

52-4

COMMENTS

6/16/97 - Bldg on Site - Still on blocks & wheels - Nothing Connected @

Inspection Record

Type	Date
Foundation: _____	_____
Framing: _____	_____
Plumbing: _____	_____
Final: _____	_____
Other: _____	_____

BUILDING PERMIT REPORT

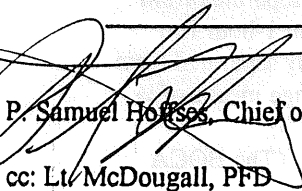
DATE: 18/Apr/1/97 ADDRESS: 92 Farhham ST
REASON FOR PERMIT: Foundation / modular home
BUILDING OWNER: AL Fred Wexler
CONTRACTOR: ↑
PERMIT APPLICANT: ↑ APPROVAL: X/ ~~DENIED~~

CONDITION(S) OF APPROVAL

- A1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
3. Precaution must be taken to protect concrete from freezing.
4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
5. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of ½ inch gypsum board or the equivalent applied to the garage means of ½ inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993) U.L. 103.
7. Guardrail & Handrails A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42" , except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect.
8. Headroom in habitable space is a minimum of 7'6".
9. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use group minimum 11" tread. 7" maximum rise.
10. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
11. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft.
12. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
13. All vertical openings shall be enclosed with construction having a fire rating of at least one (1)hour, including fire doors with self closer's.
14. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
15. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 19, 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
 - In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basements

In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)

16. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type.
17. The Fire Alarm System shall be maintained to NFPA #72 Standard.
18. The Sprinkler System shall maintained to NFPA #13 Standard.
19. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
20. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.
21. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
22. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
23. This permit does not excuse the applicant from obtaining any license which may be needed from the City Clerk's office.
24. Ventilation shall meet the requirements of Chapter 12 Sections 1210. of the City's Building Code.
25. All electrical and plumbing permits must be obtained by a Master Licensed holders of their trade.
26. _____
27. _____
28. _____


P. Samuel Hoffses, Chief of Code Enforcement
cc: Lt/McDougall, PFD
Marge Schmuckal

318 - F-023



Corporation Counsel
Gary C. Wood

Associate Counsel
Charles A. Lane
Elizabeth L. Boynton
Natalie L. Burns
Donna M. Katsiaficas

CITY OF PORTLAND

March 6, 1997

Mr. Alfred Waxler
P.O. Box 6681
Portland, ME 04101

Re: Permission to Place Mobile Home on Lot on 90-92 Farnham Street

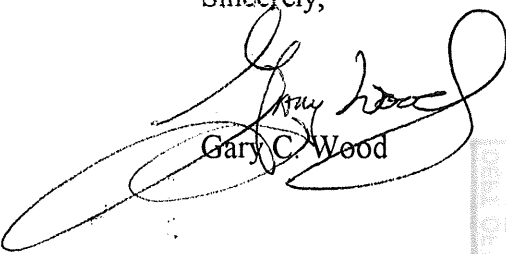
Dear Al:

The purpose of this letter is to put the agreement in writing that you and I and Bob Ganley reached at our meeting on February 20. Once you have paid the outstanding taxes for FY 1996 on your lot at 90-92 Farnham Street, you may place another mobile home on that lot so long as the mobile home is placed in compliance with any other relevant city codes. Thank you for sending to me the name and address of the individual who generated the outstanding sewer bill on that lot. I will pursue an initial collection against that person. If that collection action is successful, the City will release its sewer lien on the lot.

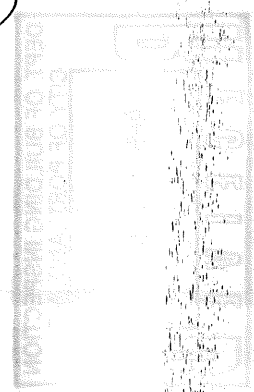
I checked with Treasury and the outstanding taxes for FY 1996, which are the oldest outstanding taxes on the lot, are in the amount of \$610.71 which does include interest to date.

Please give me a call if this letter does not conform to your understanding of our agreement.

Sincerely,


Gary C. Wood

GCW:jb
cc: Robert Ganley, City Manager
Duane Kline, Director of Finance
Sam Hoffsas, Chief/Inspection Services
waxler10.ltr



City of Portland
Department of Building Inspection
1220 NE Oregon Street
Portland, Oregon 97232

CITY OF PORTLAND

An Alfred Ward
Portland, OR 97201

The purpose of this letter is to let you know that you and Bob-Carl
need to pay the outstanding taxes for 1996. (I have you have paid the outstanding taxes for 1995.)
The amount is \$1,000.00. You may place another check for \$500.00 on that for so long as
the amount is placed in compliance with the city codes. Thank you for
paying for me the name and address of the building which has the outstanding taxes for
the year. I will make an initial collection based on the information you provide. The collector will
contact the city with the amount of the payment due on the 15th.

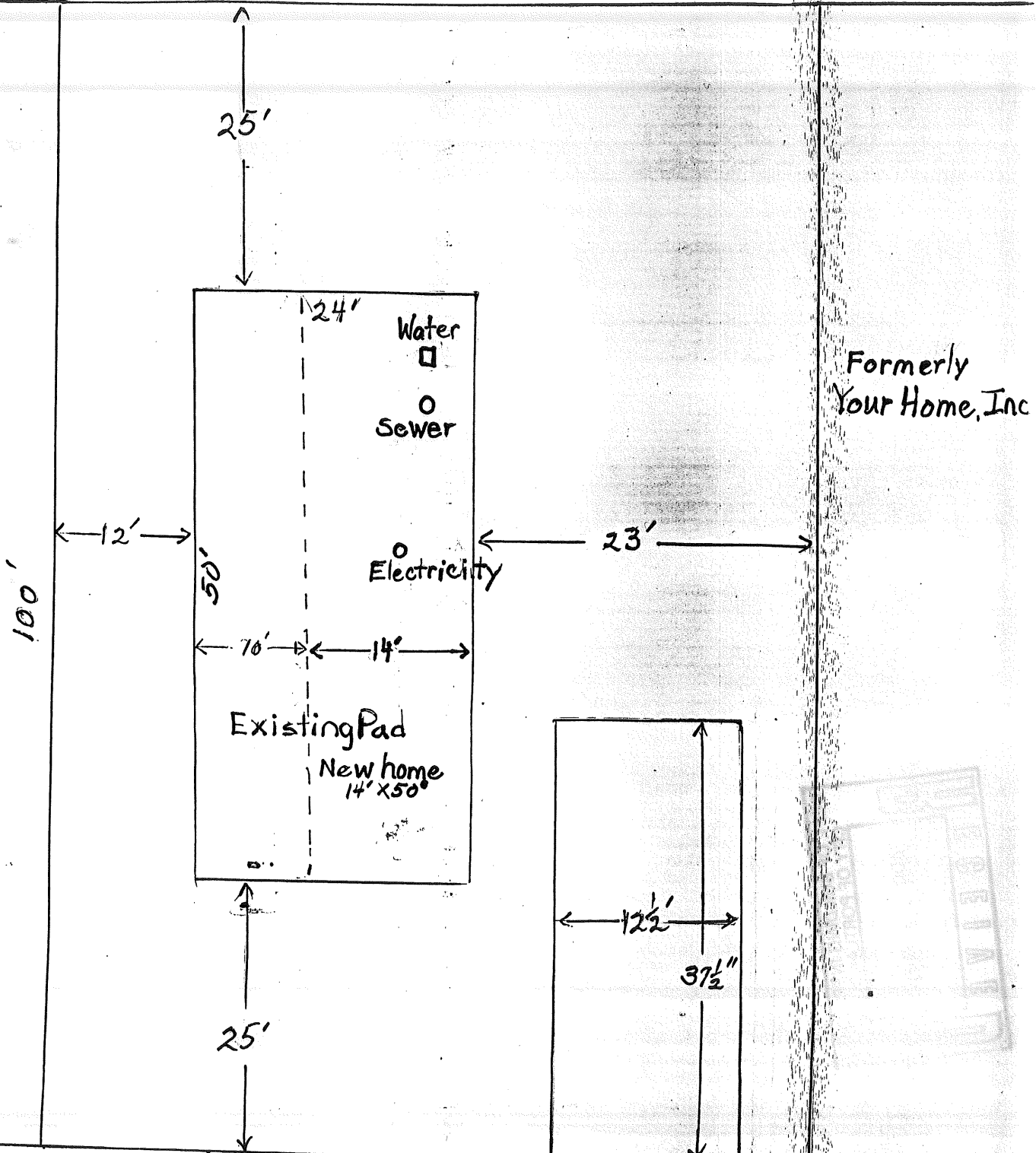
DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
APR 14 1997
RECEIVED

April 14, 1999

Proposed dwelling 92 Farnham St.
Owner - Alfred J. Waxler
Builder - Alfred J. Waxler
Plan maker - Alfred J. Waxler
Property lines based
on plan drawn by
BHM - Thomas Milligan, Jr.
Registered Land Surveyor
65' Scale: 1" = 12.5'

Ronald
Norris

Formerly
Your Home, Inc



to Forest Avenue

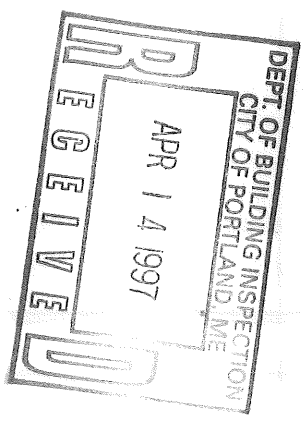
90 - 94 Farnham St.

April 14, 1997

Handwritten notes at the top of the page, including the word "RECEIVED" and other illegible text.

Handwritten text on the left side of the page, possibly a name or address.

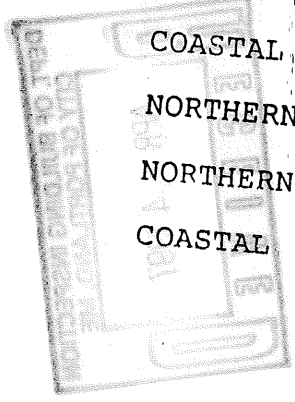
Handwritten text on the right side of the page.



Handwritten notes in the lower middle section of the page.

Handwritten text at the bottom right corner of the page.

	Roof Load	Side and Leads	
PARIS	30	15	NORTHERN
PARKMAN	40	15	NORTHERN
PARSONFIELD	30	25	COASTAL
PASSADUMKEAG	40	15	NORTHERN
PATTEN	40	15	NORTHERN
PEMBROKE	40	25	COASTAL
PENOBSCOT	40	25	COASTAL
PERHAM	40	15	NORTHERN
PERRY	40	25	COASTAL
PERU	30	15	NORTHERN
PHILLIPS	30	15	NORTHERN
PHIPPSBURG	30	25	COASTAL
PITTSFIELD	30	15	NORTHERN
PITTSTON	30	25	COASTAL
PLEASANT RIDGE PLANTATION	30	15	COASTAL
PLYMOUTH	40	15	NORTHERN
POLAND	30	15	NORTHERN
PORTAGE LAKE	40	15	NORTHERN
PORTER	30	15	NORTHERN
PORTLAND	30	25	COASTAL
POWNAL	30	25	COASTAL
PRESQUE ISLE	40	15	NORTHERN
PRINCETON	40	15	NORTHERN
PROSPECT	30	25	COASTAL



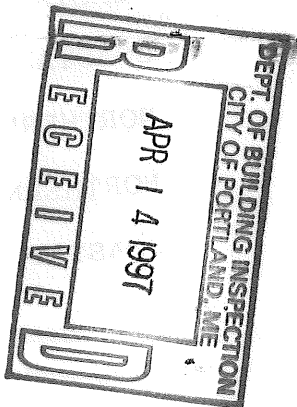
... at the local

STATE OF MAINE

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

MANUFACTURED HOUSING BOARD

MANUFACTURED HOME INSTALLATION STANDARD



MARCH 1, 1993

April 14, 1997

Proposed dwelling 92 Farnham St.

Owner - Alfred J. Waxler

Builder - Alfred J. Waxler

Plan maker - Alfred J. Waxler

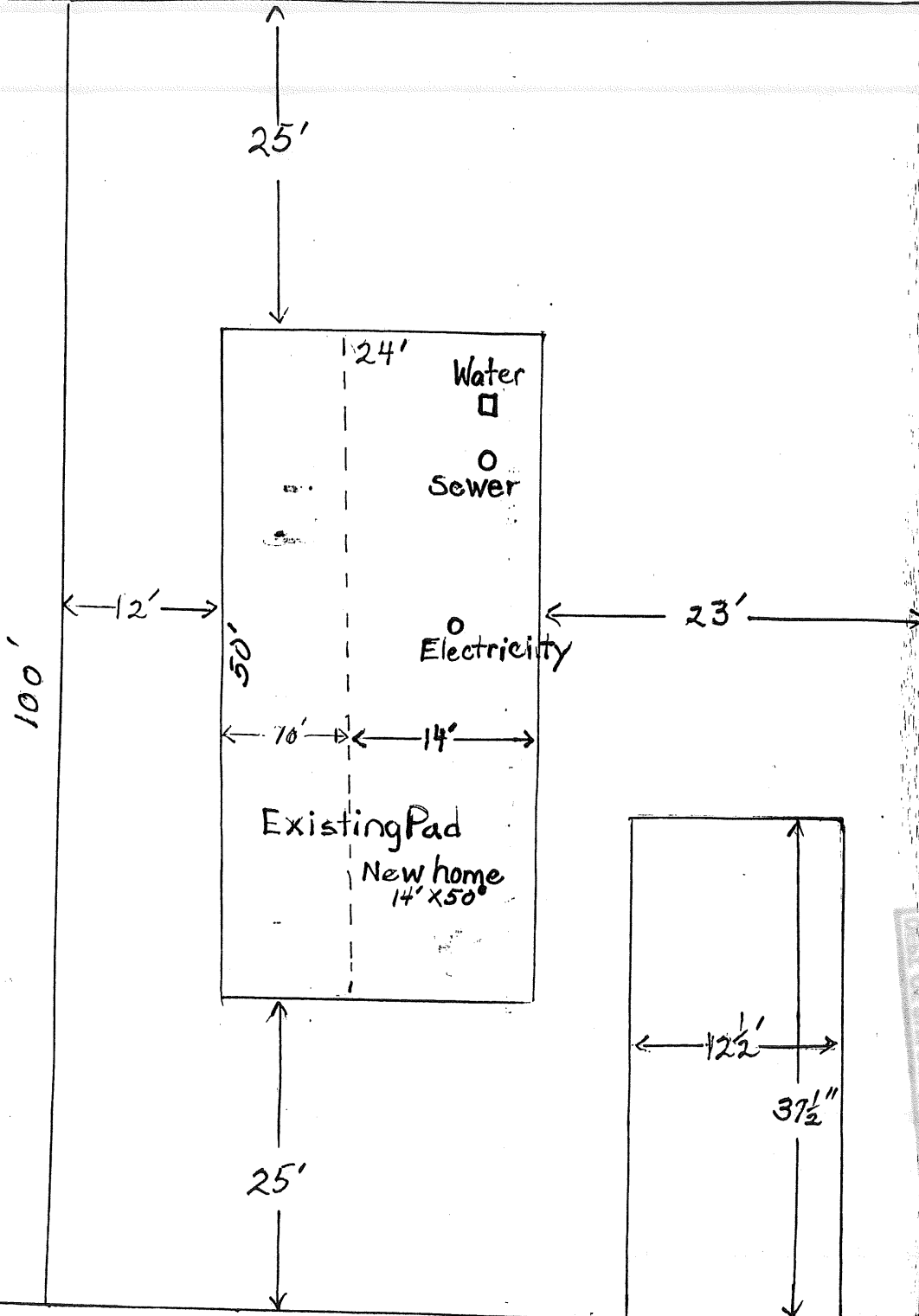
Structure
on WARREN Ave

Property lines based
on plan drawn by
BHM-Thomas Milligan, Jr.
Registered Land Surveyor

65' Scale: 1" = 12.5'

Ronald
Norris

Formerly
Your Home, Inc



PRELIMINARY
 Edg
 Previously
 removed
 May 1, 1996

to Forest Avenue

90 - 94 Farnham St

April 14, 1997

Forward Building
City of Portland
1000 Broadway
Portland, ME 04102

Portland
Maine

1000 Broadway
Portland, ME 04102

Portland
Maine

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
APR 14 1997
RECEIVED

1000 Broadway
Portland, ME 04102



CITY OF PORTLAND

November 17, 1997

Al Waxler
P O Box 6681
Portland ME 04101

RE: Warren Avenue Automobile/Mobile Home Sales

Dear Mr. Waxler:

On November 13, 1997, the Portland Planning Authority granted minor site plan approval for the mobile home and automobile retail facility on Warren Avenue, with the following conditions:

1. That a note be added to the plan stating "that the development site will be paved and granite curbing will be installed along the property's frontage on Warren Avenue (to City of Portland standards) when and if a permanent structure is installed or constructed on site in the future."
2. That two trees be planted in the grass area. Appropriate trees are listed in the *City of Portland Technical Standards*.
3. That a four-foot bituminous sidewalk be installed along the property frontage connecting to the (east) abutter's driveway pavement and located five (5) feet south of the Warren Avenue r.o.w./property line.
4. That a note be added to the plan stating that "no more than twenty (20) cars, trucks, and/or mobile homes may be stored or exhibited on site. Any additional storage or exhibition of vehicles will require an amendment to the approved site plan."

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

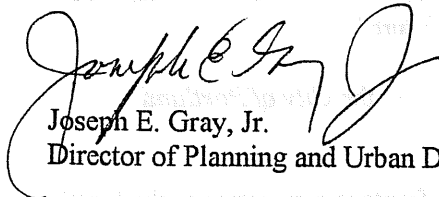
Please note the following provisions and requirements for all site plan approvals:

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 1.7% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.

3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.
5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
6. The Development Review Coordinator (874-8300 ext. 8722) must be notified five (5) working days prior to date required for final site inspection. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact the Planning Staff.

Sincerely,



Joseph E. Gray, Jr.
Director of Planning and Urban Development

cc: Alexander Jaegerman, Chief Planner
Sarah Hopkins, Senior Planner
P. Samuel Hoffses, Building Inspector
Marge Schmuckal, Zoning Administrator
Kathi Staples PE, City Engineer
Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Mary Gresik, Building Permit Secretary
Kathleen Brown, Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

10647052704

POLAROID® 21



Permit No: **970329**

PERMIT ISSUED

APR 18 1997

CITY OF PORTLAND

Zone: **R-3** CBL: 310-F-023

Zoning Approval: *ok with conditions*

Special Zone or Reviews: **4/18/97**

Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan maj minor mm

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: **4/15/97**

K. Salvat per
D. Andrews

CEO DISTRICT 7

K. Carroll

Location of Construction: **Owner: Waxler, Alfred** Phone:

92 Farnham St

Owner Address: **Lessee/Buyer's Name:** Phone: **Business Name:**

P.O. Box 6681 Ptld, ME 04101 773-5853

Contractor Name: Address: Phone:

Past Use: **COST OF WORK:** **PERMIT FEE:**

Foundation Only \$ 18,000.00 \$ 110.00

INSPECTION: Type:

Use Group: Approved Denied

Signature: **Signature:**

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) **PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)**

Action: Approved with Conditions: Approved Approved with Conditions: Approved Denied Denied

Signature: Date:

14 April 1997

Permit Taken By: **Mary Gresik** Date Applied For: **14 April 1997**

Proposed Project Description:

Install modular home on existing foundation

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.

2. Building permits do not include plumbing, septic or electrical work.

3. 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..

PERMIT ISSUED WITH REQUIREMENTS

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 provisions of the code(s) applicable to such permit

Alfred Waxler **14 April 1997**

SIGNATURE OF APPLICANT **Alfred Waxler** ADDRESS: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE **PHONE:**

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Alfred J. Waxler
P.O. Box 6681
Portland, ME 04101

RE: 92 Farnham Street

August 21, 1997

Dear Al,

I am in receipt of your letter dated August 20, 1997. I have not received any other application from you other than your original one. If you wish to apply for any other building application, our office is open from 7:00 am to 4:00 pm. At the time of application we will need a plot plan showing all setbacks and building dimensions, and structural plans showing all structural details. Our permit fees are based on the cost of the work which is \$25 for the initial thousand dollars worth of work and then \$5 per thousand after that. I can only give a formal response to a full application for a permit. I can not give an advisory opinion.

If you have any other questions, please do not hesitate to contact this office.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

CC: Gary Wood, Corporation Counsel
Joseph Gray, Jr, Director of Planning & Urban Dev.
Kevin Carroll, Code Enforcement Officer

City of Portland, Maine - Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 92 Farnham St	Owner: Waxler, Alfred	Phone:
Owner Address: P.O. Box 6681 Portland, ME	Lessee/Buyer's Name: 04101	Business Name:
Contractor Name:	Address:	Phone:
Past Use:	Proposed Use:	PERMIT FEE: \$ 50 Board
Signature:	INSPECTION: Use Group: Type:	Signature:
Zone: CBL: 310-F-023	Zoning Approval:	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 maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>

Proposed Project Description: Interpretation Appeal	Signature: PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)	Signature:
Permit Taken By: Mary Gresik	Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	Date: 08 September 1997

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
 2. Building permits do not include plumbing, septic or electrical work.
 3. 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.

APPEAL DENIED

APPEAL DENIED 10-9-97

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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT: *Alfred Waxler* ADDRESS: Alfred Waxler DATE: 08 September 1997 PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: _____ PHONE: _____



LAND USE - ZONING REPORT

ADDRESS: 90-92 Farnham DATE: 4/18/97
REASON FOR PERMIT: place A modular home on existing foundation
BUILDING OWNER: Alfred Waxler C-B-L: 310-F-02-3
PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: _____

#8

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will not be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.
9. Other requirements of condition _____

Marge Schmuckal Marge Schmuckal, Zoning Administrator,
Asst. Chief of Code Enforcement

Applicant: AL WAXLER
Address: 90-92 FARNHAM

Date: 4/18/97
C-B-L: 310-F-023

CHECK-LIST AGAINST ZONING ORDINANCE

Date - WAS A previous home on site moved off May 1st 1996
Zone Location - R-3
has existing foundation

Interior or corner lot -

Proposed Use/Work - Existing foundation

GARYWOOD CORP. COUNSEL
HAS GIVEN AN OK ON
IT

Sewage Disposal - City

Lot Street Frontage - 50' - 65' shown

Front Yard - 25' req - 25' shown

Rear Yard - 25' req - 25' shown

Side Yard - 8' req - 12' & 23' shown

Projections - None shown -

1A-433
Width of Lot - 65' - 65'

Height - 1 story

Lot Area - 6,500^{sq} per ASSESSORS

Lot Coverage/ Impervious Surface -

Area per Family -

Off-street Parking - 2 SPACES shown

Loading Bays - NA

Site Plan - ~~minor~~ N/A - had previous

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - N/A

sep. permits req for garage & or decks

forward 12-5 am

LAW OFFICE OF JOHN G. CONNOR
P.O. Box 6809
Portland, ME 04103
Telephone (207) 775-5015
Facsimile (207) 775-7499

June 16, 1998

By Fax - 874-8497

Gary Wood, Esq., Corporation Counsel
Office of the Corporation Counsel
City of Portland
Portland City Hall
389 Congress St.
Portland, ME 04101-3509

- Re: 1) City of Portland v. Waxler (80K)
- 2) Waxler v. City of Portland (80B)
- 3) Waxler v. City of Portland (80B)

Dear Gary:

file

This letter will set out the terms of the agreement that you and I reached this morning to partially settle the captioned matters. These matters deal with the placement of a "single-wide" mobile home at 92 Farnham St. in Portland.

We have agreed to the following.

- 1) Alfred Waxler, no later than June 26, 1998, will remove the "single-wide" mobile home currently situated on the lot at 92 Farnham St. (hereafter, the "Property").
- 2) Alfred Waxler will, upon execution of the Partial Settlement Agreement, discussed below, pay to the City of Portland \$500.00.
- 3) Alfred Waxler will release all claims for damages arising out of the City's efforts to impede his rental of the mobile home on the Property. This includes release of all claims referenced in a recent Notice of Tort Claim served by Mr. Waxler relating to the same issue *and receiving [unclear] 17 June 98*
- 4) Alfred Waxler may place a "double-wide" mobile home on the Property, after applying for the appropriate Building Permit. Alternatively, Mr. Waxler may make any other legal use of the Property. Mr. Waxler will not place another "single-wide" mobile home on the Property prior to a Final decision on the question of whether a "single-wide" mobile home must be placed "full face to the street". If he prevails on that issue, then he may re-place a

310-F-023

Mr. Alfred Waxler
June 11, 1998
Page 2

And receiving [Signature] June 98

"single-wide" mobile home on the Property, in a manner that complies with relevant City law, including setbacks, after applying for the appropriate Building Permit.

5) Alfred Waxler will drop all issues in the consolidated 80B appeal, except the issue of whether a "single-wide" mobile home must be placed "full face to the street". In essence, the consolidated 80B appeals will become a declaratory judgment action on that one issue.

6) Notwithstanding the previous paragraph, Alfred Waxler reserves the right to argue, in other or future cases, that as a licensed mobile home dealer, he is legally authorized to connect the electricity to mobile homes. That issue is withdrawn from the current 80B appeals, however it is withdrawn without prejudice.

7) The City of Portland will dismiss the 80K action and withdraw the Notice of Land Use Violation. In this regard the City will drop its claim for a fine and for attorney's fees and costs.

8) The parties will enter into a Partial Settlement Agreement setting out more fully the terms set forth in this letter. Neither this letter nor the Partial Settlement Agreement shall be considered as an admission of any kind by any party.

Please indicate your agreement with the terms of this letter by signing in the place provided below. I will have a proposed Partial Settlement Agreement to you by your return from your vacation.

Thanks for your help in bringing about this partial solution.

Sincerely,

[Signature]
John G. Connor

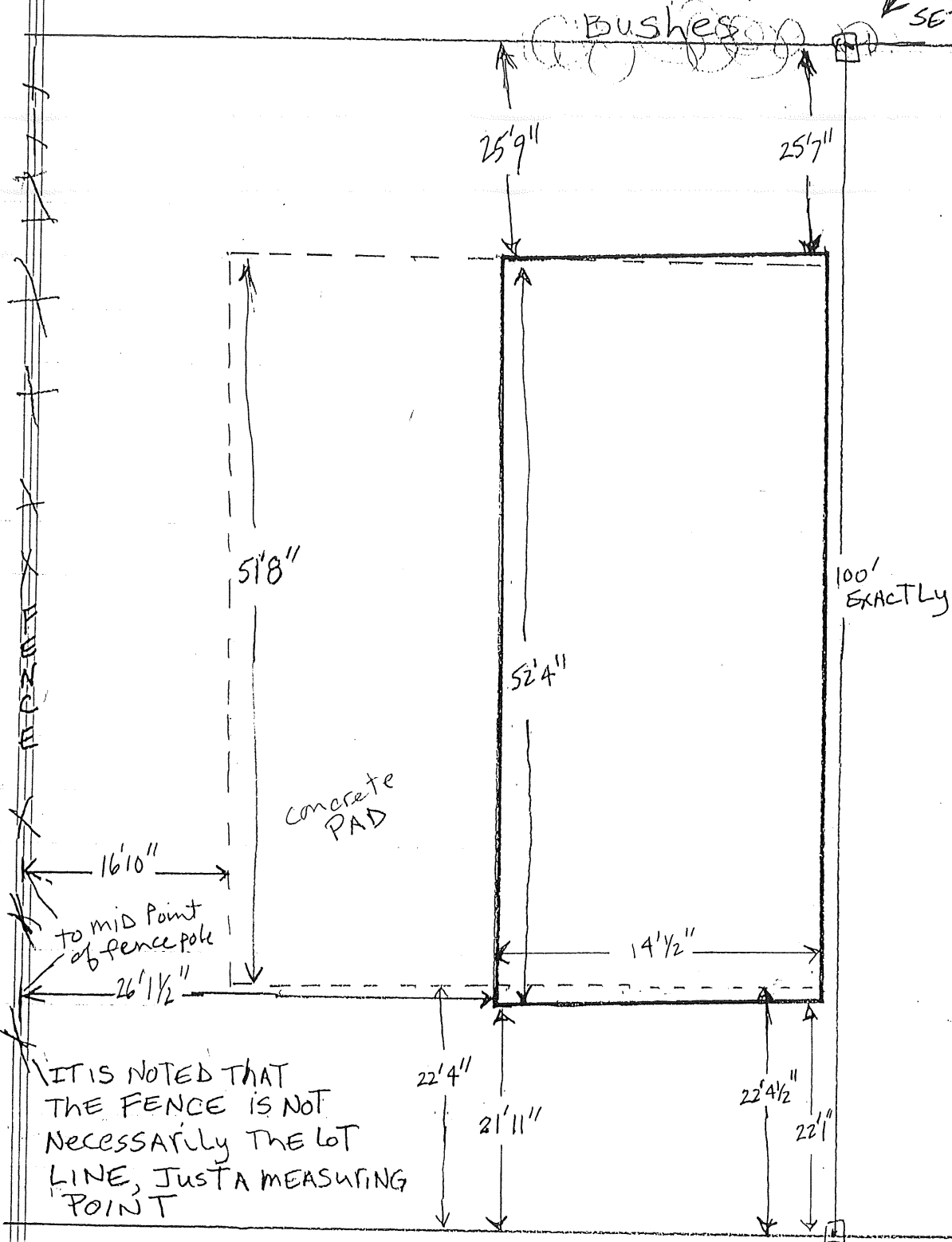
The terms and conditions of this letter are understood, agreed to, and accepted on behalf of the City of Portland, this 11th day of June, 1998.

[Signature]
Gary Wood, Esq., Corporation
Counsel for the City of
Portland.

92 FARNHAM ST

10/22/97

NOT THE SIDE LINE
JUST A REAR
LINE POINT
SET by PWD



IT IS NOTED THAT THE FENCE IS NOT NECESSARILY THE LOT LINE, JUST A MEASURING POINT

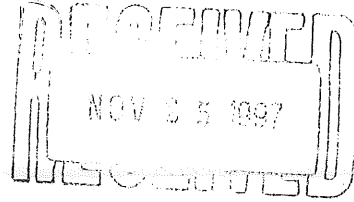
NOT THE SIDE LINE - JUST A FRONT LINE POINT SET

NOTIFICATION OF DISCOVERY SERVICE

Kevin Carroll

↓
Note The Time
Request for you

To: Linda Jowett, Clerk
Maine District Court
P.O. Box 412 DTS
Portland, ME. 04112



Re: City of Portland v. Alfred J. Waxler
CV 97-903

This is to inform you that the following discovery papers were served by the undersigned Defendant Alfred J. Waxler.

PAPERS

NOTICE OF TAKING ORAL DEPOSITION OF MARGE SCHMUCKEL
WITH REQUEST FOR PRODUCTION OF DOCUMENTS.

NOTICE OF TAKING ORAL DEPOSITION OF KEVIN CARROLL
WITH REQUEST FOR PRODUCTION OF DOCUMENTS.

SERVED ON

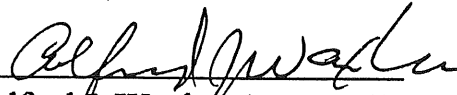
Gary C. Wood
Corporation Counsel for City of Portland
389 Congress Street
Portland, ME. 04101

DATE OF SERVICE

November 25, 1997

Please enter this service on the Docket in the above entitled matter.

Dated November 25, 1997


Alfred J. Waxler, Attorney Pro Se
P.O. Box 6681
Portland, Maine 04101
Telephone: (207) 773-5853

cc: Gary C. Wood, Esq

STATE OF MAINE
CUMBERLAND, ss

NINTH DISTRICT COURT
CIVIL ACTION
DOCKET NUMBER 97-903

-----)
CITY OF PORTLAND, a Maine Municipal Corp)
PLAINTIFF)

V.)

ALFRED J. WAXLER, of Portland, Maine)

.Defendant)
-----)

DEFENDANT'S NOTICE OF TAKING
ORAL DEPOSITIONS WITH REQUESTS
FOR PRODUCTION OF DOCUMENTS

PLEASE TAKE NOTICE THAT on December 5, 1997 at 9:30 a.m.,
Defendant Alfred J, Waxler will take the oral deposition of Marge Schmuckel, at
the law office of John G. Connor, 415 Congress Street, Suite 204, Portland, Maine
for a video taping in front of a notary public or some other person authorized to
take oaths.

PLEASE TAKE NOTICE THAT on December 5, 1997 at 10:30 a.m.,
Defendant Alfred J, Waxler will take the oral deposition of Kevin Carroll, at the law
office of John G. Connor, 415 Congress Street, Suite 204 Portland Maine for a
video taping in front of a notary public or some other person authorized to take
oaths.

Deponents are requested to bring the documents requested by the Defendant
outlined below.

DEPOSITION OF MARGE SCHMUCKEL

1. The original file upon which the Building Permit was issued to place a
Manufactured Home at 92 Farnham Street Portland. Including the photo provided
to establish the description of the home. Include all original notes to determine why
the Zoning Administrator authorized the issuance of this building permit.

2. Original notes taken by Marge Schmuckel on the date she made an
inspection of the Manufactured Home at 92 Farnham Street while the survey crew
did their work..

3. The missing file microfilm entitles 90-98 Farnham Street. This film was

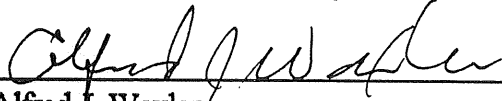
not on file on my last inspection of the records at the Building Inspector's office.
These records were presumed to be in the custody of Marge Schmuckel.

DEPOSITION OF KEVIN CARROLL

1. The Original notes taken by Kevin Carroll on the date he and Electrical Inspector Michael Collins inspected the Electrical connection for deficiencies. This refers to the writings Kevin Carroll made in my presence during the Electrical Inspection.

2. The Original notes taken by Kevin Carroll regarding his inspection of the Mobile Home taken on the day the survey crew worked.

Under date: November 5, 1997



Alfred J. Waxler
Attorney Pro SE
P.O. Box 6681
Portland, Maine 04101
Tel. 207-773-5853

al with
773-5853

92 FARNHAM ST.

Oct 10 Bldg

Broken Neutral BAR

No Oxidizing Compound on Bus Connections
improper Face plate screws - (Tap type / 1/80 threaded)

Conduit @ Bldg NOT cemented properly

TITAN Homes Inc

Sangerfield, NY

DATE of MFG 3/7/83

SN 19-3-817-9441

HUD # RAD 178630

Interior PANEL

WRONG Screws



CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
INSPECTION SERVICES DIVISION

July 3, 1986

Alfred Waxler
Your Home Inc.
P.O. Box 6681
Portland, Maine 04101

Re: Release of Stop Work Order
Building Permit #85-001431
Lots 11 and 15 Riverview Street

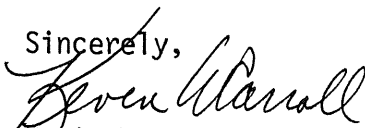
Dear Mr. Waxler:

This office is in receipt of a letter from Frederick R. Johnson, P. E. Maine #1143 attesting to his professional acceptance of the concrete slab poured at the above location.

Although said slab does not meet the requirements set forth in the Municipal Ordinances of the City of Portland we will defer to Mr. Johnson's professional expertise in this matter as provided for under Article 111, Section 111.7 of the 1984 B.O.C.A. Code as amended by the City of Portland.

Upon payment of the appropriate fee the Stop Work Order is hereby removed.

Sincerely,


Kevin W. Carroll
Code Enforcement Officer

cc: Joseph Gray, Director of Planning and Urban Development
David Laurie, Corporation Counsel
P. Samuel Hoffses, Chief of Inspection Services

FRED R. JOHNSON ENGINEERING ASSOCIATES

180 HIGH STREET - UNIT 50, PORTLAND, MAINE 04101

Tel. (207)761-1739

* Specifications Consultant * Materials Specialist * Site/Civil Design *

July 2, 1986

Your Homes, Inc.
28 Ocean Ave.
Portland, ME 04102

ATTN: Alfred Waxler

Dear Mr. Waxler:

Using commonly accepted engineering data, it is my opinion that the insulated concrete slab you have placed at 15 Riverview Street, Portland, Maine will adequately support the manufactured home you propose to place on said slab.

Very truly yours,



Frederick R. Johnson
P.E. Maine #1143

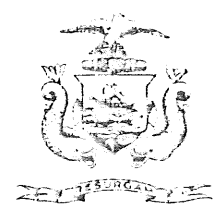
RECEIVED

JUL 2 1986

DEPT. OF BUILDING INSPECTIONS
CITY OF PORTLAND

Kevin Carroll
For your files

Corporation Counsel
Gary C. Wood



Associate Counsel
Charles A. Lane
Elizabeth L. Boynton
Natalie L. Burns
Donna M. Katsiaficas

CITY OF PORTLAND

November 5, 1997

Hand-delivered

Linda Jowett, Clerk
Maine District Court
P.O. Box 412 DTS
Portland, ME 04112

RE: City of Portland v. Waxler (Docket No. CV-97-903)

Dear Ms. Jowett:

Enclosed for filing in the above-captioned matter is the City of Portland's Return of Administrative Inspection Warrant, together with the Administrative Inspection Warrant issued by the Court on October 21, 1997. (Please note that the Warrant attached to the Return is an unsigned copy of the Warrant signed by Judge Foster—the file copy was misplaced during my office move last week.)

Sincerely,


Gary C. Wood
Corporation Counsel

GCW:dlc
Enc.
c: Alfred J. Waxler
waxler3.dct

STATE OF MAINE
CUMBERLAND, ss.

NINTH DISTRICT COURT
CIVIL ACTION
DOCKET NO. CV-97-903

CITY OF PORTLAND,)
)
Plaintiff)
)
v.)
)
ALFRED J. WAXLER,)
)
Defendant)

RETURN OF ADMINISTRATIVE
INSPECTION WARRANT

Pursuant to an Administrative Inspection Warrant issued by this Court on October 21, 1997, which is attached hereto, I and other City employees, namely Margaret A. Schmuckal, Michael Collins, William Scott and Brian Boothby conducted an inspection at 92 Farnham Street in Portland and found the following violations of law on the premises:

(1) There is a single-component manufactured house measuring 14' x 52' 4" on the lot at 92 Farnham Street in Portland with the 14' dimension facing the street. This placement violates Section 14-87(1)(e)(iv) of the City's Land Use Ordinance. That ordinance requires manufactured housing of this type to be placed with the long dimension of the manufactured house facing the street if the manufactured house is located in an R-3 Zone. This property and this house are located in an R-3 Zone;

(2) The City of Portland Land Use Ordinance requires a 25' setback of a principle structure from the front property line (Section 14-90(4)(a)) and 25' from the back lot line (Section 14-90(4)(b)). This lot is only 100' deep. The manufactured house is 52' 4" long. Based upon Mr. Scott's survey, this house violates the setback requirement from the front property line by approximately 3'. It does not violate the setback for the rear property line;

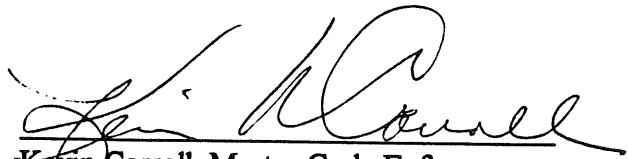
(3) The building permit issued to the property owner, Mr. Alfred J. Waxler, is for a 50' manufactured house. His house at 92 Farnham Street is 52' 4" long. That violates Section 111.3 of the BOCA National Building Code, which has been incorporated as part of the Portland City Code of Ordinances through Section 6-16.

(4) Under 30-A M.R.S.A. Section 4452, violations of the above-described ordinances make the violator liable for the penalties set forth in 30-A M.R.S.A. Section 4452(3).

The inspection described above was conducted during normal business hours within 10 days after issuance of the Warrant. Ms. Schmuckal placed a copy of the Warrant on the premises in a conspicuous place by taping a copy of the Warrant to the door of the manufactured house.

The owner of the property, Mr. Alfred J. Waxler, was notified well in advance of the inspection and was present for much of it. Mr. Waxler took a padlock off the door of the manufactured house and granted us access in order to review the manufactured housing seal applicable to this manufactured house. While inside the house, the City electrical inspector, Michael Collins, noted several violations of the City's electrical Code including: no oxidizing compound on the service conductors, a broken neutral bar on the service disconnect, and improper connection of the conduit containing the service entrance conductors. Mr. Waxler has not been cited at this time for these violations as the electricity has been disconnected.

Dated: November 5, 1997


Kevin Carroll, Master Code Enforcement
Officer/Appraiser
City of Portland

STATE OF MAINE
CUMBERLAND, ss.

NINTH DISTRICT COURT
CIVIL ACTION
DOCKET NO. CV-97-903

CITY OF PORTLAND,)
)
 Plaintiff)
)
 v.)
)
 ALFRED J. WAXLER,)
)
 Defendant)

ADMINISTRATIVE INSPECTION
WARRANT

To: Alfred J. Waxler, Property Owner

Application having been made before me by Kevin Carroll, Master Code Enforcement Officer/Appraiser for the City of Portland, that he has reason to believe that, on the premises known as 92 Farnham Street, City of Portland, County of Cumberland, State of Maine, there is located a single component manufactured home which he is authorized, by 30-A M.R.S.A., Section 4221, Section 14-56, and Section 14-461 of the City of Portland Code, to inspect which may be in violation of the City's Building Code and Land Use Code and the construction standards applicable to manufactured housing under state law, and, as I am satisfied that there is probable cause to believe that such a home is located on the premises so described and there is probable cause to believe that violations may exist, based upon the verified application executed by Master Code Enforcement Officer/Appraiser Kevin Carroll:

YOU ARE, HEREBY, COMMANDED to allow inspection of said premises by Kevin Carroll, Master Code Enforcement Officer/Appraiser, and his assistants, serving this warrant, and making the inspection in the daytime, for the purpose of insuring compliance with the City's Building Code and Land Use Code and the construction standards applicable to manufactured housing under state law.

Dated this ___ day of _____, 1997.

COPY

District Court Judge

From: Gary Wood
To: WGS, mes, Debbie
Date: 11/6/97 8:54am
Subject: waxler trial/ 7 Nov.

The trial is off until December(no date yet). The judge granted a motion to continue over my objection. Please get me the various documents and paper work you were preparing asap so we can give al a nice Christmas present. Marge and Kevin were doing chronologies of their actions in this case as well as remarks Al made during the process. Kevin was also going to match the info he took off of the man. house seal with the definition of man. house in 30-a sec. 4358(1)(A) or send the info to me so that I can do it.. Bill is going to get me 3 copies of the old subdiv. approval map of Farnham st. If Bill could do the math and geometry to confirm Al's assertion that his house could be placed on the diagonal of the lot and meet setback requirements that would be very helpful as well. My math tells me that Al is correct but I need bill to double check it. Marge: please let kevin know asap. Deb: we need to find the original warrant if possible.

From: Gary Wood
To: mes, KWC, WGS, MC, SPH
Date: 10/22/97 3:41pm
Subject: Time sheets for 92 Farnham St.

Please keep written track of every minute you spent and spend on the 92 Farnham st. case. I plan to seek a court order for all our time and costs if we win.

From: William Scott
To: KWC, mes, Gary
Date: 10/23/97 11:33am
Subject: Waxler - 92 Farnham Street

I just wanted to let you know that Al called me this morning to tell me that we did a good job staking out the front and rear lines of his lot. He said that he thinks we "got it right".

He also asked me what we got for the front and rear setbacks. I told him that "off the top of my head" I think the front setback was about 22 or 23 feet, and the back setback was about 25 or 26 feet. He said that was what he measured as well.

Gary: I hope to have a preliminary plan ready for your review by the end of today.

From: Gary Wood
To: KWC, Debbie, mes, WGS
Date: 10/21/97 11:54am
Subject: 92 Farnham St.\ Survey etcetera

Check you e-mail at end of day to make sure judge signed warrant. Please meet at site tomorrow at 9am to determine lot lines (WGS), measure setbacks (mes with KWC and WGS), measure pad (mes and KWS), measure home, (mes and KWC), and check the manufacturing seal of approval to make sure this is a manufactured house that is covered by 30-A sec.4358(mes or KWC). The judge gave al permission to depose mes and KWC re the change in their opinion following issuance of building permit/ we will meet before deposition if one occurs. Judge told al he has to have everything done before the trial on Nov. 7th.I need copies of any documents relating to siting of the 2x wide on the lot prior to this April asap.(mes). Al insists we have a map/ diagram on file showing we allowed that siting with only a 23 ft. setback.

From: Gary Wood
To: mes, KWC, WGS
Date: 10/29/97 4:47pm
Subject: 92 Farnham St./ Waxler trial

The trial is on Nov. 7th. at 9:30 at the District Court at 142 Federal st. I need all of you as witnesses and it will probably take all day. We should meet at the court at 9am. The probable witness sequence is Marge, Kevin, and Bill. I need a pretrial conference with all of you next Monday at 2pm .in our library at city hall. Please confirm asap. Bill did a great job on the survey and map. I need 3 more copies of it asap. I would like Marge to give me her copy so I can mail it to Al asap along with a copy of Marge's sketch/map. Remember to keep track of your time on this case.

From: Debbie Currie
To: KWC, mes, WGS
Date: 10/21/97 2:53pm
Subject: 92 Farnham Street - Inspection Warrant signed by Judge Foster

Please meet at site at 9:00 a.m. tomorrow (Wednesday, October 22) as Gary noted in his e-mail to you earlier today.

Marge and Kevin, one of you will need to post (tape) a copy of the Warrant signed by Judge Foster to the door of the mobile home when you go out tomorrow. Please see me before you leave today or first thing in the morning.

CC: gary

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



October 29, 1997

Alfred J. Waxler
P. O. Box 6681
Portland, Maine 04101

RE: 92 Farnham Street

Dear Mr. Waxler,

As You know at its October 23, 1997 meeting, the Board voted 5-0 to accept the findings of fact presented in regards to allowing for the placement of a manufactured home at the above referenced location.

A copy of the Board's findings are enclosed for your records.

Sincerely,

Marge Schmuckal
Zoning Administrator

✓ cf: K Carroll, CEO

From: William Scott
To: KWC, mes, Gary
Date: 10/23/97 11:33am
Subject: Waxler - 92 Farnham Street

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~~Gary: I hope to have a preliminary plan ready for your review by the end of today.~~

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Date: 10/23/97 11:33am
Subject: Waxler - 92 Farnham Street

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Gary: I hope to have a preliminary plan ready for your review by the end of today.

From: Gary Wood
To: mes, KWC, WGS, MC, SPH
Date: 10/22/97 3:41pm
Subject: Time sheets for 92 Farnham St.

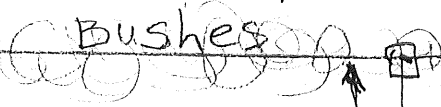
Please keep written track of every minute you spent and spend on the 92 Farnham st. case. I plan to seek a court order for all our time and costs if we win.

Kevin - FYI

92 FARNHAM ST

10/22/97

NOT THE SIDE LINE
JUST A REAR
LINE POINT
SET BY PWD



25'9"

25'7"

51'8"

100'
EXACTLY

52'4"

concrete
PAD

16'10"

to mid point
of fence pole

26'1/2"

14'1/2"

IT IS NOTED THAT
THE FENCE IS NOT
NECESSARILY THE LOT
LINE, JUST A MEASURING
POINT

22'4"

21'11"

22'4 1/2"

22'1"

NOT TO SCALE

NOT THE
SIDE LINE -
JUST A FRONT
LINE POINT SET
BY PUBLIC WORKS

From: Gary Wood
To: mes, KWC, WGS, MC, SPH
Date: 10/22/97 3:41pm
Subject: Time sheets for 92 Farnham St.

Please keep written track of every minute you spent and spend on the 92 Farnham st. case. I plan to seek a court order for all our time and costs if we win.

From: Debbie Currie
To: KWC, mes, WGS
Date: 10/21/97 9:43am
Subject: 92 Farnham Street - Inspection Warrant

Judge Foster is going to sign the attached Inspection Warrant today which authorizes the city to inspect Mr. Waxler's property at 92 Farnham Street. The inspection will take place on Wednesday, October 22, 1997, weather permitting.

Bill, Gary would like you to call him re: boundary between Riverton School and Mr. Waxler's property.

CC: gary

October 21, 1997

HAND-DELIVERY

Judge Christine Foster
Maine District Court
205 Newbury Street
Portland, ME 04101

**RE: Order Authorizing Administrative Inspection Warrant in City of Portland
v. Alfred J. Waxler - Docket No. CV-97-903**

Dear Judge Foster:

I have attached the amended order that you requested following yesterday's hearing on the City's request to issue an Administrative Inspection Warrant. I have added the words "and the construction standards applicable to manufactured housing under state law" in two places in the Warrant. Please sign the Warrant as soon as time permits and someone from office will come down and pick it up as soon as we are notified that it is ready. We will then contact Mr. Waxler so that he can be present, if he chooses, when we do the inspection. We plan to do it on Wednesday, October 22, weather permitting.

Thank you for your assistance.

Sincerely,

Gary C. Wood
Corporation Counsel

GCW:dlc
Enc.
c: Alfred J. Waxler, Pro se
foster.ltr

STATE OF MAINE
CUMBERLAND, ss.
NINTH DISTRICT COURT
CIVIL ACTION
DOCKET NO. CV-97-903
CITY OF PORTLAND,)

Plaintiff)

v.)

ALFRED J. WAXLER,)

Defendant)

ADMINISTRATIVE INSPECTION

WARRANT

To: Alfred J. Waxler, Property Owner

Application having been made before me by Kevin Carroll, Master Code Enforcement Officer/Appraiser for the City of Portland, that he has reason to believe that, on the premises known as 92 Farnham Street, City of Portland, County of Cumberland, State of Maine, there is located a single component manufactured home which he is authorized, by 30-A M.R.S.A., Section 4221, Section 14-56, and Section 14-461 of the City of Portland Code, to inspect which may be in violation of the City's Building Code and Land Use Code and the construction standards applicable to manufactured housing under state law, and, as I am satisfied that there is probable cause to believe that such a home is located on the premises so described and there is probable cause to believe that violations may exist, based upon the verified application executed by Master Code Enforcement Officer/Appraiser Kevin Carroll:

YOU ARE, HEREBY, COMMANDED to allow inspection of said premises by Kevin Carroll, Master Code Enforcement Officer/Appraiser, and his assistants, serving this warrant, and making the inspection in the daytime, for the purpose of insuring compliance with the City's Building Code and Land Use Code and the construction standards applicable to manufactured housing under state law.

Dated this ___ day of _____, 1997.

District Court Judge

From: Gary Wood
To: KWC, Debbie, mes, WGS
Date: 10/21/97 11:54am
Subject: 92 Farnham St.\ Survey etcetera

Check you e-mail at end of day to make sure judge signed warrant. Please meet at site tomorrow at 9am to determine lot lines (WGS), measure setbacks (mes with KWC and WGS), measure pad (mes and KWS), measure home, (mes and KWC), and check the manufacturing seal of approval to make sure this is a manufactured house that is covered by 30-A sec.4358(mes or KWC). The judge gave al permission to depose mes and KWC re the change in their opinion following issuance of building permit/ we will meet before deposition if one occurs. Judge told al he has to have everything done before the trial on Nov. 7th.I need copies of any documents relating to siting of the 2x wide on the lot prior to this April asap.(mes). Al insists we have a map/ diagram on file showing we allowed that siting with only a 23 ft. setback.

From: Debbie Currie
To: KWC, mes, WGS
Date: 10/21/97 2:53pm
Subject: 92 Farnham Street - Inspection Warrant signed by Judge Foster

Please meet at site at 9:00 a.m. tomorrow (Wednesday, October 22) as Gary noted in his e-mail to you earlier today.

Marge and Kevin, one of you will need to post (tape) a copy of the Warrant signed by Judge Foster to the door of the mobile home when you go out tomorrow. Please see me before you leave today or first thing in the morning.

CC: gary

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



October 14, 1997

Alfred J. Waxler
P. O. Box 6681
Portland, Maine 04101

RE: 92 Farnhum Street
Interpretation Appeal

Dear Mr. Waxler

As you know, at its October 9, 1997 meeting, the Board of Appeals 6-0 to deny your Interpretation Appeal.

A copy of each of the Board's decisions is enclosed for your records.

Sincerely,

Marge Schmuckal
Zoning Administrator

cf: J. Gray, Dir, PUD
M. Adelson, Dir Hsg & Comm Svcs
P. S. Hoffses, C, Bldg Insp
K. Carroll, CEO

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

September 26, 1997

Alfred J. Waxler
P. O. Box 6681
Portland, Maine 04101

RE: 92 Farnham Street

Dear Mr. Waxler,

Receipt of your application for an Interpretation Appeal is acknowledged.

This appeal is scheduled for review before the Board of Appeals on Thursday, October 9, 1997 in Room 209, City Hall, Portland, Maine. You must plan to attend to answer any questions the Board may have concerning this appeal.

A copy of the October 9th agenda will be mailed to you as soon as copies become available.

Sincerely,

Marge Schmuckal
Zoning Administrator

cf: P. S. Hoffses
✓ K. Carroll, CEO



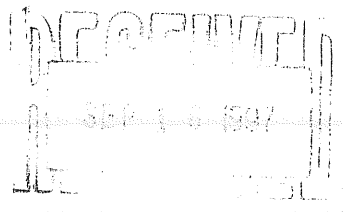
STATE OF MAINE
 PUBLIC UTILITIES COMMISSION
 18 STATE HOUSE STATION
 242 STATE STREET
 AUGUSTA, MAINE
 04333-0018

All Staff then File in 92 Farnham St.
 Joe Gray
 Mike Collins

THOMAS L. WELCH
 CHAIRMAN

WILLIAM M. NUGEN
 HEATHER F. HUNT
 COMMISSIONERS

September 12, 1997



Mr. Alfred Waxler
 P.O. Box 6681
 Portland, Maine 04101

RE: CAD Complaint #25193

Dear Mr. Waxler:

This letter is in response to your complaint made to the PUC's Consumer Assistance Division (CAD) on August 20, 1997. In your complaint, you indicated that the City of Portland had inappropriately ordered the electricity serving your mobile home located at 92 Farnham St. in Portland to be disconnected.

In a conversation with Michael Collins, the City of Portland's electrical inspector, Mr. Collins explained that the power was disconnected due to the connection of the mobile home to CMP's power lines without a proper inspection by a licensed electrical inspector. Mr. Collins ordered the disconnection of service to the mobile home (which was unoccupied at the time) when he became aware of the situation. The City of Portland at this time refuses to authorize the reconnection of power to the mobile home (even though an inspection has been performed by a licensed electrician) pending the resolution of a civil action involving you and the city with regards to your right to locate a mobile home at this location.

I have reviewed CMP's role in this matter and find that they followed proper procedure in disconnecting the mobile home pursuant to an order by the City of Portland's electrical inspector. It is also my understanding that CMP cannot reconnect power to the mobile home unless the City of Portland's electrical inspector authorizes such action. In light of this fact, and that the Commission has jurisdiction over utilities (in this case CMP) and not over municipalities, and that CMP followed proper procedures in its disconnection of your mobile home, there is nothing further that I can do for you in this matter. I therefore will close your complaint filed with the CAD. It is the opinion of some staff here at the Commission that the proper course of action to resolve this dispute is a suit in civil court (which I understand you are currently pursuing).



fred Waxler

ber 12, 1997

ge 2

I hope this information is helpful to you. If you have any questions regarding these matters, please call me at (207) 287-1596.

Sincerely,



Derek D. Davidson
Assistant Director
Consumer Assistance Division

/DDD

cc: Gary Wood, Attorney for City of Portland ✓

Paul DuPree, CMP

Matt Thayer, PUC

ALFRED J. WAXLER

Mail:
P.O. Box 6681
04101

Phone (207) 773-5853
Fax (207) 772-7554

PORTLAND, MAINE

August 23, 1997



Michael A. Collins
Chief Electrical Inspector
Portland City Hall
389 Congress Street
Portland, Maine 04101

Re: Manufactured Housing at 92 Farnham Street and State Law

Dear Mr. Collins:

Please advise me of the specific ordinance or law you relied upon when you authorized Central Maine Power to disconnect the above address.

Please furnish me with the property addresses of the homes that you exercised your right to implement this ordinance or law in the past 24 months.

Should you have any problems with is request I can obtain a Court Order to have this information provided.

Sincerely

A handwritten signature in cursive script, appearing to read "Alfred J. Waxler".

AJW/bhw

cc:

Derrick D. Davidson (PUC)

Paul W. Deperre (CMP)

Thomas L. Welch
Chairman



William M. Nugent
Heather F. Hunt
Commissioners

PUBLIC UTILITIES COMMISSION

Fax: (207) 287-1039

DATE: August 22, 1997

TO: Mike Collins

ORGANIZATION: City of Portland

TELEPHONE OR OTHER CONTACT INFO:

FAX #: 874-8716

FROM: Derek Davidson

Maine Public Utilities Commission

COMMENTS: Mike,

Please call if you have any
problems with getting Mr. Waxler's
power re-connected.

Thank you

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 2

Derek D. Davidson

SIGNATURE OF PERSON COMPLETING THIS SHEET



STATE OF MAINE
PUBLIC UTILITIES COMMISSION
242 STATE STREET
18 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0018

THOMAS L. WELCH
CHAIRMAN

WILLIAM M. NUGENT
HEATHER F. HUNT
COMMISSIONERS

ANGUS S. KING, JR.
GOVERNOR

VIA FACSIMILE

August 22, 1997

Michael A. Collins, Chief Electrical Inspector
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Alfred Waxler, Complaint # 25193

Dear Mr. Collins:

Thank-you for taking the time to discuss Mr. Waxler's situation with me yesterday.

As I told you at that time, Mr. Waxler has filed a complaint with the Maine Public Utilities Commission as a result of the disconnection of power to his mobile home located at 92 Farnham Street in Portland. To reiterate our conversation, you stated that you would authorize the reconnection of Mr. Waxler's power if:

- 1). Mr. Waxler hires a licensed electrician to inspect the connection and fill out the necessary paperwork attesting that the connection was proper; and
- 2.) Mr. Waxler provides you with written permission to enter onto his property to inspect the connection.

Please call me at (207) 287-1596 if my version of the conversation is incorrect.

I know that Mr. Waxler is quite anxious to get this matter taken care of.

Sincerely,

Derek D. Davidson
Assistant Director
Consumer Assistance Division

cc: Alfred Waxler
Paul DuPree, Central Maine Power



Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Alfred J. Waxler
P.O. Box 6681
Portland, ME 04101

RE: 92 Farnham Street

August 21, 1997

Dear Al,

I am in receipt of your letter dated August 20, 1997. I have not received any other application from you other than your original one. If you wish to apply for any other building application, our office is open from 7:00 am to 4:00 pm. At the time of application we will need a plot plan showing all setbacks and building dimensions, and structural plans showing all structural details. Our permit fees are based on the cost of the work which is \$25 for the initial thousand dollars worth of work and then \$5 per thousand after that. I can only give a formal response to a full application for a permit. I can not give an advisory opinion.

If you have any other questions, please do not hesitate to contact this office.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

CC: Gary Wood, Corporation Counsel
Joseph Gray, Jr, Director of Planning & Urban Dev.
Kevin Carroll, Code Enforcement Officer

ALFRED J, WAXLER

Mail:
P.O. Box 6681
04101

Phone (207) 773-5853
Fax (207) 772-7554

PORTLAND, MAINE

August 20, 1997

Ms. Marge Schmuckal
Zoning Administrator/ Asst. Chief of Inspection Services
389 Congress Street
Portland, Maine 04101

Re: Diagonal Placement of Manufactured Home at 92 Farnham Street

Dear Marge:

On July 28, 1997, I wrote you regarding the diagonal placement of the above mentioned Manufactured Home. The original letter is enclosed to refresh your memory. When I provided this material to you I asked to be allowed to formally submit an application for both the diagonal placement of the home to conform to the strict interpretations of the setback ordinance and, also in the alternative, should this Ugly Shoebox be allowed to remain as presently sited to beautify it with an awning and deck.

You would not allow me to apply and pay the fee for both an amendment to the original building permit to allow diagonal placement on the lot or for the awning and deck. These are two separate and distinct requests. Your response was, "I must discuss this with higher ups." I have since been informed that this was, in fact, discussed at a meeting with Gary Wood and Joe Gray and they decided to deny both requests.

The purpose of this letter is to demand that these two applications be formally placed on file. The fee paid and accepted, so that your official ruling will be in the record when I go before the Board of Appeals. Please advise me of this procedure so that I may immediately comply.

Also, please place this letter in your file and on record as my request pursuant to 1 M.R.S.A. PARA. 401 and sequential para. (public access to meetings and deliberations concerning the applicability of laws) to be present when my property and interests are discussed. Therefore, any further discussion on the placement of this manufactured home at 92 Farnham Street must cease. Future decision must be

Ms. Marge Schmuckal
August 20, 1997
Page 2

made in public with all parties present to determine the real basis for these decisions. Strategy sessions to frustrate the application of laws must cease. No attorney-client privilege relationship is available as a defense when the Attorney is on the municipal payroll and represents diverse interests including the public's. Corporation Counsel has demonstrated his allegiance and provided a basis for his decisions in his letter dated August 12, addressed to "Residents of Farnham Street."

Therefore, please advise me when discussion on the response to this letter will be held so that I may be present to make sure my civil rights are not violated.

Sincerely,



AJW/bhw

Enclosures:

cc to:

P. Samuel Hoffses, Chief of Inspection Services
Robert B. Ganley, City manager
Joseph E. Gray, Jr. Director of Planning and Urban Development
Natalie I. Burns, Associate Corporation Counsel
Gary Wood, Corporation Counsel

From: Michael Collins
To: JEG
Date: 8/20/97 12:58pm
Subject: RE: 92 Farnham Street, Al Waxler

Joe,

I spoke to CMP at 12:45 today and they confirmed that the service was disconnected earlier at 12:15. Power was terminated and the meter removed.

Thanks,
Michael

CC: mes, Gary, SPH

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Linda Matteson
Central Maine Power Company
162 Canco Road
Portland, Maine 04103

August 19, 1997

RE: 92 Farnham Road

Dear Linda,

At this time I am ordering the disconnection of electrical service to the above mentioned address, effective immediately. The service in question was connected to the mobile home at this location. This was done by an unlicensed person. The service was re-energized by Central Maine Power Company without an inspection, nor was authorization given for this service to be reconnected.

The City shall order the owner to disconnect the mobile home and to remove it from the site. The structure shall be POSTED. All utilities shall be disconnected in order for this to happen.

Thank you for your cooperation in this matter.

Sincerely,

Michael A. Collins
Chief Electrical Inspector
City of Portland
cc: P. Samuel Hoffses, COI
M. Schmuckal, Asst., COI
Paul Connolly, CMP
Alfred Waxler, Owner
Gary Wood, Corp. Counsel
Joseph Gray, PUD

Change FYI

ALFRED J. WAXLER

Med:
P.O. Box 6681
04101

Phone (207) 773-5853
Fax (207) 773-5855

PORTLAND, MAINE

August 14, 1997

Mr. Joseph Gray
Director of Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101-3509

Re: Manufactured Home Installed at 92 Farnham Street

Dear Mr. Gray:

As you know, today Kevin Carroll and Sam Hoffses and you placed a sign on my private property over my protests.

Please be advised that until the City of Portland sends a survey crew in to establish the end of the City of Portland's right of way and accepted portion of said Farnham Street you are notified to keep all City personnel off of my private property.

When you and your subordinates revoked my building permit you relinquished your jurisdiction over the property. Please notify them of this letter.

Many issues of law are involved in this installation and the appropriate forum is a Court of Law.

In keeping with our long standing policy of not being disagreeable even when we disagree, have a pleasant weekend.

Sincerely,



AJW/bhb

Sent by fax August 15, 1997 to Planning at 756-8258 & Building Inspection at 874-8936

8/16

Kevin
FYI

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

August 13, 1997

Mr. Alfred Waxler
P.O. Box 6681
Portland, ME 04101

RE: Amendment to Notice of Violation and Order to Correct Violations of the Portland Land Use Ordinance - Property Located at 92 Farnham Street, Portland, Maine Assessor's Chart 310, Block F, Lot 23 Issued on August 8, 1997

Dear Mr. Waxler:

On August 12 my office learned that a representative of the local telephone company had been seen on your lot and that an oil storage tank has also been placed on the lot. Those actions tell me that you have no intention of complying with the Notice of Violation and Order to Correct Violations that I issued to you on August 8, 1997. For that reason, I am amending that order insofar as it stated that you had until September 8 to remove the manufactured house after which I would refer the matter to the Office of Corporation Counsel for commencement of legal action. Given your conduct, I have referred this matter on this day to the Office of Corporation Counsel with a request that they commence legal action against you immediately. You are still free to follow the appeals process identified in the August 8th notice.

If you have any questions about this action, please feel free to contact me.

Sincerely,

Marge Schmuckal
Assistant Chief of Inspection Services/
Zoning Administrator

MS:dlc
waxler13.ltr

c: Gary C. Wood, Corporation Counsel

From: Marge Schmuckal
To: SPH
Date: 8/12/97 4:31pm
Subject: 92 Farnham St. - Al Waxler

Joe had me send an inspector out to Al's place because the neighbors said utilities were hooked up and someone was living in there. I sent Tammy out and she said no one was there at the time, but it looked like a temporary service was hooked up. We should coordinate with Mike Collins. No one appears to actually be living in it. Maybe Kevin & Mike should go out tomorrow. Also Joe has the wording for a sign (Corporation Counsel's suggestion) to be made up (I can do it on my computer) to post on the building to notify anyone that it is not an allowable structure to be occupied, nor utilities to be hooked up to.

ALFRED J, WAXLER

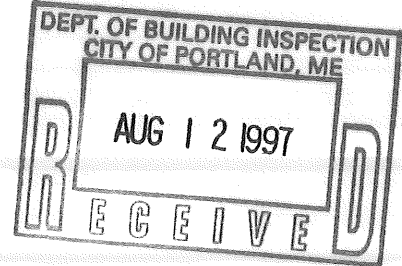
Mail:
P.O. Box 6681
04101

Phone (207) 773-5853
Fax (207) 772-7554

PORTLAND, MAINE

July 28, 1997

Ms. Marge Schmuckal
Zoning Administrator/ Asst. Chief of Inspection Services
389 Congress Street
Portland, Maine 04101



Re: Diagonal Placement of Manufactured Home at 92 Farnham Street

Dear Marge:

Please find enclosed the drawing showing the placement of the home on the diagonal. Note that it **does not** leave any room for a deck or carport.

I have given your office the necessary material to issue the permit for the carport. When I receive the green light, I will send my check for the permit fee and proceed, as I stated in my previous letter, installing the upgraded aesthetics.

I am submitting for your file, a reminder of the last enthusiastic reception I received when I installed a Manufactured Home in Portland. Please note that the building permit was issued in 1985 and the home was sold in 1986. The nice people living in the home had to wait until 1992 (six years) for the City to issue the certificate of occupancy.

Thanks, for providing the City's pertinent ordinances on Manufactured Housing for my review.

I am forwarding a copy of this letter to other City Officials, as this letter is also my request, to appear at the next Housing Committee meeting. Once and for all, the discrimination of this type of housing within the city must be stopped. This attitude is contrary to State, Federal and Constitutional law.

Sincerely,

Al Waxler
AJW/bhw

Ms. Marge Schmuckal
August 8, 1997

Enclosures:

Drawing

Building Permit

C. of O.

cc to:

P. Samuel Hoffses, Chief of Inspection Services

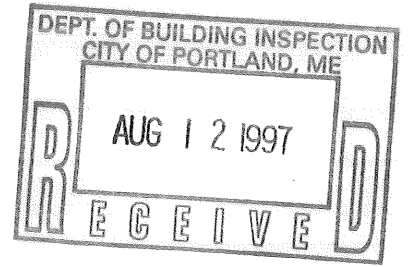
Robert B. Ganley, City manager

Mayor George Campbell and Portland City Council

Joseph E. Gray, Jr. Director of Planning and Urban Development

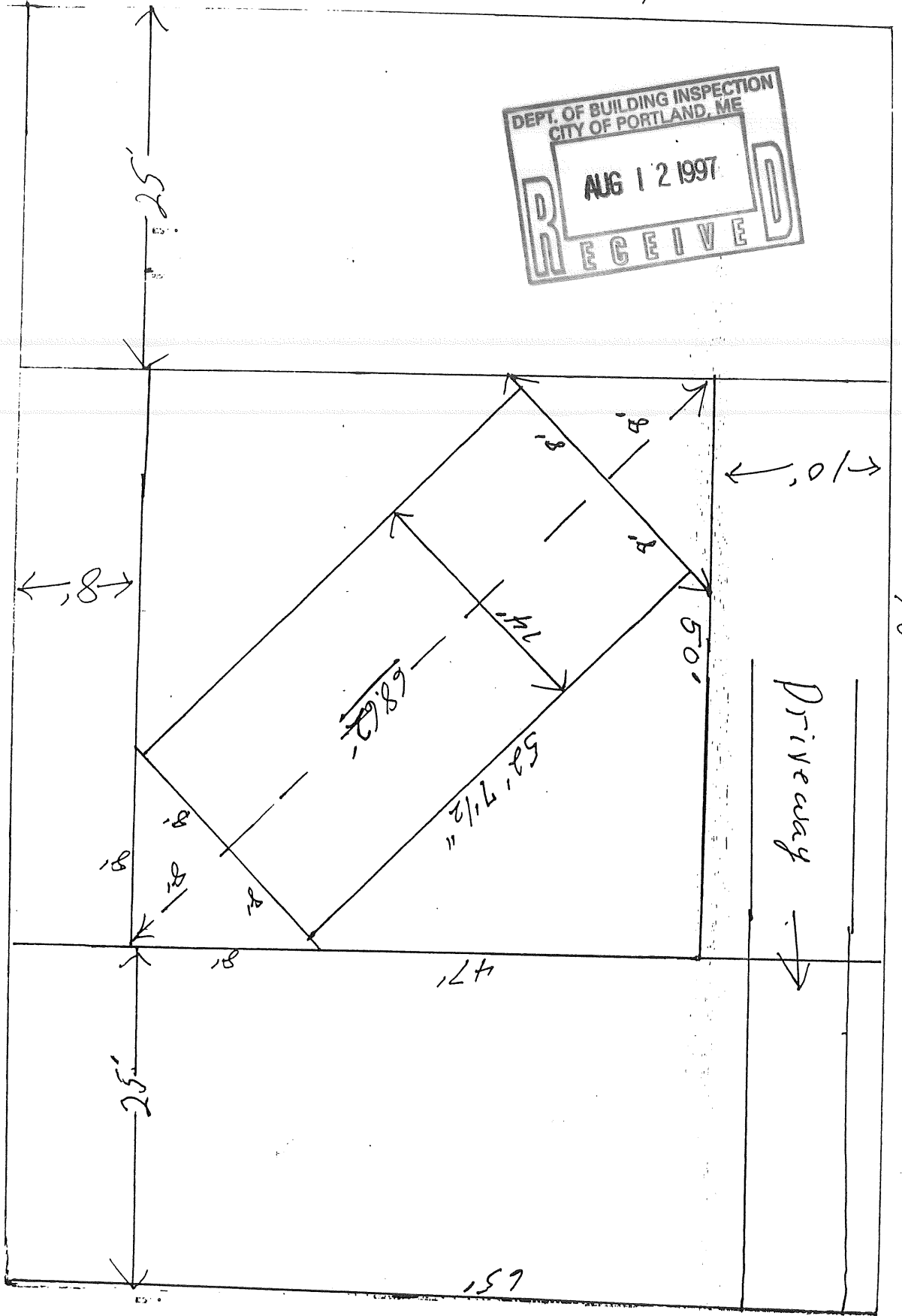
Natalie I. Burns, Associate Corporation Council

Kevin Carrol, Code Enforcement Officer



ALFRED J. WAXLER

Mail: P.O. Box 6681 - 04101
 PORTLAND, MAINE August 8, 1997
 Phone (207) 773-5853
 Fax (207) 772-7554
 Plan drawn by Alfred J. Waxler showing diagonal placement on the property of manufactured home. Home is easily accommodated. Plan is not drawn to scale. Use of the Pythagorean Theorem (solution of the right triangle) proves the numbers.



98 FARNHAM Street
 To Forest Ave

River to m School Property



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 15 Riverview St.
Issued to Your Home Inc. & Alfred J. Waxler Date of Issue 4/24/92

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 85/1431, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF ~~XXXXXX~~ PREMISES

APPROVED OCCUPANCY

Entire ~~THIS IS~~ Single-family 70' x 14' Manufactured Home

~~XXXXXX~~ Comments:

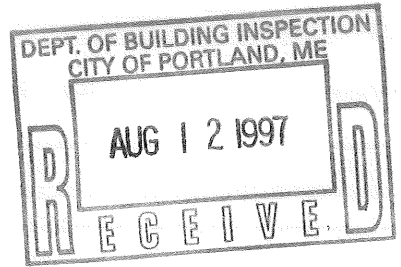
All site plan requirements for the siting of a manufactured home have been met. Structure itself is subject to local inspection.

This certificate supersedes certificate issued

Approved: *[Signature]*
4/17/92
(Date) *[Signature]*
Inspector

[Signature]
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

PERMIT ISSUED

BUILDING INSPECTION

No. DEC 9 1985

PERMIT

001431 City Of Portland

Please Read
Application And
Notes, If Any,
Attached

This is to certify that ALFRED WAXLER, YOUR HOME INC
has permission to TO CONSTRUCT A SINGLE FAMILY DWELLING 14 ft. x 70 ft. without garage
AT LOTS 11 AND 15 RIVERVIEW STREET

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 for inspection must be given and written permission procured before this building or part thereof is lathed or otherwise closed-in.

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 _____

PERMIT ISSUED
WITH LETTER
[Signature]
Director Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

MA. FURTHER
[Signature]

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
AUG 12 1997
RECEIVED

ALFRED J. WAXLER

Mail:
P.O. Box 6681
04101

Phone (207) 773-5853
Fax (207) 772-7554

PORTLAND, MAINE

July 28, 1997

Ms. Marge Schmuckal
Zoning Administrator/ Asst. Chief of Inspection Services
389 Congress Street
Portland, Maine 04101

Dear Marge:

Our letters crossed in the mail. When I stopped in your office on July 24, I showed you the copy of my letter mail the previous day.

This letter outlines my feelings on a win-win situation for everyone.

Without history we cannot judge the present. The basic issue is not whether this newly installed Manufactured Home is "legal" but is it aesthetically acceptable?

To make this point, we must travel back to 1983 when a new Manufactured home was placed at 85 Farnham, under Court Order. A request was made to the Board of Zoning Appeals for a waiver of five feet (5') to allow the 66' home to be placed straight into the 112' lot. The Board would have granted the waiver had the City Attorney, David Lourie, not reminded the board that this was not a hardship. This required the home to be placed upon the lot *diagonally*. There were many raised eyebrows over this placement.

We have this situation again. If an extra foot (BE AS IT MAY) in both back and front poses an insurmountable problem then the home can be moved into the diagonal configuration. IN THE EVENT THIS IS DONE THERE WILL BE NO FUNDS AVAILABLE FOR BEAUTIFICATION PURPOSES.

In response to your concerns over the actual length of the pad. The original pad was laid in at 50' in length. This made for easier placement of the original 48' home. Manufactured housing installation specifications call for the placement of piers starting one foot (1') in from each end.

I hope to be back at work next week and intend to take out a permit for the carport (awning). Trusting these issues may be internally resolved, I remain, sincerely yours,



Enclosure: Letter dated July 23, 1997

cc to:

P. Samuel Hoffses, Chief of Inspection Services
Robert B. Ganley, City manager
Mayor George Campbell and Portland City Council
Joseph E. Gray, Jr. Director of Planning and Urban Development
Natalie I. Burns, Associate Corporation Council
Kevin Carrol, Code Enforcement Officer

ALFRED J, WAXLER

Mail:
P.O. Box 6681
04101

Phone (207) 773-5853
Fax (207) 772-7554

PORTLAND, MAINE

July 28, 1997

Ms. Marge Schmuckal
Zoning Administrator/ Asst. Chief of Inspection Services
389 Congress Street
Portland, Maine 04101

Re: Diagonal Placement of Manufactured Home at 92 Farnham Street

Dear Marge:

Please find enclosed the drawing showing the placement of the home on the diagonal. Note that it does not leave any room for a deck or carport.

I have given your office the necessary material to issue the permit for the carport. When I receive the green light, I will send my check for the permit fee and proceed, as I stated in my previous letter, installing the upgraded aesthetics.

I am submitting for your file, a reminder of the last enthusiastic reception I received when I installed a Manufactured Home in Portland. Please note that the building permit was issued in 1985 and the home was sold in 1986. The nice people living in the home had to wait until 1992 (six years) for the City to issue the certificate of occupancy.

Thanks, for providing the City's pertinent ordinances on Manufactured Housing for my review.

I am forwarding a copy of this letter to other City Officials, as this letter is also my request, to appear at the next Housing Committee meeting. Once and for all, the discrimination of this type of housing within the city must be stopped. This attitude is contrary to State, Federal and Constitutional law.

Sincerely,

AJW/bhw

2Ms. Marge Schmuckal
August 8, 1997

Enclosures:

Drawing

Building Permit

C. of O.

cc to:

P. Samuel Hoffses, Chief of Inspection Services

Robert B. Ganley, City manager

Mayor George Campbell and Portland City Council

Joseph E. Gray, Jr. Director of Planning and Urban Development

Natalie I. Burns, Associate Corporation Counsel

Kevin Carrol, Code Enforcement Officer

ALFRED J. WAXLER

Mail:
P.O. Box 6681
04101

Phone (207) 773-5853
Fax (207) 772-7554

PORTLAND, MAINE

July 22, 1997

Dear

I sincerely wish I had been able to attend the Meeting at the Riverton School held on July 7.

As my Wife told the group I was in bed with a fever and attempting to recover so that elective surgery could be performed on July 10. After a 5 day hospital stay I have been home recuperating.

Hopefully, the problem I have created can be cured to everyone satisfaction.

I realize all of the people on Farnham Street are good people and are worried about property values. There is no concrete evidence that Manufactured Home Residents live in their home any different than you do and as long as the property is neat and clean each of us has a right to live in a property affordable to us.

This home was legally placed upon this property and in my last letter I enclosed the State Laws for your information. However, you are aware that The problems of Manufactured Housing has been an issue with the neighbors for 30 year. **Isn't it time to have closure.**

The people on Farnham Street have caused the City of Portland to expend over \$150,000 in legal fees. This money came from tax dollars spread over the entire city. Is this fair to all of the people in Portland?

With your kind approval I have decided to upgrade the home there now with a deck, a carport, and additional landscaping. This will turn this "eyesore" into a delightful property which can to sold to a small family or couple either as a starter home or retirement home.

The answer is to find a good Home Owner who will feel welcome in the neighborhood. I know Farnham Street is not a neighborhood of snobs.

Again I'm sorry I was not there to personally talk with each of you on July 7. When I recover and return to work I will complete the Project as I have outlined.

I would appreciate a personal call from you and hopefully receive some input.

Sincerely yours,

Corporation Counsel

Gary C. Wood

Associate Counsel

Charles A. Lane
Elizabeth L. Boynton
Natalie L. Burns
Donna M. Katsiaticas

CITY OF PORTLAND

July 11, 1997

Mr. Alfred Waxler
P.O. Box 6681
Portland, ME 04101

**RE: Placement of Single-wide Mobile Home on Lot Located at 92 Farnham Street -
Meeting at Riverton School on July 7, 1997**

Dear Al:

I am writing to you to follow-up on the meeting that was held at Riverton School this past Monday with residents of Farnham Street to discuss the issues raised by your location of a single-wide 14' x 52' 9" mobile home onto your lot at 92 Farnham Street. Your wife was good enough to attend the meeting and had a court reporter with her so I know that you will have another source from which to evaluate the meeting. Your wife said that you are going to be recovering for at least three weeks following an operation and I hope that this letter and these issues do not make your recovery more difficult. Knowing how these issues raise your fighting spirit, I suspect it will probably help you get better faster.

The facts of the matter are that you had a double-wide (24' x 48') manufactured house located at 92 Farnham Street up until May of 1996. It was used for residential purposes. That house and use conformed with existing city ordinances and state law following the decision of the Board of Appeals on March 31, 1983 that it was permitted as a conditional use. Following a meeting with me and Bob Ganley on February 20, 1997 at which I told you you could move a manufactured house back on the lot and that I would separately pursue the collection of the outstanding sewer debt, you went to Building Inspections in April and got them to issue a permit allowing you to place the single-wide home on the lot with its narrow dimension facing the street.

At no time did you talk to me about the difference between the manufactured house that was on the lot previously and the house that you were moving onto the lot. Building Inspections was led to believe that my office had approved that placement, but such is not the case. If you reread my letter dated March 6, 1997 you will see that it states you can put a manufactured house back on the lot as long as it complies with all the rules and

AD 10/10/86

*V.S. double
wide - 2 sections
put together*

- d. Single-family, multiple-component manufactured housing, as defined in section 14-47 (definitions) of this article, except in a National Register Historic District.
- e. Single-family, single-component manufactured housing, as defined in section 14-47 (definitions) of this article, on individual lots under separate and distinct ownership, except in a National Register Historic District and until May 1, 1985, on the islands, provided that each unit meets the performance standards listed below.
 - i. More than half of the roofed area of each unit shall be a double pitched Class C rated shingled roof with a minimum pitch of 3/12.
 - ii. Each unit shall be installed on a full foundation or a concrete frost wall in accordance with all applicable codes and regulations. Any hitch or tow bar shall be removed from the unit after it is placed on its foundation or frost wall. In the case of a frost wall, vermin proof skirting shall be installed on all sides of the unit. The skirting may consist of either (a) concrete or masonry block or (b) manufactured skirting. If concrete or masonry block skirting is installed, either the exterior siding of the unit shall extend within one (1) foot of grade or decorative masonry siding shall be applied. If manufactured skirting material is installed, the color shall be identical to or compatible with the exterior siding of the unit.
 - iii. Each unit shall have exterior siding that is residential in appearance, including but not limited to natural materials such as wood clapboards or shakes, or exterior materials which simulate wood. Clapboards or simulated clapboard shall have less than eight (8) inches of exposure and sheet metal type siding shall not be permitted.
 - iv. Each unit shall have the long side of the unit parallel to the street line where the required street frontage is met.
 - v. Each unit shall be provided with at least two (2) trees meeting the city's arboricultural specifications and which are clearly visible from the street line and are located so as to visually widen the narrow dimension or proportion of the unit.
 - vi. Each unit shall have all fuel oil supply systems constructed and installed within the foundation wall or underground in accordance with all applicable codes and regulations.
 - vii. No unit shall be horizontally or vertically attached to any other unit or other structure, provided however, that this provision shall not be deemed to prohibit building additions, such as porches, garages, room additions or solar greenhouses.

(2) *Other:*

- a. Reserved;
- b. Parks, and other active and passive noncommercial recreation spaces;
- c. Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory uses) of this article;

4/14/97

To: Sam Hoffes. Building Insp Dept.
Please note evidence sales tax
has been paid as per your request.
Al Waxler

State of Maine
Bureau of Motor Vehicles
Portland Branch

09/24/96 SALE 15:19
Transaction # 50101
1 OVERLIMIT TRIP 9.00
1 TRAILER REG 16.00
1 SALES TAX 111.00
TOTAL SALE 136.00
CHECK RECEIVED 136.00



CITY OF PORTLAND, MAINE
Department of Building Inspection

14 April 19 97

Received from Alfred Waxler a fee
of One hundred ten Dollars \$ 110 -
for permit to install erect alter modular home
at 92 Tarham St Est. Cost \$ 18,000 -

26th
1500

Inspector of buildings
Per M. Gurik

THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$5.00 or 10% whichever is greater.

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Auditors Copy

ATLANTIC BANK
P.O. BOX 6681
PORTLAND, ME 04101
ALFRED WAXLER
\$ 136.00
9/24/96
1349
1349
1349