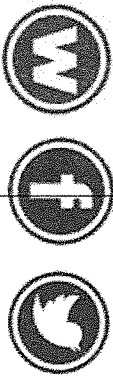
Mr. Dubois,

It does not authorize that use. The attached letter explains what is needed to expand the use to serve their patients.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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From: Matthew Dubois <matt@duboislawmaine.com>

Sent: Wednesday, June 13, 2018 1:25 PM

To: Eric Cousens <ECousens@auburnmaine.gov>; Agnieszka A. (Pinette) Dixon <ADixon@dwnlaw.com>

Cc: Jason Levesque (Council) <jlevesque@auburnmaine.gov>; Michael Chamnings <mchamnings@auburnmaine.gov>; dallaire@auburnmaine.gov; Kelsey Earle

<kearle@auburnmaine.gov>; Mark Stambach <mstambach@auburnmaine.gov>; Cristy Bourget <cbourget@auburnmaine.gov>; David O'Connell

<dconnell@auburnmaine.gov>; Phil Crowell <pcrowell@auburnmaine.gov>; Tim Cougle <tcougle@auburnmaine.gov>; Charlie DeAngelis

<cdeangelis@auburnmaine.gov>

Subject: Re: 197 Turner Street Certificate of Occupancy

[Quoted text hidden]

 **2018-06-11 ADixon to MDubois re Legal Peaces.pdf**
263K

Wed, Jun 13, 2018 at 2:40 PM

Matthew Dubois <mattduboislawmaine.com>
To: Eric Cousens <ECousens@auburnmaine.gov>
Cc: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>, Jievesque@auburnmaine.gov, Michael Chamblings <mchamblings@auburnmaine.gov>, "dallaire@auburnmaine.gov" <dallaire@auburnmaine.gov>, Kelsey Earle <kearle@auburnmaine.gov>, Mark Stambach <mstambach@auburnmaine.gov>, Cristy Bourget <cbourget@auburnmaine.gov>, David O'Connell <docconnell@auburnmaine.gov>, Phil Crowell <pcrowell@auburnmaine.gov>, Tim Cougle <tcougle@auburnmaine.gov>, Charlie DeAngels <cdeangels@auburnmaine.gov>

Thank you for the response, Eric. I will be in touch soon regarding the city's request for documentation from DHHHS.

Regards,
Matt Dubois
[Quoted text hidden]

6 attachments

 **image002.png**
8K

 **image001.jpg**
2K

 **image012.png**
7K

 **image011.png**
8K

 **image003.png**
7K

image010.jpg
2K





Matthew Dubois <mattduboislawmaine.com>

197 Turner St
2 messages

Matthew Dubois <mattduboislawmaine.com>
To: ECousens@auburnmaine.gov

Fri, Jun 1, 2018 at 1:01 PM

Dear Eric:

Per our discussion, I have spoken with my clients and they have decided to close the business to the public and stop serving customers and patients until the final walk through. They will wait for the certificate of occupancy to resume operations. I look forward to meeting with Mark, David, and Charlie on Monday. Will you be present as well?

Thank you for contacting me to resolve this matter, and feel free to call or email with any questions.

Best regards,
Matt Dubois

Fri, Jun 1, 2018 at 1:07 PM

Eric Cousens <ECousens@auburnmaine.gov>
To: Matthew Dubois <mattduboislawmaine.com>

Thankyou for the prompt response.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn
60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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9/19/2018

Dubois Law Mail - 197 Turner St

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-

From: Matthew Dubois <matt@duboislawmaine.com>
Sent: Friday, June 01, 2018 1:02 PM
To: Eric Cousens <ECousens@auburnmaine.gov>
Subject: 197 Turner St

[Quoted text hidden]



Matthew Dubois <mattduboislawmaine.com>

Gogan inspection

6 messages

Matthew Dubois <mattduboislawmaine.com>

Thu, May 31, 2018 at 10:40 AM

To: ECousens@auburnmaine.gov, Mark Stambach <mstambach@auburnmaine.gov>, docconnell@auburnmaine.gov, cdeangelis@auburnmaine.gov

Bcc: Shanongogam@aol.com

Hi Mark, Eric, David, and Charlie:

I'm reaching out on behalf of my clients, Vincent and Shanon Gogan, to let you know that my clients need to reschedule the inspection with Mark and David currently set for tomorrow. They're hoping to set up an inspection and meeting at their new establishment on Monday afternoon. My clients have requested that I be there to help answer various questions that have arisen and make sure that they understand the approval process going forward. I think it would be helpful for us all to get together and discuss any obstacles to approval and any issues with the permit applications. They also plan to have completed the electrical work Charlie requested by that time, and it would be an opportunity to seek approval for that work.

Please let me know if an inspection on Monday afternoon or sometime shortly thereafter will work for you. I look forward to meeting with you all soon.

Best regards,
Matt Dubois

Thu, May 31, 2018 at 11:15 AM

Eric Cousens <ECousens@auburnmaine.gov>

To: Rhonda Russell <rrussell@auburnmaine.gov>

Cc: Matthew Dubois <mattduboislawmaine.com>, Charlie DeAngelis <cdeangelis@auburnmaine.gov>, David O'Connell <docconnell@auburnmaine.gov>, Mark

Stambach <mstambach@auburnmaine.gov>

Rhonda,

Please try to reschedule as requested.

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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From: Matthew Dubois <matt@duboislawmaine.com>

Sent: Thursday, May 31, 2018 10:41 AM

To: Eric Cousens <ECousens@auburmaine.gov>; Mark Stambach <mstambach@auburmaine.gov>; David O'Connell <dcoconnell@auburmaine.gov>; Charlie DeAngelis <cdeangelis@auburmaine.gov>

Subject: Gogan inspection

[Quoted text hidden]

Rhonda Russell <rrussell@auburmaine.gov>

To: Eric Cousens <ECousens@auburmaine.gov>

Cc: Matthew Dubois <matt@duboislawmaine.com>; Charlie DeAngelis <cdeangelis@auburmaine.gov>; David O'Connell <dcoconnell@auburmaine.gov>; Mark Stambach <mstambach@auburmaine.gov>

Thu, May 31, 2018 at 11:56 AM

FYI...

I've scheduled David, Mark & Charlie to go do a final inspection at 197 Turner Street on Monday, June 4th at 2:00 pm.

Rhonda M Russell

Administrative Assistant | Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1158

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From: Eric Cousens
Sent: Thursday, May 31, 2018 11:16 AM
To: Rhonda Russell <rrussell@auburmaine.gov>
Cc: Matthew Dubois <mattduboislawmaine.com>; Charlie DeAngelis <cdeangelis@auburmaine.gov>; David O'Connell <dconnell@auburmaine.gov>; Mark Stambach <mstambach@auburmaine.gov>
Subject: RE: Gogan Inspection

[Quoted text hidden]

Thu, May 31, 2018 at 2:15 PM

Matthew Dubois <mattduboislawmaine.com>
 To: Rhonda Russell <rrussell@auburmaine.gov>
 Cc: Eric Cousens <ECousens@auburmaine.gov>; Charlie DeAngelis <cdeangelis@auburmaine.gov>; David O'Connell <dconnell@auburmaine.gov>; Mark Stambach <mstambach@auburmaine.gov>
 Bcc: Shanongogan@aol.com

Thank you, Rhonda. I will be there.

Matt

[Quoted text hidden]

3 attachments



image001.jpg
2K



image002.png
8K

image003.png
7K



Mark Stambach <mstambach@auburmaine.gov>
To: Matthew Dubois <mattduboislawmaine.com>

Thu, May 31, 2018 at 3:48 PM

Attorney Dubois

I just received your voicemail. I see that the scheduling is all addressed.

Please don't hesitate to contact me if you have any further questions

Thanks and have a great weekend!

Mark

Mark C. Stambach CPE, CFII

Building/Plumbing Inspector, CCO, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1160 | 207.240.3445 Cell

mstambach@auburmaine.gov

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From: Matthew Dubois <mattduboislawmaine.com>
Sent: Thursday, May 31, 2018 2:15 PM
To: Rhonda Russell <rrussell@auburmaine.gov>
Cc: Eric Cousens <ECousens@auburmaine.gov>; Charlie DeAngelis <cdeangelis@auburmaine.gov>; David O'Connell <docconnell@auburmaine.gov>; Mark Stambach <mstambach@auburmaine.gov>
Subject: Re: Gogan inspection

[Quoted text hidden]

9/19/2018

Dubois Law Mail - Gogan Inspection

Thu, May 31, 2018 at 8:13 PM

Matthew Dubois <mat@duboislawmaine.com>
To: Mark Stambach <mstambach@auburnmaine.gov>

Thanks, Mark, you have a good weekend too. See you on Monday.

Matt

[Quoted text hidden]



Matthew Dubois <matt@duboislawmaine.com>

FW: Zoning Board of Appeals Meeting

4 messages

Eric Cousens <ECousens@auburnmaine.gov>
To: Michael Malloy <mism@malloyfirmmaine.com>, "Agnieszka A. (Pinette) Dixon" <ADixon@dwmlaw.com>, "matt@duboislawmaine.com" <matt@duboislawmaine.com>

Mon, Aug 27, 2018 at 3:06 PM

Hello Michael, Aga and Matthew,

We have had a challenging time getting the Board together. As you can see below Monday, September 24th at 6:00 pm we have a quorum available. Will this date work for you?

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154



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9/19/2018

Dubois Law Mail - FW: Zoning Board of Appeals Meeting

From: Rhonda Russell
Sent: Monday, August 27, 2018 2:44 PM
To: Eric Cousens <ECousens@auburnmaine.gov>
Subject: Zoning Board of Appeals Meeting

146

Eric,

At this point, 5 of the 7 Board of Appeals members can meet on Monday, September 24th at 6:00 pm. I am still waiting for a response from 1 member and 1 member cannot make it that evening.

Rhonda M Russell

Administrative Assistant | Economic and Community Development, City of Auburn

60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1158

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Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>

Mon, Aug 27, 2018 at 3:28 PM

To: Eric Cousens <ECousens@auburnmaine.gov>, Michael Malloy <mism@malloyfirmmaine.com>, "matt@duboislawmaine.com" <matt@duboislawmaine.com>

Hi Eric,

Yes, that works for me. Thank you.

Aga

9/19/2018

Dubois Law Mail - FW: Zoning Board of Appeals Meeting

Agnieszka A. (Pinette) Dixon

Attorney

207.253.0532 Direct | 207.713.6824 Cell

ADixon@dwmnlaw.com

84 Marginal Way, Suite 600, Portland, ME 04101-2480

800.727.1941 | 207.772.3627 Fax | dwmnlaw.com

Drummond Woodsurt

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From: Eric Cousens <ECousens@auburnmaine.gov>
Sent: Monday, August 27, 2018 3:07 PM
To: 'Michael Malloy' <msm@malloyfirmmaine.com>; Agnieszka A. (Pinette) Dixon <ADixon@dwmnlaw.com>; matt@duboislawmaine.com
Subject: FW: Zoning Board of Appeals Meeting

[Quoted text hidden]

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Matthew Dubois <matt@duboislawmaine.com>
To: "Agnieszka A. (Pinette) Dixon" <ADixon@dwmnlaw.com>

Wed, Aug 29, 2018 at 10:01 AM

9/19/2018

Dubois Law Mail - FW: Zoning Board of Appeals Meeting

Cc: Eric Cousens <ECousens@auburnmaine.gov>, Michael Malloy <msm@malloyfirmmaine.com>

Hi Eric,

I will advise when I hear from my clients regarding their availability. Thanks.

Best regards,
Matt

Matthew T. Dubois, Esq.

Attorney, Dubois Law

P.O. Box 22 | Bangor, ME 04402

Phone: (207) 951-6395 | Fax: (207) 433-1215

Email: matt@duboislawmaine.com

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[Quoted text hidden]

Matthew Dubois <matt@duboislawmaine.com>

To: "Agnieszka A. (Pinette) Dixon" <ADixon@dmwmlaw.com>

Cc: Eric Cousens <ECousens@auburnmaine.gov>, Michael Malloy <msm@malloyfirmmaine.com>

Hi Eric, that date and time work for my clients and me as well.

Matt

[Quoted text hidden]

4 attachments

image001.jpg

Fri, Aug 31, 2018 at 2:55 PM

9/19/2018

Dubois Law Mail - FW: Zoning Board of Appeals Meeting

DrummondWoodsum 15K

ATTORNEYS AT LAW



image004.png
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2K



image003.png
8K