9 DEERING STREET

P 258 792 370

# RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Dr. Richard Goduti
STREET AND NO.
9 Deering St.
P.O., STATE AND ZIP CODE
Portland, Me. 04103

POSTAGE $

CERTIFIED FEE

CONSULT POSTMASTER FOR FEES

OPTIONAL SERVICES

SPECIAL DELIVERY

RESTRICTED DELIVERY

RETURN RECEIPT SERVICE

SHOW TO WHOM AND DATE DELIVERED

SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY

SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY

SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY

TOTAL POSTAGE AND FEES $

POSTMARK OR DATE

PS Form 3800, Apr. 1976

Re: 9 Deering St. - Leary (BI)

# CITY OF PORTLAND

JOSEPH E. GRAY, JR.
DIRECTOR OF PLANNING
AND URBAN DEVELOPMENT

August 31, 1982

Dr. Richard Goduti
9 Deering Street
Portland, Maine 04103

Re: 9 Deering Street

Dear Dr. Goduti:

It has come to the attention of this office, as a result of a complaint, that there is a Down East Carriers office at this address. This is in violation of Section 602.7.A of the City of Portland Zoning Ordinance. You must notify the lessee to vacate the premises within 30 days of receipt of this letter.

Sincerely yours,

Merlin Leary
Code Enforcement Officer

ML/jmr

389 CONGRESS STREET • PORTLAND, MAINE 04101 • TELEPHONE (207) 775-5451

115 Todd St

CITY OF PORTLAND, MAINE

DEPARTMENT OF BUILDING INSPECTION

# COMPLAINT

Location: 9 Deering Street

INSPECTION COPY

COMPLAINT NO. 82-58 Date Received July 9, 1982

Location ~9 Deering Street Use of Building

Owner's name and address Dr. Richard Goduti -- same Telephone 772-8277

Tenant's name and address Telephone

Complainant's name and address George Crockett Telephone

Description: Mr. Crockett states they are running a Down East Careers office from this address, no permit.

NOTES: 7-9 Lucian Lamb[illegible] said that she discussed the matter with Dan Reed who never takes licenses. He said that this was all she had to do. No problem thereafter. No C of O issued yet.

Call Dr. Hodutti
re which
office or
offices to
be occupied
by attorney

Dr. Hodutti
c/o Mr. Richard Hodutti
775 3184

9 Deering St.

December 21, 1981

Mr. Richard Goduti
Drashall Field
Falmouth Foreside, Me. 04105

Dear Mr. Goduti:

At the December 17th meeting of the Board of Appeals, the Board voted unanimously to approve your application for a change of use at the above named location from four apartments and doctors' offices to four apartments and attorneys' offices.

A certificate of occupancy can now be issued for this change of use which is included among the conditional uses listed in the R-6 Residential Zone of the Zoning Ordinance. This use was recently added to Section 602.5.A.4.C. by approval of City Council Order #284, dated November 2, 1981. A copy of this amendment is attached to this letter.

Sincerely,

Warren J. Turner
Zoning Specialist

c.c. Sheldon & Morrill, attorneys
Richard J. Goduti
Alfred Lucci, City Assessor
P.S. Hoffses, Chief of Inspection Services
Joseph E. Gray, Dir. Planning & Urban Dev.
David Lourie, Corp. Counsel

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

GAIL D. ZAYAC
Chairperson

MICHAEL E. WESTORT
Secretary

JACQUELINE COHEN
TIMOTHY E. FLAHERTY
EUGENE S. MARTIN
THOMAS J. MURPHY
MERRILL S. SELTZER

All persons interested either for or against this Conditional Use Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, Dec. 17, 1981 at 2:00 p.m. This notice of required public hearing has been sent to the owners of property within 500 feet of the property in question as required by Ordinance.

Dr. Richard Goduti, owner of property at 9 Deering Street, under the provisions of Section 602.24.D of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit change of use of the premises at the above named location from 4 apartments and a doctor's office to 4 apartments and an attorney's office which is not issuable under the Zoning Ordinance in the R-6 Residential Zone in which this property is located unless authorized by the Board of Appeals under the provisions of Sec. 602.5.A.4.c as amended by City Council Order #284, dated November 2, 1981.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 D(3) of the Zoning Ordinance have been met.

Michael E. Westort
Secretary

389 CONGRESS STREET • PORTLAND, MAINE 04101 • TELEPHONE (207) 775-5451

PD
11-18-81

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

APPLICATION FOR A CONDITIONAL USE APPEAL

Richard Goduti, owner of property at 9 Deering St.

under the provisions of Section 602.24 D of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit:

Change of use of the premises from 4 apts and a doctor's office to 4 apts. and an attorney's office which is not issuable under the Zoning Ordinance in the R-6 Residence Zone in which this property is located unless authorized by the Board of Appeals under the provisions of Sec. 602.5.A.4.c as amended by City Council Order #284, dated Nov. 2, 1981

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 D (3) of the Zoning Ordinance have been met. (See reverse side hereof for said conditions.)

Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan approval is required, a preliminary or final site plan is attached hereto as Exhibit A.

x Richard J. Goduti Jr.
APPELLANT

602.24 D (3) Conditions for Conditional Uses.

a. Authorized Uses. A conditional use permit may be issued for: any use specifically listed as a conditional use in the regulations applicable to the zone in which it is to be located.

b. Standards. A conditional use permit for the conditonal uses listed in Sections 602.2 through 602.13 shall be granted only if evidence is presented which establishes:

(1) That the proposed building or use will be in harmony with the general purpose, goals, objectives and standards of the Land Development Plan, the Zoning Ordinance and the Site Plan Ordinance.

(2) That the proposed building or use will not have a substantial adverse effect including monetary, upon adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare.

(3) That the proposed building or use will be constructed, arranged and operated so as not to interfere with the development and use of neighboring property in accordance with the applicable zone regulations.

(4) That the proposed building or use will be served adequately by essential public facilities and services such as highways, streets; police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.

(5) That the proposed building or use will not result in the destruction, loss or damage of any natural, scenic or historic feature of major importance; and

(6) That the proposed building or use complies with all standards imposed on it by the regulations applicable to the zone in which the use is to be located and any additional standards relating to the specified conditional uses.

c. General Considerations. In determining whether the evidence establishes that the foregoing conditions have been met, the Board shall consider:

(1) Whether and to what extent the proposed building or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public convenience or which will contribute to the general welfare of the neighborhood or community;

(2) Whether and to what extent such public goals can be met by the location of the proposed building or use at some site or in some area which may be more appropriate than the proposed site; and

(3) Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed building or use on the immediate vicinity through building design, site design, landscapping and screening.

CITY OF PORTLAND, MAINE
IN THE CITY COUNCIL

#284
11/2/81

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE, IN THE CITY COUNCIL ASSEMBLED, AS FOLLOWS:

THAT, Chapter 602.1 of the Municipal Code (Zoning Ordinance), ordained April 1, 1968, as amended, be further amended as follows:

1. Section 602.7.A.8.c. of the City Zoning Ordinance pertaining to conditional uses (subject to approval by the Board of Zoning Appeals) in R-6 Residence Zones is hereby amended to read as follows (words to be added are underlined):

   "Office space for doctors of medicine, dentistry, osteopathy, architects, insurance, ~~and~~ real estate brokers or agents, <u>and attorneys-at-law.</u> Space for services auxiliary to these <u>professional uses</u> when located in a building containing one or more of such professional uses and when not occupying a floor area equivalent to more than 35% of the total floor area of the building occupied by such professional use."

November 2, 1981

AMENDMENT
TO CHAPTER 602.1 OF THE MUNICIPAL
CODE (ZONING ORDINANCE)

Planning Board

IN THE CITY COUNCIL

NOVEMBER 2 19 81

Given first reading. Motion to dispense with second reading on separate date, passed, 8 Yeas and passed, 8 Yeas.

Attest: Jane Dugan
City Clerk.

One Marginal Way
Portland, ME 04101
December 10, 1981

Zoning Board of Appeals
City of Portland
Room 315, City Hall
Portland, ME 04101

Re: Petition of Dr. Richard Goduti, 9 Deering Street, Portland

Dear Ladies and Gentlemen:

The undersigned is the manager, pursuant to a full Power of Attorney, of the property of George V. and Martha B. LoBozzo at 160 and 162 High Street, Portland. This property is within 500 feet of the property of Dr. Richard Goduti at 9 Deering Street.

I have received notice of Dr. Goduti's petition for a change of use from a doctor's office to an attorney's office to be heard on Thursday, December 17th.

It is my opinion that the proposed use is entirely consistent with the present use, and the change would have no adverse effect upon the surrounding properties, including those at 190 and 192 High Street.

Consequently, I urge you to grant Dr. Goduti's Conditional Use Appeal.

Sincerely,

Kinsey B. Fearon

Kinsey B. Fearon
Attorney in Fact
for George V. and Martha B. LoBozzo

KBF:llh

GODUTI/THOMAS·ARCHITECTS ·559a Congress Street·Portland, Maine·04101·207·775·3184

December 1, 1981

Mr. Sam Hoffses
City of Portland
389 Congress Street
Portland, Maine 04101

RE: 9 DEERING STREET

Dear Mr. Hoffses,

Concerning the office space on the first floor at 9 Deering Street, owned by Dr. Richard Goduti, I would like to clarify the following items.

For the past twenty years, this first floor space has been occupied by Dr. Goduti who has just recently moved to a new location. I have been negotiating with Morrill & Skolfield Attorneys to lease the same first floor space. Pending attorney approval of this conditional use and a signed lease, Morrill & Skolfield will move into the existing space with only a few structural changes and no exterior changes to the building.

The firm of Morrill & Skolfield employs not more than six people, and the number of visitors per day is expected to be approximately ten people. This is far less than the 50 or so people seeing Dr. Goduti and his partner per day. There is an existing parking area behind the building as shown on the site plan submitted to the City. The number of parking spaces reflects the City requirements as follows: one car per apartment plus one car per 400 square feet of office space.

If I can answer any questions, please do not hesitate to call.

Sincerely,

Richard J. Goduti Jr.

Richard J. Goduti, Jr.

/lh

The site plan shows 12 car spaces for offstreet parking

Dr. Goduti is hospitalized 11/30/81 R.J.T.

GODUTI/THOMAS·ARCHITECTS
559a Congress Street · Portland, Maine · 04101

Mr. Sam Hoffses
City of Portland
389 Congress Street
Portland, Maine 04101

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

CONDITIONAL USE APPEAL

Findings of Fact

The applicant is Dr. Richard Goduti and he is interested in the property located at 9 Deering St. as 4 apts. & attorney's office. The owner of the property is same and his address is 9 Deering St. The property is located in a R-6 Zone. The present use of the property is 4 apts. & doctor's office.

The applicant respectfully petitions the Board of Appeals for a conditional use permit to permit change of use from 4 apts. & doctor's office to 4 apts. and attorney's office

Further Findings of Fact

Case as presented in printed evidence.

Appearances

The names and addresses of those appearing in support of the application are: Richard Goduti, owner of owner
Allyson Merrill, atty.

and the names and addresses of those appearing in opposition to the application are:

Exhibits

The documentary evidence presented to the Board, including, but not by way of limitation, plans, specification, photographs, etc. consisted of the following:

letter, plans.

_____

_____

_____

REASONS FOR DECISIONS

The proposed building or use (will/~~will not~~) be in harmony with the general purpose, goals, objectives and standards of the Land Development Plan, the Zoning Ordinance and the Site Plan Ordinance, as evidenced by: _____

_____

_____

The proposed building or use (~~will~~/will not) have a substantial adverse effect, including monetary, upon adjacent property, the character of the neighborhood, the traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare, because of the following: _____

_____

_____

_____

.... The proposed building or use (~~will~~/will not) be constructed, arranged and operated so as to interfere with the development and use of neighboring property in accordance with the applicable zoning regulations as demonstrated by: _____

_____

_____

_____

.... The proposed building or use (will/~~will not~~) be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools, as evidenced by: _____

_____

_____;

and the persons or agencies responsible for the establishment of the proposed use (will/~~will not~~) provide adequately for such services as shown by: _____

_____

_____

_____

The proposed building or use (~~will~~/will not) result in the destruction, loss or damage of any natural, scenic or historic feature of major importance, because of the following: _____

_____

_____

The proposed building or use (will/~~will not~~) comply with all standards imposed on it by the regulations applicable to the zone in which the use will be located and any additional standards relating to the specific conditional use as demonstrated by the following: _____

_____

_____

The proposed building or use at the particular location requested (is/~~is not~~) necessary or desirable to provide a service or a facility which is in the interest of the public convenience or which (will/~~will not~~) contribute to the general welfare of the neighborhood or community, as demonstrated by: _____

_____

_____

_____

The public goals described above (can/~~can not~~) be met by the location of the proposed building or use at some site or in some area which may be more appropriate than the proposed site, because of the following: _____

_____

_____

_____

All steps possible (have/~~have not~~) been taken to minimize any adverse effects of the proposed buildings or use on the immediate vicinity through building design, site design, landscaping and screening as evidenced by: _____

_____

_____

_____

SPECIFIC RELIEF GRANTED

After a public hearing on 12/17/81, the Board of Appeals find that all of the conditions required by the Ordinance (do/~~do not~~) exist with respect to this property and that a conditional use should _____ be granted in this case.

It is therefore determined that a conditional use ~~_____~~ be granted in this case by:

For.

Gail D. Zayac

Michael E. Westbrook

Jacqueline Cohen

Marvel A. Schlitter

Eugene S. Martin

Thomas J. Murphy

CITY OF PORTLAND, MAINE

MEMORANDUM

TO: Mr. Arthur French

DATE: 9-27-78

FROM: Fire Prevention Bureau

SUBJECT: 9 Dearing Ave. (furniture refinnishing)

Approval is hereby given for a building permit from this Department subject to the following requirements/reasons:

1) All flammable finnishes shall be stored in approved cabinets and shall not exceed sixty gallons maximum.

2) The partition between the show room and work area shall have a fire rating of at least one hour including fire doors with self closers.

3) The work area shall have an exit leading directly to the outside.

4) An adequate ventillation system shall be provided for the work area.

Lt. James P. Collins
Fire Prevention Bureau

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection

# Certificate of Occupancy

LOCATION 9 Deering Street

Issued to Dr. Richard Goduti, 9 Deering Street  Date of Issue March 16, 1966

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. 65/363, 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 | APPROVED OCCUPANCY |
|---|---|
| Third floor | Two apartments |

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:
Nelson F Cartwright
(Date) Inspector

Gerald 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.

CS 147

AP - 9 Deering Street

April 12, 1965

Mr. Clayton Erskine
400 Ocean Ave.

cc: Dr. Richard Goduti
9 Deering Street

Dear Mr. Erskine:

Permit to provide two apartments on the third floor at the above address is being issued subject to revised plan submitted April 1, 1965 and Building Code restrictions as follows:

It is understood that an approved automatic fire detection and alarm system will be installed throughout all rooms and spaces in the first story and in all public halls and closets off halls throughout the entire three stories. This work will need to be done under a separate permit to be taken out by the actual installing contractor.

A separate permit will also be required for the metal fire escape at the rear of the building.

Very truly yours,

Archie L. Seekins
Deputy Director of
Building Inspection

ALS/h

AP - 9 Deering Street

April 2, 1965

Dr. Richard Goduti
9 Deering Street

cc: Corporation Counsel
cc: Clayton Fielding
400 Ocean Avenue

Dear Dr. Goduti:

Building permit for providing two apartments in third story of building at the above named location, thus making four apartments as well as a suite of doctor's offices in the entire building, is not issuable under the Building Code for the following reasons:

1. The one-hour fire resistive separation required by Section 203-b-3 between the offices in the first story and the apartments above is not to be provided.

2. A single step down from second floor level to platform of rear stairs from second to first story is in violation of Section 212-e-5.3.

We understand that you would like to ask the Municipal Officers (City Council) for relief from compliance with these two requirements of the Building Code as permitted by Section 115-a-1 of Code; and in lieu of the required one-hour separation will install an approved automatic fire detection and alarm system throughout all rooms and spaces in the first story and in all public halls and closets off halls throughout the entire three stories. If you are willing to proceed on this basis, you should come to this office to file the appeal on forms which are available here.

Very truly yours,

Albert J. Sears
Director of Building Inspection

AJS/h

**CITY OF PORTLAND, MAINE**

**FIRE DEPARTMENT**

**To:** Mr. Albert J. Sears, Building Insepctor **DATE:** March 19, 1965

**FROM** Haswell M. Bruns, District Chief

**SUBJECT:** Permit involving 9 Deering Street

The permit application for 9 Deering Street is approved by this office with the following provisions:

Night lights are to be installed on owners meter (due to occupancy).

5 A solid core door with a door closer is to be installed at the head of the stairs from the second floor.

If a fire escape is installed, a separate permit is required.

Haswell M. Bruns
Haswell M. Bruns
District Chief

RECEIVED
MAR 23 19[illegible]
DEPT. OF [illegible]
CITY OF PORTLAND

A.P.- 9 Deering St.

March 26, 1965

Dr. Richard Goduti
9 Deering Street
Mr. Clayton C. Perkins
40 Ocean Avenue

Gentlemen:

Check of plans for providing two apartments in the third story of the building at the above named location, thus making four apartments as well as a suite of doctor's offices in the entire building, discloses the following questions as to compliance with building code requirements:

1. Because number of apartments in the building will be increased to more than two, apartment house requirements must be applied. Sec.203-b-3 specifies that there shall be separations of at least one-hour fire resistance provided between the offices in the first story and the living quarters above. To do this would make necessary providing metal lath and plaster ceilings or construction of similar fire resistance over the entire area of the first story and to enclose all stairways leading upward with partitions and fire doors of the same fire resistance. Since this would present practical difficulties, it may be that you may wish to ask the Municipal Officers (City Council) for relief from compliance with this requirement. However, it is not likely that such approval would be given unless some compensating feature were provided. In other instances the installation of an automatic fire detection and alarm system throughout cellar and first story has been accepted as such compensation. We will be glad to discuss the question of appeal further upon request.

2. The opening in partition between rear hall in third story where access to fire escape is to be located and the central hall beside stairway will need to be closed, with both sides of studs covered with at least 3/8 inch gypsum wallboard. In such a case the door at the head of the stairs can be eliminated.

3. A glass panel will be needed in new door to fire escape in order to furnish light for rear hallway.

4. Windows at least 6 square feet in area need to be installed in partitions on each side of front hall in order to furnish reflected light for hall. These may be glazed with pebbled or other glass which is not transparent.

5. Openings to be closed in hallway partitions are required to be covered on each side with at least 3/8 inch gypsum wallboard. This applies also to new partition forming rear hall.

6. Should not new door opening shown from bedroom of one apartment into the front bathroom be located in the other partition so entrance will be from kitchen of the other apartment?

7. Both front and rear halls in all stories of the building are required to be lighted from the owner's meter and controlled by an automatic time switch so as to be burning throughout the hours of darkness.

8. If there is a single step down existing at head of rear stairs in second story leading to first story, it will need to be eliminated.

Permit for the proposed alterations cannot be issued until information indicating compliance with above requirements has been furnished.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJSim

B6 RESIDENCE ZONE

# APPLICATION FOR PERMIT

ISSUED
00.3573
APR 12 1965
CITY OF PORTLAND

*Class of Building or Type of Structure* Second Class

*Portland, Maine,* March 12, 1965

*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 9 Deering Street Within Fire Limits? ..... Dist. No. .....

Owner's name and address Dr. Richard Goduti, 9 Deering St. Telephone .....

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

Contractor's name and address Clayton Erskine, 400 Ocean Ave. Telephone 4-4717

Architect ..... Specifications ..... Plans yes No. of sheets 1

Proposed use of building Offices and apartments No. families 4

Last use " No. families 2

Material brick No. stories 3 Heat ..... Style of roof ..... Roofing .....

Other buildings on same lot .....

Estimated cost $ 1000. Fee $ 5.00

## General Description of New Work

To provide two apartments on third floor as per plan
(fire escape to be applied for under another application)

Permit Issued with Letter

Being code
Appeal sustained 4/5/65 Sent to Portland 3/17/65
Recd to file 3/23/65

*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*** Erskine

## 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? .....

*APPROVED:*

Earl P. Johnson
CHIEF OF FIRE DEPT.

## 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 Dr. Richard Goduti

CS 301

INSPECTION COPY

*Signature of owner* By: Clayton C Erskine

P.1t

Permit No. 65/363

Location 9 Lincoln Street

Owner Dr. Richard Goldstein

Date of permit 4/12/65

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued 3/16/66

Staking Out Notice

Form Check Notice

NOTES

6-15-65 Phoned Mrs. Goldstein to install door on Joist Basement Wall & 12" block-3" Wall & Comm

2-7-66 Completed

PERMIT TO INSTALL PLUMBING

15625

PERMIT NUMBER

Date Issued 9/29/65

Portland Plumbing Inspector

By E.R. Goodwin

App. First Insp.

Date OCT - 8 '65

By ERNOLD R. GOODWIN
CHIEF PLUMBING INSPECTOR

App. Final Insp.

Date FEB - 9 1966

By ERNOLD R. GOODWIN
CHIEF PLUMBING INSPECTOR

Type of Bldg.

☐ Commercial
Residential
☐ Single
☐ Multi Family
New Construction
Remodeling

Address 9 Cent[illegible] Street

Installation For: Mr. [illegible] J. Gardell

Owner of Bldg. [illegible]

Owner's Address [illegible] Street, Falmouth, Maine

Plumber: A. F. Iverson Date: 9/27/65

| New | Rep | | No. | Fee |
|---|---|---|---|---|
| 2 | | SINKS | 2 | 4.00 |
| 1 | 1 | LAVATORIES | 2 | 2.00 |
| 1 | 1 | TOILETS | 2 | 2.60 |
| 1 | 1 | BATH TUBS | 2 | 1.20 |
| | | SHOWERS | | |
| | | DRAINS | | |
| | | HOT WATER TANKS | | |
| | | TANKLESS WATER HEATERS | | |
| | | GARBAGE GRINKERS | | |
| | | SEPTIC TANKS | | |
| | | HOUSE SEWERS | | |
| | | ROOF LEAKERS | | |
| | | OTHER | | |
| | | TOTALS | 8 | 11.80 |

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

PORTLAND HEALTH DEPT. PLUMBING INSPECTION TOTAL ▶ $ 2.00

☐ REMODELING

5M 12-53 ☐ PORTLAND HEALTH DEPT. PLUMBING INSPECTION Total

☐ REMODELING

5M 12-53 ☐ PORTLAND HEALTH DEPT. PLUMBING INSPECTION Total

## PERMIT TO INSTALL PLUMBING

13561
PERMIT NUMB

Date Issued 12-24-63
PORTLAND PLUMBING INSPECTOR

By J. P. Welch
APPROVED FIRST INSPECTION

Date 12-31-63
By J. L. Klein
APPROVED FINAL INSPECTION

Date
By JOSEPH P. WELCH

TYPE OF BUILDING
- ☐ COMMERCIAL
- ☐ RESIDENTIAL
  - ☐ SINGLE
  - ☐ MULTI FAMILY
- ☐ NEW CONSTRUCTION
- ☐ REMODELING

Address: 9 Deering Street
Installation For: Dr. Richard J. Goduti
Owner of Bldg.: Dr. Richard J. Goduti
Owner's Address: 9 Deering Street
Plumber: M. F. Cunningham Date: 12-24-63

| NEW | REP'L | PROPOSED INSTALLATIONS | NUMBER | FEE |
|---|---|---|---|---|
| | | SINKS | | |
| | | LAVATORIES | | |
| | | TOILETS | | |
| | | BATH TUBS | | |
| | | SHOWERS | | |
| | | DRAINS | | |
| | | HOT WATER TANKS | | |
| | | TANKLESS WATER HEATERS | | |
| | | GARBAGE GRINDERS | | |
| | | SEPTIC TANKS | | |
| | | HOUSE SEWERS | | |
| | | ROOF LEADERS (Conn. to house drain) | | |
| 1 | | Install a tankless water heater | 1 | $ 2.00 |
| | | | | |
| | | TOTAL ▶ | | $ 2.00 |

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

☐ REMODELING
5M 12-53 ☐ PORTLAND HEALTH DEPT. PLUMBING INSPECTION Total $ 2.00

☐ REMODELING
5M 12-53 ☐ PORTLAND HEALTH DEPT. PLUMBING INSPECTION Total

PERMIT NUMBER 9324

Date Issued 10-3-60

PORTLAND PLUMBING INSPECTOR

By J. P. Welch

APPROVED FIRST INSPECTION

Date 11-1-60

By [illegible]

APPROVED FINAL INSPECTION

Date

By JOSEPH P. WELCH

TYPE OF BUILDING

- ☐ COMMERCIAL
- ☐ RESIDENTIAL
  - ☐ SINGLE
  - ☐ MULTI FAMILY
- ☐ NEW CONSTRUCTION
- ☐ REMODELING

## PERMIT TO INSTALL PLUMBING

Address: 9 Deering Street

Installation For: Dr. Richard [illegible]

Owner of Bldg. Dr. Richard [illegible]

Owner's Address: 9 Deering Street

Plumber Sullivan & Dorian Inc. Date: 10-[illegible]

| NEW | REP'L | PROPOSED INSTALLATIONS | NUMBER |
|---|---|---|---|
| | | SINKS | |
| 1 | | LAVATORIES | 1 |
| | | TOILETS | |
| | | BATH TUBS | |
| | | SHOWERS | |
| | | DRAINS | |
| | | HOT WATER TANKS | |
| | | TANKLESS WATER HEATERS | |
| | | GARBAGE GRINDERS | |
| | | SEPTIC TANKS | |
| | | HOUSE SEWERS | |
| | | ROOF LEADERS (conn. to house drain) | |
| | | | |

3

5M 12-53 ☐ PORTLAND HEALTH DEPT. PLUMBING INSPECTION Total $5.00

☐ REMODELING

5M 12-53 ☐ PORTLAND HEALTH DEPT. PLUMBING INSPECTION Total

PERMIT NUMBER 7373

Date Issued 4/6/59

PORTLAND PLUMBING INSPECTOR

By J. P. Welch

APPROVED FIRST INSPECTION

Date Apr 14-59

By J. P. Welch

APPROVED FINAL INSPECTION

Date May 7-59

By J. P. WELCH

TYPE OF BUILDING

- ☐ COMMERCIAL
- ☐ RESIDENTIAL
  - ☐ SINGLE
  - ☐ MULTI FAMILY
- ☐ NEW CONSTRUCTION
- ☐ REMODELING

## PERMIT TO INSTALL PLUMBING

Address: 9 Deering St

Installation For: ✓

Owner of Bldg.: Dr. Richard L. Hodnett

Owner's Address: 9 Deering St

Plumber: Lathrop Pierson Date: 4-6-

| NEW | REP'L | PROPOSED INSTALLATIONS | NUMBER | |
|---|---|---|---|---|
| 3 | | SINKS 1 Extra | 3 | 2 |
| 3 | | LAVATORIES | 3 | 2 |
| 1 | | TOILETS | 1 | |
| | | BATH TUBS | | |
| | | SHOWERS | | |
| | | DRAINS | | |
| 2 | | HOT WATER TANKS | 2 | |
| | | TANKLESS WATER HEATERS 3 | | |
| | | GARBAGE GRINDERS | | |
| | | SEPTIC TANKS | | |
| | | HOUSE SEWERS | | |
| | | ROOF LEADERS (conn. to house drain) | | |
| | | | 11 Total | 6 |

5M 12-53 ☐ PORTLAND HEALTH DEPT. PLUMBING INSPECTION

9 Deering St.

Sept. 2, 1965

Hibro & Clark
58 Edgewood Avenue

cc to: Dr. Richard J. Coduti, 9 Deering Street
cc to: Fire Department

Gentlemen:

Building permit to erect a metal fire escape as per plans is not issuable as the drop ladder extends 12 feet from the ground to the lower platform in violation of Building Code Section 303-g-2 which limits the height of ladders to not over 10 feet above the ground.

The plot plan should show by dimension the distance from the lot and street lines and the location on the building.

The rise and run of the treads should be shown on each stairway.

A detail of the bracket is needed showing the size of members and joint fastening as well as the location and size of bolts and lags fastening brackets to the wall.

A note should be provided giving the sizes of stringers, landings and platforms, treads, rails, ladder stringers and ladder rungs.

Either a signed certificate of design as enclosed or the identical wording printed on the plan and signed will be needed for fire escape and other structural plans in accordance with Building Code Section 104-b-3.

Very truly yours,

Gerald E. Mayberry
Deputy Building Inspection Director

GEM:m

enc.

**CITY OF PORTLAND, MAINE**

**FIRE DEPARTMENT**

**To:** Mr. Albert J. Sears, Building Inspector **DATE:** August 30, 1965

**FROM** Haswell M. Bruns, District Chief

**SUBJECT:** Fire Escape at 9 Deering Street

The permit for installing a fire escape at 9 Deering Street cannot be approved by this office, due to the escape ladder showing at least 12 feet above grade instead of the required 10 feet.

Haswell M. Bruns
Haswell M. Bruns
District Chief

RECEIVED
AUG 31 1965
DEPT. OF BLDG. INSP.
CITY OF PORT

B5 RESIDENCE ZONE

# APPLICATION FOR PERMIT

PERMIT ISSUED
OCT 12 1965
CITY OF PORTLAND

*Class of Building or Type of Structure* Second Class

*Portland, Maine,* August 27 1965

*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 9 Deering St. Within Fire Limits? ..... Dist. No. .....

Owner's name and address Dr.Richard J Goduti, 9 Deering St. Telephone .....

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

Contractor's name and address Bibro & Clark, 58 Edgewood Ave. Telephone 797-5194

Architect ..... Specifications ..... Plans yes No. of sheets 1

Proposed use of building Offices and Apartments No. families 4

Last use " " No. families .....

Material brick No. stories 3 Heat ..... Style of roof ..... Roofing .....

Other buildings on same lot .....

Estimated cost $ 1150.00 Fee $ 6.00

## General Description of New Work

To erect steel and wood fire escape on rear of building from third floor to ground as per plan.
To cut in new exit door on third floor rear of building.

Sent to Fire Dept. 8/27/65
Rec'd from Fire Dept. 8/27/65

*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* contractor

## 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 .....

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

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 .....

Kind and thickness of outside sheathing of exterior walls? .....

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:*
G.E.M. w/memo

## 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

Dr.Richard J Goduti
Bibro & Clark

by: *Signature of owner* Kenneth W. Clarke

INSPECTION COPY

Permit No. 65/1108

Location [illegible] Street

Owner [illegible]

Date of permit 10/17/65

Notif. closing-in

Inspn. closing-in

Final Notif. 1/25/66

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

NOTES

10-20-65 Not started

12-24-65 Steel part

11/20/66 - Must delete

Take Cov of Fire escape

not finished E.S.

2-4-66 Completed

except rail bottom

landing on the escape

To phone

2-7-65 Completed

Memorandum from Department of Building Inspection, Portland, Maine

A.P.- 9 Deering Street

August 13, 1965

Curran Electric Supply Co.
399 Fore Street

cc to: Fire Department

Dr. Richard J. Coduti
9 Deering Street

Gentlemen:

Permit to install an[illegible] fire detection and alarm system in building at the above r[illegible]on is issued herewith subject to the condition that the [illegible] part of the system is at least to cover the entire cellar [illegible]fices, rooms, and spaces in the first story; and all public [illegible] stair halls and closets opening off halls or located beneath [illegible]s.

Very truly yours,

Albert J. Sears
Building Inspection Director

AJS:m

CS-27

Memorandum from Department of Building Inspection, Portland, Maine

FIRE ALARM SYSTEM

August 11, 1965

Location: 9 Herring St.

When such a system has been installed, the owner and lessee of the building are responsible for keeping the system in working order at all times so that the system may always be on guard to warn the occupants of the building in case a fire starts. To discharge this responsibility and to have good assurance that he will not be held with financially or criminally liable in case of injury or loss of life in the building due to fire, it is my belief that the owner and lessee must see to it that the alarm system is tested everytwenty-four hours. This may be done by merely pressing very briefly the test button to see if the bells ring loud and clear.

Most of these systems have dry batteries for power, and the batteries will deteriorate in time so that they will not ring the alarm bells satisfactorily if they fail. If the batteries are used briefly by this test every day, they will last longer than when tested less frequently.

Because this is a safety device whenever it is found that the bells do not ring loud and clear or any other defects appears in the system, the owner or his agent should notify immediately some predetermined party who has agreed in advance to come at once and service the system, whether day or night, Sundays or holidays.

It is recommended that the name of such a party and the address and telephone number be posted permanently on or in the control box of the system.

CS-27

CITY OF PORTLAND, MAINE

FIRE DEPARTMENT

To: Mr. A. J. Sears, Bldg. Inspection Director DATE: August 10, 1965

FROM H. M. Bruns, District Chief, Portland Fire Prevention Bureau

SUBJECT: Installation of Fire Alarm System at 9 Deering St.

Permit for the installation of fire detection and alarm system at 9 Deering Street is approved by this office, providing that system covers all offices, halls, closets off halls and under stairs, all stair halls, and the entire basement.

RECEIVED
AUG 10 1965
DEPT OF BLDG INSP.
CITY OF PORTLAND

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:
C. P. Johnson
CHIEF OF FIRE DEPT.

**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

Curtis Electric Supply Company

as to

INSPECTION COPY Signature of owner by:

R6 RESIDENCE ZONE

PERMIT ISSUED
AUG 13 1965
CITY OF PORTLAND

# APPLICATION FOR PERMIT

*Class of Building or Type of Structure* 2d cl. Installation

*Portland, Maine,* August 9 1965

*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 9 Deering St. Within Fire Limits? _____ Dist. No. _____

Owner's name and address Dr. Richard J. Goduti, 9 Deering St. Telephone _____

Lessee's name and address _____ Telephone _____

Contractor's name and address Curran Electric Supply, Co. 399 Fore St. Telephone 772-5424

Architect _____ Specifications _____ Plans no No. of sheets _____

Proposed use of building Offices & Apartments, Wally addition (Offices and apartments) No. families 4

Last use _____ No. families _____

Material brick No. stories 3 Heat _____ Style of roof Pitched Roofing _____

Other buildings on same lot no

Estimated cost $ _____ Permit Issued with Memo Fee $ 5.00

D.C. Panel

## General Description of New Work

To install Electroalarm automatic fire alarm system using Spot Fire Lowecator thermostats 15' right angles 30' on centers, covering basement, closets, halls, stairways, third floor (entire bldg.) Gongs of such tone, strength of signal, number and location as to arouse all persons for whose protection intended, current by dry batteries of capacity to ring all gongs simultaneouslyat full signal strength, to operate system for a least one year, installed in substantial cabinet of no less than 14 gauge steel or well seasoned wood at least 3/4" thick with hinged door and catch and located not less than 6" nor more than 6' above floor in dry, clean place where temperature will not go below 40 degrees F. nor above 100 degrees, test button rigidly fastened in place, conveniently located to permit and capable of testing bells and gongs frequently. Alarm silencing switch, if provided, will be so arranged that alarm will sound if switch is thrown to "silent" position when alarm is not sounding. Installer will fasten to control box full instructions as to operation and testing of system and where and how to secure servicing if system gets out of order.

6" Edwards gongs-located one in front hall and onebetween 1st, 2nd and 3rd floors.

*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*** Curran Electric Supply Co.

Sent to Fire Dept. 8/9/65
Rec'd from Fire Dept. 8/10/65

## 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? _____

*APPROVED:*

H. E. H.

Carl E. Johnson
CHIEF OF FIRE DEPT.

## 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

Curran Electric Supply Company

Signature of owner by: _____

ES 361

INSPECTION COPY

Permit No. 65 1818

Location 9 Quincy Street

Owner Dr. Frederick Stockle

Date of permit 8/13/65

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

NOTES

2-7-66 Completed except Alarm Box & Spot Locator in basement toilet. GP

3-16-66 Completed except ±elt & directional Phenol. X GP

CITY OF PORTLAND, MAINE

# Application for Permit to Install Wires

Permit No. 54096

Issued 8/9/

Portland, Maine 8/9, 1951

*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 Richard Goldstein Tel.

Contractor's Name and Address Lyman Electric Supply Co. Tel.

Location 7 Deering St. Use of Building Apts & Offices

Number of Families 5 Apartments 4 Stores Number of Stories 3

Description of Wiring: New Work Additions Alterations ✓

Pipe Cable Metal Molding BX Cable Plug Molding (No. of feet)

No. Light Outlets 8 Plugs 20 Light Circuits Plug Circuits

FIXTURES: No. Light Switches Fluor. or Strip Lighting (No. feet)

SERVICE: Pipe Cable Underground ✓ No. of Wires Size

METERS: Relocated Added 2 Total No. Meters

MOTORS: Number Phase H. P. Amps Volts Starter

HEATING UNITS: Domestic (Oil) No. Motors Phase H.P.

Commercial (Oil) No. Motors Phase H.P.

Electric Heat (No. of Rooms)

APPLIANCES: No. Ranges 2 Watts Brand Feeds (Size and No.) 6/3

Elec. Heaters Watts

Miscellaneous Watts Extra Cabinets or Panels

Transformers 1 Air Conditioners (No. Units) Signs (No. Units)

Will commence 8/10 1951 Ready to cover in 19 Inspection 19 Rnt/Call

Amount of Fee $ 7.00

Signed [illegible]

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 [illegible]

(OVER)

LOCATION Deering St. 9

INSPECTION DATE 10/24/63

WORK COMPLETED 10/24/63

TOTAL NO. INSPECTIONS 1

REMARKS:

## FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963

| | | |
|---|---|---|
| **WIRING** | | |
| 1 to 30 Outlets | (including switches) | $ 2.00 |
| 31 to 60 Outlets | (including switches) | 3.00 |
| Over 60 Outlets, each Outlet | (including switches) | .05 |
| (Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet). | | |
| **SERVICES** | | |
| Single Phase | | 2.00 |
| Three Phase | | 4.00 |
| **MOTORS** | | |
| Not exceeding 50 H.P. | | 3.00 |
| Over 50 H.P. | | 4.00 |
| **HEATING UNITS** | | |
| Domestic (Oil) | | 2.00 |
| Commercial (Oil) | | 4.00 |
| Electric Heat (Each Room) | | .75 |
| **APPLIANCES** | | |
| Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Dishwashers, etc. — Each Unit | | 1.50 |
| **TEMPORARY WORK** (Limited to 6 months) | | |

Granted Conditionally
65/37 4/15/65

# City of Portland, Maine
## Municipal Officers
## BUILDING CODE

April 2, 1965

*To the Municipal Officers:*

Your appellant, Dr. Richard Goduti, who is the owner of property at 9 Deering Street, respectfully petitions the Municipal Officers of the City of Portland to permit an exception to the provisions of the Building Code relating to this property, as provided by Section 115, Paragraph A of said Building Code to provide two apartments in third story at above location, thus making four apartments as well as a suite of doctor's offices in the entire building. This permit is presently not issuable under the Building Code for the following reasons: (1) The one-hour fire resistive separation required by Section 203-b-3 between the offices in the first story and the apartments above is not to be provided; (2) A single step down from second floor level to platform of rear stairs from second to first story is in violation of Section 212-c-5.3.

The facts and conditions which make this exception legally permissible are as follows:
An exception may be granted if the Municipal Officers find that enforcement of the Building Code would involve practical difficulty and desirable relief may be granted without substantially departing from the intent and purpose of the Code.

Richard J. Goduti
Appellant

After public hearing held on the 5th day of April, 1965, the Municipal Officers find that an exception is granted conditionally. The condition being that an automatic fire alarm system be installed.

It is, therefore, determined that exception to the Building Code may be permitted in this specific case.

Charles W. Allen
Donald B. Clapp
Clifton McFate
Dennis P. O'Brien
J. Walter Walsh
Ralph Cargo
MUNICIPAL OFFICERS

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Robert W. Donovan, Asst. Corporation Counsel DATE: April 2, 1965

FROM: Albert J. Sears, Building Inspection Director

SUBJECT: Building Code appeal at 9 Deering Street

At present this building contains a suite of doctor's offices in first story and two apartments in second story, with the third story being vacant. In providing two apartments in the second story, thus increasing the apartments in the building to more than two, apartment house requirements must be applied to the living quarters in the building.

The Building Code specifies that where an apartment house is in the same building with a business use, a fire-separation of at least one-hour fire resistance shall be provided between the two uses. To comply with such a requirement would make it necessary to provide a new fire-resistive ceiling over the entire first story and to enclose all stairways leading upward therefrom with fire-resistive material. This is difficult and expensive to do in an existing building, particularly if it is occupied.

Because the office use does not present a particularly serious fire hazard to the living quarters above it, the most serious being the fact that the offices are unoccupied during the night and thus a fire starting there could be well underway before anyone was aware of it, the Municipal Officers have in the past in similar circumstances approved omission of the required fire protection if in lieu of it an approved automatic fire detection alarm system is installed throughout the office quarters and public halls. This the owner of the building proposes to do. Chief Johnson feels that this should be acceptable in this instance.

While the single stepdown at the head of the rear stairs to first story is in violation of Code requirements, the situation is such that it is impossible to eliminate it without rebuilding of the entire stairway. The hazard if any, which it creates in this particular instance does not appear to be great and therefore it is felt that this requirement may safely be waived.

Albert J. Sears
Albert J. Sears

AJS:m

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Robert W. Donovan, Asst. Corporation Counsel DATE: April 2, 1965

FROM: Albert J. Sears, Building Inspection Director

SUBJECT: Building Code appeal at 9 Deering Street

At present this building contains a suite of doctor's offices in first story and two apartments in second story, with the third story being vacant. In providing two apartments in the second story, thus increasing the apartments in the building to more than two, apartment house requirements must be applied to the living quarters in the building.

The Building Code specifies that where an apartment house is in the same building with a business use, a fire-separation of at least one-hour fire resistance shall be provided between the two uses. To comply with such a requirement would make it necessary to provide a new fire-resistive ceiling over the entire first story and to enclose all stairways leading upward therefrom with fire-resistive material. This is difficult and expensive to do in an existing building, particularly if it is occupied.

Because the office use does not present a particularly serious fire hazard to the living quarters above it, the most serious being the fact that the offices are unoccupied during the night and thus a fire starting there could be well underway before anyone was aware of it, the Municipal Officers have in the past in similar circumstances approved omission of the required fire protection if in lieu of it an approved automatic fire detection alarm system is installed throughout the office quarters and public halls. This the owner of the building proposes to do. Chief Johnson feels that this should be acceptable in this instance.

While the single stepdown at the head of the rear stairs to first story is in violation of Code requirements, the situation is such that it is impossible to eliminate it without rebuilding of the entire stairway. The hazard if any, which it creates in this particular instance does not appear to be great and therefore it is felt that this requirement may safely be waived.

Albert J. Sears

AJS:m

April 7, 1965

Dr. Richard Goduti,
9 Dearing Street

Dear Dr. Goduti:

Enclosed please find copy of the decision of the Municipal Officers relating to your request to provide two apartments in third story of 9 Dearing Street without providing certain requirements under the Building Code.

It will be noted that this request was granted with the condition that the building be equipped with an automatic fire alarm system.

Very truly yours,

Robert W. Donovan
Assistant Corporation Counsel

h
Enclosure (1)

COPY

FILL IN AND SIGN WITH INK

PERMIT ISSUED
DEC 24 1963
CITY of PORTLAND

# APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

*Portland, Maine,* December 24, 1963

*To the* INSPECTOR OF BUILDINGS, PORTLAND, ME.

*The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:*

Location 9 Deering Street Use of Building Office No. Stories ~~New~~ Building Existing "

Name and address of owner of appliance Dr. Richard J. Goduti, 9 Deering St.

Installer's name and address Ballard Oil & Equip. Co., 135 Marginal Way Telephone

## General Description of Work

To install oil-fired steam boiler (replacement)

## 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 burnable material, from top of appliance or casing top of furnace 4'

From top of smoke pipe 2' From front of appliance 4' From sides or back of appliance 3'

Size of chimney flue 12x12 Other 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 American Standard Labelled 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 1½"

Location of oil storage basement Number and capacity of tanks 1-275 gal.

Low water shut off yes Protec-Miller No. #67

Will all tanks be more than five feet from any flame? yes How many tanks are closed?

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 one heater, etc., $1.00 additional for each additional heater, etc., in same building at same time.)

APPROVED:
OK 12-24-63

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

Ballard Oil & Equip. Co.

*Signature of Installer* [signature]

CS 395

INSPECTION COPY

Permit No. 63/1657

Location 9 Olivine St.

Owner Dr. Richard Hodutz

Date of permit 12/24/63

Approved

Vent Pipe

Kind of Heat

Burner Sight Glass or Inspection

Name of Dealer

Stack Connection

High Limit Control

Remote Fill

Piping

Valves Equipped

Capacity of Tanks

Tank Refilling Screens

Tank Distance

Oil Guard

Inspection Cap

Low Water Shut-off

NOTES

Gas Piping Checked

Granted 9/15/60
60/112

DATE: Sept. 15, 1960

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF RICHARD GOUTI:

AT 9 DERBINE STREET

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

| BOARD OF APPEALS | VOTE Yes | No |
|---|---|---|
| Franklin G. Hinckley | ( ) | ( ) |
| Harry M. Shwartz | ( ) | ( ) |
| Ralph L. Young | ( ) | ( ) |

Record of Hearing:

No opposition.

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

VARIANCE APPEAL

August 23, 1960

Richard Codati, owner of property at 9 Deering Street 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: Providing foundation and permanent enclosure for existing one-story porch on rear of building at this location and to use this additional space in connection with existing suite of doctor's offices in first story thereof. This permit is presently not issuable because this would be an extension of the non-conforming use authorized by the Board of Appeals on February 13, 1959 to a part of the building not covered by the appeal, contrary to the provisions of Section 17-B of the Ordinance.

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.

Richard J. Codati
APPELLANT

DECISION

After public hearing held September 13, 1960 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.

BOARD OF APPEALS

LUTHER A. BROWN, M. D.
13 DEERING STREET
PORTLAND MAINE

September 12, 1960

Franklin G. Hinckley, Esq.
c/o Board of Appeals
208 City Hall
Portland, Maine

Dear Sir:

Since I am a nearby property owner and cannot be present at City Hall September 15th at the hearing of Dr. Richard Goduti's request of providing a foundation and permanent enclosure at 9 Deering St. I wish to inform you I have no objections to his request.

Mrs. Pearl E. Brown
13 Deering St., City.

Please

Zoning file
111 High St

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

September 2, 1960

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, September 15, 1960, at 4:00 p.m. to hear the appeal of Richard Coduti requesting an exception to the Zoning Ordinance to permit providing a foundation and permanent enclosure for existing one-story porch on rear of building at 9 Deering Street and to use this additional space in connection with existing suite of doctor's offices in first story thereof.

This permit is presently not issuable because this would be an extension of the non-conforming use authorized by the Board of Appeals on February 13, 1959, to a part of the building not covered by the appeal, contrary to the provisions of Section 17-B of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides 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 the 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.

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 the Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

September 12, 1960

Dr. Richard Goduti
9 Deering Street
Portland, Maine

Dear Dr. Goduti:

September 15, 1960.

ALBERT J. SEARS
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE
Department of Building Inspection

COPY

AP-9 Deering Street

August 22, 1960

Dr. Richard Godziti
9 Deering Street

cc to: F. W. Cunningham & Son
161 State Street
√cc to: Corporation Counsel

Dear Dr. Godziti:

Building permit for providing foundation and permanent enclosure for existing one-story porch on rear of building at above named location and to use this additional space in connection with existing suite of doctor's offices in first story thereof is not issuable under the Zoning Ordinance because this would be an extension of the non-conforming use authorized by the Board of Appeals on February 13, 1959 to a part of the building not covered by the appeal, contrary to the provisions of Section 17-8 of the Ordinance.

In case you would like to exercise your appeal rights concerning this discrepancy, we are certifying the case to the Corporation Counsel, to whose office in Room 206, City Hall, you should go to file the appeal.

Very truly yours,

AJS/ia

Albert J. Sears
Inspector of Buildings

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

September 2, 1960

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Thursday, September 15, 1960, at 4:00 p.m. to hear the appeal of Richard Coduti requesting an exception to the Zoning Ordinance to permit providing a foundation and permanent enclosure for existing one-story porch on rear of building at 9 Deering Street and to use this additional space in connection with existing suite of doctor's offices in first story thereof.

This permit is presently not issuable because this would be an extension of the non-conforming use authorized by the Board of Appeals on February 13, 1959, to a part of the building not covered by the appeal, contrary to the provisions of Section 17-B of the Ordinance.

This appeal is taken under Section 24 of the Zoning Ordinance which provides 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 the 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.

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 the Ordinance.

BOARD OF APPEALS

Franklin G. Hinckley

Chairman

S

AP-9 Deering Street

August 22, 1960

Dr. Richard Goduti
9 Deering Street

cc to: F. W. Cunningham & Son
161 State Street
cc to: Corporation Counsel

Dear Dr. Goduti:

Building permit for providing foundation and permanent enclosure for existing one-story porch on rear of building at above named location and to use this additional space in connection with existing suite of doctor's offices in first story thereof is not issuable under the Zoning Ordinance because this would be an extension of the non-conforming use authorized by the Board of Appeals on February 13, 1959 to a part of the building not covered by the appeal, contrary to the provisions of Section 17-3 of the Ordinance.

In case you would like to exercise your appeal rights concerning this discrepancy, we are certifying the case to the Corporation Counsel, to whose office in Room 208, City Hall, you should go to file the appeal.

Very truly yours,

AJS/jz

Albert J. Sears
Inspector of Buildings

R6 RESIDENCE ZONE

PERMIT ISSUED
SEP 19 1960
CITY of PORTLAND

# APPLICATION FOR PERMIT

*Class of Building or Type of Structure* Second Class

*Portland, Maine,* August 16, 1960

*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 9 Deering Street Within Fire Limits? _____ Dist. No. _____

Owner's name and address Dr. Richard Goduti, 9 Deering St. Telephone _____

Lessee's name and address _____ Telephone _____

Contractor's name and address F. W. Cunningham & Son, 181 State St. Telephone _____

Architect _____ Specifications _____ Plans yes No. of sheets 1

Proposed use of building Offices and dwelling No. families 2

Last use " No. families 2

Material brick No. stories 3 Heat _____ Style of roof _____ Roofing _____

Other buildings on same lot _____

Estimated cost $ 1500. Fee $ 5.00

## General Description of New Work

To change out existing foundation of rear open piazza to 8" concrete block foundation, 4' below ~~gar~~ grade with 8"x12" concrete footing.

To enclose rear piazza and use room for office space in connection with owner's office

To make alterations in windows and doors as per plan

Estimated completion 9/15/60

*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 F. W. Cunningham & Son

## Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? yes

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 _____

Material of underpinning _____ Height _____ Thickness _____

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 _____

Kind and thickness of outside sheathing of exterior walls? _____

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:
OK-9/19/60-AJS

## 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

Dr. Richard Goduti
F. W. Cunningham & Son
Owner's Agent

*Signature of owner* _____

Permit No. 60/1344

Location 9 Deering St.

Owner Dr. Richard Goldstein

Date of permit 9/19/60

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

NOTES

10/4/60 - Found started. Office.

10/20/60 - Found done. Office.

W COPY

RICHARD J. GODUTI, M. D.
701 Congress Street
Portland 4, Maine

March 23, 1959

To: Building Inspector
City of Portland

As owner of the property at 9 Deering Street, I certify that I will not permit occupancy of the third floor as living quarters until this floor has been altered to comply with the City Building Code.

RECEIVED
MAR 24 1959
DEPT. OF INSP. SERV.
CITY OF PORTLAND

Richard J. Goduti M.D.
Richard J. Goduti, M. D.

Maurice St Peter
Witness

Sworn and subscribed to before me
this 23rd day of March, 1959.

My Commission Expires April 6, 1959

Philip J Donahue, Notary Public

AP - 9 Deering St.

Feb. 16, 1959

Mr. Richard Schutz
704 Congress Street
c/o Cunningham & Cohen
181 State Street

Gentlemen:

Although appeal under the Zoning Ordinance has been sustained, we are unable to issue a permit for alterations and change of use of the building at the above named location until the following steps have been taken and information furnished:

1. Completion of the permit application by furnishing an estimated cost of the alterations and paying the permit fee based on that estimated cost needs to be made.

2. Revised plot plan showing the width of curb cuts and driveway across the public sidewalk; location and number of off-street parking spaces, each space being not less than 8 feet wide and 18 feet long; kind and thickness of material with which driveway, maneuvering areas, and parking spaces are to be paved; and all other information needed to show compliance with requirements of Section 14 of the Zoning Ordinance. Since the requirements vary according to the number of parking spaces to be provided, it is important that a decision be made as to what number is desired and information furnished accordingly.

3. Partial plan of basement showing layout of cellar stairway enclosure is needed. Any plaster on wood lath existing on enclosing partitions cannot be accepted as providing the required one-hour fire resistance. A landing at least as deep as the width of the stairway is required at the bottom of the stairs. If desired, a standard fire-resistant door and frame constructed as specified in Section 303-6-4 of the Building Code may be used instead of the Class "C" labelled fire door indicated on plan. A liquid closer is required on this fire door and an electric light needs to be provided in the enclosure.

4. We understand that the third story rooms are not to be used in any way for living quarters at the present time. In such a case it will be necessary either that the stair well opening at third floor level be filled in with construction equivalent to that of the rest of the floor or else that an affidavit in writing be furnished to the effect that none of the third story rooms will be used for living quarters until such time as requirements of the Building Code for such a use have been met.

5. Information that front entrance and rear exit doors in first story will be equipped with ventilate latch sets or equivalent needs to be furnished. If a single leaf of the double doors at front entrance is less than 30 inches wide, door hardware will need to be given that both doors can be opened from the inside, but be kept locked against entrance from the outside, without the use of a key and merely by turning a knob or by pressure on a bar or lever.