

TOWN OF ISLAND FALLS

v.

RALPH SHAFFER

Submitted on Briefs July 18, 2006  
Decided July 21, 2006

Panel: SAUFLEY, C.J., and DANA, ALEXANDER, CALKINS, LEVY, and  
SILVER, JJ.

MEMORANDUM OF DECISION

Ralph Shaffer appeals from a judgment entered in the District Court (Houlton, *O'Mara, J.*) finding that Shaffer violated the Town of Island Falls Shoreland Zoning Ordinance. Because no transcript of the court hearing has been provided, *see* M.R. App. P. 5(b)(2), it is impossible to assess Shaffer's contention that the trial court's factual findings are clearly erroneous. When the record on appeal does not include a transcript, we must assume that a transcript would support the trial court's factual findings. *Putnam v. Albee*, 1999 ME 44, ¶ 10, 726 A.2d 217, 220.

Further, the trial court did not exceed the bounds of its discretion when it ordered Shaffer to pay a civil penalty of \$1500, ordered him to remove the addition to his camp, and ordered him to pay \$4500 of the Town's attorney fees. *See Town of Levant v. Seymour*, 2004 ME 115, ¶ 29, 855 A.2d 1159, 1167; *Town of Holden v. Pineau*, 573 A.2d 1310, 1312 (Me. 1990); *see also* 30-A M.R.S. § 4452(3) (2005).

The entry is:

Judgment affirmed.

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