

Certificate of Occupancy

LOCATION

Issued to

Date of Issue

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.	, 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 belo	ow.
PORTION OF BUILDING OR PREMISES	APPROVED OCCUPANCY

This certificate supersedes certificate issued

Limiting Conditions:

Approved:

(Date) Inspector

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.

411 was

ACSURCAA.

CITY OF PORTLAND, MAINE Department of Building Inspection

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PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

Inspector

iii o**k**i

ATTICLE ASSESSMENT

Inspector of Buildings

(Date)

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SURCAL SU

Certificate of Occupancy

LOCATION 48 Willow Lane GEL 151-Mind

Issued to Wayne Iran

Date of Issue December 0,1900

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. 971076 , 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 BUILDING OR PREMISES

WEtire

With Detached 12 x 12 Shed

Limiting Conditions:

APPROVED OCCUPANCY

Single Family In PRUD Subdivision BOCA 96'

TYPR 5B Group R3

This certificate supersedes

certificate issued

April 1, 199

Approved:

TOVEG.

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Instructor

Inspector of Buildings

100 19/19

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Certificate of Occupancy

LOCATION E

Issued to

Inspector

(Date)

Date of Issue

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PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

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Inspector of Buildings

Limiting Conditions:				en silva e e	· · · · ·	. 1 .11
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Approved:	The state of the		The second secon	والمناوية والمعاونة والمعاونة المعاونة	<u> </u>	ranger of

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.



Certificate of Occupancy

LOCATION 44 Willow Lane CBL 191-B-041

Issued to Nancy A, kay

Date of Issue December 6, 1000

Units is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 980944 , 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 BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Single Family PRUD Subdivision BOCA 96' TYPE 5B Group R3

Limiting Conditions:

This certificate supersedes

certificate issued December 31,1998

Approved:

12 - 9 - 99 (Date)

Inspector

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

1800 B/6/99



Certificate of Occupancy

LOCATION

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Issued to

Date of Issue

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APPROVED OCCUPANCY

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

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Certificate of Occupancy

LOCATION FOR THE THE PROPERTY OF THE PROPERTY

Y - 3						
Issued to	ومنابأ بمساوية	. 4.	C	 1	1.14.006	

Date of Issue

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. [10] [15], 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 BUILDING OR PREMISES

APPROVED OCCUPANCY

Entiro

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Limiting Conditions:

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Approved:

(Date)

Inspector

Inspector of Buildings

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Certificate of Occupancy

LOCATION

Issued to Parking the Line in the Nathan

Date of Issue

The same of the sa

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. 1860-155, 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 BUILDING OR PREMISES

APPROVED OCCUPANCY

Estire

- Simple Partily (Well as

Limiting Conditions:

This certificate supersedes certificate issued 13 APARA 1997

Approved:

(Date)

Inspector

Inspector of Buildings

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CITY, OF PORTLAND, MAINE
Depart at of Building Inspection



Certificate of Occupancy

LOCATION

Issued to Cottaine Park, Inc.

Date of Issue

— changed as to use under Building Permit No. 9604222, 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 BUILDING OR PREMISES

APPROVED OCCUPANCY

15 Summer Flace (Lot #1 - 41.919 10)

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fingle Barila Declina

Limiting Conditions: The Part of the Limiting Conditions:

o de la alta altre Comerco distrato (Mil Ageni) i Elbero figiono (1966) (Comerco Structory) (m. 1970) 1970 (19 In la comercia

This certificate supersedes certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development Joseph E. Gray Jr. Director

CITY OF PORTLAND

April 28, 1997

Ric Weinschenk Builders 91 Summer Place Portland, ME 04103

RE: Willow Lane (Lot #15)

Dear Sir:

Your application to construct a single family dwelling with two car attached garage has been reviewed and a permit is herewith issued subject to the following requirements. This permit does not excuse the applicant from meeting applicable State and Federal Laws.

NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL REQUIREMENTS OF THIS LETTER ARE MET.

Site Plan Review Requirements

Building Inspection: Conditions of CMP 40' eastment on rear of property shall be maintained. 2. Separate permits will be required for any new decks and / garages Approved. M . Schmuckal

Development Review Coordinator: See attached Conditions - J Wendel

Building and Fire Code Requirements

1. Please read and implement items 1, 2,5, 6,7,8,9,10,11,15, 20 & 24 of the attached building permit report.

A Samuel Hoffses

Chief Building Inspector

C:

M. Schmuckal

J. Wendal

///

Applicant: Rick Wort lay Date: Address: 19 Wllow Lane (#15) C-B-L:	4/24/97
Address: 19 Wllow LANC (#15) C-B-L:	191-B-45
CHECK-LIST AGAINST ZONING ORDIN	IANCE
Date - New	
Zone Location - R-S-Prud De S,	
Interior or corner lot -	7 - 00: 10 98 A 8
Proposed Use/Work - Construct Sugla family	Judge Janes
Sewage Disposal - City - First purp to	
Lot Street Frontage-) min Setback from E Front Yard- Lives > 25/Fg Rear Yard- (2) Note; There is No minds Side Yard- (3) (e CleAtan Areas Shall be Projections from dwelling units	Hernal Subdivision proper
Front Yard - Lives 7 25/50	20 Show
Rear Yard - (C) Note, There is No mandres	Tron other dwelly unts reg
Side Yard - (3) Ve CleAton Areas SMI De	- None Shown That class
Width of Lot -	
Height - 2 Story - 2 26 to rage Show Lot Area - 8,980#	
Lot Coverage/ Impervious Surface -	
Area per Family -	hair
Off-street Parking - ZSFACES (eg - ZSFACES S Loading Bays -	
Site Plan - how how	
Shoreland Zoning/Stream Protection - ND	•
Flood Plains - The 13 A 17 Zmc	
	L.
40' CMP EASEMENT ON FEAT Of Frag	insty.
•	. /

STATE OF MAINE

SUPERIOR COURT NC 244

KENNEBE	C ss.	CIVIL ACTIO
STATE OF	MAINE,	Docket No. CV-00-2
Plair	ntiff	
		A DELICANO DE MADELCON
v.		AFFIDAVIT OF MARK ADELSON
FREDERIC	D. WEINSCHENK, et al.	
Defe	endants	
	W COMES Mark Adelson and avers based on personal knowledge:	that the following statements are true and
1.	•	nd Neighborhood Services at the City of ervices is contained within my Department.
2.		cise and maintain control over the records s Services, including Certificates of Occupancy
3.	Certificates of Occupancy are pub preserved by a public office, name	olic records regularly made, revised and ely the City of Portland.
4.		upancy are true and accurate copies of the d to the following properties and kept on file ir City of Portland:
Date:		
STATE OF		Mark Adelson
CUMBERL		September 10, 2002
made oath th	onally appeared before me the above- nat the foregoing affidavit by himself	named Mark Adelson, made known to me, and subscribed is true and correct to the best of his

d own personal knowledge.

Attorney-at-Law

BUILDING PERMIT REPORT
DATE: 27 APril 97 ADDRESS: 19 W1/low Ln (LOT# 15)
REASON FOR PERMIT: To Construct a single family dwelling.
BUILDING OWNER: CoTTage Park Inc.
CONTRACTOR: BIC Weinschenk Bulders
PERMIT APPLICANT: RICK WO-TLe APPROVAL: X/X2 X5 X X X X X X X X X X X X X X X X X
CONDITION OF APPROVAL OR DENIAL
This permit does not excuse the applicant from meeting applicable State and Federal rules and laws. Before concrete for foundation is placed, approvals from the Development Review coordinator and Inspection Services meeting be obtained. (A 24 hour notice is required prior to inspection) Precaution must be taken to protect concrete from freezing. 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. 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)
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) UL 103.
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,

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

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

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

Each apartment shall have access to two (20 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.

The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by

Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

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

In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and

All vertical openings shall be enclosed with construction having a fire rating of at lest one (1)hour, including fire doors with

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

would provide a ladder effect.

minimum 11" tread. 7" maximum rise.

providing automatic extinguishment.

In all bedrooms

In the immediate vicinity of bedrooms

Headroom in habitable space is a minimum of 76".

The minimum headroom in all parts of a stairway shall not be less than 80 inches.

shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft.

In each story within a dwelling unit, including basements

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×10.

× 11.

12.

13.

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14.

self closer's.

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development Joseph E. Gray Jr. Director

CITY OF PORTLAND

Ric Weinschenk c/o Cottage Park, Inc. 91 Summer Place Portland, ME 04103

March 20, 1997

RE: 91 Summer Place- Home Occupation/Business Use

Dear Mr Weinschenk,

It has come to our attention that you are using your home for what might be considered a home occupation for you development activities. Please be aware that there are very specific regulations concerning these uses within residential zones. I have included a copy of the home occupation section outlining the criteria needed to allow for such a use. If you can meet the criteria, you must come to this office to apply for a permit to allow your use under home occupations. We are located in Room 315, City Hall and are open Monday through Friday from 7:00 a.m. to 4:00 p.m. at which time our secretaries will help you with your permit application.

At the time of submittal, you should bring with you to this office a cover letter explaining the extent of your home occupation and how it meets the given criteria, item by item. We also require floor plans showing the dimensions and the area of the home occupation space. The cost of this type of permit is usually \$25.00 if there are no structural changes.

If you do not meet the criteria as outlined, it will be obligatory to discontinue your use at this residential location. It will be necessary to contact this office regarding this matter within 10 working days to legalize this situation.

Very Truly Yours,

Marge Schmuckal

Asst. Chief of Insp. Services/

Zoning Administrator

cc: P. Samuel Hoffses, Chief of Insp. Services
Merle Leary, Code Enforcement Officer
Joseph Gray, Jr., Dir. of Planning & Urban Dev.

m:homeocc

COTTAGE PARK, INC

DEVELOPERS OF FINE AND UNUSUAL NEIGHBORHOODS
91 SUMMER PLACE, PORTLAND, MAINE 04103
(207) 828-3900 FAX (207) 775-7703

March 28, 1997

Marge Schmuckal Asst. Chief of Inspection Services/ Zoning Administrator City of Portland Portland, Maine 04101

RE, 91 Summer PLACE

Dear Marge,

As requested per our phone conversation the other day I am writing to respond to your letter dated March 20, 1997 referencing Home Occupation at my home.

I do not have, now or in the past, an office at my home.

I do use 91 Summer Place for my mail. Our physical office is located at whatever job sites we are currently developing. The frequent relocation of our office causes too much confusion for the post office to promptly deliver mail.

If you need any other information or have any other questions please feel free to call my office trailer.

Very Truly Yours,

Ric Weinschenk

President, Cottage Park, Inc.

cc: P. Samuel Hoffses Merle Leary Joseph Gray, Jr.

recrived ...



	DEVELOPMENT	ORTLAND, MAINE REVIEW APPLICATION MENT PROCESSING FORM	I. D. Number
the state of the s	irces Corp(current	owner)	2/28/97 Application Date
	nd Ave- Ptld ME 041	01	
Ric Weinschenk -	· <u>91 Summer PloPtl</u> · 828-3900	Address of Proposed Site 193 E	7
Applicant or Agent Daytime Telep	ohone, Fax 7 1-fam dwl	Assessor's Reference: Cha	art-Block-Lot
Proposed Development (check all Office Retail	that apply): X New Building Manufacturing Warehou	Building Addition (Change of Use Residential ify)
Proposed Building Square Feet or		e of Site	Zoning
Check Review Required:			
Site Plan (major / mirror)	X Subdivision 7 # of lots 7	PAD Review	14-403 Streets Review
Flood Hazard	Shoreland	Historic Preservation	DEP Local Certification
Zoning Conditional Use (ZBA/PB)	Zoning Variance	Single-Family Minor	Other
Fees paid: site plan\$3(subdivision _	175	1111 1 2,24
Approval Status:		Reviewer	
Approved	Approved w/Condition	ons Denie	d
	Instead below		
2			
3.			
1.			
Approval Date	Approval Expirationdate	Extension todate	Additional Sheets Attached
Condition Compliance	signature	date	
Performance Guarantee	Required*	Not Required	
	· ·	as been submitted as indicated belo	ow
Performance Guarantee Acc	cepted		
	date	amount	expiration date
Inspection Fee Paid	date	amount	
Personnance Guarantee Rec	duceddate	remaining balance	signature
Performance Guarantee Rel	caseddate	signature	
Defect Guarantee Submittee	d submitted date	amount	expiration date
Defect Guarantee Released	date	signature	
Dink Duilding Lumantians D		· ·	- Planning 2/9/95 Rev5 KT.DPUD



CITY OF PORTLAND, MAINE DEVELOPMENT REVIEW APPLICATION PLANNING DEPARTMENT PROCESSING FORM

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WIATIS VOR	PLANNING DEPARTM	MENT PROCESSING FORM	
applicant System 1 19 1 19 1 19 1 19 1 19 1 19 1 19 1			Application Date
			Project Name/Description
pplicant's Mailing Address onsultant/Agent	Surant Planting	Address of Proposed Site	7 (485 Stayson 14)
pplicant or Agent Daytime Telephone,	Fax	Assessor's Reference: Cha	art-Block-Lot
roposed Development (check all that ap	7 1 - f 1 a d d l ply): New Building ufacturing Warehous	Building Addition Cse/Distribution Other (spec	Change of Use Residential ify)
oposed Building Square Feet or # of U		e of Site	Zoning
heck Réview Required:			
Site Plan (major/minor)	Subdivision # of lots	PAD Review	14-403 Streets Review
Flood Hazard	Shoreland	Historic Preservation	DEP Local Certification
Zoning Conditional Use (ZBA/PB)	Zoning Variance	Single-Family Minor	Other
es paid: site plan	subdivision	175	11/26-1-196
		Reviewer 4	ma
pproval Status:		Reviewer	" 0
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Approved	Approved w/Condition	ons Denie	d
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		REVIEW APPLICATION MENT PROCESSING FORM	
Housing Res	ources Corp(current	owner)	2/28/97
428 CumberT	and Ave- Ptld ME 041	101	Application Date
RIC WEINSCHENK	- 020-3300	133 6	
Applicant or Agent Daytime Te	elephone, Fax 7 1-fam dwl	Assessor's Reference: (Chart-Block-Lot
Office Retail	all that apply): X New Building Manufacturing Warehou a	Building Addition	Change of Use Residential ecify)
Proposed Building Square Feet	or # of Units Acreas	ge of Site	Zoning
Check Review Required:			
Site Plan (major/ir/ir/or)	X Subdivision 7 # of lots 7	PAD Review	14-403 Streets Review
Flood Hazard	Shoreland	Historic Preservation	n DEP Local Certification
Zoning Conditional Use (ZBA/PB)	Zoning Variance	Single-Family Mino	Other
Fees paid: site plan \$	300 subdivision	175	2.25.9
Approval Status:	,	Reviewer	nh
Approved	Approved w/Condition	ons Den	ied
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2	e altached appro	VAC WACK!	
	· ·	·	
Approval Date July 22, 197	Î Approval Expiration	Extension to	Additional Sheets Attached
,	date /	date	
Condition Compliance	signature	12/3/97	2
erformance Guarantee	Required*	Not Required	
No building permit may be iss	ued until a performance guarantee h	as been submitted as indicated be	elow
Performance Guarantee A	ccepted 11/10/97	<u>\$69,000</u>	Nov 13, 1778
Inspection Fee Paid	1/10/97	amount 740	expiration date
Performance Guarantee R			
Desferred Comments	date	remaining balance	signature
Performance Guarantee R	cleaseddate	signature	
Defect Guarantee Submitt	submitted date	amount	expiration date
Defect Guarantee Release	d	diametric-	<u> </u>

Address:



BLUE

	DEVELOPMENT R	RTLAND, MAINE REVIEW APPLICATION MENT PROCESSING FORM	L.D. Number
Applicant's Mailing Address Cottage Park Inc. Consultant/Agent Ric Weinschenk Applicant or Agent Daytime Teleproposed Development (check all Office Retail	urces Corp (current nd Ave- Ptld ME 041 proposed owner - 91 Summer Pl 2 Ptl - 828-3900 phone, Fax 7 1-fam dwlg that apply): X New Building Manufacturing Warehous	owner) 01 d ME Redlor Address of Proposed Site 193 E Assessor's Reference: Cr S Building Addition e/Distribution Other (spec	Change of Use Residential
Proposed Building Square Feet or	# of Units Acreage	e of Site	Zoning
Check Review Required: Site Plan (majorynizor) Flood Hazard Zoning Conditional Use (ZBA/PB)	Subdivision 7 # of lots 7 Shoreland Zoning Variance	PAD Review Historic Preservation Single-Family Minor	
Fees paid: site plan \$3(10 subdivision \$		2.25.9
Approval Status: Approved	Approved w/Condition	V	m Wender
1	u altriched		
	a apprent		
3			
Approval Date July 22 () Condition Compliance	Plapproval Expiration Subdiv July dams Situplan July 22, Situplan July 22,	Extension to date	Additional Sheets Attached
Performance Guarantee	Required*	Not Required	
No building permit may be issue	d until a performance guarantee ha	s been submitted as indicated bel	low .
Performance Guarantee Acc	•		
Inspection Fee Paid	date	amount	expiration date
	date	amount	
Performance Guarantee Red	date	remaining balance	signature
Performance Guarantee Rele	eased	signature	
Defect Guarantee Submitted	<u> </u>		
Defect Guarantee Released	submitted date	amount	expiration date
Pink - Ruilding Inspections R	date	signature	2.9/95 Rev 5 KT.DPUD

PLANNING BOARD

Cyrus Y. Hagge, Chair John H. Carroll, Vice Chair Kenneth M. Cole III Jaimey Caron Kevin McQuinn Deborah Krichels Erin Rodriquez

June 12, 1997

Mr. Ric Weinschenk 91 Summer Place Portland, ME 04103

RE: Redlon Park

Dear Mr. Weinschenk:

On June 10, 1997, the Planning Board voted 4-1 (Caron and Krichels opposed, Rodriguez absent) to table consideration of the proposed Redlon Park planned residential unit development. The application has been tabled to the Board's meeting of June 24th.

Realm Rd St motley St

If you have any questions regarding the Board's actions, please contact the Planning staff.

Sincerely

Cyrus Y, Hagge, Chair Portland Planning Board

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

Alexander Jaegerman, Chief Planner

Richard Knowland, Senior Planner

P. Samuel Hoffses, Chief of Building Inspections

Marge Schmuckal, Zoning Administrator

Kathi Staples PE, City Engineer

Development Review Coordinator

William Bray, Deputy Director of Public Works

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

PLANNING BOARD

Cyrus Y. Hagge, Chair John H. Carroll, Vice Chair Kenneth M. Cole III Jaimey Caron Kevin McQuinn Deborah Krichels Erin Rodriquez

June 30, 1997

Mr. Ric Weinschenk 91 Summer Place Portland, ME 04103

RE: Redlon Park

Dear Mr. Weinschenk:

On June 24, 1997, the Planning Board voted 6-1 (McQuinn opposed) to table consideration of the proposed Redlon Park planned residential unit development. The application has been tabled to the Board's meeting of July 22nd.

If you have any questions regarding the Board's actions, please contact the Planning staff.

Sincerely,

Cyrus Y. Hagge Chair Portland Planning Board

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

Alexander Jaegerman, Chief Planner

Richard Knowland, Senior Planner

P. Samuel Hoffses, Chief of Building Inspections

Marge Schmuckal, Zoning Administrator

Kathi Staples PE, City Engineer

Development Review Coordinator

William Bray, Deputy Director of Public Works

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

CITY OF PORTLAND, MAINE

PLANNING BOARD

Cyrus Y. Hagge, Chair John H. Carroll, Vice Chair Kenneth M. Cole III Jaimey Caron Kevin McQuinn Deborah Krichels Erin Rodriquez

July 24, 1997

Mr. Ric Weinschenk Cottage Park Inc. 91 Summer Place Portland ME 04101

RE: Redlon Park Subdivision; Redlon Road

Dear Mr. Weinschenk:

On July 22, 1997 the Portland Planning Board voted 4-2 (Caron and Rodriguez opposed; Carroll absent) on the following motions regarding the 7 lot Redlon Park planned residential unit development:

- 1. That the plan was in conformance with the Subdivision Review Ordinance of the City Land Use Code with the following conditions:
 - i. That executed copies of submitted easements, drainage maintenance agreement and landscape maintenance agreement be submitted for staff review and approval.
 - ii. That whatever rights the applicant may have at the end of Redlon Road shall be dedicated to the City as a continuation of the Redlon Road right-of-way, at least to the end of the Thompson property.
 - iii. The Homeowners Association shall acquire and maintain a spare pump for the sanitary waste system.
 - iv. There shall be a five year extended stormwater management performance guarantee in an amount equal to the dollar cost estimate of the drainage related improvements included in the regular performance guarantee. During the five year period commencing with the release of the regular performance guarantee for site improvements, a drainage monitoring program will be undertaken by the City to evaluate post construction drainage and stormwater conditions for a variety of storm events as they occur. The extended stormwater management performance guarantee resources may be used by the City to mitigate any unforeseen problems, deficiencies, or defects of the stormwater management program and infrastructure on the site, as may be determined to be necessary by the Planning and Public Works authorities and access to the site for these purposes shall be provided by the applicant or the Homeowner's Association to the City or its agents for the purposes so specified.

If there are any questions regarding the Board's actions, please contact the planning staff.

Sincerely,

Cyrus Y. Hagge, Chair Portland Planning Board

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

Alexander Jaegerman, Chief Planner

Richard Knowland, Senior Planner

P. Samuel Hoffses, Chief of Building Inspections

Marge Schmuckal, Zoning Administrator

Kathi Staples PE, City Engineer

Acting Development Review Coordinator

William Bray, Deputy Director of Public Works

Jeff Tarling, City Arborist

Natalie Burns, Associate Corporation Counsel

Lt. Gaylen McDougall, Fire Prevention

Mary Gresik, Building Permit Secretary

Kathleen Brown, Assistant Director of Economic Development

Susan Doughty, Assessor's Office

Approval Letter File

Tom Greer, Pinkham and Greer, 170 US Route One, Falmouth ME 04105

47652

RIC WEINSCHENK / BUILDERS, INC.

DESIGNERS AND BUILDERS OF FINE AND UNUSUAL HOMES AND NEIGHBORHOODS P1 SUMMER PLACE, PORTLAND, MAINE 04103 (207) 828-3900 FAX (207) 775-7703

January 31,1998

Sam Hoffsas Code Enforcement City of Portland, Portland, Maine via FAX

re: Chimneys

Dear Sam,

Status

As of this writing we have received permission from 20 households to refit their chimneys, 3 of the 20 are going to convert to gas or install power vents. Of the 17 remaining 6 are finished 11 are left to do. 5 are scheduled over the 3 days that inspection services are available to us next week, that will leave o for the week beginning February 9th. In other words we will be 70% finished with the homes that have responded by February 5th. Late respondents will be scheduled as they give us authority to do the refitting

Overview - 33 household total

- 4 Do not want us to do the work
- 3 Have non-refit alternatives
- 11 will be refit by Thursday(2/5/98
- 9 have not committed or responded to requests we hand delivered

6 Will be scheduled for the week of 2/9/98

Of the 9 not committed, I think 5 are holding out because of neighbor pressure (all 5 live within 150 feet of LeMoult's house). The other 4 have not been heard from at all and may not want any

I trust this is helpful and will continue to keep you posted.

Sincerely,

Ric Weinschenk, President

BUILDING PERMIT REPORT **BUILDING OWNER: CONTRACTOR:** PERMIT APPLICANT:

CONDITION OF APPROVAL OR DENIAL

This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.

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.

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) UL 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 76".
- 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 (20 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 lest 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



CITY OF PORTLAND Planning and Urban Development Department

MEMORANDUM

TO:

Code Enforcement

FROM:

Jim Wendel, Development Review Coordinator

DATE:

October 4, 1997

RE:

Request for Certificate of Occupancy

15 Willow Lane (Lot 1)

On October 3, 1997 I reviewed the site for compliance with the previous request for a Certificate of Occupancy dated 6-18-97 and the conditions of approval dated 1-28-97; my comments are:

- 1. The planting of the trees and bushes on the lot are currently covered under the performance bond for the Willow PRUD and are removed as a condition for a certificate of occupancy for lot 1.
- 2. Final grading around the snow plow turnaround still needs additional work; however this work is covered under the performance bond for the Willow project and is removed as a condition for a certificate of occupancy for lot 1.
- 3. The street address number has been placed on the house.
- 4. The grading and lawn work to match the lot grading at the sidewalk is completed and appropriate.

It is my opinion that a permanent Certificate of Occupancy could be issued assuming Code Enforcement has no outstanding issues.

cc: Kandi Talbot, Planner

RIC WEINSCHENK/BUILDERS,Inc.

91 SUMMER PLACE, PORTLAND, MAINE04103 (207)828-3900 Fax:: (207) 775-7703

TO: City of Portland Att: Permits Desk
FROM: Ric Weinschenk Builders/ Rick Wortley

DATE: 1/22/97

Per request from DRC, Jim Wendel we are submitting a revised site plan for 23 Willow Lane (Lot 1 Willow). Two copies are enclosed as required by permit submittal. Additionally a seperate copy has been forwarded to Mr. Wendel at De Luca Hoffman for his review.

Rick Wortley





ANGUS S. KING, JR.

GOVERNOR

STATE OF MAINE

DEPARTMENT OF PROFESSIONAL

AND FINANCIAL REGULATION

OFFICE OF LICENSING AND REGISTRATION

OIL & SOLID FUEL BOARD

COMPLAINTS & INVESTIGATIONS

35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035
(207) 624-8608

S. CATHERINE LONGLEY COMMISSIONER

ANNE L. HEAD DIRECTOR

March 16, 1998



Case # 97434L

Mr. Don Hale 67 Summer Place Portland, Maine 04103

Dear Don:

Recently it has been brought to my attention by Ric Weinsehenk that you have not responded to his request to replace your chimney with a UL 103 approved type factory built chimney. I am therefor requesting that you make a determination within 10 days if you are going to allow Ric to replace your chimney. If you do not allow him to make the required corrections, it will be your responsibility to make the required corrections at your expense. If you decide to make the corrections yourself, I am still required to conduct a final inspection to insure adherence with State of Maine code.

If you have any questions or concerns feel free to give me a call anytime at (207) 624-8608.

Sincerely.

Robert LeClair

Compliance Officer

Oil & Solid Fuel Board

cc: file

Ric Weinsehenk

Sam Hosfis CEO Portland





ANGUS S. KING, JR.

GOVERNOR

STATE OF MAINE DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

OFFICE OF LICENSING AND REGISTRATION

OIL & SOLID FUEL BOARD

COMPLAINTS & INVESTIGATIONS

35 STATE HOUSE STATION AUGUSTA, MAINE

04333-0035 (207) 624-8608

> S. CATHERINE LONGLEY COMMISSIONER

ANNE L. HEAD DIRECTOR

March 16, 1998

Case # 97409L

Dr. Stanley Reichenberg Ms. Elizabeth Scott Graham 25 Shingle Way Portland, Maine 04103

Dear Dr. & Ms. Graham:

The chimneys in Cottage Park and Summer Place have all been replaced as of last week. I understand that you are not going to allow Ric Weinsehenk to replace your chimney with an approved type. I was wondering what your plans are to get the existing chimney removed and replaced with an approved type. The existing chimney in your home is still of concern to me and must be replaced ASAP. I would still request that when you do replace the chimney that you notify me so that I may conduct a final inspection of your new chimney.

If you have any questions or concerns feel free to give me a call anytime at (207) 624-8608.

Sincerely,

Compliance Officer

Oil & Solid Fuel Board

cc: file

Ric Weinsehenk

Sam Hosfis CEO Portland



p.2

2.20.98

COMPLETED CHIMNEYS

Cottage Park

Broder 20 Cottage Park Rd

Broder 40 Cottage Park Rd

MACY 60 Cottage Park Rd

Stager 79 Cottage Park Rd

Mininger 57 Cottage Park Rd

Cole 24 Shingle Way

Fainsworth 11 Shingle Way

Ballargeon 5 Shingle Way

Wilkins 32 Porch St

Summer Place
Methot #23
Heise jarfour #3
Schilliat #7
Lawson #12
Elavaffa #45
Beison #37
Brigham #31

San Hottses FILE COPY

T. OF BUILDING INSPECTION

CITY OF PORTLAND, ME

CITY OF PORTLAND, MAINE MEMORANDUM

TO: Interested Parties

FROM: Gary C. Wood, Corporation Counsel

Ext. 8480

DATE: January 16, 1998

RE:

Agreement for Action Plan between City and Weinschenk Builders, Inc.

("the Company") Re: Chimneys in Cottage Park/Summer Place

This memo memorializes the agreement reached on January 14 between the City and the Company regarding the chimneys at Cottage Park and Summer Place.

The Company agrees that:

- (1) It will offer to replace the chimneys in approximately 30 residences in Cottage Park and Summer Place at its own expense and with materials that it purchases, and it will replace the chimneys at its own expense for those homeowners who agree to have the Company replace the chimneys;
- (2) Barring circumstances beyond the Company's control, the replacement of the chimneys with cooperating homeowners should be completed by April 24;
- (3) During the replacement phase, the Company will commit a crew to work at least 4 days a week, and possibly 5, depending upon the availability of state and local inspectors and the weather. The general sequence of refit will be (1) oldest pipes and easiest pipes first; and (2) remaining pipes;
- (4) The Company has ordered the necessary materials from a company that can supply that material by January 23 at the latest, weather permitting; this material does have to be manufactured and travel a fair distance to arrive in Maine, so weather may be a factor. The primary material is a stainless steel metabostos pipe with a 10-year warranty: this material has been approved by State Inspector Bob Locigir;
- (5) As long as the material arrives by January 23, the Company will begin installing the pipe with cooperating homeowners on the 26th of January;
- (6) On January 15, 1998 the Company will make arrangements to install a power vent system for one of the homeowners who wishes to use that method;

RIC WEINSCHENK/BUILDERS,Inc.

91 SUMMER PLACE, PORTLAND, MAINE 04103 (207)828-3900 Fax:: (207) 775-7703

January 15,1998

Ken LeMoult 5 Porch St. Portland ME 04103

Dear Ken:

Confirming our conversation last night, I advised you the chimney installation connected to the furnace would be replaced by my company with a chimney that satisfies the code of the City of Portland and State of Maine. The work would begin Tuesday, January 20, 1998 and Bob LeClair, upon satisfactory completion will issue a code compliance statement.

UILDING INSPECTION

This will further confirm that you have rejected my offer. Obviously your decision will delay remediation and increase the cost of repair.

Should you reconsider and like to discuss options with me please feel free to call.

Sincerely,

cc. Gary Woods

From:

MARK ADELSON

To:

RBG

Date:

2/18/98 9:30am

Subject:

Chimney Update

On Friday, Feb. 13th, Sam and State Inspector Robert LeClair completed the inspection of the 16 th Chimney replacement in Cottage Pk. and Summer Place by Ric Weinschenk's crew. Three other chimneys have been replaced by the owners. Mr. Ross, Mr. Struss and Mr Lemont using there own contractors. In total 19 or 65% of the chimneys have been replaced. This closely follows the schedule anticipated in our agreement with Weinschenk. The city has been present at 95% of the chimney removals. These chimneys have no signs of corrosion or any other type of malfuction. This week 4 more replacements will take place weather permitting. Let me know if you want additional information. Mark A.

CC:

JEG, SPH, Gary

From: Gaylen Mc Dougall

To: SPH

Date: 1/20/98 4:41pm Subject: cottage park

A Dr. Smith from the state called. Someone called him in reference to the chimneys at Cottage Park. He was just informing us of the call. He told the person to call the local fire department if they were concerned about carbon monoxide, I told him that we had the proper equipment for such testing.

mac

From: MARK ADELSON
To: JEG, RBG, GARY
Date: 1/12/98 12:45pm
Subject: Chimney Update 1/12/98

Spoke this morning with Bob Leclair, compliance officer for the State, he clarified the State's position regarding the homes that were inspected. Due to the problems that were found, they are recommending that the owners strongely consider moving from their homes until the chimneys are replaced. The chimneys should be replaced ASAP. What concerns the State the most is the continual use of the chimneys and the gases that are caused during the combustion process. Not just carbon monoxide, but other fumes as well.

In regard to Russell Ross, Bob Leclair stated he has no concern for the black residue that came from this chimney when they opened it up to inspect it. These are the normal by-products of combustion that installers deal with on a daily basis. Replacing the chimney will solve Mr. Rosses' problems. If the contractor is concerned he should wear a respirator.

I'll keep you informed. Mark A.

CC: ALE, SPH

Intertek Testing Services

Report Date: December 11, 1997 ...

Report No. J97027970B-231

Page 7 of 7

Client: Ric Weinschenk Builders Inc.

Model: Temtex Chimney - Z Flex Cap

TEMPERATURE TEST RESULTS

During the temperature related tests, none of the components or materials exceeded the temperature limits specified in the test standards. After being subject to the temperature tests the chimney and components complied with sections 15.2 and 15.3 of UL 103 as evidenced by the following posttest observations:

- The chimney was acceptable for further use,
- No part of the chimney became damaged or permanently distorted to the extent that it would not continue to function as intended,
- The effectiveness of any protective coating on metal parts was not reduced, and
- Burning or scaling of metal parts was not evident upon visual observation.

CONCLUSIONS

ITS hereby certifies the chimney/vent system comprised of Temtex chimney components and Z Flex chimney cap as described and tested above comply with the relevant sections of UL 103-1989 when constructed and installed in accordance with the installation parameters described in this report.

Tested by:

1 10

Engineering Technician

Reviewed and reported by:

Edwin Hodgson

Project Manager

he rest of the report I can't copy.

Department of Urban Development Joseph E. Gray, Jr. Director



CITY OF PORTLAND

Ric Weinschenk C/O Cottage Park Inc. 91 Summer Place Portland, ME 04103 November 9, 2000

RE: Willow PRUD Development – 191-B-037 - R-5 Zone

Dear Ric,

It has come to our attention that you are still using the last vacant lots in the Willow development to store your construction/sales trailer, construction vehicles, and materials stockpiles. This is not allowed when there is no direct construction work going on. The last house permit was issued in November, 1999. Since there have been no new house permits issued within the last six months, it will be necessary to remove these items immediately.

Please note that section 14-335 "Off-street parking restricted" of the zoning ordinance does not allow for this type of dead storage of materials, nor commercial trailers, nor construction vehicles in any residence zone. Our office only allows such use when there is <u>direct</u>, <u>and current</u> construction activities in process. That has not been the case as pointed out above.

These materials, and all trailers and construction vehicle should be removed immediately. It is expected that all shall be removed by October 2, 2000.

Please call if you have any questions regarding this matter.

Very truly yours,

Marge Schmuckal Zoning Administrator

CC: File

Code Enforcement Officer Mike Nugent, Inspection Services Penny Littell, Corporation Counsel

STATE OF MAINE OIL AND SOLID FUEL BOARD

In re:) CONSENT Ric Weinschenk Builders, Inc.) AGREEMENT

INTRODUCTION

This document is a Consent Agreement ("the Consent Agreement") concerning chimney installations in homes built by Ric Weinschenk Builders, Inc. The parties to this Consent Agreement are Ric Weinschenk Builders, Inc. ("RWB") and the Maine State Oil and Solid Fuel Board ("the Board"). This Consent Agreement is entered into pursuant to 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2315.

FACTS

- 1. RWB is a Maine corporation responsible for the construction of homes at two housing developments, Cottage Park and Summer Place, located in Portland, Maine, and consisting of a total of forty-eight (48) individual residences.
- 2. On or about September, 1996, one of the Board's Compliance Officers Robert LeClair ("LeClair") received a complaint from a homeowner at Cottage Park with respect to a chimney installation by RWB. Thereafter, Mr. LeClair inspected the chimney installations at thirty-two (32) of the residences.
- 3. As a result of these inspections, LeClair concluded that thirty-one (31) of the chimney installations ("the Cited Chimneys") did not conform to Chapter 1-7.1.2 of the National Fire Protection Association Standard #31, conformance to which is required by Chapter 140 of the Board's Rules. By letters dated February 15, 1997,

LeClair notified RWB of the apparent violations and ordered that they be remedied or removed pursuant to 32 M.R.S.A. § 2313 ("the Orders").

- 4. RWB filed a timely appeal of the Orders to the Board pursuant to 32 M.R.S.A. § 2315 to contest LeClair's conclusions.
- 5. On May 8, 1997, June 6, 1997, and November 7, 1997, the Board conducted public hearings on RWB's appeal of the Orders. Meetings relating to this matter were held on September 11, 1997, October 9, 1997, October 24, 1997, December 11, 1997, January 21, 1998, and February 6, 1998.

COVENANTS

In order to resolve fully this matter, the parties agree as follows:

- 1. RWB agrees to offer to replace the chimneys in thirty-one (31) residences in Cottage Park and Summer Place at its own expense and with materials that it purchases, and it will replace the chimneys at its own expense for those homeowners who agree to have RWB replace the chimneys. The primary material is a stainless steel metalbestos pipe with a 10-year warranty. This material has been approved by State Compliance Officer Bob LeClair. However, homeowners at lots 13 and 20 of Summer Place have requested Power Vents.
- 2. Barring circumstances beyond RWB's control, the replacement of the chimneys with cooperating homeowners shall be completed by April 24, 1998. RWB shall send a letter by first class mail and certified mail, return receipt requested, not later than February 11, 1998 to those homeowners in Summer Place and Cottage Park whose chimneys have not been replaced or otherwise scheduled to be replaced. The

letter, which shall be accompanied by a copy of this agreement, shall request authorization for RWB to enter the premises to replace the chimney, and shall notify these homeowners that the authorization must be returned to RWB by March 2, 1998 if the homeowner so agrees. The Orders shall not be enforced against RWB by the Board with respect to any homeowner who does not provide an authorization by March 2, 1998. RWB agrees to waive its rights to assert that any chimneys which are subject to the orders and which have not been replaced meet applicable code requirements.

- 3. During the replacement phase, RWB will commit a crew to replace no less than four (4) chimneys per week depending upon the availability of state and local inspectors and the weather.
- 4. The parties acknowledge that twelve chimneys have been replaced to date. The replacements will be monitored by the State Compliance Officer for code compliance.
- 5. RWB agrees to withdraw its appeal of the Orders, which Orders shall continue in full force and effect except that the date and terms by which RWB shall take remedial action shall be as provided in this agreement.
- 6. RWB further agrees to withdraw its appeal of the orders in 97489-L and 97490-L, which Orders shall continue in full force and effect except that the date and terms by which RWB shall take remedial action shall be as provided in this agreement. The Board acknowledges that the chimneys have been replaced in the homes which are the subject of these orders, and that the Compliance Officer has issued letters of compliance.

- 7. The Board agrees that no further agency action will be taken against RWB based on the facts described herein, except in the event that RWB does not comply fully with the terms of this Consent Agreement. If the Board determines that RWB has failed to comply with the terms of this Consent Agreement for reasons that are within RWB's control, the Board will resume the hearing within thirty (30) days from the date of that determination.
- 8. The Consent Agreement does not affect the legal rights of any persons not a party hereto.
- 9. The Consent Agreement is not subject to amendment except by written agreement of all parties.
 - 10. The Consent Agreement is not subject to appeal.
- 11. RWB agrees to dismiss with prejudice its action captioned Ric Weinschenk Builders, Inc. v. Maine State Oil and Solid Fuel Board, Docket No. CV-97-258 (Kennebec County).
- 12. Ric Weinschenk, as corporate president of RWB, understands that the execution of the Consent Agreement is completely voluntary and that he has the right to consult with an attorney before signing this Consent Agreement.
- 13. Ric Weinschenk, as corporate president of RWB, understands that his signature indicates that he has read and understands this Consent Agreement and that he enters into it on behalf of RWB of his own free will.

	RIC W	ÆINSCHENK BUILDERS, INC.
DATED: February 6, 1998		
	By:	Its President: RIC WEINSCHENK
	Maine	State Oil and Solid Fuel Board
DATED: February 6, 1998		
	Ву:	JAMES G. CAREY, Board Chair
Approved: Department of Attorney General,	State c	of Maine
DATED: February 6, 1998		1
	By:	LINDA M. PISTNER
		Chief Deputy Attorney General

Tompkins, Clough, Hirshon & Langer, P.A.

COUNSELORS AT LAW
Three Canal Plaza
Post Office Box 15060
Portland, Maine 04112-5060

BRUCE M. TOMPEINS LAWRENCE R. CLOUGH DAVID M. HIRSHON LEONARD W. LANGER MARSHALL J. TINKLE TELEPHONE: 207-874-6700 FAX: 207-874-6705

January 14, 1998

Via facsimile 874-8497
Gary Wood, Esq.
City of Portland
Portland City Hall
389 Congress Street
Portland, Me 04101-3509

Re: Ric Weinschenk Builders, Inc.

Dear Gary:

Enclosed is a copy of a proposed letter to homeowners. The materials have been ordered, but obviously we need cooperation in order to expedite the remediation. Yesterday, we discussed scheduling a meeting for today but I have been unable to reach you. Will you contact me so that we can arrange a meeting this afternoon.

Sincerely,

David M. Hirshon

DMH/dre Enclosure

> Joe Gray Sam Hoffses Mark Adelson Lt. MacDovyal

RIC WEINSCHENK / BUILDERS, INC.

91 SUMMER FLACE, PORTLAND, MAINE 04103 (207) 828-3966 FAX (207) 775-7703

TO: RESIDENTS OF COTTAGE PARK AND SUMMER PLACE WITH TEMTEX / TEMCO CHIMNEYS FROM: RIC WEINSCHENK / BUILDERS, INC. DATE: 1-13-97

Dear Homeowners;

Contrary to what you may have heard or read, we are moving ahead as quickly as we can to refit your home with a chimney approved by the City of Portland and the State of Maine. We have ordered the parts. We have been told by inspectors, Sam Hoffses (City of Portland) and Bob LeClair (State of Maine) that they will be inspecting the refitting process. Mr. LeClair said the state will be issuing a code compliance statement or certificate once the chimney meets code.

At this point we need to know who will be authorizing us to do the work. We will be responsible for and we will pay for the relit work we perform. We will not pay for anyone else that you may have do the work. If you would like someone else to do the work we would simply like to know now so we don't schedule you and thereby cause delays or inconvenience to one or more of your neighbors. Please indicate your preference at the appropriate paragraph below, sign and return to us as soon as you can. Our fax number is 775-7703, which is the responce method of choice. You can also mail it to us at the address above. With your cooperation we will be able to get through this quickly. Time tables are expected next week, so please return this by the end of the week. Thank you.

Sincerely,

Ric Weinschenk President

check one please

Yes, I would like you to refit my home with a chimney that meets the codes of the City of Portland and the State of Maine. I hereby authorize Ric Weinschenk/ Builders Inc. to enter my property, at a mutually acceptable time, to replace my chimney with a chimney approved by the City of Portland and the State of Maine, and to remove the old chimney.

No. I do not want Ric Weinschenk/ Builders to remove the chimney in my home. I will assume that responsibility myself.

Signed	and (if needed)	
		date

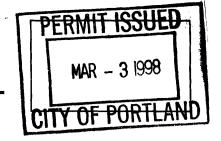
CITY OF PORTLAND, MAINE SITE PLAN REVIEW (ADDENDUM) CONDITIONS OF APPROVAL

APPLICANT:_	RIC WEINSCHENK BUILDERS
	DI SUMMER PLACE, PORTLAND, MB 04/03
SITE ADDRES	S/LOCATION: WILLOW LANE (WT)
DATE: 4	18/97
only and does no completely finis adjacent or dow foundation eleve	
CONDITI	IONS CHECKED OFF BELOW WILL BE ENFORCED FOR YOUR SITE PLAN
1	All damage to sidewalk, curb, street, or public utilities shall be repaired to City of Portland Standards prior to issuance of a Certificate of Occupancy.
2	Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.
3	Your new street address is now House prior to issuance of Certificate of Occupancy.
4	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 is 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.
5	Show all utility connections: water, sanitary sewer, storm drain, electric, telephone, cable.
6	A sewer permit is required for your project. Please contact Carol Merritt at 874-8300, ext. 8828. The Wastewater and Drainage section of Public Works must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.
7	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.)



FILL IN AND SIGN WITH INK 980161

APPLICATION FOR PERMIT HEATING OR POWER EQUIPMENT



To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location Us	
Location Us Name and address of owner of appliance	16aco es 10 tra 10cc.
Installer's name and address	Fig. 1 3 95 lengthe 4, 25 With
	Telephone
Location of appliance:	Type of Chimney:
□ Basement □ Floor	☐ Masonry Lined
¹ □ Attic □ Roof	Factory built
Type of Fuel:	☐ Metal
☐ Gas ☐ Oil ☐ Solid	Factory Built U.L. Listing #
Appliance Name:	. □ Direct Vent
U.L. Approved \(\textstyle \text{ Yes } \textstyle \text{ No} \)	TypeUL#
	Collection Con
Will appliance be installed in accordance with the manufacture's	Type of Fuel Tank
installation instructions? 🗗 Yes 🗀 No	□ Oil
•	^r □ Gas
IF NO Explain:	d
	Size of Tank
The Type of License of Installer:	Number of Tanks
☐ Master Plumber #	V 1 - 1
□ Solid Fuel #	Distance from Tank to Center of Flame feet.
□ Oil#	
☐ Gas # <u> </u>	The state of the s
Other	And the second s
Approved	Approved with Conditions
Fire:	☐ See attached letter or requirement
Ele.:	1
Ele.: Bldg.: Signature of Installer	

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White - Inspection Ye

Yellow - File

Pink - Applicant's

Gold - Assessor's Copy



APPLICATION FOR PERMIT HEATING OR POWER EQUIPMENT



To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location U	se of Building Date
Name and address of owner of appliance	Patty No. 12
Installer's name and address	
Location of appliance:	Type of Chimney:
☐ Basement ☐ Floor	☐ Masonry Lined
☐ Attic ☐ Roof	Factory built
Type of Fuel:	☐ Metal
☐ Gas ☐ Oil ☐ Solid	Factory Built U.L. Listing #
De transport	. · · · · · · ·
Appliance Name:	-Direct Vent Built on Forles
U.L. Approved Yes No	Type UL#
Will appliance be installed in accordance with the manufacture's installation instructions? Yes No IF NO Explain:	Type of Fuel Tank Oil 1/4. Gas Size of Tank
The Type of License of Installer:	Number of Tanks
☐ Master Plumber # ○□ 309	
☐ Solid Fuel #	Distance from Tank to Center of Flame feet.
☐ Gas #	Cont c. Vurh: 4,5t0.00
Other	ate conft Mood — 45.0x
Approved Fire:	Approved with Conditions ☐ See attached letter or requirement
Ele.:	1
Bldg.:	
Signature of Installer	Aty
White - Inspection Yellow - File	Pink - Applicant's Gold - Assessor's Copy

Fixtures (Subtotal) Column 2

Hook-Up & Relocation Fee

Permit Fee (Total)

\$

Total Fixtures

Fixture Fee

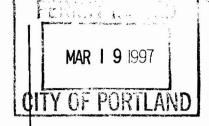
		LUMBING A						
	Town O Plantation Street Subdivision Last: Applicar Name: Mailing Addr Owner/Appl (if Differe	PROPERTY OF LOI # 20 WILLIAM PROPERTY OF SALEVSKY	ADDRESS Pocto NNERS NAME First: Circumstant Statement Indistinction is reason Indistinction is reason	nd t 1.5 # Hoge 13th	Date Pormit Garage State	Date Permit 6 30 97 \$		
(L.	rlade	Signature of Owner/A	pplicant	Date	<u> </u>	ctor Signature	Date Approved	
•		KEP CANADA PARA PARA PARA PARA PARA PARA PARA P			MITEINFORMATION			
	1. NE	PPIICATION IS FOR W PLUMBING LOCATED UMBING	1. A SINGLE	E FAMILY MODULA PLE FAMII	OR MOBILE HOME 3. □ MFG'D. HOUSING DEALER / MECHAN 4. □ PUBLIC UTILITY EMPLOYEE			
		Hook-Up & Piping Reloc Maximum of 1 Hook-	cation		Column 2		Column 1	
		maximum of 1 ricox-		Number	Type of Fixture Hosebibb / Sillcock	Number	Type of Fixture Bathtub (and Shower)	
	HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District.			Floor Drain		Shower (Separate)		
		OR			Urinal	1	Sink	
	L	HOOK-UP: to an exi	sting subsurface		Drinking Fountain	1,2	Wash Basin	
				L	Indirect Waste	1 P	Water Closet (Toilet)	
	PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.			Water Treatment Softener, Filter, etc.	/	Clothes Washer		
					Grease / Oil Separator		Dish Washer	
					Dental Cuspidor	/	Garbage Disposal	
		OR			Bidet	_ <u>_</u>	Laundry Tub	
	TRANSFER FEE [\$6.00]			Other:	-	Water Heater		
			1_	Fixtures (Subtotal) Column 2	19	Fixtures (Subtotal)		

SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE

FILL IN AND SIGN WITH INK



APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT



Portland, Maine,

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Porland, and the following specifications: Location	
Location Willow Lane Use of Building 1-fam No. Stories New Building Specifications: Location Willow Lane Use of Building 1-fam No. Stories Existing " Name and address of owner of appliance Ric. Weinschenk 91 Summer P1 Ptld, ME 04103 Installer's name and address Charlie Salevsky P.0. Box 242 Cape Cottage Branch C.E. 04107 General Description of Work To install Gas fired - forced hot water. IF HEATER, OR POWER BOILER Location of appliance basement Any burnable material in iteor surface or beneath? no. If so, how protected? Kind of fuel? natural gas Minimum distance to burnable material, from top of appliance or casing top of furnace 5. From top of smoke pipe 2. From front of appliance 15+ From sides or back of appliance 6++ Size of chimney flue n.l.4. Other connections to same flue If gas fired, how vented? Power vent Rated maximum demand per hour 100,000 Will sufficient fresh air be submited to the appliance to insure proper and safe combustion? Yes IF OLL BURNER Name and type of burner Labelled by underwriters' laboratories? Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? Type of floor beneath larrer Size of vent pipe Location of oil storage Number and capacity of tanks Low water shut off Make No. Will all tanks be more than five feet from any flame? How many tanks enclosed? Total capacity of any existing storage tanks for furnace burners IF COOKING APPLIANCE Location of appliance? Distance to combustible material in floor surface or beneath? Height of Legs, if any Skirting at bottom of appliance? From sides and back From top of smokepipe Skirting at bottom of appliance? From sides and back From top of smokepipe Skirting at bottom of appliance? From sides and back From top of smokepipe Skirting at bottom of appliance? From sides and back From top of smokepipe Skirting at bottom of appliance From sides and back From top of smokepipe Skirting at bottom of appliance From sides and back From top of smokepipe Skirting at bottom of appliance F	To the INSPECTOR OF BUILDINGS, PORTLAND, ME. 19 March 1997
Location 28 Willow Lane Use of Fuilding 1-fam No. Stories New Building Name and address of owner of appliance Ric Weinschenk 91 Summer Pl Pt1d, ME 04103 Installer's name and address Charlie Salevsky Telephone 883-8069 P.O. Box 242 Cape Cottage Branch C.E. 04107 General Description of Work To install Gas fired - forced hot water. IF HEATER, OR POWER BOILER Location of appliance basement Any burnable material in floor surface or beneath? no If so, how protected? Kind of fiel? natural gas Minimum distance to burnable austerial, from top of appliance or casing top of furnace 5' From top of smoke pipe 2' Fram front of appliance 15+' From sides or back of appliance 6+' Size of chimney flue N/a Other corrections to same flue If gas fired, how vented? Power vent Rated maximum demand per hour 100,000 Will sufficient fresh air be subject to the appliance to insure proper and safe combustion? Yes IF OIL BURNER Name and type of burner Labelled by underwriters' laboratories? Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? Type of floor beneath larner Size of vent pipe Location of oil storage Does oil supply line feed from top or bottom of tank? Total capacity of any existing storage tanks for furnace burners IF COOKING APPLIANCE Location of appliance. Any burnable material in floor surface or beneath? Height of Logs, if any the feed from top of appliance? From front of appliance? Distance to combustible material from top of appliance? From front of appliance From sides and back From top of smokepipe Size of chimney flue Other connections to same flue Is hood to be provided? If so, how vented? Forced or gravity? If gas fired, how vented? Rated maximum demand per hour	ance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:
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If gas fired, how vented? Rated maximum demand per hour	
MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION	MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION
Charlie Salevsky Master Plumber 2309	Charlie Salevsky Master Plumber 2309
Cost of work: 4,500.00 45.00 Permit Fee	Cost of work: 4.500.00 45.00 Parties To

4,500.00

SECTION 721.0 FIREBLOCKING AND DRAFTSTOPPING

721.1 General: To prevent the free passage of flame and products of combustion through concealed spaces or openings in the event of fire, provisions shall be made to provide effective fireblocks or draftstops as herein specified.

721.2 Fireblocking materials: All fireblocking shall consist of approved noncombustible materials securely fastened in place. Fireblocks of approved noncombustible materials or of materials of two thicknesses of 1-inch lumber with broken lap-joint, or one thickness of ²³/₃₂-inch wood structural panel with joints backed by ²³/₃₂-inch wood structural panel, or of 2-inch lumber installed with tight joints, shall be installed in open spaces of wood framing.

721.3 Draftstopping materials: Draftstopping materials shall not be less than ½-inch gypsum board, ¾-inch plywood or other approved materials adequately supported.

721.4 Integrity: The integrity of all *fireblocking* and *draftstopping* shall be continuously maintained.

721.5 Required inspection: Fireblocking and draftstopping shall not be concealed from view until inspected and approved.

721.6 Fireblocking required: Fireblocking shall be installed in the locations specified in Sections 721.6.1 through 721.6.7.

721.6.1 Concealed wall spaces: Fireblocking shall be installed in concealed spaces of stud walls and partitions, including furred or studded-off spaces of masonry or concrete walls, and at the ceiling and floor or roof levels. Fireblocking is not required at the ceiling level of walls, partitions and furred spaces constructed of noncombustible materials as defined by Section 704.4.

721.6.2 Connections between horizontal and vertical spaces: Fireblocking shall be installed at all interconnections between vertical and horizontal spaces such as occur at soffits over cabinets, drop ceilings, cove ceilings and similar locations. Fireblocking is not required at the interconnections between vertical and horizontal spaces where such spaces are constructed of noncombustible materials as defined by Section 704.4.

721.6.3 Stairways: Fireblocking shall be installed in concealed spaces between stairway stringers at the top and bottom of the run.

721.6.4 Ceiling and floor openings: Where permitted by Exception 7 of Section 713.3, or by Section 714.2.6 or 714.3, fireblocking shall be installed at openings around vents, pipes, ducts, chimneys and fireplaces at ceiling and floor levels, with approved noncombustible materials. Factory-built chimneys and fireplaces shall be fireblocked in accordance with UL 103 and UL 127 listed in Chapter 35. Where ceilings or floors are required to be fireresistance rated, the openings around vents, pipes, ducts, chimneys and fireplaces shall be protected in accordance with the requirements of Sections 714.2 through 714.2.6.5.

721.6.5 Architectural trim: Fireblocking shall be installed within concealed spaces of exterior wall finish and other exterior architectural elements where permitted of combustible construction in Section 1406.0, or where erected with

combustible frames, at maximum intervals of 20 feet (6096 mm). If noncontinuous, such elements shall have closed ends, with at least 4 inches (102 mm) of separation between sections.

721.6.6 Combustible finish and trim: Fireblocking shall be installed in the space behind combustible trim and finish where permitted under this code and all other hollow spaces where permitted in fireresistance rated construction at 10-foot (3048 mm) intervals; or the space shall be solidly filled with approved noncombustible materials.

721.6.7 Concealed sleeper spaces: Fireblocking shall be installed in concealed spaces formed by floor sleepers in areas of not more than 100 square feet (9 m²); or the space shall be solidly filled with approved noncombustible materials.

721.7 Draftstopping required: *Draftstopping* shall be installed in buildings of Types 3, 4 and 5 construction in the locations specified by Sections 721.7.1 and 721.7.2.

721.7.1 Floors: Where ceilings are suspended below solid wood joists or suspended or attached directly to the bottom of open-web wood floor trusses, the space between the ceiling and the floor above shall be divided by *draftstopping* as specified in Sections 721.7.1.1 through 721.7.1.3.

721.7.1.1 Use Groups R-1 and R-2: In occupancies in Use Groups R-1 and R-2, draftstopping shall be installed in line with tenant and dwelling unit separation walls where the walls do not extend to the underside of the floor sheathing above.

Exception: Draftstopping is not required in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.1 or 906.2.2, provided that automatic sprinklers are also installed in the combustible concealed space.

721.7.1.2 Use Group R-3: In occupancies in Use Group R-3, the space shall be divided into approximately equal areas not greater than 500 square feet (46 m²). The *draft-stopping* shall be installed parallel to the main framing members.

Exception: Draftstopping is not required in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.1 or 906.2.2, provided that automatic sprinklers are also installed in the combustible concealed space.

721.7.1.3 Other use groups: In all other use groups, draftstopping shall be installed so that horizontal areas do not exceed 1,000 square feet (93 m²).

Exception: Draftstopping is not required in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.1 or 906.2.2, provided that automatic sprinklers are also installed in the combustible concealed space above the ceiling.

721.7.2 Attics and concealed spaces: Attics and concealed roof spaces shall be provided with *draftstopping* as specified in Sections 721.7.2.1 and 721.7.2.2.

EXTERIOR SIDE OF EXT. WALLS

ratis that do not ou sheathing above.

- Where corridor walls provide a tenant or dwelling unit separation, draftstopping shall only be required above one of the corridor walls.
- 2. Flat roofs with solid joist construction are not required to be provided with drafistopping over tenant and dwelling unit separation walls if the joists form a drafistop.
- 3. Draftstopping is not required in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.1 or 906.2.2, provided that automatic sprinklers are also installed in attics, many overhangs and other concealed combustible concealed 4. Drafistopnin

acombustible furring: In buildings of Types 1 and 2 construction, plaster shall be applied directly on concrete or masonry or on approved noncombustible plastering base and

722.4 Double reinforcement: Except in solid plaster partitions, or where otherwise determined by the prescribed fire tests, plaster protection more than 1 inch (25 mm) in thickness shall be reinforced with an additional layer of approved lath embedded at least 3/4 inch (19 mm) from the outer surface and fixed securely

722.5 Plaster alternatives for concrete: In reinforced or construction, gypsum or portland cement place be substituted for ½ inch (13 m. concrete protection, excer-(10 mm) of power concra