

**City of Portland, Maine – Building or Use Permit Application** 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: <b>37-39 Chestnut St</b>		Owner: <b>Michael Friedland (New Owner)</b>	Phone: <b>871-7208</b>	Permit No: <b>980153</b>
Owner Address: <b>4 Houlton St Portland, ME 04102</b>	Lessee/Buyer's Name:	Phone:	BusinessName:	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>PERMIT ISSUED</b>  <b>FEB 25 1998</b>  <b>CITY OF PORTLAND</b> </div>
Contractor Name: <b>SAA</b>	Address:	Phone:		
Past Use: <b>2-fam</b>	Proposed Use: <b>Same</b>	<b>COST OF WORK:</b> \$ <b>1,200.00</b>	<b>PERMIT FEE:</b> \$ <b>25.00</b>	
Proposed Project Description:  <b>Demolish Portion of Structure</b> <b>See attached photos</b>		<b>FIRE DEPT.</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Signature:	<b>INSPECTION:</b> Use Group <b>R3</b> Type: <b>53</b> <b>DOCA 86</b> Signature:	
Permit Taken By: <b>Mary Gresik</b>		Date Applied For: <b>23 February 1998</b>	<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b> Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/> Signature: _____ Date: _____	
Zone: <b>B-2</b>		CBL: <b>026-F-014</b>	Zoning Approval: <i>limited per Maria with condition 2/24/98</i> <b>Special Zone or Reviews:</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

**PERMIT ISSUED WITH REQUIREMENTS**

**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT *Michael Friedland* ADDRESS: \_\_\_\_\_ DATE: **23 February 1998** PHONE: \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ PHONE: \_\_\_\_\_

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

**Zoning Appeal**

Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

**Historic Preservation**

Not in District or Landmark  
 Does Not Require Review  
 Requires Review

**Action:**

Approved  
 Approved with Conditions  
 Denied

Date: 2/23/98

CEO DISTRICT

COMMENTS

3/12/98

met w/ new owner prior to purchase. AR

9/16/98

Done. AR

980153

26-F-14

	Type	Inspection Record	Date
Foundation:	_____	_____	_____
Framing:	_____	_____	_____
Plumbing:	_____	_____	_____
Final:	_____	_____	_____
Other:	_____	_____	_____

LAND USE - ZONING REPORT

ADDRESS: 37-39 Chestnut St DATE: 2/24/98

REASON FOR PERMIT: Demo Structure portion

BUILDING OWNER: Michael Friedland C-B-L: 26-F-14

PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: \_\_\_\_\_  
#6, #9

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing \_\_\_\_\_ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on \_\_\_\_\_ are still in effect for this amendment.
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will not be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of two units. Any change in this approved use shall require a separate permit application for review and approval.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.
9. Other requirements of condition With the demolition of this portion of the

building, you will loose any legal non-conforming rights. You may not be able to rebuild unless you meet the standards of today's zoning, Building and Fire Code.

Marge Schmuckal Marge Schmuckal, Zoning Administrator,  
Asst. Chief of Code Enforcement

CITY OF PORTLAND  
Inspection Services Division  
Demolition Call List

11

Site Address: 37-39 Chestnut st

Owner: Michael Fredland

Structure Type: Brick

Contractor: Jim McDonald

828-827  
Joe Raynes  
797-1867  
no utility

UTILITY APPROVALS	NUMBER
Central Maine Power Co.	1-800-750-4000
Bell Atlantic	878-7000
Portland Water District	797-8002 - Ext. 6251
Public Cable Co	775-3431 - Ext. 257
Dig Safe	1-888-34344-7233

CONTACT NAME/DATE
<u>Tom Burns 2/17/98</u>
<u>Joe Raynes 2/9/98</u>
<u>N/A</u>
<u>Debbie Gillespie 2/10/98</u>
<u>N/A</u>

anchorage  
P.O.

AFTER CALL, THERE IS A WAIT OF 72 HOURS BEFORE DIGGING CAN BEGIN

CITY APPROVALS	NUMBER
DPW/Sewer Division Jay DiPaolo	874-8300 Ext. 8467
DPW/Traffic Division Ken Doughty	874-8300 Ext. 8437
DPW/Sealed Drain Permit Carol Merritt	874-8300 Ext 8822
Parks-Forestry Division Jeff Tarling	874-8300 Ext 8389
Building Inspects Insp Required	874-8300 Ext 8703
Historic Preservation	874-8300 Ext 8726
Fire Dispatcher	874-8300 Ext 8676

CONTACT NAME AND DATE
<u>N/A</u>
<u>N/A</u>
<u>Carol Merritt 2/9/98</u>
<u>Jeff Tarling 2/10/98</u>
<u>Arthur Rowe</u>
<u>Deb Andrews 2/10/98</u>
<u>Ben Diaz 2/10/98</u>

WRITTEN NOTICE TO ADJOINING OWNERS

ASBESTOS	NUMBER
DEP - Environmental (Augusta) Ed Antz	287-2651

CONTACT NAME AND DATE
<u>N/A</u>

U.S. EPA Region 1 -- No phone call required. Just mail copy of State notification to:

Demo/Reno Clerk  
US EPA Region 1 (SEA)  
JFK Federal Building  
Boston, MA 02203

I have contacted all of the necessary companies/departments as indicated above.

SIGNED: [Signature]

DATE: 2/23/98

I will be tearing down an addition  
which is not on the original foundation.  
It is empty + dilapidated. There are  
no wires or lines or anything. (even stairs)  
It was used for storage.



## BUILDING PERMIT REPORT

DATE: 24 Feb 98 ADDRESS: 37-39 Chestnut St #26-F-#14  
REASON FOR PERMIT: To Demo - portion of structure -  
BUILDING OWNER: Michael Friedland  
CONTRACTOR: SAA  
PERMIT APPLICANT: ↑  
USE GROUP R-3 BOCA 1996 CONSTRUCTION TYPE 5B

### CONDITION(S) OF APPROVAL

This Permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: \*1\*28\*29\*30

1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
3. Precaution must be taken to protect concrete from freezing.
4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
5. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of ½ inch gypsum board or the equivalent applied to the garage means of ½ inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993).
7. Sound transmission control in residential building shall be done in accordance with Chapter 12 section 1214.0 of the city's building code.
8. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42" , except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. (Handrails shall be a minimum of 34" but not more than 38" Use Group R-3 shall not be less than 30", but not more than 38".) Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2".
9. Headroom in habitable space is a minimum of 7'6".
10. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use group minimum 11" tread. 7" maximum rise.
11. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6' 8")
12. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft.
13. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
14. All vertical openings shall be enclosed with construction having a fire rating of at least one (1)hour, including fire doors with self closer's. (Over 3 stories in height requirements for fire rating is two (2) hours.)
15. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
16. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the

provisions of the City's Building Code Chapter 9, Section 19, 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- In the immediate vicinity of bedrooms
- In all bedrooms
- In each story within a dwelling unit, including basements

In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)

17. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type.
18. The Fire Alarm System shall be maintained to NFPA #72 Standard.
19. The Sprinkler System shall maintained to NFPA #13 Standard.
20. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
21. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
22. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
23. Ventilation shall meet the requirements of Chapter 12 Sections 1210. Of the City's Building Code.
24. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade.
25. All requirements must be met before a final Certificate of Occupancy is issued.
26. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code. (The BOCA National Building Code/1996).
27. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993).

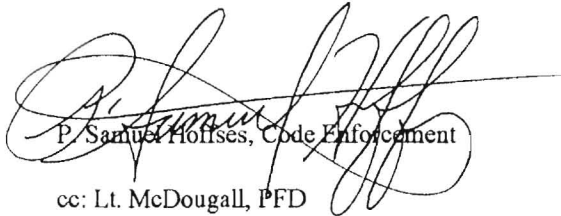
\*28. Please read and implement the attached Land Use-Zoning report requirements.

\*29. Caution must be used to protect any means of egress.

\*30. All openings from dwelling units into this demo area must be have protection to prevent falls.

31.

32.



P. Samuel Hollises, Code Enforcement

cc: Lt. McDougall, PFD  
Marge Schmuckal