



*Strengthening a Remarkable City. Building a Community for Life*

[www.portlandmaine.gov](http://www.portlandmaine.gov)

**Planning & Urban Development Department**  
Penny St. Louis Littell, Director

January 7, 2010

Paul S. Douglass, Esq.  
Law Offices  
471 Main St., P.O.Box 1346  
Lewiston, Maine 04243-1346

Dear Attorney Douglass:

Enclosed are the documents that you requested regarding 9-11 Wescott Street. Please call me if you have any questions.

Sincerely,

Penny St. Louis Littell  
Director of Planning and Urban Development

cc: Gary Wood, Esq.

**REVISED**  
**ADDITIONAL INFORMATION ON MICROFISHE**

TO:

Penny Littell

FROM:

Gayle Guertin

SUBJECT:

9-11 Wescott Street

DATE:

January 5, 2010

All files on this property have been pulled and copied as requested, this includes.....

**4** housing complaint letters (G-Drive).

**4** violations letters (G-Drive).

Inspections **schedule report** between 1/1/1999 thru 12/31/2009.

**1** opened complaint report between 1/1/1999 thru 12/31/2009.

**5** closed complaint reports between 1/1/1999 thru 12/31/2009.

**1** posting notice letter from recent file cabinet along with **3** certified mail receipts.

Total of **20** copies.

Information on microfische includes....

**2** housing violation letters in 1991 and one in 1994

**1** building permit in 1995

The rest of the microfische is from the early 1930's thru 1980's.

Total of **7** additional copies.

Gayle Guertin

Inspection Services  
Samuel P. Hoffses  
Chief



Planning and Urban Development  
Joseph B. Gray Jr.  
Director

CITY OF PORTLAND

October 7, 1994

Kenneth Fisk  
43 Spinnaker Lane  
Falmouth, Ma. 02540

RE: 9 Mascott Street

Dear Mr. Fisk,

It has come to the attention of the City, that a certain portion of a retaining wall located at the above mentioned property is in serious disrepair, and has created a hazardous condition at the public sidewalk.

It is imperative that this situation is secured within thirty (30) days.

Should you have any questions concerning this condition, please contact me at this office at (207) 874-8300, ext. 8707.

Thank you,

  
Amy Simpson  
Code Enforcement Officer



# CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT  
INSPECTION SERVICES DIVISION

## NOTICE OF HOUSING CONDITIONS

DU: 10  
CHART-BLOCK-LOT - 53-H-1  
LOCATION: 9-11 Wescott St.

DISTRICT: 5  
ISSUED: June 11, 1991  
EXPIRES: July 11, 1991

Kenneth H. Fisk  
43 Spinnaker Lane  
Falmouth, Mass. 02540

Dear Sir:

You are hereby notified, as owner or agent, that an inspection was made of the premises at 9-11 Wescott St. by Code Enforcement Officer Marland Wing. Violations of Article V of the Municipal Ordinance (Housing Code) were found as described in detail on the attached "Housing Inspection Report".

In accordance with the provisions of the above mentioned Code, you are hereby ordered to correct those defects on or before July 11, 1991. If you are unable to make such repairs within the specified time, you may contact this office to arrange a satisfactory repair schedule. If we do not hear from you within ten (10) days from this date, we will assume the repairs to be in progress and, on re-inspection within the time set forth above, will anticipate that the premises have been brought into compliance with the Housing Code Standards.

Please Note: You should consult the Inspection Services Division to insure that any corrective action you undertake complies with the building, plumbing, electrical, zoning and other Article of the City Code.


Please contact this office if you have any questions regarding this order.

Your cooperation will aid this department in it's goal to maintain decent, safe, and sanitary housing for all of Portland's residents.

Very truly yours,

Joseph E. Gray, Jr., Director  
Planning & Urban Development

By:   
Samuel Hoffes  
Chief of Inspection Services

  
Marland Wing  
Code Enforcement Officer

Attachments

HOUSING INSPECTION REPORT

OWNER: Kenneth H. Fisk

LOCATION: 9-11 Wescott St.  
53-R-1

CODE ENFORCEMENT OFFICER: Marland Wing

HOUSING CONDITIONS DATED: June 11, 1991

EXPIRES: July 11, 1991

ITEMS LISTED BELOW ARE IN VIOLATION OF ARTICLE V OF THE MUNICIPAL CODES, "HOUSING CODE", AND MUST BE CORRECTED ON OR BEFORE THE EXPIRATION DATE.

				<u>SEC. (S)</u>
EXTERIOR	1st floor	Rear Stairs	Broken tread	108-4
EXTERIOR	2nd floor	Rear deck	Loose safety rail	108-4

Apartments Standard interior

**City of Portland, Maine - Building or Use Permit Application** 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 11 Wescott St		Owner: Kennett Fisk		Phone:	
Owner Address:		Leasee/Buyer's Name:		Phone:	
*Contractor Name: Prop Mgr Wayne Sprague		Address: apt 2-F 11 Wescott St- Ptlid, ME 04102		Phone: 780-1989	
Past Use:  10 -unit dwlg		Proposed Use:  10-unit dwlg w ext renovtn		COST OF WORK: \$ 200	
Proposed Project Description:  exterior renovations - basement window		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		PERMIT FEE: \$ 25	
Permit Taken By: L Chase		Date Applied For: 7/19/95		INSPECTION: Use Group: A2 Type: 5B MOCA 93 Signature: <i>[Signature]</i>	
		Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Date:	
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied			

Permit No: **950773**

**PERMIT ISSUED**

**JUL 27 1995**

**CITY OF PORTLAND**

Zoning Approval: *NO MORE ALLOWED FOR*

Special Zone or Reviews:

Shoreland *New units*

Wetland *W3 7/24/95*

Flood Zone

Subdivision

Site Plan maj  minor  mm

Zoning Appeal

Variance

Miscellaneous

Conditional Use

Interpretation

Approved

Denied

Historic Preservation

Not in District or Landmark

Does Not Require Review

Requires Review

Action:

Approved

Approved with Conditions

Denied

Date: *7/21/95*

*[Signature]*

1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, electric or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

**PERMIT ISSUED WITH REQUIREMENTS**

**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce provisions of the code(s) applicable to such permit

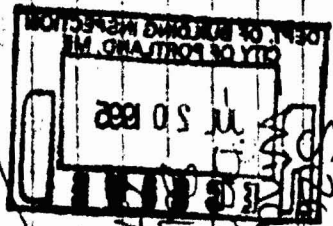
*Wayne Sprague*  
SIGNATURE OF APPLICANT ADDRESS: \_\_\_\_\_ DATE: *July 19, 95* PHONE: *780-1989*

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ PHONE: \_\_\_\_\_

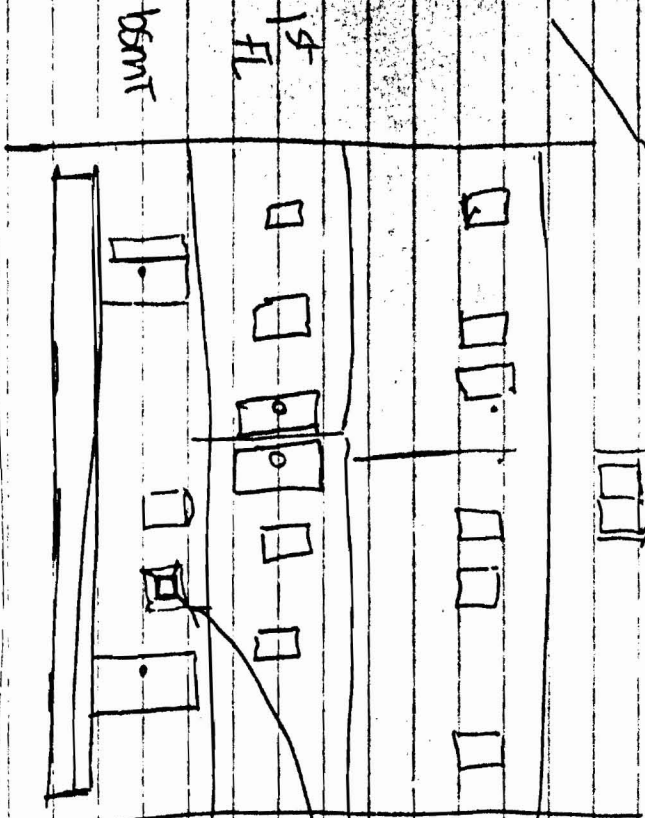
White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

CEO DISTRICT **3**

*Ang Simons*



Set of window 23 1/4 by 23 3/4  
Window Added to Bathroom.  
(header)  
3/8" Steel beam over top  
with framing, window w/ frame  
attached to masonry.



2nd  
FL

Window to  
be Added

NW Side

11 W - off

Basement

bemt

1st  
FL

Present  
S.



COMMENTS

*Filed report reposition*

The table consists of approximately 10 columns and 15 rows. A large 'X' is drawn across the entire table area, indicating that the content is void or unused.

Inspection Record

Type \_\_\_\_\_  
Foundation: \_\_\_\_\_  
Framing: \_\_\_\_\_  
Plumbing: \_\_\_\_\_  
Final: \_\_\_\_\_  
Other: \_\_\_\_\_

Date \_\_\_\_\_

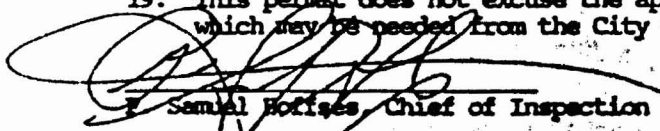


1. In the immediate vicinity of bedrooms
2. In all bedrooms
3. In each story within a dwelling unit, including basements

In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted.

10. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4 section 407.0 of the BOCA/1993)

- A 11. Guardrail & Handrails-A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42", except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect.
12. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10, section 6 and subsections 1023. & 1024. of the City's building code. (The BOCA National Building Code/1993)
  13. Stair construction in Use Group R-3 & R-4 is a minimum of 9" tread and 8-1/4" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise.
  14. Headroom in habitable space is a minimum of 7'6".
  15. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
  16. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.
  17. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
  18. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act, Title 5 MRSA refers, shall obtain a certification from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
  19. This permit does not excuse the applicant from obtaining any license which may be needed from the City Clerk's Office.

  
 Samuel Haffes, Chief of Inspection Services

/el 3/16/95

TO:  
Penny Littell

FROM:  
Gayle Guertin

SUBJECT:  
9-11 Wescott Street

DATE:  
January 5, 2010

All files on this property have been pulled and copied as requested, this includes.....

**4** housing complaint letters (G-Drive).

**4** violations letters (G-Drive).

Inspections **schedule report** between 1/1/1999 thru 12/31/2009.

**1** opened complaint report between 1/1/1999 thru 12/31/2009.

**5** closed complaint reports between 1/1/1999 thru 12/31/2009.

**1** posting notice letter from recent file cabinet along with **3** certified mail receipts.

Total of **20** copies.

I have not researched the micro fishe???

Gayle Guertin

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**  
 389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> FISK KENNETT H		<b>Inspector</b> Tom Markley	<b>Inspection Date</b> 8/25/2006
<b>Location</b> 9 WESCOTT ST	<b>CBL</b> 053 H001001	<b>Status</b> Re-Inspect 30 Days	<b>Inspection Type</b> Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 6-108.1	Exterior	1-2		front of building	
<b>Violation:</b> Foundations cellars, exterior walls, roofs					
<b>Notes:</b> Bricks falling out of exterior front wall					

**Comments:** Bricks Falling out of exterior front Wall- must be repaired within 30 days

1/5/10

housing letter

G Dine



# PORTLAND MAINE

*Strengthening a Remarkable City. Building a Community for Life • www.portlandmaine.gov*

Lee Urban- Director of Planning and Development  
Michael J. Nugent- Inspections Division Director

March 28, 2006

FISK KENNETT H  
43 SPINNAKER LN  
FALMOUTH, MA 02540

**CBL: 053 H001001**  
**Located at 9 WESCOTT ST**

**Certified Mail 70051160000047871597**

Dear FISK KENNETT H,

An evaluation of the above-referenced property on 03/28/2006 shows that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A re-inspection of the premises will occur on \_\_\_\_\_ at which time compliance will be 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.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection.

Sincerely,

Peter Merrow @ (207) 874-8707  
Building Inspector

1/5/10

Housing letter  
G. Sive

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> FISK KENNETT H		<b>Inspector</b> Peter Merrow	<b>Inspection Date</b> 03/28/2006
<b>Location</b> 9 WESCOTT ST	<b>CBL</b> 053 H001001	<b>Status</b>	<b>Inspection Type</b> Housing-Inspection

<b>Code</b>	<b>Int/Ext</b>	<b>Floor</b>	<b>Unit No.</b>	<b>Area</b>	<b>Compliance Date</b>
1) 6-108.2	Interior	Basemen	9B	Bedroom	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Rotted subfloor.					
2) 6-108.2	Interior	Basemen	9B	Living Room	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Rotted subfloor.					
3) 6-108.2	Interior	Basemen	9B	Bathroom	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Rotted Floor					
4) 6-108.2	Interior	Basemen	9B	Bathroom	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Hole in wall behind toilet.					
5) 6-108.2	Interior	Basemen	9B	Various locations	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Torn carpets through out the unit.					
6) 6-108.2	Interior	Basemen	9B	Bedroom	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Hole in wall in bedroom.					
7) 6-111.4	Interior	Basemen	9B	Bathroom	
<b>Violation:</b> Maintenance of plumbing fixtures.					
<b>Notes:</b> Toilet loose, leaking, not secured to the floor.					
8) 6-111.4	Interior	Basemen	9B	Various locations	
<b>Violation:</b> Maintenance of plumbing fixtures.					
<b>Notes:</b> Missing baseboard sheilds.					
9) 6-113.5	Interior	Basemen	9B	Kitchen	
<b>Violation:</b> Maintenance of lighting fixtures					
<b>Notes:</b> Light fixture is in-operative					
10) 6-108.3	Interior	Basemen	9B	Various locations	
<b>Violation:</b> Exterior windows, doors and skylights					
<b>Notes:</b> Several Broken windows in various locations through out the unit.					

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**  
 389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> FISK KENNETT H		<b>Inspector</b> Peter Merrow	<b>Inspection Date</b> 03/28/2006
<b>Location</b> 9 WESCOTT ST	<b>CBL</b> 053 H001001	<b>Status</b>	<b>Inspection Type</b> Housing-Inspection

- |  |          |         |           |
|--|----------|---------|-----------|
| 11) 6-109.2  | Interior | Basemen | Hall      |
| <b>Violation:</b> Maintenance of shared areas.               |          |         |           |
| <b>Notes:</b> Clutter  |          |         |           |
| 12) 6-108.2  | Interior | Basemen | Hall      |
| <b>Violation:</b> Interior floors, walls, ceilings and doors |          |         |           |
| <b>Notes:</b> Ceilings are not intact with many penetrations |          |         |           |
| 13) 6-108.3  | Interior | 1       | Entry Way |
| <b>Violation:</b> Exterior windows, doors and skylights      |          |         |           |
| <b>Notes:</b> Front door missing glass.                      |          |         |           |
| 14) 6-108.4  | Exterior | All     | Porch     |
| <b>Violation:</b> Stairways, stairwells, stairs, porches.    |          |         |           |
| <b>Notes:</b> Rear porch has rotted joists and flooring.     |          |         |           |
| 15) 6-108.4  | Exterior | All     | Porch     |
| <b>Violation:</b> Stairways, stairwells, stairs, porches.    |          |         |           |
| <b>Notes:</b> Guardrail system is rotted and failing.        |          |         |           |
| 16) 6-108.4  | Exterior | 1       | Porch     |
| <b>Violation:</b> Stairways, stairwells, stairs, porches.    |          |         |           |
| <b>Notes:</b> Front porch has rotted and loose treads.       |          |         |           |

**Comments:**

*15/10  
 Housing letter  
 G Drive*

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**  
 389 Congress Street  
 Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> FISK KENNETT H		<b>Inspector</b> Tom Markley	<b>Inspection Date</b> 6/26/2006
<b>Location</b> 9 WESCOTT ST	<b>CBL</b> 053 H001001	<b>Status</b> Re-Inspect 30 Days	<b>Inspection Type</b> Complaint-Housing Inspection

<b>Code</b>	<b>Int/Ext</b>	<b>Floor</b>	<b>Unit No.</b>	<b>Area</b>	<b>Compliance Date</b>
1) 6-108.2	Interior	Basemen	9 B	Various locations	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Several broken windows in various locations throughout unit					
2) 6-108.2	Interior	Basemen	9B	Bedroom	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Holes around around window due to leakage- signs of mold evident					
3) 6-109.2	Interior	basemen	9B	Hall	
<b>Violation:</b> Maintenance of shared areas.					
<b>Notes:</b> Clutter & Debris throughout					
4) 6-108.2	Interior	basemen	9B	Hall	
<b>Violation:</b> Interior floors, walls, ceilings and doors					
<b>Notes:</b> Ceiling have penetrations & holes throughout					

**Comments:** NOTE: evidence of extremely moldy conditions and must odor throughout apartment

1/5/10  
 Housing letter  
 G Drive





# PORTLAND MAINE

*Strengthening a Remarkable City. Building a Community for Life - www.portlandmaine.gov*

Lee Urban- Director of Planning and Development  
Michael J. Nugent- Inspections Division Director

June 28, 2006

FISK KENNETT H  
43 SPINNAKER LN  
FALMOUTH, MA 02540

**CBL: 053 H001001**  
**Located at 9 WESCOTT ST**

**Certified Mail 70022410000081325638**

Dear FISK KENNETT H,

An evaluation of the above-referenced property on 06/26/2006 shows that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A re-inspection of the premises will occur on 07/26/2006 at which time compliance will be 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.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection.

Sincerely,

Tom Markley @ (207) 874-8705  
Building Inspector

11/5/10

Violation Complaint  
letter

G Drive



# PORTLAND MAINE

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Lee Urban- Director of Planning and Development  
Michael J. Nugent- Inspections Division Director

August 28, 2006

FISK KENNETT H  
43 SPINNAKER LN  
FALMOUTH, MA 02540

**CBL: 053 H001001**  
**Located at 9 WESCOTT ST**

**Certified Mail 70060810000379891782**

Dear FISK KENNETT H,

An evaluation of the above-referenced property on 08/25/2006 shows that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A re-inspection of the premises will occur on 09/25/2006 at which time compliance will be 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.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection.

Sincerely,

Tom Markley @ (207) 874-8705  
Building Inspector

1/5/10

violation complaint  
letter

G Drive

Inspection Services  
Michael J. Nugent  
Gray, Jr.  
Manager

Department of Urban Development  
Joseph E.  
Director



## CITY OF PORTLAND

Kennett H Fisk  
43 Spinnaker Ln  
Falmouth, MA 02540

RE: 9 Wescott St  
CBL: 053-H-00100101

Dear Kennett H Fisk:

**Certified Mail Receipt # 7099 3400 0019 5716 2056**

An evaluation of your property at 9 Wescott St on Nov-15-2000 revealed that the structure fails to comply with Chapter 6. Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A re-inspection of the premises will occur on Dec-27-2000 at which time compliance will be 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.

This constitutes an appealable decision pursuant to Section 6-127 of the Code. Please feel free to contact Marland Wing @ 874-8696, if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection.

Sincerely,

Marland Wing @ 874-8696  
Code Enforcement Officer  
/

✍

11/5/10

Violation letter

G Drive

Inspection Services  
Michael J. Nugent  
Gray, Jr.  
Manager



Department of Urban Development  
Joseph E.  
Director

## CITY OF PORTLANE

May 12, 1999  
Kennett H. Fisk  
43 Spinnaker Ln  
Falmouth, MA 02540

11/5/10

violation letter

G Druwe

RE: 9 Wescott St  
CBL: 053-H-00100101

Dear Mr. Fisk:

### **Certified Mail Receipt**

An evaluation of your property at 9 Wescott St on May-12-1999 revealed that the structure fails to comply with Chapter 6, Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations and copies of the referenced Code sections.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A reinspection of the premises will occur on Jun-12-1999 at which time compliance will be 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.

This constitutes an appealable decision pursuant to Section 6-127 of the Code. Please feel free to contact me at 874-8703, if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 reinspection fee. This violation will automatically cause a reinspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection. A copy of the amendment has been attached for your convenience.

Sincerely  
Marland Wing

Code Enforcement Officer  
/GD

**City of Portland, Maine**  
**Inspections Division**  
**Inspection Schedule**

**Appointment Date Between 1/1/1999 And 12/31/2009**

Dist. #	Sch. Date:	ParcelNo:	Appl. Type	Schedule Type	Appl #:	Location
Fire Insp.	Contact:		Inspector	Comments		
2	05/12/1999	053 H001001	Housing Marland Wing	Housing Inspection	0	9 Wescott St
2	11/15/2000	053 H001001	Housing Marland Wing	Housing Inspection	0	9 Wescott St
2	01/17/2006	053 H001001 FISK KENNETT H	Complaint Peter Merrow	Inspection State Rep Herb Adams - 772-2565 home augusta 1-800-423-2900 Call @ 4 PM Regards basement apartment. 9B Windows cracked some held together with duck tape, Window in hall way door held totally by duck tape, frig is full of mold, leaking around the foundation parts of floor are rotted out. Tenants have photo's. Mr. Says that the landlord has threatened them with eviction if they call us. Tenant # 773-1453 Will or Patricia	6783	9 WESCOTT ST
2	03/28/2006	053 H001001 FISK KENNETT H	Housing Peter Merrow	Inspection Rats - 9B Windows cracked some held together with duck tape, Window in hall way door held totally by duck tape, frig is full of mold, leaking around the foundation parts of floor are rotted out. Tenants have photo's. Tenant # 773-1453 Will or Patricia Please call would like an appointment for after 3:30 if possible Also Called State Rep Herb Adams - 772-2565 home augusta 1-800-423-2900	7100	9 WESCOTT ST
2	05/03/2006	053 H001001 Fisk Kennett H	Housing Jonathan Reed	Inspection	0	9 WESCOTT ST
2	06/26/2006	053 H001001 FISK KENNETT H FISK KENNETT H	Complaint Tom Markley	Housing Inspection Same Complaints, as before, only a few of the violations have been corrected. Windows are still broken. Will 773-1453	7444	9 WESCOTT ST
2	08/07/2006	053 H001001 Fisk Kennett H FISK KENNETT H	Complaint Tom Markley	Housing Inspection	0	9 WESCOTT ST
2	08/25/2006	053 H001001 FISK KENNETT H Anonymous	Complaint Tom Markley	Inspection Bricks are falling off the front of the building above the first floor window (right side of bldg.) there have 25 to 30 bricks that have fallen to sidewalk.	7785	9 WESCOTT ST
2	09/28/2006	053 H001001 Fisk Kennett H Anonymous	Complaint Tom Markley	Inspection	0	9 WESCOTT ST
2	10/30/2006	053 H001001 FISK KENNETT H	Complaint Jeanie Bourke Chris Hanson	Inspection Crain from MMC fell on bldg INSPECT damage with structural engineers from Becker to determine plan of action prior to tenants allowed back in safely for belongings.	8122	9 WESCOTT ST
2	08/22/2007	053 H001001 FISK KENNETT H	Complaint	Inspection Crain from MMC fell on bldg INSPECT damage	8122	9 WESCOTT ST

**City of Portland, Maine**  
**Inspections Division**  
**Inspection Schedule**

**Appointment Date Between 1/1/1999 And 12/31/2009**

Dist. #	Sch. Date:	ParcelNo:	Appl. Type	Schedule Type	Appl #:	Location
Fire Insp.	Contact:		Inspector	Comments		
2	08/22/2007	053 H001001	Complaint	Inspection	9921	9 WESCOTT ST
	FISK KENNETT H		Jay Kelley Mike Menario	Called to this address to check on building after a fire, building will need to be secured and deemed structurally safe by the owner or his rep.		
2	09/03/2007	053 H001001	Complaint	Inspection	0	9 WESCOTT ST
2	09/03/2007	053 H001001	Complaint	Inspection	0	9 WESCOTT ST

**Total Listed:** 14

1/5/10  
Inspection schedule  
Report

**City of Portland, Maine**  
**Inspections Division**  
**Complaints Detail Report**  
**From 1/1/1999 To 12/31/2009**

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**Support Staff** NOT ASSIGNED

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**Category/Complaint:** Building / Crain from MMC fell on bldg INSPECT damage **Census** 13.00  
**Date And Time:** 10/31/2006 7:52 AM **Status:** Open **Complaint No:** 8122  
**Parcel ID** 053 H001001 **Prop Addr:** 9 WESCOTT ST  
**Complainant:** **Best Time To Reach:**  
**Addr:** **Mood:**  
**Response to Complainant:**

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**Total Nbr Of Complaints Reported:** 1

1/5/10  
ONO  
Opened Complaint  
Report



*City of Portland, Maine*  
*Inspections Division*  
**Complaints Detail Report**  
*From 1/1/1999 To 12/31/2009*

*Support Staff* Peter Merrow

*Category/Complaint:* Housing / State Rep Herb Adams - 772-2565 home augusta 1-800-423-2900 *Census* 13.00  
Regards basement apartment. 9B Windows cracked some held together with duck tape, Window in hall way door held totally by duck tape, frig is full of mold, leaking around the foundation parts of floor are rotted out. Tenants have photo's. Mr. Says that the landlord has threatened them with eviction if they call us. Tenant # 773-1453 Will or Patricia

*Date And Time:* 01/13/2006 1:49 PM *Status:* Closed *Complaint No:* 6783

*Parcel ID* 053 H001001 *Prop Addr:* 9 WESCOTT ST

*Complainant:*

*Best Time To Reach:*

*Addr:*

*Mood:*

*Response to Complainant:*

<i>Inspection Outcome</i>	<i>Date</i>	<i>Status</i>	<i>Next Insp Date</i>	<i>Comment</i>
	01/17/2006			Denied access from tenant. Spoke with her over the phone to set up the appointment. She stated that they wanted to revoke the complaint, and if they changed their mind they would call back for a time.

*Category/Complaint:* Housing / Regards basement apartment. 9B Windows cracked some held together with duck tape, Window in hall way door held totally by duck tape, frig is full of mold, leaking around the foundation parts of floor are rotted out. Tenants have photo's. Tenant # 773-1453 Will or Patricia Also Called State Rep Herb Adams - 772-2565 home augusta 1-800-423-2900 *Census* 13.00

*Date And Time:* 03/23/2006 11:50 A *Status:* Closed *Complaint No:* 7100

*Parcel ID* 053 H001001 *Prop Addr:* 9 WESCOTT ST

*Complainant:*

*Best Time To Reach:*

*Addr:*

*Mood:*

*Response to Complainant:*

<i>Inspection Outcome</i>	<i>Date</i>	<i>Status</i>	<i>Next Insp Date</i>	<i>Comment</i>
	03/28/2006	Re-Inspect 30 Days	4/27/2006	

1/5/09

five

Closed complaint  
report

**City of Portland, Maine**  
**Inspections Division**  
**Complaints Detail Report**  
**From 1/1/1999 To 12/31/2009**

**Support Staff** Tom Markley

**Category/Complaint:** Housing / Same Complaints, as before, only a few of the violations have been corrected. **Census** 13.00  
 Windows are still broken. Will 773-1453

**Date And Time:** 06/13/2006 10:52 A **Status:** Closed **Complaint No:** 7444

**Parcel ID** 053 H001001 **Prop Addr:** 9 WESCOTT ST

**Complainant:** **Best Time To Reach:**

**Addr:** **Mood:**

**Response to Complainant:**

<i>Date</i>	<i>Time</i>	<i>Forward To</i>	<i>Support Staff</i>	<i>Response</i>
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06/19/2006	8:13 AM			
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<i>Inspection Outcome</i>	<i>Date</i>	<i>Status</i>	<i>Next Insp Date</i>	<i>Comment</i>
	06/26/2006	Re-Inspect 30 Days	7/26/2006	NOTE: evidence of extremely moldy conditions and must odor throughout apartment

**Category/Complaint:** Building / Bricks are falling off the front of the building above the first floor window (right side of bldg.) there have 25 to 30 bricks that have fallen to sidewalk. **Census** 13.00

**Date And Time:** 08/24/2006 10:32 A **Status:** Closed **Complaint No:** 7785

**Parcel ID** 053 H001001 **Prop Addr:** 9 WESCOTT ST

**Complainant:** Anonymous **Best Time To Reach:**

**Addr:** **Mood:**

**Response to Complainant:**

<i>Status</i>	<i>Date</i>	<i>Forwarded To</i>	<i>Support Staff</i>	<i>Comment</i>
Open	08/24/2006	Inspections	Tom Markley	

<i>Inspection Outcome</i>	<i>Date</i>	<i>Status</i>	<i>Next Insp Date</i>	<i>Comment</i>
	08/25/2006	Re-Inspect 30 Days	9/25/2006	Bricks Falling out of exterior front Wall- must be repaired within 30 days

**Total Nbr Of Complaints Reported:** 4

*City of Portland, Maine*  
*Inspections Division*  
*Complaints Detail Report*

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*Support Staff* Peter Mellow

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*Category/Complaint:* Housing / Regards basement apartment. 9B Windows cracked some held together with duck tape, Window in hall way door held totally by duck tape, frig is full of mold, leaking around the foundation parts of floor are rotted out. Tenants have photo's. Tenant # 773-1453 Will or Patricia Also Called State Rep Herb Adams - 772-2565 home augusta 1-800-423-2900 *Census* 13.00

*Date And Time:* 03/23/2006 11:50 A *Status:* Closed *Complaint No:* 7100

*Parcel ID* 053 H001001 *Prop Addr:* 9 WESCOTT ST

*Complainant:*

*Best Time To Reach:*

*Addr:*

*Mood:*

*Response to Complainant:*

<i>Inspection Outcome</i>	<i>Date</i>	<i>Status</i>	<i>Next Insp Date</i>	<i>Comment</i>
	03/28/2006	Re-Inspect 30 Days	4/27/2006	

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*Total Nbr Of Complaints Reported:* 1



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*Lee Urban - Director of Planning and Development  
Jenae Bourke - Inspections Division Director*

August 22, 2007

FISK KENNETT H  
43 SPINNAKER LN  
FALMOUTH, MA 02540

COPY

**CBL: 053 H001001**  
**Located at 9 WESCOTT ST**

**Certified Mail 70063450000120177427**

Dear FISK KENNETT H,

**POSTING NOTICE**

An evaluation of the above-referenced property on 08/22/2007 revealed that the structure fails to comply with Section 6-120.1 of the Housing Code of the City of Portland.

Attached is a list of the violations.

Based on that list, and pursuant to Section 6-120.3, this office declares the dwelling unit is unfit for human habitation. A re-inspection of the premises will occur on 09/03/2007, at which time the dwelling unit must be totally vacated and secured from vandalism.

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 in Title 30-A of M.R.S.A ss 4452.

This constitutes an appealable decision pursuant to Section 6-127 of the Code. Please feel free to contact me if you have any questions or would like to discuss this matter further.

Sincerely,

*Jay Kelley*

Jay Kelley @ (207) 874-8712  
Building Inspector

1/5/10

Sib Cabinet

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**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
Portland, Maine 04101

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**Inspection Violations**

<b>Owner/Manager</b> FISK KENNETT H		<b>Inspector</b> Jay Kelley	<b>Inspection Date</b> 8/22/2007
<b>Location</b> 9 WESCOTT ST	<b>CBL</b> 053 H001001	<b>Status</b> Re-Inspect 10 Days	<b>Inspection Type</b> Complaint-Inspection

<b>Code</b>	<b>Int/Ext</b>	<b>Floor</b>	<b>Unit No.</b>	<b>Area</b>	<b>Compliance Date</b>
1) 6-109/5.1				Various locations	
<b>Violation:</b>	Found.,cellars, exterior walls, roofs.				
<b>Notes:</b>	Building must be structurely sound, Also weathertight, watertight and vermin proof				

**Comments:**

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FALMOUTH, MA 02540  
*Spinnaker*

Postage	\$ 0.39	0104
Postnet Fee	\$2.40	06
Return Receipt Fee (endorsement Required)	\$1.85	Postmark Here 06
Registered Delivery Fee (endorsement Required)	\$0.00	
Total Charges & Fees	\$4.64	08/29/2006 22H1

Sent to: *Kenneth Fisk*  
 Street Address: *43 Spinnaker Lane*  
 City, State ZIP+4: *Falmouth, ME 04105*

PS Form 3800, June 2001 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Kenneth Fisk**  
**43 Spinnaker Lane**  
**Falmouth, Maine 04105**

**53 H001**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
**X**  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below.  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

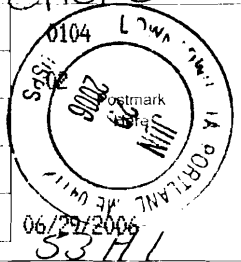
Article Number  
 (Transfer from service label) **7006 0810 0003 7989 1782**

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FALMOUTH MA 02540 *Inspections*

Postage	\$	\$0.39
Certified Fee		\$2.40
Return Receipt Fee (Endorsement Required)		\$1.85
Restricted Delivery Fee (Endorsement Required)		\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>\$4.64</b>



Sent To *Kennett Fisk*  
 Street, Apt. No.,  
 or PO Box No. *43 Spinnaker Lane*  
 City, State, ZIP+4 *Falmouth, ME 02540*

PS Form 3800, June 2002 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Kennett H Fisk**  
**43 Spinnaker Lane**  
**Falmouth, MA 02540**

**53 H 001**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]*  Agent  Addressee

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number **7002 2410 0000 8132 5638**  
 (Transfer from service label)



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**FALMOUTH MA 02540**

Postage	\$ 00.41
Certified Fee	\$2.65
Return Receipt Fee (Endorsement Required)	\$2.15
Restricted Delivery Fee (Endorsement Required)	\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$ 05.21</b>

0104  
 02  
 Postmark  
 Here  
 08/23/2007  
 53 HI

Sent To Kennett Fisk  
 Street, Apt. No. 43 Spinnaker Ln.  
 or PO Box No.  
 City, State, ZIP+4 Falmouth, MA 02540

PS Form 3800, June 2002 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:  
Kennett Fisk  
43 Spinnaker Ln.  
Falmouth MA  
02540  
53 HI

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
K Fisk

B. Received by (Printed Name) C. Date of Delivery  
8/25/07

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

Article Number 7005 1160 0000 4787 3027  
 (Transfer from servic