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Via Email

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RE: Christopher Munz and Julie Munz v. Town of Cape Elizabeth, et al.
Cumberland County Superior Court Docket No. AP-18-20

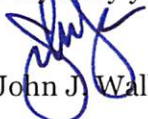
Dear Peggy and Scott:

Last evening I met in executive session with the Planning Board to discuss the procedure on remand in the above-referenced matter in light of the Court's July 3, 2019 Order on the Motion for Clarification. While I do not know this for certain, I believe the Board will take up the remand at its next regular meeting, which I believe is August 20 at 7:00 p.m.

For your information and planning purposes, I intend to advise the Board at the outset of the hearing that in my opinion the Court's clarified remand order requires the Board to reopen the record in this case. I plan to further advise the Board that, in my opinion, previous submissions and presentations do not need to be resubmitted or repeated in order to be considered, but that the parties and the public will be permitted to submit additional evidence. Obviously, it would be advisable for the parties to be prepared to submit evidence related to the specific issues for remand the Court identified in its March 12, 2019 Decision and Order: "whether the private accessway is valid, and if so, whether the private accessway and maintenance agreement should be considered under the application." (Decision and Order at 9).

Please contact me if you have any questions.

Very truly yours,


John J. Wall, III

cc: Matthew Sturgis (via email)
Maureen O'Meara (via email)