

P/A. 23, 664

MEMORANDUM

To: Nelson Ortega, Code Enforcement Officer

From: Laura Games, Enforcement Prosecutor *LWG*

Date: June 28, 1999

cc: Roger Houston, Director Planning & Building
Klaas Nijhuis, Deputy Mgr. Urban Programs
Bill Walsh, Code Official
Corporation Counsel, File

Subject: 6 Canal Street

I visited 6 Canal Street today at 1:45 and met with Wayne Nolette. I asked him what type of work he had been doing to the building. He admitted to me that he had completely remodeled the third floor, re-wired and re-plumbed it. He has also completely gutted the second floor. The paint, sheet rock, wiring and windows have been removed. I told him that I was posting a Stop Work order because he had not obtained the proper permits and was currently in violation of the City's building ordinances. He stated that he was done anyway and was just awaiting another contractor inspection for bids to do work through the City. I told him that he needed to secure the second floor apartment by boarding up the windows and door. He said that he would do that. The ground floor apartment in the back has also been worked on as the windows have been removed. However, this apartment appears to have been secured.

I went through the third floor. It has been completely re-done and furnished. Half of the porch railing needs guardrails. I looked at the fire escape. It appears to be secure but does not look right. Mr. Nolette stated that he merely bolted it down and that he reassembled it exactly the way that it had been before. He also stated that he would like to build a deck on the roof and put in a whole new fire escape, however, he needs advice on what type of fire escape to use. I can't believe that Mr. Nolette merely reassembled the old fire escape. I don't remember what it looked like a year ago but it simply does not look safe now. I would suggest that you visit this property again with the Fire Marshal and maybe Tom. I told Mr. Nolette that another site visit would occur within the next few days. He stated that he was meeting with Klaas and Rob on Thursday. In the meantime, I will discuss with Bill what we should do regarding the work that has already been completed without permits. None of these units should be rented until the proper permits have been issued.

7/1/99



City of Nashua
Community Development Division
City Hall - 229 Main Street
P.O. Box 2019
Nashua, New Hampshire 03061-2019

Director 594-3379
Planning 594-3360
Building 594-3314
Urban Prog 594-3362
Housing 594-3351
FAX/Data 594-3375

CODE ENFORCEMENT

Wayne Nollete
6 Canal St.
Nashua, NH 03060

July 1, 1999

Re: Notice of Violation, Property at 6 Canal St.

Dear Mr. Nollete:

Thank you for meeting with me at 6 Canal Street on Monday, June 28, 1999. An inspection of your property conducted on that day revealed the following building code violation and resulted in a Stop Work order being issued:

Renovating, rewiring, re-plumbing your building (3rd floor) without proper permits.

You must stop all work immediately. These activities are in violation of Nashua Revised Ordinance Chapter 6, Article II, Sec. 6-15 and Sec.107 (adopted from 1993 BOCA National Building Code) and **must be corrected by July 9, 1999** by obtaining the proper permits. The purpose of this notice is to make you aware of this violation and provide you an opportunity to correct the problem. We will be checking our records after July 9 to determine whether or not you have obtained the proper permits. If you have not, you may be summoned to District or Superior Court.

PLEASE BE ADVISED THAT UNDER NEW HAMPSHIRE LAW, A VIOLATION OF LOCAL ORDINANCES IS A CRIMINAL OFFENSE. A PERSON CONVICTED OF SUCH OFFENCES SHALL BE GUILTY OF A MISDEMEANOR IF A NATURAL PERSON, OR GUILTY OF A FELONY IF ANY OTHER PERSON, OR IF CHARGED WITH AND FOUND GUILTY OF A VIOLATION, SUBJECT TO ADMINISTRATIVE COSTS AS WELL AS CIVIL PENALTIES UP TO \$275.00 PER DAY AFTER THE DATE OF RECEIPT OF THIS NOTICE OR THE DATE SPECIFIED IN THIS NOTICE, WHICHEVER IS LATER.

If you disagree with this decision, you have twenty (20) days from receipt of this letter to appeal the decision to the Building Code Board of Appeals. Please also be advised that **you are not to rent your apartments until you have been issued the permits discussed above and you have passed the appropriate housing code and building inspections.** Should you have questions, please do not hesitate to contact me at (603)594-3351. Thank you in advance for your cooperation.

Respectfully,

Laura V. Games, Esq.
Enforcement Prosecutor

cc: Director, Planning & Building
Corporation Counsel
Code Official
Enforcement Officers
File

Circle Staff 7/2/99

Buttrick, Bruce

From: Games, Laura
Sent: Wednesday, April 13, 2005 4:44 PM
To: CD- Building Department
Subject: 4 1/2-6 Canal St.

Hi All

I received a complaint regarding building activity at this address. Mr. Nollette (the owner) enclosed a garage over the weekend. There is no change of use as it is still being used for storing tools, bicycles, etc. However, I told him that he needed a building permit. He said that he would be in tomorrow or Friday. (See attached)

Laura



041305.JPG

Buttrick, Bruce

From: Buttrick, Bruce
Sent: Friday, April 15, 2005 9:26 AM
To: Games, Laura
Cc: CD- Building Department; CD- Code Enforcement
Subject: 6 1/2 Canal St

Laura;
Doing some research on the property file, there are some outstanding permits required to be finalized for the 3rd flr apt that was renovated w/o permits, generated from a notice of violation from Code Enforcement 7-1-99.
Bruce

NARRATIVE FOR FIRE MARSHAL RICHARD W WOOD

Ref: 07-3243-IN

Entered: 05/30/2007 @ 1546
Modified: 05/30/2007 @ 1546

Entry ID: 5032
Modified ID: 5032

Nashua Fire Marshal's Office

Fire Origin and Cause Report

Incident Number: 07-3243-IN

Date of Incident: 05/25/2007

Time of Incident: 0309

Location of Incident: 6 CANAL ST NASHUA (2nd Floor rear), NH 03060

Incident Summary

I responded to the above location upon a telephone request from Nashua Fire Dispatch. The dispatcher told me the incident had escalated to a 3rd alarm and he was calling in Inspector Investigator Cynthia Bautis

Incident #: 07-3243-IN Exp. 0

of NFR as well. Upon arrival at the scene, Deputy Chief John Allison, the Incident Commander, requested that I speak with two tenants who claim to have knowledge of how the fire started. Myself or Investigator Bautista spoke with the tenants who claim that Brian Williams a tenant on the 2nd floor where the fire occurred had started the fire likely by careless handling of smoking materials. I then met with Deputy Allison who told me that upon their arrival there was heavy fire showing from the rear 2nd floor of the building. Allison told me that, Williams was located on the exterior stair at the rear of the building and Allison talked him the the ground and into the parking lot. Allison told me Williams was mumbling several times about "smoking" and a couch being on fire.

I photographed the scene, conducted interviews, obtained a written consent to search from the building owner, and conducted a scene examination for cause and origin.

Property Description

The property is an approximately 60 x 40 foot wood framed building three stories in height with a two story addition. The building consists of a rooming house operation consisting of 12 individually rented rooms with an owner occupied apartment on the first floor. The fire occurred in the two story addition on the rear of the building bordering Lowell Street.

Interviews Conducted

I conducted the following interviews: In addition, interviews were conducted by Investigator Cynthia Bautista of our office and Nashua Police (control # 07-30925-OF):

Earnest Noble, DOB 02/05/1963
6 Canal Street, Nashua NH
603-943-2331

Noble told me he had arrived home from Cattleman's Restaurant at approximately 0200. When he arrived, he said he observed the exterior door to his unit to be wide open and Brian Williams to be sitting in his room smoking a cigarette. Noble said Williams said hi to him and told him he was really "fucked up" (high). Noble said Williams is a Crack Cocaine addict. Noble told me since Williams has moved in approximately 1 year prior, he observed cigarette "burn marks all over the apartment". Prior to going to his room to go to bed Noble said he told Williams to "not burn the house down" as he has told him many times in the past. Noble said he didn't mean that Williams would burn the house on purpose rather was telling him not to be careless. Noble said he then went to his room and went to bed. He said he awoke to people yelling and he does not remember hearing a smoke alarm. Noble said he went and opened the door to his room and observed flames across the ceiling outside his room so he slammed the door shut and went to his window. Noble told me he could hear Williams in the other room trying to escape and could hear he saying "what have I done, what have I done". Noble told me he then jumped from his second floor window to safety after someone put a city trash container under his window to break his fall.

Wayne Nolette, DOB 6/9/1955
6 Canal Street Apt. A, Nashua NH
978-869-3572

I talked with Wayne Nolette at the scene. Mr. Nolette owns the building and lived in the first floor apartment (A). Mr. Nolette told me the occupant of the fire apartment, Brian William, "had problems". Nolette stated that he had even had Williams arrested before. He stated that "Brian and another person, Earnest", lived in the fire apartment. Nolette state they "share the rent together". When I asked about the configuration of building, Mr Nolette told me "it's a four family". Mr. Nolette appeared very shaken about the fire and was very

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guarded during our conversation and when asked about how many people lived in the building he stated he didn't know. When I pressed further Nolette told me that some tenants may be renting out rooms.

Steve Snyder, DOB 9-2-1960
6 Canal Street Basement, Nashua NH

Snyder told me he was asleep in his room in the basement near the washer when he heard someone yelling fire. He exited the building on his own. Within 15 minutes of the fire he told me he was standing outside and the owner Wayne Nolette approached him and told "get lost, if anyone asks you don't live hear". Snyder stated that he had been living in the basement for about 1 month and that he pays rent directly to Mr. Nolette in the amount of \$120/week.

Elmer Jim Taylor, DOB 7-22-1963
6 Canal Street Basement

Mr. Taylor told me that he was asleep in his room in the basement near the electrical panel at the time of the fire. While standing outside Taylor told me the landlord, Wayne Nolette, approached him and asked him to "disappear". Nolette told him he would get in trouble if anyone found out he was living in the basement. Taylor told me he paid Nolette directly \$125/week cash. Taylor commented about how lucky he was to have gotten out with the basement only having one exit.

Bruce Davidson, DOB 6-2-1956
6 Canal Street Basement, Nashua NH

I spoke with Bruce Davidson who told me he moved in approximately one month prior to the fire. He told me he was approached by the landlord outside during the early stages of fire and asked to leave and not to tell anyone he lived in the basement. Davidson told me he paid Nolette directly \$130/week and that his room was located in the basement on the left at the bottom of the stairs. Davidson also told me that he knows that Nolette does his own wiring at the building. When asked how he knew that he told me that he had helped Nolette within the past couple of weeks run the electrical wiring to feed the small building adjacent to the main building.