





**APPLICATION FOR PERMIT**  
 DEPARTMENT OF BUILDING INSPECTIONS SERVICES  
 ELECTRICAL INSTALLATIONS

Date JUNE 30, 19 77  
 Receipt and Permit number 713117

A10162

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:  
 The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 21 1/2 Eastern Prom ADDRESS: same  
 OWNER'S NAME: Dan Halsey

OUTLETS: (number of)

Lights	<u>1-30</u>	FEES
Receptacles	_____	
Switches	_____	
Plugmold	_____ (number of feet)	
<b>TOTAL</b>	_____	<b>1.00</b>

FIXTURES: (number of)

Incandescent	_____	
Fluorescent	<u>14</u> (Do not include strip fluorescent)	<u>3.40</u>
<b>TOTAL</b>	_____	<b>3.40</b>
Strip Fluorescent, in feet	_____	

SERVICES:

Permit, total amperes	_____	
Temporary	_____	

METERS: (number of) \_\_\_\_\_

MOTORS: (number of)

Fractional	_____	
1 HP or over	_____	

RESIDENTIAL HEATING:

Oil or Gas (number of units)	_____	
Electric (number of rooms)	_____	

COMMERCIAL OR INDUSTRIAL HEATING:

Oil or Gas (by a main boiler)	_____	
Oil or Gas (by separate units)	_____	
Electric (total number of kws)	<u>6.5</u>	<u>.70</u>

APPLIANCES: (number of)

Ranges	_____	Water Heaters	_____
Cook Tops	_____	Disposals	_____
Wall Ovens	_____	Dishwashers	_____
Dryers	_____	Compactors	_____
Fans	_____	Others (denote)	_____
<b>TOTAL</b>	_____		

MISCELLANEOUS: (number of)

Branch Panels	_____	
Transformers	_____	
Air Conditioners	_____	
Signs	_____	
Fire/Burglar Alarms	_____	
Circus, Fairs, etc.	_____	
Alterations to wires	_____	
Repairs after fire	_____	
Heavy Duty, 220v outlets	_____	
Emergency Lights, battery	_____	
Emergency Generators	_____	

FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT	INSTALLATION FEE DUE:	_____
FOR REMOVAL OF A "STOP ORDER" (304-16.b)	DOUBLE FEE DUE:	_____
FOR PERFORMING WORK WITHOUT A PERMIT (304-9)	TOTAL AMOUNT DUE:	<u>7.10</u>

INSPECTION:  
 Will be ready on 6-30, 19 77 or Will Call \_\_\_\_\_

CONTRACTOR'S NAME: Louis Cavallaro  
 ADDRESS: 125 Sherwood St.  
 TEL.: 774-2813

MASTER LICENSE NO.: 1703  
 LIMITED LICENSE NO.: \_\_\_\_\_

SIGNATURE OF CONTRACTOR:

OFFICE COPY

21-23 Eastern Promenade

August 1, 1977

Mr. Daniel T. Haley  
19A Eastern Promenade  
Portland, Me.

Dear Mr. Haley:

As a result of a conference between Mr. Haley, Mr. Smith of Building & Inspection Services and Mr. Brown, Director of Building & Inspection Services, it was decided that because the roof upon which a fire escape was required is but 8 feet above the finished grade, therefore, it was felt that a drop ladder, same as a drop ladder from a fire escape platform, is sufficient in this case. Therefore, we told Mr. Haley that he could proceed, using the existing ladder, and the drop ladder as indicated above.

Very truly yours,

Earle S. Smith  
Plan Examiner

ESS:k

21-23 Eastern Promenade

May 18, 1977

Mr. Daniel T. Maley  
19-A Eastern Promenade  
Portland ME

cc: Fire Department

Dear Mr. Maley

Permit to make an addition to the office, as per plans, is issued herewith subject to the following requirements.

1. The Fire Department is requiring that you install an approved fire escape. The existing ladder is not to be used as it is not recognized as a fire escape, under the provision of their ordinance.

If you have any questions, or suggestions, concerning this stipulation I would contact Lt. Henry Ryan of the Fire Prevention Bureau or Lt. Collins of the same Bureau.

Very truly yours

Darle S. Smith  
Plan Examiner

ESS:cm  
Encl

CITY OF PORTLAND, MAINE  
MEMORANDUM

DATE: May 17, 1977

TO: Building Inspector

FROM: Lieutenant Henry Ryan, Fire Prevention Bureau

SUBJECT: 21-23 Eastern Prom

Permission for an addition of office space in the above addressed building is hereby granted with the following stipulations:

An approved fire escape is to be installed according to the code. Life Safety Code #101, Section 5-9211, "no form of ladder shall be used as a fire escape under the provisions of this Code." Therefore removal of the present ladder must be accomplished and an approved fire escape installed.



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP ..... 0343
B.O.C.A. TYPE OF CONSTRUCTION .....

PERMIT ISSUED

MAY 18 1977

ZONING LOCATION ..... PORTLAND, MAINE, .. May 12, 1977

CITY OF PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 21-23 Eastern Prom ..... Fire District #1 [ ] #2 [ ]
1. Owner's name and address Daniel T. Haley - 19A Eastern Prom ..... Telephone 774-2617
2. Lessee's name and address ..... Telephone .....
Contractor's name and address Owner ..... Telephone .....
Architect ..... Specifications ..... Plans ..... No. of sheets .....
Proposed use of building ..... No. families .....
Past use ..... No. families .....
Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....
Other buildings on same lot .....
Estimated contractual cost \$ 4,000. .... Fee \$ 16.00

FIELD INSPECTOR—Mr. .... GENERAL DESCRIPTION

This application is for: @ 775-5451
Dwelling ..... Ext. 234 Permit to make an addition to office
Garage ..... as per plans. 1 sheet of plans.
Masonry Bldg. .... Bldg. combination of 4 family apartment
Metal Bldg. .... house and offices. Stamp of Special Conditions
Alterations .....
Demolitions .....
Change of Use .....
Other office space

PERMIT ISSUED WITH LETTER

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 [x] 2 [ ] 3 [ ] 4 [ ]
Other: .....

DETAILS OF NEW WORK

Is any plumbing involved in this work? ..... Is any electrical work involved in this work? .....
Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....
Has septic tank notice been sent? ..... Form notice sent? .....
Height average grade to top of plate ..... Height average grade to highest point of roof .....
Size, front ..... depth ..... No. stories ..... solid or filled land? ..... earth or rock? .....
Material of foundation ..... Thickness, top ..... bottom ..... cellar .....
Kind of roof ..... Rise per foot ..... Roof covering .....
No. of chimneys ..... Material of chimneys ..... of lining ..... Kind of heat ..... fuel .....
Framing Lumber—Kind ..... Dressed or full size? ..... Corner posts ..... Sills .....
Size Girder ..... Columns under girders ..... Size ..... Max. on centers .....
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor ..... 2nd ..... 3rd ..... roof .....
On centers: 1st floor ..... 2nd ..... 3rd ..... roof .....
Maximum span: 1st floor ..... 2nd ..... 3rd ..... roof .....
If one story building with masonry walls, thickness of walls? ..... height? .....

IF A GARAGE

No. cars now accommodated on same lot ....., to be accommodated ... number commercial cars to be accommodated ...
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? .....

APPROVALS BY: DATE
BUILDING INSPECTION—PLAN EXAMINER .....
ZONING: O.K. 5/14/77 - [Signature]
BUILDING CODE: O.K. 2.8.5715/77
Fire Dept.: .....
Health Dept.: .....
Others: .....

MISCELLANEOUS

Will work require disturbing of any tree on a public street? ..
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? .....

Signature of Applicant Daniel T. Haley Phone # same
Type Name of above Daniel T. Haley [x] 2 [ ] 3 [ ] 4 [ ]
Other .....
and Address .....

FIELD INSPECTOR'S COPY

NOTES

August 17 No ladders for  
2nd fl. level to  
ground.  
Some changes to  
made according to  
the fire department.  
Oct 17 Completed

Permit No. 97/0313  
Location 21-23 Eastern Ocean  
Owner Lewis of Albany  
Date of permit 5-12-77  
Approved 5-18-77

Two columns of horizontal lines for notes, with a large diagonal line crossing the right column.

PERMIT TO INSTALL PLUMBING

PERMIT NUMBER 149000

Date Issued 1/24/67  
 Portland Plumbing Inspector  
 By ERNOLD R GOODWIN

App. First Insp.  
 Date 1/25/67  
 By M. Montgomery

App. Final Insp.  
 Date JAN 26 1967  
 By ERNOLD R GOODWIN  
 Type of Bldg.

- Commercial
- Residential
- Single
- Multi Family
- New Construction
- Remodeling

Address		21 A E. Promenade			
Installation For					
Owner of Bldg:		Lawrence T. Curran			
Owner's Address		21 A E. Promenade		Date: 1/24/67	
Plumber:		Portland Gas Light Company		NO FEE	
NEW	REPL			NO	FEE
		SINKS			
		LAVATORIES			
		TOILETS			
		BATH TUBS			
		SHOWERS			
		DRAINS	FLOOR	SURFACE	
1		"	ATER TANKS	1	2.00
		TANKLESS WATER HEATERS			
		GARBAGE DISPOSALS			
		SEPTIC TANKS			
		HOUSE SEWERS			
		ROOF LEADERS			
		AUTOMATIC WASHERS			
		DISHWASHERS			
		OTHER			
				TOTAL 1	2.00

Building and Inspection Service Dept. Plumbing Inspection



**CITY OF PORTLAND, MAINE**  
**Application for Permit to Install Wires**

Permit No. **1015**

Issued

Portland, Maine **11-10**, 19**73**

To the City, Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

*(This form must be completely filled out - Minimum Fee, \$1.00)*

Owner's Name and Address **JAY A. PETERSON & SONS** Tel. **747-7300**  
 Contractor's Name and Address **A.C.E. ELECT CO. INC.** Tel. **797 6195**  
 Location **23 E. Broadway** Use of Building **Apt.**  
 Number of Families **4** Apartments **4** Stores \_\_\_\_\_ Number of Stories \_\_\_\_\_  
 Description of Wiring: New Work \_\_\_\_\_ Additions \_\_\_\_\_ Alterations

Pipe	Cable	Metal Molding	BX Cable	Plug Molding (No. of feet) ...
No. Light Outlets		Plugs	Light Circuits	Plug Circuits
FIXTURES: No.			Fluor. or Strip Lighting (No. feet)	
SERVICE: Pipe	Cable	Underground	No. of Wires	Size
METERS: Relocated		Added	Total No. Meters	
MOTORS: Number	Phase	H. P.	Amps	Volts
HEATING UNITS:	Domestic (Oil)	No Motors		Phase
	Commercial (Oil)	No Motors		Phase
	Electric Heat (No. of Rooms)			H.P.
APPLIANCES: No. Ranges		Watts		Brand Feeds (Size and No.)
	Elec. Heaters		Watts	
	Miscellaneous		Watts	Extra Cabinets or Panels
Transformers		Air Conditioners (No. Units)		Signs (No. Units)
Will commence	19	Ready to cover	19	Inspection <b>Will call</b>
Amount of Fee \$				

Signed *J. Peterson*

*NO ENCLINE  
 CHANGING -  
 JUST MAKE  
 FROM 150  
 115V TO  
 15A. 220V  
 SAME AS  
 JOB ON  
 20 AMPER  
 E FROM 4  
 200 600 51*

DO NOT WRITE BELOW THIS LINE

SERVICE		METER		GROUND
VISITS: 1	2	3	4	5
	7	8	9	10
				11
				12

REMARKS:

INSPECTED BY *Frank ...*  
 (OVER)

**CITY OF PORTLAND, MAINE**  
**Application for Permit to Install Wires**

Permit No. 59106

Issued  
 Portland, Maine Oct 4, 1972

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

(This form must be completely filled out — Minimum fee, \$1.00)

Owner's Name and Address *Don Foley* Tel.  
 Contractor's Name and Address *Tom's Cavallo* Tel. 774-3813  
 Location *217 Eastern* Use of Building *Home*  
 Number of Families . Apartments . Stores . Number of Stories  
 Description of Wiring: New Work . Additions . Alterations  
*new service*  
 Pipe . Cable . Metal Molding . BX Cable . Plug Molding (No. of feet)  
 No. Light Outlets . Plugs . Light Circuits . Plug Circuits  
 FIXTURES: No Fluor. or Strip Lighting (No. feet)  
 SERVICE: Pipe Cable  Underground No. of Wires *3* Size *2/2 #14 Alum*  
 METERS: Relocated . Added . Total No Meters *1*  
 MOTORS: Number . Phase . H. P. . Amps . Volts . Starter  
 HEATING UNITS: Domestic (Oil) . No. Motor, . Phase . H.P.  
 Commercial (Oil) . No. Motors . Phase . H.P.  
 Electric Heat (No. of Rooms) *electric water heater*  
 APPLIANCES: No. Ranges . Watts . Brand Feds (Size and No.)  
 Elec. Heaters . Watts  
 Miscellaneous . Watts . Extra Cabinets or Panels  
 Transformers . Air Conditioners (No Units) . Signs (No. Units)  
 Will commence 19 *72* Ready to cover in 19 *72* Inspection 19 *72*  
 Amount of Fee \$ *3.50*

Signed *Tom Cavallo*

DO NOT WRITE BELOW THIS LINE

SERVICE	/		METER	/		GROUND
VISITS: 1	2	3	4	5	6	
	7	8	9	10	11	12

REMARKS:

INSPECTED BY *W. H. Haskin*

(OVER)

LOCATION *Eastern Prom 21A*  
 INSPECTION DATE *10/13/72*  
 WORK COMPLETED *10/13/72*  
 TOTAL NO. INSPECTIONS *1*  
 REMARKS.

**FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963**

<b>WIRING</b>	
1 to 30 Outlets	\$ 2.00
31 to 60 Outlets	3.00
Over 60 Outlets, each Outlet	.05
(Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet)	
<b>SERVICES</b>	
Single Phase	2.00
Three Phase	4.00
<b>MOTORS</b>	
Not exceeding 50 H.P.	3.00
Over 50 H.P.	4.00
<b>HEATING UNITS</b>	
Domestic (Oil)	2.00
Commercial (Oil)	4.00
Electric Heat (Each Room)	.75
<b>APPLIANCES</b>	
Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Built-in Dishwashers, Dryers and any permanent built-in appliance — each	1.50

(COPY)

CITY OF PORTLAND, MAINE  
Department of Building Inspection



# Certificate of Occupancy

LOCATION 21-23 Eastern Promenade

Issued to Daniel T. Hsley, 19A Eastern Promenade Date of Issue July 27, 1971

This is to certify that the building, premises, or part thereof, at the above location, ~~was~~ altered -- changed to use under Building Permit No. 71/527, 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

Limiting Conditions.

APPROVED OCCUPANCY

4-family apartment house  
and office

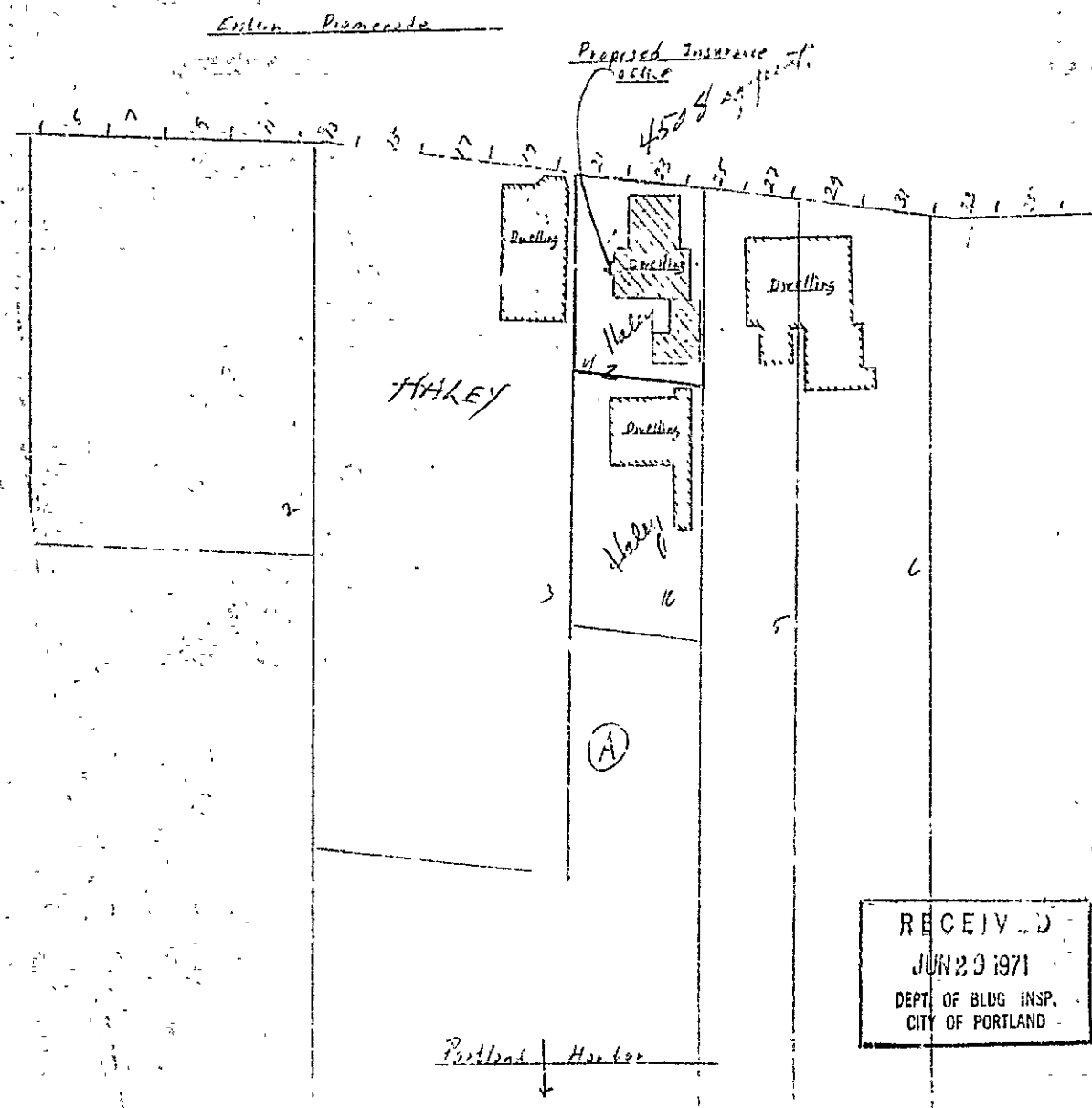
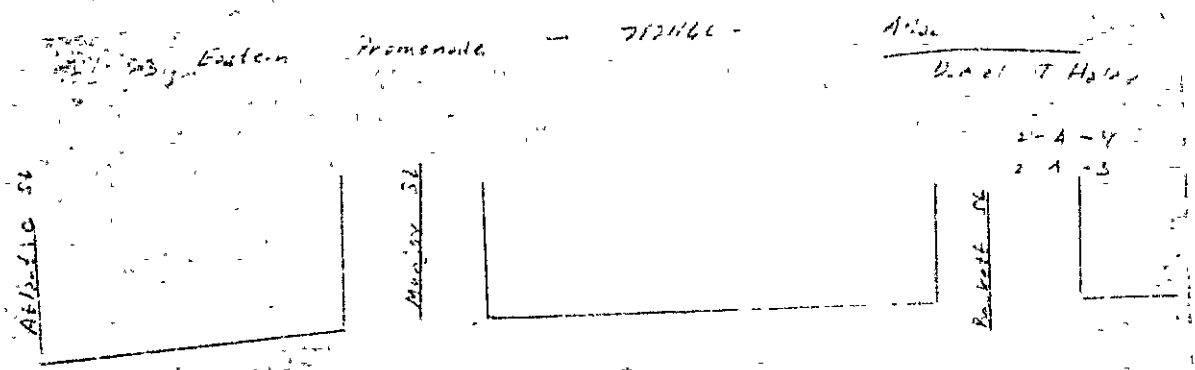
This certificate supersedes  
certificate issued

Approved:

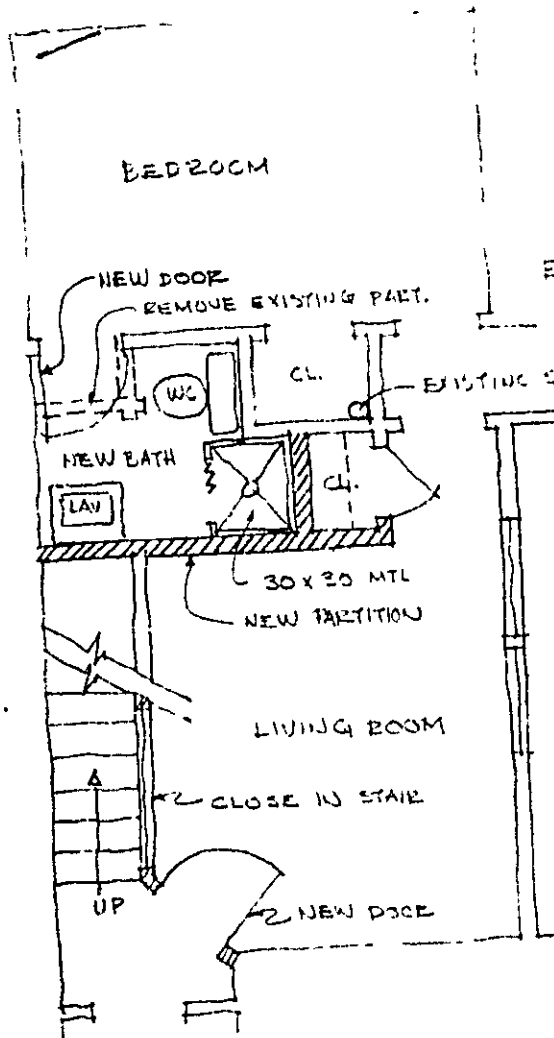
7/26/71 *Malcolm S. Ward*  
(Date) Inspector

*O. L. Brown*  
Inspector of Buildings

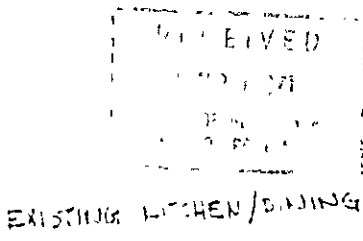
Note: This certifies to identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar



RECEIVED  
JUN 29 1971  
DEPT. OF BLDG INSP.  
CITY OF PORTLAND

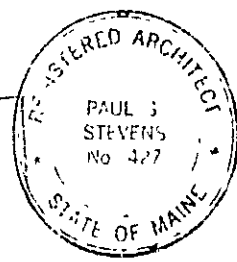


PARTIAL FIRST FLOOR -AN-



PARTIAL SECOND FLOOR PLAN

SKETCH  
 REMODELING REAR  
 APARTMENTS AT 21 E. PRGM  
 FOR DAN T H. -EY  
 3 JUNE 1971 1/4" = 1'-0"  
 STEVENS ARCHITECTS PORTLAND





B6 RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure  
Portland, Maine,

June 29, 1971

PERMIT ISSUED  
827  
JUL 12 1971  
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 21-23 Eastern Promenade Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
Owner's name and address Daniel T. Haley, 19A Eastern Promenade Telephone 774-2617  
Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Contractor's name and address Peter Dascanio, 11 Canco Rd. Telephone \_\_\_\_\_  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans \_\_\_\_\_ No. of sheets \_\_\_\_\_  
Proposed use of building 4 3-fam. & office No families 4  
Last use 3-fam. & office No families 3  
Material frame No. stories 2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_  
Estimated cost \$ 1,000 Fee \$ 5.00

General Description of New Work

Permit to change use from 3-family and office to 4-family apt. building and office with alterations

sent 7/8/71  
Rec'd from Fire Dept. 7/9/71

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO owner

Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? \_\_\_\_\_  
Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
Size front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
K \_\_\_\_\_ of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
Framing Lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_  
Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_  
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

Miscellaneous

APPROVED:  
7/8/71 ZONING OK M.G.W.  
7-9-71 C.O. Redd (Fire)  
R.L.B. 7/12/71

Will work require disturbing of any tree on a public street? \_\_\_\_\_  
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes  
Daniel Haley

CS 301

INSPECTION COPY

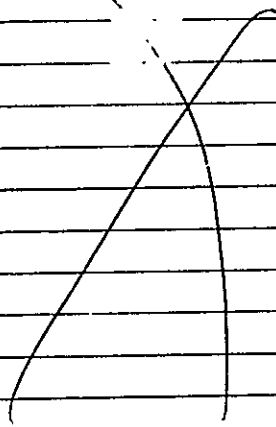
By: \_\_\_\_\_  
Signature of owner

Daniel P. Haley me

NOTES

7/20/71 WORK COMPLETED  
CLOSED IN WITHOUT PERMISSION  
INSPECTION INCOMPLETE

M.G.W.  
7/26/71 OK TO ISSUE C.O.  
M.G.W.



Permit No. 11/827  
Location 21-23 South Lawrence St  
Owner Donald J. Staley  
Date of permit 7/19/71  
Notif. closing-in  
Inspn. closing-in  
Final Notif.  
Final Inspn.  
Cert. of Occupancy issued  
Staking Out Notice  
Erm Check Notice

INSPECTION 11/19/71



Pa 45 - 7/19/66  
Granted 8/11/66  
66/75

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS  
CONDITIONAL USE  
VARIANCE APPEAL

Daniel T. Haley, owner of property at 21-23 Eastern Promenade  
under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby  
respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit: establishing an insurance office in two basement rooms. This permit is presently not issuable under Section 7-A-7c of the Zoning Ordinance referring to the R-6 Residence Zone in which the property is located.

LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

*Daniel T. Haley*  
APPELLANT

DECISION

After public hearing held August 11, 1966, the Board of Appeals finds that all of the above conditions do exist with respect to this property and that a variance should be granted in this case.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should be granted in this case.

*[Signature]*  
*[Signature]*  
*[Signature]*  
BOARD OF APPEALS

DATE: August 11, 1966

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF Daniel Haley

AT 19A Eastern Promenade

Public Hearing on the above appeal was held before the Board of Appeals.

BOARD OF APPEALS

William B. Kirkpatrick

~~Franklin G. Hinckley~~

Ralph L. Young

Harry M. Shwartz

VOTE

YES

(x)

(x)

(x)

NO

( )

( )

( )

Record of Hearing

Opposed: William K. Tyler

A.P.- 21-23 Eastern Promenade

July 18, 1966

Daniel T. Haley  
19A Eastern Promenade

Dear Mr. Haley:

Permit to change the use of building at the above location from a 3-family apartment house to a 2-family apartment house with an insurance office in two basement rooms is not issuable under Section 7-6-7-C referring to the R-6 Residence Zone in which the property is located unless authorized by the Board of Zoning appeals.

We understand that you desire to exercise your appeal rights in this matter, therefore you will need to come to Room 113 where forms are available for filing this appeal.

Very truly yours,

Gerald E. Mayberry  
Building Inspection Director

GEM:m

August 8, 1966

Mr. Daniel T. Halcy  
19A Eastern Promenade

Dear Mr. Halcy:

August 11, 1966

JOHN E. WILLARD, Jr., Pres.  
CHARLOTTE G. WILLARD, Treas.

Telephone Spruce 2-7932

THE WILLARD - DAGGETT CO.  
WHOLESALE LOBSTERS  
CENTRAL WHARF  
PORTLAND, MAINE

August 10, 1956

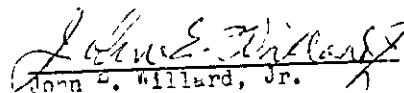
Mr. Franklin G. Hinckley, Chairman  
Board of Appeals  
City Hall  
Portland, Maine

Dear Sir:

I would like to protest the granting of a permit to Mr. Daniel Heley for the purpose of establishing an insurance office at 21-23 Eastern Promenade.

I feel that it should be kept residential and that failure to retain that status would lead to a cheapening of the area and reduce the value of our investment.

Very Truly Yours,

  
John E. Willard, Jr.

jewjr;lfg

---

11/16/60

to whom it may concern.  
I Charles Cimentante of 11 Vespa St.  
Portland Maine, have no objection to  
Mr. Daniel Hely having an office at  
21 Eastern Promenade. by Charles Cimentante

August 8<sup>th</sup> 1966

Mr. J. J. Hinckley, Chairman  
of Board of Appeals

Dear Mr. Hinckley

By reference to Daniel  
Haley, having a two room office at his  
residence of 21-23 Eastern Promenade.

I believe it very essential that he be  
given the right to have his office at that  
location. Just as important as any physicians  
wishing to have same.

Dr. Haley is a very progressive, respectable  
Citizen, an excellent asset to the Community  
and deserves this permit.

I will not be in town to attend the  
hearing, but I hope the permit is approved.

Very truly yours,

John J. Lieman  
Sevenside Lodge

Centro Social, Miami

John J. Lierman  
19 Munjoy St.  
Portland, Maine

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

August 1, 1966

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Thursday, August 11, 1966 at 4:00 p.m. to hear the appeal of Daniel Haley requesting an exception to the Zoning Ordinance to permit establishing an insurance office in two basement rooms of the building at 21-23 Eastern Promenade.

This permit is presently not issuable because this is not an allowable use under Section 7-A-7c of the Zoning Ordinance referring to the R-6 Residence Zone in which the property is located.

This appeal is taken under Section 24 of the Zoning Ordinance which provides that such permit may be granted only if the Board of Appeals finds that such use of the premises will not adversely affect property in the same zone or neighborhood and will not be contrary to the intent and purpose of the Zoning Ordinance.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

h



TEL 775-3223

WILLIAM K. TYLER  
ATTORNEY AT LAW  
415 CONGRESS STREET  
PORTLAND, MAINE 04111

SUITE 602

August 3, 1966

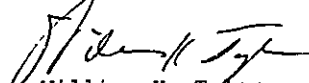
Franklin G. Hinckley, Chm.  
Board of Appeals  
City Hall  
Portland, Maine

Dear Mr. Hinckley:

I have been asked by Mr. and Mrs. William D. Robinson to represent them at the public hearing scheduled for August 11, 1966 at 4:00 P.M. in regards to the appeal of Daniel T. Haley. The Robinsons object to the exception requested by Mr. Haley of the zoning ordinance. Mr. and Mrs. Robinson reside southerly of and adjacent to the Haleys' residence and the Robinsons' right of way would be greatly impaired in the event the exception was granted.

Please place this objection in your file and we will be present at the hearing to present our side of the case.

Very truly yours,

  
William K. Tyler

WKT/so

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

August 1, 1966

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BOARD OF APPEALS

Franklin G. Hinckley

h

*The board of appeals, Portland, Maine  
No. 4 City location we will be out of town on  
Aug 11, 1966  
B. 7 more in favor of new building having his  
office at 21-23 Eastern Prom  
signed in favor of it  
- signed - all right*

Aug 11, 1966  
Dear Mr. Hirschley:

In reference to changing the zoning law on the Eastern Promenade, as a property owner, I am opposing the idea of making it, and by this I mean any part of it, as a business zone.

I certainly would be very sorry if this beautiful section of Portland would become a business zone.

Sincerely,

Louisa Murrstaller

August 11, 1966

Dear Mr. Hinkley,

There is no way that as a property owner in Eastern Promenade, I object to having the zoning law changed, to allow business on same.

This has always been a nice residential place & I'd be so sorry to have it changed.

Sincerely,

Lia Mantler

Portland, Maine  
Aug 7, 1966.

Franklin Finkley Chairman  
Planning Board of Appeals  
City Hall

In reference to the appeal by  
the Halyos to allow them to  
establish a business in their  
residence, please record my  
opposition. I live on the same  
side of the street and there  
is a residential area. I feel  
that the value of my property  
will be adversely affected if  
Mr. Haly is allowed to conduct  
an insurance business as he has  
asked to do.

V. A. Mitchell  
33 E. Prom.

Franklin Hinkley Chairman  
Zoning Board of Appeals  
City Hall.

This is in reference to the  
Haley's appeal to establish  
a business at 21-23 Eastern  
Promenade. I would like my  
opposition recorded. This is  
and always has been a residential  
area. I feel it would not be in  
my best interest to allow Mrs  
Haley to conduct a business  
on these premises as he has requested.

Mr & Mrs. James H. Floyd  
28 E. Prom

MON  
PORTLAND  
4-0020

S. P. FAIRBANKS

11 HUNJOY STREET  
PORTLAND, MAINE

Wed. Aug. 10, 1966

Mrs. Fairbanks and I wish to have  
our neighborhood kept a residential  
section entirely.

No business offices should be  
allowed.

S. P. Fairbanks

STATE OF MAINE

Cumberland, ss.

Superior Court  
Civil Action  
Docket No. 66-215

:::::::::::::::::::::::::::::::::::::::  
 WILLIAM D. and GENEVA M. ROBINSON, ::  
 both of Portland, in the County ::  
 of Cumberland and State of Maine, ::  
 ::  
 PLAINTIFFS ::  
 v. ::  
 DANIEL T. and KATHERINE C. HALEY, ::  
 both of Portland, in the County ::  
 of Cumberland and State of Maine, ::  
 ::  
 DEFENDANTS. ::  
 ::  
 :::::::::::::::::::::::::::::::::::::::

FINDINGS  
and  
JUDGMENT

Hearing had on complaint and answer. This is an action in which the plaintiffs seek injunctive process against the defendants for interfering with plaintiffs' passage over a claimed right of way to their property. Plaintiffs allege that they have a right of way for two reasons: (1) a right of way by grant; and (2) by an adverse use for a period of twenty years.

The property involved is located on the Eastern Promenade in Portland. The defendants own property facing the Promenade and in back of defendants' property is that of the plaintiffs. The only access to plaintiffs' property is the right of way in question. Defendants admit plaintiffs do have a right of way to and from their property to the Eastern Promenade but assert that it is only two feet in width and restricted to foot passage. The plaintiffs, on the other hand, contend that the right of way is much wider than two feet, being of sufficient width to accommodate the passage of motor vehicles.

The Court, before the introduction of evidence, took a view of the disputed premises.



The parties agree that a right of way was created in 1866 in a deed from Cyrus Cole to Andrew C. Lewis, recorded in Cumberland County Registry of Deeds, Book 342, Page 415. The difference between the parties arises not from the fact of a right of way having been granted but as to the width and purposes for which the right of way was created. The language in the deed reads as follows:

"Reserving to myself, my heirs and assigns, a right of way on the southerly side of the above described lot to be used as a passage way, for the accommodation of my property."

Insofar as the language of the grant is concerned, the purpose is described as "for the accommodation of my property."

"The word passage way cannot be any broader in its signification than way or highway, and can have essentially no different meaning. It must have been used to convey an idea similar to that which is attached to the term way ----." Chandler v. Goodridge, 23 Me. 78, 82.

"---- that when an easement of way is created by express grant, reservation or exception, and the purpose or purposes for which it is to be used are set forth, but it is not otherwise limited or defined and no way is existent with definite limitations or boundaries upon the face of the earth where the proposed way is to be located, that it was within the contemplation of the parties creating such an easement that the limits of said way should be such as might from time to time be reasonable, suitable and convenient for the particular objects of the grant." Willband v. Knox County Grain Co., et als, 128 Me. 62, 71, 72.

See Annotation in 130 A. L. R., beginning on page 768.

When the right of way was created it was then apparent that there was need of access and egress to the property which is now owned by the plaintiffs. Even at the present time there is no way of reaching the property except through the right of way. There is testimony that in 1919 a carriage house existed just below the property now of the plaintiffs and horse and buggies and teams used to traverse the right of way. The words in the

reservation, "for the accommodation of my property" are of persuasive significance.

"accommodation: something that is supplied for convenience or to satisfy a need." Webster's Third New International Dictionary.

It is reasonable to deduce that the creator of the right of way was reserving for herself, her heirs and assigns, a means of access which would be convenient and reasonably necessary for the enjoyment and use of the property. If the defendants' construction of the reservation that the passageway was confined to two feet in width, then the plaintiffs would have no access to their property except on foot.

I find that Cyrus Cole in 1865 by the use of the language in the reservation reserved a right of way of such proportions in length and width as would provide not only passage on foot but also for the use of teams and other horse drawn vehicles as well. This would seem to be under all the circumstances a reasonable and practical construction.

I find that the plaintiffs have a right to use the passageway in an area in length and width as is now well defined upon the face of the earth for vehicle use and foot passage for the purpose of ingress and egress to and from their property.

A permanent injunction shall issue against the defendants prohibiting them and all persons in active concert or participation with them from hindering, interfering or in any way obstructing the plaintiffs in their use of the right of way.

Having decided the case on the first issue of right of way by grant, I find it unnecessary to determine the second issue of right of way by prescription.

The clerk shall enter judgment in accordance with the above findings.

June 21, 1906.

Walter M. Tapley, Jr.  
Justice, Supreme Judicial Court.

HELEN E. SCULLY  
27 VESPER STREET  
PORTLAND, MAINE

Aug. 11, 1966

To Whom It May Concern:

As owner and occupant of property at 27 Vesper St., I have no objection to Daniel Haley's appeal to establish an insurance office at 21-23 Eastern Promenade.

I'm sure Mr. Haley's interest in Munjoy South would not permit him to do anything detrimental to the area.

Helen E. Scully

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

August 1, 1966

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BOARD OF APPEALS

I am Mrs Joseph M. Fortier  
of 16 Vesper St. Portland Me.

I have no objections to  
Mr. D. Haley's office.

Aug. 11. 1966

Mrs. J. M. Fortier

Aug. 8, 1966

To Whom It May Concern

J. Walter Logswell, Owner and  
occupant of dwelling on 14  
Munjoy St. Have no objection  
what so ever to Mr. Han-  
ley erecting an office on his  
said premises on Eastern Promenade.

Mr. Walter Logswell  
14 Munjoy St.

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

August 1, 1966

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BOARD OF APPEALS

Franklin G. Hinckley

Chairman

h

8/8/66

I HAVE NO OBJECTIONS,

Andrew G. Brown

15 MUNJOYST

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

August 1, 1966

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BOARD OF APPEALS

Franklin G. Hinckley

Chairman

h



21-23 Eastern Promenade

April 12, 1966

Daniel T. Haley  
19A Eastern Promenade

Dear Mr. Haley:

You may consider this letter a temporary certificate of occupancy for the apartment house at 21-23 Eastern Promenade.

When fuel line from burner to tank has been covered and when joists in wallboard forming cellar stair enclosure have been taped and cemented as per Building Code requirements the regular certificate of occupancy will be issued.

Very truly yours,

Gerald E. Mayberry  
Building Inspection Director

GEH:m

R6 RESIDENTIAL ZONE

PERMIT ISSUED  
003-70  
JUL 15 1966  
CITY OF PORTLAND



### APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class  
Portland, Maine, July 11, 1966

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 21 Eastern Promenade Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
 Owner's name and address Daniel T. Haley, 19A Eastern Prom. Telephone \_\_\_\_\_  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address owner Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 1  
 Proposed use of building Tenement No. families 3  
 Last use " No. families 3  
 Material frame No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_ Fee \$ 2.00  
 Estimated cost \$ 30

#### General Description of New Work

To remove roof of existing piazza on right hand side of building- platform to remain  
 To remove existing piazza on left hand side of building - no door. etc

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** owner

#### Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
 Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
 Has septic tank notice been sent? \_\_\_\_\_ For a notice sent? \_\_\_\_\_  
 Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
 Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
 Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
 Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
 Framing Lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_  
 Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
 Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

#### If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_  
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

#### Miscellaneous

Will work require disturbing of any tree on a public street? no  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

APPROVED:

*[Signature]*

CS 301

INSPECTION COPY

Signature of owner

*[Signature: Daniel T. Haley]*

2/10

Permit No. 4-6 583

Location 21<sup>st</sup> Street, Broom

Owner David H. Lee

Date of permit 7/15/66

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

NOTES

9/27/66 - M. Lidon  
RF

*[A large handwritten 'X' is drawn across the notes section.]*

PERMIT TO INSTALL PLUMBING

15922

Date Issued	1-14-66	Address	21 Eastern Promenade	PERMIT NUMBER	15922
Portland Plumbing Inspector	H. Goodwin	Installation For:	Daniel Haley	Owner of Bldg.	Daniel Haley
		Owner's Address:	19A Eastern Promenade		
		Plumber:	Francis Canozza	Date:	1-24-66
App. First Insp.		New	Rep	No.	Fee
Date	1/18/66	1	2	2	4.00
		1	2	3	6.00
		1	1	3	1.80
		1	1	1	.50
		1	1	1	.60
App. Final Insp.					
Date	MAR 10 1966				
		1	1	1	.60
		1	1	2	1.20
By	ERNOLO R. COOPER				
Type of Bldg.					
<input type="checkbox"/> Commercial					
<input type="checkbox"/> Residential					
<input type="checkbox"/> Single					
<input type="checkbox"/> Multi Family					
<input type="checkbox"/> New Construction					
<input type="checkbox"/> Remodeling					
				TOTAL	14.60

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

CITY OF PORTLAND  
HEALTH DEPARTMENT  
HOUSING DIVISION

Loc. 21-23  
Bldg. Fire Elec. Other  
Issued September 2, 1965  
Expires October 4, 1965

Mr. Daniel Haley  
21-23  
Portland, Maine

Dear Sir:

On September 20, 1965 an examination was made of the premises located at 21-23

Non-compliance with the ordinances relating to housing conditions was found as detailed below.

In accordance with the provisions of the above ordinance, you are hereby ordered to correct these defects according to specifications within the time limits allowed. Failure to comply with this notice will necessitate legal action.

Some repairs or improvements required will necessitate permits which are to be obtained from the Building Inspector, Health, Fire or other City Departments. These must be obtained before the work is started.

If any additional information is desired, visit or telephone the Housing Supervisor at this Office, Tel. 774-8221, extension 226. Kindly notify this office as soon as all corrections have been completed.

Very truly yours,  
Boris A. Vanadzin, M.D.  
Health Director

By \_\_\_\_\_  
Housing Supervisor

VIOLATIONS & SPECIFICATIONS

##Responsibility of Owner or Agent    \*\*Responsibility of Occupant

STRUCTURAL

Repair and put in good order all dilapidated and hazardous parts of the structure as follows:

- a. Repair or replace the deteriorated rear porch girders side #21.
- b. Repair or replace the broken panel in the garage door.
- c. Replace the broken window panes in the rear door side #21, in the garage and in the rear shed.
- d. Hoist or replace the missing door knob in the bedroom of the 1st floor right apt.
- e. Repair or replace the loose ceiling boards in the bedroom of the 1st floor right apt.

ELECTRICAL

- a. Disconnect and do not connect again the extension cord now passing through the kitchen doorway, from the ceiling passage of the 1st floor right apt. and passing through the floor from the ceiling to the living room.

The above mentioned conditions are in violation of Chapter 3-7 of the Municipal Code of the City of Portland, and must be corrected on or before October 4, 1965.

CITY OF PORTLAND  
HEALTH DEPARTMENT  
HOUSING DIVISION



Daniel W. Haley  
19A Eastern Promenade  
Portland, Maine

Loc. 23 Eastern Promenade  
Loc w/1 S  
Bldg X FireX ElecX Other  
Issued June 9, 1965  
Expires July 9, 1965

Dear Sir:

On December 3, 1962 an examination was made of the premises located  
at 23 Eastern Promenade, Portland, Maine

Non-compliance with the ordinances relating to housing conditions was found as detailed below.

In accordance with the provisions of the above ordinance, you are hereby ordered to correct these defects according to specifications within the time limits allowed. Failure to comply with this notice will necessitate legal action.

Some repairs or improvements required will necessitate permits which are to be obtained from the Building Inspector, Health, Fire or other City Departments. These must be obtained before the work is started.

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Very truly yours,  
Boris A. Vanadzin M.D.  
Health Director

By \_\_\_\_\_  
Housing Supervisor

**VIOLATIONS & SPECIFICATIONS**

# Responsibility of Owner or Agent    \*\* Responsibility of Occupant

STRUCTURAL

Repair and put in good order all dilapidated and hazardous parts of the structure as follows:

- a. Repair or replace the loose, cracked, or missing plaster on the ceilings of the cellar stairway, in the front hall from the 1st to the 2nd floor and in the attic.
- b. Repair or replace the missing baluster and the loose handrail on the stairway in the front hall.
- c. Replace the broken window panes in the cellar, in the bedroom, and in the attic.
- d. Putty the loose window panes, tighten the loose window sashes in the bedrooms, kitchen and attic.
- e. Repair or replace the broken window frame in the bedroom.

CHIMNEY

- a. Replace the missing bricks in the rear chimney at the base in the cellar.
- b. Clean the chimney in the chimney by removing and properly disposing of all soot and debris.

ELECTRICAL EQUIPMENT

Check and have repaired all defective electric wiring and electrical equipment through-

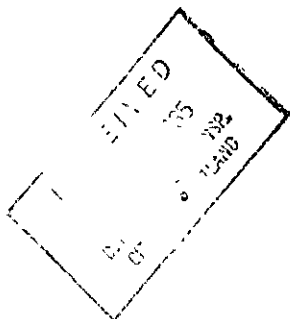
out the structure.

- a. Repair or replace the loose outlet in the rear of the cellar.
- b. Properly connect the ground wire to the electrical system.

REPAIR AND MAINTENANCE CONDITIONS

- a. Accomplish a general clean-up of the attic by removing and properly disposing of all litter and debris.

The above mentioned conditions are in violation of Chapter 307 of the Municipal Code of the City of Portland, and must be corrected on or before July 9, 1965.





FILL IN AND SIGN WITH INK

# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, March 28, 1966

PERMIT ISSUED  
MAY 20 1966  
CITY OF PORTLAND

OWNER OF BUILDINGS, PORTLAND, ME.

I hereby apply for a permit to install the following heating, cooking or power equipment in accordance with the Building Code of the City of Portland, and the following specifications:

Address of building	13 Eastern Prom.	Use of Building	Tenement 2-Fam.	No. Stories	
Name of owner of appliance	Daniel T. Haley, 19A Eastern Promenade			Telephone	
Address of owner	owner			Telephone	

New Building  
Existing "

## General Description of Work

To install oil-fired forced hot water boiler (replacement) to heat entire building

### IF HEATER, OR POWER BOILER

Location of appliance: basement  
 Any burnable material in floor surface or beneath? no  
 If so, how protected? Kind of fuel? oil  
 Minimum distance to burn: top of appliance or casing top of furnace 18"  
 From top of smoke pipe: top of appliance 4' From sides or back of appliance 3'  
 Size of chimney flue: 18" Connections to same flue: none  
 If gas fired, how vented? Rated maximum demand per hour  
 Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

### IF OIL BURNER

Name and type of burner: Federal Labeled by underwriters' laboratories? yes  
 Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom  
 Type of floor beneath burner: concrete Size of vent pipe 1 1/2"  
 Location of oil storage: basement Number and capacity of tanks: existing  
 Low water shut off: Make No.  
 Will all tanks be more than five feet from any flame? yes How many tanks enclosed?  
 Total capacity of any existing storage tanks for furnace burners: none

### IF COOKING APPLIANCE

Location of appliance: Any burnable material in floor surface or beneath  
 If so, how protected? Height of Legs, if any  
 Skirting at bottom 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

### MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed: 2.00 (\$2.00 for this heater, etc., \$1.00 additional for each additional heater, etc., in same building at same time.)

APPROVED:

O.K. E.S.S. 3/24/66

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

CS 300

Signature of Installer

Daniel T. Haley

INSPECTION COPY



Permit No. 66118.0  
 Location 21-23 Gaston St.  
 Owner Daniel J. Halcy  
 Date of permit 5/29/66  
 Approved 12/27/66

NOTES

1	Size of burner	
2	Vent Pipe	
3	Kind of Heat	
4	Burner No.	
	Name & Address	
6	Stack Cont.	
7	Height	
8	Flue Gas	
9	Appl. No.	
10	Model No.	
11	Spec. No.	
12	Inst. No.	
13	Mark. No.	
14	Oil Gas	
15	Instructions	
	Other Remarks	

Vertical lined area for notes or specifications.

Mr. Chairman, Members of the Board: my name is Daniel T. Haley, I live at 19a Eastern Prom. I purchased my home April 6 1942. I moved into the home 7/1/43 from that date I have had an office in the home a total period of 23 yrs. In all that time I have never known of any objections. The only sign on the building gives my name & the word insurance underneath, it is 9½ in. high and 15 inches long. In the early part of 1964 my neighbor at 21 Eastern Prom. asked me if I'd be interested in purchasing her home, This house was blighting the area and to save the area I made her an offer, stating that I didn't really want it but that I would buy it without even inspecting it. The offer was rejected. It is my understanding that it was offered to other neighbors and they refused to buy it as they felt it wasn't worth even ½ of what I offered for it. It was placed on the market with a big sign on the building still no neighbors would buy it and neither would anyone else. Apparently the would be buyers were frightened by the vast sum necessary to rehab. it and also the fact that there was a passageway granted over the southerly side of the property for a house that is located in the rear of the property owned by Mr. Robinson. As I had known Mr. Robinson for many years from the time my Father worked with him, remembering many mutual favors granted over the years, and keeping in mind that in my business a person usually learns to get along with people, the passageway didn't appear to be a problem and the biggest problem was what was going to happen to that property if somebody didn't buy it. I knew what happened in Vine Deer Chatham area, Bayshore & the lower part of the Hill, I thought of all the boarded up houses in this city that still stands while all the neighbors give up & get out and let the neighborhood go to rot. With all these thoughts in my mind when I was asked again I bought the house for 7,100. without even inspecting it, knowing if I looked I'd get cold feet and not buy it and then what my neighbors & myself owned would be seriously jeopardized. I figured if I tore it down it might be worth it. I bought it June of 1964. I called in the contractors and their comments really got me down. I got figures to tear down all, then figures to tear down half of it finally Mr. Bert Fournier a rehab. specialist for PRA convinced me that it would be smart to rehab. This house had a frame foundation and and nothing, just nothing could be salvaged. In plumbing, heating, wiring, windows doors or what have you. The work went for 21 months. In the summer of 65 I got the idea that the basement would make a good office for me, I checked with my neighbor in the rear Mr. Robinson and he told me he didn't have any objections to an office. The building inspector when I checked into it told me it was not a permissible use and that if I wanted it I'd have to go the planning board. I contacted Mr. Gould & the Late John Connolly, Mr. Gould was amazed to find that if I had a real estate office etc that I could appeal it, apparently it was an oversight and that has now been taken care of by the planning board and the City Council. As you know things move slowly in these matters and this has just been cleared. In the meantime my thoughts

concerning my neighbor Mr. Robinson, were proven very wrong. Apparently he now feels that I have surrounded him, and started to make ~~te~~ mountains out of molehills, I did everything to avoid any hard feelings but last Jan. during the blizzard my tenant parked in the driveway I owned and a Donnybrook ensued with the tenants & of course the legal action he took was against me. The case went to court and all this time I did not have one word with him. The Court gave him exactly what I always gave him, ingress & egress. This week I found that he has been going to the neighbors to get opposition to the office, hence my statement of fact concerning this Donnybrook. I own the passageway & I pay all the taxes - Gentlemen I find it hard to believe that anybody can justify objecting to the office being moved to the basement of #21 Eastern Promenade, the office has been in the neighborhood for 23 yrs., it has not adversely affected it, many people mention that it seems good on a dark night to see my light still on 11PM. It doesn't generate objectionable noise or traffic, will have no signs other than small one I now have; it will be located in the basement, it will have no store windows, the ~~entrance~~ entrance will be 30 ft off the Prom in the yard.

~~XX~~  
~~XX~~  
There will no expansion of activities, but it will be more convenient for me and will afford more privacy for the few walk-in clients I have.  
~~XXXXXXXXXXXX~~ I feel very strongly that I have improved the neighborhood by my purchase of this house and investing ~~xxx~~ 20,000. into it in addition to the purchase price. Having the office in the basement will help justify this large investment. In conclusion, if there was any chance that the granting of this request would injure the neighborhood I would be down here fighting against it.

~~XX~~  
because I believe I have more at stake than any other single person in the neighborhood. *namely # 7, # 9, # 13, # 17, # 19*  
Thank you Gentlemen *filled the form #13 #17 #19*

*all these houses were in <sup>1946</sup> ~~1946~~ #23 East Prom  
the last 23 yrs improving them with the help  
of my sons & one daughter  
Coggswell letter Di Biase Fortier  
Littell 2011 Ferrante  
Cabrera Di Biase Scully  
Grasso  
Leo MacLellan  
Mancini  
Doffelt  
Abram*



# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class  
Portland, Maine. July 11, 1966

PERMIT ISSUED  
00834  
JULY 11 1966  
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 21-23 Eastern Promenade Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
Owner's name and address Daniel T. Haley, 19A Eastern Prom. Telephone \_\_\_\_\_  
Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Contractor's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans Yes No. of sheets \_\_\_\_\_  
Proposed use of building 3-fam. and insurance office No. families \_\_\_\_\_  
Last use \_\_\_\_\_ No. families \_\_\_\_\_  
Material frame \_\_\_\_\_ No. stories 1 1/2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_  
Estimated cost \$ 3000.00 Fee \$ 7.00

### General Description of New Work

fee paid 8-26-166

To change use from 3-fam. <sup>apt.</sup> ~~apartment~~ to 3-fam. apartment house with insurance office in basement, with alterations as per plan.

This application is preliminary to get settled the question of zoning appeal. In the event the appeal is sustained the applicant will furnish complete information estimated cost and pay legal fee.

~~APPROVED~~ 8/11/66

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** owner

### Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? \_\_\_\_\_  
Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
Framing Lumber—Kind \_\_\_\_\_ Dimension or full size? \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_  
Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

### If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_  
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

APPROVED:

D. C. [Signature]

### Miscellaneous

Will work require disturbing of any tree on a public street? no  
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? YES

Daniel T. Haley

CS 301

INSPECTION COPY

Signature of owner

Daniel T. Haley

NOTES

9/27/66 - FDM  
inspection made of  
that section enclosing  
office. f.d.j.  
Trench wall. eff

Permit No. 66/834

Location 21-23 Eastern

Owner David H. Kelly

Date of permit 9/2/66

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued 12/28/66 - J.S.M.

Staking Out Notice

Form Check Notice

(COPY)

CITY OF PORTLAND, MAINE  
Department of Building Inspection



# Certificate of Occupancy

LOCATION #21-23 Eastern Promenade

Date of Issue December 28 1966

Issued to Daniel T Haley  
19A Eastern Promenade

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. 66/834, 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

Apartment Building and  
Insurance Office

APPROVED OCCUPANCY

Two apartments—first floor  
One apartment—second floor  
Insurance Office in basement.

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

(Date)

*Carl S. Smith*  
Inspector

*Ronald E. Mayberry*  
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.

Amendment #4  
21-23 Eastern Promenade

Jan. 26, 1966

Mr. Daniel F. Halsey  
21-23 Eastern Promenade

cc to: Fire Dept.  
cc to: Portland Renewal Authority  
cc to: Corporation Counsel

Dear Mr. Halsey:

Amendment number 4 to change use of building at the above location from a 2-family dwelling to a three family apartment house is not issuable because information has not been provided to show how means of egress can meet City of Portland Building Code requirements.

It is necessary that all work be stopped until this information is furnished and all amendments are issued.

Very truly yours,

Gerald E. Mayberry  
Building Inspection Director

GLM:m



# APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 4

Portland, Maine, November 10, 1965

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 64/1291 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location 21-23 Eastern Promenade Within Fire Limits? Dist. No. . . . .

Owner's name and address Daniel F. Haley, 19A Eastern Prom. Telephone . . . . .

Lessee's name and address . . . . . Telephone . . . . .

Contractor's name and address owner . . . . . Telephone 774-2617

Architect . . . . . Plans filed . no No. of sheets . . . . .

Proposed use of building Apt. House . . . . . No. families 3 . . . . .

Last use . . . . . No. families 2 . . . . .

Increased cost of work 300.00 Additional fee .50 . . . . .

475.00

### Description of Proposed Work

To Change Use from 2-family dwelling to 3-family apartment house.

To provide new 12" concrete wall a foot above grade, bricked up with 12" blocks, on west side, front of building.

To provide new 2' wide by 1' deep footing followed up with 12" blocks to meet sill on east side front of building.

To provide new 12" concrete wall (approx. 4'-high) approx. 4' high front of building about 3' out from present foundation and capped over. (see plan filed with application)

4' below grade.

To provide fire escape from second floor rear.

### Details of New Work owner

Is any plumbing involved in this work? . . . . .

Is any electrical work involved in this work? . . . . .

Height average grade to top of plate . . . . .

Height average grade to highest point of roof . . . . .

Size, front . . . depth . . . No. stories . . . solid or filled land? . . . earth or rock? . . . . .

Material of foundation . . . Thickness, top . . . bottom . . . cellar . . . . .

Material of underpinning . . . Height . . . Thickness . . . . .

Kind of roof . . . Rise per foot . . . Roof covering . . . . .

No. of chimneys . . . Material of chimneys . . . of lining . . . . .

Framing lumber—Kind . . . Dressed or full size? . . . . .

Corner posts . . . Sills . . . Girt or ledger board? . . . Size . . . . .

Girders . . . Size . . . Columns under girders . . . Size . . . Max. on centers . . . . .

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: . . . 1st floor . . . , 2nd . . . , 3rd . . . , roof . . . . .

On centers: . . . 1st floor . . . , 2nd . . . , 3rd . . . , roof . . . . .

Maximum span: . . . 1st floor . . . , 2nd . . . , 3rd . . . , roof . . . . .

Approved:

*G. E. M.*

Daniel F. Haley

Signature of Owner by: *Daniel F. Haley*

Approved:

Inspector of Buildings *M*



Memorandum from Department of Building Inspection, Portland, Maine  
AP - 21-23 Eastern Promenade

July 22, 1965

Daniel T. Haley,  
19A Eastern Promenade

Dear Mr. Haley:

A permit to replace the existing outside frame wall with 12 inch concrete block and to change the basement wall to concrete block wall is not issuable until we have further information.

We will need a floor plan of the main house area, at this level, showing the new location of stairs, existing framing, and how you propose to accommodate the loads at the intersection of the new masonry wall and the existing main house wall.

With this information at hand we may further process your application.

Very truly yours,

Archie L. Sockins  
Deputy Director of  
Building Inspection

ALS/h



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. #2
June 28 1965
Portland, Maine

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 64/1291 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location 21-23 Eastern Promenade Within Fire Limits? Dist. No.
Owner's name and address Daniel T. Haley, 19A Eastern Prom. Telephone 74-2617
Lessee's name and address Telephone
Contractor's name and address Antonio Romasco, Blackstrap Rd. Falmouth Telephone
and owner
Architect Plans filed No. of sheets
Proposed use of building Dwelling No. families 2
Last use No. families 2
Increased cost of work 300.00 Additional fee 1.00

Description of Proposed Work

To replace existing frame outside wall with 12" concrete block wall 7' high x 30' long on left side of building.

To change basement wall from wood frame to 8" concrete block wall instead of 12" concrete block (as shown on Amendment #1) and extending it 13' to foregoing wall.

Related

Details of New Work permit to owner

Is any plumbing involved in this work? Is any electrical work involved in this work?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining
Framing lumber--Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2nd 3rd roof
On centers: 1st floor 2nd 3rd roof
Maximum span: 1st floor 2nd 3rd roof

Approved:

Daniel T Haley

Signature of Owner

by: Daniel T Haley

Approved:

G. E. Murphy

Inspector of Buildings

These plans ( — sheets ) and specifications, covering construction work on  
STEEL GIRDER OVER GARAGE DR.  
EXISTG. BLDG. @ 21 E. TROHARDDE  
have been designed and drawn up by the undersigned according to the latest rules of engineering practice and to comply with the allowable working stresses, floor loads, etc., required by the Building Code of the City of Portland, Maine.

MEQUIER & JONES CORP.

By: Clifford E. Tepper  
Name and Title

THIS IS TO CERTIFY THAT A  
8" B IS WITH A 12x $\frac{1}{4}$ "  
WELDED TO BOTTOM FLANGE  
WILL BE USED ON THIS  
ALTERATION JOB BY MR.  
DANIEL T. HALEY. NEW  
OPENING WILL BE 10'0"



# APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. . . . #1 . . . . .  
Portland, Maine, . . . October 20, 1964 . . .

PERMIT ISSUED  
NOV 9 1964  
CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 64/1294 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location . . . 21-23 Eastern Promenade . . . . . Within Fire Limits? . . . Dist. No. . . . .  
 Owner's name and address . . . Daniel T Haley, 19A Eastern Promenade . . . Telephone . . . . .  
 Lessee's name and address . . . . . Telephone . . . . .  
 Contractor's name and address . . . Antonio Romasco, Blackstrap Rd. Falmouth Me. . . Telephone . . . . .  
 Architect . . . . . Plans filed . . . ~~YES~~ No. of sheets . . . . .  
 Proposed use of building . . . Dwelling . . . . . No. families . . . 2 . . .  
 Last use . . . . . No. families . . . 2 . . .  
 Increased cost of work . . . . . Additional fee . . . . .50 . . .

### Description of Proposed Work

Delete chimney, change basement wall from wood frame to 12" concrete block wall 12' above grade. To extend first floor sill.  
Install either steel or precast concrete lintel over 10' wide garage door opening.

### Details of New Work permit to owner

Is any plumbing involved in this work? . . . . . Is any electrical work involved in this work? . . . . .  
 Height average grade to top of plate . . . . . Height average grade to highest point of roof . . . . .  
 Size, front . . . . . depth . . . . . No. stories . . . . . solid or filled land? . . . . . earth or rock? . . . . .  
 Material of foundation . . . . . Thickness, top . . . . . bottom . . . . . cellar . . . . .  
 Material of underpinning . . . . . Height . . . . . Thickness . . . . .  
 Kind of roof . . . . . Rise per foot . . . . . Roof covering . . . . .  
 No. of chimneys . . . . . Material of chimneys . . . . . of mung . . . . .  
 Framing lumber—Kind . . . . . Dressed or full size? . . . . .  
 Corner posts . . . . . Sills . . . . . Girt or ledger board? . . . . . Size . . . . .  
 Girders . . . . . Size . . . . . Columns under girders . . . . . Size . . . . . Max. on centers . . . . .  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
 Joists and rafters: . . . . . 1st floor . . . . . , 2nd . . . . . , 2rd . . . . . , roof . . . . .  
 On centers: . . . . . 1st floor . . . . . , 2nd . . . . . , 3rd . . . . . , roof . . . . .  
 Maximum span: . . . . . 1st floor . . . . . , 2nd . . . . . , 3rd . . . . . , roof . . . . .

Approved: *G. E. M.*

Daniel T Haley  
Signature of Owner by: *[Signature]*

Approved: *Albert J. Seers*  
Inspector of Building