

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	18		Office Bldg				
Model	94		Commercial				
Grade	02		Below Average				
Stories	1						
Occupancy	1						
Exterior Wall 1	09		Logs				
Exterior Wall 2							
Roof Structure	03		Gable/Hip				
Roof Cover	03		Asph/F Gls/Cmp				
Interior Wall 1	04		Plywood Panel				
Interior Wall 2	05		Drywall/Sheet				
Interior Floor 1	14		Carpet				
Interior Floor 2							
Heating Fuel	02		Oil				
Heating Type	04		Forced Air-Duc				
AC Type	01		None				
Bldg Use	3400		OFFICE BLD				
Total Rooms							
Total Bedrms							
Total Baths							
Heat/AC	00		NONE				
Frame Type	02		WOOD FRAME				
Baths/Plumbing	02		AVERAGE				
Ceiling/Wall	06		CEIL & WALLS				
Rooms/Ptns	02		AVERAGE				
Wall Height	8						
% Conn Wall							
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)							
Code	Description	Sub	Sub Description	L/B Units	Unit Price	Yr	Gde Dp Rt Cnd %Cnd Apr Value
FPL	FIREPLACE			B 1	1,520.00	1991	2 100 800

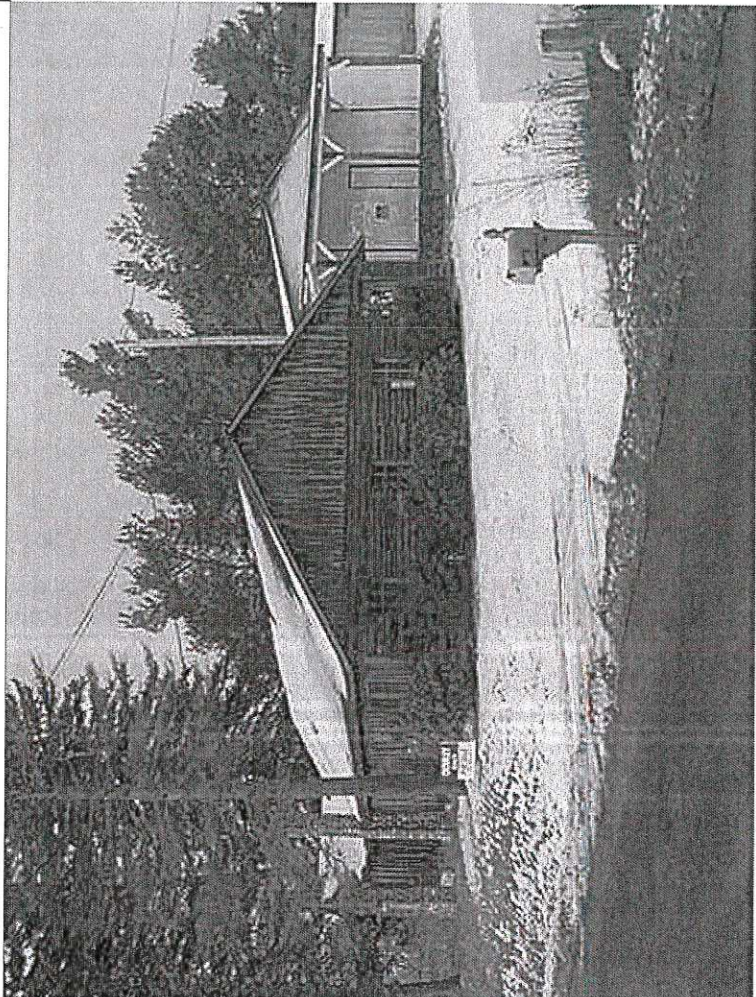
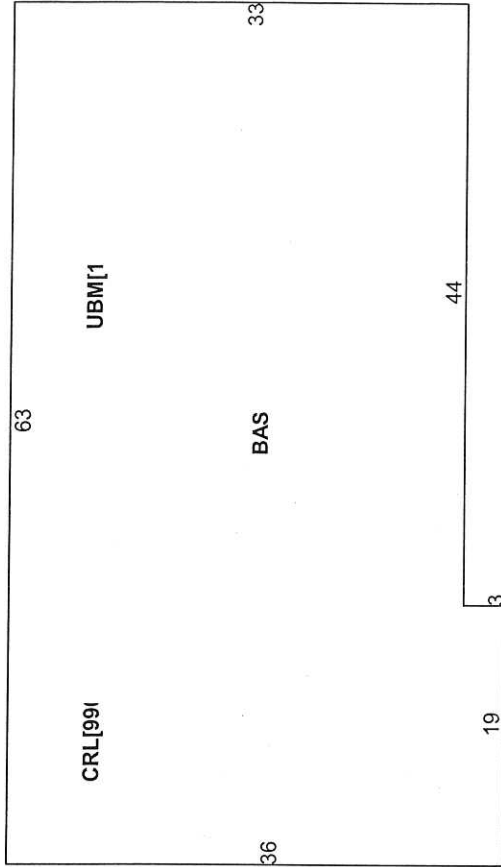




Exhibit 2

August 5, 2015

ID #: 15-00120

Wright Daniel J
16 Clay Pitts Rd
Scarborough, ME 04074

Re: Zoning Violations Zoning District VC at 16 depot St., 038049D01000

Dear Wright Daniel J:

An inspection of the above referenced property was made on August 5, 2015. As a result of this inspection, the condition described below was observed:

Condition: *The use of the structure has been changed from commercial to a residential use without a permit.*

The condition described above is in violation of Ch 140 Sect. 400 Zoning Village Commercial District of the Town of Windham Land Use Ordinance. The intent of the Village Commercial District is to serve as a primarily residential area with a mix of stores, services and commercial enterprises. Growth, at a village scale, is to be well planned in this area of Town served by public water and sewer.

Failure to come in to compliance in 14 days could result in the Town having to take legal action, including an action in the Portland District Court to enforce the provisions of the Town of Windham Land Use Ordinance Chapter 140. If the Town is the prevailing party, the Town may seek penalties of between \$100 and \$2,500. Those penalties may be awarded on a daily basis for each day that a violation continues. In addition, 30-A M.R.S.A. Section 4452 states that when the Town is the prevailing party, it must be awarded reasonable attorney fees, expert witness fees and court costs.

If you wish to dispute this Notice of Violation, you may appeal my decision to the Board of Appeals pursuant to Section 1105 of the Land Use Ordinance. Such appeal must be filed in the office of the Code Enforcement Officer at the Windham Town Hall on forms provided by the Town, together with the appropriate filing fee, within thirty (30) days of the date of this letter. Failure to do so may deprive you of your ability to contest this Notice of Violation in any subsequent proceedings. However, filing an appeal with the Board of Appeals does not relieve you of your responsibility to correct the violations or of any liability for civil penalties.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (207) 895-5960.

Sincerely,

Town of Windham
8 School Road
Windham, ME 04062



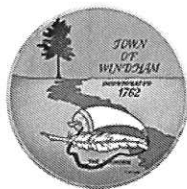
Code Enforcement
Voice (207) 894-5960 Ext. 1
Fax (207) 892-1916

Steve Lebrun
CEO

RECIPIENTS: Wright Daniel J (Owner)

Certified Mail # 70150640000611115561

Town of Windham
8 School Road
Windham, ME 04062



Code Enforcement
Voice (207) 894-5960 Ext. 1
Fax (207) 892-1916

ID #: 15-00120

CORRECTION LIST

Re: 16 depot St., Code Enforcement Department, ME

Zoning Violation

- Building Permit
- A Building Permit is required

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Daniel J Wright 16 Clay Pitts Rd Scarborough, ME 04074</p>  <p>9590 9401 0051 5168 9767 57</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0006 1111 5561</p>		<p>PS Form 3811, April 2015 PSN 7530-02-000-9053</p>	

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL RECEIPT

1955 TT1T 9000 0490 5102

Certified Mail Fee \$ 3.45

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ 2.80

☐ Return Receipt (electronic) \$ 0.00

☒ Certified Mail Restricted Delivery \$ 0.00

☐ Adult Signature Required \$ 0.00

☐ Adult Signature Restricted Delivery \$ 0.00

Postage \$.48

Total Postage and Fees \$ 6.73

Daniel J Wright
16 Clay Pitts Rd
Scarborough, ME 04074

Aug 27 2015

Postmark Here

Instructions

STATE OF MAINE

Exhibit 3

DISTRICT COURT

Location _____

Docket No. _____

Daniel Wright

Plaintiff

v.

Thomas Cobb

Defendant

16 Depot Street

Address

Windham, Maine 04062

SUMMONS, FORCIBLE
ENTRY AND DETAINER
M.R. Civ. P. 80D(b)

The Plaintiff has begun a forcible entry and detainer action against you in the District Court, which holds sessions at (street address) _____

in the Town/City of _____, County of _____

Maine by which the plaintiff seeks possession of the following real estate or personal property: _____

16 Depot Street Windham, Maine 04062

If you wish to oppose this action, you or your attorney must appear before the District Court, on October 8, 2015 at 9:00 AM (am)(pm). The address of the Court is:

Name and address of court:

Maine District Court
205 Newbury Street
PO Box 412
Portland ME 04112-0412

If you claim that you own the property, or that some person other than the plaintiff owns the property and you possess or occupy it with the owner's permission, you or your attorney **MUST SERVE A WRITTEN ANSWER** so stating to the court at the above address before the date and time set forth above. You must give a copy of the Answer to the Plaintiff. Court rules can be found at www.courts.maine.gov.

The court offers parties an opportunity to be personally involved in resolving disputes through the process of mediation. You may have the option of mediation before your hearing. If you would like to request mediation, please contact the clerk of court in advance to determine if a mediator will be available or can be arranged on the hearing date.

IMPORTANT WARNING

IF YOU FAIL TO APPEAR AT THE COURT AT THE ABOVE STATED TIME, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU IN YOUR ABSENCE GIVING POSSESSION OF THE PROPERTY TO THE PLAINTIFF. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO APPEAR AT THE REQUIRED TIME.

If you believe you have a defense to the Complaint, you may wish to talk to a lawyer. If you feel you cannot afford to pay a fee to a lawyer, you may ask the clerk of court for information as to places where you may seek legal assistance.

Date: _____

Daniel Wright

(Attorney for) Plaintiff

16 Clay Pits Rd

Address

Scarborough, Maine 04074

207-838-2308 Cell

Telephone

207-283-9141 work

CV-034, Rev. 06/14

(Seal of Court)

Sally A. Bunch
Clerk

Inspections Overview

Requested 1 Passed 1



(Inspector:0d 0h Contractor:0d 0h)

ID#	PROJECT	PROJECT DESCRIPTION	INSPECTION View All
ONSI-15-2071	On Site Inspection	Discuss property	Site Visit
Address 16 depot St. Windham, ME 462		Owner Wright Daniel J 16 Clay Pitts Rd Scarborough, ME 04074	Contractor Aurora, TX 0
Tenant			
Legal NONE Blk D01			

Site Visit (Inspector: 0d 1h Contractor:0d 0h)			
User	Date	Time	Result
<u>Heather McNally</u>	11/13/2015 @ 12:57 pm CDT	0d 0h	Requested
	11/20/2015 @ 01:00 pm CDT	5d 0h	Ready
<u>Heather McNally</u>	11/20/2015 @ 02:00 pm CDT	5d 1h	Passed
Required Item <div>Heather McNally on 2015-12-02 at 07:10 am</div> <ol style="list-style-type: none"> Confirmed that tenants have left. Discussed possible commercial uses and the requirements for permitting 			

Town of Windham
8 School Road
Windham, ME 04062



Exhibit 5

Code Enforcement
Voice (207) 894-5960 Ext. 1
Fax (207) 892-1916

December 12, 2016

ID #: 15-00120

Wright Daniel J
16 Clay Pitts Rd
Scarborough, ME 04074

Re: Zoning Violations Zoning District VC at 16 depot St., 038049D01000

Dear Wright Daniel J:

An inspection of the above referenced property was made on December 9, 2016. As a result of this inspection, the condition described below was observed:

Condition: *The use of the structure has been changed from commercial to a residential use without a permit.*

The condition described above is in violation of Ch 140 Sect. 400 Zoning Village Commercial District of the Town of Windham Land Use Ordinance. The intent of the Village Commercial District is to serve as a primarily residential area with a mix of stores, services and commercial enterprises. Growth, at a village scale, is to be well planned in this area of Town served by public water and sewer.

Failure to come in to compliance in 14 days could result in the Town having to take legal action, including an action in the Portland District Court to enforce the provisions of the Town of Windham Land Use Ordinance Chapter 140. If the Town is the prevailing party, the Town may seek penalties of between \$100 and \$2,500. Those penalties may be awarded on a daily basis for each day that a violation continues. In addition, 30-A M.R.S.A. Section 4452 states that when the Town is the prevailing party, it must be awarded reasonable attorney fees, expert witness fees and court costs.

If you wish to dispute this Notice of Violation, you may appeal my decision to the Board of Appeals pursuant to Section 1105 of the Land Use Ordinance. Such appeal must be filed in the office of the Code Enforcement Officer at the Windham Town Hall on forms provided by the Town, together with the appropriate filing fee, within thirty (30) days of the date of this letter. Failure to do so may deprive you of your ability to contest this Notice of Violation in any subsequent proceedings. However, filing an appeal with the Board of Appeals does not relieve you of your responsibility to correct the violations or of any liability for civil penalties.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (207) 895-5960.

Sincerely,

Town of Windham
8 School Road
Windham, ME 04062



Code Enforcement
Voice (207) 894-5960 Ext. 1
Fax (207) 892-1916

Steve Lebrun
CEO

RECIPIENTS: Wright Daniel J (Owner)

Certified Mail # 70150640000611119156



ID #: 15-00120

CORRECTION LIST

Re: 16 depot St., Code Enforcement Department, ME

Zoning Violation

- Building Permit
 - A Building Permit is required

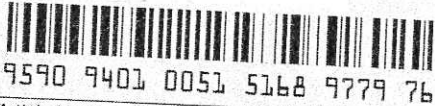
- A permit is required
 - A permit must be obtained from the Department of Code Enforcement

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. *SL/cate*
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits. *16 Depot St*

1. Article Addressed to:

Wright Daniel J
16 Clay Pitts Rd
Scarborough, ME 04074



9590 9401 0051 5168 9779 76

2. Article Number (Transfer from service label)

7015 0640 0006 1111 9156

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

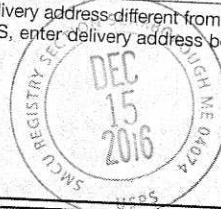
X *Victoria Wright* ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

12/15

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No



3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery over \$500 | |

Domestic Return Receipt



Exhibit 6