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State of Maine
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United States Supreme Court
U.S. Circuit Court First Circuit
U.S. District Court Northern District of Florida
U.S. District Court Middle District of Florida
U.S. District Court District of Maine

June 3, 2025

Bill Kelly, Esquire
Camden Town Attorney

VIA: Electronic Transmission

RE: 39 Main Street – Second Amendment to Engineer’s Letter

Dear Bill:

I am writing to advise you that you will not be receiving a second revised letter from the LaCoutures’ engineer, because the edit being demanded by some Town Officials is both unreasonable and untruthful, as discussed in more detail below. As such, providing a letter with the demanded edit would violate Section 2 (Obligation to Society) of the Code of Ethics for Maine Professional Engineers, 02-322 C.M.R. ch. 4, § 2, Sub-§§ 4 and 6. As stated in the May 1, 2025 engineer’s letter, the proposed temporary stabilization of a failed support column under 39 Main Street was being done by the LaCoutures to comply with Orders and directives issued by the Town and the Planning & Development Director.

While all of the Town’s officials have made public statements espousing a desire to work “collaboratively” with the LaCoutures to repair 39 Main Street – a goal that the LaCoutures share – certain Town Officials have inexplicably engaged in actions that have thwarted repairs to 39 Main Street proceeding.

These actions include: (i) coercing the inclusion of unreasonable demands and false statements in the Second Interim Order; (ii) refusing to sign the draft Second Interim Order as a means to compel the LaCoutures’ engineer to provide a letter with untruthful and/or inaccurate statements regarding the condition of 39 Main Street; (iii) trespassing on and under the property at 39 Main Street; (iv) posting statements on Facebook that disparage and criticize the LaCoutures for having the water level lowered to temporarily stabilize the failed structural column that the Town expressly identified as requiring “PROMPT and immediate action” to stabilize in the 10-4-2024 Notice of Violation; (v) preventing issuance of the local permit needed to temporarily stabilize that one failed structural column; and (vi) lobbying the DEP to require a costly and time-intensive full NRPA permit, rather than a Permit-by-Rule (“PBR”), before the 13 structural supports can be replaced.

It is imperative that you intervene to stop further such conduct – which is contrary to the interests of the public, the Town, and the LaCoutures.

Background

The LaCoutures purchased 39 Main Street on 4-18-2025. Even before the LaCoutures closed on their acquisition of this historic building – which is listed on the National Register of Historic Places as part of the Camden Great Fire Historic District – the LaCoutures committed to the Town to take all necessary steps to repair and restore 39 Main Street and they retained qualified structural

engineers and a general contractor with the experience and capability to undertake this work *immediately*. In the relatively short time since they bought this building, the LaCoutures have: (i) demonstrated the willingness, ability and financial capacity to repair structural defects that the Town's agents accurately identified; (ii) performed all of the tasks required in the 3-18-2025 Interim Order; and (iii) initiated filing all plans and required local, State and federal permit applications needed to do repairs and restoration.

On May 20, 2025, Amy LaCouture identified and advised the CBOS of multiple significant errors in the Town's prior reports and the 3-18-2025 "Dangerous Building" Order (discussed in more detail below). These errors are so pervasive and significant that the CBOS should reconsider and vacate the 3-18-2025 "Dangerous Building" Order.

Untruthful Statements in the Draft Second Interim Order

Specifically, ¶ 4 of the draft of the Second Interim Order you provided the CBOS on 5-21-2025, and provided me on 5-27-2025, contains a statement that is demonstrably and unequivocally false:

4. Prior to the commencement of work, the LaCoutures shall cause the May 1, 2025 letter from Thornton Tomasetti to be redrafted to remove the reference that "the Town is requiring" the replacement of said post/piling. ***Neither the Select Board nor the Planning Office has made such a specific request.*** The revised letter shall clearly provide an opinion that it is necessary that the post in question be immediately replaced prior to the entirety of the repair work necessary to address the entirety of the dangerous conditions as found in the Interim Order.

(False statement indicated in bold and italics).

A review of the Record demonstrates why this assertion in ¶ 4 is false.

On October 4, 2024, the Town of Camden issued a Notice of Violation ("NOV") on the historic building at 39 Main Street. By its own terms, that NOV was "based on a ***visual inspection*** ... by the Town's Code Enforcement Officer ["CEO"] that took place on or about September 11, 2024, and also following the receipt of a dangerous conditions report about the condition of a couple of buildings, including ... 39 Main Street ..." (emphasis supplied).

The date, origin, purpose, and author of the "dangerous conditions report" referenced in the NOV is not revealed in the NOV. However, it appears that the report referenced in the NOV is the report issued *on December 12, 2018*, by Carmen Bombeke, P.E., of Gartley & Dorsky ("2018 G&D Report"). The 2018 G&D Report was undertaken to assess the current condition of sixteen structures and buildings that may be impacted by removal or breach of the Montgomery dam, if approved by the voters on June 10, 2025. Like the NOV, the 2018 G&D Report was only based on a "***visual inspection***" by Engineer Bombeke.

In the 2018 G&D Report, Engineer Bombeke determined that one of the thirteen (13) support columns under 39 Main Street had failed and was providing no structural support. She described this failed column as a "hazardous" condition. However, the Town's officials must not have believed this one failed column posed a "dangerous" condition or rendered 39 Main Street a "Dangerous Building" pursuant to 17 M.R.S. § 2851, since no notice of or request to repair this failed column was provided by Town Officials to the then-owners of 39 Main Street, Janice Kay and Thomas Sadowski, after the G&D Report was issued on 12-12-2018.

In 2020, when Larry L. Weatherholtz and his partner Robbie Arra were considering buying 39 Main Street from Janice Kay and Thomas Sadowski, they contacted the Town to determine whether there were problems with the building. At that time, despite having obtained the 12-12-2018 G&D

Report almost two years before, Planning & Development Director Jeremy Martin advised Mssrs. Weatherholtz and Arra that the building had “no problems” that he was aware of “from the Town’s perspective.”

In part because of these assurances from the Town’s Planning & Development Director, Mssrs. Weatherholtz and Arra bought 39 Main Street in October 2020. During a recent phone call with me, I was advised by Mssrs. Weatherholtz and Arra that they attempted to do repairs to the building thereafter, and retained a structural engineer for that purpose. However, they encountered constant delays and obstacles from Town officials, particularly Planning & Development Director Martin, that did not seem appropriate or consistent to the Town’s stated goal of having the building repaired. The inability to get Town cooperation to obtain the permits needed to renovate 39 Main Street and do the repairs suggested by the engineers retained by Mssrs. Weatherholtz and Arra, was followed inexplicably by the 10-4-2024 Notice of Violation in which the owners of 39 Main Street were only given a fifteen (15) day time limit for response and action.

Mssrs. Weatherholtz and Arra received the 10-4-2024 NOV while Mr. Arra was recuperating from a heart attack in Florida. At the time the NOV was issued, the only engineering report that the Town had regarding 39 Main Street was the 2018 G&D Report (which was based on a ***visual inspection*** and not done for the purpose of a “Dangerous Building” assessment) and an engineering report prepared for the owners for the purpose of renovating and repairing the building.

After the NOV was issued, the Town retained WBRC, Inc. to “***visually*** review the condition of the structure [at 39 Main Street]...and evaluate the building per the standard identified in the ‘Dangerous Buildings’ statute. 17 MRS 2851 et seq. through nondestructive means.” As stated in the WBRC report: “The site visit occurred on Monday, November 18, around 11:30 am. Joshua Crofton-Macdonald, PE and Miguel Betancourt, PE of WBRC, Inc. were accompanied by [Jeremy Martin] and Clint Beveridge, Code Enforcement Officer during the visit. ... Prior to the building evaluation, the dam on the river was opened, draining the impoundment and exposing the structural building foundations.”

The WBRC, Inc. report was submitted in the form of a letter to Planning & Development Director Martin on 12-18-2024. It included Engineer Crofton-Macdonald’s assessment of primarily the support posts and concrete foundation piers, based on his ***visual inspection*** only. He states that: “***Due to the conditions of the foundations, it is highly recommended that immediate shoring and bracing be installed to stabilize and strengthen the current hazardous conditions[.]***” He specifically referenced the failed column, stating:

The rear center steel foundation post has entirely corroded through the member, resulting in no structural support below the rear center of the building except for a deck brace. Without the required support, the floor assembly is deflecting excessively under just the dead load of the structure itself. Any additional load added to the structure, such as snow or occupants, could result in collapse. [references to photos omitted].

The WBRC letter ends with a conclusion that 39 Main Street is “unsafe” – parroting the language of the “Dangerous Building” statute.

During the 1-7-2025 CBOS meeting, Jeremy Martin requested that a “Dangerous Building” public hearing be scheduled regarding 39 Main Street. In support of his request, Director Martin told the CBOS members that “a dangerous building is a dangerous building regardless of who owns it or what the status is at that time. ... It remains a dangerous building and unsafe structure until it’s

fixed. ... **from my perspective, there's an imminent threat and a long term threat, so we need to shore the building up – at least temporarily.** Um – that all has to play out.” (See, 1:04 – 1:06; emphasis supplied).

<https://www.youtube.com/live/L7JH5dH3zGU>

In January 2025, overwhelmed with the magnitude of the defects identified by the WBRC Report, and the accelerated time provided by the Town to do the repairs, Msrs. Weatherholtz and Arra deeded 39 Main Street back to Janice Kay, who held a mortgage on the property.

The “Dangerous Building” public hearing began on 2-18-2025 and continued on 3-18-2025. Testimony regarding the alleged “dangerous” conditions in or from 39 Main Street was primarily given by Engineer Crofton-Macdonald and Planning & Development Director Jeremy Martin.

Engineer Crofton-Macdonald revealed that during the visual inspection on which the WBRC report is based he, Director Martin and CEO Beveridge never even entered 39 Main Street, stating: “The building itself is not safe to go inside. So.... I should have mentioned this before, ***so all of our inspections were done outside and from below. We did not go into the structure itself. We believe it's a dangerous structure.***” Engineer Crofton-Macdonald testified that: “What we saw: things that we saw that we deemed dangerous,” included:

- 1) Photo seven: steel foundation post that has been sheered off and supports the back deck of the structure and is no longer supporting that structure, “it is essentially floating.”
- 2) Photo 10 soil scour.
- 3) Photos 11-15: “Concrete foundations have been deteriorated, loose aggregate significantly shrinking foundation posts, deteriorated, long term need to be repaired.”
- 4) Photos 16-18: “This is where Jeremy was mentioning you can see that the structure was leaning on the Smiling Cow, I can guarantee that it was not intended to do that. This is inherently adding load that was not designed.”
- 5) The other side of the structure the 37 Main Street property. 2x4 lumber that is tied to 37 Main Street structure is “essentially holding on to it and preventing it from falling on the Smiling Cow.”
- 6) Photo 23: electric conduit that is exposed and hanging below the structure above a dam and impounded water. “If the structure falls down it will be submerged.”
- 7) Active propane gas line below the structure: “In the event that the structure falls down everything would go with it, it will pose a hazard to the community.”

When CBOS member Chris Nolan queried Engineer Crofton-Macdonald and Director Martin about the allegedly “active propane line,” because the photo of what was described as the propane line looked like this line was not connected to anything, Engineer Crofton-Macdonald responded: “That’s fair, we were not able to determine where it came from or where it went.” However, Planning & Development Director Martin asked if he could “jump in and address the propane line” and then responded as follows:

“I did follow up on that one, previously I had alleged that it runs to Camden Deli, I was told by Tom Rothwell who informed me that he doesn’t use propane, it actually runs to Buttermilk Kitchen. The propane tanks are actually on the other side of 41 Main, up in the town and library park area, there is an old....years ago licensing agreement. Maybe it’s not even -- not a one for propane tanks that are up there. That’s where the propane goes under the buildings, 43, 41, 39, 37 and then getting to 35 is where the propane serves.”

You, as City Attorney, then asked Engineer Crofton-Macdonald: “Photo 24: It looks like the propane dead ends, is there an active line above it?” Engineer Crofton-Macdonald responded: “The galvanized line above the photo is where the propane goes.”

On 3-18-2025, based on this testimony, the Town entered its Order declaring 39 Main Street a “Dangerous Building” pursuant to 17 M.R.S. § 2851 (“3-18-2025 CBOS Order”).

On 4-18-2025, Janice Kay conveyed 39 Main Street to the LaCoutures, who assumed responsibility for undertaking the tasks enumerated in the 3-18-2025 CBOS Order.

Errors Contained in the WBRC Report

As noted by Amy LaCouture during the May 20, 2025, CBOS Meeting, subsequent review of the problems identified in the WBRC letter and testimony during the subsequent public hearings, conducted by the LaCoutures and/or their engineers, has revealed that the 12-18-2024 WBRC Report and related testimony from Engineer Crofton-Macdonald and Director Jeremy Martin is rife with errors and factual inaccuracies – many of which the Town should have known to be erroneous based on information in the Town’s possession and/or control.

At the very least, Town officials in the Planning Office should have verified the accuracy of the 12-18-2024 WBRC Report and their own conclusions based on their “visual inspection” with Engineer Crofton-Macdonald, by reviewing the Town’s own records and information about 39 Main Street possessed by the Town’s other Departments, *prior* to undertaking the extraordinary legal process of declaring 39 Main Street a “Dangerous Building.” That investigation of the Town’s own records never apparently occurred, however. For example, the WBRC, Inc. report states that:

- “The rear left steel foundation post is out of plumb, resulting in racking of the entire structure and the building leaning on the adjacent building at 41 Main St.[.] The Smiling Cow. This poses a risk to the adjacent structure as it was not designed to accommodate this added load (**Photos 16-18**).
- “The building appears to be fastened to the adjacent structure at 37 Main St. with conventional lumber. This poses a risk to the adjacent structure if the building were to move or collapse (**Photo 22**).”

The same claims were made during the testimony provided by Engineer Crofton-Macdonald during the “Dangerous Building” public hearing.

In reality, 39 Main Street does not touch or “lean” on 41 Main Street and is not “fastened ... with conventional lumber” (or any other contrivance) to 37 Main Street. Even a visual inspection by a lay person reveals that 37 and 41 Main Street are separated along their entire length from 39 Main Street. However, the photos attached to the WBRC report are taken at angles that appear intended to support the *false* assertions above. These misstatements should have been easily refuted by even a cursory visual inspection by staff from the Planning Office merely standing in front of or behind these buildings. Instead, the Planning & Development Director himself testified that 39 Main Street was leaning on the Smiling Cow and connected to the Camden Deli (37 Main Street).

More troubling, are the errors in this WBRC report and the subsequent testimony regarding infrastructure that was installed by the Town and continues to be maintained by the Town, and, thus, the Town *should have known* the statements in the WBRC report regarding this infrastructure were erroneous, based on the information and knowledge the Town had and has within its sole and unique control relating to the location of utility lines, propane lines, and plumbing lines.

Notably, the WBRC report and the 2-18-2025 testimony by Engineer Crofton-Macdonald and Director of Planning and Development Martin raised dire warnings about a propane line that they alleged was located under 39 Main Street that could cause a fire in the event of a building collapse. However, Amy LaCouture was able to verify with propane providers responsible for monitoring the propane lines in Camden that ***there is no propane line under 39 Main Street and 39 Main Street never had propane service.*** This fact should be well-known to the Town – especially the Director of the Planning Office – since ***the Town placed the propane lines servicing all of the buildings that use propane along Main Street, in the sidewalk along this row of structures, in 2005.*** The Town gets quarterly pressure tests and annual reports from various propane suppliers regarding the condition and safety of these lines, which are monitored by the State as well.

Similarly, claims assert that there were fire and electrical hazards caused by the location and condition of the electrical service to the building were false, in part because ***there has been no electrical service to this building for more than three (3) years.***

Likewise, Amy LaCouture was able to easily verify with the staff from the Town’s Wastewater Department that ***there is no shared plumbing between 37 and 39 Main Street*** – each building has separate plumbing service provided by the Camden Wastewater Department, installed in 1997. Further, ***the plumbing for 39 Main Street is not leaking*** – a fact ***verified by the Town’s Wastewater Department based on an inspection done by Wastewater Department staff using the Town’s camera inspection*** equipment at the request of the LaCoutures.

Why wasn’t this camera equipment used to determine the integrity and safety of these plumbing lines prior to the “Dangerous Building” hearing, at which ill-informed, false and disparaging testimony – asserting that there were leaking sewage pipes polluting the Bay under 39 Main Street – was provided to the CBOS by Engineer Crofton-Macdonald and Planning & Development Director Martin?

With all due respect, the time to do the work needed to verify the allegations in the WBRC, Inc. report and the testimony provided to the CBOS about the “dangerous” conditions at 39 Main Street was before the 2-18-2025 and 3-18-2025 public hearings and before the 3-18-2025 “Dangerous Building” determination was made by the Town. The responsibility for doing that verification of the allegations in the WBRC report should have first been the Town’s Planning Office’s duty – prior to testifying in favor of the Town CBOS issuing a “Dangerous Building” determination and prior to posting signs prohibiting use of or entry to 39 Main Street.

It should not be the burden of the property owner to *disprove* such allegations *after* a “Dangerous Building” determination has been made, especially when the building owners are being charged for reimbursing the cost of the seriously-flawed and inaccurate engineering report by WBRC and the Town’s legal costs for initiating a “Dangerous Building” proceeding before the conditions on which that determination is based are properly verified to exist by the Town’s officials.

The LaCoutures’ Engineers’ Basis for Rejecting the Requested Second Edits to Their Letter

The LaCoutures’ engineers have been retained to develop a plan to repair and replace all thirteen of the existing support columns, including the one failed column that is known to have failed more than seven (7) years ago. The LaCoutures’ engineers are working to obtain the State and federal permits required to do that full structural support upgrade of 39 Main Street – plans which have already been drafted and the permitting process for which is already underway. The only reason that Thorton Tomasetti have submitted a signed & stamped plan to do a temporary stabilization of this one failed column is because: (i) prior reports from engineers retained by the Town of Camden (all based on only visual inspections) require that the failed column be “immediately” stabilized; and (ii) the Town’s 3-18-2025 Order declaring 39 Main Street to be a “Dangerous Building,”

pursuant to the criteria in 17 M.R.S. § 2851, requires the owners of 39 Main Street to take “PROMPT and immediate action” to “stabilize the building” – making specific reference to this failed column; and (iii) Planning & Development Director Jeremy Martin’s orally directed Amy LaCouture in his office to “get me stamped plans for the temporary stabilization.” To be clear, ***Amy LaCouture requested that Thornton Tomasetti do a signed & stamped plan for the temporary stabilization of the failed column***, prepared in collaboration with the LaCoutures’ general contractor, ***at the direction of Jeremy Martin***.

In other words, as was previously stated by the LaCouture’s engineers, the LaCoutures, their engineers, and their general contractor believe that a ***temporary column stabilization “needs” to be done to this failed column, because the Town has “requested” – indeed, demanded and ordered – that it be done***.

The LaCoutures have not filed a Town permit application and a signed & stamped plan to do the temporary column stabilization because their engineers made a determination that it needs to be done for any reason other than *the Town has said* the owners are required to stabilize the failed column. The LaCoutures’ engineer continues to do the work necessary to ensure that all of the support columns, including the failed column, are permanently replaced at the same time, under one set of local, State and federal permits. Period. In doing that work – removing all of the existing supports, including the failed support column – the general contractor will obviously temporarily stabilize the building to do the work of replacing all existing supports.

Planning & Development Director Jeremy Martin is the one who has been pushing for a temporary stabilization of this one failed column since at least October 4, 2024. Now, inexplicably, he is also the one who has prohibited the CEO from issuing the local permit needed to do that temporary stabilization work last week. ***But for Director Martin prohibiting that permit to be issued, the failed column would have been stabilized on May 30, 2025.***

Potential Bias of CBOS Member Alison McKellar

During the 5-20-2025 BOS meeting, BOS member McKellar – taking full advantage of the veto power she had over any vote by the CBOS, by virtue of the fact that the Camden Charter mandates a unanimous vote when only 3-members of the Board are present – demanded that the 5-1-2025 Engineers’ Letter be changed to eliminate the statement that the repair was being done “at the request of the Town” – which was and is an accurate and truthful statement. To accommodate CBOS Member McKellar’s demand, in the spirit of working collaboratively with the Town – the revised engineer’s letter was amended to remove the first sentence (to which Ms. McKellar took exception). However, the revised letter accurately *added* specific reference to a myriad of prior statements by the Town and its agents and employees requiring the temporary column stabilization of the failed column – quoting the prior statements verbatim of Town officials and the language in the 10-4-2024 NOV and 3-18-2025 “Dangerous Building” Order.

You have advised me that “some” Town officials are not “satisfied” with the revised letter and have refused to sign the Second Interim Order, drafted by you as the Town Attorney and provided to the CBOS members on 5-21-2025. The refusal of at least one CBOS member to sign the Second Interim Order has thwarted the LaCoutures’ scheduled temporary stabilization of the failed support column (which had been scheduled to be done on May 29 or 30, based on the weather conditions), because you have told me that, until the Second Interim Order is signed, no permit will be issued to do the temporary stabilization work.

Thus, the refusal to sign the draft Second Interim Order – the draft of which is based on the presentations made at, and votes taken during, the 5-20-2025 CBOS meeting – appears to be an attempt to extract some statement from the LaCoutures’ engineers stating that they, as professional engineers, determine the current status of this building is “dangerous” in the absence of doing a temporary stabilization of this failed column. However, that is not the role of the LaCoutures’ engineers and so they cannot draft a letter saying that – to do so would violate the Code of Ethics to which they are bound as professional engineers.

A 5-30-2025 article by Dan Dunkle in the Midcoast Villager quotes BOS Member McKellar as follows:

McKellar stated at the meeting that she felt the relationship between the town and the LaCoutures had become hostile and argued the town has been too accommodating. *She took issue with Amy’s presentation, seeing it as disputing the notion that the building is dangerous.*

Interviewed by phone May 29, McKellar said she has been worried throughout this process about the safety issue, and she felt that if the town and the LaCoutures could work together more, the issue could be resolved. *She wants assurance that the building will not collapse or cause debris to enter the harbor.* She also noted that as a town leader, people look to her to protect the harbor. (emphasis supplied).

The fact that CBOS Member McKellar ***trespassed on and under 39 Main Street*** on Tuesday, May 27, 2025, ***with her two minor sons***, is strong evidence that she does not actually believe 39 Main Street is a “Dangerous Building” or that the failed support column – first identified in the 12-12-2018 Report to the Town by Carmen Bombeke, P.E., of Gartley & Dorsky – is “hazardous.”



Above is a photo that CBOS member McKellar posted on her Facebook page showing she and her sons trespassing on the LaCoutures' property.



Upon learning of this trespass, I contacted you and the Camden Police Chief. Chief Gagne promptly responded to my complaint and appropriately referred the matter to the Knox County Sheriff's Office so that there would be no appearance of conflict of interest in investigating this matter. With this letter I have forwarded a redacted copy of the written Trespass Warning that was served by the Knox County Sheriff's Office on CBOS Member McKellar, with CBOS

Member McKellar's signature acknowledging that she has received this trespass warning stating that she "is forbidden from entering or remaining in or on ... [the] Property located at 39 Main Street" owned by the LaCoutures.

Considering the fact BOS Member McKellar allowed her youngest son to literally go under this building and rest his hand on the failed support column (see photo above), her disparaging statements asserting that 39 Main Street is "unsafe" raise serious questions regarding whether she can be objective in performing her duties on the CBOS on matters relating to 39 Main Street. At the last CBOS meeting Ms. McKellar stated that: "the risk of the building collapsing is not a small thing and what I'm hearing is that it's more extreme." Yet, if she really believed that that there is an imminent danger of this building collapsing, why did she allow her children to go under this building? No mother would allow her child to go under a building that she truly believed was unsafe or about to collapse.

CBOS McKellar's Facebook posts and photos raise additional concerns about her bias regarding 39 Main Street. In one of her posts on May 27, 2025, she criticizes the fact that the dam had been lowered to do work on the building – seeming to suggest that the dam being lowered had endangered baby ducks. A copy of a screen shot of that post is attached below.



In sum, Ms. McKellar appears to be attempting to abuse her position as a CBOS member by withholding her signature on the Second Interim Order, because she has her own agenda – an agenda which seems to include tearing down 39 Main Street. To further this agenda, she is spreading false claims on social media about 39 Main Street being "unsafe" and making unreasonable demands relating to the engineer's letter to further her agenda.

Planning Director Martin appears to be aiding and abetting this improper agenda to be pursued, by instructing the CEO not to issue the permit to do the temporary stabilization work on the failed column last week.

CONCLUSION

The LaCoutures had gone to the expense of paying \$250 to lower the water level so that the temporary stabilization work on the failed column could be done when the weather was going to be dry for several days. However, this work could not be done because Planning & Development Director Martin, on 5-29-2025, would not allow the CEO to “issue” the permit to do so, although the CEO had signed that permit on May 2, 2025, in Amy LaCouture’s presence.

The reason you have given for the Town’s refusal to issue this permit was that the Second Interim Order had not been signed because the Manager and some CBOS members were “not satisfied” with the revised engineer’s letter – because it did not say what “some” unspecified Camden officials wanted it to say, in the way they wanted it said. However, the CBOS voted to proceed with this repair on 5-20-2025 – no written order is required for the work to proceed and the LaCoutures complied with the requirements of the motion voted on that night by timely providing a revised engineer’s letter.

The LaCoutures’ engineer will not provide a second revised letter.

If Town officials believe that a temporary stabilization is actually needed to address a condition that the Town’s officials believe poses a “danger to life and property” then waiting for a signed Order is unnecessary and contrary to the public’s interest and the LaCoutures’ interests in protecting their property.

I suggest that the full repair of all support columns should proceed as a comprehensive repair *without the need to do any temporary stabilization of the one column that is known to have failed more than seven (7) years ago*. However, **the temporary stabilization work will proceed using the signed & stamped plan submitted on 5-1-2025, if the Town states that it still wants this “temporary stabilization” work done.**

However, the Town’s officials need to advise the LaCoutures and their engineers if the Town’s officials will continue to require a temporary stabilization be done of this column, or not – since it was the requirement imposed by prior Town Orders and requests from Planning and Development Director Jeremy Martin that resulted in submission of the prior letters and a signed and stamped plan to do a temporary stabilization. **If the Town does not believe that this temporary stabilization of the failed column is necessary at this time, then the failed column will be repaired during the full repair and replacement that the LaCoutures are undertaking, and that work will proceed as soon as the permits are received from DEP and the Corps.**

I look forward to hearing what the Town’s officials prefer to be done regarding the temporary stabilization. However, if the answer is that the temporary stabilization *should be done before the full repair and replacement*, then: (i) the Town should bear the cost of lowering the water to do this work since the Town’s officials prevented the work from being done last week; and (ii) the Town needs to immediately issue the permit to do this work without further delays or demands to revise the engineer’s letter. Further, the LaCoutures will not pay legal fees to reimburse the Town for legal time spent appeasing unreasonable demands to revise the engineer’s letter a second time and/or redraft the Second Interim Order.

Finally, in light of the myriad of false, inaccurate, and disproven allegations regarding supposedly “dangerous” conditions that have been demonstrated not to even exist, the Town needs to reconsider and vacate the 3-18-2025 Order declaring 39 Main Street a “Dangerous Building.” Please contact me to discuss how best to proceed to request that the CBOS vacate that order and remove the warning sign on the building.

Respectfully, *Kim*