

Rec'd 12/11/07

SUPERIOR COURT
AROOSTOOK, SS.
Docket No. CARSC-AP-07-006

STATE OF MAINE

RICHARD CAYER

NOTICE AND BRIEFING SCHEDULE

v.

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

TOWN OF MADAWASKA

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

80B Appeal of Governmental Actions
 The plaintiff's brief is due 40 days after November 16, 2007, which is the date on which the complaint was filed in this Court. Unless otherwise required by statute, it is the plaintiff's responsibility to submit the record of the proceedings on or before the date that the plaintiff's brief is filed.

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

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

80C Appeal of Final Agency Actions
 The petitioner's brief is due 40 days after _____, which is the date on which the state agency record was filed in this Court.

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

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

76G Appeal of District Court Civil Action
 The appellant's brief is due 40 days after _____, which is the date on which the District Court Record was filed in this Court.

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

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

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

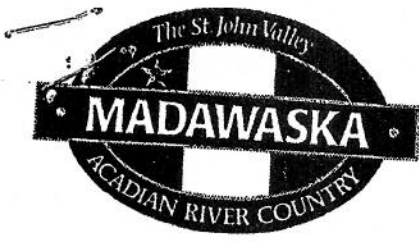
FAILURE OF PETITIONER/PLAINTIFF/APPELLANT TO COMPLY WITH THESE REQUIREMENTS WILL RESULT IN DISMISSAL OF THIS APPEAL.

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

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

Date: November 30, 2007

Michelle Brewer
Assistant Clerk



Christina
TOWN OF MADAWASKA

328 St. Thomas Street, Suite 101, Madawaska, Maine 04756-1299
Tel — (207) 728-6351 • Fax — (207) 728-3611

November 8, 2007

Mr. Richard Cayer
245 Lakeshore Road
St. David, Maine 04773

Dear Mr. Cayer:

At a recent special town meeting you had made some objections regarding an amendment to the Madawaska Land Use Ordinance and the advertising of the town meeting. Your objections were noted at the meeting and I have since reviewed all of the posting and/or advertisement notices for both the Special Town Meeting and the two public hearings which were held on this issue.

The posting requirement for the town meeting warrant was clearly met. However, the notice of a public hearing for an ordinance change requires a posting of 13 days and 7 days prior to the public hearing. I originally believed that the Planning Board Hearing met the requirement for the 13 day advertisement. I recently learned that the Planning Board does not advertise their meetings in the newspaper of general circulation but posts them in the same manner as the Town Meeting Warrants. The Board of Appeals advertises their meetings in the local newspaper. In order to avoid future confusion I have requested that all public hearings for any board be advertised in the local newspaper.

Therefore, I have notified the chairman of the Board of Selectmen to indicate the town should hold another public hearing on this particular article that meets the posting requirements. This amendment would then be voted upon at another town meeting.

Sincerely,

Christina M. Therrien
Town Manager

CC: File
Board