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Director of Planning and Urban Development
Penny St. Louis Littell

Inspection Services Director
Tammy Munson

January 30, 2009

Steve Fowler-Greaves
661 Allen Avenue
Portland, ME 04103

RE: 661 Allen Ave., Permit # 071319
CBL: 398-B-016001

Certified Mail # 7007 2560 0002 3788 5886

Dear Mr. Fowler-Greaves,

This letter is a follow up to the meeting on January 27, 2009 in the Inspections Office at City Hall with you and Bob Greenlaw. Thank you for the timely response to my phone call that day to Bob regarding the installation of the Big John outdoor wood boiler. You confirmed yesterday that this appliance was installed sometime in November of 2007 without benefit of approvals. During my review process, Bob Greenlaw was the primary contact; he did supply additional information per my request. After his last submittal on December 5, 2007 and a subsequent conversation on December 11, I requested further information, which has not been submitted to date:

1. Accurate verification of required clearance to combustibles or compliant reduction method
2. Certification that the appliance meets DEP emissions control standards, setbacks to property lines and stack heights.
3. The extension pipe/stack specifications

The 2003 International Building Code Section 105.3.2 Time limitation of application states:
An application for a permit for any proposed work shall be deemed to have been abandoned 180 after the date of filing, unless such application has been pursued in good faith, or a permit has been issued...

This appliance has been installed in violation of the 2003 International Building Code, Section 113.2, as an approved permit is required. It is also in violation of State Statute 38 M.R.S.A. ss 585-A & ss 610-B, Chapter 150, Control of Emissions From Outdoor Wood Boilers. You are hereby ordered to

submit the above information for review within 30 days of the date of this letter. If the permit cannot be approved due to nonconformance with state statutes or local codes, the appliance shall be removed and abandoned from use within 7days of the denial of permit letter date. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 6-1 of the Code and in Title 30-A M.R.S.A. ss 4452.

This is an appealable decision per Section 6-112.0 of the Municipal Building Code of the City of Portland.

Per our conversation, I understand you will be out of town until mid February. You stated your intention is to pursue an alternate system that is compliant, if the existing appliance does not satisfactorily meet code. Should you decide this route, a separate application for review shall be submitted with plans for the proposed replacement system.

Please feel free to contact me @ 874-8715 if you have any questions regarding this matter.

Respectfully,

Jeanie Bourke
CEO/Plan Reviewer

Cc. Bob Greenlaw