

**City of Portland, Maine – Building or Use Permit Application** 380 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 97 State St		Owner: Gary Pike Foundation		Phone: 985-2731		Permit No: 980606	
Owner Address: P.O. Box 391 W. Kennebunk, ME		Lessee/Buyer's Name: 04094		Phone:		BusinessName:	
Contractor Name: Portland Builders, Inc.		Address: 63 Federal St Portland, ME		Phone: 04101 879-0118		Permit Issued: JUN 10 1998 CITY OF PORTLAND	
Past Use: Office		Proposed Use: Lodging Home		COST OF WORK: \$ 95,390.00		PERMIT FEE: \$ 500.00	
Proposed Project Description: Change Use/Make Renovations		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group 32 Type: 3B		Zone: CBL: 045-B-025	
		Signature: [Signature]		Signature: [Signature]		Zoning Approval:	
Permit Taken By: Mary Cressik		Date Applied For: 27 May 1998		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Special Zone or Reviews:	
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Signature: _____ Date: _____		<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	

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

28 May 1998

SIGNATURE OF APPLICANT	ADDRESS:	DATE:	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

CEO DISTRICT



Pike

## CHAPTER 20 LODGING OR ROOMING HOUSES

### SECTION 20-1 GENERAL REQUIREMENTS

#### 20-1.1 Application.

20-1.1.1 This chapter applies to buildings that provide sleeping accommodations for a total of 16 or fewer persons on either a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants except as provided in Chapter 21.

20-1.1.2 The requirements of this chapter are applicable to new buildings and to existing or modified buildings according to the provisions of Section 1-4 of this Code.

#### 20-1.2 Mixed Occupancies.

20-1.2.1 Where another type of occupancy occurs in the same building as a residential occupancy, the requirements of 4-1.11 of this Code shall apply.

20-1.2.2 For requirements on mixed assembly and residential occupancies, see 8-1.2 or 9-1.2; for mixed mercantile and residential occupancies, see 24-1.2 or 25-1.2; and for mixed business and residential occupancies, see 26-1.2.

20-1.3 Definitions. Terms applicable to this chapter are defined in Chapter 3 of this Code; where necessary, other terms will be defined in the text as they occur.

20-1.4 Classification of Occupancy. (See 20-1.1.1.)

20-1.5 Classification of Hazard of Contents. The contents of residential occupancies shall be classified as ordinary hazard in accordance with Section 4-2.

20-1.6 Minimum Construction Requirements. (No special requirements.)

20-1.7 Occupant Load. (See 20-1.1.1.)

### SECTION 20-2 MEANS OF ESCAPE

#### 20-2.1 Number and Types of Means of Escape.

20-2.1.1 Every sleeping room and living area shall have access to a primary means of escape, complying with Chapter 21, located to provide a safe path of travel to the outside of the building without traversing any corridor or space exposed to an unprotected vertical opening. Where the sleeping room is above or below the level of exit discharge, the primary means of escape shall be an enclosed interior stair, an exterior stair, a horizontal exit, or an existing fire escape stair.

20-2.1.2 In addition to the primary route, each sleeping room and living area shall have a second means of escape in accordance with 21-2.2.3.

*Exception:* If the sleeping room or living area has a door leading directly outside the building with access to grade or to a stairway that meets the requirements for exterior stairs in 20-2.1.1, that escape shall be considered as meeting all of the escape requirements for that sleeping room or living area.

20-2.1.3 Every story more than 2,000 sq ft (185 sq m) in area or with travel distance to the primary means of escape more than 75 ft (23 m) shall be provided with two primary means of escape remotely located from each other.

*Exception No. 1:* Existing buildings.

*Exception No. 2:* Buildings protected throughout by an approved, supervised automatic sprinkler system in accordance with 20-3.5.

20-2.2 Interior stairways shall be enclosed by 20-minute fire barriers with all openings protected with smoke-actuated automatic-closing or self-closing doors having a fire resistance comparable to that required for the enclosure. The stairway shall comply with 5-2.2.6.5.

*Exception No. 1:* Stairs connecting two levels only shall be permitted to be open to other than the street floor.

*Exception No. 2:* Stairways shall be permitted to be unprotected in accordance with the Exception to 20-3.1.1.

20-2.3 No door or path of travel in a means of escape shall be less than 28 in. (71 cm) wide.

*Exception:* Bathroom doors shall be not less than 24 in. (61 cm) wide.

20-2.4 Every closet door latch shall be such that it can be readily opened from the inside in case of emergency.

20-2.5 Every bathroom door shall be designed to allow opening from the outside during an emergency when locked.

20-2.6 Winders in accordance with 5-2.2.2.8 shall be permitted.

20-2.7\* No door in any means of escape shall be locked against egress when the building is occupied.

*Exception:* Delayed egress locks complying with 5-2.1.6.1 shall be permitted, provided not more than one such device is located in any one escape path.

20-2.8 Doors serving a single dwelling unit shall be permitted to be provided with a lock in accordance with Exception No. 3 to 5-2.1.5.1.

### SECTION 20-3 PROTECTION

#### 20-3.1 Protection of Vertical Openings.

20-3.1.1 Vertical openings shall be protected so that no primary escape route is exposed to an unprotected vertical opening. The vertical opening shall be considered protected if the opening is cut off and enclosed in a manner that provides a smoke- and fire-resisting capability of not less than 20 minutes. Any doors or openings shall have fire and smoke resisting capability equivalent to that of the enclosure and shall be automatic-closing on detection of smoke or shall be self-closing.

*Exception:* In buildings three or fewer stories in height that are protected throughout by an approved, automatic sprinkler system installed in accordance with 20-3.5, unprotected vertical openings shall be permitted. However, in such cases, there shall still



**THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED**

**Building or Use Permit Pre-Application  
Attached Single Family Dwellings/Two-Family Dwelling  
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

**NOTE\*\*If you or the property owner owes real estate or personal property taxes or user charges on ANY PROPERTY within the City, payment arrangements must be made before permits of any kind are accepted.**

Location/Address of Construction (include Portion of Building). 97 State Street, Portland, Maine			
Total Square Footage of Proposed Structure		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Number Chart# <u>045</u> Block# <u>B</u> Lot# <u>25</u>		Owner: The Gary Pike Foundation	Telephone#: 207-985-2731
Owner's Address: P O Box 392, 04094 W. Kennebunk, Maine		Lessee/Buyer's Name (If Applicable)	Cost Of Work: \$ 95,590 Fee: \$ <u>500</u>
Proposed Project Description: (Please be as specific as possible) Renovations per plans by Semple & Drane dated 5-4-98  <u>Change Use</u>			
Contractor's Name, Address & Telephone PORTLAND BUILDERS INC., 63 Federal St., Portland, Maine 04101		207-879-0118	Rec'd By <u>MJD</u>
Current Use: Office		Proposed Use: Lodging Home	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

**4) Building Plans**

**Unless exempted by State Law, construction documents must be designed by a registered design professional.**

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

**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/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: <u>[Signature]</u>	Date: <u>5/26/97</u>
--	----------------------

Building Permit Fee \$25.00 for the 1st \$1000.00 cost plus \$5.00 per \$1,000.00 construction cost thereafter.  
Additional Site review and related fees are attached on a separate addendum



Call for P/U 879-0118

Planning &amp; Urban Development

Joseph E. Gray Jr  
Director

## CITY OF PORTLAND

April 21, 1998

Gary Pike Foundation  
Attention: Michael Hill  
PO Box 392  
W. Kennebunk ME 04094

Re: 97 State Street - Lodging Home/Change of Use

Dear Mr. Hill:

On April 21, 1998, the Portland Planning Authority granted minor site plan approval for a Change of Use to Lodging Home located at 97 State Street.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provision and requirement for all site plan approvals:

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.

If there are any questions, please contact the Planning Staff.

Sincerely,

Joseph E. Gray, Jr.  
Director of Planning and Urban Development

cc: Alexander Jaegerman, Chief Planner  
Alan Holt, Urban Designer  
P. Samuel Hoffses, Building Inspector  
Marge Schmuckal, Zoning Administrator  
Tony Lombardo, Project Engineer  
Development Review Coordinator  
William Bray, Deputy Director/City Traffic Engineer  
Jeff Tarling, City Arborist  
Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
Mary Gresik, Building Permit Secretary  
Kathleen Brown, Director of Economic Development  
Susan Doughty, Assessor's Office  
Approval Letter File



**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM**

19980021

I. D. Number

Gary Pike Foundation

Applicant

PO Box 392, W Kennebunk, ME 04094

Applicant's Mailing Address

Michael Hill

Consultant/Agent

207 774-3906

207 774-3833

Applicant or Agent Daytime Telephone, Fax

4/1/98

Application Date

State Street 97

Project Name/Description

97 State St

Address of Proposed Site

045-B-025

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  
 Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) **Lodging Home**

1875 sq. ft.

7,300 sq ft.

R6

Proposed Building square Feet or # of Units

Acreage of Site

Zoning

**Check Review Required:**

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> Site Plan<br>(major/minor)         | <input type="checkbox"/> Subdivision<br># of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                       | <input type="checkbox"/> Shoreland                      | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance                | <input type="checkbox"/> Other _____           |  |

Fees Paid: Site Plan \$300.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date: 4/1/98

**Inspections Approval Status:**

Reviewer Marge Schmuckal

- Approved  **Approved w/Conditions**  
see attached  Denied
- Approval Date 6/1/98 Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets  
Attached
- Condition Compliance \_\_\_\_\_ signature \_\_\_\_\_ date \_\_\_\_\_

Performance Guarantee  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                |  |                 |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted     | _____          | _____  | _____           |
|   | date           | amount   | expiration date |
| <input type="checkbox"/> Inspection Fee Paid                | _____          | _____  |                 |
|   | date           | amount   |                 |
| <input type="checkbox"/> Building Permit Issued             | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____          | _____  | _____           |
|   | date           | remaining balance                                  | signature       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____          | <input type="checkbox"/> Conditions (See Attached) |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Final Inspection                   | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Certificate Of Occupancy           | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Released     | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Defect Guarantee Submitted         | _____          | _____  | _____           |
|   | submitted date | amount   | expiration date |
| <input type="checkbox"/> Defect Guarantee Released          |                |  |                 |

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DEVELOPMENT REVIEW APPLICATION  
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**PO Box 392, W Kennebunk, ME 04094**

Applicant's Mailing Address

**Michael Hill**

Consultant/Agent

**207 774-3906** **207 774-3833**

Applicant or Agent Daytime Telephone, Fax

**4/1/98**

Application Date

**State Street 97**

Project Name/Description

**97 State St**

Address of Proposed Site

**045-B-025**

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  
 Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) **Lodging Home**

**1875 sq. ft.** **7,300 sq. ft.** **R6**

Proposed Building square Feet or # of Units Acreage of Site Zoning

**Check Review Required:**

- Site Plan (major/minor)
- Flood Hazard
- Zoning Conditional Use (ZBA/PB)
- Subdivision # of lots \_\_\_\_\_
- Shoreland
- Zoning Variance
- PAD Review
- Historic Preservation
- 14-403 Streets Review
- DEP Local Certification
- Other \_\_\_\_\_

Fees Paid: Site Plan **\$300.00** Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date: **4/1/98**

**Fire Approval Status:**

Approved  **Approved w/Conditions**  Denied  
 see attached

Approval Date **4/2/98** Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets Attached

Condition Compliance **Lt. Mc Dougall** \_\_\_\_\_  
 signature date

Reviewer **Lt. Mc Dougall** 

**Performance Guarantee**  **Required\***  **Not Required**

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issued	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	
	date		
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	



CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM

19980021

I. D. Number

Gary Pike Foundation  
Applicant  
PO Box 392, W Kennebunk, ME 04094  
Applicant's Mailing Address  
Michael Hill  
Consultant/Agent  
207 774-3906                      207 774-3833  
Applicant or Agent Daytime Telephone, Fax

4/1/98  
Application Date  
State Street 97  
Project Name/Description

97 State St  
Address of Proposed Site  
045-B-025  
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Proposed Development (check all that apply):     New Building     Building Addition     Change Of Use     Residential  
 Office     Retail     Manufacturing     Warehouse/Distribution     Parking Lot     Other (specify) Lodging Home  
1875 sq. ft.    7,300 sq ft.    R6  
Proposed Building square Feet or # of Units                      Acreage of Site    Zoning

**Check Review Required:**

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> Site Plan<br>(major/minor)         | <input type="checkbox"/> Subdivision<br># of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
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| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance                |  | <input type="checkbox"/> Other _____             |

Fees Paid:    Site Plan \$300.00    Subdivision \_\_\_\_\_    Engineer Review \_\_\_\_\_    Date: 4/1/98

**Planning Approval Status:**

Reviewer Alan Holt

- Approved**                       **Approved w/Conditions**  
See Attached                       **Denied**

Approval Date 4/21/98                      Approval Expiration 4/21/99                      Extension to \_\_\_\_\_                       Additional Sheets Attached

OK to Issue Building Permit                      Alan Holt                      4/21/98  
signature    date

Performance Guarantee                       **Required\***                       **Not Required**

No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issued	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
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	date		
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	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
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	date	signature	

97 State St

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM**

**19980021**

I. D. Number

Gary Pike Foundation

Applicant

PO Box 392, W Kennebunk, ME 04094

Applicant's Mailing Address

Michael Hill

Consultant/Agent

207 774-3906 207 774-3833

Applicant or Agent Daytime Telephone, Fax

4/1/98

Application Date

State Street 97

Project Name/Description

97 State St

Address of Proposed Site

045-B-025

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  
 Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) Lodging Home

1875 sq. ft. 7,300 sq. ft. R6

Proposed Building square Feet or # of Units Acreage of Site Zoning

**Check Review Required:**

Site Plan (major/minor)  Subdivision # of lots  PAD Review  14-403 Streets Review  
 Flood Hazard  Shoreland  Historic Preservation  DEP Local Certification  
 Zoning Conditional Use (ZBA/PB)  Zoning Variance  Other

Fees Paid: Site Plan \$300.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date: 4/1/98

**JRC Approval Status:**

Reviewer Jim Wendel

Approved  Approved w/Conditions see attached  Denied

Approval Date 4/21/98 Approval Expiration 4/21/99 Extension to \_\_\_\_\_  Additional Sheets Attached

Condition Compliance Jim Wendel 4/21/98  
signature date

**Performance Guarantee**  Required\*  Not Required

No building permit may be issued until a performance guarantee has been submitted as indicated below

<input checked="" type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
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	date		
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<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	





Applicant: Portland Buildings Inc Date: 6/1/98

Address: 97 State St C-B-L: 45-B-25

CHECK-LIST AGAINST ZONING ORDINANCE

Date - existing

Zone Location - R-6

Interior or corner lot - change of use from professional offices to  
Proposed Use/Work - 6 Rms with dining room, kitchen facilities, Lodging House (Garry Pike Trd)

Sewage Disposal -

Lot Street Frontage -

Front Yard -

Rear Yard -

Side Yard -

Projections -

Width of Lot -

Height -

Lot Area - 4500<sup>#</sup> min 7,614<sup>#</sup>

Lot Coverage/ Impervious Surface - existing

Area per Family -

Off-street Parking - 1 pkg space for each 5 rooming units - 2 spaces req

Loading Bays - N/A

Site Plan - minor - received approval

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - N/A

Exist. bldg  
No Addition  
ok  
① 200<sup>#</sup> of combined Rooming unit, <sup>ok</sup> ~~concrete~~ for each Rooming unit - ~~each~~  
② each individual rooming unit shall be a min. of 80<sup>#</sup>  
③ min Land Area per lodging Rm. 250<sup>#</sup> 250 x 6 = 1500<sup>#</sup> (less than min lot size)



MONAGHAN, LEAHY, HOCHADEL & LIBBY, LLP

ATTORNEYS AT LAW

THOMAS F. MONAGHAN  
THOMAS G. LEAHY  
JOSEPH M. HOCHADEL  
KEVIN G. LIBBY  
CHRISTOPHER C. DINAN  
MATTHEW J. MONAGHAN  
MICHAEL H. HILL  
WILLIAM R. FISHER  
CORNELIA FUCHS FISHER  
JOHN J. WALL, III  
NOAH D. WUESTHOFF  
IVY L. FRIGNOCA  
CAROL G. FORD

95 EXCHANGE STREET  
P.O. BOX 7046  
PORTLAND, MAINE  
04112-7046  
207-774-3906  
FAX 207-774-3833

March 30, 1998

Alexander Jaegerman, AICP  
Chief Planner  
City of Portland  
Planning & Urban Development  
389 Congress Street  
Portland, Maine 04101

**RE: Site Plan for 97 State Street Owned by The Gary Pike Foundation  
Change of Use Permit**

Dear Mr. Jaegerman:

Please consider this letter and the enclosed six copies of it to be a Minor Site Plan Application of The Gary Pike Foundation with respect to the building it owns at 97 State Street. The Foundation seeks to change the use of the existing structure from professional offices to a lodging house which will house family members of ill and terminally-ill patients in local hospitals. The property is located in an R6 Residential Zone and a lodging house is a permitted use pursuant to Section 14-136(2)(a).

I will attempt to address the requirements of Section 14-525 in the order in which they appear in the Ordinance.

Section 14-525(b):

We would request that since there is no change to the exterior of the existing building at 97 State Street that the Planning Authority waive the required submissions of a standard boundary survey pursuant to subsection 3. Instead, I have enclosed a Plot Plan showing the dimensions of the lot and the location of the existing building at 97 State Street.

Section 14-525(c)(1):

The proposed use of the property is as a lodging home which would have six (6) residential units with a common quiet room, dining room and kitchen facilities.

↓  
ROOMS

97 State St

Section 14-525(c)(2):

The total land area of the site is approximately 7,300 square feet. The existing 3-story building has approximately 5600 square feet of floor area with an existing ground coverage of approximately 1,875 square feet.

Section 14-525(c)(3):

Not Applicable.

Section 14-525(c)(4):

We would expect the type of solid waste to be generated by this lodging home to be consistent with other residential uses. We would expect that the quantity of the solid waste generated to be somewhat less than, for example, a 6-unit apartment building. The residents of the lodging home will be staying varying lengths of time.

Section 14-525(c)(5):

The property has approximately 50 feet of frontage on State Street and is served by public water and sewer.

Section 14-525(c)(6):

There would be no change to the existing surface drainage on site. Therefore, no storm water management plan has been undertaken.

Section 14-525(c)(7):

Not applicable.

Section 14-525(c)(8):

Not applicable.

Section 14-525(c)(9):

The Foundation is a non-profit entity which has done considerable fund raising to be able to purchase and make the necessary improvements to this facility. The purchase of the property was financed through Kennebunk Savings Bank. The relatively modest changes to this structure would be self-financed.

Alexander Jaegerman, AICP  
March 30, 1998  
Page 3

Section 14-525(c)(10):

A copy of the Applicant's deed is enclosed.

Section 14-525(c)(11):

No unusual natural areas, wildlife and fisheries habitats, or archaeological sites are known to be located on any of the project site.

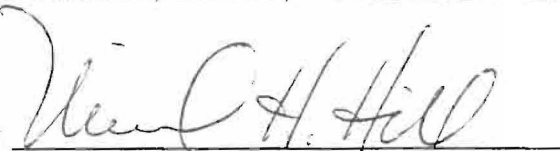
With respect to the requirements of Section 14-139, as indicated above, the minimum lot size requirement of 4500 square feet is met. As shown on the enclosed sketches, each individual rooming unit has at least 80 square feet and the combined rooming unit and common area for each rooming unit exceeds the 200 square foot minimum. It is my understanding that the structure has been in existence since before the 1900s. Therefore, the structure is grandfathered from the other dimensional requirements of §14-139.

Also enclosed is a \$300.00 fee for the Minor Site Plan as well as sketches of the basement, first, second and third floors indicating modest changes to the structure.

If anything further is required, please do not hesitate to give me a call.

Very truly yours,

MONAGHAN, LEAHY, HOCHADEL & LIBBY, LLP

By   
Michael H. Hill

MHH:mks  
cc: Trudy McNeal

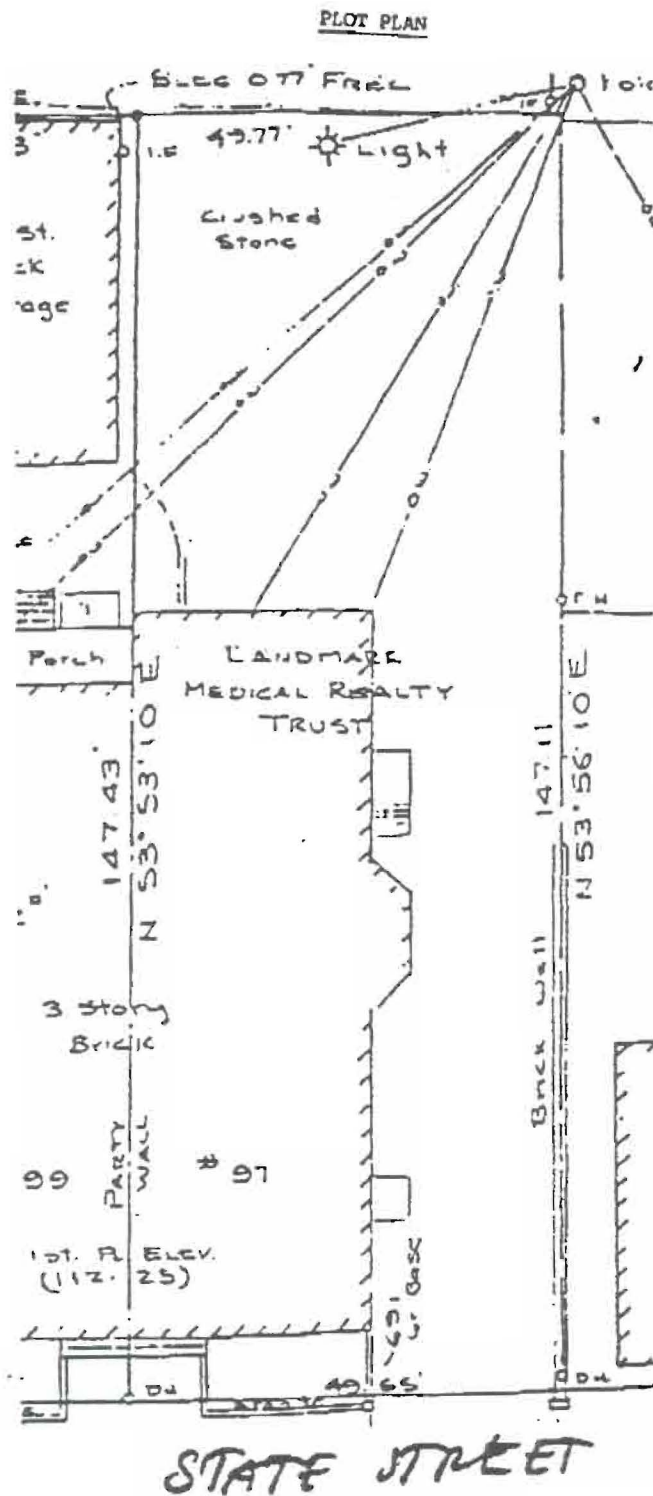


# CENTURY 21 MAGNUSSON BALFOUR

Commercial/Business Brokerage

(207) 774-7715

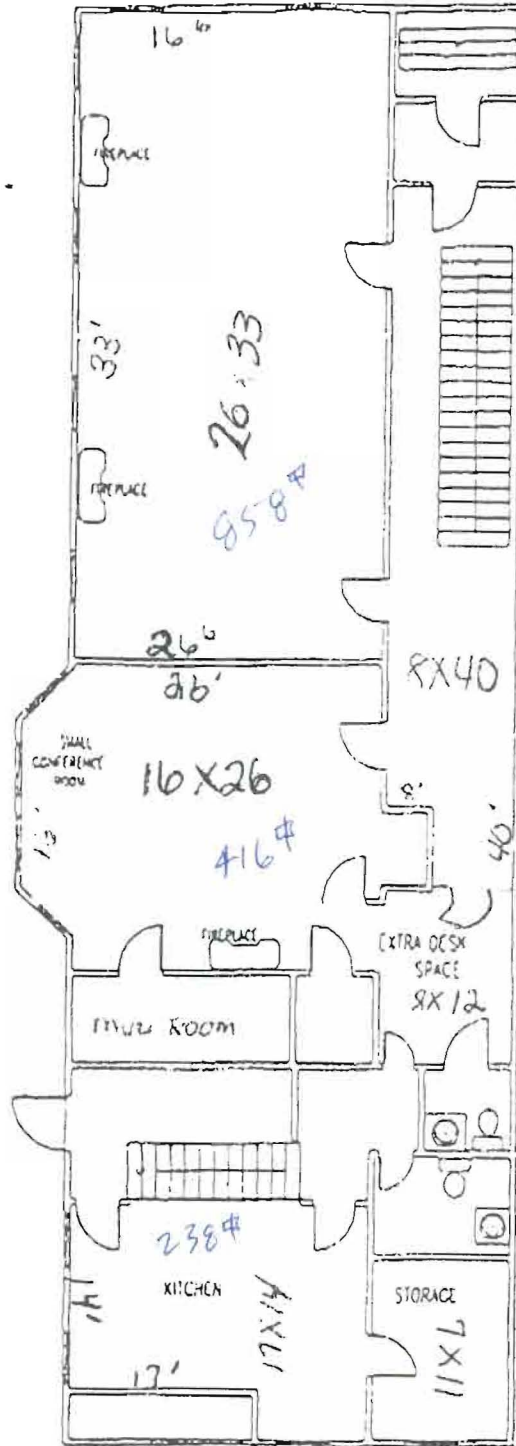
Plot Plan(s)



THE INFORMATION IN THIS PROFILE HAS BEEN PROVIDED BY THE CLIENT. CENTURY 21 MAGNUSSON BALFOUR COMMERCIAL & BUSINESS BROKERS MAKES NO REPRESENTATIONS AS TO ITS ACCURACY. THIS PROFILE IS FOR THE CONFIDENTIAL USE OF THE INDIVIDUAL TO WHOM IT HAS BEEN GIVEN. BUYERS ARE ADVISED TO CONDUCT THEIR OWN INVESTIGATION TO ACCURACY OF INFORMATION AND CONSULT WITH THEIR APPROPRIATE FINANCIAL, LEGAL, OR BUSINESS ADVISORS.

97 State Street  
1st Floor

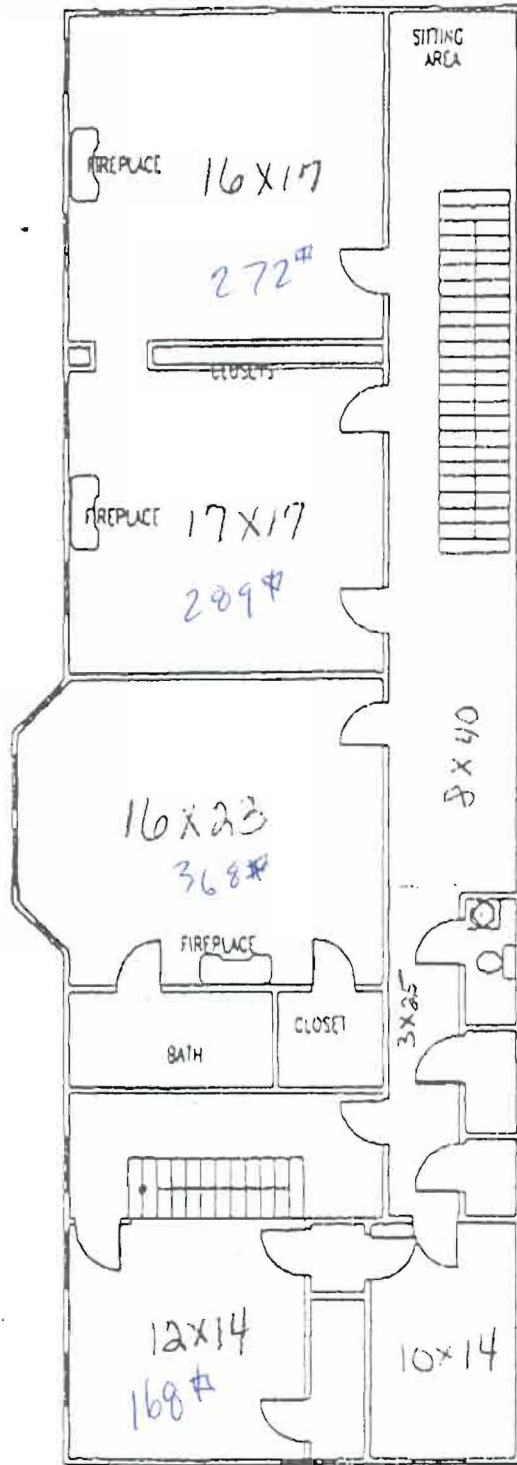
*Project for  
9 Rooms*



This is a representative drawing only and is not to scale.

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97 State Street  
2nd Floor

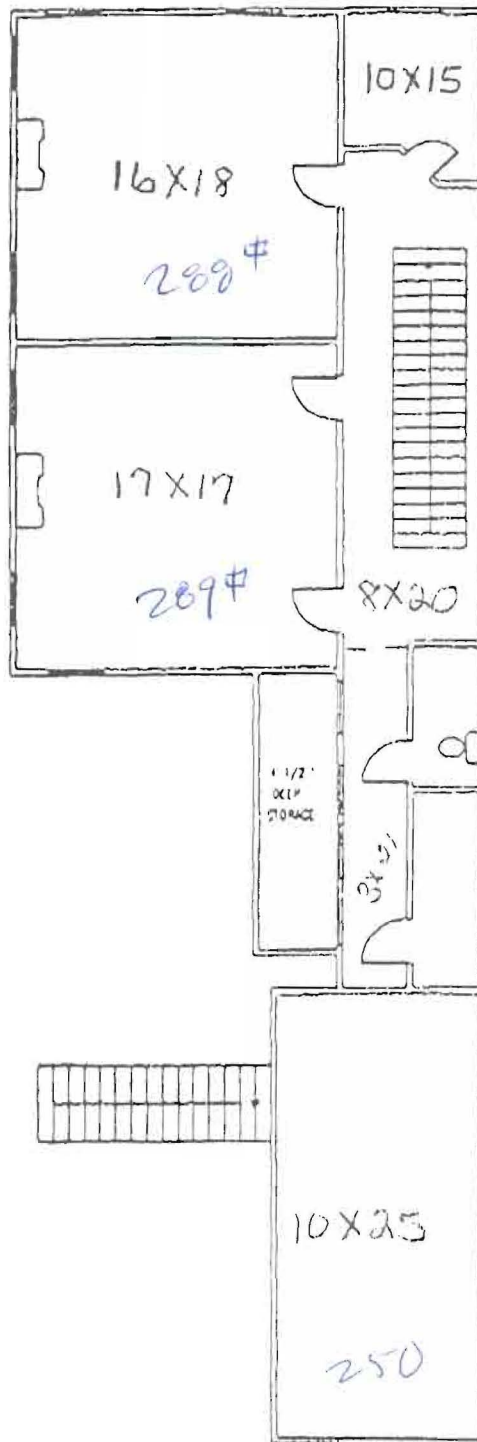


This is a representative drawing only and is not to scale.

THE INFORMATION IN THIS PROFILE HAS BEEN PROVIDED BY THE CLIENT, CENTURY 21 MAGNUSON BALFOUR COMMERCIAL/BUSINESS BROKERAGE, AS TO ITS ACCURACY. THIS PROFILE IS FOR THE CONFIDENTIAL USE OF THE INDIVIDUAL TO WHOM IT HAS BEEN GIVEN. BUYERS ARE ADVISED TO CONDUCT THEIR OWN INVESTIGATION TO ACCURACY OF INFORMATION AND CONSULT WITH THEIR APPROPRIATE FINANCIAL, LEGAL, OR BUSINESS ADVISORS.



97 State Street  
3rd Floor



This is a representative drawing only and is not to scale.

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Up Country  
Home Inspectors, inc.

JOB 5983 - 4th FLOOR

SHEET NO \_\_\_\_\_ OF \_\_\_\_\_

CALCULATED BY M. HIETZEL DATE 1/18/98

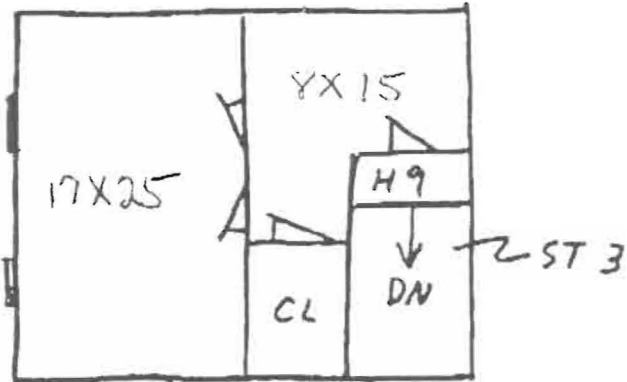
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

SCALE NOT TO SCALE

STATE STREET

A

D



B

C

ATTIC



Up Country  
Home Inspectors, Inc.

JOB 5983 - BASEMENT

SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_

CALCULATED BY M. HETZEL DATE 1/18/98

CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

SCALE NOT TO SCALE

A

STATE STREET

Gully Pipe  
Foundation  
Storage

25 X 35

D



B

C



11:33  
3-6-98

WARRANTY DEED

97 State St.-A limited liability company with its principal place of business at Portland, Maine for consideration paid, grants to Gary Pike Foundation, whose mailing address is P.O. Box 392, West Kennebunk, ME 04094:

with WARRANTY COVENANTS,

A certain lot or parcel of land situated in Portland, in the County of Cumberland and State of Maine and bounded and described as follows:

Beginning at the westerly corner of land now or formerly owned by Cora V. Rounds, on the northeasterly side of State Street; thence running northwesterly adjoining said street about forty-eight and one-half (48 1/2) feet to a stake standing on a line extending from the center of the divisions wall between the house hereby conveyed and the one formerly occupied by Frederick Hale on the same course of said division wall; thence northeasterly to the center of said division wall and continuing on the same course through the center of said wall and the backyard to land now or formerly belonging to Park Street Proprietary about nine rods from said State Street; thence southeasterly by said Proprietary land forty-eight and one-half (48 1/2) feet to a post; thence southwesterly by the fence and land now or formerly of said Cora V. Rounds to the first mentioned bound; with the brick dwelling house thereon.

The foregoing are conveyed subject to the rights and easements granted to Central Maine Power Company and New England Telephone & Telegraph Company in an instrument recorded in the Cumberland County Registry of Deeds in Book 3016, Page 635.

Being the same premises conveyed to Ninety Seven State Street Partners by Trustee's Deed of Landmark Medical Realty Trust dated October 20, 1986 and recorded in said Registry of Deeds, Book 7434, Page 297. Reference is also made to deed of George B. Hefferan to Ninety Seven State Street Partners dated March 7, 1990 and recorded in said Registry at Book 9122, Page 275 and deed of Babette Bryan Bach to Ninety Seven State Street Partners dated November 8, 1990 and recorded in said Registry at Book 9382, Page 43.

Witness the hand and seal of a general partner the 6<sup>th</sup> day of March, 1998.

97 STATE ST.-a limited liability company

*Lucretia S. Packard*  
WITNESS

By: *Susan E. Hunter*  
Susan E. Hunter, Member

State of Maine  
County of Cumberland, ss.

March 6, 1998

Personally appeared the above named Susan E. Hunter and made oath that the foregoing is her free act and deed in her representative capacity.

*Lucretia S. Pickford*  
Lucretia Pickford, Notary Public

LUCRETIA S. PICKFORD  
MY COMMISSION EXPIRES:  
DECEMBER 15, 1999





April 21, 1998

**CITY OF PORTLAND**

045 B 025

Gary Pike Foundation  
Attention: Michael Hill  
PO Box 392  
W. Kennebunk ME 04094

Re: 97 State Street - Lodging Home/Change of Use

Dear Mr. Hill:

On April 21, 1998, the Portland Planning Authority granted minor site plan approval for a Change of Use to Lodging Home located at 97 State Street.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provision and requirement for all site plan approvals:

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.

If there are any questions, please contact the Planning Staff.

Sincerely,

Joseph E. Gray, Jr.  
Director of Planning and Urban Development

- cc:
- Alexander Jaegerman, Chief Planner
  - Alan Holt, Urban Designer
  - P. Samuel Hoffses, Building Inspector
  - Marge Schmuckal, Zoning Administrator
  - Tony Lombardo, Project Engineer
  - Development Review Coordinator
  - William Bray, Deputy Director/City Traffic Engineer
  - Jeff Tarling, City Arborist
  - Associate Corporation Counsel
  - Lt. Gaylen McDougall, Fire Prevention
  - ✓ Mary Gresik, Building Permit Secretary
  - Kathleen Brown, Director of Economic Development
  - Susan Doughty, Assessor's Office
  - Approval Letter File



**PORTLAND BUILDERS INC.**

63 FEDERAL STREET (04101)

P O BOX 4902 (04112)

PORTLAND, MAINE

TEL: 207-879-0118

FAX: 207-772-8182

**FAX TRANSMITTAL**

TO:

Kevin Carroll

FROM:

Joyce

DATE:

10-16-98

SUBJECT:

97 State Street C of D

PAGES (INC. COVER SHEET):

Two

---

Eastern Fire does not take out city  
permits - attached is copy of  
STATE permit

---

Air Temp is faxing a copy of  
their permit

---

Alarm - permit? I am quite  
sure falls under electrical  
& you should have that

---

Call if there is any thing  
else I can do



State of Maine  
Department of Public Safety  
Fire Sprinkler System Permit

# 2602

Gary Pike House

Located at: 97 State Street  
In the Town of: Portland  
Occupancy/Use: Boarding Home  
Type of System: Maine Life Safety

Permission is hereby given to:

Eastern Fire Protection Co., Inc.  
170 Kittyhawk Avenue, P.O. Box 1390  
Auburn, ME 04211-1390  
Contractor License # 101

According to application form/plans that have been filed with the State Fire Marshal's Office and are now approved. This application form/plans are filed under log # 98179, and no departure from application form/plans shall be made without prior approval in writing. This permit is issued under the provisions of Title 32, Chapter 20, Section 12004-1. Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions. Each permit issued shall be displayed/available at the site of construction.

This permit was issued on: 7/8/98 for a fee paid of \$170.00

This permit will expire at midnight on: Monday, January 04, 1999

Commissioner

Fire Department Connection Location/Type per Local Fire Department

Within 30 days of the completion of a new fire sprinkler system or an addition to an existing fire sprinkler system, a fire sprinkler system contractor shall provide to the State Fire Marshal's office a copy of this permit signed and dated by the certified responsible managing supervisor representing that the fire sprinkler system has been installed according to specifications of the approved plan to the best of the supervisor's knowledge, information, and belief. This requirement is part of the sprinkler law and neglect of this duty is grounds to not renew the contractor's license to do work in the State of Maine. All sprinkler licenses expire June 30th every year.

Job completed, tested and verified on date of \_\_\_\_\_

RMS for this job: Philip E. Rieux

RMS Signature: \_\_\_\_\_

**AIRTEMP**  
MECHANICAL CONTRACTORS  
207-774-2300

FAX TRANSMITTAL  
FAX # 207-871-1345

DATE: 10-16-98

TO: CITY OF PORTLAND

FROM: DAVID A. DONNELLY

INSPEC

ATTN: KEVIN CAROL

NUMBER OF PAGES TO FOLLOW: 01





BUILDING PERMIT REPORT

DATE: 6/5/98 ADDRESS: 97 State P- 045-B-025

REASON FOR PERMIT: Change others

BUILDING OWNER: Gray Pike Foundation

CONTRACTOR: Putney Building Co.

PERMIT APPLICANT: \_\_\_\_\_

USE GROUP R-2 BOCA 1996 CONSTRUCTION TYPE 3B

CONDITION(S) OF APPROVAL

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

Approved with the following conditions: \*1, \*8, \*12, \*13, \*14, \*15, \*16, \*17, \*18, \*19, \*20, \*29, \*30, 31, 32

- \* 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 1/2 inch gypsum board or the equivalent applied to the garage means of 1/2 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. w/Smoke detector
- 16. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the





CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 97 State St

Issued to Gary Pike Foundation

Date of Issue November 20, 1998

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. 980606, 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

APPROVED OCCUPANCY

Loding house w/6 rooms,  
kitchen & dining facility  
Boca 96, R-2/B-3

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

11/20/98 *K. Donald*  
.....  
(Date) Inspector

*[Signature]*  
.....  
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.

COMMENTS  
6/16/98 Phone conversation w/ office. No questions or problems.  
6/17/98 Phone conversation w/ Harvey Klugman re: Sprinkler system. Referred him to Lt. James Dwyer. At 10/9/98 - Talk w/ Lt. Mac - All ok except chime on backhead. Plans - Contractor will call when done.

11/20/98 -  
Issue Permanent COF

Lodging House w/ 6 Rooms, Kitchen & Dining Facilities  
BOCA 96, R-2 / B-3  
R

Inspection Record

Type

Date

Foundation: \_\_\_\_\_

Framing: \_\_\_\_\_

Plumbing: \_\_\_\_\_

Final: \_\_\_\_\_

Other: \_\_\_\_\_

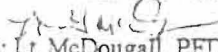
provisions of the City's Building Code Chapter 9, Section 19, 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- 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. A Fire Alarm system shall be installed in accordance w/ NFPA #72
30. A Sprinkler system shall be installed in accordance w/ NFPA #13
31. Acceptance reports shall be submitted to the Portland Fire Dept for Fire alarm & sprinklers.
32. This approval is for interior work only - Historic Preservation
- 33

P. Samuel Hoffses, Code Enforcement

  
cc: Lt. McDougall, PFD  
Marge Schmuckal