

Marge Schmuckal - Re: 33-35 Columbia Road

From: Marge Schmuckal
To: Penny St. Louis; Tammy Munson
Date: 7/7/2011 10:15 AM
Subject: Re: 33-35 Columbia Road

Your are correct, Penny.

Tim Flanagan is the sole renter of 33-35 Columbia Road who was using the location while 201 Congress Street (he is the owner of that property) was being rebuilt after a fire. Your Jan. 5, 2011 letter gave him until July 31, 2011 (the end date of his lease) to use the property at 33-35 Columbia Road as either a lodging house or a sheltered care group home.

The owner of 33-35 Columbia Rd is Adam Nice of Nice Associates.

Tim Flanagan's # is (866) 633-7723 and his e-mail is: tflanagan@medicalsorceinc.com. I am not sure what the status of 201 Congress Street is at this time. Maybe Tammy can get an Inspector to check it out as to whether it will be ready for occupancy by July 30, 2011.

Dan Bell is the property manager for the owner, Adam Nice.

I hope this helps you,
Marge

>>> Penny St. Louis 7/7/2011 8:03 AM >>>

This is the "sober house" that was discussed last year. My understanding is they were vacating this month and moving back to its Congress Street (?) location. Can one of you verify for me that that is the case - or at least get me a telephone number of the Atlantic House owner so I can call them. Neighbors are inquiring. Thanks.

Tim FL -
(866) 633-7723

~~Tim Flanagan~~
tflanagan@medicalsorceinc.com

#43 - Junk Vehicle
Needs to be removed
- Need copies of all leases
- Need floor layouts for all
buildings - esp. 33-35
- Need documentation info
on the operation of
Atlantic house
rents - how do you get the
occupants - how long
is it?

Marge Schmuckal - Re: Fwd: Earl Allen 33-35 Columbia Road

From: Marge Schmuckal
To: Desiree Kelly
Date: 6/9/2011 12:40 PM
Subject: Re: Fwd: Earl Allen 33-35 Columbia Road
CC: Penny St. Louis

I have spoken to Earl Allen about this issue. I will give him a copy of the letter Penny sent out last year. They have until July 31 to continue that use (when the lease is up). He seemed happy about that.

Marge

>>> Deslree Kelly 6/8/2011 1:14 PM >>>

Marge,

I spoke with Penny about this and she asked that I refer it to you. She said you were familiar with this address and should be able to answers his questions.

Please let me know if after your discussion a meeting with you and Penny is necessary.

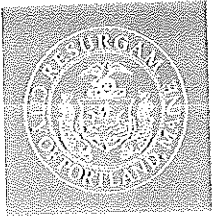
Thanks,

Desiree

>>> Deslree Kelly 6/7/2011 9:20 AM >>>

Earl Allen stopped by and would like to speak with you about 33-35 Columbia Road 772-5347. He is part of the neighborhood group and he has some questions re: regarding the re-zoning for commercial property.

If you would rather me set up a time for him to come in and meet with you to answer his questions let me know.

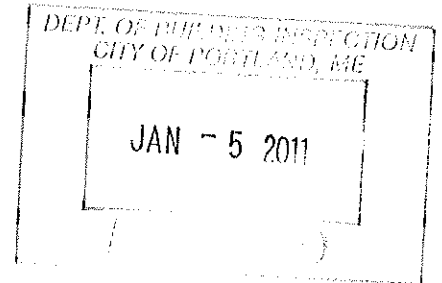


Strengthening a Remarkable City Building a Community for Life www.portlandmaine.org

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

January 5, 2011

Adam Nice
Nice Associates
P.O. Box 1938
Portland, ME 04104



Re: CBL: 184 C0100001 & 184 C008001
Located at 33-35 & 41-43 Columbia Rd.

Dear Mr. Nice:

The City of Portland Office of Planning and Urban Development has conducted an investigation into the uses of the properties at 33-35 and 41-43 Columbia Road. Both properties are located in a Residential-5 zone. The legal use (the use as documented and approved by the City) of both properties is duplexes (two connected residential units).

Building Code Issues

You have been informed by letter, dated December 21, 2010, of the outstanding building code violations located at these properties. A reinspection of the properties will occur on January 6, 2011.

Zoning Issue

The legal use of 41-43 Columbia Road is a duplex. The two units are each being rented independently and comply with the City's zoning requirements. No action is warranted. The use of 33-35 Columbia Road is a duplex. The structure, while being rented to one individual (Mr. Flanagan), is clearly being used as either a lodging house or a structured care group home. Both of these uses are allowed in the R-5 zone following conditional use approval. If a conditional use is applied for "after the fact," the approval typically would attach to the property (versus the current tenant). In this case, the tenant is short term and intends to move its use at that location within 6 months. The neighborhood's preference is that the property continue as a duplex versus being designated, into the future, as either a lodging house or a sheltered care group home.

As a result of the foregoing, the City has determined the following course of action is most appropriate:

1. No enforcement action will be taken against the use at 33-35 Columbia Road (as either a lodging house or a sheltered care group home) for a period of 6 months.
2. If the use of the property as either a lodging house or a sheltered care group home continues beyond July 31, 2011, a conditional use approval must be applied for no later than June 27, 2011.
3. If a conditional use application for either a lodging house or a sheltered care group home is not received by June 27, 2011, the City shall seek penalties of no less than \$100.00 per day against the property owner.
4. If a conditional use is not granted by the Portland Zoning Board of Appeals, following a noticed public hearing, the use shall cease within one month from the date of the ZBA's decision.

Please contact us if there are any portions of this letter you do not understand.

Sincerely,



Penny St. Louis Littell
Director of Planning and Urban Development

cc: Councilor Ed Suslovic
Joseph E. Gray
Gary Wood
Marge Schmuckal
Dan Bell
Mike Murray

Marge Schmuckal - Re: 201 Congress Street

From: Marge Schmuckal
To: Bruce MacLeod; Jonathan Rioux
Date: 1/19/2011 11:54 AM
Subject: Re: 201 Congress Street
CC: Jeanie Bourke

Bruce,

I have been in contact with the owner, Tim, and he is aware that he needs to apply for a change of use permit at this location. The legal use of the property is 3 residential dwelling units. Before we allow him to occupy the building again, there needs to be an application for a change of use from the 3 residential dwelling units to a lodging house.

Marge

>>> Jonathan Rioux 1/19/2011 10:40 AM >>>
 Morning Bruce,

Jeanie Bourke is your Plan Reviewer for this project. The conditions of approval and bld. permits # 10-1516 review from Marge Schmuckal, Zoning Administrator- indicate that the structure is a legal three (3) family. If you have specific questions, I CC'd both Marge and Jeanie on this email. JGR.

Jonathan Rioux
 Code Enforcement Officer/ Plan Reviewer

City of Portland
 Planning and Urban Development Department
 Inspection Services Division
 389 Congress St. Rm 315
 Portland, ME 04101
 Office: 207.874.8702
 Support Staff: 207.874.8703
jrioux@portlandmaine.gov

>>> "Bruce MacLeod" <bruce@macleodengineers.com> 1/12/2011 2:58 PM >>>

Hi Jon,

I am providing design documents for the reconstruction of 201 Congress Street, which was damaged by a fire this fall. I have already provided roof framing plans for enclosing the roof and construction is under way. I am currently working on the rest of the re-construction plans.

The building has been described by the contractor as a 3-unit building, but it is currently being used as a boarding house. My question to you is what is the current approved use according to City records? This is an important determination as we work to complete the plans. I would appreciate any information you can provide.

Thank you,

Bruce MacLeod, PE
MacLeod Structural Engineers, P.A.
404 Main Street
Gorham, Maine 04038
P: 207 839-0980
F: 207 839-0982

Marge Schmuckal - Re: Atlantic House (33 Columbia)

From: Marge Schmuckal
To: Tim Flanagan
Date: 1/10/2011 10:05 AM
Subject: Re: Atlantic House (33 Columbia)

Dan Bell
201 Congress

Tim,

Recently my director, Penny Littell, sent out a letter concerning this address. I noticed that you were not copied on it. It basically relieves you of having to appeal at this address. Where can I send a copy of this letter to you? If you send me your address, I will mail it to you. I do not have it saved in an electronic format.

We can now work on the 201 Congress St address to get that legal before you move folks in there. Can you get me floor plans of that property?

Thanks,
Marge

>>> "Tim Flanagan" <tflanagan@medicalsourcinc.com> 12/30/2010 11:26 AM >>>

Marge,

Thanks again & please let me know if I can assist with anything further.

Tim

----- Original Message -----

From: Marge Schmuckal
To: Tim Flanagan
Sent: Thursday, December 30, 2010 11:10 AM
Subject: Re: Atlantic House (33 Columbia)

Tim,

I have discussed your situation with my boss, Penny Littell. We have been discussing the differences between a lodging house and a sheltered care group home. Because of the low key running of the "house" there is a possibility that you can be classified as a lodging house. This is not firmed up yet. We are running these ideas thru our legal counsel. I am not sure what will result. It is still in the talking stages.

If 201 Congress Street can be considered a lodging house, then you will not have to appeal. However, the change of use from the three apartments to a lodging house will require parking. We can discuss that further. I will need floor plans. Can you get me copies of floor plans for 201 Congress Street. You would not have to go to an architect. When you bought the property, did the realtor have any floor plans? Or you could measure out the rooms yourself.

When I hear more from my boss & legal, I will let you know. I am not sure it will be by the end of today. But it is in the pipeline.

Thank you for your patience,
Marge

>>> "Tim Flanagan" <tflanagan@medicalsourcinc.com> 12/30/2010 9:26 AM >>>

Marge,

I just wanted to thank you for you time & help with the current zoning issues. Thanks again & I will have the application in as soon as possible.

Regards,

Tim

Cell 207-650-1621



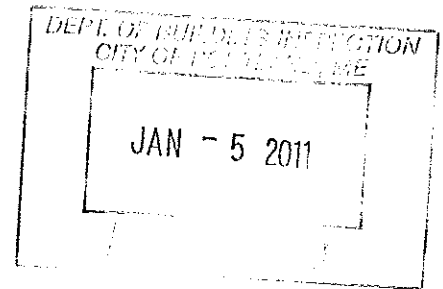
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Planning & Urban Development Department
Penny St. Louis Littell, Director

January 5, 2011

Adam Nice
Nice Associates
P.O. Box 1938
Portland, ME 04104

Re: CBL: 184 C0100001 & 184 C008001
Located at 33-35 & 41-43 Columbia Rd.



Dear Mr. Nice:

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Building Code Issues

You have been informed by letter, dated December 21, 2010, of the outstanding building code violations located at these properties. A reinspection of the properties will occur on January 6, 2011.

Zoning Issue

The legal use of 41-43 Columbia Road is a duplex. The two units are each being rented independently and comply with the City's zoning requirements. No action is warranted. The use of 33-35 Columbia Road is a duplex. The structure, while being rented to one individual (Mr. Flanagan), is clearly being used as either a lodging house or a structured care group home. Both of these uses are allowed in the R-5 zone following conditional use approval. If a conditional use is applied for "after the fact," the approval typically would attach to the property (versus the current tenant). In this case, the tenant is short term and intends to move its use at that location within 6 months. The neighborhood's preference is that the property continue as a duplex versus being designated, into the future, as either a lodging house or a sheltered care group home.

As a result of the foregoing, the City has determined the following course of action is most appropriate:

1. No enforcement action will be taken again the use at 33-35 Columbia Road (as either a lodging house or a sheltered care group home) for a period of 6 months.
2. If the use of the property as either a lodging house or a sheltered care group home continues beyond July 31, 2011, a conditional use approval must be applied for no later than June 27, 2011.
3. If a conditional use application for either a lodging house or a sheltered care group home is not received by June 27, 2011, the City shall seek penalties of no less than \$100.00 per day against the property owner.
4. If a conditional use is not granted by the Portland Zoning Board of Appeals, following a noticed public hearing, the use shall cease within one month from the date of the ZBA's decision.

Please contact us if there are any portions of this letter you do not understand.

Sincerely,



Penny St. Louis Littell
Director of Planning and Urban Development

cc: Councilor Ed Suslovic
Joseph E. Gray
Gary Wood
Marge Schmuckal
Dan Bell
Mike Murray

Dear Mr. Nice:

The City of Portland Office of Planning and Urban Development has conducted an investigation into the uses of the properties at ⁴¹⁻⁴³ ~~33-35~~ and ~~47~~ Columbia Road. Both properties are located in a Residential-5 zone. The legal use (the use as documented and approved by the City) of both properties is duplexes (two connected residential uses).

Following an inquiry by Councilor Ed Suslovik, City staff met with the general neighborhood at a meeting on December __, 2010. The City took note of the information provided at that meeting. The City had separate meetings with the owner's property management company representative, Dan Bell, who provided further information on the properties and their physical condition.

Finally, the City met with Mr. Timothy Flanagan, the representative of the Atlantic House, a sober house offering living arrangements for those in recovery. Mr. Flanagan has a lease at __ Columbia Road through July 2011. The intent of this gentleman and his facility is to return to its former location at 201 Congress Street. The structure at 201 Congress Street suffered a fire in 2010. It is owned by Mr. Flanagan and it is currently being rehabilitated. Building permits have been issued for the work being completed.

Building Code Issues

A City inspector performed an inspection at the Columbia Street properties. The attached letter documents the violations to be corrected and a reinspection is scheduled for January __, 2011. The City is confident the structures are safe for habitation and the violations will be corrected within the designated time frames.

Zoning Issue

The use of ⁴¹⁻⁴³ Columbia Road is a duplex. The two units are each being rented independently and comply with the City's zoning requirements. No action is warranted.

The use of ³³⁻³⁵ Columbia Road is a duplex. The structure, while being rented to one individual, is clearly being used as either a lodging house or a structured care group home. Both of these uses are allowed in the R-5 zone following conditional use approval. If a conditional use is applied for "after the fact," that approval would attach to the property versus the tenant. In this case, the tenant is short term and intends to move its use at that location within ^{seven} ~~seven~~ months. ^(July 31, 2011) The neighborhood's preference is that the property continue as a duplex versus being designated as either a lodging house or a sheltered care group home. As a result of all of the foregoing, the City has determined the following course of action is most appropriate:

1. No enforcement action will be taken against the use at ³³⁻³⁵ Columbia Road (as either a lodging house or a sheltered care group home) for a period of ^{seven} ~~seven~~ months. ^(July 31, 2011)

2. If the use of the property as either a lodging house or a sheltered care group home continues beyond July 31, 2011, a conditional use approval must be applied for no later than July __, 2011. →

3. If an application is not received by _____, 2011, the City shall seek penalties of no less than \$100.00 per day against the property owner.

4. If a conditional use is not granted by the Portland Zoning Board of Appeals, following a noticed public hearing, the use shall cease within one month from the date of the ZBA's decision.

Thank you all for your input and thoughtfulness throughout this process. In the interest of the citizens of Portland, it is believed this course of action is most appropriate under the circumstances.

Sincerely,

Penny St. Louis Littell

Cc: Rosemont Neighborhood Interested Citizens

Councilor Ed Suslovik

Joseph E. Gray

Gary Wood



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Penny St. Louis Littell, Director of Planning and Development
Marge Schmuckal, Zoning Administrator

Meeting Information

DATE: 12/20/10 ZONE: R-5

LOCATION: 33-35 Columbia Rd

PEOPLE PRESENT: Marge Schmuckal - Tim Flannigan

DISCUSSION:

- 201 Congress - New location in B-1 Zone - Marge will research more
- Columbia Rd appears to meet the definition of a Shelter care group home
- GAVE Tim copies of the Conditional Use APPEAL PAPERS

Please note: this meeting is not an pre-approval of any ordinances. No project can be approved without going thru the appropriate reviews. This meeting is only to outline the City processes to go through based on the information given at this meeting. Any changes to that information may change the process requirements. Please check ordinances that are on-line for further information at www.portlandmaine.gov.



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Penny St. Louis Littell, Director of Planning and Development
Marge Schmuckal, Zoning Administrator

Meeting Information

Sullivan Management
operational only
doesn't collect rent

DATE: 12/21/10 ZONE: R-5

LOCATION: 33-35 Columbia
43 Columbia

owner - Adam Nice
rocky shoes might not be happy with it

PEOPLE PRESENT: Penny Littell - Marge Schmuckal -

Dan Bell property manager

advertiser on craig's list

DISCUSSION:

Bldg issues - site walk with Tammy & Jon Roux
Dead line - Dec. 31st - missing smokes

Junk Vehicle #43 - Needs to be removed - #

33-35 Columbia Rd; 1 lease for the info Bldg - Tina Flannigan
clients from Congress St legal unit 11/1/2010 2/21/2011 Jack McCarthy on site manager

14 occupants - 7 on each side -

"Oxford House"
"Atlantic" house -> recovery Alcoholics
will get Tim Flannigan telephone # (207) 650-1621 en

trash - blue bag pickup - got outdoor garbage cans
Rent? - how do they eat their meals? No locks or numbers on ind. door
Get floor plans

41 is ~~ABA~~ 1 lease 4 occupant Derek/Tim/Matt & John share

Please note: this meeting is not an pre-approval of any ordinances. No project can be approved without going thru the appropriate reviews. This meeting is only to outline the City processes to go through based on the information given at this meeting. Any changes to that information may change the process. Please check ordinances that are on-line for further information at www.portlandmaine.gov.

43 - ind. lease with Alyssa - Jennifer - Kelsy - Chris
trash name how many people actually living there \$1800
August 2011 - 1500 or 1600 -

Room 315 - 389 Congress Street - Portland, Maine 04101 (207) 874-8695 - FAX: (207) 874-8716 - TTY: (207) 874-3936

Need floor plans - attic = bd room - Adam gets rent directly Sullivan Management doesn't

Marge Schmuckal - Columbia Rd - Tim Flannigan

From: Marge Schmuckal
To: Penny St. Louis Littell
Date: 12/22/2010 11:31 AM
Subject: Columbia Rd - Tim Flannigan

Penny,

I got in touch with Tim Flannigan who runs "Atlantic House". He did give me some info on how the house is run. I am leaning more to the use of a Sheltered Care Group Home. Their biggest fear is that we are going to evict them. I told him that we are not trying to do that. We are trying to get the use into compliance. We set up a time on December 28th to meet in person. I can give him appeal "stuff" and lock in his use better.

He did say that they might only be there another six months. That ties in with the info that Dan Bell gave us that the lease expires in July 2011. They have another location on Munjoy Hill. I told him that we would talk about that one to be sure he got into compliance prior to moving in there.

Marge

Oxford House

From Wikipedia, the free encyclopedia

The term **Oxford House** may refer to any house operating under the "Oxford House Model", a community-based approach to addiction treatment, which provides an independent, supportive, and sober living environment.^[1] Today there are more than 1000 Oxford Houses in the United States and other countries.^[2] Each house is based on 3 primary rules:

- Do not use drugs or alcohol and do not be disruptive
- The House must be run democratically
- Pay your Equal Expense Shared (EES) or any fines

Equal Expense Shared (EES) is generally between 80 to 100 dollars a week and includes utilities. Generally 12-step meeting attendance is encouraged, and a certain number of meetings a week may be mandatory. Weekly business meetings are mandatory to discuss any issues that the house may be facing. It is at these meetings that checks are written for bills and residents are made aware of where they stand financially.

The first Oxford House was opened in Silver Spring, Maryland in 1975 by Paul Molloy. Molloy had been a Senate committee staff member between 1967 and 1972. He sought treatment for his alcoholism in a halfway house in 1975. Later that year, the halfway house would close due to financial difficulty, and Molloy and the other residents took over the lease. They chose the name **Oxford House** in recognition of Oxford Group, a religious organization that influenced the founders of AA.^[3]

Contents

- 1 The Oxford House Traditions^[4]
- 2 Business Meetings
- 3 DePaul University Research on Oxford House^[5]
- 4 References
- 5 See also
- 6 External links

The Oxford House Traditions^[4]

- **TRADITION ONE:** Oxford House has as its primary goal the provision of housing and rehabilitative support for the alcoholic or drug addict who wants to stop drinking or using and stay stopped.
- **TRADITION TWO:** All Oxford Houses are run on a democratic basis. Our officers are but trusted servants serving continuous periods of no longer than six months in any one office.
- **TRADITION THREE:** No member of an Oxford House is ever asked to leave without cause -- a dismissal vote by the membership because of drinking, drug use, or disruptive behavior.
- **TRADITION FOUR:** Oxford House is not affiliated with Alcoholics Anonymous and Narcotics Anonymous, organizationally or financially, but Oxford House members realize that only active participation in Alcoholics Anonymous and/or Narcotics Anonymous offers assurance of continued sobriety.
- **TRADITION FIVE:** Each Oxford House should be autonomous except in matters affecting other

- houses or Oxford House, Inc., as a whole.
- TRADITION SIX: Each Oxford House should be financially self-supporting although financially secure houses may, with approval or encouragement of Oxford House, Inc., provide new or financially needy houses a loan for a term not to exceed one year.
- TRADITION SEVEN: Oxford House should remain forever non-professional, although individual members may be encouraged to utilize outside professionals whenever such utilization is likely to enhance recovery from alcoholism.
- TRADITION EIGHT: Propagation of the Oxford House, Inc. concept should always be conceived as public education rather than promotion. Principles should always be placed before personalities.
- TRADITION NINE: Members who leave an Oxford House in good standing are encouraged to become associate members and offer friendship, support, and example to newer members.

Business Meetings

Business meetings are the core of any Oxford House. All decisions are made based upon a democratic vote by all members of the house. A typical Oxford House has five positions with specific duties; however, each person still has only one vote. These positions are:

- President: Calls the meeting to order, directs the meeting, moderates discussion, and closes the meeting.
- Treasurer: Is responsible for keeping a financial accounting for all matters involving the house. This includes the house's current resources and any bills that must be paid. This position is almost always filled by someone with a significant amount of time in the house and a great deal of trust.
- Comptroller: Keeps an accurate account of the amount of money each person owes to the house each week. The "comptroller's report" is read openly each meeting.
- Chore Coordinator: Assigns weekly chores to each member of the house. Also reports on any fines that have been written that week, and discusses any general housekeeping matters that need to be attended to.
- Secretary: Keeps a record of the minutes of each meeting. Reads the minutes from the previous week at the beginning of each meeting.

DePaul University Research on Oxford House^[5]

DePaul University's Center for Community Research, led by Dr. Leonard A. Jason, has been involved in an extensive research study of Oxford House since 1988. It was found that the characteristics of people living in an Oxford House did not vary significantly from people in other substance abuse programs. The primary reason cited for moving into an Oxford House was the fellowship provided and the enforcement of a sober living environment. Approximately 3/4 of the residents involved in the study were involved with the Alcoholics Anonymous program. The average stay was about 175 days, and over a two year period 69% of those interviewed stayed in the house or left on good terms. The paper specifically stated "These findings suggest that the Oxford House model, in comparison to those who solely attend twelve-step programs, might be more effective in empowering residents in their ongoing abstinence in a way that enhances the perception of control in their lives."

References

1. ^ DePaul Grants on the site of DePaul University. Accessed 23 February 2007.
2. ^ Housing on the site of HopeNetworks. Accessed 23 February 2007.

3. ^ A collaborative action approach to researching substance abuse recovery on the site of LookSmart. Accessed 23 February 2007.
4. ^ OXFORD HOUSE: The Oxford House Traditions on the site of Oxford House. Accessed 14 February 2007.
5. ^ DePaul University Studies Oxford House, on the website of DePaul University. Accessed 23 February 2007.

See also

- Addiction recovery groups

External links

Organization homepage[1]

Retrieved from "http://en.wikipedia.org/wiki/Oxford_House"

Categories: [Drug rehabilitation](#) | [DePaul University](#) | [Settlement houses](#)

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Both in R-5

From: Penny Littell(Penny St. Louis Littell)
To: Marge Schmuckal
Date: 12/13/2010 8:04 PM
Subject: Atlantic Rehab

33-35 Columbia 184-6-8 -
43-45 Columbia 184-6-10-15

10,500 \$ - legal two-family only plumbing & elec permit on file
5,500 \$ - legal two-family - NO permit on file

Supposedly there is a rehab house at 1 of these residences. 13 men are living in 1 of them. I will try to Google this. We should talk about this.

12/13/10 - Neighborhood meetg with Ed Jordan on file & Nick M. & Penny
~50 people
people from Atlantic House on Congress St

14-118 - Conditional Use for Shelter Care Group Home
ZBA 14-47

R-5 Zone ~~Does Not permit~~ Lodging Houses
Allows conditional use

Jan - Penny - Jeanie

Marge Schmuckal - Re: Atlantic Rehab

From: Marge Schmuckal
To: Penny St. Louis Littell
Date: 12/14/2010 10:18 AM
Subject: Re: Atlantic Rehab
CC: Jeanie Bourke; Jonathan Rioux

Penny,
Both these properties are located in the R-5 Zone. Both are legal 2 family dwellings. There has been little permit activity over the last 10 years. No change of use on file for either.

Lodging Houses are not allowed in the R-5 Zone. I suspect that the use that is being complained about is really a Sheltered Care Group Home. The use is only allowed as a Conditional Use appeal to the ZBA.

We do need to get the owner(s) in to discuss how they are running the properties so I can make a final determination. Let me know when a meeting is set up. I will be there.
Marge

>>> Penny Littell(Penny St. Louis Littell) 12/13/2010 8:04 PM >>>

33-35 Columbia

43-45 Columbia

Supposedly there is a rehab house at 1 of these residences. 13 men are living in 1 of them. I will try to Google this. We should talk about this.

Marge Schmuckal - 33-35 Columbia Rd Portland

From: Deborah Hoar
To: Dobson, Lannie; Schmuckal, Marge
Date: 11/4/2010 8:57 AM
Subject: 33-35 Columbia Rd Portland

Hi,

I'm not sure who to start with, but I thought of you guys.

I received a call yesterday from a David Bean calling with concerns about a Sobriety House at 33-35 Columbia Rd.

His questions are:

Was there a notice sent to inform people of the Sobriety House in their neighborhood ?

Is this legal ?

Does a Sobriety House require permits?

Should clients be coming from out of state?

He's especially concerned because of the children who live in the neighborhood.

Mr. Bean would like a call back 939-8953

Deborah Hoar
Administrative Assistant
Planning & Development Dept.
City of Portland
389 Congress St 4th floor
Portland, Maine 04101
(207)-874-8721 (p)
(207)-756-8258 (f)
DLH@portlandmaine.gov

LOCATED AT: 33 & 35 COLUMBIA RD (BLUE)
CBL: 184 C008001
OWNER: NICE ADAM J
CONTACTS: C. (207)838-8521 & H. (207)773-1948
TIME/ DATE: 10/13/10 @ 9:18-10:43AM

Legal use is two (2) dwelling units per pre-1957 assessor's card. -amachado

33 Columbia Rd

Spoke with male (mid Fifty's) "Occupant" who resided at 41 Columbia Rd. He st. that they share rent "him and the kids", that he didn't know everyone that lived there prior to moving in, and that there is one kitchen, and no padlocks on the door. He refused to let City Inspections in the residence, and st. the Owner would be back around noon.

33 Columbia Rd. (Door/ Mail Slots)

- o S. McCarthy
- o B. Kelly
- o V. Ryan
- o D. Zecian
- o Gillis
- o Hcein
- o R. Cellrias
- o Flanagan

35 Columbia Rd.

We spoke with a tenant (early Twenty's) from "35 Columbia Rd", he st. his roommates share rent, and have one kitchen in the residence.

35 Columbia Rd. (Door/ Mail Slots)

- o B. Kapelsoro
- o S. McGinn
- o J. Cyr
- o J. Cahill
- o S. Zeltzer
- o J. O Connell
- o G. Vanbuskirk
- o Flanagan

Found a parking "boot" called Parking Dispatch for an Officer to respond.

Follow-Up:

Scheduled full walkthrough for both buildings 33 & 45 Columbian Rd (all-units) with Owner, Adam Nice on 12/16/2010 @ 10:00 AM.

LOCATED AT: 41 & 43 COLUMBIA RD (RED)
CBL: 184 C010001
OWNER: NICE COLMAN LIFE INT
CONTACTS: ADAM NICE, C. (207) 615-3835, H. (207) 773-1948, or
MATT, (207) 289-0197
TIME/ DATE: 10/13/10 @ 9:18-10:43AM

Legal use is two (2) dwelling units per pre-1957 assessor's card. – amachado

43 Columbia Rd. (Door/ Mail Slots)

- Rothbart Collins
- Jacobs Ledoux

41 Columbia Rd. (Door/ Mail Slots)

- Matthew Wasco
- Derek Johnson
- Timothy Roberts
- Shawn McNutt

Violations:

- Trash on rear porch, see photos

* Did not make entry, no tenants on site.



PORTLAND MAINE

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

August 22, 2005

NICE COLMAN LIFE INT
43 COLUMBIA RD
PORTLAND, ME 04103

CBL: 184 C010001
Located at 33 COLUMBIA RD

Mail

Dear NICE COLMAN LIFE INT,

STOP WORK ORDER

An evaluation of the above-referenced property on 08/22/2005 revealed that building construction was being conducted without benefit of a valid building permit as required by Section 105.1 of the 2003 International Building Code and the 2003 International Residential Code of the City of Portland.

Appropriate permitting has not been issued for the property listed above, therefore all construction activity at that property must STOP immediately. This is a STOP WORK ORDER pursuant to Section 114. of 2003 International Building Code and the 2003 International Residential Code of the City of Portland.

You may resume construction activity only after issuance of the appropriate building permit and the subsequent lifting of this order. Building Permit Applications are available in this office, Room 315 at Portland City Hall, from 8:00 a.m. to 4:00 p.m. weekdays except holidays.

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. This constitutes an appealable decision pursuant to Section 112 of the City of Portland Building Code.

If you wish to discuss this matter, or you have any questions, please feel free to contact me.

Sincerely,

Peter Merrow @ (207) 874-8707
Building Inspector

33-35 Columbia Rd

This data is provided by the Assessor's Office and is current as of

Sep. 8, 2009

Fees

CBL	184 C008001	Acct No	26394	Property Address	33 COLUMBIA RD	LCI:	R
Owner Name 1	NICE ADAM J			Property Type	RESIDENTIAL	Dist#:	3
Name 2				Description	184-C-8-9 COLUMBIA RD 33		
Mailing Address	33 COLUMBIA RD			Census Tract	19.00	10500 SF	
City, State, Zip	PORTLAND	ME	04103				

Prop Info	Inspections	Site Plans	Permits	Complaints	Food/Water/Odor	Documents	Letters	Property Mgmt
-----------	-------------	------------	---------	------------	-----------------	-----------	---------	---------------

Date/Desc	Status	Category	Complaint
12/13/2010 (AppID: 15884)	Open	Housing	Possible Boarding House.
10/28/2010 (AppID: 15786)	Open	Zoning	Running a Halfway / boading home etc. Also 43 Columbia
02/16/2010 (AppID: 15163)	Open	Building	Put sheds on property in the back We have continuous cc the neighbor abutting his property does not want to leave can call back. COMPLAINANT VERY BELLIGERENT.
09/04/2009 (AppID: 14389)	Closed	Building	Building w/o permit inside didn't want to leave name neigh to on building came to counter isn't making set backs
09/21/2001 (AppID: 116)	Closed	Building	Building shed, no permit

41-43 Columbia Rd,

This data is provided by the Assessor's Office and is current as of

Sep. 8, 2009

Fees

CBL	184 C010001	Acct No	26396	Property Address	43 COLUMBIA RD	View		
Owner Name 1	NICE COLMAN LIFE INT			Property Type	RESIDENTIAL	View		
Name 2				Description	184-C-10-15 COLUMBIA RD 41-43	View		
Mailing Address	41 COLUMBIA RD			Census Tract	19.00	View		
City, State, Zip	PORTLAND	ME	04103		5500 SF			
Prop Info	Inspections	Site Plans	Permits	Complaints	Food/Water/Odor	Documents	Letters	Property Mgmt

Date/Desc	Status	Category	Complaint
12/13/2010 (AppID: 15883)	Open	Housing	Adam Nice, 207-615-3835
10/28/2010 (AppID: 15785)	Open	Zoning	Running a - Boarding home / half way house - At least 10 different people living
07/26/2010 (AppID: 15525)	Closed	Taci/Trash	Trash in driveway on back of porch also- Food, bottles, fu animals getting into the trash smells gross etc Management com has removed. Smh
02/16/2010 (AppID: 15162)	Open	Building	Put sheds on property in the back We have continuous cc the neighbor abutting his property does not want to leave can call back. COMPLAINANT VERY BELLIGERENT.
07/28/2008 (AppID: 12195)	Open	Building	Building w/o permit built an addition on to his garage that neighbors property Does not want to leave name tried to c SAID NO -
08/29/2007 (AppID: 9966)	Closed	Housing	Renting as a boarding house - 8 people - Earl Allen - 772-5347
08/22/2005 (AppID: 6007)	Closed	Building	Building , plumbing and electrical, no permit 09-06-07 Snake with Adam he is going to call his tenants to Building ok, drywalling over existing plaster. Issued stop work order for electricfal in kitchen and plumbing in kitchen with out permit Two familv non owner occupied PWM

Assessor's Office | 359 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8185

City Home Departments City Council E-Services Calendar Jobs

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

Services

Applications

Doing Business

Maps

Tax Relief

Tax Roll

Q & A

browse city services a-z

browse facts and links a-z



Best viewed at 800x600, with Internet Explorer

CBL 184 C010001
Land Use Type TWO FAMILY
Property Location 43 COLUMBIA RD
Owner Information NICE COLMAN LIFE INT
 41 COLUMBIA RD
 PORTLAND ME 04103
Book and Page
Legal Description 184-C-10-15
 COLUMBIA RD 41-43
Acres 5500 SF
 0.126

Current Assessed Valuation:

TAX ACCT NO. 26396 **OWNER OF RECORD AS OF APRIL 2010**
 NICE COLMAN LIFE INT
LAND VALUE \$86,400.00 41 COLUMBIA RD
BUILDING VALUE \$220,000.00 PORTLAND ME 04103
NET TAXABLE - REAL ESTATE \$306,400.00
TAX AMOUNT \$5,490.70

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.

Building Information:

Card 1 of 1

Year Built 1905
Style/Structure Type OLD STYLE
Stories 2
Bedrooms 6
Full Baths 2
Half Baths 2
Total Rooms 12
Attic FULL FINSH
Basement FULL
Square Feet 3101

[View Sketch](#) [View Map](#) [View Picture](#)



Outbuildings/Yard Improvements:

Card 1

Year Built 1940
Structure GARAGE-WD/CB
Size 18X20
Units 1
Grade C
Condition F

Sales Information:

Sale Date	Type	Price	Book/Page
9/24/1992	LAND + BUILDING	\$60,000.00	10357/334
12/14/1990	LAND + BUILDING	\$0.00	9422/46

[New Search!](#)

Assessor's Office | 359 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8455

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This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

Services

Applications

Doing Business

Maps

Tax Relief

Tax Roll

Q & A

CBL 184 C008001
Land Use Type TWO FAMILY
Property Location 33 COLUMBIA RD
Owner Information NICE ADAM J
 33 COLUMBIA RD
 PORTLAND ME 04103
Book and Page 12338/332
Legal Description 184-C-8-9
 COLUMBIA RD 33
Acres 0.241

Current Assessed Valuation:

TAX ACCT NO. 26394 **OWNER OF RECORD AS OF APRIL 2010**
 NICE ADAM J
LAND VALUE \$92,900.00 **BUILDING VALUE** \$232,800.00 **NET TAXABLE - REAL ESTATE** \$325,700.00
TAX AMOUNT \$5,836.54

[browse city services a-z](#)

[browse facts and links a-z](#)

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.



Best Viewed at 800x600, with Internet Explorer

Building Information:

Card 1 of 1

Year Built 1905
Style/Structure Type OLD STYLE
Stories 2
Bedrooms 6
Full Baths 2
Half Baths 2
Total Rooms 12
Attic FULL FINSH
Basement FULL
Square Feet 3391

[View Sketch](#) | [View Map](#) | [View Picture](#)



Outbuildings/Yard Improvements:

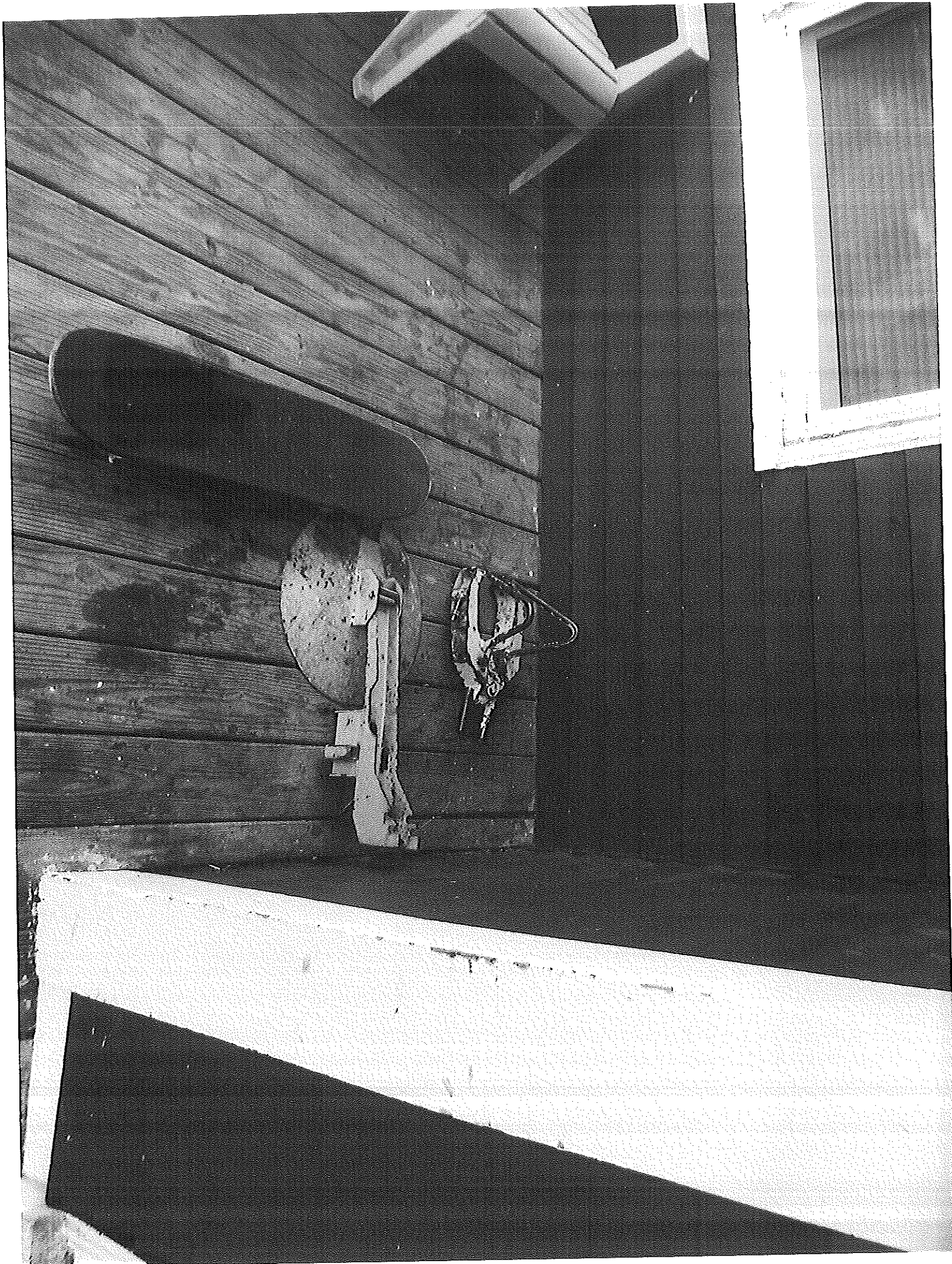
Card 1

Year Built 1940
Structure GARAGE-WD/CB
Size 20X20
Units 1
Grade C
Condition P

Sales Information:

Sale Date	Type	Price	Book/Page
2/7/1996	LAND + BUILDING	\$0.00	12341/320
2/1/1996	LAND + BUILDING	\$90,000.00	12338/332

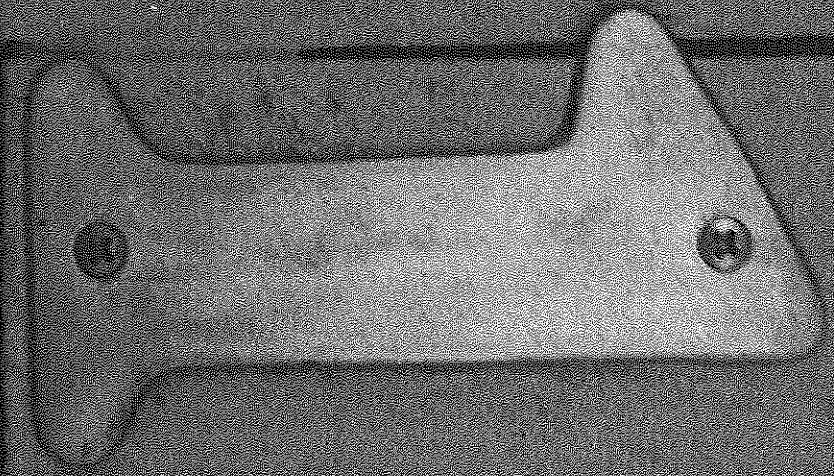
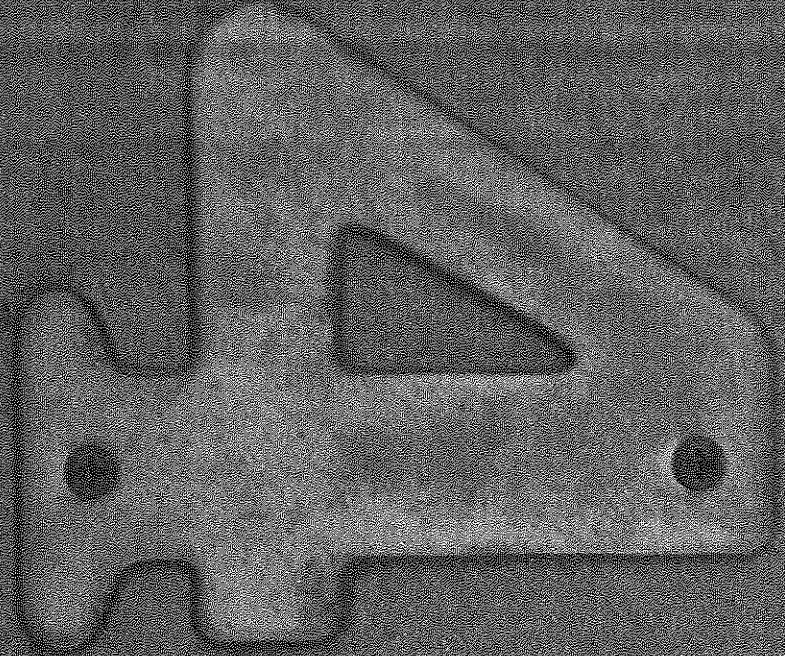
[New Search](#)

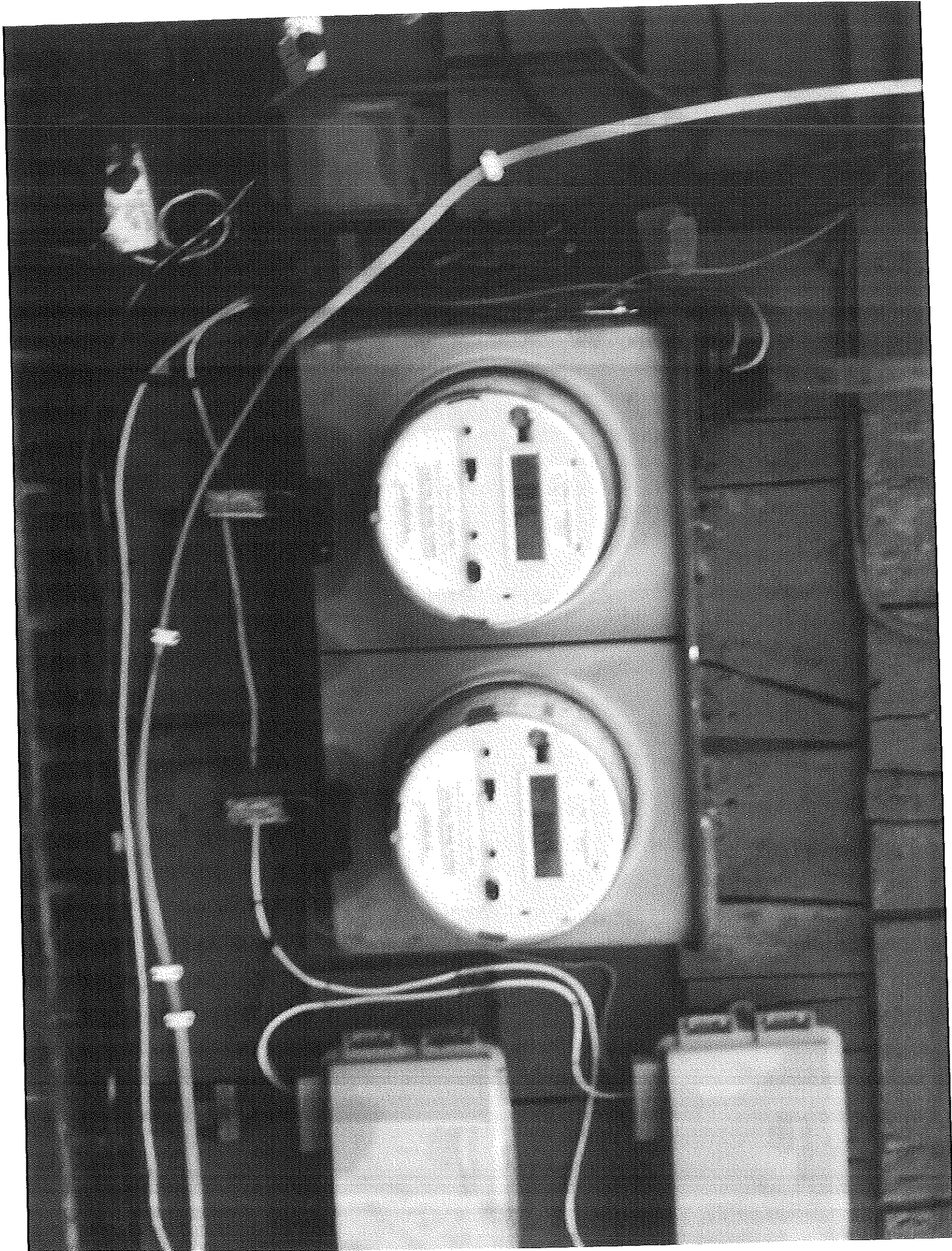


43

ROTHBART Collins
JACOBS Ledoux

- Matthew Johnson
- Derek Johnson
- Timothy Johnson
- Shannon McNeill









35 COLUMBIA

B. KARLSON

S. MCGINN

T. CYR

V. CAHILL

S. ZEITZER

J. O'CONNELL

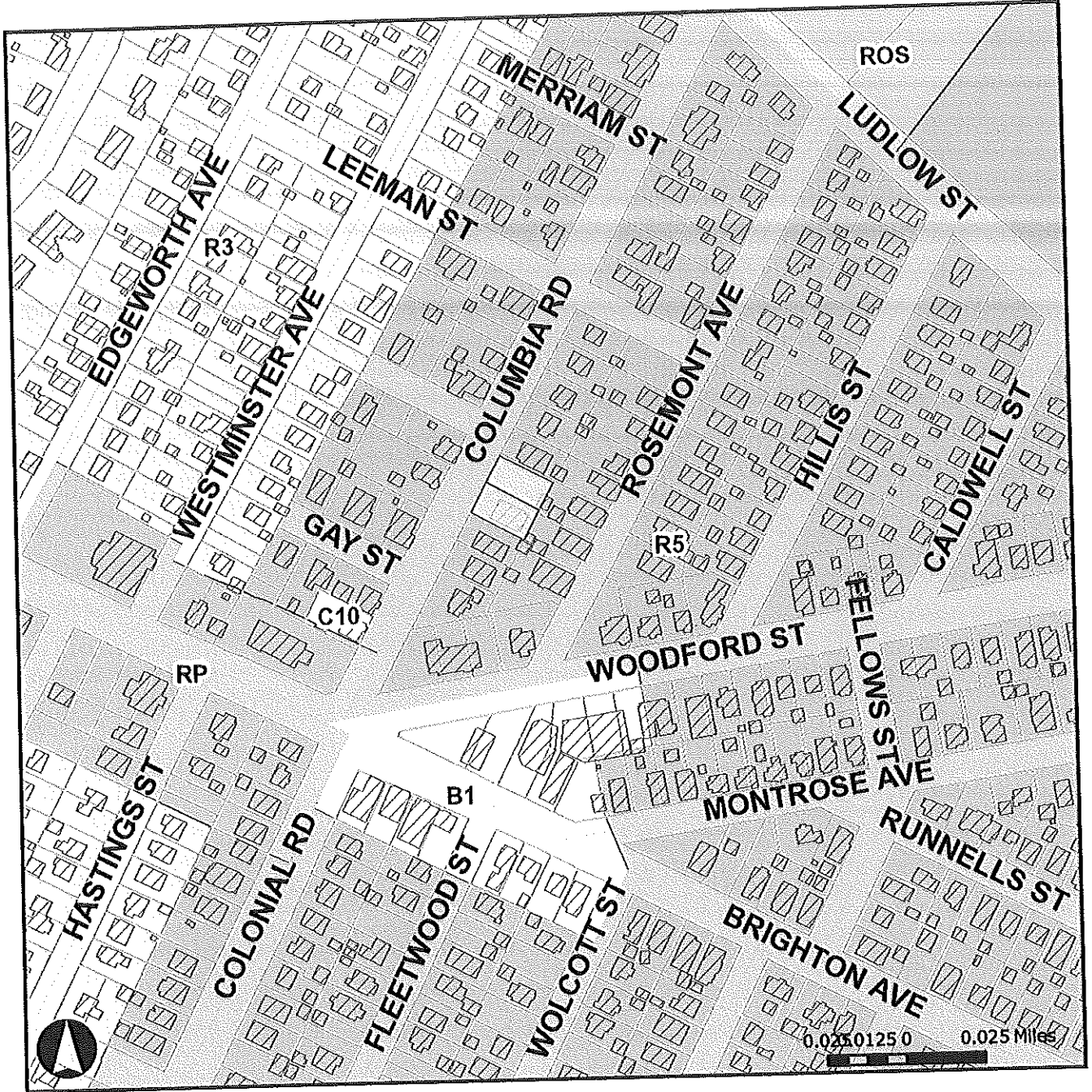
G. VAN BUSKIRK

FUNNARY

THE
LIFE OF
SAMUEL JOHNSON
BY
JAMES BOSWELL
IN TWO VOLUMES
THE SECOND VOLUME

Map

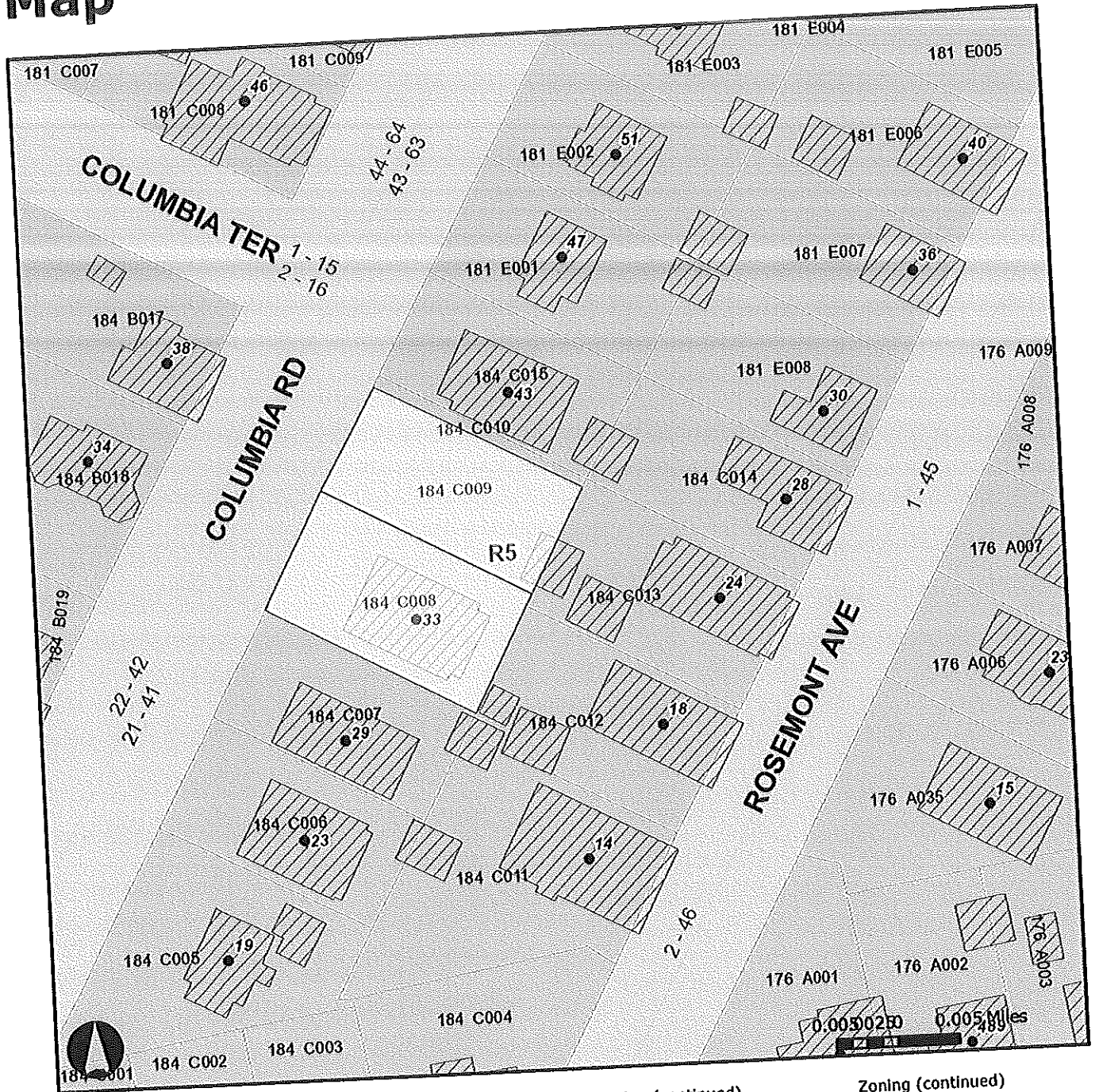
Map



Parcels	Stream Overlay Zone	Zoning (continued)	Zoning (continued)
Parcels	Stream_protection	<input type="checkbox"/> R2 Residential	<input type="checkbox"/> C25
Interstate	Island Zoning	<input type="checkbox"/> R3 Residential	<input type="checkbox"/> C26
Interstate	<input type="checkbox"/> C43	<input type="checkbox"/> R4 Residential	<input type="checkbox"/> C27
Streets	<input type="checkbox"/> I-B	<input type="checkbox"/> R5 Residential	<input type="checkbox"/> C28
Streets	<input type="checkbox"/> I-TS	<input type="checkbox"/> R6 Residential	<input type="checkbox"/> C29
Buildings	<input type="checkbox"/> I-R1	<input type="checkbox"/> ROS Recreation Open	<input type="checkbox"/> C30
<input checked="" type="checkbox"/> Building	<input type="checkbox"/> I-R2	Space	<input type="checkbox"/> C31
<input checked="" type="checkbox"/> Out Building			

Map

Map



- | | | | |
|--|---|--|------------------------------|
| Parcels | Stream Overlay Zone | Zoning (continued) | Zoning (continued) |
| <input type="checkbox"/> Parcel | <input checked="" type="checkbox"/> Stream_protection | <input type="checkbox"/> R2 Residential | <input type="checkbox"/> C25 |
| Interstate | Island Zoning | <input type="checkbox"/> R3 Residential | <input type="checkbox"/> C26 |
| <input type="checkbox"/> Interstate | <input type="checkbox"/> C43 | <input type="checkbox"/> R4 Residential | <input type="checkbox"/> C27 |
| Streets | <input type="checkbox"/> I-B | <input type="checkbox"/> R5 Residential | <input type="checkbox"/> C28 |
| <input type="checkbox"/> Street | <input type="checkbox"/> I-TS | <input type="checkbox"/> R6 Residential | <input type="checkbox"/> C29 |
| Buildings | <input type="checkbox"/> I-R1 | <input type="checkbox"/> ROS Recreation Open | <input type="checkbox"/> C30 |
| <input checked="" type="checkbox"/> Building | <input type="checkbox"/> I-R2 | <input type="checkbox"/> Space | <input type="checkbox"/> C31 |
| <input checked="" type="checkbox"/> Out Building | | | |



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Director of Planning and Urban Development
Penny St. Louis Littell

Inspection Services, Director
Tammy M. Munson

December 21, 2010

NICE COLMAN LIFE INT
Adam Nice
41 Columbia Road
Portland, ME 04103

CBL: 184 C0100001 & 184 C008001
Located at 33-35 & 43-45 Columbia Rd.

Certified Mail 70100780000114926321

Notice of Violation **33-35 and 43-45 Columbia Rd.**

Dear Mr. Nice:

On December 16, 2010, Daniel Bell, President of Sullivan Management (your agent), and the City conducted a 10:30 AM scheduled inspection of your properties at 33-35 and 43-45 Columbia Rd.

By virtue of this letter and the violations list below, the City is putting you on notice of existing Housing Code and Life Safety Code (Fire) Violations observed at these properties. These violations require correction. They are as follows:

Life Safety (Fire):

- 1) The basement level smoke detectors are either non-working or non-existent. All smoke detectors within both buildings must be installed and in working order **within seven (7) business days from your receipt of this letter.** If new wiring is installed (i.e. hard wired smoke detectors), however, the City requires an electrical permit application prior to doing the work. Hard wiring must be completed **no later than December 31, 2010.**
- 2) Remove, replace and or cover the paper faced insulation in the basement of 33-35 Columbia Rd with approved materials. To be completed **no later than December 31, 2010.**

- 3) Permanently seal the communicating door between the two residential units at 33-35 Columbia Rd **no later than December 31, 2010.**

Plumbing/ HVAC:

- 4) An HVAC permit must be obtained for repairs, and or replacement made to un-permitted boiler/heating unit work in the basement of both 33-35 and 41-43 Columbia Rd. properties. The City requires these HVAC permit applications to be submitted **no later than December 31, 2010.**
- 5) Cap/seal all open plumbing pipes in the basement (see photos). This works shall be completed **no later than December 31, 2010.**

Electrical:

- 6) Open junction boxes: loose-end wiring, missing breaker panel covers, and illegal connections to existing (knob and tubing) wiring in the basement at 33-35 Columbia Rd. must be corrected **no later than January 7, 2011.**
- a. Lighting within hallways, basement and common areas throughout the building must be functioning. All electrical work (alterations and repairs) must be completed by a Licensed Electrician, who shall certify the electric work has been installed according to Code. If new wiring is installed, the City requires an electrical permit application to be submitted **by a December 31, 2010 and the work completed by January 7, 2011.**

Garbage/ Waste:

- 7) Remove the unregistered "junked" (flat tires, no license plate, and damaged taillights) vehicle from the back-yard of 43-45 Columbia Rd. **no later than December 31, 2010.**

Sincerely,



Penny St. Louis Littell
Director of Planning and Urban Development

Enclosures

CC: Jon Rioux, Code Enforcement Officer
Tammy M. Munson, Inspection Service, Director
Marge Schmuckal, Zoning Administrator
Councilor Ed Suslovic
Daniel Bell, Sullivan Management

(12/22/2010) Marge Schmuckal - Columbia Rd

From: Desiree Kelly
To: dan@sullivanmgmt.com
CC: Ed Suslovic; Jonathan Rioux; Marge Schmuckal; Mike Murray; Penny St....
Date: 12/21/2010 4:09 PM
Subject: Columbia Rd
Attachments: Nice122110.doc; Photos.pdf

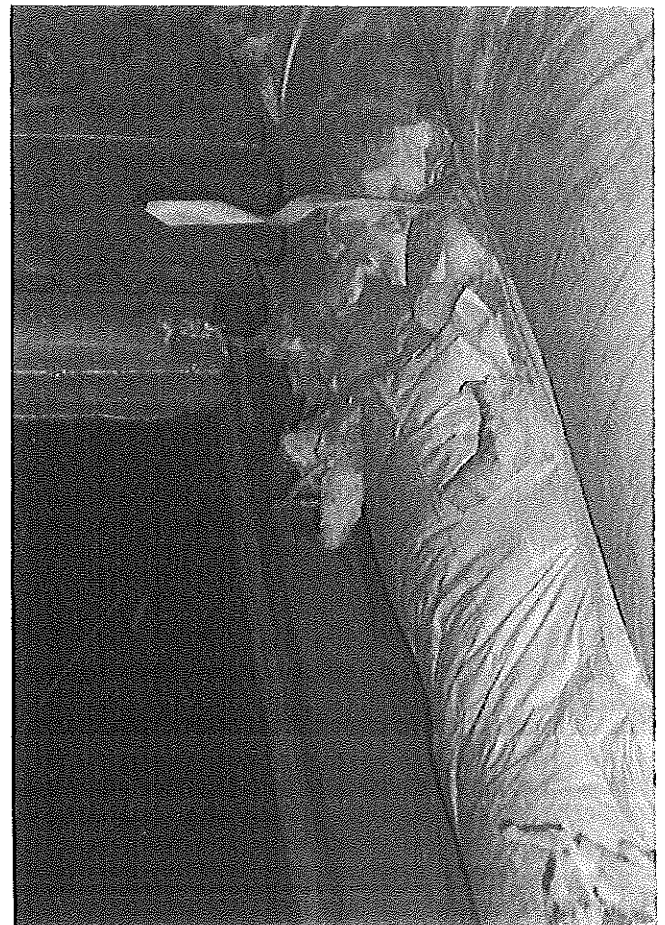
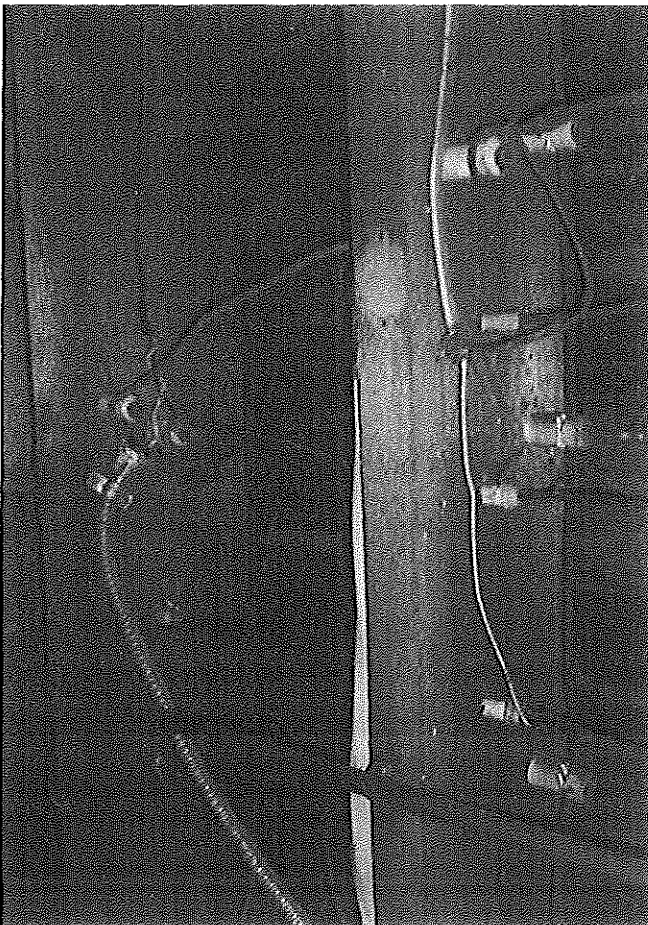
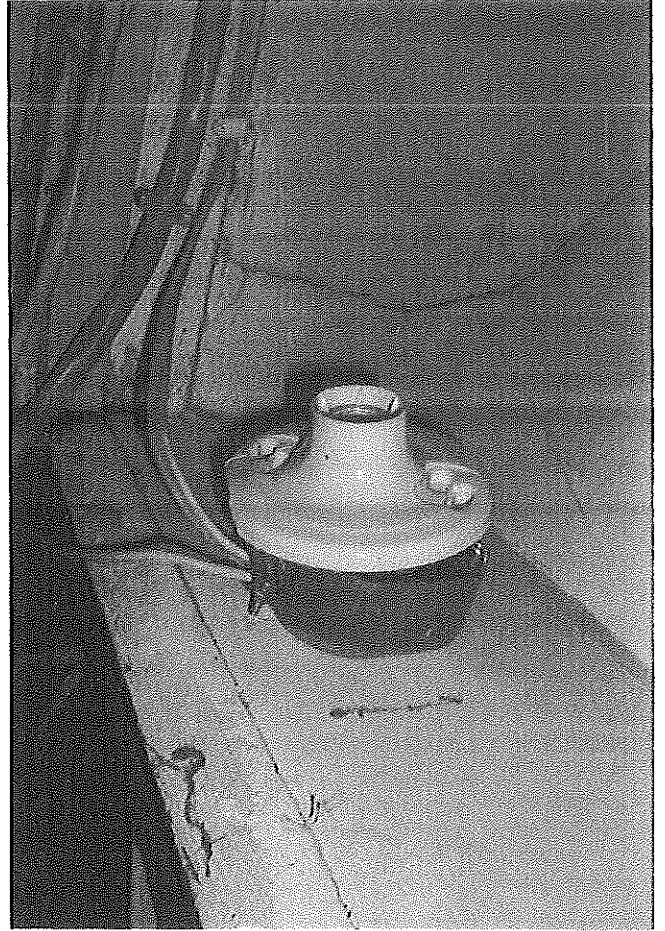
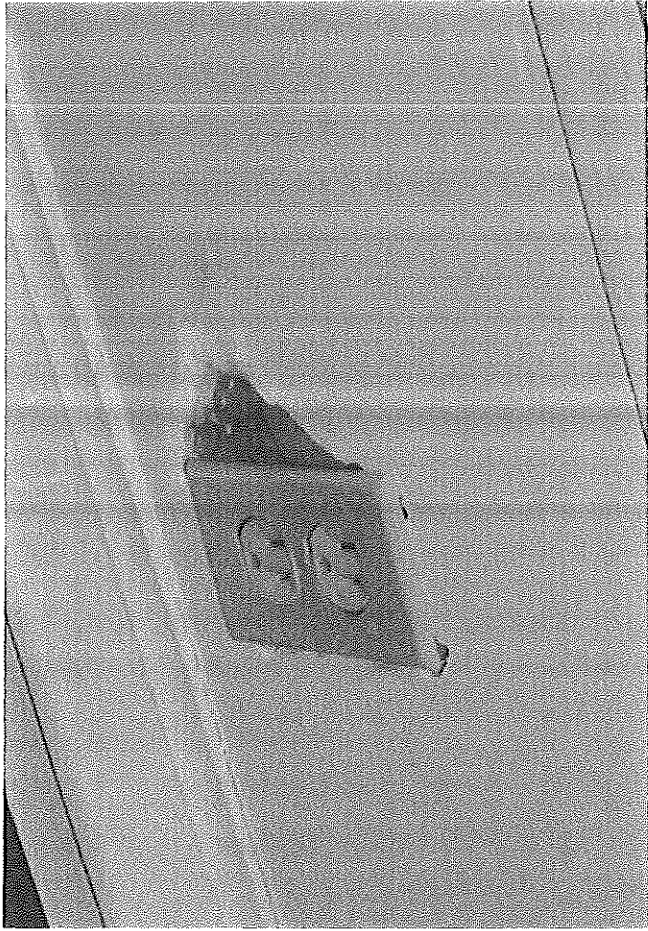
Dear Mr. Sullivan,

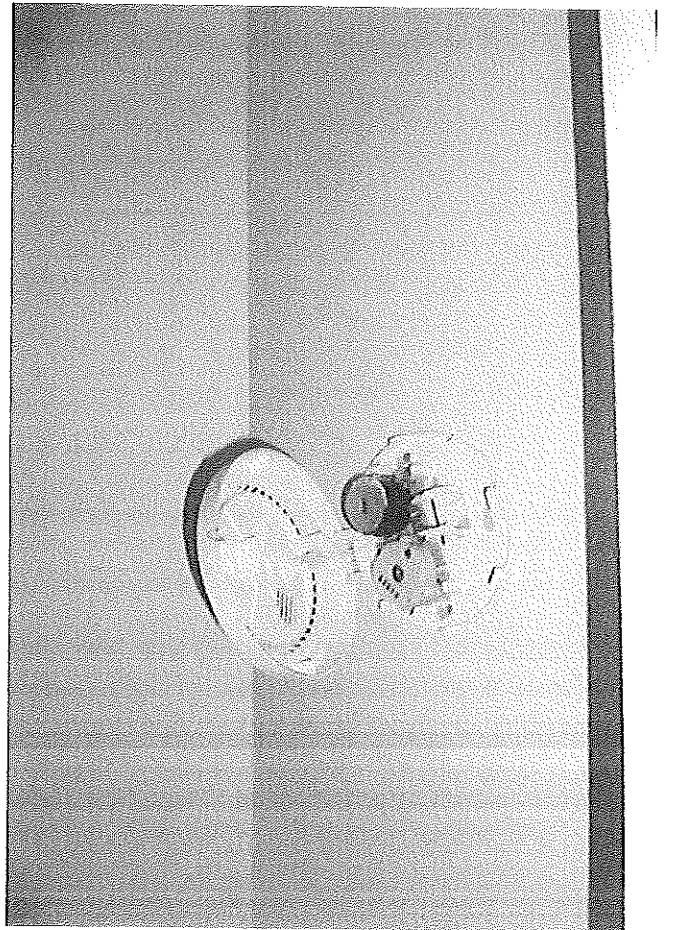
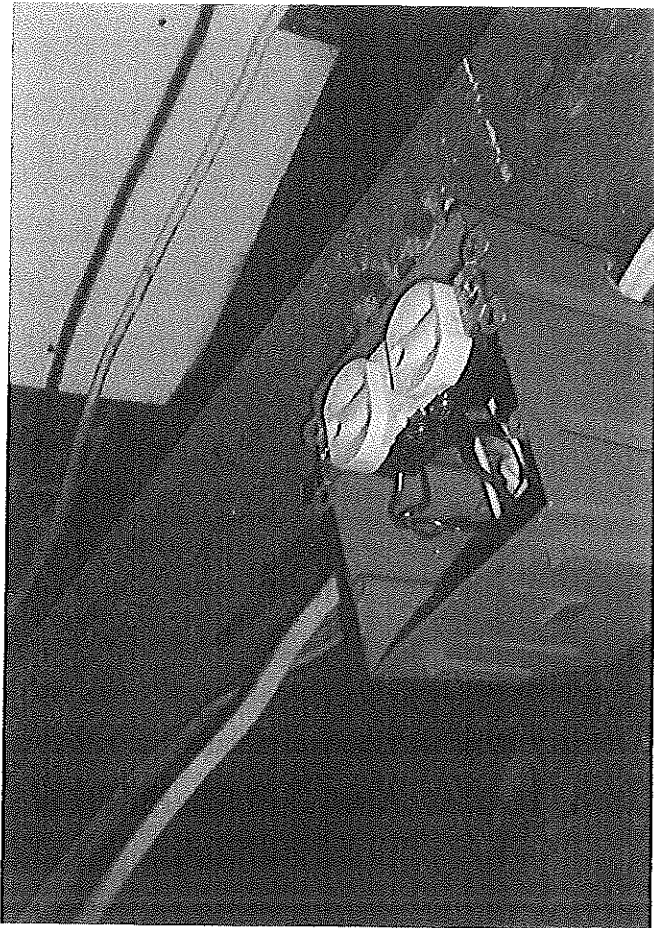
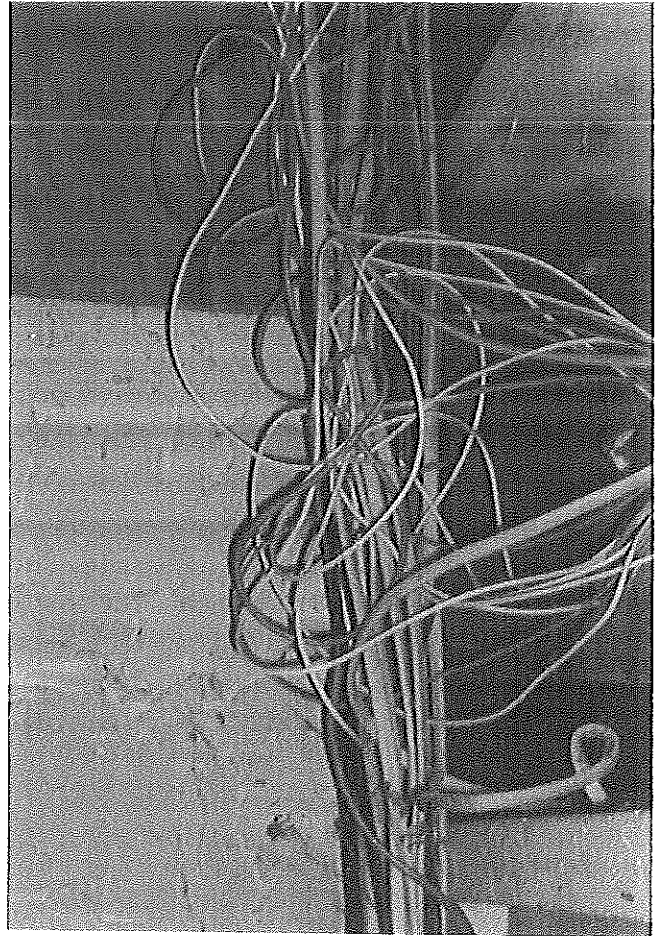
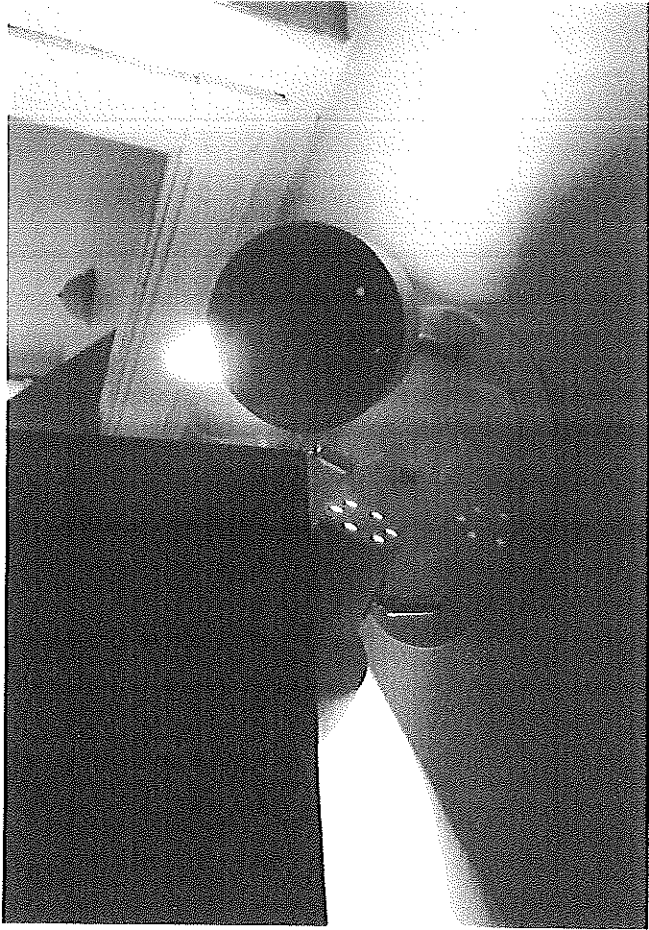
Attached please find a copy of the letter and photos sent certified mail today in regards to 33-35 and 43-45 Columbia Road.

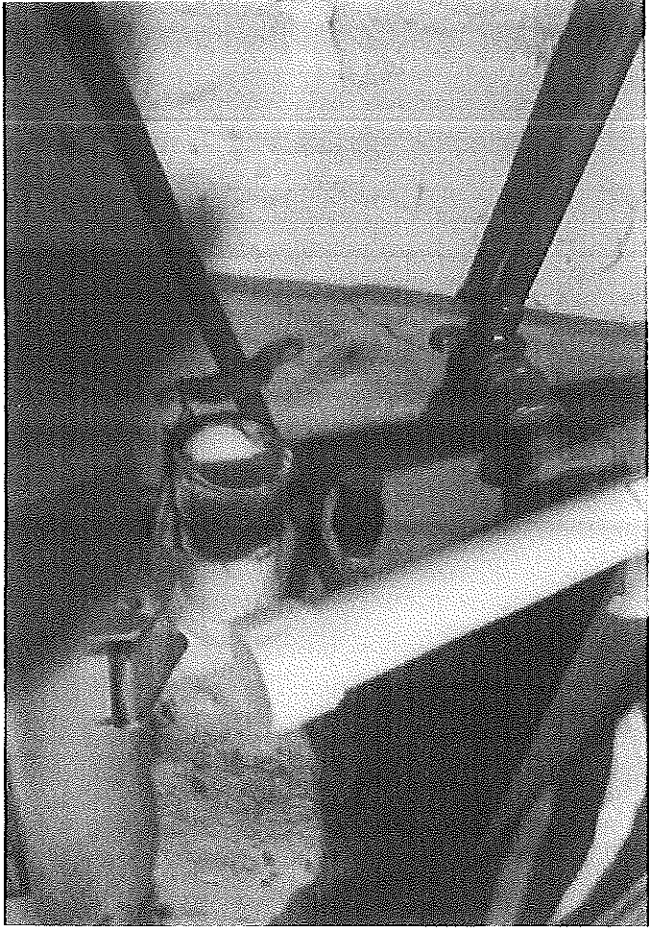
Thank you,

Desiree Kelly

Desiree Kelly
Executive Assistant
Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101
(207) 874-8720 (T)
(207) 756-8258 (F)







From: <tim.flanagan@rocketmail.com>
To: <mes@portlandmaine.gov>
Date: 12/21/2010 1:40 PM
Subject: Atlantic house

Marge,

This is tim from the atlantic house trying to et in touch with you Danj from Sullivan ave me your phone number but I can't leave a message. It just keeps ringing. Pls feel free to call me anytime.

Thanks,

Tim

207-650-1621

Sent from my Verizon Wireless BlackBerry

12/22/10
~~Atlantic house w/o~~
~~floor plans~~

Marge Schmuckal - Columbia Rd

From: Penny St. Louis Littell
To: Mike Murray
Date: 12/22/2010 9:48 AM
Subject: Columbia Rd
CC: Marge Schmuckal

Mike: Ed Suslovik wanted me to provide you a status update on Columbia Rd _ at least as far as Inspections/Zoning is concerned. I forwarded to you a letter that went out yesterday dealing with Building and Fire Code issues. These are easily remedied in my opinion.

Yesterday Marge and I met with Dan Bell to discuss the use at 33-35 Columbia Rd. We asked questions and requested some documentation on the leases of both properties. Before we are able to make a determination regarding use, we will need to obtain this information and we impressed on Dan the sooner the information is provided, the better. At first blush, it would appear to require Conditional Use approval (with a noticed hearing before the ZBA). However, without the information in hand, it is premature to release this information.

Let me know if you need more from me. Marge and I will update you as soon as a determination is made.

Happy Christmas to you and yours Mike

Marge Schmuckal - meeting for Columbia Rd properties

From: Marge Schmuckal
To: dan@sullivanmgmt.com
Date: 12/16/2010 10:46 AM
Subject: meeting for Columbia Rd properties
CC: Desiree Kelly; Penny St. Louis Littell

Dan,

I have left several messages for you to call me so that we can set up a meeting to discuss the Columbia Road properties. If it is easier to respond by e-mail that would be good too. I am suggesting times for meeting:

Friday 12/17/10 at 12:00 noon

Tuesday 12/21/10 at 11:30 or 12:00 noon

Please let me know as soon as possible when we can meet.

thank you,

Marge Schmuckal
Zoning Administrator

Marge Schmuckal - meeting for Columbia Rd properties

From: Marge Schmuckal
To: dan@sullivanmgmt.com
Date: 12/16/2010 10:46 AM
Subject: meeting for Columbla Rd properties
CC: Deslree Kelly; Penny St. Louis Littell

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Marge Schmuckal

Zoning Administrator