

Administrative Authorization Decision

Application #: 2013-216

Name: Change of Use

Address: NEWBURY ST

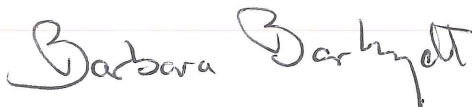
Description: Change of use to two family - change 1st floor from office to residential unit.

<u>Criteria for an Administrative Authorization:</u> (See Section 14-523 (4) on page 2 of this application)	<u>Applicant's Assessment</u> Yes, No, N/A	<u>Planning Division</u> Use Only
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	Yes	
a) Is the proposal within existing structures?	Yes	Yes - formerly a 2 unit - did a change of use to 1 dwelling & 2 offices. Returning to 2 dwelling units
b) Are there any new buildings, additions, or demolitions?	No	No
c) Is the footprint increase less than 500 sq. ft.?	No	No
d) Are there any new curb cuts, driveways or parking areas?	No	No
e) Are the curbs and sidewalks in sound condition?	Yes	Yes
f) Do the curbs and sidewalks comply with ADA?	Yes	Yes
g) Is there any additional parking?	No	No
h) Is there an increase in traffic?	No	No
i) Are there any known stormwater problems?	No	No
j) Does sufficient property screening exist?	Yes	Yes
k) Are there adequate utilities?	Yes	Yes
l) Are there any zoning violations?	No	No
m) Is an emergency generator located to minimize noise?	N/A	N/A
n) Are there any noise, vibration, glare, fumes or other impacts?	No	No

The Administrative Authorization for the Change of Use was approved by Barbara Barhydt, Development Review Services Manager on September 16, 2013 with the following condition of approval listed below:

- 1) The request for an administrative authorization to convert two first floor offices to a dwelling unit ( in order to return the building to its use as a two-family structure) and there are no proposed site modifications is granted subject to the applicant obtaining all required building permits from Portland's Inspection Division.



Barbara Barhydt  
Development Review Services Manager  
Approval Date: September 16, 2013

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City of Portland  
Development Review Application  
Planning Division Transmittal Form

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**Application Number:** 2013-216

**Application Date:** 09/13/2013

**CBL:** 020 B017001

**Application Type:** Administrative Authorization

**Project Name:** Change of Use

**Address:** 97- NEWBURY ST

**Project Description:** Change of use to two family - change 1st floor from office to residential unit.

**Distribution List:**

<b>Planner</b>	Barbara Barhydt	<b>Parking</b>	John Peverada
<b>Zoning</b>	Marge Schmuckal	<b>Design Review</b>	Alex Jaegerman
<b>Traffic Engineer</b>	Tom Errico	<b>Corporation Counsel</b>	Danielle West-Chuhta
<b>Civil Engineer</b>	David Senus	<b>Sanitary Sewer</b>	John Emerson
<b>Fire Department</b>	Chris Pirone	<b>Inspections</b>	Tammy Munson
<b>City Arborist</b>	Jeff Tarling	<b>Historic Preservation</b>	Deb Andrews
<b>Engineering</b>	David Margolis-Pineo	<b>DRC Coordinator</b>	Phil DiPierro
		<b>Outside Agency</b>	



**Administrative Authorization Application**  
 Portland, Maine  
 Planning and Urban Development Department, Planning Division

PROJECT NAME: change of use

PROJECT ADDRESS: 97 Newbury St CHART/BLOCK/LOT: 020 8017001

APPLICATION FEE: \_\_\_\_\_ (\$50.00)

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of the Proposal/Development)

Please see application

**CONTACT INFORMATION:**

**OWNER/APPLICANT**

Name: Elizabeth Graves

Address: 97 Newbury St

Work #: 207 797 0300

Cell #: 207 831 3237

Fax #: \_\_\_\_\_

Home #: \_\_\_\_\_

E-mail: betty\_graves@hotmail.com

**CONSULTANT/AGENT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Work #: \_\_\_\_\_

Cell #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Home #: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Criteria for an Administrative Authorization:**  
 (see section 14-523(4) on pg .2 of this appl.)

**Applicant's Assessment**  
 Y(yes), N(no), N/A

- |   |            |
|---|------------|
| a) Is the proposal within existing structures?                    | <u>Y</u>   |
| b) Are there any new buildings, additions, or demolitions?        | <u>N</u>   |
| c) Is the footprint increase less than 500 sq. ft.?               | <u>N</u>   |
| d) Are there any new curb cuts, driveways or parking areas?       | <u>N</u>   |
| e) Are the curbs and sidewalks in sound condition?                | <u>Y</u>   |
| f) Do the curbs and sidewalks comply with ADA?                    | <u>Y</u>   |
| g) Is there any additional parking?                               | <u>N</u>   |
| h) Is there an increase in traffic?                               | <u>N</u>   |
| i) Are there any known stormwater problems?                       | <u>N</u>   |
| j) Does sufficient property screening exist?                      | <u>Y</u>   |
| k) Are there adequate utilities?                                  | <u>Y</u>   |
| l) Are there any zoning violations?                               | <u>N</u>   |
| m) Is an emergency generator located to minimize noise?           | <u>N/A</u> |
| n) Are there any noise, vibration, glare, fumes or other impacts? | <u>N</u>   |

Signature of Applicant:

[Handwritten Signature]

Date:

9/10/13

**IMPORTANT NOTICE TO APPLICANT:** The granting of an Administrative Authorization to exempt a development from site plan review does not exempt this proposal from other required approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (207)874-8703, to determine what other City permits, such as a building permit, will be required.

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**RECEIPT OF FEES**

<b>Application No:</b> 2013-216	<b>Applicant:</b> GRAVES ELIZABETH S
<b>Project Name:</b> Change of Use	<b>Location:</b> 97- NEWBURY ST
<b>CBL:</b> 020 B017001	<b>Development Type:</b> Administrative Authorization
<b>Invoice Date:</b> 09/13/2013	

<b>Previous Balance</b>	-	<b>Payment Received</b>	+	<b>Current Fees</b>	-	<b>Current Payment</b>	=	<b>Total Due</b>	<b>Payment Due Date</b>
\$0.00		\$0.00		\$50.00		\$50.00		\$0.00	On Receipt

**Previous Balance** **\$0.00**

<b>Fee Description</b>	<b>Qty</b>	<b>Fee/Deposit Charge</b>
Administrative Authorization	1	\$50.00
		<u>\$50.00</u>
	<b>Total Current Fees:</b>	<b>+</b> <b>\$50.00</b>
	<b>Total Current Payments:</b>	<b>-</b> <b>\$50.00</b>
	<b>Amount Due Now:</b>	<b>\$0.00</b>

**CBL** 020 B017001  
**Bill to:**

**Application No:** 2013216  
**Invoice Date:** 09/13/2013  
**Invoice No:** 42596  
**Total Amt Due:** \$0.00  
**Payment Amount:**

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.  
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/planning/permitstatus.asp>

10/15

97 Newbury St

Scale 1/8" = 10'

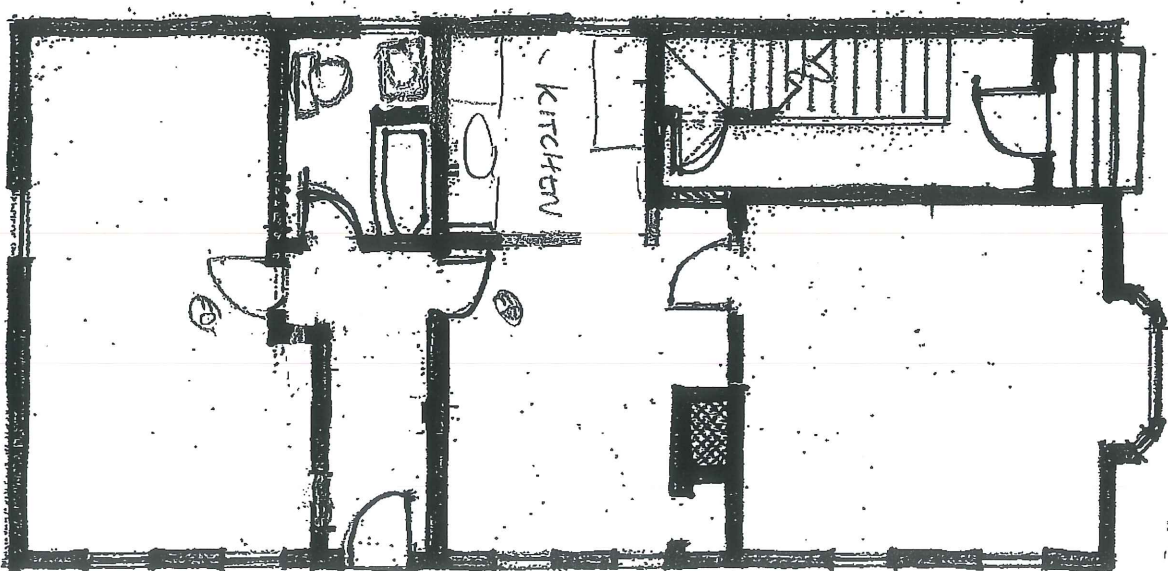
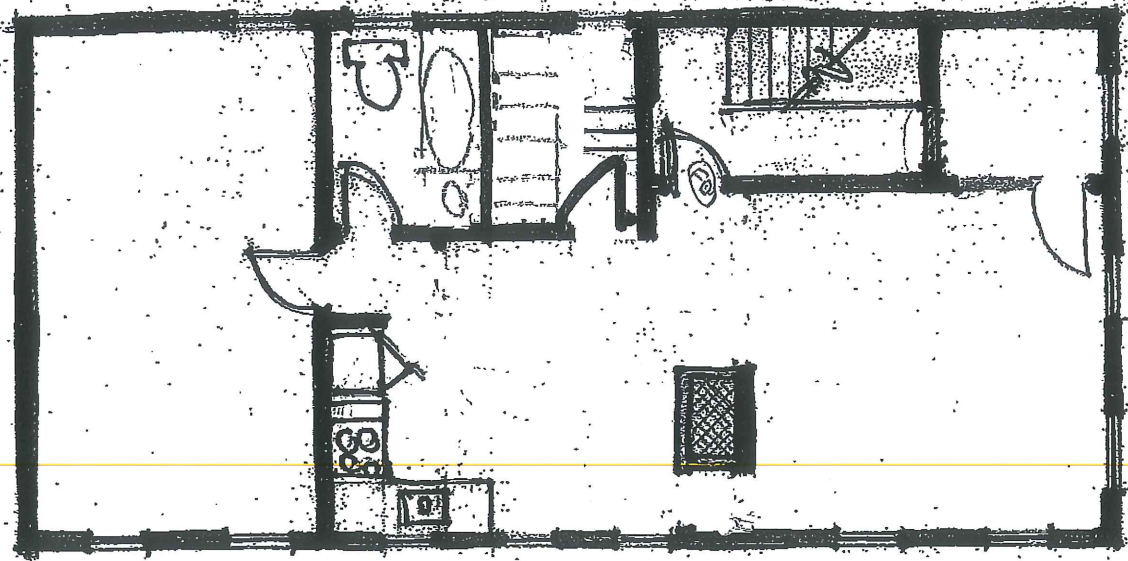
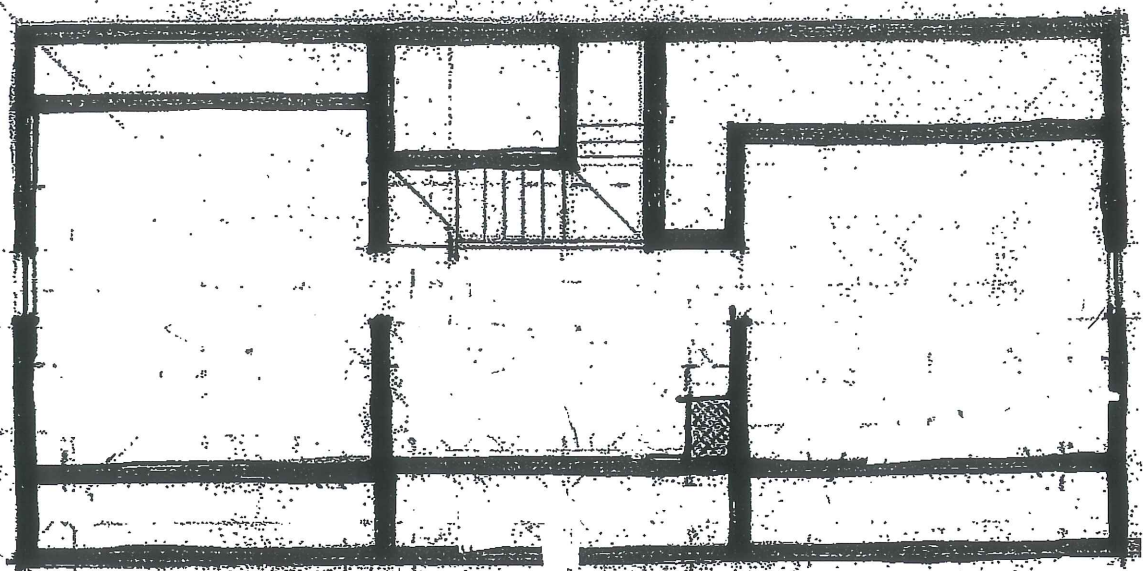
3<sup>rd</sup> FLOOR

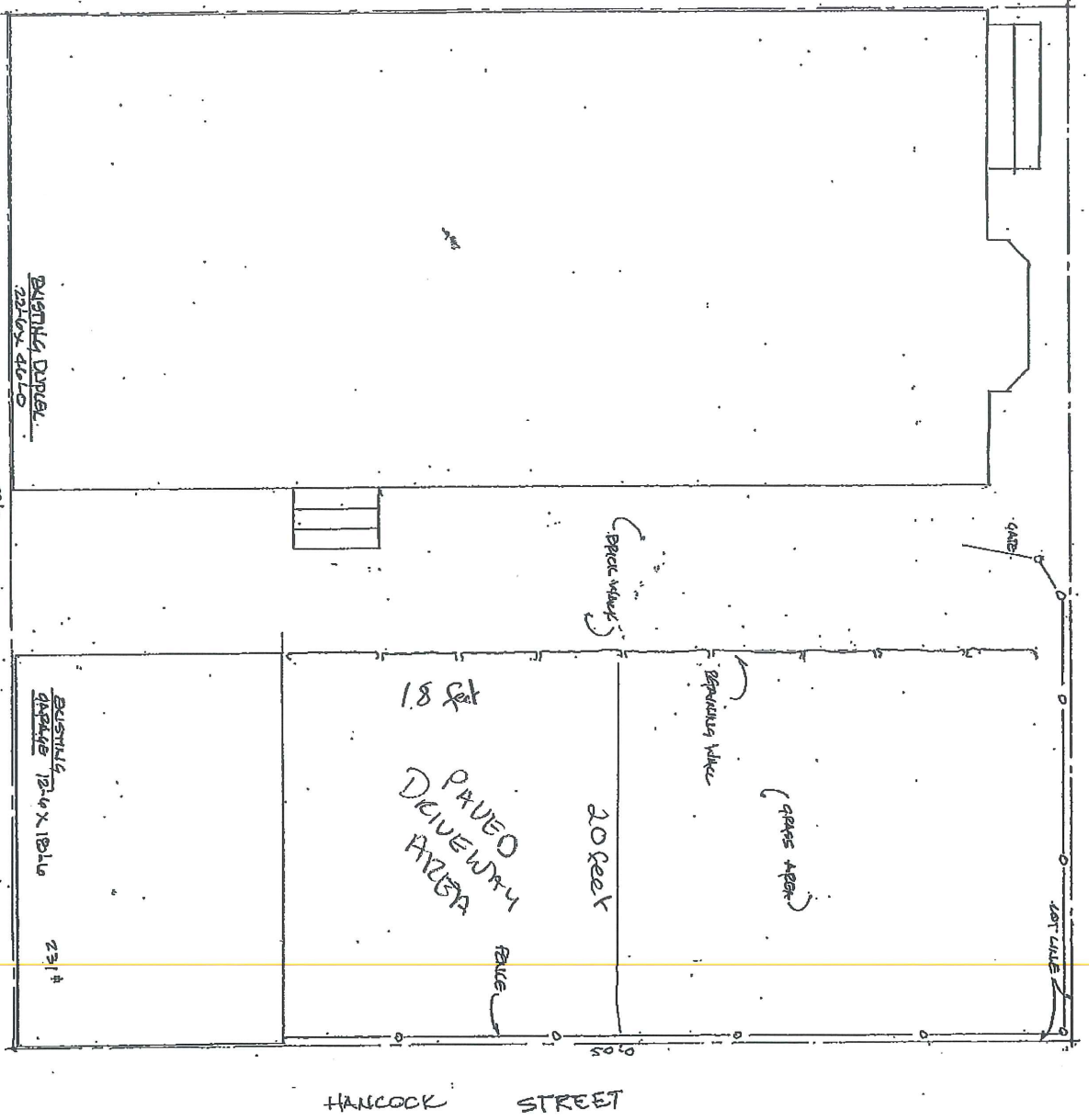
2<sup>nd</sup> FLOOR

1<sup>st</sup> FLOOR

(FD) = Fire Door

FB = Fire Box





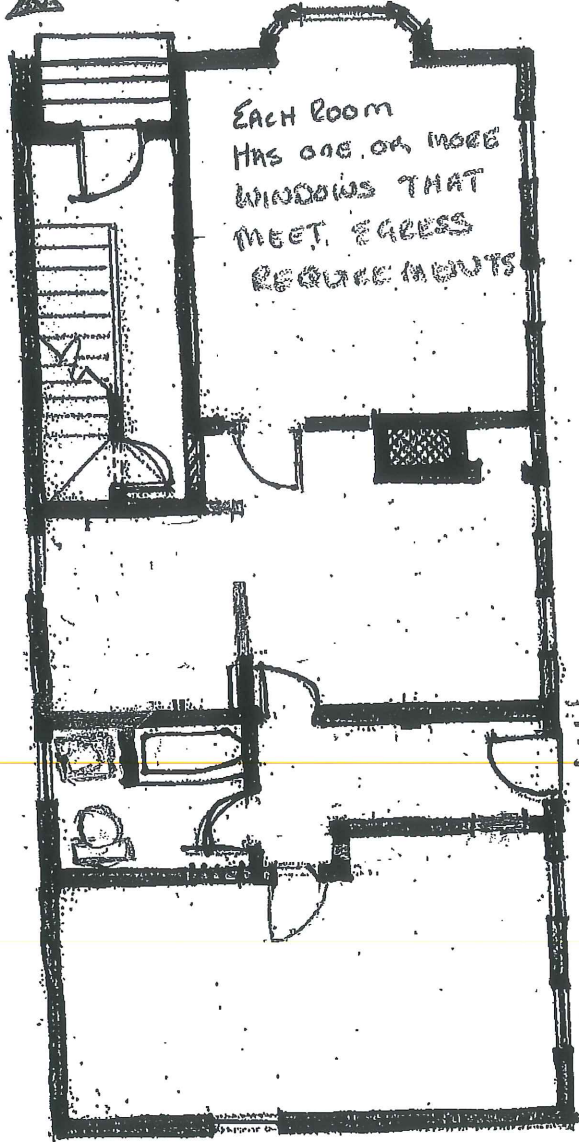
SITE PLAN  
SCALE 1/4" = 1'-0"

97 MEASUREY STREET, DURHAM ROXBORO, MAINE	Date 9-11-06
SITE PLAN	Job No.
Richard H. Campbell, Inc. 30 Freedom Park Bangor, Maine 04401 Tel: (207) 848-0871 Fax: (207) 848-0844 Construction Management Residential - Interior - Commercial	Project 1-2
Scale: 1/4" = 1'-0" Drawn By: PJC Checked By:	Revision:

97 Newbury St  
1<sup>ST</sup> FLOOR

LIFE SAFETY PLAN

Entry/Exit  
for Dwelling  
on 2<sup>nd</sup> Floor



EACH ROOM  
HAS ONE OR MORE  
WINDOWS THAT  
MEET EGRESS  
REQUIREMENTS

Entry/Exit  
for First  
Floor

**Ann Machado - RE: 97 Newbury St. Permit #2013-01947 - Change of Use**

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**From:** Betsy Graves <betsy\_graves@hotmail.com>  
**To:** Ann Machado <amachado@portlandmaine.gov>  
**Date:** 9/10/2013 11:16 AM  
**Subject:** RE: 97 Newbury St. Permit #2013-01947 - Change of Use  
**Attachments:** 97 Newbury COU Admin Auth.pdf

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Hi Ann

Thanks for your call and email.

Attached is the Admin Authorization Form...sorry! Do I owe you \$50?

3rd floor remains vacant.

Please let me know if you need anything else

Betsy

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Date: Tue, 10 Sep 2013 10:40:20 -0400  
From: AMACHADO@portlandmaine.gov  
To: betsy\_graves@hotmail.com  
Subject: 97 Newbury St. Permit #2013-01947 - Change of Use

Betsy -

Two things.

One, you need to submit the administrative authorization application to Planning. The permit can't be issued without this approval.

Two, the previous permits gave the use of the third floor as vacant. Is this still the case?

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Ann

Ann Machado  
Zoning Specialist  
Planning & Urban Development  
Portland City Hall  
(207) 874-8709

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Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



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Subject: Re: 97 Newbury st  
From: betsy\_graves@hotmail.com  
Date: Fri, 26 Apr 2013 12:07:23 -0400  
To: BAB@portlandmaine.gov

Hi Barbara  
I really appreciate your feedback, thank you!  
Have a great weekend  
Betsy

Sent from my iPhone

On Apr 26, 2013, at 10:50 AM, "Barbara Barhydt" <[BAB@portlandmaine.gov](mailto:BAB@portlandmaine.gov)> wrote:

Hi Betsy:

Ann Machado and I discussed this potential project today and she showed me the plans. Converting the first floor to a residential unit could be handled as an Administrative Authorization as long as there is no site work required. I think based on the plans when the site was converted to office space, you have the required number of parking spaces needed for the residential units.

I am attaching an application.

Thank you.

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Barbara

Barbara Barhydt  
Development Review Services Manager  
Planning Division  
389 Congress Street 4th Floor  
Portland, ME 04101  
(207) 874-8699  
Fax: (207) 756-8256  
[bab@portlandmaine.gov](mailto:bab@portlandmaine.gov)

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>>> Betsy Graves <[betsy\\_graves@hotmail.com](mailto:betsy_graves@hotmail.com)> Tuesday, April 23, 2013 1:29 PM >>>

No problem, Barbara, I'm still just considering if the change to residential is possible and makes sense .

Thank you!

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Sent from my iPhone

On Apr 23, 2013, at 11:20 AM, "Barbara Barhydt" <[BAB@portlandmaine.gov](mailto:BAB@portlandmaine.gov)> wrote:

Hi Betsy:

I see I have an administrative authorization application for a deck at this site. I will discuss with Ann Machado regarding your proposal and get back to you regarding what is needed. I apologize for the delay.

Barbara

Barbara Barhydt  
Development Review Services Manager  
Planning Division  
389 Congress Street 4th Floor  
Portland, ME 04101  
(207) 874-8699  
Fax: (207) 756-8256  
[bab@portlandmaine.gov](mailto:bab@portlandmaine.gov)

>>> Betsy Graves <[betsy\\_graves@hotmail.com](mailto:betsy_graves@hotmail.com)> Saturday, April 13, 2013 8:13 AM >>>

Hi Barbara

This property was a residential 2 unit when I bought it. I left 1 apartment on the second floor and converted the first floor to 2 office units.

I now want to convert the offices back to a residential unit - which would make this a residential 2 unit property (as it was originally)

Per Ann's suggestion I wanted to check with you to see if there are any reasons I can't do this and what the requirements are from your perspective.

Thank you  
Betsy Regards  
Betsy

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Date: Tue, 19 Mar 2013 08:04:15 -0400  
From: [AMACHADO@portlandmaine.gov](mailto:AMACHADO@portlandmaine.gov)  
To: [betsy\\_graves@hotmail.com](mailto:betsy_graves@hotmail.com)  
Subject: Re: FW: 97 Newbury St

Betsy -

As far as zoning and building is concerned, you would need to apply for a permit to change the use from office back to a dwelling unit. If you don't need to do any construction the cost would be \$30 for the permit and \$75 for the certificate of occupancy.

You would also have to do a Level I Minor Residential Site Plan application because you are adding a dwelling unit to create a two family. The Level I Minor Residential Site Plan costs \$400. Because the building was previously a two unit and you are not adding on to it, some of the requirements for the boundary survey/site plan might be waived. You would have to talk to Barbara Barhydt in planning about that.

Ann

Betsy Graves <[betsy\\_graves@hotmail.com](mailto:betsy_graves@hotmail.com)> 3/19/2013 5:26 AM >>>

Hi Ann

This property was a residential 2 unit when I bought it. I left 1 apartment on the second floor and converted the first floor to 2 office units.

What would be the process (from the city's perspective) to convert this back to a 2 unit residential property? and how much would it cost?

Best Regards  
Betsy

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Ann Machado  
Zoning Specialist  
Planning & Urban Development  
Portland City Hall  
(207) 874-8709

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<Administrative Authorization 2012.doc>

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