



Permitting and Inspections Department  
Michael A. Russell, MS, Director

*Ann Machado, Zoning Administrator*

August 12, 2016

### NOTICE OF VIOLATION AND ORDER TO CORRECT

Mr. Tony Fusco  
15 Eleanor Street  
Portland, Me 04103

Re: Land Use Violation at Public Beach Located at the Foot of Welch Street Public Parking  
Lot, Peaks Island  
CBL: 084-R-020

Dear Mr. Fusco:

This office has received complaints that you are impermissibly storing a boat on a public beach on Peaks Island. The public beach in question, depicted at CBL 084-R-020 and located at the foot of the Welch Street Parking Lot on Peaks Island is in the City's Residential Open Space Zone ("ROS"). Private storage of privately owned property, including boats, is not a permitted use in the ROS zone and is therefore prohibited. See Portland City Code of Ordinances at 14-153.

**In light of the above, this letter shall serve as formal notice that if you fail to remove the boat in question within 30 days of the date of this letter, the City will refer this matter to the City's Corporation Counsel's office for enforcement action. Be advised that, under Section 1-15 of the City's Code of Ordinances and 30-A M.R.S. § 4452, violations of the City's code are subject substantial civil penalties and can include fines of up to \$500/day.**

You have the right to appeal this Notice of Violation. If you wish to exercise your right to appeal, you have thirty days from the date of this letter to do so. If you fail to appeal, my decision is binding. Please contact this office for the necessary paperwork if you decide to file an appeal.

Thank you for your prompt attention to this matter.

Very truly yours,

  
Ann B. Machado  
Zoning Administrator  
Permitting and Inspections Department  
City of Portland, Maine  
207. 874.8709  
[amachado@portlandmaine.gov](mailto:amachado@portlandmaine.gov)