

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

February 27, 2004

Gerald S. Cope
Cope & Cope - Attorneys At Law
P.O. Box 1398
Portland, ME 04104

RE: 56 Bernard Road - 437-E-001 - R-3 zone

Dear Attorney Cope,

Please find attached a letter that I provided in 1998 to Mr. Cope. I do not have any of the additional supporting paperwork that Mr. Napolitano supplied to me at that time. Certainly those assisting documents along with my previous letter should help the Napolitanos in their quest with their bank that is charged with making the final decision relating to charging flood insurance.

I would also like to bring attention to an additional concern. When researching our microfiche and reviewing the Assessor's on-line records, I noticed that they are assessing this property as a two family. Our office has never approved a two family dwelling use at this property. I am including copies of a couple recent permits that indicate the single family allowable use only. If there is an illegal unit within this premises, it should be removed immediately. If the Assessor's records are inaccurate, I would suggest correcting them. I'm sure that it would reduce the property's assessment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Marge Schmuckal', is written over a horizontal line.

Marge Schmuckal
Zoning Administrator

Attachments

CC: file

COPE & COPE
ATTORNEYS AT LAW

February 4, 2004

Marge Schmuckal, Zoning Administrator
Planning and Development
Portland City Hall
389 Congress Street
Portland, Maine 04101

**Re: Anthony and Darlene Napolitano
56 Bernard Road, Portland, Maine, 04103**

Dear Ms. Schmuckal:

I have been helping Mr. and Mrs. Napolitano to resolve some controversies with their mortgage company. Apparently, they have been charged for flood insurance for the last few years, despite the fact that you have informed them that although their property is *near* the flood zone, their specific piece of property, and in particular, the house itself, is not *in* the flood zone.

An examination of the Flood Insurance Rate Map showing Barnard Road is not clear about this fact. Mr. Napolitano has brought me a copy of the Flood Insurance Rate Map (Panel 7 of 17) showing the Flood Zone in the vicinity of his home.

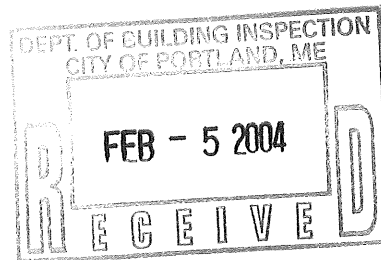
Would it be possible to obtain a definitive statement from you that his home is not in the flood zone, so that he can be relieved of this expense and possibly resolve the charges that have been imposed upon him during the past few years.

Your assistance will be greatly appreciated.

Yours very truly,



Gerald S. Cope
GSC/lks



cc: Anthony and Darlene Napolitano

Zoning Division
Marge Schmuckal
Zoning Administrator



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

CITY OF PORTLAND

TO WHOM IT MIGHT CONCERN:

January 14, 1998

RE: [REDACTED] 437-E-1: Antonio Napolitano, owner

Please note that the buildings located at 56 Bernard Road does not appear to be in a flood hazard area. This determination is based on the recent mapping and the LOMR dated July 7, 1997 and provided by FEMA. Please note that some of the land may still be within an AE zone. However, the detailed map provide to me shows that the entire house and garage is outside the AE zone.

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

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

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

Card Number 1 of 1
 Parcel ID 437 E001001
 Location 56 BERNARD RD
 Land Use TWO FAMILY

Owner Address NAPOLITANO ANTHONY J & DARLENE J NAPOLITANO
 56 BERNARD RD
 PORTLAND ME 04103

Book/Page 17712/227
 Legal 437-E-1
 BERNARD RD 44
 11238 SF

Valuation Information

Land	Building	Total
\$35,810	\$157,600	\$193,410

Property Information

Year Built 1984	Style Colonial	Story Height 2	Sq. Ft. 2912	Total Acres 0.258		
Bedrooms 5	Full Baths 3	Half Baths 1	Total Rooms 8	Attic None	Basement Full	

Outbuildings

Type	Quantity	Year Built	Size	Grade	Condition
POOL-GUNITE	1	1988	20X40	C	A
SHED-FRAME	1	1984	10X10	C	A

Sales Information

Date	Type	Price	Book/Page
06/01/2002	LAND + BLDING		17712-227

Picture and Sketch

Picture Sketch

[Click here to view Tax Roll Information.](#)

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



City of Portland, Maine - Building or Use Permit Application

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

Permit No: 02-0584	Issue Date:	CBL: 437 E001001
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Location of Construction: 56 Bernard Rd	Owner Name: Napolitano Anthony J &	Owner Address: 56 Bernard Rd	Phone: 797-7542
Business Name:	Contractor Name: White, Jim	Contractor Address: 2 Farwell Court Westbrook	Phone: 2077413141
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone:
Past Use: Single Family	Proposed Use: Single Family	Permit Fee: \$72.00	Cost of Work: \$6,500.00
Proposed Project Description: Addition of 9' x 27' Covered Porch.		CEO District: 4	
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group: Type:	
		Signature:	
		Signature:	
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)			
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied			
		Signature: Date:	

Permit Taken By: gad	Date Applied For: 05/30/2002	Zoning Approval		
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied	
	Date:	Date:	Date:	

CERTIFICATION

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

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

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 03-0106	Issue Date:	CBL: 437 E001001
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Location of Construction: 56 Bernard Rd	Owner Name: Napolitano Anthony J &	Owner Address: 56 Bernard Rd	Phone: 207-797-7542
Business Name:	Contractor Name: no contractor / self	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone:

Past Use: single family	Proposed Use: single family - add 6' x 18' side porch	Permit Fee: \$37.00	Cost of Work: \$1,200.00	CEO District: 4
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

Proposed Project Description: 6' x 18' side covered porch	Signature:	Signature:
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature:	Date:	

Permit Taken By: gg	Date Applied For: 02/13/2003	Zoning Approval	
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<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.. 	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
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SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

Zoning Division
Marge Schmuckal
Zoning Administrator



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Joseph E. Gray, Jr.
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Marge Schmuckal
Zoning Administrator

