

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

## CITY OF PORTLAND

Please Read  
Application And  
Notes, If Any,  
Attached

BUILDING DEPARTMENT

**PERMIT**

Permit Number: 081502

This is to certify that KENNICK LLC/Brian Stone  
has permission to Demolition of building wood frame residential structure, removal of foundation, backfill to grade with clean fill  
AT 1531 CONGRESS ST City of Portland 196 E001001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is lath or other work is set-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

## OTHER REQUIRED APPROVALS

Fire Dept. \_\_\_\_\_  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name \_\_\_\_\_

*Thomas H. Mackley* 12/8/08  
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

**City of Portland, Maine - Building or Use Permit Application**

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

Permit No: 08-1502	Issue Date:	CBL: 196 E001001
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Location of Construction: 1531 CONGRESS ST	Owner Name: KENNICK LLC	Owner Address: 1531 CONGRESS ST	Phone:
Business Name:	Contractor Name: Brian Stone	Contractor Address: PO Box 1073 Portland	Phone 2078076178
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	Zone: R-5

Past Use: legal single family residential	Proposed Use: 1 unit residential - Demolition of building wood frame residential structure, removal of foundation, backfill to grade with clean fill	Permit Fee: \$140.00	Cost of Work: \$12,000.00	CEO District: 3
Proposed Project Description: Demolition of building wood frame residential structure, removal of foundation, backfill to grade with clean fill		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied		
		INSPECTION: Use Group: R3 Type: SB IRC 2003 Signature: <i>2m</i> 12/8/08		
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: Date:		

Permit Taken By: ldobson	Date Applied For: 11/26/2008	<b>Zoning Approval</b>		
<ol style="list-style-type: none"><li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li><li>Building permits do not include plumbing, septic or electrical work.</li><li>Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</li></ol>		Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
		Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>		
		Date: <i>12/1/08</i>		
		Date: <i>12/1/08</i>		

**CERTIFICATION**

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

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

**City of Portland, Maine - Building or Use Permit**

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

Permit No:	Date Applied For:	CBL:
08-1502	11/26/2008	196 E001001

Location of Construction: 1531 CONGRESS ST	Owner Name: KENNICK LLC	Owner Address: 1531 CONGRESS ST	Phone:
Business Name:	Contractor Name: Brian Stone	Contractor Address: PO Box 1073 Portland	Phone: (207) 807-6178
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	

Proposed Use: 1 unit residential - Demolition of building wood frame residential structure, removal of foundation, backfill to grade with clean fill	Proposed Project Description: Demolition of building wood frame residential structure, removal of foundation, backfill to grade with clean fill
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Dept: Zoning      Status: Approved with Conditions      Reviewer: Marge Schmuckal      Approval Date: 12/01/2008  
Note:      Ok to Issue: ☒

- 2) Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and same legal use. Any changes to any of the above shall require that this structure meet the current zoning standards. The one (1) year starts at the time of removal. It shall be the owner's responsibility to contact the Code Enforcement Officer and notify them of that specific date.
- 3) The use of the property after demolition shall remain vacant including parking. A parking use after demolition shall required a separate review prior to its use. The owner shall also be notified that demolishing a residential building, even a single family dwelling, and then proposing parking shall trigger the requirements (including monetary) under 14-483, The Preservation and Replacement Housing Ordinance.
- 4) The previous legal use of this property was a single family dwelling according to our microfiche, the pre-1957 assessor's cards, and the 1955 directory.
- 5) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building      Status: Approved with Conditions      Reviewer: Tom Markley      Approval Date: 12/08/2008  
Note:      Ok to Issue: ☒

- 1) Demolition permit only. No other construction activities allowed.
- 2) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

**Comments:**

12/1/2008-mes: This came in as a two unit - however, all resources such as microfiche, assessor's pre-1957 and the 1955 directory show it is considered to be a legal single family - I will change the permit



# Demolition of a Structure Permit Application

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

Location/Address of Construction: <u>1531 Congress Street</u>		
Total Square Footage of Proposed Structure		Square Footage of Lot: <u>20,388 1/2</u>
Tax Assessor's Chart, Block & Lot: Chart# <u>196</u> Block# <u>E</u> Lot# <u>1</u>	Owner: <u>Kennick, LLC</u>	Telephone: <u>(207) 233-6734</u>
Lessee/Buyer's Name (If Applicable)  <u>NOV 26 2008</u>	Applicant name, address & telephone: <u>Kennick, LLC</u> <u>P.O. Box 10988</u> <u>Portland, ME 04104</u> <u>(207) 233-6734</u>	Cost Of Work: \$ <u>12,000 -</u> Fee: \$ _____
Current legal use: (i.e. garage, warehouse) <u>Residential</u> If vacant, what was the previous use? _____ How long has it been vacant? _____ Project description: <u>Demolition of woodframe residential structure, removal of foundation, backfill to grade with clean fill.</u>		
Contractor's name, address & telephone: <u>Brian Stone</u> <u>PO Box 1073, Portland, ME 04104</u> Who should we contact when the permit is ready: <u>Brian Stone</u> Mailing address: <u>P.O. Box 1073</u> Telephone: <u>(207) 807-6178</u> <u>Portland, ME 04104</u>		

Please submit all of the information outlined in the Demolition call list. Failure to do so will result in the automatic denial of your permit.

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

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

Signature of applicant: 	Date: <u>11/26/08</u>
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This is not a permit; you may not commence ANY work until the permit is issued.



# Demolition Call List & Requirements

Site Address: 1531 Congress St.

Owner: KENNICK, LLC

Structure Type: Wood Frame Residential

Contractor: BRITN STONE

Utility Approvals	Number	Contact Name/Date
Central Maine Power	1-800-750-4000	<u>Bilke</u> 11/19/08
Northern Utilities	797-8002 ext 6241	<u>Rick Bellemere</u> 11/18/08
Portland Water District	761-8310	<u>Jan Walker</u> 11/04/04
Dig Safe	1-888-344-7233	<u>Andrew</u> 11/12/08 Ref # 2008 4406851

After calling Dig Safe, you must wait 72 business hours before digging can begin.

DPW/ Traffic Division (L. Cote)	874-8891	<u>Lucie Cote</u> 11/20/08
DPW/ Sealed Drain Permit (C. Merritt)	874-8822	<u>John Emerson</u> 11/19/08
Historic Preservation	874-8726	<u>Scott Housley</u> 11/26/08
Fire Dispatcher	874-8576	<u>Mr. Deanison</u> 11/19/08
DEP – Environmental (Augusta)	287-2651	<u>Eric Ham</u> 11/19/08

## Additional Requirements

- ✓1) Written notice to adjoining owners *see attached - Letter to Emerald & William Austin*
- ✓2) A photo of the structure(s) to be demolished *see attached - Photos of front/side/rear*
- ✓3) A plot plan or site plan of the property *see attached - BM2M Survey*
- ✓4) Certification from an asbestos abatement company - *see attached - Abatement authorized by owner*

All construction and demolition debris generated in Portland must be delivered to Riverside Recycling Facility at 910 Riverside Street. Source separated salvage materials placed in specifically designated containers are exempt from this provision. For more information contact Troy Moon @ 874-8467.

U.S. EPA Region 1 – No Phone call required. Just mail copy of State notification to:

Demo / Reno Clerk  
US EPA Region I (SEA)  
JFK Federal Building  
Boston, MA 02203

**I have contacted all of the necessary companies/departments as indicated above and attached all required documentation.**

Signed: 

Date: 11/26/08

For more information or to download this form and other permit applications visit the Inspections Division on our website at [www.portlandmaine.gov](http://www.portlandmaine.gov)



## *Demolitions and Asbestos*

### 1) Overview

In Maine, building demolitions happen on a regular basis. Many of the demolitions occur in older buildings that are likely to contain some asbestos products, particularly in or on heating (HVAC), wall, floor, and ceiling systems. These demolition projects may be happening without the proper protection of employees, the general public, and the environment. It is important to remember that state and federal laws require that owners have buildings inspected and have any asbestos products properly removed prior to demolition. The Maine DEP is forwarding this information to municipal officials in an effort to increase awareness of and compliance with applicable rules, resulting in less asbestos exposure to the general public, demolition site personnel, and environment.

### 2) What Can Municipalities Do To Help?

Municipalities can greatly assist the people of Maine and the Department by joining with the DEP and the US EPA to ensure that asbestos is properly managed during demolitions. *Specifically, municipalities can hand out appropriate information, issue demolition permits only to persons, who can demonstrate that they will properly handle the asbestos, and mail or fax the building demolition (BDF) report form to the Department.*

The following check-off list can be used.

- A) \_\_\_\_\_ Provided "Asbestos Fact Sheet" to Applicant
- B) \_\_\_\_\_ Had applicant fill out "Building Demolition Form" (BDF)
- C) \_\_\_\_\_ Did not issue Demolition Permit to Applicant not answering "Yes" to three questions on BDF Form (OPTIONAL BUT SUGGESTED)
- D) \_\_\_\_\_ Municipality faxed (or Mailed) BDF Form to DEP at 287-7826

### 3) What Are The Rules?

Simply stated state and federal asbestos rules and regulations require that buildings be inspected for asbestos products and have them removed prior to demolition. The inspection and removal operations must be performed by DEP-licensed companies under regulated and controlled conditions.

### 4) Using The Building Demolition Report Form

The purpose of this form is to ensure that an applicant has the correct information to properly remove asbestos from a building prior to demolition. The form has two parts which need to be filled out by the applicant. The first section of the Form, Per-Demolition Building Inspection.

**Portland (Southern Maine Regional Office): 207-822-6300; 888-769-1036**  
**Maine Department of Environmental Protection**

**What is asbestos?**

Asbestos is a general term for several kinds of natural mineral fibers that have been used to strengthen and fireproof materials for nearly 4,000 years. The fibers are recovered from asbestos ore mined primarily in Canada, Russia, and South Africa. In addition to being good insulators, asbestos fibers are strong, flexible, fireproof, and very resistant to chemical attack.

**What products contain asbestos?**

Asbestos is found in a wide variety of products. It has been used to manufacture nearly 3,500 products such as pipe insulation, boiler covering, sprayed-on acoustical plaster, vinyl floor products, rigid siding, cement pipe, gaskets, paints, paper, textiles, and friction materials like disc brakes. Buildings constructed before 1980 are very likely to contain some asbestos products.

**Is asbestos a health or environmental problem?**

The presence of asbestos in such a wide variety of consumer products means that most Americans have been exposed, over time, to this mineral to one degree or another.

For the vast majority of Americans who have never worked with asbestos, the exposure received in their lifetime should have no significant health effects. However, for those exposed to large amounts of asbestos for significant periods of time, there may be serious health consequences.

Prolonged high exposure to asbestos fibers has been shown to cause asbestosis (lung scarring), lung cancer, mesothelioma, and several internal cancers such as cancers of the stomach and larynx. People who have been exposed to asbestos who also smoke have a much greater chance of disease than nonsmokers.

**Is all asbestos potentially dangerous?**

Asbestos products are potentially dangerous if they release asbestos fibers to the air where the fibers can enter the body through the lungs.

Friable asbestos, such as pipe and boiler covering and spray-on insulation, is the asbestos of primary concern. It easily releases asbestos fibers into the air when crushed, handled or disturbed. Asbestos that is in good condition or in a form that does not easily release fibers is much less of a hazard. This means that well-maintained asbestos or asbestos tightly bound into materials like vinyl or cement is much less likely to release asbestos fibers.

**What are the laws regarding asbestos?**

In Maine, the asbestos regulations apply to any work that impacts greater than 3 square feet or 3 linear feet of asbestos. The Maine "Asbestos Management Regulations" require that the Department be notified prior to removal or repair of asbestos that companies performing inspection, monitoring, design, training, asbestos analysis or abatement be licensed with the Department, and that certain work practices be followed to protect employees and the public. Also, individuals working for the licensed companies must be trained and certified with the Department.

Engineering controls, such as polyethylene "containments", negative pressure ventilation, and wet methods, are basic requirements in the asbestos regulations of both the Maine DEP and the U.S. Occupational Safety and Health Administration (OSHA). Engineering controls minimize the potential for asbestos fiber release in and out of the asbestos work area. The importance of utilizing proper engineering controls on an asbestos project can not be overemphasized.

Maximum allowable employee exposures are regulated by OSHA and personal protective equipment (suits, respirators, etc.) and hygiene standards are prescribed. Protective equipment is to be used only in conjunction with engineering controls and not as a "stand-alone" defense against inhalation of asbestos fibers.

**Who regulates asbestos?**

Several state and federal agencies regulate asbestos in Maine including:

- Maine Department of Environmental Protection (DEP): Primary asbestos contact in Maine. Responsibilities include regulating licensing, notification, training, storage, transportation, disposal and work practices for removal, inspection, design, monitoring, and analysis of asbestos. Telephone number: 287-2651.

- Federal Environmental Protection Agency (EPA). Regulations include the Asbestos-Containing Materials in Schools Rule (ASHERA - 40 CFR Part 763), the National Emissions Standards for Hazardous Air Pollutants (NESHAP - 40 CFR Part 61), and the Worker Protection Rule (Subpart G to 40 CFR Part 763). The Maine DEP is delegated to implement the ASHERA and NESHAP rules in Maine. EPA telephone numbers are available from the DEP.

- Federal OSHA: responsibilities include regulating employee exposure to asbestos in the workplace through the asbestos construction and industry standards (29 CFR Parts 1926 and 1910). Telephone number: (207) 780-3178.

## **Asbestos Inspections Required Prior to Demolitions and Renovations**

In Maine, improper demolition activities may be the greatest single source of asbestos exposure to the general public and to trades people working on the project. Prior to demolition or renovation of a building, the owner must ensure that the work will not disturb more than 3 square feet or 3 linear feet of asbestos-containing material (ACM). Owners of buildings, other than residential buildings with less than 5 units, must have a DEP-licensed Asbestos Consultant inspect the building (or area) for asbestos. Residential buildings with 2-5 units can be surveyed for likely asbestos-containing materials by knowledgeable non-licensed people (e.g. building inspectors and CEO's who have asbestos-awareness training); any materials likely to contain asbestos must be tested by a DEP-certified inspector or assumed to be ACM.

If ACM is identified in a building that will be demolished, or any building materials are assumed to be ACM, these materials must be removed by a DEP-licensed Asbestos Abatement Contractor before the demolition. Similarly, if any ACM is identified or assumed in areas of a building that will undergo renovation, the ACM must be removed by a DEP-licensed Asbestos Abatement Contractor before the renovation occurs. Intact asbestos-containing flooring and roofing may be left in place during demolition of a building if the demolition is performed by a DEP-licensed Asbestos Abatement Contractor using large equipment in accordance with the Maine "Asbestos Management Regulations".

### **Demolition Notification**

State and federal regulations require that building owners notify the DEP at least 5 working days prior to demolition of a building (other than single-family residences). This notification is required **even if no asbestos is identified in the building**. Forms are available from DEP and your local code enforcement office.

**Please note:** OSHA regulates asbestos anytime an employer/employee relationship exists. OSHA worker protection rules exist and must be followed for abatement activities. Contact the local OSHA office with questions.

### **What if I have additional questions about asbestos?**

The DEP regulates most asbestos activities in Maine and acts as an asbestos information clearinghouse. For more information about asbestos, contact the Asbestos Hazard Prevention Program in the Bureau of Remediation & Waste Management at 207/287-2651 or visit the web site at [www.maine.gov/dep/rwm/asbestos/index.htm](http://www.maine.gov/dep/rwm/asbestos/index.htm)

Written correspondence should be sent to:  
Lead & Asbestos Hazard Prevention Program  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017



## **Pre-Abatement Requirements:**

- A. Renovation and Demolition Inspections.** Prior to conducting a renovation or demolition activity that impacts any building material likely to contain asbestos (such as those used in roofing, flooring, siding, ceiling, and wall systems) or any component likely to contain asbestos (such as heating, ventilation, air conditioning, and plumbing systems), the owner or operator must have an inspection conducted for the presence of asbestos-containing materials. In lieu of inspection, the owner or operator may presume that building materials and components contain asbestos that requires that these materials be abated in accordance with these rules.

A DEP-certified Asbestos Inspector must perform the inspection. The inspection must identify all asbestos-containing materials that could be impacted during the renovation or demolition activity, must be completed prior to submission of notification to the Department, must be in writing, and must be on-site and made immediately available to the Department upon request.

Residential dwellings constructed before 1981 that consist of two (2) to four (4) units must be evaluated for building materials and components that are likely to contain asbestos. This evaluation may be performed by a DEP-certified Asbestos Inspector or by a person familiar with asbestos-containing building materials. If building materials and/or components likely to contain asbestos are found, these must be removed in accordance with these regulations prior to demolition except as allowed in section 7.B of this rule or must be tested by a DEP-certified Asbestos Inspector to demonstrate that they are not ACM.

Single family residences, and residences constructed after 1980 that consist of two (2) to four (4) units, are exempt from the inspection provisions of this section.

Specific building materials that do not require inspection, sampling, and analysis for asbestos include: wood, fiberglass, glass, plastic, metal, laminates, and gypsum board when joint compound was used only as a filler and not as a layered component, and exterior caulking and glazings. Also, building materials do not need to be inspected when written documents exist confirming that no asbestos was used in the materials that will be impacted, or that the materials were previously inspected by a DEP-certified Asbestos Inspector and affirmatively determined through sampling and analysis to not be ACM.

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NOTE: To maintain compliance with Maine law, if more than 3 square feet or 3 linear feet of ACM is present, this ACM must be removed prior to the demolition, except that intact packing, gaskets, roofing, and flooring may be left in place when the demolition is performed by large equipment in accordance with these rules. Homeowners are encouraged to conduct a walk through of their single family homes to identify suspect asbestos-containing materials, such as thermal system insulation, ceiling tile, exterior cementitious siding, rigid panels, and resilient floor covering, and hire a consultant or contractor if suspect materials are observed. The Department can provide, upon request, more information regarding common asbestos-containing materials in buildings.

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## ASBESTOS BUILDING DEMOLITION NOTIFICATION

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

Lead & Asbestos Hazard Prevention Program

17 State House Station, Augusta, Maine 04333



Maine law requires the filing of the ASBESTOS BUILDING DEMOLITION NOTIFICATION with the Department prior to demolition of any building except a single-family home.

Building owners are required to provide this notification of the demolition of a building to the DEP at least 5 working days prior to the demolition. This notification is not required before the demolition of a single-family residence or related structure (e.g., garage, shed, barn). It is also not required if previous notification of the demolition has been provided to the DEP as part of an asbestos abatement project notification. Demolition means the tearing down or intentional burning of a building or part of a building.

Prior to demolition, building owners must determine if there is any asbestos-containing material(s) (ACM) in the building. An "asbestos inspection" by a DEP-licensed Asbestos Consultant is required for all buildings except single-family homes and residential buildings with 2-4 units built after 1980. In lieu of an asbestos inspection, pre-1981 residential buildings with 2-4 units can be surveyed to identify possible ACM by someone knowledgeable about ACM, such as a code enforcement officer or building inspector. If materials that may contain asbestos are found, then you can either assume they are ACM or hire a DEP-licensed Asbestos Consultant to test the materials.

Whenever more than 3 square feet or 3 linear feet of ACM is identified, the ACM must be abated in accordance with the Maine Asbestos Management Regulations by a DEP-licensed Asbestos Abatement Contractor. This includes materials presumed to be ACM. Check [www.maine.gov](http://www.maine.gov) for a listing of asbestos contractors.

Prior to issuing a local demolition permit, the DEP requests that municipalities have applicants for municipal demolition permits complete this form and fax it to the DEP at 207-287-7826. Municipalities should not issue local demolition permits if the required asbestos inspection or survey has not been performed and identified ACM removed.

Were regulated asbestos-containing building materials found? ☒ yes ☐ no

property address: 1531 Congress Street Portland, ME	building description: <input checked="" type="checkbox"/> pre-1981 residential with 2-4 units <input type="checkbox"/> post-1980 residential with 2-4 units <input type="checkbox"/> other.
asbestos survey/inspection performed by: (name & address) Kyle Rickett Abatement Professionals 590 County Rd, Suite 2, Westbrook, ME 04092 telephone: 207 772-1276	asbestos abatement contractor Abatement Professionals 590 County Rd., Suite 2, Westbrook ME 04092 telephone: 207 772-1276
property owner: (name & address) Kennick, LLC P.O. Box 10988 Portland, ME 04104 telephone: 207 233-6734	demolition contractor: (name & address) Brim Stone PO Box 1073 Portland ME 04104 telephone: 207 807-6178
demolition start date: 12/10/08 ?	demolition end date: 12/15/08

This demolition notification does not take the place of the Asbestos Project Notification if applicable

I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT

Richard M. Bryant Print Name: Owner/Agent	Title	Signature
207 233-6734 Telephone #	207 871-7505 FAX #	11/26/08 Date

conditioning, and plumbing systems), the owner or operator must have an inspection conducted for the presence of asbestos-containing materials. In lieu of inspection, the owner or operator may presume that building materials and components contain asbestos that requires that these materials be abated in accordance with these rules.

A DEP-certified Asbestos Inspector must perform the inspection. The inspection must identify all asbestos-containing materials that could be impacted during the renovation or demolition activity, must be completed prior to submission of notification to the Department, must be in writing, and must be on-site and made immediately available to the Department upon request.

Residential dwellings constructed before 1981 that consist of two (2) to four (4) units must be evaluated for building materials and components that are likely to contain asbestos. This evaluation may be performed by a DEP-certified Asbestos Inspector or by a person familiar with asbestos-containing building materials. If building materials and/or components likely to contain asbestos are found, these must be removed in accordance with these regulations prior to demolition except as allowed in section 7.B of this rule or must be tested by a DEP-certified Asbestos Inspector to demonstrate that they are not ACM.

Single family residences, and residences constructed after 1980 that consist of two (2) to four (4) units, are exempt from the inspection provisions of this section.

Specific building materials that do not require inspection, sampling, and analysis for asbestos include: wood, fiberglass, glass, plastic, metal, laminates, and gypsum board when joint compound was used only as a filler and not as a layered component, and exterior caulking and glazing. Also, building materials do not need to be inspected when written documents exist confirming that no asbestos was used in the materials that will be impacted, or that the materials were previously inspected by a DEP-certified Asbestos Inspector and affirmatively determined through sampling and analysis to not be ACM.

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NOTE: To maintain compliance with Maine law, if more than 3 square feet or 3 linear feet of ACM is present, this ACM must be removed prior to the demolition, except that intact packing, gaskets, roofing, and flooring may be left in place when the demolition is performed by large equipment in accordance with these rules. Homeowners are encouraged to conduct a walk through of their single family homes to identify suspect asbestos-containing materials, such as thermal system insulation, ceiling tile, exterior cementitious siding, rigid panels, and resilient floor covering, and hire a consultant or contractor if suspect materials are observed. The Department can provide, upon request, more information regarding common asbestos-containing materials in buildings.

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**KENNICK, LLC**  
P.O. Box 10988  
Portland, ME 04105

November 26, 2008

Everette & Eileen Austin  
P.O. Box 4541  
Portland, ME 04112

RE: Notice of Demolition of 1531 Congress Street, Portland

Dear Mr. & Ms. Austin:

According to the City of Portland Tax Assessor, you are the owners of property at 1537 Congress Street. Kennick, LLC, acquired the adjacent two-family home at 1531 Congress Street this autumn. After evaluating the condition of the existing building, we determined it could not be restored. We plan to build a new multi-family apartment, but that cannot occur until next building season at the earliest. Rather than have the vacant building continue to be a blight on the neighborhood through the winter, we are going to remove it now.

We are applying for a demolition permit from the City. The City requires that we provide written notice to abutters. We hope to begin demolition within a few weeks. The work will involve heavy machinery tearing down the house, excavating the foundation, removing the debris and then filling the old foundation hole with clean fill. If you provide me with contact phone numbers, I can make sure you and your tenants are given a call shortly before the demolition contractor starts work. There will be some preliminary interior work done beforehand, because we have to have a licensed abatement professional properly remove any asbestos materials before demolition begins.

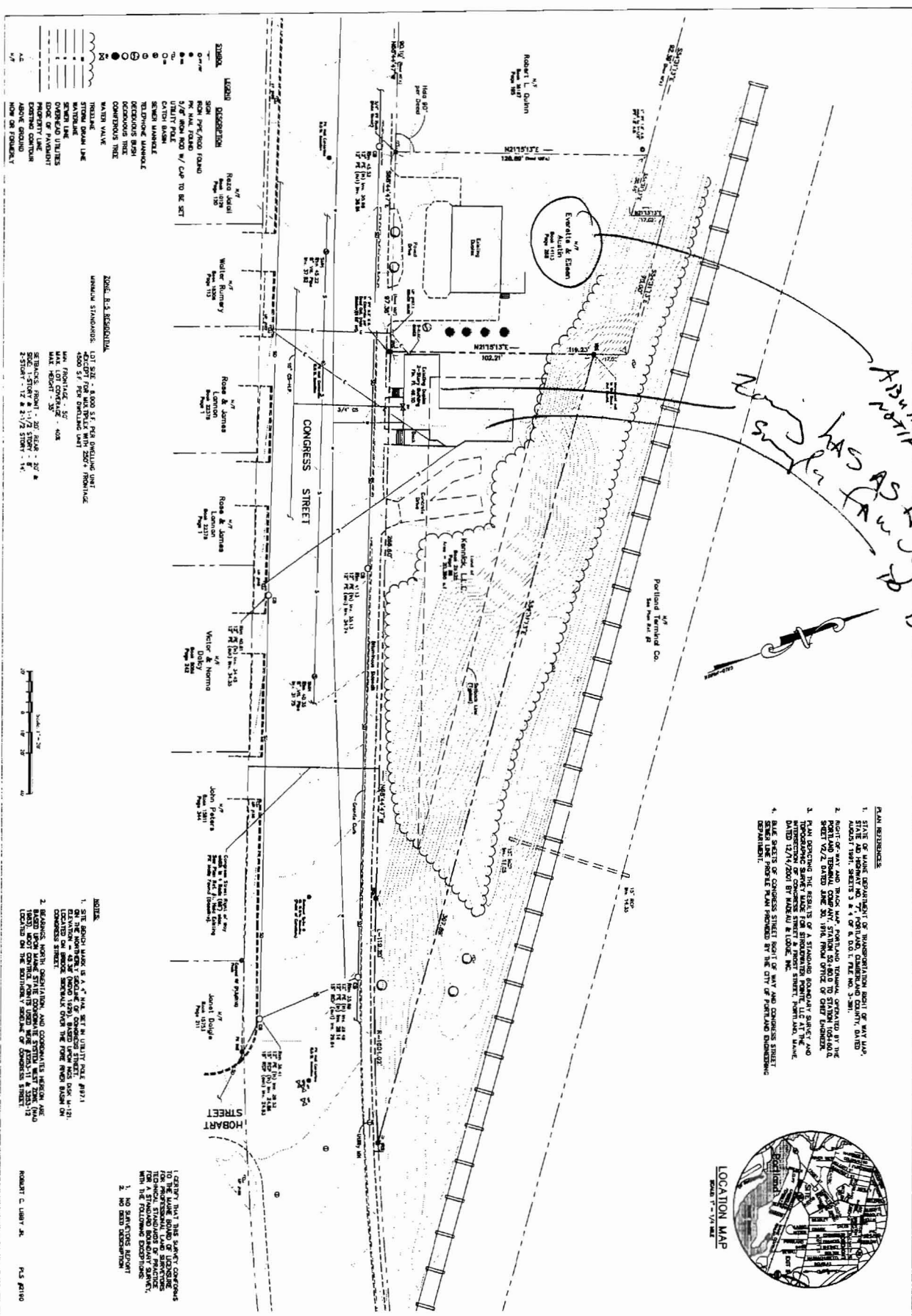
When we rebuild, we will have to obtain new approvals from the City and you will get notice of our application. Any new apartment will have to be set back further from your property line, which I hope you will agree will enhance the value of your property. Please do not hesitate to call me on my cell phone(233-6734) if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "Richard N. Bryant", with a long horizontal line extending to the left.

Richard N. Bryant, Manager

cc: City of Portland Building Inspections



- [illegible]

[illegible]

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**Bryant, Richard N.**

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**From:** Bryant, Richard N.  
**Sent:** Wednesday, November 26, 2008 11:33 AM  
**To:** 'rrickett@abatementpros.com'; kmmbts@yahoo.com  
**Cc:** Krisrickett (E-mail); Kyle Rickett (E-mail); Sandy Rickett (E-mail)  
**Subject:** RE: 1531 Congress street asbestos

Bob:

Per our phone call, this is to confirm that you should go ahead with the asbestos abatement as soon as you can arrange it with DEP. I understand you have penciled in Thursday of next week to get started on the work, assuming that they will waive the 10 day notice period.

You can bill your work (including the original \$500 asbestos survey fee) to the entity that holds title to the property:

Kennick, LLC  
P.O. Box 10988  
Portland, ME 04104

Thanks for the help.

Richard

Richard N. Bryant, Esq.  
Van Meer & Belanger, P.A.  
20 York Street, Suite 202  
Portland, ME 04101  
Tel. 207 871-7500  
Fax 207 871-7505  
email:rbryant@vblawfirm.com  
Cell 207 233-6734

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**From:** Robert Rickett [mailto:rrickett@abatementpros.com]  
**Sent:** Wednesday, November 26, 2008 10:29 AM  
**To:** kmmbts@yahoo.com; Bryant, Richard N.  
**Cc:** Krisrickett (E-mail); Kyle Rickett (E-mail); Robert Rickett (E-mail); Sandy Rickett (E-mail)  
**Subject:** 1531 Congress street asbestos

Brian, attached as promised is the proposal for the asbestos removals at 1531 Congress Street, Please reply and let us know how you want to proceed with this, I have it penciled in to start next week, but should be filing today to request a waiver from the DEP so we can start this project sooner so delays and weather won't mess us up.

Robert W. Rickett Jr  
President  
Abatement Professionals Corp  
590 County Road, Suite 2

11/26/2008

Westbrook, Maine 04092

Office 207-773-1276

Fax 207-772-1203

Cell 207-671-4361

Email: [rrickett@abatementpros.com](mailto:rrickett@abatementpros.com)

**\*COST ESTIMATE AND PROPOSAL\*  
ASBESTOS ABATEMENT AND DISPOSAL**



**Prepared For:  
Brian Stone  
P.O. Box 1073  
Portland, Maine**

Via Email: [kmmbts@yahoo.com](mailto:kmmbts@yahoo.com) & [rbryant@vblawfirm.com](mailto:rbryant@vblawfirm.com)

**At:  
1531 Congress St  
Portland, Maine**

**From:  
Robert W Rickett Jr  
President**

**ABATEMENT PROFESSIONALS  
590 County Road  
Westbrook, Maine  
04092**

**(207) 773-1276**



November 26, 2008

Brian Stone  
P.O. Box 1073  
Portland, Maine  
Via Email: [kmmbts@yahoo.com](mailto:kmmbts@yahoo.com) & [rbryant@vblawfirm.com](mailto:rbryant@vblawfirm.com)

Dear Mr. Stone:

Abatement Professionals has been a leader in the asbestos/lead abatement and indoor air quality industry in Maine since 1981. The cornerstone of our company's philosophy is the concept that an informed consumer is an important partner in the successful management of any environmental remediation project.

Abatement Professionals is a family-owned construction and environmental business going back six generations, giving us the experience and craftsmanship to deal with the details and difficulties inherent in environmental remediation efforts. Our fully insured and bondable professional staff at Abatement Professionals is committed to providing creative engineering, design and operational solutions that work to meet our clients asbestos/lead abatement and indoor air quality needs.

The enclosed information has been assembled so that you can have a better understanding of the industry. We encourage you to ask us questions and to contact any of our clients regarding our professionalism, price and overall response. You may also visit our website [www.abatementpros.com](http://www.abatementpros.com) for more information. Our commitment is to a safe and healthful environment, satisfied customers, quality service and competitive pricing.

Sincerely,



Robert W. Rickett, Jr.  
President

RWRJ/anj

Enclosures

November 26, 2008

Brian Stone  
P.O. Box 1073  
Portland, Maine  
Via Email: [kmmmts@yahoo.com](mailto:kmmmts@yahoo.com) & [rbryant@vblawfirm.com](mailto:rbryant@vblawfirm.com)

Dear Mr. Stone:

This letter is in response to the asbestos inspection conducted by Kyle Rickett, Maine D.E.P. Designer number DC-0027, at 1531 Congress Street, Portland, Maine.

**The findings are as follows:**

Based on the inspection conducted by Kyle Rickett last week when he collected bulk samples for suspect asbestos materials in the building, the sampling shows that asbestos is located in both kitchens and both baths floors in addition to the asbestos pipe covering in the basement area of the building, all of these materials need to be removed and disposed of in order for you to proceed with the demo of the building in accordance with local and state rules and regulations.

**My recommendation is as follows:**

Removal and disposal of the asbestos materials located in both Kitchens and bathroom floors and the pipe covering in the basement area to allow for your planned demolition of the building. There is no water or power in the facility and we are planning on providing both of these items.

**Breakdown of costs:**

Removal and disposal of kitchen and bathroom floors and pipe covering in the basement:	\$3,900.00
Maine DEP permit fees:	\$ INC
Air Clearance and visual inspection services:	\$ INC
Total Cost:	\$3,900.00

**Abatement will be completed in 3 days**

The Department of Environmental Protection requires a 10 calendar day notification for all projects > 3 ln. / Sq Ft.

The State of Maine D.E.P. has issued regulations requiring independent air clearances for most interior abatement projects > 100 ln./sq. ft., combined.

**\*\*\*Estimates are valid for 30 days\*\*\***

The following general engineering controls will be implemented for friable asbestos in the work area per the contractor's state licensed design plan and/or a previously submitted independent engineering design. Other specific controls will be employed as needed per the on-site supervisor.

1. Establish asbestos abatement control zone.
2. Install critical barriers on doorways, windows, vents and penetrations, this is done buy using poly and duct tape.
3. Construct contiguous 3-chamber worker/material decon unit in accordance with the DEP standards.
4. Install HEPA exhaust units and establish reduced pressure at -.02 inches water/barometric this will be vented to the exterior.
5. Post all applicable signage on containment and around the work area.
6. All workers entering the regulated work area must have the proper worker protection equipment, as required for the task at hand.
7. Conduct gross removal using wet methods and amended water properly collect and package waste in the proper leak tight container. All waste will be removed from the work area. All surfaces were asbestos material is removed will be cleaned so that no visible material is left.
8. Conduct fine cleaning/visual inspection clearance by state licensed supervisor or independent air monitor.
9. Conduct area clearance air samples according to state of Maine D.E.P. criteria for projects over 3 sq. ft./ln. Ft. Independent clearances for projects over 100 sq. ft./ln. Ft. combined are required.
10. Air clearance sample(s) to be analyzed by an independent laboratory/air analyst.

**Payment terms: Payment is expected when services are rendered unless prior arrangements have been discussed. For your convenience, we accept most major credit cards.**

I trust this information is sufficient for your asbestos abatement planning needs. We look forward to serving you and stand committed to a safe and healthful Maine environment and should you have any further questions or concerns please feel free to contact me.

Sincerely,

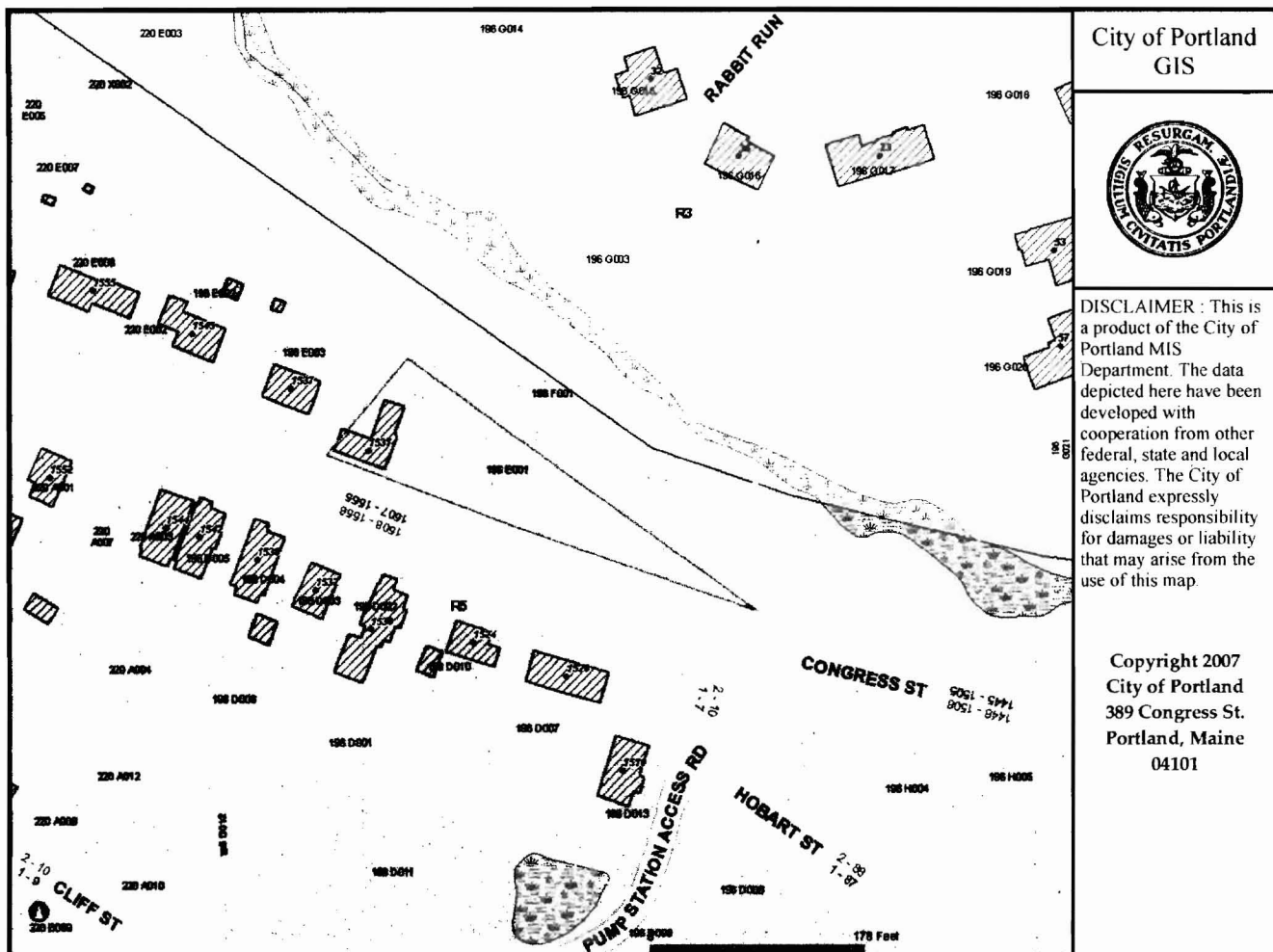


Robert W Rickett Jr  
President











# Maine Department of Environmental Protection

Lead & Asbestos Hazard Prevention Program

17 State House Station

Augusta, ME 04333-0017

Tel (207) 287-2651 FAX (207) 287-7826



## Notice of Inspection

date: 12-16-08	time: 11:30 am	daily sequence # 4	inspection code #
abatement/general/demo contractor name & address: AIP Westbrook ME		owner/agent name & address: Brian Stone	
facility/site location: 1531 Congdon St Portland ME		consultant/inspector name & address: AEM for JMC	
reason for inspection: <input checked="" type="checkbox"/> Targeted by NAIS <input type="checkbox"/> Compliance Assistance <input type="checkbox"/> Targeted Lead <input type="checkbox"/> For-cause		inspection type: <input checked="" type="checkbox"/> Asbestos <input type="checkbox"/> Lead	inspection results: <input type="checkbox"/> Violations (See Below) <input checked="" type="checkbox"/> No Violations
remarks/violations: On-site imp set up phase demo CAT / 36F pipe all paperwork on site  AS-0577			
sample type/number collected: nil			
The inspection and/or samples collected described above were done in connection with the administration and enforcement of Chapter 425, Asbestos Management Regulations and/or Chapter 424, Lead Management Regulations. By signing this form the recipient acknowledges receipt of this Notice of Inspection. Signing this form is not an admission of guilt.			
recipient signature (owner agent/contractor agent/inspector) Robert A. Nelson	recipient printed name Robert A. Nelson	recipient title Super	
consultant signature	consultant printed name	consultant title	
DEP inspector signature John A. Bucci		DEP inspector printed name John A. Bucci	





# Air Quality Management Services, Inc. ME - ASBESTOS AIR CLEARANCE CERTIFICATE

Inspection / Test Date: 12/17/08 AQM Project # 08-810

Client: A.P.

Project Address: 1531 Congress st. Portland, ME

Project Description: ☐ Removal of Thermal System Insulation (TSI)      lf      sf  
☐ Removal of Vinyl Asbestos Tile (VAT)      sf Mastics ☐ Yes ☐ No  
☐ Removal of Boiler and / or ACM      sf  
☐ Removal of Transite Panel      sf  
☒ Removal of Linoleum Flooring 500 sf Mastics ☒ Yes ☐ No  
☐ Removal of Asbestos Containing Mastics      sf  
☐ Other: 2 Containments

## Location:

☐ Basement ☒ Kitchen ☒ Bathroom ☐ Attic ☐ Crawlspace ☐ Exterior ☐ Other     

A complete visual inspection was conducted in the area(s) noted on the State of Maine Project Notification form. Air Quality Management Services, Inc. (AQM) visually inspected the areas for visible and accessible asbestos dust and debris prior to collecting the air clearance samples.

AQM collected 9 PCM air clearance samples inside the containment area(s).

## Sample Summary

Start: 0930 Stop: 1205

Sample #	Run Time	Cal Lpm	Total Vol.	Fib/Fid	F/cc	Pass	Fail
A1	155	16	2480	4.5 - 100	<0.0011	✓	
A2	155	16	2480	4.1 - 100	<0.0011	✓	
A3	155	16	2480	2.5 - 100	<0.0011	✓	
A4	155	16	2480	3.5 - 100	<0.0011	✓	

The Visual Inspection and Air Clearance Sampling were conducted in accordance with the State of Maine Chapter 425 Asbestos Management Regulations.

Based on the visual inspection conducted and the analysis of the air samples collected, Air Quality Management Services, Inc. certifies the area ☒ does ☐ does not meet the criteria for clearance as stated in Chapter 425 of the Asbestos Management Regulations.

\*\* Post Teardown Visual Inspection Completed by AQM: ☐ Yes ☒ No

Air Quality Management Services, Inc. (AQM) is an independent consultant and is separate from the Abatement Contractor. AQM is not liable for any pre-existing damages or any damages made by the Abatement Contractor. AQM is not liable or responsible for the quantification of ACM materials that were removed or left in place outside of the reported abatement activities.

Authorizing Signature: [Signature]

MEDEP Cert #s: AM- 0106 AA- 0069

Samples

Relinquished by: [Signature]

Date: 12/17/08

Samples

Received by: [Signature]

Date: