



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*

January 24, 2006

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 70022410000081325133

Dear LIEBER ROBERT A,

An evaluation of the above-referenced property on 01/24/2006 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 02/23/2006 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,

Marland Wing @ (207) 874-8696
Code Enforcement Officer

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

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Marland Wing	Inspection Date 1/24/2006
Location 41 BAYBERRY LN	CBL 089 J005001	Status Re-Inspect 30 Days	Inspection Type Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 12-79	Exterior			Various locations	
Violation: Junk Vehicles					
Notes: Blue international I 700 School Bus Ford Falcon (White) Sedan 294 Black Ford F150 pick truck no plate Yellow Station Wagon Volvo Lic #53850					

2) 6-109.4	Exterior			Various locations	
Violation: Disposal of rubbish, garbage and waste.					
Notes: Yard Metal / cabinets, chairs, tub, pallets, gas cans, propane, tank, misc rubble					

Comments: in addition to the attached violations Sec105.1 Building with-out benefit of permit (Greenhouse) Sec 114 of IRC code Stop Work Order



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

January 24, 2006

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41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 70022410000081325133

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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 02/23/2006 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.

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Sincerely,

Marland Wing @ (207) 874-8696
Code Enforcement Officer

Ador

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

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Marland Wing	Inspection Date 1/24/2006
Locatation 41 BAYBERRY LN	CBL 089 J005001	Status Re-Inspect 30 Days	Inspection Type Complaint-Inspection

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Violation: Disposal of rubbish, garbage and waste.					
Notes: Yard Metal / cabinets, chairs, tub, pallets, gas cans, propane, tank, misc rubble					

Comments: in addition to the attached violations Sec105.1 Building with-out benifit of permit (Greenhouse) Sec 114 of IRC code Stop Work Order

COPY

Suzanne Hunt - Fwd: 41 Bayberry Lane

From: Suzanne Hunt
To: Littell, Penny; West-Chuhta, Danielle
Subject: Fwd: 41 Bayberry Lane

See forwarded message from Rob Lieber. Please advise me. The materials and school bus are a long term violation. His former original permit date back to 2001. Our records of violations go back to 1/2006. I feel we should hold firm within reason. Suzanne

>>> robert lieber <robertlieber@me.com> 8/11/2010 10:57 PM >>>

Hello Suzanne,

I writing to tell my plan for my building lot on Peaks. I am planning on building a single family dwelling on the property that I have owned since 1998. I am currently resubmitting plans to build a single family house on Peaks Island. The original submission was in 2006. Financial concerns were the reason for pulling the application. I came close to receiving approval for the project, pending structural information on the second floor ledger system. I meet with Marge at the Planning and Development Department this afternoon to discuss my materials for re-submitting for a building permit. I seem to need a stamp on my site plan before officially submitting, I hope to have that done this week. Architect Rachel Conely who I've been working on the re-submittion with and who contacted you last week has completed the rest of my materials and has been in contact with Ann at the Planning and Development Department.

The materials on the lot are my building materials and I wish to keep them there for I intend to start building once my application is reviewed and accepted. I am happy to discuss and work with you and your office to make this soon to be job site exceptable. As for the former school bus my plans are to remove it from the property and from the island. I contacted Paul Bridges months ago on getting it road ready and just last week he replaced all of it's brake lines. I am i the process with Maine Motor Vechiles in aquiring a transit plate which I plan to arrange next week.

Best, Rob



PORTLAND MAINE

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August 17, 2010

**Via Regular and Certified Mail
0001 4189 1525**

Registered Mail 7009 0820

Mr. Robert Lieber
139 Brackett Street
Portland, Maine 04102

Re: 41 Bayberry Lane CBL: 089 J005001

Dear Mr. Lieber:

This letter is to memorialize the meeting on August 16, 2010 with Associate Corporate Counsel Danielle West-Chuhta and Code Officers Tammy Munson and Suzanne Hunt.

At this meeting a time line was agreed upon with regard to the removal of all debris, junked vehicles, and other materials located on your property at 41 Bayberry Lane (the "Property") in violation of sections 6-109, 12-79, and 14-335 of City of Portland Code of Ordinances. The time line is as follows:

- * The bus shall be removed from the Property on or before September 2, 2010. On said date an inspector will verify the removal of the bus; and
- * All stored materials, debris, and junk and consequent rodent harborage shall be removed from the Property on or before September 9, 2010. On said date an inspector will verify the removal of these items and the rodents.

As we discussed, this is your final opportunity to correct these violations. If you fail to clean the property as required above the City will be forced to file a land use citation and complaint against you. Title 30-A M.R.S.A. Section 4452 provides that the minimum penalty for a violation of the Code is \$100. Per day and maximum penalty is \$2,500 per day. Furthermore, the law provides that the violator must pay for the City's attorney fees and cost of bringing an enforcement action in all successfully prosecuted cases.

If you have any questions, please do not hesitate to call me at 874-8707

Sincerely

Suzanne Hunt
Code Enforcement Officer City of Portland
207-874-8707

cc: Danielle West-Chuhta
Tammy Munson
Penny Littell



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

August 8, 2006

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 70060810000379891744

Dear LIEBER ROBERT A,

An evaluation of the above-referenced property on 07/27/2006 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 08/28/2006 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.

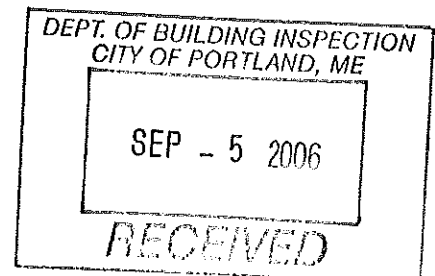
This constitutes an appealable decision pursuant to Section 6-127 of the Code.

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,

Tammy Munson @ (207) 874-8706
Code Enforcement Officer



CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Tammy Munson	Inspection Date 7/27/2006
Locatation 41 BAYBERRY LN	CBL 089 J005001	Status Re-Inspect 30 Days	Inspection Type Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1) 12-79	Exterior			Various locations	
Violation:	Junk Vehicles				
Notes:	Blue Bus - Junked Vehicle				
2) 12-79	Exterior			Various locations	
Violation:	Junk Vehicles				
Notes:	2 Unregistered uninspected junk vehicles				
3) 105.1	Exterior			Various locations	
Violation:	Building w/o Permit				
Notes:	Small structure built w/o permit				
4) 22-3 (b)	Exterior			Various locations	
Violation:	Rodent Harborage/ vacant lot				
Notes:	Rodent Harborage in tub				
5) 22-3 (b)	Exterior			Various locations	
Violation:	Rodent Harborage/ vacant lot				
Notes:	Misc piles of debris covered with blue tarps				
6) 22-3 (b)	Exterior			Various locations	
Violation:	Rodent Harborage/ vacant lot				
Notes:	misc. Wood/ construction material				

Comments: All violations must be corrected and permits applied for within 30 days. You must give this office written proof of plan of action for rodent eradication within 10 Days. Work must be performed by licensed applicator.



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

August 8, 2006

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 70060810000379891744

Dear LIEBER ROBERT A,

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Code Enforcement Officer

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DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

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Owner/Manager LIEBER ROBERT A		Inspector Tammy Munson	Inspection Date 7/27/2006
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Notes:	misc. Wood/ construction material				

Comments: All violations must be corrected and permits applied for within 30 days. You must give this office written proof of plan of action for rodent eradication within 10 Days. Work must be performed by licensed applicator.

INSPECTION REPORT

#	Code	E/I	FL	Apt	Location	Description of Violation
1	12-19	E				Blue Bus - junked vehicle
2	12-19	E			2	Unregistered uninspected junk vehicles
3	22-3	E			Misc. wood	Construction material
4	105.1	E			Small structure	built w/out permit
5	22-3	E			Small Tub	
6	22-3	E			Misc piles of debris	covered w/ blue tarps

Certificate of Compliance Sec. _____ Days _____
 Notice of Violation Sec. _____ Days _____
 General Notice Violation Sec. _____ Days _____
 Sec. _____ Days _____
 Refuse Violation Notice Sec. _____ Days _____
 T.A.C.I. Notice 1 Sec. _____ Days _____
 T.A.C.I. Notice 2 Sec. _____ Days _____
 Notice of intent to Prosecute Sec. _____ Days _____
 Stop Work Order Sec. _____ Days _____
 Posting Notice Sec. _____ Days _____

Junk Car _____
 Violation# _____
 Date of inspection _____ *CS*
 CBL: 89-J-5 *CS*
 Site Address: _____
 DU: _____ Insp.# _____
 Inspection due to complaint: Yes / No
 Owners Name and Address: (Telephone if known) _____



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

January 24, 2006

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41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 70022410000081325133

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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 02/23/2006 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.

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Sincerely,

Marland Wing @ (207) 874-8696
Code Enforcement Officer

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

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Marland Wing	Inspection Date 1/24/2006
Location 41 BAYBERRY LN	CBL 089 J005001	Status Re-Inspect 30 Days	Inspection Type Complaint-Inspection

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Violation: Disposal of rubbish, garbage and waste.					
Notes: Yard Metal / cabinets, chairs, tub, pallets, gas cans, propane, tank, misc rubble					

Comments: in addition to the attached violations Sec105.1 Building with-out benefit of permit (Greenhouse) Sec 114 of IRC code Stop Work Order

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Michael J. Nugent- Inspections Division Director*

January 24, 2006

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 70022410000081325133

Dear LIEBER ROBERT A,

NOTICE OF VIOLATION

An evaluation of the above stated property on 01/24/2006 vealed that this office has no record of a building permit being issued to this location.

The property is in violation of Section 14-52 of the Portland Zoning Ordinance as stated below:

Section 14-52 Conformity Required: No building or structure shall be erected, altered, enlarged, rebuilt, moved or used, and no premises shall be used unless in conformity with the provisions of this article.

This is also a Violation in pursuant to Section 105.1 of the 2003 International Building Code: An application shall be submitted to the code official for the following activities, and these activities shall not commence without a permit being issued in accordance with Section 105.0; construct or alter a structure, construct an addition, demolish or move a structure, make a change in occupancy, install or alter any equipment which is regulated by this code, move a lot line which affects an existing structure.

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 of M.R.S.A. Section 4452 and Section 14-57 of the Portland Zoning Ordinance. This constitutes an appealable decision pursuant to Section 112 of the City of Portland Building Code.

You have thirty (30) days in which to complete and submit a building permit application to this office which has been included for your convenience. A re-inspection will occur on 02/23/2006. You will be contacted with a time to meet with me on site to confirm the removal of the illegal activity or compliance with an approved building permit.

You have the right to appeal this decision (section 112). If you wish to pursue an appeal you may contact Marge Schmuckal, Zoning Administrator at 874-8695 to appear before the Zoning Board of Appeals.

GOV

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

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If you have any questions you may contact me to discuss this matter further.

Sincerely,

Marland Wing @ (207) 874-8696
Code Enforcement Officer



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*Director of Planning and Urban Development
Penny St. Louis Littell*

*Inspection Services, Director
Tammy M. Munson*

April 12, 2010

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 7009 0820 0001 4187 9295

Dear LIEBER ROBERT A,

SECOND NOTICE OF VIOLATION

An evaluation of the above-referenced property on 04/12/2010 revealed that the structure remains non-compliant with the Housing Code of the City of Portland.

Attached is a list of the violations.

This is a SECOND notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected. A re-inspection will occur on 04/19/2010, 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 and in Title 30-A M.R.S.A ss 4452.

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

Sincerely,

Suzanne Hunt @ (207) 874-8707
Building Inspector

RECEIVED

MAY - 7 2010

Dept. of Building Inspections
City of Portland Maine



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*Director of Planning and Urban Development
Penny St. Louis Littell*

*Inspection Services, Director
Tammy M. Munson*

March 23, 2010

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 7009 0820 0001 4187 9233

Dear LIEBER ROBERT A,

An evaluation of the above-referenced property on 03/11/2010 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 04/12/2010 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,

Suzanne Hunt @ (207) 874-8707
Building Inspector

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Suzanne Hunt	Inspection Date 3/11/2010
Locatation 41 BAYBERRY LN	CBL 089 J005001	Status Re-Inspect 30 Days	Inspection Type Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1)	Exterior				
Violation:					
Notes: this piece of property has no land use. It cannot be used for storage.					
2)	14-335(c)	Exterior			
Violation: Off-Street Parking Restricted					
Notes: Dead storage is not allowed. All stored materials must be removed.					
3)	22-3 (a)	Exterior			
Violation: Rodent Harborage					
Notes: Rodent harborage is not allowed.					
Comments: went to site took photos' school bus, sheds , stored building materials. rodent harborage, Dead Storage. This complaint goes back to 1/06. This is vacant land which cannot be used for storage per zoning.					



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



January 24, 2006

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 70022410000081325133

Dear LIEBER ROBERT A,

NOTICE OF VIOLATION

An evaluation of the above stated property on 01/24/2006 revealed that this office has no record of a building permit being issued to this location.

The property is in violation of Section 14-52 of the Portland Zoning Ordinance as stated below:

Section 14-52 Conformity Required: No building or structure shall be erected, altered, enlarged, rebuilt, moved or used, and no premises shall be used unless in conformity with the provisions of this article.

This is also a Violation in pursuant to Section 105.1 of the 2003 International Building Code: An application shall be submitted to the code official for the following activities, and these activities shall not commence without a permit being issued in accordance with Section 105.0; construct or alter a structure, construct an addition, demolish or move a structure, make a change in occupancy, install or alter any equipment which is regulated by this code, move a lot line which affects an existing structure.

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You have thirty (30) days in which to complete and submit a building permit to this office which has been included for your convenience. A re-inspection will occur on 02/23/2006. You will be contacted with a time to meet with me on site to confirm the removal of the illegal activity or compliance with an approved building permit.

You have the right to appeal this decision (section 112). If you wish to pursue an appeal you may contact Marge Schmuckal, Zoning Administrator at 874-8695 to appear before the Zoning Board of Appeals.



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

If you have any questions you may contact me to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Marland Wing".

Marland Wing @ (207) 874-8696
Code Enforcement Officer



PORTLAND MAINE

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August 17, 2010

**Via Regular and Certified Mail
0001 4189 1525**

Registered Mail 7009 0820

Mr. Robert Lieber
139 Brackett Street
Portland, Maine 04102

copy

Re: 41 Bayberry Lane CBL: 089 J005001

Dear Mr. Lieber:

This letter is to memorialize the meeting on August 16, 2010 with Associate Corporate Counsel Danielle West-Chuhta and Code Officers Tammy Munson and Suzanne Hunt.

At this meeting a time line was agreed upon with regard to the removal of all debris, junked vehicles, and other materials located on your property at 41 Bayberry Lane (the "Property") in violation of sections 6-109, 12-79, and 14-335 of City of Portland Code of Ordinances. The time line is as follows:

- * The bus shall be removed from the Property on or before September 2, 2010. On said date an inspector will verify the removal of the bus; and
- * All stored materials, debris, and junk and consequent rodent harborage shall be removed from the Property on or before September 9, 2010. On said date an inspector will verify the removal of these items and the rodents.

As we discussed, this is your final opportunity to correct these violations. If you fail to clean the Property as required above the City will be forced to file a Land Use Citation and Complaint against you. Title 30-A M.R.S.A. Section 4452 provides that the minimum penalty for a specific violation of the Code is \$100 per day and maximum penalty is \$2,500 per day. Furthermore, the law provides that the violator must pay for the City's attorney fees and cost of bringing an enforcement action in all successfully prosecuted cases.

If you have any questions, please do not hesitate to call me at 874-8707

Sincerely

Suzanne Hunt
Code Enforcement Officer City of Portland
207-874-8707

cc: Danielle West-Chuhta
Tammy Munson
Penny Littell



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*Director of Planning and Urban Development
Penny St. Louis Littell*

*Inspection Services, Director
Tammy M. Munson*

March 23, 2010

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 7009 0820 0001 4187 9233

Dear LIEBER ROBERT A,

An evaluation of the above-referenced property on 03/11/2010 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 04/12/2010 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,

Suzanne Hunt @ (207) 874-8707
Building Inspector

COPY

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

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Suzanne Hunt	Inspection Date 9/9/2010
Locatation 41 BAYBERRY LN	CBL 089 J005001	Status	Inspection Type Complaint-Inspection

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1)	Exterior				09/09/2010
Violation:					
Notes: this piece of property has no land use. It cannot be used for storage.					
2)	14-335(c)	Exterior			09/09/2010
Violation: Off-Street Parking Restricted					
Notes: Dead storage is not allowed. All stored materials must be removed.					
3)	22-3 (a)	Exterior			09/09/2010
Violation: Rodent Harborage					
Notes: Rodent harborage is not allowed.					
4)		Exterior			09/09/2010
Violation:					
Notes: this piece of property has no land use. It cannot be used for storage.					

Comments: property is clear. Smh

Violation History 41 Bayberry

41 Bayberry Lane
Portland 04108
CBL 089 J005

Owner Robert Lieber
139 Brackett St.
Portland Maine, 04102
No phone # available

2001

- 7/27/2001 Building permit applied for foundation only, Permit issued 8/13/2010: permit expired, work never done
- 7/29/2003 Electric Permit issued (Possibly when temp service was installed)
- 8/22/2003 Subsurface plumbing permit issued. (Work has never been done, permit expired.
- 8/25/2006 Building permit applied for, pending status in urban insite.
- 5/26/2005 Report from Legal & Peaks Island Public Works - Group of (Possible Illegal aliens) living in a tent in the back yard of this property. Doug Roncarati PI Public Works made report to legal can be reached through John Giles 874-8842
- 1/24/2006 Stop Work Order Issued: In addition to the attached violations Sec105.1 Building without benefit of permit (Greenhouse) Sec 114 of IRC
- 1/26/2006 Notice of violation via certified mail re: stop work and removal of storage
- 7/26/2006 Blue Bus, Quonset hut, and Junk Etc. Complaint through Tom Fortier: All violations must be corrected and permits applied for within 30 days. You must give this office written proof of plan of action for rodent eradication within 10 Days. Work must be performed by licensed applicator.
- 8/8/2006 Violation letter sent via certified mail regarding removal of storage and stop work of small structure.
- 9/14/2006 Complaint came in from Tom Fortier, this property has a history of NOV's for junk complaints PEAKS CSH to contact property owner and write 2nd notice letter CSH 9/14/06

- 3/11/2010 Anonymous complainant, bus, portable shed, & piles of construction material on vacant land. Owner Rob Lieber.: SMH went to site took photos' school bus, sheds stored building materials. Rodent harborage, Dead Storage. This complaint goes back to 1/06. This is vacant land which cannot be used for storage per zoning. Smh
- 3/23/2010 Notice of violation sent via Certified mail. smh
- 4/12/2010 Second Notice of violation sent via Certified mail. smh
- 6/7/2010 Notice of intent to prosecute sent via Certified Mail. smh
- 7/15/2010 Went to site took more photos, Temp electric service still active. smh

These notes are taken from urban insite's permit, complaint and inspection histories. smh

August 3, 2010

VIA REGULAR AND CERTIFIED MAIL

Mr. Robert Lieber
139 Brackett Street
Portland, Maine 04102

Re: 41 Bayberry Lane – Peaks Island

Dear Mr. Lieber:

It has been brought to my attention by the City's Inspections Division that your property at 41 Bayberry Lane is still in violation of the Portland City Code of Ordinances (the "Code"). Specifically, based on recent inspections of your property, you are currently using your vacant property site for storage of debris, junked vehicles and other materials in violation of sections 6-109, 12-79 and 14-335 of the Code. In addition, you are currently harboring rodents on your property in violation of section 22-3 of the Code. Prior notices of these violations were sent to you on January 26, 2006, July 26, 2006, September 14, 2006, March 23, 2010, April 12, 2010 and June 7, 2010. (See attached letters). Whereas you continue to violate the Code, the matter has now been referred to me.

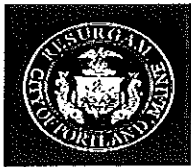
By this letter, I am notifying you that all of the outstanding violations on your property must be remedied on or before **August 23, 2010** in order to avoid commencement of a court action seeking fines, judgment and attorneys fees. See City Code § 1-15 and 30-A M.R.S.A. § 4452. Title 30-A M.R.S.A. § 4452 provides that the minimum penalty for a violation of the Code is \$100 per day and the maximum penalty is \$2,500 per day. The law further provides that the violator must pay for the municipality's attorney's fees and costs of bringing an action in all successfully prosecuted cases.

Thank you in advance for your prompt attention to this matter. If you have any questions, please contact Suzanne Hunt in the City's Inspections Division.

Sincerely,

Danielle P. West-Chuhta
Associate Corporation Counsel

cc: Suzanne Hunt



PORTLAND MAINE

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*Director of Planning and Urban Development
Penny St. Louis Littell*

*Inspection Services, Director
Tammy M. Munson*

October 21, 2010

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Mail

Dear LIEBER ROBERT A,

A re-inspection at the above-referenced property was made on 09/09/2010.

This is to certify that you have complied with our request to correct the violation(s) of the Municipal Code relating to housing conditions noted on the attached report.

This notice is intended to document that you have corrected the specific violations as previously noted. It is not intended to indicate compliance with other City regulations, it also does not imply that the structure or premises is violation free.

Thank you for your cooperation. If you have any questions, feel free to contact me at this office.

Sincerely,

Suzanne Hunt @ (207) 874-8707
Building Inspector



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August 17, 2010

**Via Regular and Certified Mail
0001 4189 1525**

Registered Mail 7009 0820

Mr. Robert Lieber
139 Brackett Street
Portland, Maine 04102

Re: 41 Bayberry Lane CBL: 089 J005001

Dear Mr. Lieber:

This letter is to memorialize the meeting on August 16, 2010 with Associate Corporate Counsel Danielle West-Chuhta and Code Officers Tammy Munson and Suzanne Hunt.

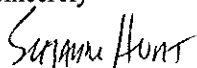
At this meeting a time line was agreed upon with regard to the removal of all debris, junked vehicles, and other materials located on your property at 41 Bayberry Lane (the "Property") in violation of sections 6-109, 12-79, and 14-335 of City of Portland Code of Ordinances. The time line is as follows:

- * The bus shall be removed from the Property on or before September 2, 2010. On said date an inspector will verify the removal of the bus; and
- * All stored materials, debris, and junk and consequent rodent harborage shall be removed from the Property on or before September 9, 2010. On said date an inspector will verify the removal of these items and the rodents.

As we discussed, this is your final opportunity to correct these violations. If you fail to clean the Property as required above the City will be forced to file a Land Use Citation and Complaint against you. Title 30-A M.R.S.A. Section 4452 provides that the minimum penalty for a specific violation of the Code is \$100 per day and maximum penalty is \$2,500 per day. Furthermore, the law provides that the violator must pay for the City's attorney fees and cost of bringing an enforcement action in all successfully prosecuted cases.

If you have any questions, please do not hesitate to call me at 874-8707

Sincerely


Suzanne Hunt
Code Enforcement Officer City of Portland
207-874-8707

RECEIVED

SEP - 8 2010

cc: Danielle West-Chuhta
Tammy Munson
Penny Littell

Dept. of Building Inspections
City of Portland Maine

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

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Suzanne Hunt	Inspection Date 4/12/2010
Location 41 BAYBERRY LN	CBL 089 J005001	Status Re-Inspect 7 Days	Inspection Type Complaint-TACI

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1)	Exterior				
Violation:					
Notes: this piece of property has no land use. It cannot be used for storage.					
2)	14-335(c) Exterior				
Violation: Off-Street Parking Restricted					
Notes: Dead storage is not allowed. All stored materials must be removed.					
3)	22-3 (a) Exterior				
Violation: Rodent Harborage					
Notes: Rodent harborage is not allowed.					
4)	Exterior				
Violation:					
Notes: this piece of property has no land use. It cannot be used for storage.					

Comments:



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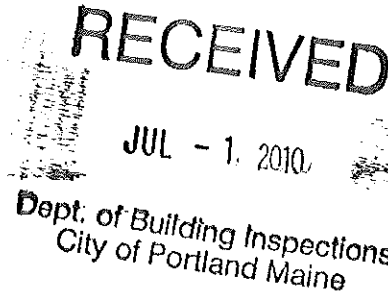
June 7, 2010

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

139 Brackett St
Portland Maine 04102

CBL: 089 J05001
Located at 41 BAYBERRY LN

Dear Mr. Lieber:



Certified Mail 7009 0820 0001 4189 1709

NOTICE OF INTENT TO PROSECUTE

An evaluation of the above-referenced property on 04/12/2010 revealed that your property on Peaks Island is in violation of the City of Portland Housing Code and the City of Portland Zoning Ordinance. You have failed to respond to previous notices sent to you by this office. Your property remains in violation. Attached is a list of those violations.

I will be re-inspecting your property on June 17, 2010. This is your final notice. This violation is being referred to Corporate Counsel for legal action. Dead storage is not allowed, in addition use of vacant land as a place of storage is not allowed.

The property continues to be in violation of Article V. of the Housing Code of the City of Portland. All referenced violations shall be corrected within 5 days of the date of this notice. A re-inspection of the premises will occur on 06/17/2010 at which time compliance will be required.

This is a notice of intent to prosecute. The matter is being referred 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.

Please be advised that because this is a letter of intent to prosecute, and that Section 6.2 of the Code requires that you pay a \$75.00 re-inspection fee due to the repeated violations. Failure to pay the assessed fee within 30 days shall cause the City to assess a lien against the property pursuant to Section 1-16 of the Code.

Please feel free to contact me if you have any questions or would like to discuss this matter further.

Sincerely,

Suzanne Hunt @ (207) 874-8707
Code Enforcement Officer City of Portland

CC. Penny St Louis Littell Director of City of Portland Planning and Development
Daniel West Chuta, City of Portland Corporation Counsel

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

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Suzanne Hunt	Inspection Date 4/12/2010
Locatation 41 BAYBERRY LN	CBL 089 J005001	Status Re-Inspect 7 Days	Inspection Type Complaint-TACI

Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
1)	Exterior				
Violation:					
Notes: this piece of property has no land use. It cannot be used for storage.					
2)	14-335(c)	Exterior			
Violation: Off-Street Parking Restricted					
Notes: Dead storage is not allowed. All stored materials must be removed.					
3)	22-3 (a)	Exterior			
Violation: Rodent Harborage					
Notes: Rodent harborage is not allowed.					
4)	Exterior				
Violation:					
Notes: this piece of property has no land use. It cannot be used for storage.					

Comments:

COPY



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*Director of Planning and Urban Development
Penny St. Louis Littell*

*Inspection Services, Director
Tammy M. Munson*

April 12, 2010

LIEBER ROBERT A
41 BAYBERRY LN
PEAKS ISLAND, ME 04108

CBL: 089 J005001
Located at 41 BAYBERRY LN

Certified Mail 7009 0820 0001 4187 9295

Dear LIEBER ROBERT A,

SECOND NOTICE OF VIOLATION

An evaluation of the above-referenced property on 04/12/2010 revealed that the structure remains non-compliant with the Housing Code of the City of Portland.

Attached is a list of the violations.

This is a SECOND notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected. A re-inspection will occur on 04/19/2010, 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 and in Title 30-A M.R.S.A ss 4452.

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

Sincerely,

Suzanne Hunt @ (207) 874-8707
Building Inspector

COPY

This data is provided by the Assessor's Office and is current as of **Sep. 8, 2009**

Fees

New

Scheduling

CBL 089 J005001 Acct No 14420

Property Address

41 BAYBERRY LN

View Complaint

Close

Owner Name 1 LIEBER ROBERT A

Property Type

RESIDENTIAL

View Inspection

Print Inv.

Name 2

Description

89-J-5 BAYBERRY LANE

View Site Plan

View Permit

Mailing Address 41 BAYBERRY LN

Census

PEAKS ISLAND

View Site Plan

View Permit

City, State, Zip PEAKS ISLAND ME 04108

Tract

28468 SF

View Site Plan

View Permit

Prop Info | Inspections | Site Plans | Permits | Complaints | Food/Water/Odor | Documents | Letters | Property Mgmt | Fees | Taxes | Notes

Date/Desc	Status	Category	Complaint
03/10/2010	Open	Tact/Trash	Anonymous complainant, bus, portable shed, & piles of construction material on vacant land. Owner Rob Leiber.
(AppID: 15199)	no listed #, sent 2nd notice 4/12/10. Smh		
08/08/2006	Open	Housing	Blue Bus, Quanset Hut, Junk Etc. Complaint through Tom Fortier (AppID: 7718)
01/27/2006	Closed	Housing	Junk vehicles, junk yard (AppID: 6845) letter sent mew 1-27-06
05/25/2005	Closed	Housing	Report from Legal & Peaks Island Public Works - Group of (Possible illegal aliens) living in a tent in the back yard of this property. Doug Roncarati, PI Public Works made report to legal can be reached through John Giles 874-8842 (AppID: 5602) according to neighbors kids play there but no one has been noted sleeping over

Show Business

Show CBL

Show Appl Type

[View More](#)

[Close](#)

Show Address:

Insp Date Insp. Status

Business/Contact Name

CBL

Street Address

Score

Appl Type

Inspection Comments

Notes

Schedule ID:

68237

07/15/2010	No Insp. Results	0	Complaint	Anonymous complainant, bus, portable shed, & piles of construction materia on vacant land. Owner Rob Leiber.	took photos on iste 7/15/2010 bus has a wood stove, temp electric service on ot. Smh
089 J005001	41	BAYBERRY LN			
04/19/2010	No Insp. Results		Complaint		
089 J005001	41	BAYBERRY LN			
04/12/2010	Re-Inspect 7 Days	0	Complaint	Anonymous complainant, bus, portable shed, & piles of construction materia on vacant land. Owner Rob Leiber.	
089 J005001	41	BAYBERRY LN			
03/18/2010	No Insp. Results		Complaint	Anonymous complainant, bus, portable shed, & piles of construction materia on vacant land. Owner Rob Leiber. PEAKS ISLAND	
089 J005001	41	BAYBERRY LN			
03/11/2010	Re-Inspect 30 Days	0	Complaint	Anonymous complainant, bus, portable shed, & piles of construction materia on vacant land. Owner Rob Leiber.	went to site took photos' school bus, sheds , stored building materials, rodent harborage, Dead Storage. This complaint
089 J005001	41	BAYBERRY LN			
09/14/2006	No Insp. Results		Complaint	complaint came in from Tom Fortier, this property has a history of NOV's for junk complaints PEAKS CSH to contact property owner and write 2nd notice letter CSH 9/14/06	
089 J005001	41	BAYBERRY LN			
07/27/2006	Re-Inspect 30 Days	0	Complaint	Blue Bus, Quanset Hut, Junk Etc. Complaint through Tom Fortier	All violations must be corrected and permits applied for within 30 days. You must give this office written proof of plan of action for
089 J005001	41	BAYBERRY LN			

Schedule ID:

33554

01/24/2006	Re-Inspect 30 Days	0	Complaint	Junk vehicles, junk yard	In addition to the attached violations Sec 105.1 Building with-out benefit of permit (Greenhouse) Sec 114 of IRC
089 J005001	41	BAYBERRY LN			
05/26/2005	No Insp. Results		Complaint		
089 J005001	41	BAYBERRY LN		Report from Legal & Peaks Island Public Works - the back yard of this property. Doug Roncarati PI Public Works made report to legal can be reached	

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
Portland, Maine 04101

Inspection Violations

Owner/Manager LIEBER ROBERT A		Inspector Suzanne Hunt	Inspection Date 3/11/2010
Location 41 BAYBERRY LN	CBL 089 J005001	Status Re-Inspect 30 Days	Inspection Type Complaint-Inspection

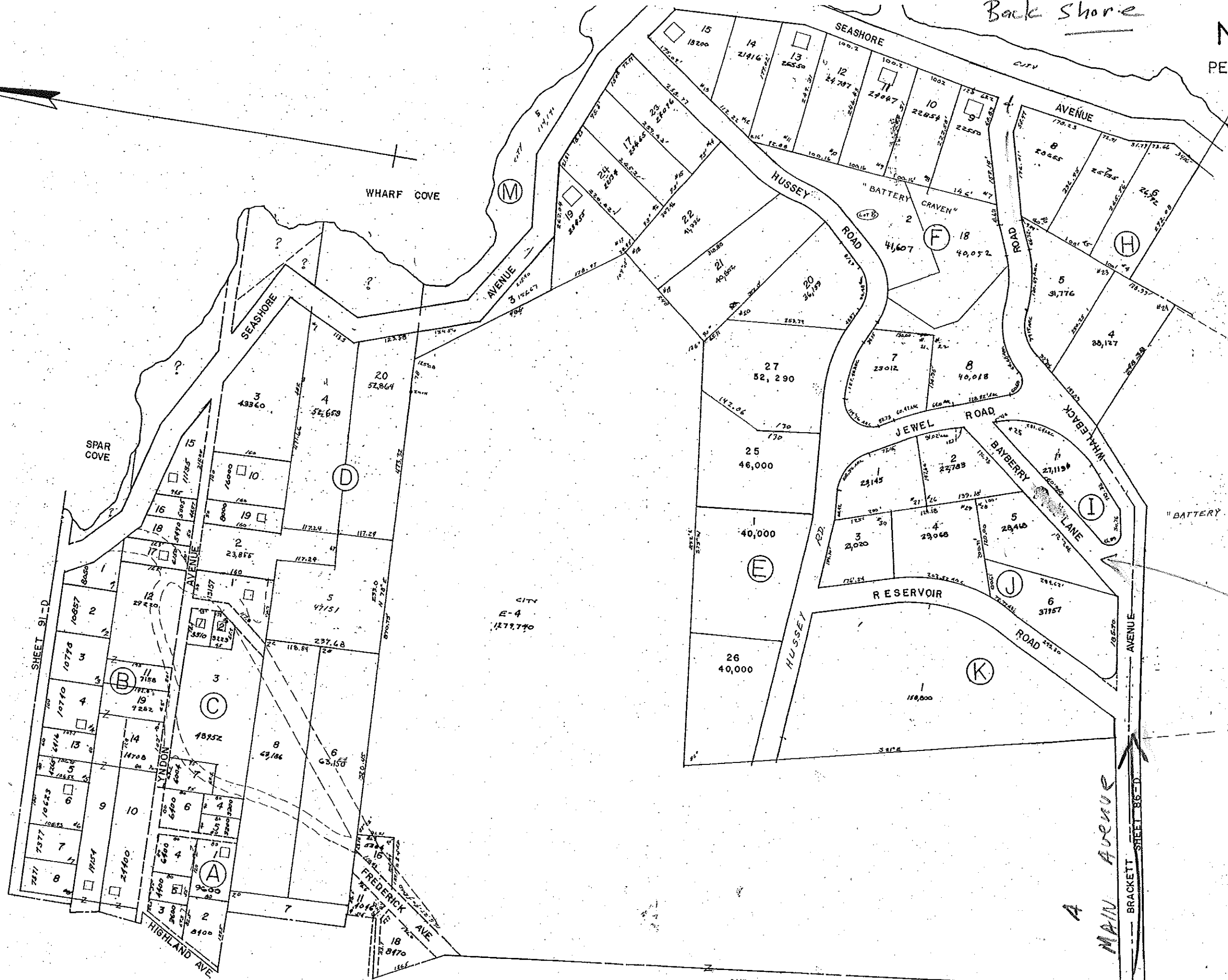
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Notes: Dead storage is not allowed. All stored materials must be removed.					
3)	22-3 (a) Exterior				
Violation: Rodent Harborage					
Notes: Rodent harborage is not allowed.					

Comments: went to site took photos' school bus, sheds , stored building materials. rodent harborage, Dead Storage. This complaint goes back to 1/06. This is vacant land which cannot be used for storage per zoning.

COP

Back Shore

No 89
PEAKS ISLAND



SHEET 81-D

BRACKETT SHEET 86-D

DIAG. P.D.

SHEET 88-A

CITY OF PORTLAND
ASSESSORS PLAN
SCALE 1" = 100' ±