



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

22-H-25

22-H-25

TO: Charles A. Lane, Associate Corporation Counsel

FROM: P. Samuel Hoffses, Chief, Inspection Services Division

SUBJECT: Title search and preparation for the proposed demolition of
169 Cumberland Avenue (22-H-25)
Owner: Mr. and Mrs. Joseph DiPietro, 70 Abbey Lane,
Portland, Maine 04103

DATE: February 29, 1996

This is to request a title search be conducted for subject property and the necessary action be taken to place this property on the City Council agenda for demolition.

I feel this structure meets the criteria of the Dangerous Building Law outlined under Subsection 2051 of the Maine ~~Review~~ Statute.

A copy of a report by Lt. McDougall and myself revealing our findings will follow.

cc: Joseph E. Gray, Jr., Dir, PUD
Lt. McDougall, PFD
M. Schmuckal, Asst. C, Inspection Svcs
M. Leary, CEO

Corporation Counsel

Gary C. Wood



CITY OF PORTLAND

Associate Counsel

Charles A. Lane
Elizabeth L. Boynton
Natalie L. Burns
Donna M. Katsiaficas

April 3, 1996



Michelle Dorsey Brooks, Esq.
Maine Title Company
10 Free Street
P.O. Box 15009
Portland, ME 04101

775-2358

RE: Premises at 169 Cumberland Avenue
Chart 22, Block H, Lot 25

Dear Michelle:

The City is interested in demolishing a structure situated on the above-described premises.

Would you please provide me with a title search in your usual form. The title reference in the City's Assessor's office is as follows:

Deed of Royall H. Leeman to Joseph DiPietro, et al., by deed dated March 19, 1981, and recorded in the Cumberland County Registry of Deeds in Book 4753, Page 151.

Would you please direct the bill for your services to:

Joseph E. Gray, Jr., Director
Planning and Urban Development
389 Congress Street
Portland, ME 04101

Very truly yours,

A handwritten signature in blue ink, appearing to read "Charles A. Lane".

Charles A. Lane
Associate Corporation Counsel

CAL:sc

cc: Joseph E. Gray, Jr., Director, Planning & Urban Develop.
P. Samuel Hoffses, Chief, Inspection Services

LTRIDORSEYBR.3



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Robert B. Ganley, City Manager

FROM: Joseph E. Gray, Jr., Director, Planning and Urban Development

SUBJECT: Item for June 1996 City Council Meeting Agenda
Demolition Order - 169 Cumberland Avenue
Chart/Block/Lot #22-H-25

DATE: May 8, 1996

Summary:

The Code Enforcement Office and Fire Department recommend the demolition of the property located at 169 Cumberland Avenue. A videotape showing the condition of the structure is available for review.

This structure has been the subject of a number of complaints since it received major fire damage on October 12, 1993. We have been in contact with the owner about the present condition of the structure and the potential public safety and fire hazards that exist. The close proximity of abutting structures in this neighborhood increase potential hazards.

Representatives of the Code Enforcement Division and Fire Department will be at the public hearing along with the above referenced videotape of subject premises.

Order # Order of Demolition-(17 M.R.S.A. Section 2851 ct Seg) RE: Premises at 169 Cumberland Avenue-Sponsored by Robert B. Ganley, City Manager

Order # Order approving order of demolition RE 169 Cumberland Avenue Sponsored by Robert B. Ganley, City Manager

This multi-family building has been abandoned since a fire in October 1993. Despite out attempts to work with the owner to rehabilitate this building, no effort, on his part, has been made to rectify this situation. This building has been through long hard winters and exposed to the environment causing more structural damage as well as severe damage to the plumbing, heating and electrical systems. In some areas, this building is structurally unsound. This order gives the owner a final 30 day period to raze the structure or begin rehab. After that 30 day period the City will proceed with razing of the building. This order seeks the approval required by State Law before the City can demolish the structure.

The two items require five affirmative votes for passage after an opportunity for public comment has been given.

- Demo -

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

James Guzelian
c/o Northeast Test Consultants
587 Spring Street
Westbrook, ME 04092

August 9, 1996

↓
Approved J. Gray Jr. 15, 1996
Aug. 15, 1996
15 30 LAG

RE: 169 Cumberland Avenue - 22-H-25

Dear Jim,

The Portland City Council has approved the demolition of the building at the above named location. I am requesting that a hazardous assessment, including fuels that may be in holding tanks, be done for this building. We will be moving forward toward demolition on this building.

If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Marge Schmuckal".

Marge Schmuckal
Assistant Chief of Code Enforcement

cc to: Joseph Gray, Jr., Dir. of Planning & Urban Dev.
P. Samuel Hoffses, Chief of Code Enforcement
Bill Tracy, Housing & Neighborhood Services

Marge

CITY OF PORTLAND, MAINE
M E M O R A N D U M

TO: Stephen J. Schwartz, Esquire

FROM: Charles A. Lane, Associate Corporation
Counsel, Ext. 8480

DATE: August 13, 1996

RE: DiPietro-Premises at 169 Cumberland Avenue

This is to reflect our conversation on August 13th.

In the understanding that the above-described structure will be removed privately, the City has ceased proceeding with demolition, but the Council's demolition order remains in effect.

As of today's date the City is owed \$676.26 for expenses connected with the demolition proceeding.

Upon receipt of the \$676.26 and evidence that the building has been removed, the City will discharge the demolition lien which it recently recorded.

Charlie

Charles A. Lane
Associate Corporation Counsel

CAL:cal

Post-it® Fax Note	7671	Date	8/13	# of pages	1
To	Steve Schwartz	From	Charles Lane		
Co./Dept.		Co.			
Phone #		Phone #	874-8480		
Fax #	774-7193	Fax #			

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Re: 169 Cumberland Ave.
CBL:22- H-25

October 8, 1997

169 Cumberland Ave was recommended for demolition per P. Samuel F. Hoffses and was demolished.

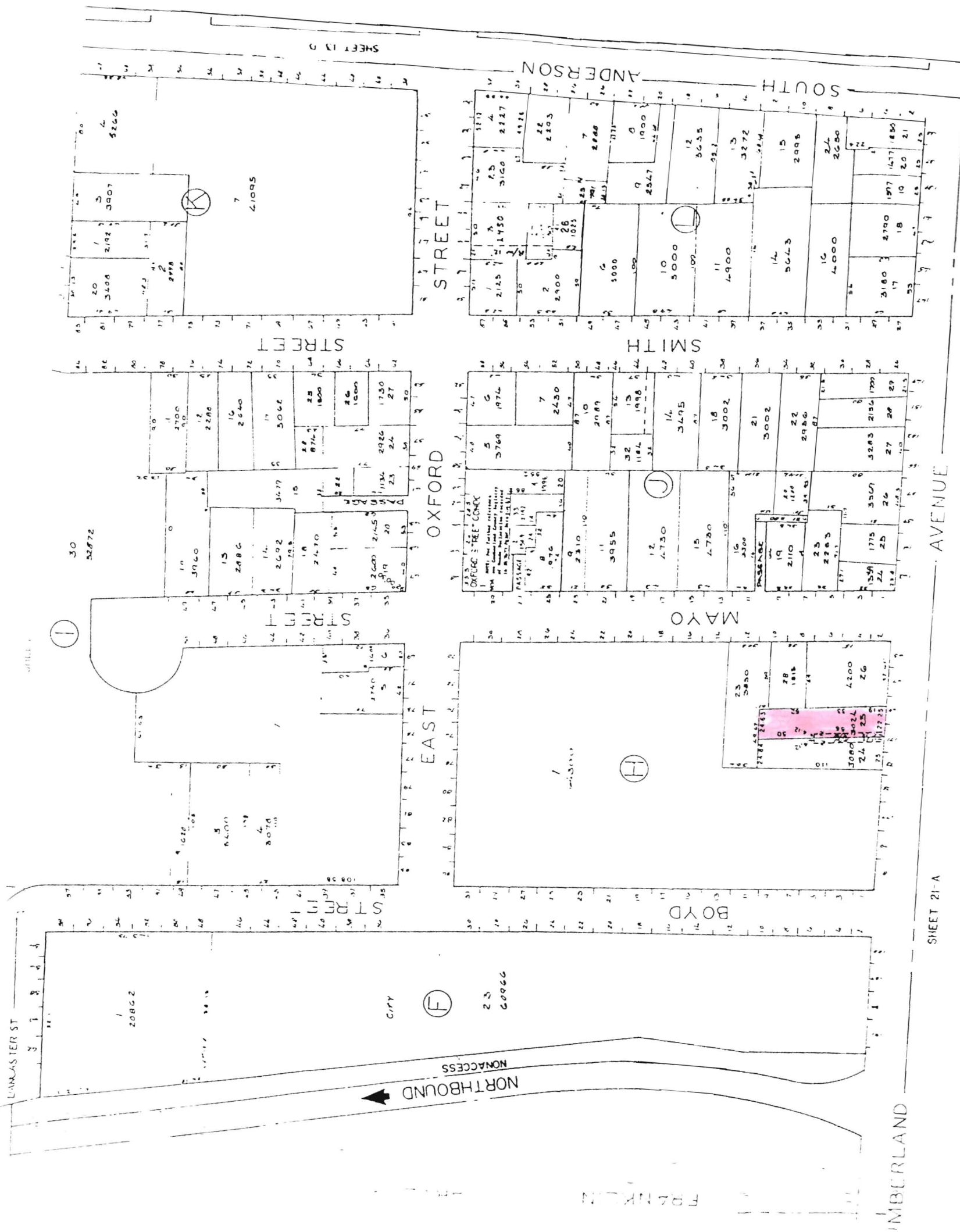
022-11-025

OCT. 12, 1993 Fire - Since This Time no work as been done on this structure To Rehab.

The Code Enforcement^{office} and Fire Dept. recommend The demo. of The structure. We both feel This structure clearly Fall under 'state statutes 17-2851 dangerous building.

This The Fire on OCT, 12, 1993 no work physical work has been done To rehab. This structure - The structure is located within inches of two other structures, one a retail business The other a completely renovated handicapped family unit. -

1. This structure is unsafe - building would be easy to gain access.
2. Unstable - This structure sustained heavy fire damage in The OCT-93 fire and has been open To The environment ever since -
3. The structure doesn't have workable PLB -
4. The structure constitutes a fire hazard -
5. The structure can't be occupied - This structure does constitute a hazard To health, and safety due To inadequate maintenance, dilapidation, obsolescence -





St. Laurent & Sons Excavation

Septic Tanks—Sewer & Water Works—Paving—Snow Plowing—Demolition

125 East Avenue, Lewiston, Maine 04240

Dial (207) 784-7944



PROPOSAL SUBMITTED TO City of Portland		PHONE 874-8300	DATE 1-29-96
STREET 389 Congress		JOB NAME demolition job	
CITY, STATE AND ZIP CODE Portland, Maine 04101		JOB LOCATION 169 Cumberland Avenue	
ATTENTION Dwight Gailey		874-8714	JOB PHONE

DESCRIPTION OF WORK.

Total demolition and removal of the existing structure located at 169

Cumberland Avenue. Existing brick foundation will be demolished to a depth of 18" below existing grade, and used as fill inside foundation hole.

Fill remaining cellar hole with clean granular fill and grade to match existing contours.

Cap sanitary sewer line at city main, and repave disturbed portion of street.

St. Laurent & Son Inc. will obtain all necessary permits.

NOTE: not included in this proposal is the removal or disposal of any asbestos or hazardous waste.

We Propose hereby to furnish material, labor and equipment to complete in accordance with above specifications for the

sum of Twelve Thousand Four Hundred ----- dollars (\$ 12,400.00).

Payment to be made as follows

Arrangements to be made prior to start of work.

Interest at 1½ percent per month on accounts over 30 days. Collection cost and reasonable attorney's fees will be added to account.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration in accordance with the construction industry arbitration rules of the American Arbitration Association. Owner to carry necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

Sary R St Laurent

Note: This proposal may be withdrawn by us if not accepted within 30 days

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date of Acceptance _____

R&R & SONS EXCAVATING

P.O. Box 985
Windham, ME 04062
892-7013



Reliable and Economical
Excavation Services



Peter G. Reali, Jr.
President

Carol A. Reali
Treasurer

Proposal

Page No. 1 of 1 Pages

PROPOSAL SUBMITTED TO City of Portland		PHONE	DATE 3/22/96
STREET 389 Congress St		JOB NAME	
CITY, STATE AND ZIP CODE Portland, Maine		JOB LOCATION 169 Cumberland Ave	
ARCHITECT	DATE OF PLANS	Portland, Maine	JOB PHONE 892-7013

We hereby propose to furnish materials and labor necessary for the completion of

Building Demolition (1) Hand Demolition due to closeness of other buildings.

(2) Fill foundation hole and Level lot to make safe.

(3) House is approximately 6-30yds dumpster to remove Debris.

WE PROPOSE hereby to furnish material and labor — complete in accordance with above specifications, for the sum of: \$10,900.00

Payment to be made as follows: _____ dollars (\$ _____)

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature _____

Note: This proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outline above.

Signature _____

Date of Acceptance _____

Signature _____

PROPOSAL

No.	
Date	
Sheet No.	

Proposal Submitted To:

Name: 40 Dwight Galy / Rehas
Street: Congress st
City: Port
State: me
Phone: 874 8714

Work To Be Performed At:

Street: Cumberland AVE
City: PORT State: ME
Date of Plans: ASAP / Spring time
Architect: R. Ramsey

We hereby propose to furnish the materials and perform the labor necessary for the completion of

Take down, Remove and Dispose of
one House located at Cumberland ave
Remove all Debris to land level

Job Ins.: Consist of 300.000 liability
namng City as additional insured

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Dollars [\$ 12,000.00].

with payments to be made as follows: To be 1/3 at start of job
1/3 upon 1/2 way point of job last payment upon
Completion.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by

Respectfully submitted

Ramsey Services
Per R. Ramsey - 870-7294

Note-This proposal may be withdrawn by us if not accepted within 60 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

Signature

DEBT01	Debtors Detail Screen		15 Jul 96	08:44	MS
Ref Nbr	Name of Debtor			Total Due	
000748	DIPIETRO ELEANOR R ,JOSEPH A JTS			From All Accts	
	CUMBERLAND AVE		0000171		6,710.76

Trans Nbr	Trans Type	Account Number Account Description	Pay Plan Date	Exempt Flag	Total Amount Due	Paid Flag
00001	RT	95D24815	/ /			
		022 H02400101	9501		3,355.38	
00002	RT	96D24815	/ /			
		022 H02400101	9601		3,355.38	
			/ /			
			/ /			
			/ /			
			/ /			

F2 to View Next Debtor F9 to View More Trans Msg-wait to Return [_]

DEBT01

Debtors Detail Screen

15 Jul 96 08:39 MS

Ref Nbr Name of Debtor

Total Due

000749 DIPIETRO ELEANOR,JOSEPH JTS

From All Accts

CUMBERLAND AVE

0000169

312.78

Trans Nbr	Trans Type	Account Number Account Description	Pay Plan Date	Exempt Flag	Total Amount Due	Paid Flag
00001	RT	96D24805 022 H02500101	/ / 9601 / / / / / / / / / /		312.78	

F2 to View Next Debtor

F9 to View More Trans

Msg-wait to Return [_]