

48-D-19
Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

July 8, 1996

Drew A. Anderson, Esquire
75 Pearl Street
Portland, Maine 04104

RE: 65 Sherman Street


Dear Mr. Anderson,

On May 17, 1996 a building permit (No. 960407) was issued to Daniel Scott Lee to change use/make renovations at 65 Sherman Street.

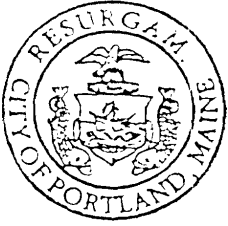
At this time, it appears that work has ceased. If this is the case, this office must be notified as this building is fast becoming a dangerous building as per Maine State Law and City of Portland Building Code standards.

Any information you can provide this office regarding this matter would be greatly appreciated. I can be reached Monday through Friday between 7:00 a.m. and 4:00 p.m. at 874-8704.

Sincerely,

P. Samuel Hoffses 
Chief, Inspection Services Division

cc: M. Wing, CEO



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Charles A. Lane, Associate Corporation Counsel

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

SUBJECT: Title Search and preparation for proposed demolition of 65 Sherman Street,
48-D-19; Owner: Carleton Investment Associates, 215 State Street, Portland

DATE: July 16, 1996

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 Code outlined in Section 17-2051 of the Maine Revised Statute.

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

Re-hab

4. Application. This section shall not affect the application of state and federal statutes.

1981, c. 472.

¹ Section 8001 et seq. of title 5.

Library References

Nuisance \hookrightarrow 3(1), 61.

C.J.S. Nuisances § 26.

SUBCHAPTER IV

DANGEROUS BUILDINGS

Section

- 2851. Dangerous buildings.
- 2852. Appeal; hearing.
- 2853. Municipal officers may order nuisance abated.
- 2854, 2855. Repealed.
- 2856. Securing dangerous structures.
- 2857. Recording of notice.
- 2858. Consent to removal.
- 2859. Summary process.

§ 2851. Dangerous buildings

Whenever the municipal officers shall find a building or structure or any portion thereof or any wharf, pier, pilings or any portion thereof which is or was located on or extending from land within the boundaries of the municipality, as measured from low water mark, is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property, they may after notice and hearing on this matter, adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal shall be made thereof.

1. Notice. The notice shall be served on the owner and all parties in interest, as defined in Title 14, section 6321, in the same way service of process is made in accordance with the Maine Rules of Civil Procedure.

2. Notice how published. When the name or address of any owner or co-owner is unknown or is not ascertainable with reasonable diligence, then the notice shall be published once a week for 3 successive weeks prior to the date of hearing in a

Corporation Counsel
Gary C. Wood



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

CITY OF PORTLAND

July 25, 1996

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

RE: Premises at 65 Sherman Street
Chart 48, Block D, Lot 19

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 from Ronald A. Vincent to Carleton Investment Associates, dated October 22, 1984, and recorded in the Cumberland County Registry of Deeds in Book 3047, Page 827.

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 cursive script that reads "Charles A. Lane".

Charles A. Lane
Associate Corporation Counsel

CAL:sc
dorseybr.4

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

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

TO: Joseph E. Gray, Jr.
Director of Planning & Urban Development

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

DATE: September 10, 1996

RE: Demolition Hearing on 65 Sherman Street

A hearing regarding the proposed demolition of the property situated at 65 Sherman Street has been scheduled for Monday, October 7, 1996 at 7:30 p.m.

I am providing copies of this memorandum both to Sam and Mac so that they will be prepared to present a case at that time.



Charles A. Lane
Associate Corporation Counsel

CAL:sc
gray.2

cc: P. Samuel Hoffses, Director of Inspection Services
Lieutenant Gaylen McDougall, Fire Prevention Bureau

Corporation Counsel

Gary C. Wood



CITY OF PORTLAND

Associate Counsel

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

September 17, 1996

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

RE: Premises at 65 Sherman Street
Chart 48, Block D, Lot 19

Dear Michelle:

I was advised last week that the above-described property was conveyed by Carleton Investment Associates to 201 State Street, Inc. and that it is mortgaged to Pioneer Capital.

Would you please provide me with an updated title report on the property.

The City still intends to go ahead with the demolition hearing scheduled for October 7, 1996.

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,

Charles A. Lane
Associate Corporation Counsel

CAL:sc
dorseybr.5

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



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Joseph E. Gray, Director, Planning & Urban Development
FROM: P. Samuel Hoffses, Chief, Inspection Services Division *PH*
SUBJECT: 65 Sherman Street (48-D-019)
DATE: September 25, 1996

On May 15, 1995, this building suffered major structural and roof damage due to a serious fire. Since that time, no work has been done to improve the condition of subject property.

The Code Enforcement Office and Fire Department recommend this structure be razed. We feel this structure presents a clear and present danger to the health, safety and welfare of anyone within the area. We also feel that this structure clearly meets the criteria of a dangerous building as stated in Maine State Statute 17-2851.

Since the May 1995 fire, no physical work has been done to rehabilitate the building. A building permit was issued on May 17, 1996 to make renovations, however, to date no work has been done.

This structure is located within 10 feet of other residential buildings and constitutes a structural and fire hazard.

Under Maine State Statute 17-2851, Dangerous Building, it lists items which constitute a dangerous building; unsafe, unstable, unsanitary, constitutes a fire hazard, is unsuitable or improper for the use or occupancy to which it is put, constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment, or is otherwise dangerous to life or property. I shall address some of these items below.

Unsafe - The fire caused heavy structural damage to the roof and other areas of the building.

Unstable - Fire and water damage has caused the building to become unstable, walls are beginning to push out, etc...

Unsanitary - Damage to plumbing pipes causes unsanitary conditions

Fire Hazard - Because of the close proximity to other buildings and because it is an open building.

Unsanitary/Improper for Use - In its present condition, this building cannot be occupied for any type of use.

Constitutes a Hazard to Health or Safety - Because of inadequate maintenance, dilapidation, obsolescence and abandonment - No attempts have been made to physically improve the condition of this structure since the May 15, 1995 fire.

48-D-019