

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that RANDOLPH SAWYER

Located At 24 BRACKETT

Job ID: 2011-05-1194-ALTCOMM

CBL: 058 - - F - 013 - 001 - - - - -

has permission to Repair fire code violations and repair water leak provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

6/13/11

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD**



PORTLAND MAINE

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

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2011-05-1194-ALTCOMM

Located At: 24 BRACKETT

CBL: 058 - - F - 013 - 001 - - - - -

Conditions of Approval:

Zoning

1. This property shall remain a four family condominium dwelling. Any change of use shall require a separate permit application for review and approval.
2. This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.

Fire

All construction shall comply with City Code Chapter 10.

This permit is being approved on the basis of the plans submitted. Any deviation from the plans would require amendments and approval

Hardwired Carbon Monoxide alarms with battery back up are required in the dwelling units.

Capt. Gautreau



General Building Permit Application

00
CID
R-6

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>24 BRACKETT ST</u>		
Total Square Footage of Proposed Structure/Area <u>2,340</u>	Square Footage of Lot <u>4,200</u>	Number of Stories <u>5</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>58 F 13-14</u>	Applicant * must be owner, Lessee or Buyer* Name <u>JAMES PHILLIPS</u> Address <u>24 BRACKETT ST #4</u> City, State & Zip <u>PORTLAND, ME 04102</u>	Telephone: <u>646-436-7408</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>Same</u> Address City, State & Zip	Cost Of Work: \$ <u>88,523</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>MULTI-FAMILY</u> Number of Residential Units <u>4</u> If vacant, what was the previous use? <u>N/A</u> Proposed Specific use: <u>SAME</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ <u>4 legal condos</u> Project description: <u>FIRE CODE VIOLATION - LEAK REPAIRS</u>		
Contractor's name: <u>MONAGHAN WOODWORKS, INC.</u> Address: <u>100 COMMERCIAL ST. BOX 105</u> City, State & Zip <u>PORTLAND, ME 04101</u> Telephone: <u>207-775-2683</u> Who should we contact when the permit is ready: <u>MIKE MONAGHAN</u> Telephone: <u>+ James Phillips</u> Mailing address: <u>24 BRACKETT ST #4 04102</u> <u>646-436-7408</u>		

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

RECEIVED
MAY 25 2011
Dept. of Building Inspections
City of Portland, Maine

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

Signature: James S. Phillips Date: 5/25/11

This is not a permit; you may not commence ANY work until the permit is issued

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No: 2011-05-1194-ALTCOMM	Date Applied: 5/25/2011	CBL: 058 - - F - 013 - 001 - - - - -	
Location of Construction: 24 BRACKETT ST	Owner Name: JAMES PHILLIPS	Owner Address: 24 BRACKETT ST APT 4 PORTLAND, ME - MAINE 04102	Phone: 646-436-7408
Business Name:	Contractor Name: Monaghan Woodworks, Inc.	Contractor Address: 100 Commercial Street Box 105, Portland, ME 04101	Phone: 775-2683
Lessee/Buyer's Name:	Phone:	Permit Type: Alterations	Zone: R-6
Past Use: Four Residential Condos	Proposed Use: Same: Four Residential Condos - to fix Fire Code Violations and to repair leaks	Cost of Work: \$89,000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved <i>w/conditions</i> <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: R-2 Type: 5 IBC 09
Proposed Project Description: fire code violations, leak repairs		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Gayle		Zoning Approval	

<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building Permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetlands</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p><input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM</p> <p>Date: <i>OK with conditions</i> 5/26/11</p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date:</p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in Dist or Landmark</p> <p><input type="checkbox"/> Does not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date:</p>
	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 is 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 the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHON



COMMERCIAL & RESIDENTIAL CONSTRUCTION
100 Commercial Street, Box105, Portland, Maine 04101

Fore River Residences

SCHEDULE OF VALUES

Code	Description	Quan.	Cost	Cost	Comments
1000	General Conditions				
1008	PROJECT SUPERINTENDENT	50	50.00	\$ 2,500.00	
1301	CONTINUOUS CLEAN-UP	3	350.00	\$ 1,050.00	
1302	FINAL CLEANING	1	875.00	\$ 875.00	
1610	TRASH AND DUMPSTERS	1	775.00	\$ 775.00	
1305	INTERIOR PROTECTION	1	650.00	\$ 650.00	
1403	SANITATION	1.5	105.00	\$ 157.50	
1000	General Conditions Total			\$ 6,382.50	
2000	Site Construction				
2050	DEMOLITION AND REMOVAL AT UPPER UNIT	60	45.00	\$ 2,700.00	Interior at upper unit
2000	Site Construction Total			\$ 2,700.00	
4000	Masonry				
4200	ALL WORK AT 3 WINDOWS AND 1 DOOR	4	2,120.00	\$ 8,480.00	
4210	REMOVE BRICKS AS REQUIRED AND REPAIR AS PER DETAIL A1	142	105.00	\$ 14,910.00	
4300	INSTALL HEAD FLASHING AT GARAGE DOORS	3	1,250.00	\$ 3,750.00	
4000	Masonry Total			\$ 27,140.00	
6000	Woods and Plastics				
6100	ROUGH CARPENTRY- DECK AND RAIL REPAIR AT ROOF	80	90.00	\$ 7,200.00	
6100	ROUGH CARPENTRY- CLAPBOARD TO BRICK TRANSITION	98	90.00	\$ 8,820.00	
6200	FINISH CARPENTRY- REPAIR OF UPPER UNIT	120	90.00	\$ 10,800.00	
6300	MATERIALS	1	8,965.00	\$ 8,965.00	
6000	Woods and Plastics			\$ 26,965.00	
7000	Thermal and Moisture Protection				
7200	INSULATION	1	950.00	\$ 950.00	
7000	Thermal and Moisture Protection Total			\$ 950.00	
8000	Doors and Windows				
8300	DOORS	1		\$ -	EXISTING
8000	Doors and Windows Total			\$ -	
9000	Finishes				
9250	GYPSUM BOARD	1	1,250.00	\$ 1,250.00	
9650	WOOD FLOORING	548	10.25	\$ 5,617.00	
9680	CARPET.			\$ -	
9950	INTERIOR PAINTING	1	2,765.00	\$ 2,765.00	
9000	Finishes Total			\$ 9,632.00	
15000	Mechanical				
15400	PLUMBING				NIC
15500	HEATING			\$ -	
15000	Mechanical Total			\$ -	
16000	Electrical				
16000	ELECTRICAL	1		\$ -	NIC
16000	Electrical Total			\$ -	
	Project Totals				
	Subtotal Construction Cost			\$ 73,770	
	General Contractor Fee			\$ 14,754	
	Total Construction Cost			\$ 88,523	



CITY OF PORTLAND

04/21/11

RANDY SAWYER

24 BRACKETT ST, 1
PORTLAND, ME 04102

Dear Owner/Manager/Occupant,

The Portland Fire Department recently conducted an inspection of your property located at 0024 BRACKETT ST to ensure compliance with state and local fire safety regulations. See attached violation notice. While conducting this inspection, we identified life safety code violations as more particularly described in the attached violation notice. See attached.

You have until thirty-two (32) days from the date of this notice to correct the violations outlined in the attached notice. If the corrections cannot be accomplished by this date, please contact the Fire Prevention Office at (207) 756-8096 upon receipt of this notice to discuss the matter and the process to submit a Plan of Action for addressing these safety issues.

Please note that one (1) follow-up inspection will be done to ensure that your property is brought into compliance. Should any additional inspections be required you will be charged \$75.00 for each re-inspection. See Portland City Code, Chapter 10, Fire Prevention and Protection, § 10-25.2 available on-line at www.portlandmaine.gov.

If all of the violations cited above have not been corrected by the above referenced compliance date, or the date contained within a Plan of Action approved by the Portland Fire Department, this matter will be referred to the City of Portland Corporation Counsel for legal action and possible civil penalties as provided for in Portland City Code, Chapter 10, Fire Prevention and Protection, § 10-25 and in Title 30-A M.R.S.A.

This is an appealable decision pursuant to Portland City Code, Chapter 10, Fire Prevention and Protection, § 10-23. As such, you have ten (10) days from the date of this notice to appeal to the Board of Appeals. See Portland City Code, Ch. 10 § 10-23.

Thank you in advance for your prompt attention to this matter. Please contact us at fireinspector@portlandmaine.gov or (207) 756-8096 with any questions.

Sincerely,

The Portland Fire Department

Inspection Information:

Inspection date . . . : 4/21/11
Inspection type . . . : ROUTINE INSPECTION
Inspector 1 name . . . : DANIEL S. DYER
Inspector 2 name . . . : TIMOTHY F. KANE
Inspecting station . . : Bramhall Station
Inspecting shift . . . : Platoon 1
Inspecting apparatus: L6
Reinspection date . . : 5/23/11

Property Information:

Property number . . . : 50273
Property name : 4 UNITS
Address : 0024 BRACKETT ST, PORTLAND ME 04102
Phone number : 646-436-7408
Contact person . . . : RANDY SAWYER
Phone number : 939-045-7700

Owner Information:

Owner name : CHRIS SOLA
Address : 615 SW 7TH AVE, ROCHESTER MN 55902

**** VIOLATIONS ****

Violation number . . . : 1
Violation class . . . : APARTMENT BUILDINGS
Violation type . . . : HARDWIRED CARBON MONOXIDE ALARMS WITH BATTERY BACK
UP REQUIRED WITH IN EACH DWELLING UNIT ON EACH LE
VEL. INSTALLATION MUST COMPLY WITH NFPA 720.
Code reference . . . : 10-3
Location : EACH UNIT
Compliance date . . . : 5/23/11
Compliance remedy . . : Per City Ordinance

Violation number . . . : 2
Violation class . . . : APARTMENT BUILDINGS
Violation type . . . : REPAIR CORRIDOR WALLS
Location : ALL HOLES IN CEILINGS AND WALLS IN ALL UNITS
HALLWAYS AND GARAGE SHALL BE REPAIRED
Compliance date . . . : 5/23/11
Compliance remedy . . : Per City Ordinance

Violation number . . . : 3
Violation class . . . : APARTMENT BUILDINGS
Violation type . . . : HARDWIRED CARBON MONOXIDE ALARMS WITH BATTERY BACK
UP REQUIRED WITH IN EACH DWELLING UNIT ON EACH LE
VEL. INSTALLATION MUST COMPLY WITH NFPA 720.
Code reference . . . : 10-3
Location : CO DETECTOR IN GARGE SHALL BE MAINTAINED AND
BE OPERABLE
Compliance date . . . : 5/24/11

ADP #11160

May 19, 2011

Jim Phillips
24 Brackett Street, #4
Portland, ME 04102

RE: Fore River Condos
Bracket Street, Portland

Dear Jim:

In accordance with our written agreement, Associated Design Partners, Inc. has prepared a limited scope of repairs to help reduce some of the recurrent water intrusion problems experienced at the above referenced property. As the result of several site visits conducted over the past year, we have identified multiple construction defects in this building that have lead to or caused recurrent water intrusion activity. The most concerning defects are those that have lead to **water intrusion that has repeated compromised some of the code required fire rated assemblies and systems**. As reported in previously issued reports, the full extent of water intrusion is still unverified. The two primary water intrusion problems currently known to us include; exterior walls of the fourth floor living space, with water entering from the roofing system, due to defective construction of the deck systems; and, in the ground floor garage space, with water entry coming from defectively flashed brick veneer assembly and the subterranean roof assembly.

You recently provided me with a letter from the Portland Fire Department dated April 21, 2011. The letter was issued as a follow-up to an inspection of the above referenced property to ensure compliance with State and local Fire Safety Regulations. The letter states the following: **"While conducting this inspection, we identified life safety code violations as more particularly described in the attached violation notice. See attached."** The notice identifies two violations. The first violation identifies problems with hardwired carbon monoxide alarms. The second violation identifies repairs to corridor walls at the garage level. A second Violations Listing from the Portland Fire Department dated April 29, 2011 was also provided to us. This listing states the carbon monoxide alarms with battery backups must be operable in all units and the garage space. Additionally, the Violation Listing states the following: **"All holes in ceilings and walls in all units, hallways and garage shall be repaired"**. The compliance remedy cited is **"Per City Ordinance"**. The walls and ceilings of the garage space and between individual units must maintain a one hour fire rating to meet current building codes. On April 25, 2011 I met you at the property to review the damaged fire rated walls and ceilings. The walls and ceiling in the garage space are finished with gypsum wallboard. A fire rated wall or

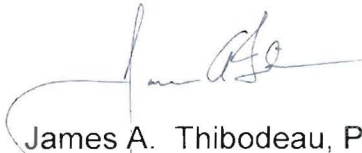
ceiling assembly constructed in compliance with current codes will be adequately tapped and penetrations will be fire caulked. In the fourth floor unit there are several holes in the gypsum wallboard finishes that need to be repaired. During my site visit I identified several areas where the ceiling fire rated wall have become compromised due to recurrent water exposure. This damage has been identified as mentioned above by the Portland Fire Department. As required per the Portland Fire Department the fire rating of these walls must be re-established. The fire rated wall and ceiling assemblies are becoming damaged due to construction defects allowing water to be presented at the interior. More particularly, this water intrusion is due to inadequately water proofed and weather proofed assemblies at the exterior of the building. It has been verified that the brickwork is missing weep holes, lacks base brick flashing with adequate end dams. Previous partial repairs and retro-fit flashing attempts have failed because the repair system was not properly designed detailed and executed. There is also a section of flat roof over the garage that is very close to the finished site grade around this building. This roof is not finished in accordance with industry standards and needs to be replaced. These water intrusion issues must be addressed. Without addressing water intrusion issues repaired fire rated assemblies will quickly become compromised.

At your request, Associated Design Partners, Inc. has prepared plans titled "Fore River Condo – Portland, Maine" which have been attached to this report. The plans show flashing details for various different transitions and assemblies that exist in this building. The flashing details as shown on the plans must be followed and maintained to ensure the integrity of the fire rated assemblies in the garage level are maintained. Anything short of these details will be considered inadequate. Additional window flashing details are shown on the plans. Other previously identified water intrusion sources in this building should be addressed. These include but are not limited to the deck constructed on the roof of the building, the parapet wall around the perimeter of the roof and the balconies associated with the individual units.

This letter report should be understood in the context provided. It is based upon visual observations, and understanding of conditions as represented in this report. Should varied or unforeseen conditions be in existence, Associated Design Partners, without prejudice, reserves the right to reconsider the conclusions made within this report.

Your questions and comments regarding this report are welcome.

Sincerely,



James A. Thibodeau, P.E.

President

Associated Design Partners Inc.

Attachments: Photographs

PLAN OF ACTION :

- 1) Repair leaks
- 2) Repair walls and ceilings
- 3) Install/repair required Carbon Monoxide Alarms



Fore River Place Condominiums -- Property Number 50273

COMPLETION DATE: JUNE 25, 2011

PLAN OF ACTION

Repairs to correct the April 21, 2011 fire code violations within 32 days of the notice of numerous, life-safety violations has not been done as of May 25, 2011. Legal action by the City is imminent.

Owner, Phillips Unit 4 has undertaken PLANS, ESTIMATES and CONTRACTORS to remedy the fire-code violations. This Plan of Action includes:

- 1) PLANS: By June 25, 2011 make repairs according to the "PLAN 11160" by Associated Design Partners
- 2) ESTIMATES: Monaghan Woodworks Inc. has fully estimated the PLAN and are ready to begin repairs.
- 3) The Portland Fire Department will be provided this PLAN OF ACTION and COMPLETION DATE.

CONTACTS:

Fore River place Condominium Unit Owners Association

Douglas F. Britton, Registered Agent

One Monument Way

Portland, ME 04101

James Thibodeau P.E.

President

Associated Design Partners, Inc.

80 Leighton Rd

Falmouth, ME 04105

Ph: 207-878-1751

Cell: 207-671-8333 Fx: 207-878-1788