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**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Notice of Violation**

September 18, 2003

Eric Ciancette  
C/O Portland Regency Inc.  
20 Milk St.  
Portland, ME 04101

Re: Sound Levels at The Regency, 20 Milk St., **Cert. Mail Receipt #7002 0510 003 3311 0178**  
(029 R001)

Dear Eric,

In May of this year, this office received a complaint with regard to the level of noise emitted from the dryer exhaust on the Silver St. side of the Regency building. The building is located in the B3 Zoning District, as shown on the Zoning Map of the City of Portland. Section 14-221.1.b of the Zoning Ordinance limits the level of sound to 55 decibels between 9 pm and 7 am, and 60 decibels between 7 am and 9 pm.

An evaluation of the premises occurred, and sound level readings were taken on May 23, 2003 and confirmed on this date. The levels were as follows:

- |    |  |                   |
|----|--|-------------------|
| a) | At the sidewalk on the Regency Side of Silver St.  | 82 to 86 Decibels |
| b) | At the centerline of Silver St.                    | 75 to 77 Decibels |
| c) | At the sidewalk on the opposite side of Silver St. | 70 to 73 Decibels |

The above-described condition constitutes a violation of Section 14-221.1(b) of the Municipal Zoning Ordinance. This is a notice of violation pursuant to Section 14-56 of the Municipal Zoning Ordinance.

It is required that the necessary acceptable steps be taken to modify the laundry exhaust system to reduce the sound levels to comply with the Ordinance. This action includes employing the services of a registered acoustical engineer to evaluate the system and create construction documents that will eliminate the problem, submitting those documents for appropriate local permits and completing the repairs consistent with the permitted construction documents. This activity must be completed within 60 days. A reinspection of the premises will occur on 11/18/03 at which time compliance is required.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision pursuant to Section 14-472 of the Municipal Zoning Ordinance. You have the right to appeal this decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to apply.

Please feel free to contact me at 874-8700, if you wish to discuss the matter or have any questions.

Yours truly,

Michael J. Nugent  
Manager of Inspection Services

cc: Lee Urban/Director of Planning and Development  
Mark Adelson/Director of Housing and Neighborhood Services