

Peter M. J. Wlodylo

173 Highland Avenue, Gardiner, Maine 04345

Sent Via Certified Mail # 7005 0390 0002 4098 0487 to David P. Cichowski

Tenth Letter in regards issuance and renewal of permits
October 24, 2008

To
David P. Cichowski/ code enforcement officer
City of Gardiner Maine
Gardiner City Hall
6 Church Street
Gardiner, Maine 04345
(207) 582-4200 Jeff Kobrock
(207) 582-6892

RE: Permit Renewals BUILDING PERMIT #06-BP-071
issued June 12, 2006 by David P. Cichowski

RE: Permit Renewals Reply to your
letter dated October 14, 2008

Dear Mr. Cichowski,

I have received your letter dated October 14, 2008

***There are a few things that need to be clarified just in case
there are problems that develop in the future because of
misunderstandings.***

Mr. Cichowski,

Your reply letter of October 14, 2008 resolves “nothing” because you have ignored our questions in regards to “PERMIT RENEWAL ISSUES” raised in our letter to you dated October 6, 2008 sent via certified mail # 7005 0390 0002 4098 3242

CONTENTS OF YOUR REPLY

The facts of the matter are these: Your reply letter of October 14, 2008 contains the following items.

1. A copy of permission slips from Freeman Brothers to setup pipe staging on sidewalks. (nothing to do with our construction project, as we do not have any sidewalks involved)
2. A copy of permission slips from Gregory J Farris about shutting down sidewalks. (again, this item is not relative to our construction project as we do not have any sidewalks involved)
3. A permission to a roofing company “Industrial Roofing Company of Lewiston Maine” about a dumpster in the street and about fire hydrant clearances. (again, this item is not relative to our construction project as we do not have any sidewalks involved or fire hydrants)

In other words our construction project is not relative to your submitted permission slips or section 2563

City code section 2563 titled Street Obstructions states the following:

No person shall occupy any part of a street for the purpose of placing any lumber or other materials for erecting or repairing any building upon *his* land abutting any street without a permit from the building inspector which shall be given in writing, allotting such part of the street as may be necessary, and limiting the period which the street may be so occupied. The person to whom said permit shall be granted shall, before occupying the same, erect around the part to be occupied a sufficient fence to prevent injury to persons, animals or vehicles passing the premises, to the satisfaction of the building inspector. At the expiration of the permit, the person to whom it shall have been given shall remove all the materials and rubbish from that part of the street occupied by *him*, or it may be done by the city at *his* expense.

PURPOSE OF CITY CODE SECTION 2563

The language in the ordinance proves legislative intent to control the placement of construction material in a right of way. The language also indicates that a “fence or barrier” be put around the stored building

supplies or material to ensure public safety as with the cases with the 3 permit request that you provided 251 Water street /218 Water and Reny's Dept Store all located in downtown Gardiner. These 3 had to use sidewalks and parking areas and public roads normally used for pedestrian traffic. The "building materials" needed to be fenced off or blocked as per City code section 2563 Obstructions, this is correct in these 3 cases.

However, the legislative purpose of this ordinance was never intended for it to be used the way you are trying to use it. We do not have any building materials and or construction materials in the right of way. Your attempt to force us to get 48 hour permission ahead of time before we have any construction equipment or delivery trucks dropping off supplies etc, etc, etc does not apply to this said ordinance. You cannot put a "fence or barrier" around a moving vehicle such as a dump truck, garbage truck, UPS truck, construction vehicle or any other type of delivery truck or vehicle. This does not fall under the definition of lumber or building materials that need to be fenced off because they block sidewalks or parking areas or ROW normally used by pedestrian traffic as the said ordinance stipulates.

State of Maine preempts the use of vehicles on public roads. You do not have the right to prevent permitted vehicles, construction vehicles, dump trucks, delivery truck, etc, etc from traveling in the right of way. These vehicles are permitted by the state and so authorized are authorized to use the right of way in a public road. These said vehicles do not require a 48 hour permission slip issued by you Mr. Cichowski. You cannot bar vehicles authorized by state statute just because they happen to be connected to the Wlodylo family construction project

Item no 2 that was supplied in your response letter of October 14, 2008 was a "disability variance application "

DISABILITY VARIANCE ISSUE

1. Pursuant to our permit that you yourself approved on June 12, 2006 "BUILDING PERMIT #06-BP-071 issued June 12, 2006 by David P. Cichowski"

It states the following on the plot plan approved drawing that you yourself approved: "Wheel chair ramp is not included because it is not being installed at this time and is protected under state and federal law" In other words, the disability variance is

“GUARANTEED AND IS NOT SUBJECT TO ABUTTERS APPROVAL” (Mr. Cichowski, do you understand that the law guarantees the variance?)

You need to get a different job if you do not understand codes or State and Government rules as related to your job as code enforcer, if you did you wouldn't be sending me this application instructing me to contact abutters for no reason, as abutters permission is not required. (Mr. Cichowski, do you understand that you and the city cannot override State and Federal Disability laws and Statutes?) I will contact you when I am ready to install the wheelchair ramp. In addition to the above you will notice that the “Existing Deck” on the plot plan that you, yourself approved “Sticks out beyond the building by 4 feet”

In other words the existing deck is already existing and does not require a permit from you because it was already built and furthermore is part of the original permit that was approved by prior CEO's in 2002 before you came to work for the city in 2005. What the prior CEO's approved and did, you cannot “UNDO” This is another reason why you do not understand your job as CEO. There are numerous errors in your decision making process related to your job as CEO, it is safe for me to say that you are “Incompetent” as CEO of Gardiner.

THE AGREEMENT ISSUE

The agreement that you are trying to force us to sign or else you will not renew our permits in your letter of October 2, 2008 is “Illegal” and proves beyond a shadow of a doubt that you are “Incompetent” because of the following required stipulations imposed by you Mr. Cichowski.

THE RE-WRITING OF THE BUILDING PLAN ISSUE

- 1. In removing the 8 foot addition from the “BUILDING PERMIT #06-BP-071 issued June 12, 2006 by David P. Cichowski” You **made the BUILDING PLAN ILLEGAL** because it does not meet the square foot requirements for an apartment and is in violation of city code. (Mr. Cichowski, do you understand that there is a square foot requirement?)*

- 2 *In removing the 8 foot addition from the “BUILDING PERMIT #06-BP-071 issued June 12, 2006 by David P. Cichowski” You made the BUILDING PLAN ILLEGAL because you removed the PRIMARY EGRESS FROM THE BUILDING. (Mr. Cichowski, do you understand that a primary egress is mandatory?)*

1. *Do you understand that your job as CEO of Gardiner is suppose to enforce the city code not force the city property owners to violate city code? (If you do not understand this then maybe the problem is that you do not understand the code otherwise why would you make demands in violation of code. There is one other explanation for your lack of understanding the code and that is “Malice”)*

2. *Do you understand that the large excavated hole in the ground next to building B on the plan is to “INSTALL FOUNDATION FOOTINGS AND FOUNDATION” for the 8 foot extension according to “BUILDING PERMIT #06-BP-071 issued June 12, 2006 by David P. Cichowski” ?*

3. *Do you understand that we cannot back fill the foundation hole before we pour the footing and the foundation as “BUILDING PERMIT #06-BP-071 issued June 12, 2006 by David P. Cichowski” calls for an addition to the existing building?*

THE ENGINEERS REPORT

The engineer that the city hired does not have all the facts regarding our building permits. He does not understand or is aware that an 8 foot building addition with a foundation under it is being built exactly in the same location as the excavation hole; otherwise he would not have said we need to fill it in. If we filled in the hole we would not have room to install the said 8 foot building addition with new foundation.

Clearly the excavation hole in necessary to comply with approved building permits. It seems that said the engineer was not informed by you Mr. Chicowski about the true nature of the said approved building permit. Your engineering report is an attempt to re-write the said approved building plans. You want us to board up the front of our home with plywood and fill in the excavation hole and reconnect the power feed to the old part of the house and “wrap it up” in regards to your view of the completion of the project and so be done in your view. However you do not have the authority to re-write the building plans that have

already been lawfully approved by you just because you want to. I have an approved building plan with your signature on it so what's the problem now? You do not have the authority to violate your own authority in a building permit plan that you lawfully issued. By not giving the engineer all the facts you can influence his report in such a way that it would allow you to use it against us in your attempt to try to condemn our home. Our engineer will get all the facts and will set matters straight. It is clear that you are going to continue to drag out our permit renewal.

THE ISSUE OF YOUR INCOMPETENCY
THE ISSUE OF YOU VIOLATING YOUR OWN AUTHORITY
THE ISSUE OF ANIMOSITY, MALICE AND RETAILATION

Mr. Cichowski I should not have to explain to you basic construction methods or the details of our project concerning the 8 foot extension of our home because it is part of the approved plan already approved by you, if you do not understand your job, then quit and get a different job. You can't be so incompetent as not to understand that the addition to the building that you approved is necessary to resolve the problems that you are complaining about. The engineer you hired does not understand that there is an addition that is supposed to be added to the building. We cannot eliminate the addition to the building. Your refusal to comply with the approved building plan is intentional and is malice. You have damaged our worksite by refusing to issue permits for a construction project that you yourself approved. You are instructing us to build an illegal building and then are complaining that we are not cooperating with your request so therefore you refuse to issue us permits, furthermore you make stipulations to the city code 2563 and provide permission slips that are not relative to our construction. Anyone reading this letter is going to understand that you are incompetent. The problem with you has lasted 3 years and the problem with the city has lasted 5 years, you buried our tools, you lie to us on video, a judge had to issue a protection order against you and the city, you lie to us in e-mails, you are currently trying to evict us from our home by making demands that are illegal and then using that as an excuse for refusing to renew our approved building permit, isn't that correct Mr. Cichowski? The problem with the city started about 5 years ago when I complained about "HUD FRAUD AND CORRUPTION" against Jeff Kobrock and Chris Paszyc. You came to work for the city in January 2005. Your animosity, malice and retaliation is the result and continuance of the original problem started 5

years ago by Jeff Kobrock. Mr. Cichowski you need to understand the limits of your authority and one more thing, you forgot to mention in reference to your letter dated June 25, 2008, you bringing GUNS to our home and causing emotional distress to my wife, my family and myself. Go here just in case you have a problem with incompetence that keeps you from remembering things like City Codes.

www.HelpSaveOurHome.ME

Gardiner Code Officer David P Cichowski Brings Guns to Wlodylo Family home Wife Debra Wlodylo is under a doctor's care to keep calm due to EXTREME stress caused by city

- 1. You do not have the authority to violate city code.*
- 2. You do not have the authority to violate State Statute*
- 3. You do not have the authority to violate Federal Statute*
- 4. You do not have the authority to violate your own authority in a permit plan that was lawfully issued by you.*
- 5. You do not have the authority to violate other CE'O authority.
(Do you understand these limits, Mr. Cichowski?)*

Because of all the above "Mr. Cichowski" you are bias and incompetent and you are not fit to serve as CEO, the proof is black and white and is also on video. We will do everything that is legally necessary to remove your incompetence from the office of CEO. Have a good day.

When you decide you want to follow the code, let us know, if you are still working for the city, that is. Otherwise we are not interested in your intentional acts to violate the code.

"ANY CODE OFFICER THAT VIOLATES HIS OWN CITY CODES AND THAT VIOLATES HIS OWN AUTHORITY IN A PERMIT PLAN THAT HE HIMSELF LAWFULLY ISSUED SHOULD NOT SERVE IN ANY CAPACITY OF CEO WHATSOEVER AND THAT IS YOU" Mr. Cichowski. (all documented)

Furthermore your lying caught on video is not a good indication of your honesty, is it?

It is totality "Ludicrous" to on your part to refuse to allow a construction project to be completed pursuant to a permit plan that you yourself approved. Tens of thousands of dollars have been spent, hundreds of man hours of labor have been spent. The quality of the work and the quality of the plan itself speak volumes about your incompetence. Since you started working for the city you have wasted 268 days as of October 24, 2008 and counting of our valuable construction time directly related to your issuance of "BUILDING PERMIT #06-BP-071" How do you

