



CITY OF PORTLAND

04/12/12

HUG-A-BUG  
JUNE HOLMAN  
1340 RIVERSIDE ST  
PORTLAND, ME 04103

*e-mailed ZBA application on 5/2/13  
June Holman  
712@gmail.com  
321-1634*

Dear Owner/Manager/Occupant,

The Portland Fire Department recently conducted an inspection of your property located at 1340 RIVERSIDE ST to ensure compliance with state and local fire safety regulations. See attached violation notice. While conducting this inspection, we identified life safety code violations as more particularly described in the attached violation notice. See attached.

You have until thirty-two (32) days from the date of this notice to correct the violations outlined in the attached notice. If the corrections cannot be accomplished by this date, please contact the Fire Prevention Office at (207) 874-8400 upon receipt of this notice to discuss the matter and the process to submit a Plan of Action for addressing these safety issues.

Please note that one (1) follow-up inspection will be done to ensure that your property is brought into compliance. Should any additional inspections be required you will be charged \$75.00 for each re-inspection. See Portland City Code, Chapter 10, Fire Prevention and Protection, § 10-25.2 available online at [www.portlandmaine.gov](http://www.portlandmaine.gov).

If all of the violations cited above have not been corrected by the above referenced compliance date, or the date contained within a Plan of Action approved by the Portland Fire Department, this matter will be referred to the City of Portland Corporation Counsel for legal action and possible civil penalties as provided for in Portland City Code, Chapter 10, Fire Prevention and Protection, § 10-25 and in Title 30-A M.R.S.A.

This is an appealable decision pursuant to Portland City Code, Chapter 10, Fire Prevention and Protection, § 10-23. As such, you have ten (10) days from the date of this notice to appeal to the Board of Appeals. See Portland City Code, Ch. 10 § 10-23.

Thank you in advance for your prompt attention to this matter. Please contact us at [fireinspector@portlandmaine.gov](mailto:fireinspector@portlandmaine.gov) or (207) 874-8400 with any questions.

Sincerely,

The Portland Fire Department

PORTLAND FIRE DEPARTMENT  
Prepared: 4/18/12, 16:57:10  
Program: FP950L

Violations  
Listing

Page 1

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**Inspection Information:**

Inspection date . . . : 4/12/12  
Inspection type . . . : EMERGENCY CALL- INSPECTION  
Inspector 1 name . . . : BENJAMIN A. WALLACE JR  
Inspecting station . . : Fire HQ  
Inspecting shift . . . : Staff 10 hrs  
Inspecting apparatus: C41  
Reinspection date . . : 5/20/12

**Property Information:**

Property number . . . : 234860  
Property name . . . . : HUG-A-BUG  
Address . . . . . : 1340 RIVERSIDE ST, PORTLAND ME 04103  
Phone number . . . . : 207-591-5367  
Contact person . . . : JUNE HOLMAN  
Phone number . . . . : 207-321-1634

**Owner Information:**

Owner name . . . . . :  
Address . . . . . : 18 BROOKSIDE DR, FALMOUTH ME 04105  
Business name . . . . : LABRECQUE SCOTT P & CLARE C JT

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**\*\* VIOLATIONS \*\***

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Violation number . . . : 1  
Violation class . . . : FIRE PROTECTION EQUIPMENT  
Violation type . . . . : FIRE ALARM INSPECTION STICKER REQUI  
Compliance date . . . : 5/20/12  
Compliance remedy . . : Per City Ordinance  
-----

5/3/12

Scott & Claire Lebreque  
June Holman  
1340 Riverside Street  
Portland, Maine 04103

To Whom It May Concern,

We received a registered letter on 4/25/12, which was postmarked 4/24/12, informing me of a violation notice for my property.

Pursuant to the Portland, City Code Chapter 10 Fire Prevention and Protection 10-23, I am submitting this letter of appeal to the Board of Appeals regarding violation number 1, which is a Fire Protection Equipment violation regarding the Fire Alarm Inspection Sticker that is required.

The reason for this appeal is that our existing system has been tested and has been proven to be completely functional and working properly by an authorized Security Systems Company however, the company cannot put the required sticker on the panel because they were verbally warned not to by Ben Wallace.

After speaking to many security companies and other childcare centers in this very neighborhood, it is my belief and understanding that his reasons for interfering with my efforts to be in compliance to the Fire and/or Life Safety Code are unrelated to safety code.

In addition, our business is a small licensed center and runs out of a simple farmhouse style building and generally serves only 20-35 children on average. These additional and possibly unnecessary requirements will be costly and result in undue hardship to the small business practice that is currently operating at this location.

Sincerely,

Scott Lebreque

Claire Lebreque

June Holman

## Sheila Hill-Christian - Re: Hug-a-bug daycare

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**From:** Benjamin Wallace  
**To:** Chris Pirone; Dick Andrews; John Martell  
**Date:** 4/3/2013 12:35 PM  
**Subject:** Re: Hug-a-bug daycare  
**CC:** Hug-a-bug; John Mcdonough

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So they just need to get a current inspection sticker and the alarm company send us a copy of the inspection and test report.

Thanks,  
Ben

>>> Dick Andrews 4/3/2013 11:30 AM >>>

The fire alarm system at the Hug-a-bug daycare has been updated to include the alarm zone, city disconnect switch and tamper switch as per city requirements. As I understand it, the testing of the detectors, etc has been previously completed. If this is so, than Seacoast Security should be able to sticker the panel in accordance with the city's requirements.

Anthony will have to rearrange the zones reporting to zone #3, general alarm, zone #4 city disconnect. zone #8 panel tamper.

The general alarm includes waterflow and smokes and pulls. The central station will report the panel zones in alarm to dispatch when they report the alarm.

### **System operation before testing or drills.**

- 1. Call fire dispatch 874-8576-inform them you will be testing/fire drill and panel is to be in city disconnect.**
- 2. Call Seacoast Security central station-inform them of the of the drill or test.**
- 3. Activate the city disconnect switch. Perform the drill/test...restore the fire alarm panel to non alarm condition.**
- 4. Place the city disconnect in the normal position.**
- 5. Notify both parties that you are done with the test/drill.**

CITY OF PORTLAND, MAINE

4/30/13

APR 30 2013

To Whom it may <sup>City Managers Office</sup> Concern

I am Requesting a meeting w  
the City manager to Resolve a  
Problem I have Concerning the Portland  
Fire Department and its involvement  
with a Private Security Company and  
their collection actions to force me  
to install new equipment unnecessarily.

I am Requesting a timely meeting as the  
Final Step in this Process has resulted  
in the Security Company Terminating their  
contract unless I change these functioning  
Devices. Services will end on 5/24/13  
and my Company cannot Run without those  
Services, The Fire Department has Prevented  
me from Contracting w/ any other Companies.

A letter w/ all of my arguments + letters  
are included and I have witnesses to  
attest to my allegations.

Please Contact me @ 321-1634

June Halma



# PORTLAND MAINE

*Strengthening a Remarkable City. Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

## EXECUTIVE DEPARTMENT

Shella Hill-Ohrstian  
Deputy City Manager

April 30, 2013

June Holman  
1340 Riverside Street  
Portland, ME 04103

Dear Ms. Holman:

The purpose of this letter is to provide follow up regarding our phone conversations and recent meetings regarding your rental property located at 1340 Riverside Street in Portland, Maine.

With regard to whether or not the changes in your fire alarm system meet City of Portland requirements, please see the attached email which I believe is already in your possession. In the email dated April 3, 2013, Dick Andrews of the Portland Fire Department stated that your system was updated to include the alarm zone, city disconnect switch and tamper switch per city requirements. Although Mr. Andrews stated it was his understanding that the testing of the detectors had been previously completed, he did not and could not certify that the testing was done, or that the detectors passed. That part of the decision making process does not rest with the Portland Fire Department.

The certification and resulting compliance of any smoke detection equipment in the City of Portland rests with an approved fire alarm company. A list of approved companies can be found on the Fire Prevention website at the following address:

<http://www.portlandmaine.gov/fireprevention/firealarmcompanies.asp>.

As you know, only approved companies can apply the sticker certifying that your system passed inspection.

It is my understanding that you disagree with our position and wish to pursue an appeal. We have forwarded the information you submitted to the City Manager today to Marge Schmuckal in the Zoning Office. Ms. Schmuckal will assist you with your appeal. Her phone number is (207) 874-8695.

June Holman  
April 30, 2013  
Page 2

If you have further questions or need additional information please contact my office at  
(207)874-8689.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sheila Hill-Christian".

Sheila Hill-Christian  
Deputy City Manager

cc: Jerry Lamoria, Fire Chief  
Jeff Levine, Director of Planning and Urban Development  
Marge Schmuckal, Zoning Administrator  
Mark Rees, City Manager  
file

## Marge Schmuckal - Re: Hug-A-Bug Letter

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**From:** Sheila Hill-Christian (Sheila Hill-Christian)  
**To:** Bean, Sonia; LaMoria, Jerry; Levine, Jeff; Schmuckal, Marge  
**Date:** 4/30/2013 5:30 PM  
**Subject:** Re: Hug-A-Bug Letter  
**CC:** Mitchell, Greg; Wallace, Benjamin; West-Chuhta, Danielle

---

Thanks Marge,

Apparently part of the issue with the previous appeal is that Greg dealt with the landlord who owned the building but not the business owner who filed the appeal who is Ms. Holman. As a result Ms. Holman contends that we never responded to her complaint. If that is the case, it seemed fair that she should get the hearing she was denied previously since her fire inspection issue remains a problem. We met with her recently without resolution so the next logical step seems to be an appeal.

However, if you feel you are correct please notify Ms. Holman by mail and provide a copy of the letter for my files.

Sheila

>>> Marge Schmuckal 4/30/2013 5:19 PM >>>

Hi Sheila,

I received a letter your sent to Hug-a-bug and June Holman. This matter of appeal was exhausted just about a year ago. There was never an application submitted to the Zoning Board of Appeals. Greg Mitchell who was Acting Director of Planning and Urban Development wanted to also handle the matter by contacting the owner of the Day Care at that time to help solve the issues with Fire Department. After that time, I lost track of the matter because it was being handled by the Director of the Department. I don't think she still has appeal rights at this time.

Marge

>>> Sonia Bean 4/30/2013 3:45 PM >>>

Sonia Bean  
Senior Administrative Assistant  
Executive Department  
City of Portland  
(207) 874-8689



## Marge Schmuckal - Re: Hug-A-Bug Letter

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**From:** Marge Schmuckal  
**To:** Jeff Levine; Jerry LaMoria; Sheila Hill-Christian; Sonia Bean  
**Date:** 4/30/2013 5:19 PM  
**Subject:** Re: Hug-A-Bug Letter  
**CC:** Benjamin Wallace; Danielle West-Chuhta; Greg Mitchell

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Hi Sheila,

I received a letter your sent to Hug-a-bug and June Holman. This matter of appeal was exhausted just about a year ago. There was never an application submitted to the Zoning Board of Appeals. Greg Mitchell who was Acting Director of Planning and Urban Development wanted to also handle the matter by contacting the owner of the Day Care at that time to help solve the issues with Fire Department. After that time, I lost track of the matter because it was being handled by the Director of the Department. I don't think she still has appeal rights at this time.

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Sonia Bean  
Senior Administrative Assistant  
Executive Department  
City of Portland  
(207) 874-8689

## Marge Schmuckal - Re: Hug-A-Bug Letter

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**From:** Danielle West-Chuhta (Danielle West-Chuhta)  
**To:** Greg Mitchell; Jeff Levine; Jerry LaMoria; Marge Schmuckal; Sheila H...  
**Date:** 5/1/2013 9:41 AM  
**Subject:** Re: Hug-A-Bug Letter  
**CC:** Benjamin Wallace; Lori Paulette

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Sheila:

I just spoke to Marge and I have reviewed Greg's materials and the City Code. Under Chapter 10 a decision of the PFD can be appealed to the ZBA within 10 days from the date of the decision. In this case, based on Greg's message, the appeal happened (and was signed by the landlord and the tenant). Greg then worked with the parties and they decided to not pursue their appeal any further. As a result, I think that under the City Code their appeal rights may have expired.

Thanks,

Danielle

>>> Sheila Hill-Christian (Sheila Hill-Christian) 5/1/2013 9:25 AM >>>  
The gift that just keeps on giving...)

>>> Marge Schmuckal 5/1/2013 9:16 AM >>>  
Thank you Greg. I think this helps clarify the issues. Sorry to loop you back in.  
Marge

>>> Greg Mitchell 5/1/2013 8:27 AM >>>  
To All:

Here is my background information on this matter for everyone dealing with issue.

I received the attached appeal last year jointly filed by the Labreque's (landlords) and June Holman (tenant). My contact, on this matter, was with Scott Labreque only. After receiving the appeal, I contacted Scott and advised him of the fees associated with filing the appeal. The fees include a filing fee, staff administrative processing fee, cost of advertising the public hearing notice along with abutter notices charges depending upon the number of abutters. Scott advised me to stop the appeal process after hearing the fees. I offered to arrange a meeting on-site with fire inspectors and me. Scott stated he and June would continue to work directly with the fire department. I wrapped up my discussions with Scott to contact me if I could be of further assistance.

Let me know if you have any questions or require additional assistance, Greg

Greg A. Mitchell, Director  
Economic Development Dept.  
City of Portland  
389 Congress Street  
Portland, Maine 04101  
Tel. 207.874.8945  
Fax 207.756.8217  
[gmitchell@portlandmaine.gov](mailto:gmitchell@portlandmaine.gov)

>>> Sheila Hill-Christian 4/30/2013 5:47 PM >>>

Thank you!

>>> Marge Schmuckal 04/30/13 17:34 PM >>>

Thank you for that further information, Sheila. I will discuss the legal ramifications with Danielle. I am not sure now where we stand legally. Before I contact Ms. Holman, I will sort it out a bit more.

Marge

>>> Sheila Hill-Christian (Sheila Hill-Christian) 4/30/2013 5:30 PM >>>

Thanks Marge,

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Sonia Bean

Senior Administrative Assistant

Executive Department

City of Portland

(207) 874-8689

## Marge Schmuckal - Re: Hug-A-Bug Letter

---

**From:** Greg Mitchell  
**To:** Bean, Sonia; Hill-Christian, Sheila; LaMoria, Jerry; Levine, Jeff; S...  
**Date:** 5/1/2013 8:27 AM  
**Subject:** Re: Hug-A-Bug Letter  
**CC:** Paulette, Lori; Wallace, Benjamin; West-Chuhta, Danielle  
**Attachments:** 5-3-12 Appeal Ltr for Fire Alarm System.pdf

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>>> Sonia Bean 4/30/2013 3:45 PM >>>

Sonia Bean  
Senior Administrative Assistant  
Executive Department  
City of Portland  
(207) 874-8689

## Marge Schmuckal - Re: Hug-A-Bug Letter

---

**From:** Jerry LaMoria  
**To:** Danielle West-Chuhta; Greg Mitchell; Jeff Levine; Marge Schmuckal; S...  
**Date:** 5/1/2013 2:41 PM  
**Subject:** Re: Hug-A-Bug Letter  
**CC:** Benjamin Wallace; Lori Paulette

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Fire Department staff along with Greg Mitchell and Sheila met with her on Wednesday April 24th. This is a difficult situation that has lingered for more than a year. The decision that was made at the conclusion of the meeting was that it was her responsibility to have an alarm company certify the system. I think it is safe to say she is now appealing that decision which would make her compliant with the time requirement.

I agree that it is in the best interest of all to allow her the hearing. I believe the Fire Department and the City have acted appropriately and if we deny the request for an appeal we would only deal with this at another level. I recommend we waive the time period and do the appeal.

Jerry

>>> Jeff Levine 5/1/2013 2:34 PM >>>

Danielle- I think you may be correct on the timing. However, I think, and Chief LaMoria agrees, that we think this discussion would best take place before an impartial party like the Board of Appeals. Can we voluntarily waive the statute of limitations and allow this to go to the Board of Appeals?

Chief LaMoria can fill you in, but there was a meeting two weeks ago with Fire Department staff about this issue, and perhaps the results of that meeting can be what she appeals.

Jeff

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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

**Current Owner Information:**

**Services**

- [Applications](#)
- [Doing Business](#)
- [Maps](#)
- [Tax Relief](#)
- [Tax Roll](#)
- [Q & A](#)

**CBL** 357 C004001  
**Land Use Type** SINGLE FAMILY  
Verify legal use with Inspections Division  
**Property Location** 1340 OLD RIVERSIDE ST  
**Owner Information** LABRECQUE SCOTT P & CLARE C JTS  
 18 BROOKSIDE DR  
 FALMOUTH ME 04105  
**Book and Page** 8170/213  
**Legal Description** 357-C-4  
 OLD RIVERSIDE ST  
 1332-1346  
 13184 SF  
**Acres** 0.3027

**Current Assessed Valuation:**

[browse city services a-z](#)

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

**TAX ACCT NO.** 37934 **OWNER OF RECORD AS OF APRIL 2012**  
 LABRECQUE SCOTT P &  
 CLARE C JTS  
 18 BROOKSIDE DR  
 FALMOUTH ME 04105  
**LAND VALUE** \$68,200.00  
**BUILDING VALUE** \$159,700.00  
**NET TAXABLE - REAL ESTATE** \$227,900.00  
**TAX AMOUNT** \$4,289.08



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

**Building Information:**

Best viewed at 800x600, with Internet Explorer

**Building 1**  
**Year Built** 1900  
**Style/Structure Type** COLONIAL  
**# Stories** 2  
**# Units** 1  
**Bedrooms** 4  
**Full Baths** 1  
**Half Baths** 1  
**Total Rooms** 8  
**Attic** NONE  
**Basement** FULL  
**Square Feet** 2991



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

**Sales Information:**

Sale Date	Type	Price	Book/Page
2/5/1988	LAND + BUILDING	\$0.00	8170/213

[New Search!](#)

# Hug-A-Bug



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