

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

## BUILDING INSPECTION

# PERMIT

Permit Number: 030810

Please Read Application And Notes, If Any, Attached

This is to certify that University Of Maine/Langford & Low, Inc.  
has permission to Access modifications per ADA requirements  
AT 59 Exeter St City 051 E014001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and work on permit must be completed before this building or part thereof is occupied or otherwise used-in.  
HOURS NOT REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

### OTHER REQUIRED APPROVALS

Fire Dept. *[Signature]*  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_

Department Name

Director - Building & Inspection Services

### PENALTY FOR REMOVING THIS CARD

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 03-0810	Issue Date:	CBL: 051 E014001
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Location of Construction: 59 Exeter St	Owner Name: University Of Maine	Owner Address: 107 Maine Ave	Phone:
Business Name:	Contractor Name: Langford & Low, Inc.	Contractor Address: PO Box 662 Portland	Phone 2077975141
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	Zone: R5

Past Use: USM Law Clinic	Proposed Use: USM Law Clinic w/access modifications	Permit Fee: \$1,371.00	Cost of Work: \$150,000.00	CEO District: 3
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

**Proposed Project Description:**  
Access modifications per ADA requirements

Signature: *UHM* Signature:

**PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)**

Action:  Approved  Approved w/Conditions  Denied

Signature: Date:

Permit Taken By: kwd	Date Applied For: 07/11/2003	<b>Zoning Approval</b>
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- 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..

<p><b>Special Zone or Reviews</b></p> <p><input type="checkbox"/> Shoreland <i>N/A</i></p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input checked="" type="checkbox"/> Site Plan</p> <p><i>2003-0079</i></p> <p>Maj <input type="checkbox"/> Minor <input checked="" type="checkbox"/> MM <input type="checkbox"/></p> <p><i>ok with conditions</i></p> <p>Date: <i>7/15/02</i></p>	<p><b>Zoning Appeal</b></p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p>	<p><b>Historic Preservation</b></p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p>
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**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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT ADDRESS DATE PHONE

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE

7/28/03 Framing (Setback inspection). Forms in place OK to  
pour footing JKR

7/31/03 on site w/ Matt Woods (Langford + Law, Inc) checked new  
headers on 1st + 2nd floor. JKR

10-1-03 Did Framing Sump w/ contractor Nick Conley  
OK to close in Elec. Done by Mike Collins  
MKW

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 03-0810	Date Applied For: 07/11/2003	CBL: 051 E014001
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Location of Construction: 59 Exeter St	Owner Name: University Of Maine	Owner Address: 107 Maine Ave	Phone:
Business Name:	Contractor Name: Langford & Low, Inc.	Contractor Address: PO Box 662 Portland	Phone (207) 797-5141
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	

Proposed Use: USM Law Clinic w/access modifications	Proposed Project Description: Access modifications per ADA requirements
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 07/15/2003

**Note:**      **Ok to Issue:**

- 1) It is understood that the property shown on your site plan is all one contiguous parcel and not individual lots that can be sold off separately in the future. If and when any lots are sold off, all requirements of the zoning ordinance shall be met for all created lots.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Mike Nugent      **Approval Date:** 07/17/2003

**Note:**      **Ok to Issue:**

- 1) Ramp details must be provided and approved prior to construction.

**Dept:** Fire      **Status:** Approved      **Reviewer:** Lt. MacDougal      **Approval Date:** 07/16/2003

**Note:**      **Ok to Issue:**

**Comments:**

7/15/2003-kwd: payment originally based on previous fee structure; additional amount paid 7/15/2003 by contractor.



# Residential Building Permit Application

03-0810

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: 59 Exeter, University of Southern Maine, Portland, ME			
Total Square Footage of Proposed Structure 1,000 sq. ft.		Square Footage of Lot 26 Acres = 1,131,000 sq. ft.	
Tax Assessor's Chart, Block & Lot Chart# 51      Block# E      Lot# 14		Owner: University of Maine System	Telephone: 780-4177/780-4742
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: Dana Gray 25 Bedford St. Portland ME 04104 780-4742		Cost Of Work: \$150,000 Fee: \$1,073.00
Current Specific use: <u>USM Law Clinic</u>			
Proposed Specific use: <u>Same</u>			
Project description:  Access modifications at 59 Exeter St. to accommodate ADA requirements.			
Contractor's name, address & telephone:			
Who should we contact when the permit is ready: <u>To be determined BID Opening 06-30-03</u>			
Mailing address:  at 2:30 pm.			
Phone: <u>939-7076</u>			

*WILL NEED \$298.00 pd 7/15/03 WHEN PERMIT IS PICKED UP.*

Please submit all of the information outlined in the Residential Application Checklist. Failure to do so will result in the automatic denial of your permit.

At the discretion of the Planning and Development Department, additional information may be required prior to permit approval. For further information stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work 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: <i>Dana Gray</i>	Date: <u>6-24-2003</u>
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Permit Fee: \$30.00 for the first \$1000.00 Construction Cost, \$7.00 per additional \$1000.00 cost

**This is not a Permit; you may not commence any work until the Permit is issued.**

**From:** Marge Schmuckal  
**To:** Bill Bisson; Denis Pratt; Sarah Hopkins  
**Date:** Fri, Jun 6, 2003 12:12 PM  
**Subject:** 59 Exeter Street - USM

Sarah,

I understand that USM has given you a letter that explains that all their property is considered one big lot with only exterior property lines. If I could receive a copy of that letter for my files, that would be great.

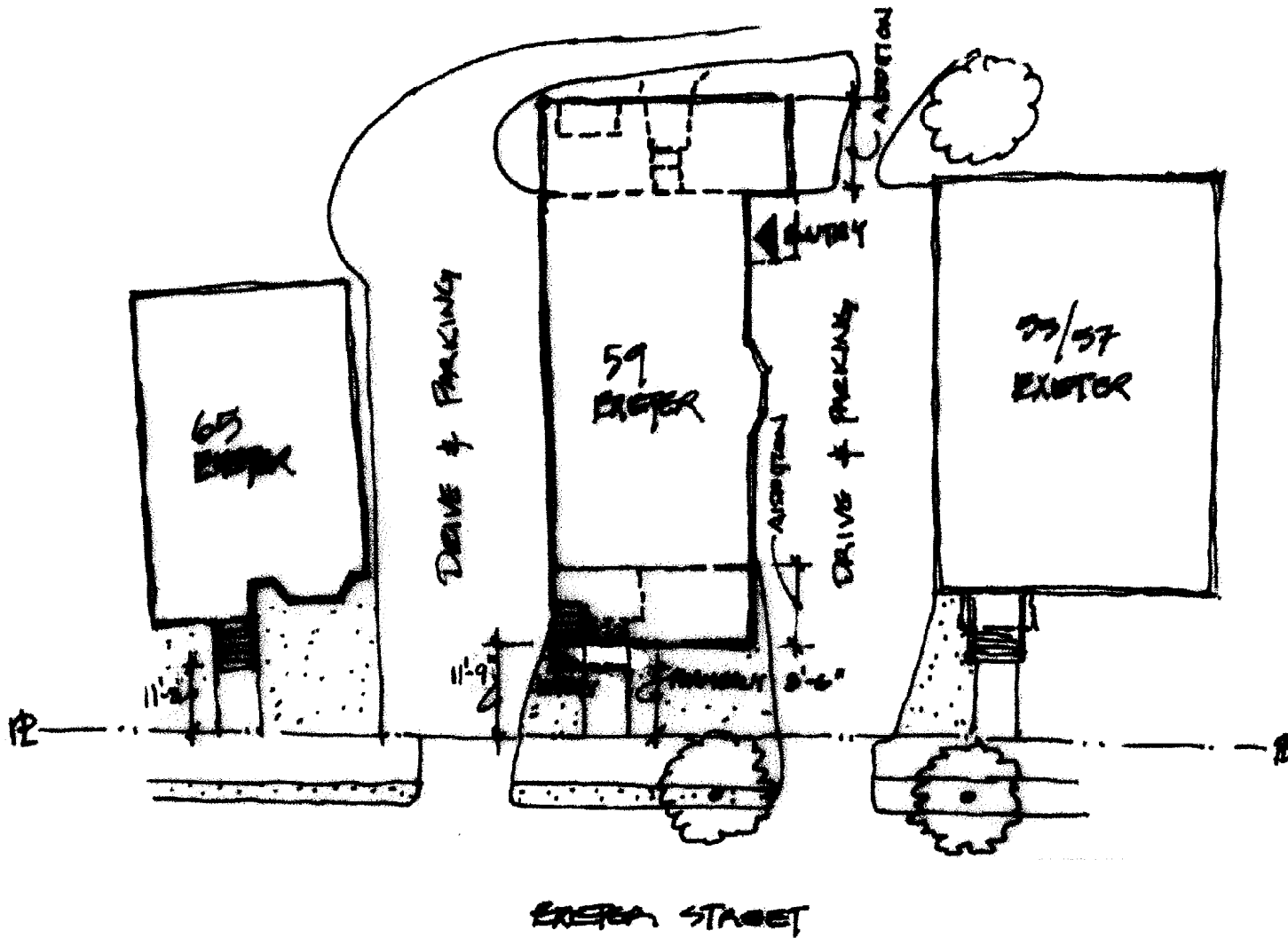
Therefore, the only zoning concern would be the issue of complying with the R-5 zone front setback requirements.

I have recently received some sketches from Bill Bisson that shows their site and the building properties on either side.

Currently their front setback is 8' 6" to the front property line. The proposal shows that this legal nonconformity of the front setback is lessened. The proposed front setback will be 11' 9". The zoning ordinance is always looking to lessen nonconformities. The proposed setback would be complying with the zoning ordinance.

I am not aware of any other zoning issues that impact this project.

Marge Schmuckal  
Zoning Administrator  
6/6/03



PROPOSED SITE PLAN  
USM LAW CLINIC

DEPT. OF BUILDING INSPECTION  
CITY OF PORTLAND, ME

JUN - 6 2003

RECEIVED

alpha ne

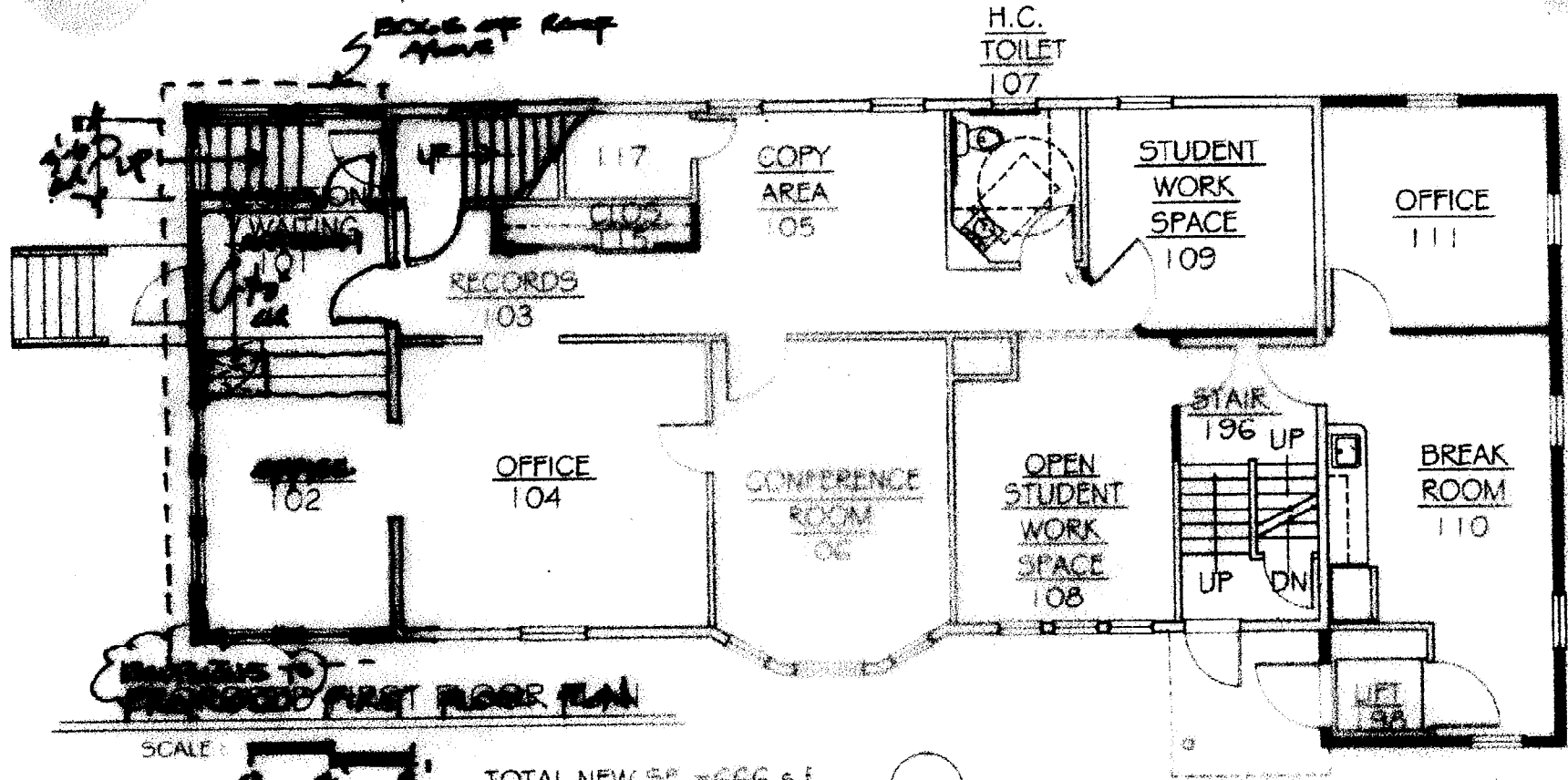
Powering Independent Living

William J. Bisson, AIA  
Architect / Access Specialist  
wbisson@alphanow.com

Voice/TTY 207.799.8346  
Voice/TTY 800.541.8346  
Fax 207.799.8346

CHANGES

CHANGES



PROPOSED FIRST FLOOR PLAN



TOTAL NEW SP = 666 s.f.



NEW COVERED GRADE LEVEL ENTRANCE 197

DEPT. OF BUILDING INSPECTION  
CITY OF PORTLAND, ME

JUN - 6 2003

RECEIVED





REVISSED FRONT ELEVATION



DEPT. OF BUILDING INSPECTION  
CITY OF PORTLAND, ME  
JUN - 6 2003  
RECEIVED

**From:** "William Bisson" <wbisson1@maine.rr.com>  
**To:** "Marge Schmuckal" <mes@cl.portland.me.us>  
**Date:** Thu, Jun 5, 2003 4:14 PM  
**Subject:** USM Law Clinic

Marge \* thanks for returning my call. The attached scans show our proposed designs for inseting the entry staircase into the new porch addition, and the resulting dimensional changes to the site plan. As we discussed, the configuration of the new addition will increase the front setback of the nearest part of the structure from 8'-6" +/- to 11'-9"+/-. The new wall will coincide with the outer end of the staircase, and will also be set back a distance of 11'-9"+/-.

Please let me know if this information will be adequate for your purposes. Thanks for your attention.

Best \* Bill Bisson

**CC:** "Denis Pratt - home" <dpratt01@adelphia.net>

**From:** "William Bisson" <wbisson1@maine.rr.com>  
**To:** "Nancy Theriault" <nancyt@usm.maine.edu>, "Dana Gr...  
**Date:** Fri, Jun 6, 2003 10:49 AM  
**Subject:** FW: USM Law

Dana, Sarah, Marge, Nancy

Here are scans of proposed site plan, floor plan and street elevation designs for the Law Clinic renovations. Please excuse the redundancy - I realize that some of you have seen some of these before.

Perhaps the most reasonable rationale for permitting this to be done is that we're actually increasing the absolute setback of the house structure from what it is now. Put differently, we're not reducing the porch/stair setback, but are simply filling out the corners on either side of the present stair location. The new construction, including the new stairs, will not be closer to the lot line than the front of the present stairs, and will be 3'-3" +/- further back than the present concrete stoop is. As can be seen from the elevation, the proposed design will be compatible with the architecture of the neighborhood and of the existing building, and should continue to be a good neighbor visually.

(Dana & Nancy \* I don't have Diane's e-mail address\* please forward this info to her as appropriate.)

Please contact me with questions, comments, etc.

Thanks!

Bill Bisson  
Alpha One

**CC:** "Denis Pratt - home" <dpratt01@adelphia.net>

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

2003-0079

Application I. D. Number

03/31/2003

Application Date

USM Law Clinic

Project Name/Description

University Of Maine

Applicant

PO Box 9300, Portland, ME 04104

Applicant's Mailing Address

59 - 59 Exeter St, Portland, Maine

Address of Proposed Site

051 E014001

Assessor's Reference: Chart-Block-Lot

Consultant/Agent

Applicant Ph: (207) 780-4742 Agent Fax:

Applicant or Agent Daytime Telephone, Fax

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

1082 s.f.

Proposed Building square Feet or # of Units

Acreege of Site

R5

Zoning

Check Review Required:

- |  |   |  |  |
|--|---|--|--|
| <input checked="" 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 \$400.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date: 04/24/2003

**Planning Approval Status:**

Reviewer Sarah Hopkins

- Approved  Approved w/Conditions  
See Attached  Denied

Approval Date 06/10/2003 Approval Expiration 06/10/2004 Extension to \_\_\_\_\_  Additional Sheets Attached

OK to Issue Building Permit  
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		expiration 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



**CITY OF PORTLAND  
ACCESSIBILITY CERTIFICATE**

Designer: DENIS R. PRATT

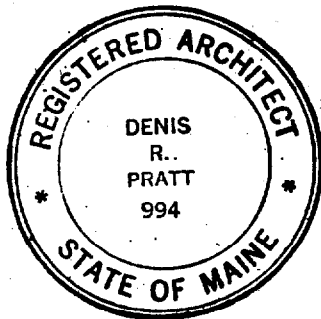
Address of Project 59 Essex St, Portland

Nature of Project A.D.A. RENOVATIONS

Date June 30, 2003

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced standards found in the Maine Human Rights Law and Federal Americans with Disability Act.

(SEAL)



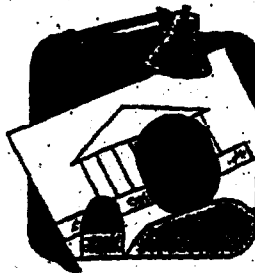
Signature [Handwritten Signature]

Title Architect

Firm Alpha One

Address 127 Main Street  
So. Portland, Me

Telephone 767-2189



# CITY OF PORTLAND MAINE

389 Congress St., Rm 315

Portland, ME 04101

Tel. - 207-874-8704

Fax - 207-874-8716

TO: Inspector of Buildings City of Portland, Maine  
Planning & Urban Development  
Division of Housing & Community Services

FROM DESIGNER: BENIS B. PRATT, AIA

DATE: JUNE 30, 2003

Job Name: A.D.A. RENOVATIONS AT USM LAW CLINIC

Address of Construction: 5A EXETER STREET, PORTLAND, ME

### THE BOCA NATIONAL BUILDING CODE/1999 Fourteenth EDITION

Construction project was designed according to the building code criteria listed below:

Building Code and Year BOCA / 1999 Use Group Classification(s) B

Type of Construction 5B Bldg. Height 32' Bldg. Sq. Footage 3900 sq

Seismic Zone 2 Group Class BUSINESS

Roof Snow Load Per Sq. Ft. 50 PSF Dead Load Per Sq. Ft. 12 PSF

Basic Wind Speed (mph) 90 mph Effective Velocity Pressure Per Sq. Ft. \_\_\_\_\_

Floor Live Load Per Sq. Ft. 70 PSF

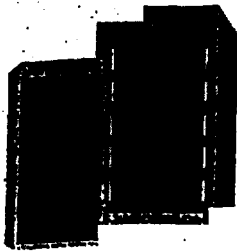
Structure has full sprinkler system? Yes \_\_\_\_\_ No X Alarm System? Yes \_\_\_\_\_ No X  
Sprinkler & Alarm systems must be installed according to BOCA and NFPA Standards with approval from the Portland Fire Department.

Is structure being considered unlimited area building: Yes \_\_\_\_\_ No X

If mixed use, what subsection of 313 is being considered N/A

List Occupant loading for each room or space, designed into this Project.

(Designers Stamp & Signature)



**CITY OF PORTLAND  
BUILDING CODE CERTIFICATE**  
389 Congress St., Rm 315  
Portland, ME 04101

**TO:** Inspector of Buildings City of Portland, Maine  
Department of Planning & Urban Development  
Division of Housing & Community Service

**FROM:** DENIS PRATT / USM

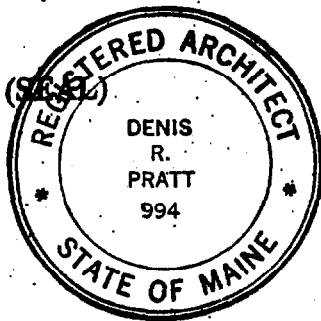
**RE:** Certificate of Design

**DATE:** 6/30/03

These plans and/or specifications covering construction work on:

USM LAW CLINIC A.D.A. RENOVATIONS  
59 EXETER STREET, PORTLAND, ME

Have been designed and drawn up by the undersigned, a Maine registered architect/engineer according to the BOCA National Building Code/1999 Fourteenth Edition, and local amendments.



Signature D. Pratt  
Title ARCHITECT  
Firm Alpha One  
Address 127 MAIN ST., SO. PORTLAND, ME

**As per Maine State Law:**

\$50,000.00 or more in new construction, repair, expansion, addition, or modification for Building or Structures, shall be prepared by a registered design Professional.

**University of Maine Law  
Cumberland Law Clinic  
59 Exeter Street  
Portland, Maine 04102**

To: Michael Nugent, CEO, City of Portland

Date: 7-11-03

Re: Phased Construction

Dear Mike;

In order to remain within the budget for construction of the ABA-required accessibility renovations, we propose to perform the work in phases as described below:

**Proposed Phasing of construction:**

Phase I = Shell-up the rear wing. Finish only the first floor of the wing, leaving the wing's second floor unfinished and unoccupied for the time being. Build a wooden wheelchair ramp from near the southeast corner of the new wing, wrapping around the building to the northeast corner, with an entry door into a small lobby at this corner. Provide 60" square platforms at corner and termination of the ramp. Provide a stair to grade from northeast corner platform. Frame the first and second floors for the lift opening, and infill both with temporary floor construction.

Phase II = Finish the second floor of the new wing, and renovate the second floor of the existing wing. Construct fire-rated lift hoistway enclosure and provide complete lift installation. This work is expected to be done next Summer or sooner. The second floor space will not be occupied until the lift is installed and is fully operational .

Phase III = Remove existing and construct the new first-floor front porch as funds become available, (possibly within the following year).

We wish to obtain a building permit for all of the above work, so as to insure continuity of construction when the funding for each phase becomes available. Thanks for your attention.

Cordially,

Alpha One  
  
Dennis Pratt AIA  
Architect





96 Falmouth Street  
P.O. Box 9300  
Portland, ME 04104-9300  
(207) 780-4160  
TTY (207) 780-5646  
FAX (207) 780-4538

June 4<sup>th</sup>, 2003

Sarah Greene Hopkins  
City of Portland, Dept of Planning and Development  
389 Congress Street  
Portland, ME 04101

Subject: Project # 2003-019; 59 Exeter Street ADA Accommodations, University of Southern  
Maine, Portland Campus, Portland, Maine

Dear Sarah:

This letter is to confirm the University's parcel of land at 59 Exeter Street (Chart # 51, Block # E,  
Lot # 14) has been considered to be contiguous with the adjoining property owned by the  
University since its purchase in 1970.

Please do not hesitate to contact me for further assistance in this matter.

Sincerely yours,



David J. Early  
Executive Director of Facilities Management

Cc: Rick Blackburn, Assessor, City of Portland  
Sam Andrews  
D. Gray  
Project File

**William Bisson**

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**To:** Nancy Theriault; Dana Gray  
**Cc:** Denis Pratt - Alpha One; Bill Bisson - Alpha 1  
**Subject:** Law Clinic Codes

Attached is a memo re: the zoning and building codes implications of using a wraparound ramp at the Clinic. It appears that this can be done if desired. I couldn't contact Mike Nugent, who's on vacation, but BOCA International has endorsed it. Marge Schmuckal has no problem with it.

Bill

7/3/2003

**MEMO**

To: USM, D. Pratt, file

From: W. Bisson

Date: 07-03-03

Re: USM Law Clinic, code implications of adding a wrap-around ramp at the rear of the building..

Zoning – telecall this date: WJB, Marge Schmuckal at Portland CEO. I faxed her a copy of a modified plan showing the footprint of the building with the proposed ramp. She responded that she did not see any zoning problems with this change, since there were no zoning setbacks to be considered at this location (at the rear of the building).

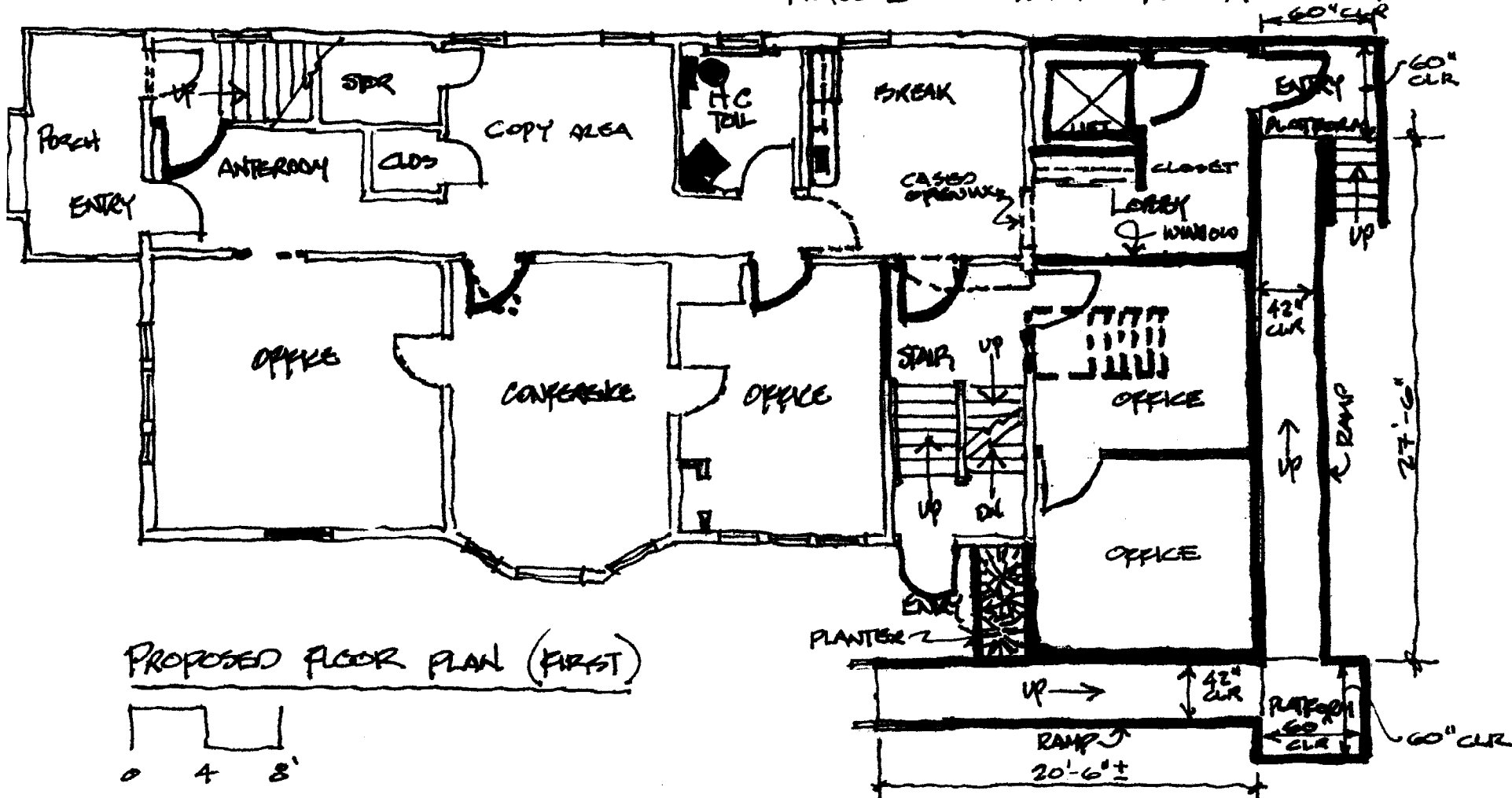
BOCA '99 - I measured the distance between the back of 59 Exeter St.. and the nearby Law School Building. It is approximately 33'. The proposed addition will reduce the distance by 12', leaving 21' of space. Therefore, each building wall would be 10'-6" from an imaginary property line between them, and would require a zero-hour fire resistance rating, per Section 705, Table 705.2.

If an open ramp is added to the building , the Code treats it as a "balcony or similar appendage" under Paragraph 1407.4, and requires that it have the same fire rating as is required for floor construction in Table 602, which is zero hours. This also applies if the ramp has a canopy, as long as the canopy is not an extension of the upper roof of the building to which it is attached. Verified per telecon with Phil Grankowski at BOCA International, this date.

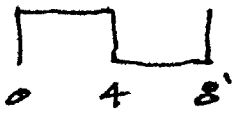


————— = NEW CONSTRUCTION  
 [Dashed lines] = TO BE REMOVED

NOTE: PHASE I = ALL WORK THIS LEVEL,  
 + SHELL CONSTRUCTION OF 2ND  
 FLOOR ADDITION, EXCEPT LIFT  
 & SHAFTWAY.  
 PHASE II = CONSTRUCT SHAFTWAY, PROVIDES LIFT



PROPOSED FLOOR PLAN (FIRST)



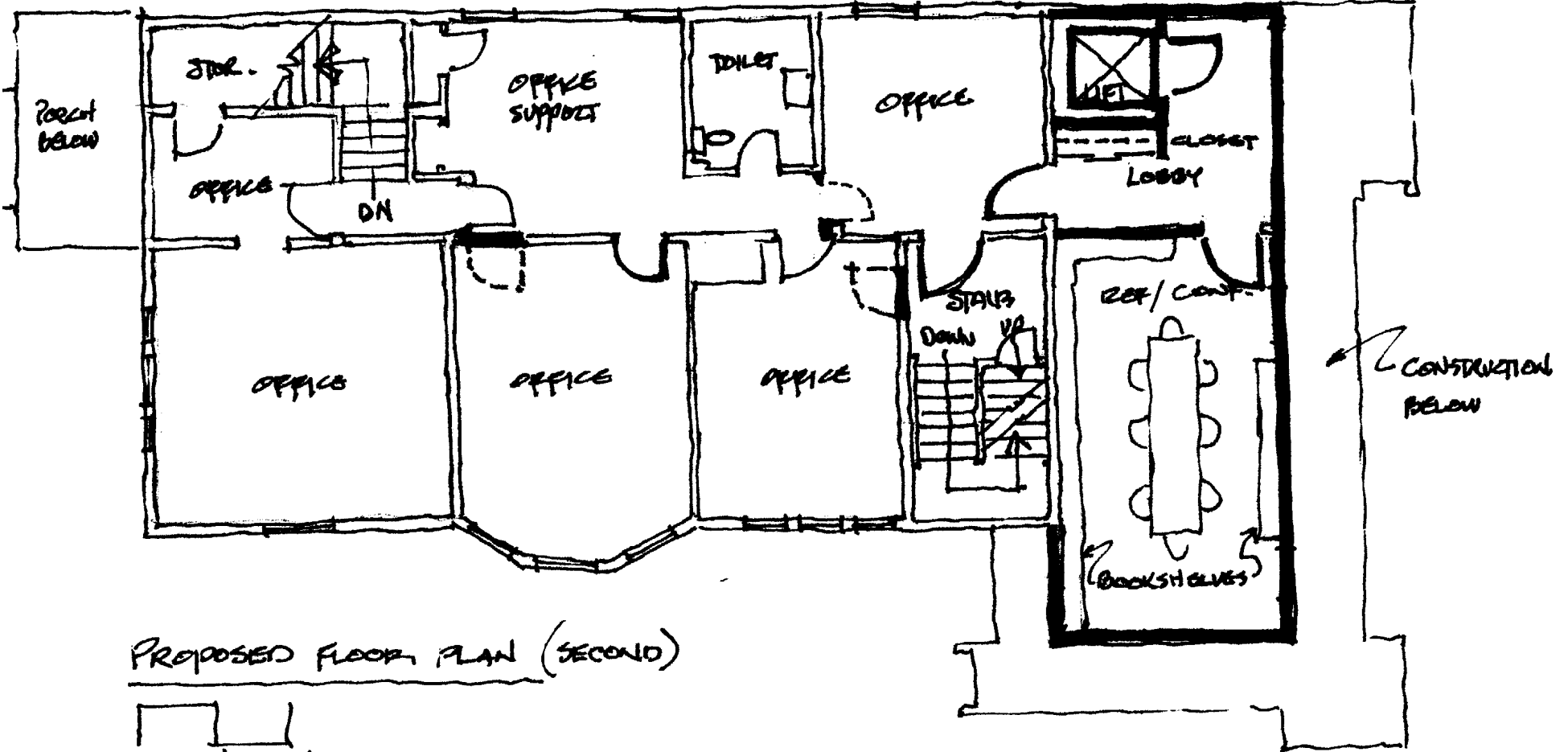
PHASES I & II:  
 USM LAW CLINIC • 59 EXETER STREET • PORTLAND MAINE  
 8 JULY 2003 • ALTA SNE

**XAI**  
 REV. 7.9.0  
 REV 7.10.03  
 REV 7.11.03

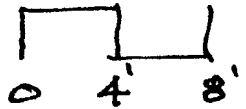


———— = NEW CONSTRUCTION  
----- = TO BE REMOVED

NOTE: PHASE I = SHELL ONLY,  
NO FINISHES, TEST OR  
EQUIPMENT IN ADDITION,  
THIS LEVEL  
PHASE II = ALL INTERIOR WORK, INCL. LIFT & SHUTTLE



PROPOSED FLOOR PLAN (SECOND)

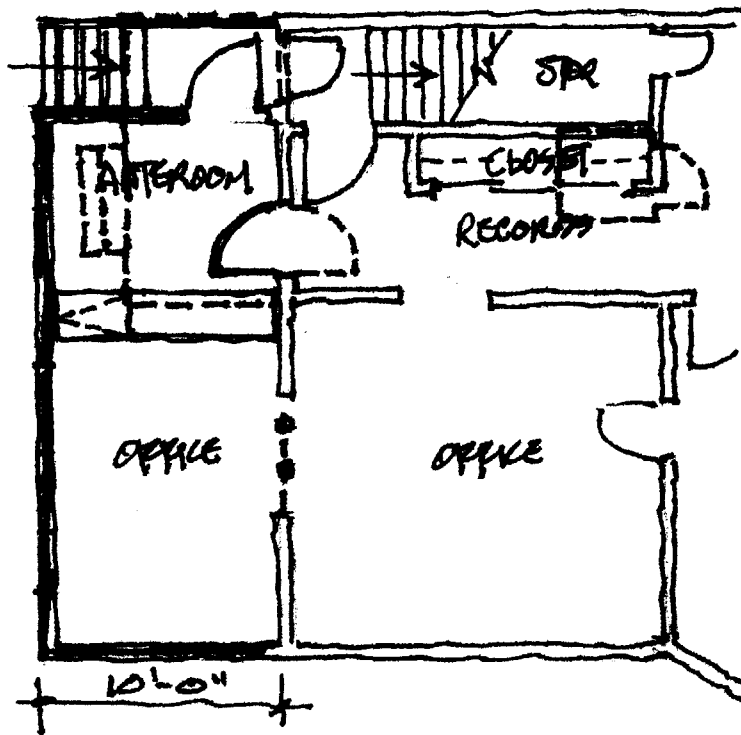


PHASES I & II:  
USM LAW CLINIC • 59 EXETER STREET • PORTLAND, MAINE  
R 1014 7003 • ALTA ONE

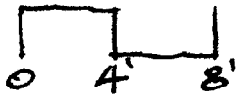
XAL<sup>01</sup>  
REV 7.9.03  
11 02



————— = NEW CONSTRUCTION  
- - - - - = TO BE REMOVED



PROPOSED FLOOR PLAN (FIRST)



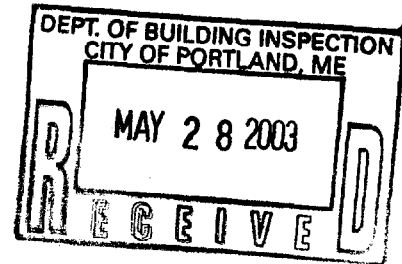
XA1:3

PHASE III  
USM LAW CLINIC • 59 EXETER STREET • PORTLAND, MAINE  
10 JULY 2003 • ALPHA ONE

250 Holm Ave.  
Portland, Maine 04102  
(207) 772-2522  
May 6, 2003

Ms. Sarah G. Hopkins  
City of Portland, Maine Department of Planning and Development  
389 Congress Street  
Portland, Maine 04102

Re: USM Law Clinic  
51-E-14  
R-5 Zone  
59 Exeter Street  
Portland, Maine



Dear Sarah;

I am writing to express two concerns with comment on the above project.

First a concern with comment. This is the second or third plan for the expansion of a building that I have reviewed in the last week or week and a half that did not have a plot or site plan attached. Whenever I have tried to build a project, not only did I need a site plan, but I was also required to have a full survey by a registered land surveyor. When reviewing the projects that I am referring to it was impossible to tell if setbacks, as required by the zoning ordinances of the city, were being adhered to. Therefore I question the setbacks in this case. The front yard must be twenty feet (20') or the average of the two lots on either side. The side yards (this building from the appearance of the pictures submitted, is a 2 ½ story structure) are to be fourteen feet (14') each; though one may be reduced to as little as eight feet if the other is increased correspondingly to twenty feet. I do not believe that the rear yard will be a problem in this instance.

If the University is going to suggest that they own the properties on each side of this building as well as the property to the rear of it they are right. However, per the assessor, Mr. Blackburn, this property still stands on its' own for two reasons. 1) The University has not submitted a survey and site plan incorporating all or some of the properties owned by it into one lot or parcel. 2) The University has on occasions sold buildings owned by it back into the marketplace, placing those properties back on the tax rolls. Therefore, I would conclude that this parcel still stands on its' own.

My second concern is that the addition proposed to the front of the building will not be in keeping with the rest of the neighborhood. The new front appearance will **not** look like any other building on the street, per the photographs as submitted by the applicant.

I have no objection to the addition proposed at the rear of the building. I would suggest that rather than adding to the front of the building that the rear be expanded to accommodate the uses proposed for the front and if need be the existing interior be modified slightly to accommodate all requirements for needed space.

Sincerely,

  
Robert C. Hains



**From:** Marge Schmuckal  
**To:** Sarah Hopkins  
**Date:** Tue, Jun 3, 2003 12:20 PM  
**Subject:** USM - 59 Exeter Street

Sarah,

I have the copies of plans that you gave me. Let me first address uses.

If USM changed the uses of these buildings prior to October 1, 1994, they were exempt at that time from complying with zoning ordinances which would mean uses, setbacks on additions, and site plan review for conditional use expansions. I believe that their site plan was dated 1990. You should verify and document when they actually changed the use to be sure that they were exempt from required permits.

Next, the proposed front setback is not meeting the requirements of the R-5 zone. It states that a 20' front setback (to the property line always) shall be met. Or you may average the setbacks of the buildings on either side to be closer. What I am seeing on the submittal that you gave me shows that the average of the two buildings on either side would be no less than 16 feet instead of the 11' 7" that is shown.

Mr. Hains may have a point concerning separate parcels vs all one parcel owned by the University. This may be more of a legal question. There is nothing within the zoning ordinance which would automatically merge these lots which are already developed.

If this is an individual lot, I would need to see a site plan of the individual lot with all the setbacks. I need to check all the relevant setbacks, lot coverage, parking etc.

Marge Schmuckal  
Zoning Administrator  
6/3/03

**CC:** PENNY LITTELL

96 Falmouth Street  
P.O. Box 9300  
Portland, ME 04104-9300  
(207) 780-4160  
TTY (207) 780-5646  
FAX (207) 780-4538

February 7, 2002

Marge Schmuckal, Zoning Administrator  
Planning & Urban Development  
City of Portland  
369 Congress Street  
Portland, Maine 04101

Re: USM Property at 120 and 126 Bedford Street

Dear Marge,

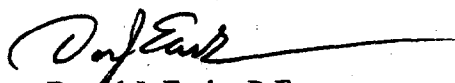
Our University Legal Council advised us that prior to 1994, under the former provisions of Title 30-A, Section 4352 of the Maine Revised Statutes, the Portland Zoning Ordinance was only "advisory" to the University, as a State institution. On

October 1, 1994, the provisions of Chapter 721 of the Public Laws of 1993 took effect. This legislation modified the provisions of Title 30-A, Section 4352(6) of the Maine Revised Statutes to provide that the same agency shall comply with zoning

The records of both the University and the City clearly show that the former residential properties in question were acquired by the University and converted to office and literary and scientific institutional uses long before the effective date of the cited legislation. Accordingly, it is the judgment of our legal council that these uses may be continued, as valid non-conforming uses.

Please let me know if you have any further questions regarding our current application to the Planning Department to expand our parking inventory on the Portland Campus.

Sincerely,



David J. Early, P.E.  
Executive Director of Facilities Management

**USM** UNIVERSITY OF  
**Southern Maine**

received  
1/30/02

**Facilities Management**

January 25, 2002

96 Falmouth Street  
P.O. Box 9300  
Portland, ME 04104-9300  
(207) 780-4160  
TTY (207) 780-5646  
FAX (207) 780-4538

Ms. Marge Schmuckal, Zoning Administrator  
City of Portland  
389 Congress St.  
Portland, ME 04101

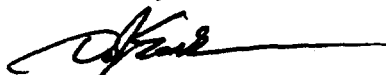
Subject: property @ 120 - 126 Bedford St.

Dear Marge,

The 120 Bedford Street property was purchased by the University of Maine System (UMS) on March 29, 1968. The 126 Bedford Street property was purchased by the UMS on January 27, 1987. Both properties have been used ever since as faculty offices.

At the time these properties were purchased, the University of Maine System was exempt from municipal zoning. ~~This exemption remained in effect until October 1994 per city legal counsel.~~ He has advised us that filing for a change of use is not required for any University property acquired prior to this date. Could you please confirm this for me in writing at your earliest convenience? Thank you for your assistance in this matter.

Sincerely,



David Early  
Executive Director of Facilities Mgt.

Cc: Sam Andrews, Chief Financial Officer  
Paul Frinsko, Esq.  
Todd Cabelka, University Counsel

Enclosures

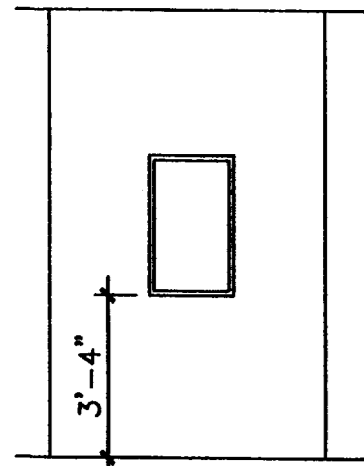
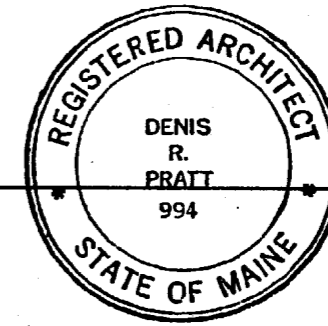
# A.D.A. RENOVATIONS AT USM LAW CLINIC

59 EXETER STREET  
PORTLAND, MAINE

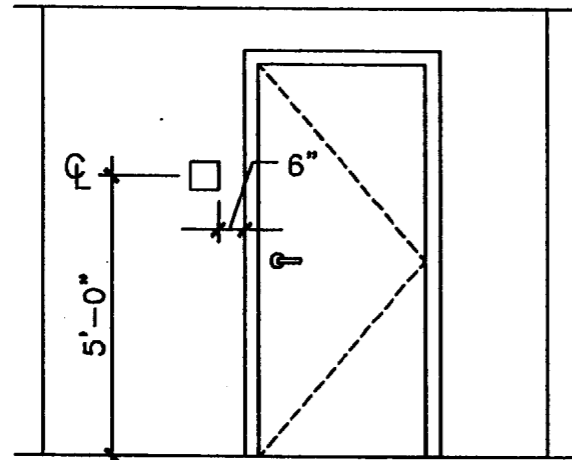
## DRAWING LIST:

- GI-1 GENERAL INFORMATION
- EX-1 EXISTING SITE PLAN
- EX-2 EXISTING FLOOR PLANS
- EX-3 EXISTING ELEVATIONS
- EX-4 EXISTING ELEVATIONS
- SP-1 PROPOSED SITE PLAN
- A-1 PROPOSED FIRST FLOOR PLAN
- A-2 PROPOSED SECOND FLOOR PLAN
- A-3 PROPOSED ROOF PLAN
- A-4 PROPOSED EXTERIOR ELEVATIONS
- A-5 PROPOSED EXTERIOR ELEVATIONS

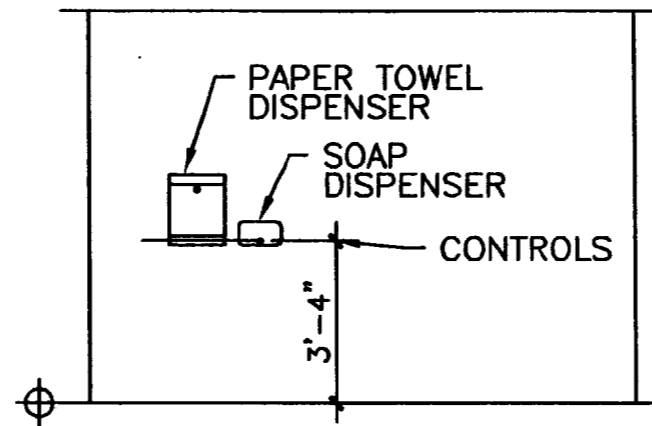
- A-6 BUILDING SECTIONS
- A-7 BUILDING SECTION
- S-1 FIRST FLOOR FRAMING PLAN
- S-2 SECOND FLOOR FRAMING PLAN
- S-3 ROOF FRAMING PLAN



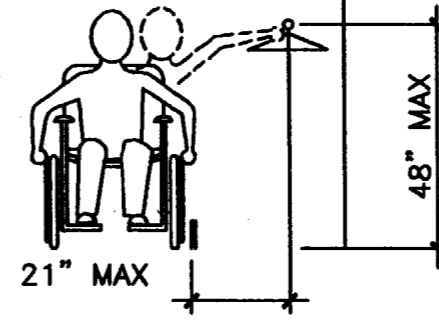
MIRROR



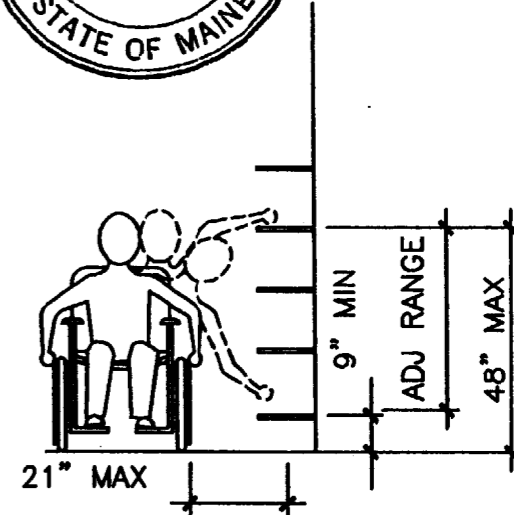
FOR ADA COMPLIANCE  
SIGNS



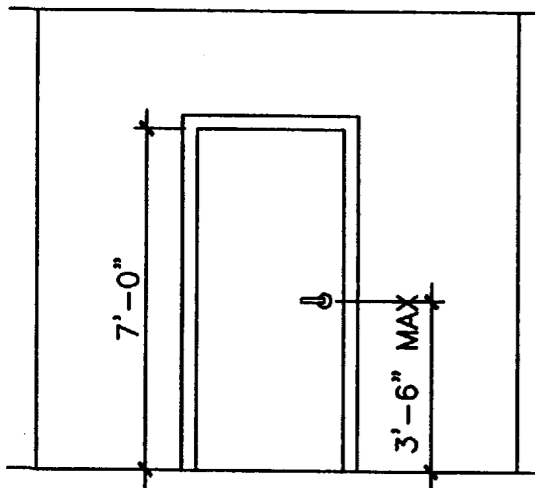
TOWEL & SOAP  
DISPENSERS



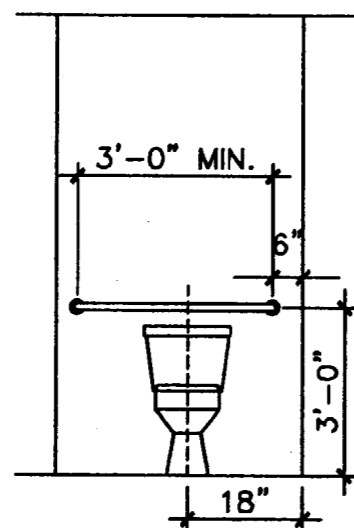
CLOSETS



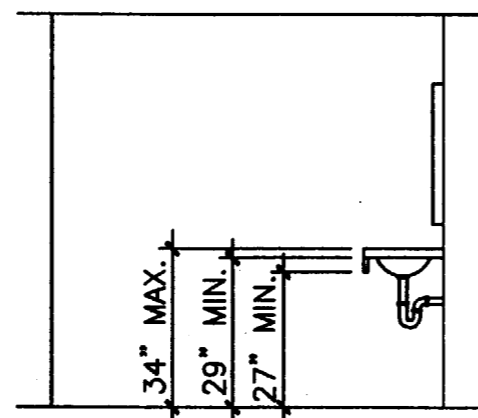
SHELVES



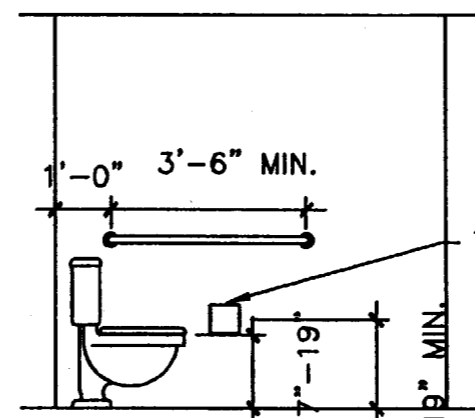
DOOR HARDWARE



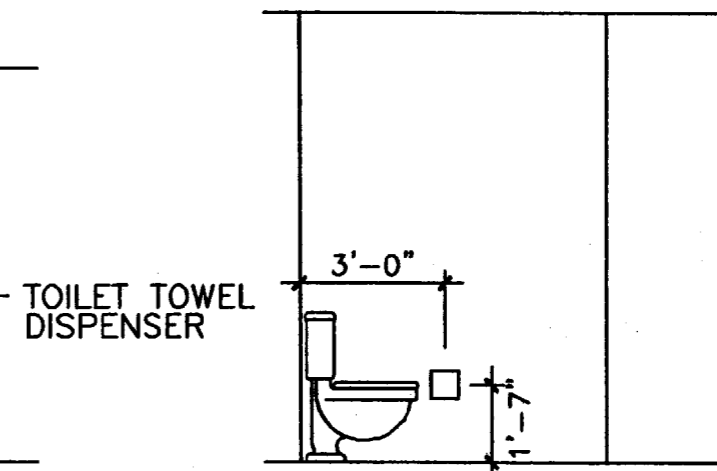
BACK WALL  
GRAB BAR



SINK  
HEIGHT



SIDE WALL  
GRAB BAR



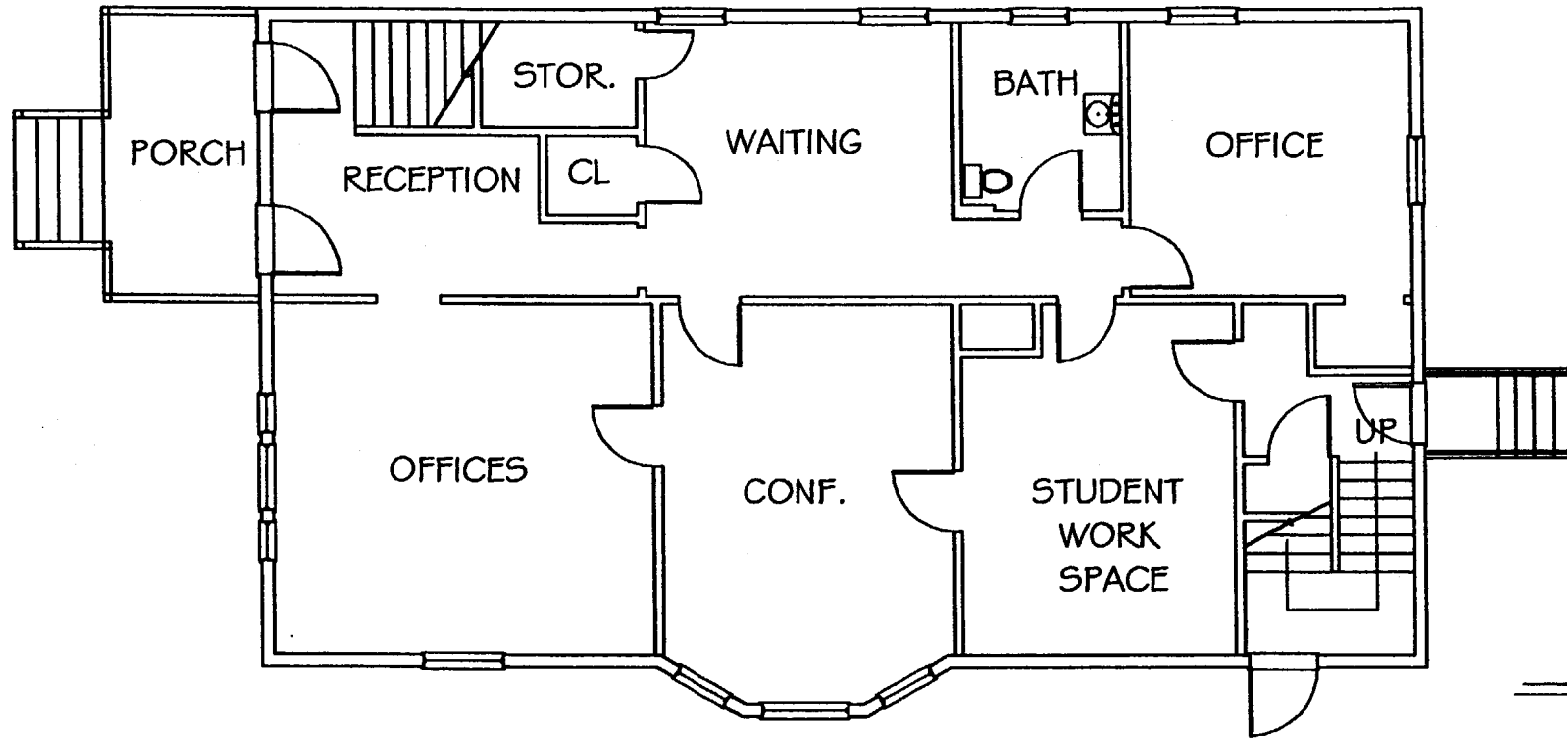
TOILET TISSUE  
DISPENSER

USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

GENERAL INFORMATION

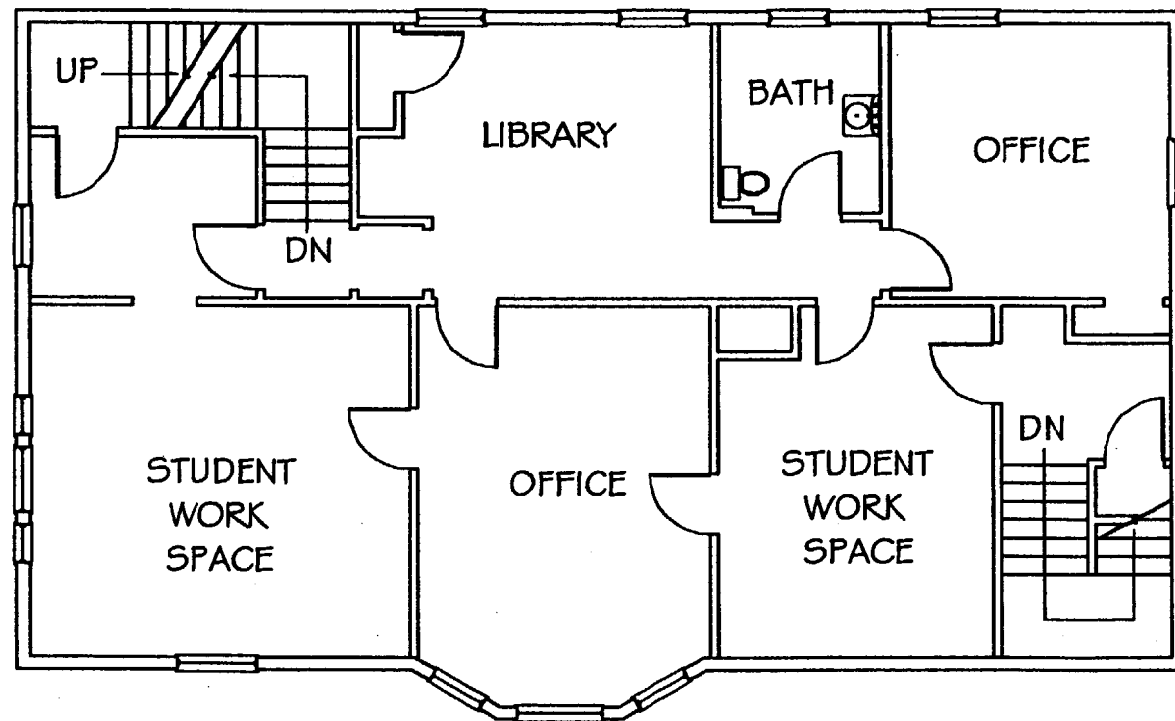
GI-1

DATE: 06/17/03



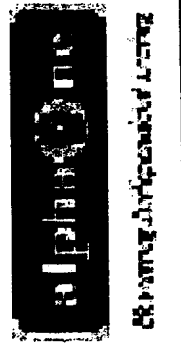
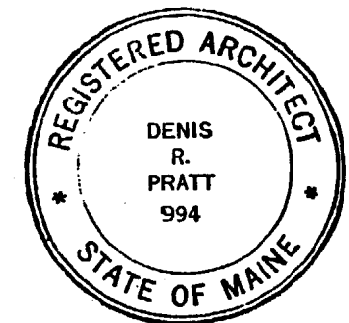
EXISTING FIRST FLOOR PLAN

SCALE : 1/8" = 1' - 0"



EXISTING SECOND FLOOR PLAN

SCALE : 1/8" = 1' - 0"



USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

EXISTING FLOOR PLANS

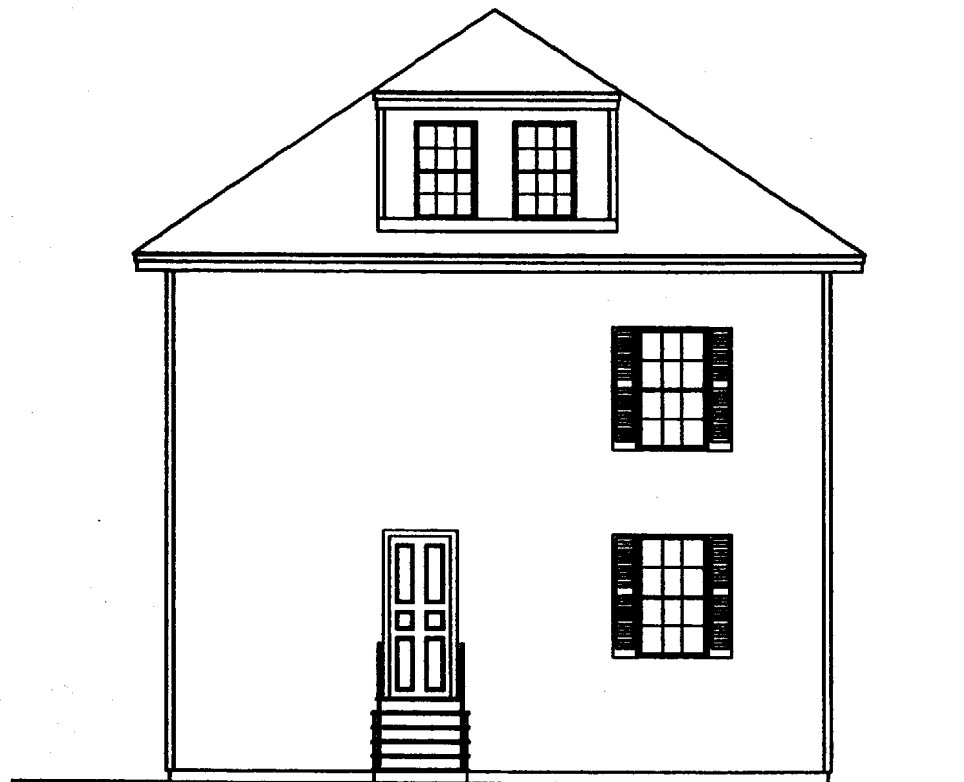
DATE : 06/17/03

EX-2



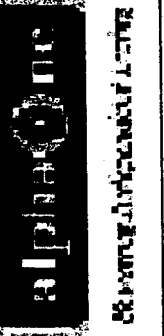
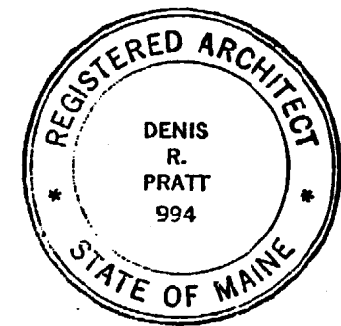
EXISTING FRONT ELEVATION

SCALE : 1/8" = 1' - 0"



EXISTING REAR ELEVATION

SCALE : 1/8" = 1' - 0"

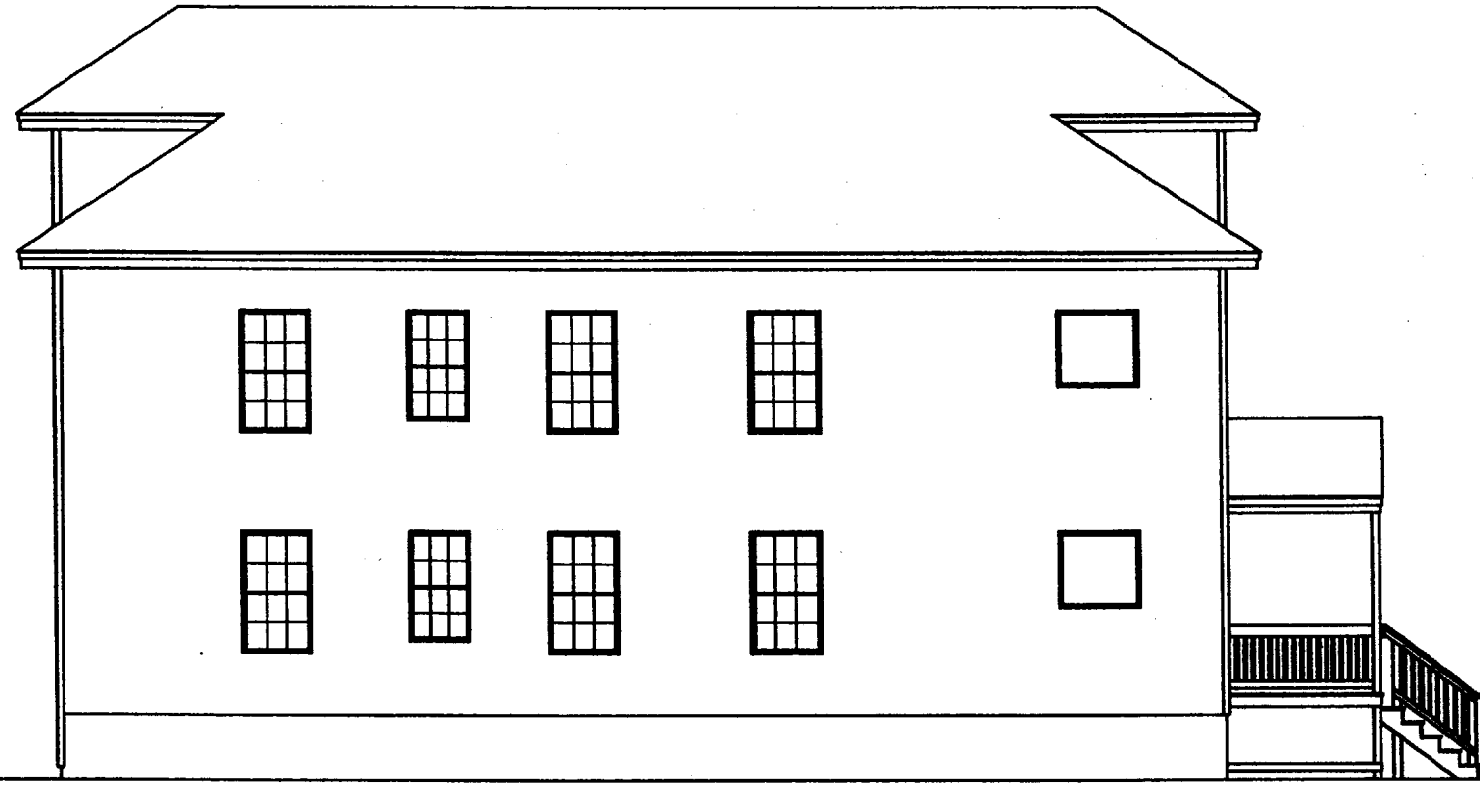


USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

EXISTING ELEVATIONS

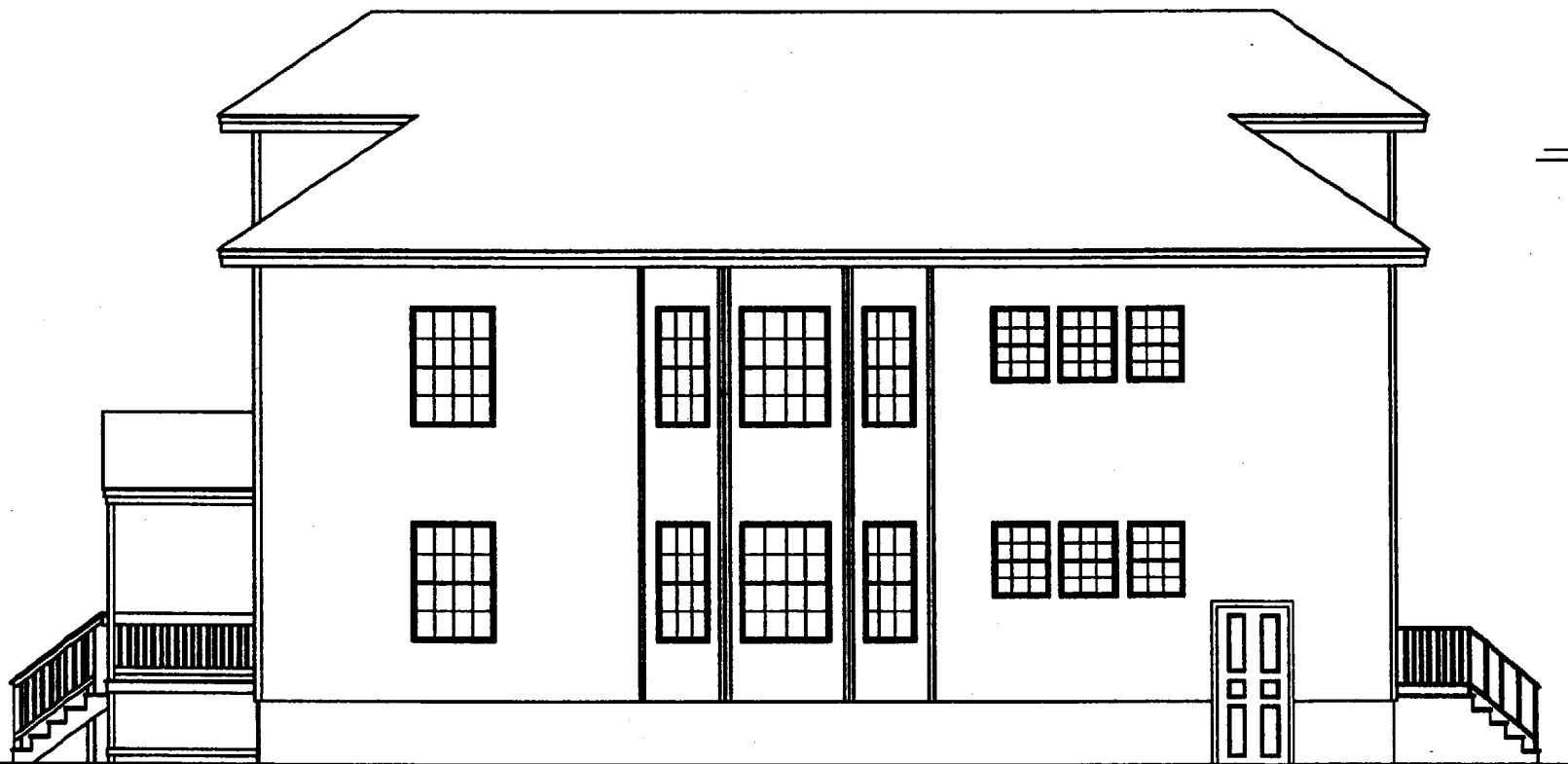
DATE : 06/17/03

EX-4



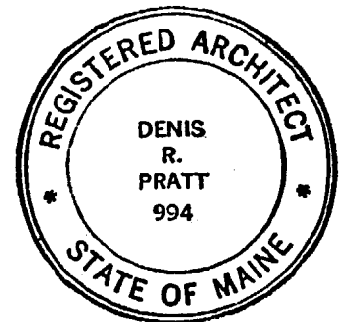
EXISTING LEFT ELEVATION

SCALE : 1/8" = 1' - 0"



EXISTING RIGHT ELEVATION

SCALE : 1/8" = 1' - 0"



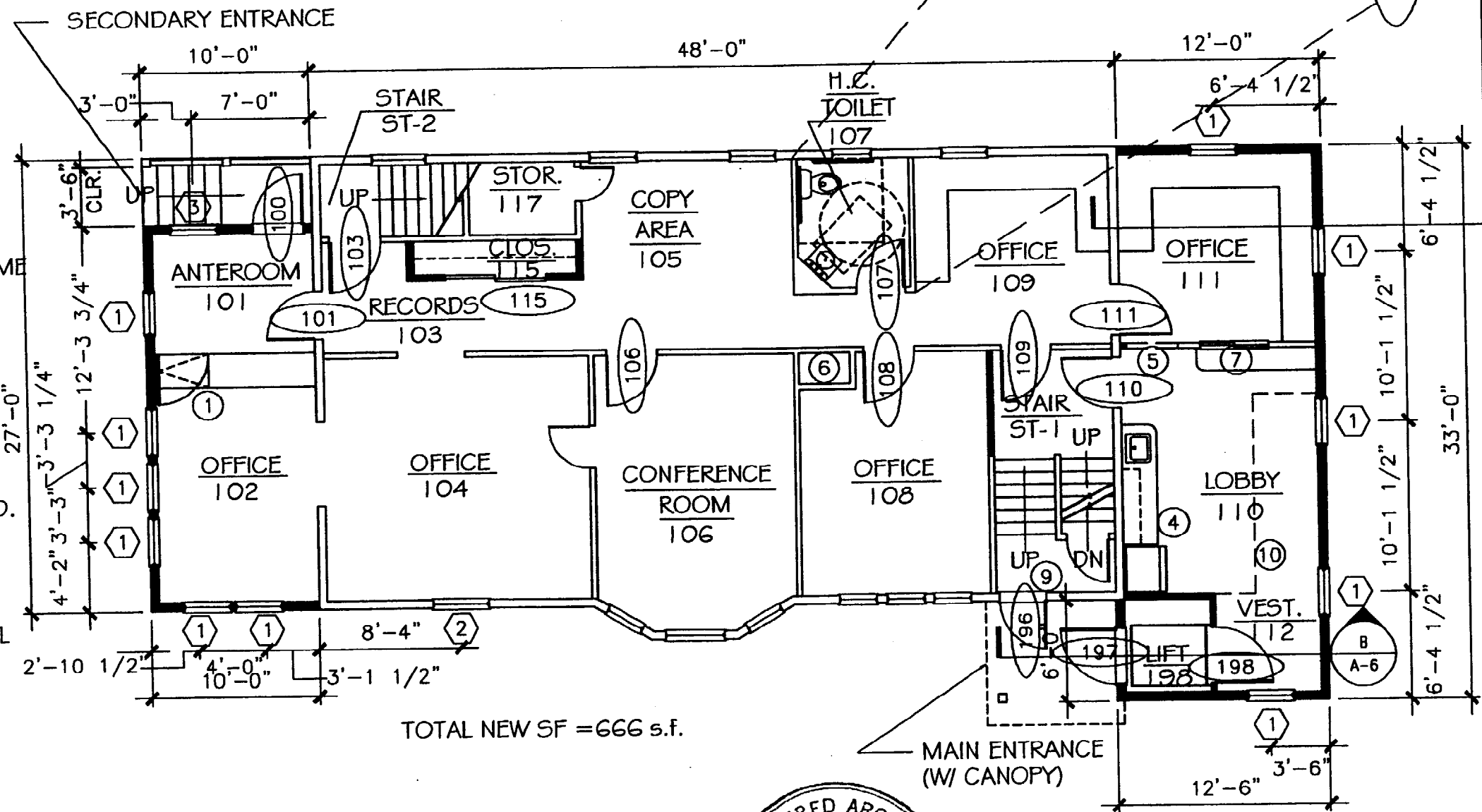
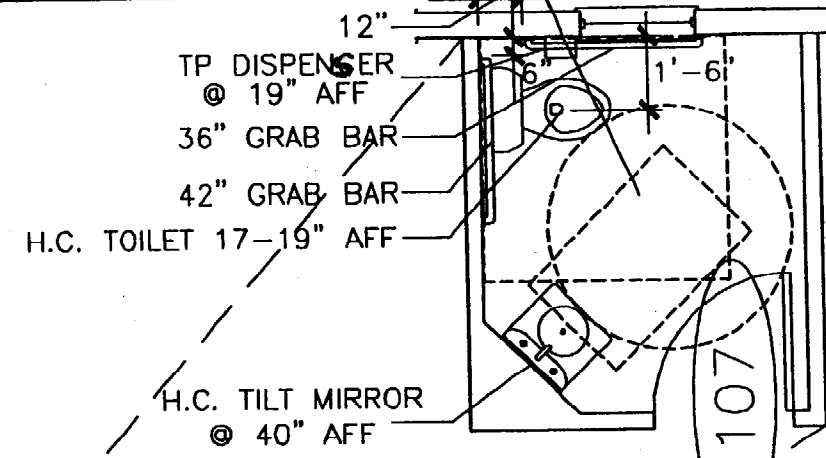
KEY NOTE LEGEND:

- ① COUNTER @ 3'-0" AFF  
W/ LIFT UP LEAF & GATE
- ② 1/2 WALL W/ WOOD CAP  
AND ADA RAMP ( 1/12 MAX PITCH)  
W/ HANDRAIL
- ③ ROOF BELOW
- ④ KITCHEN BASE & COUNTERTOP  
@ 34" AFF, W/ BAR SINK, 3/4 SIZE  
REFRIG., CNTRTP. MICROWAVE, &  
12"D. CABINETS ABOVE.
- ⑤ HEADER ABOVE
- ⑥ EXISTING CHIMNEY
- ⑦ SLIDING WINDOW &  
COUNTER
- ⑧ 5 ADJUSTABLE SHELVES-  
12"W. X 3/4"
- ⑨ ENLARGE OPENING FOR NEW DOOR FRAME  
PATCH & REFINISH WALL TO MATCH
- ⑩ SLOPED GYP SOFFIT ON RAMP ABOVE

NOTES:

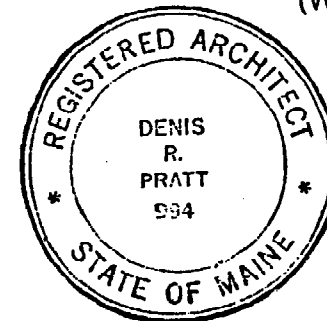
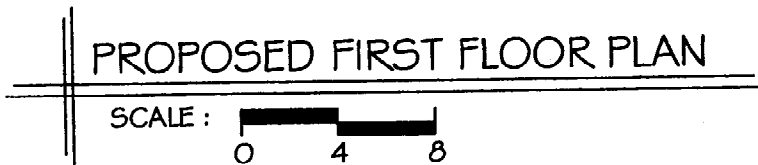
- 1. ALL NEW CONSTRUCTION ENCLOSING ST-1,  
ST-2 AND LIFT ARE TO BE 1 HOUR RATED=  
5/8" TYPE X GWB EACH SIDE,  
2 X 4 WOOD STUDS 24" O.C.  
ALL PENETRATIONS ARE TO BE FIREPROOFED.
- 2. ALL EXTERIOR WALLS = 5/8" TYPE X GWB,  
VAPOR BARRIER, 2 X 6 WOOD STUDS  
@ 24" O.C., FULL THICKNESS BATT INSUL.,  
7/16" OSB SHEATHING, AIR BARRIER, VINYL  
SIDING TO MATCH EXISTING.
- 3. ALL INTERIOR WALLS = 5/8" TYPE X GWB  
EACH SIDE, 2 X 4 WOOD STUDS  
@ 24" O.C., FULL THICKNESS BATT INSUL.

NOTE: KEY NOTES ARE NUMBERED SEQUENTIALLY WITHIN  
THIS DRAWING SET & THE SAME KEY NOTE LEGEND  
APPEARS ON EACH FLOOR PLAN . SPECIFIC  
KEY NOTES REFER ONLY TO THE DRAWING  
WHERE THEY APPEAR. NOT ALL KEY NOTES  
APPEAR ON ALL DRAWINGS.



TOTAL NEW SF = 666 s.f.

MAIN ENTRANCE  
(W/ CANOPY)



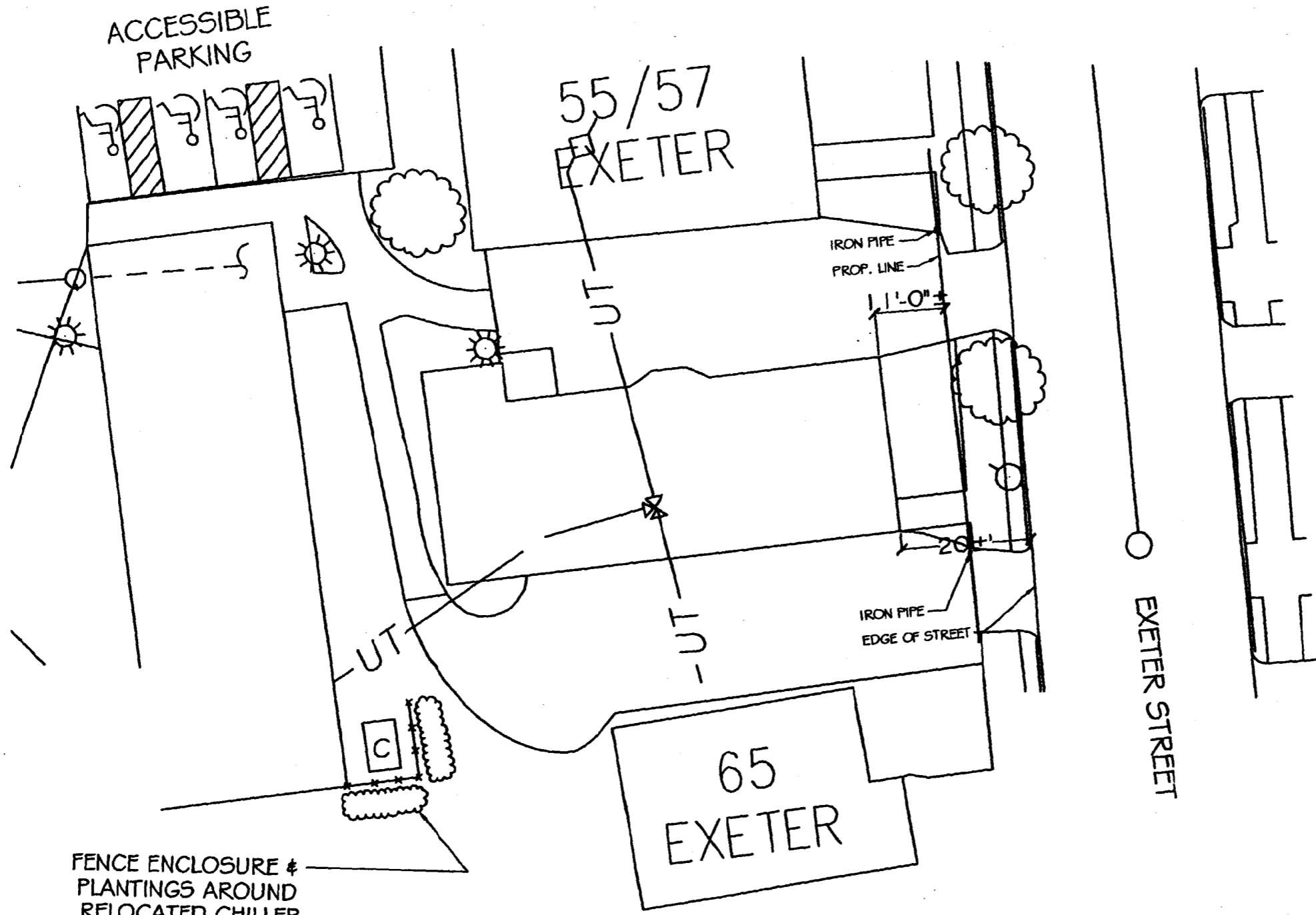
USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

PROPOSED FIRST  
FLOOR PLAN

A-1

DATE : 06/17/03

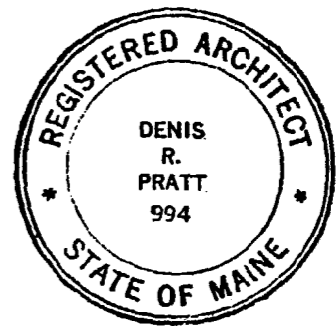




**SITE NOTES:**

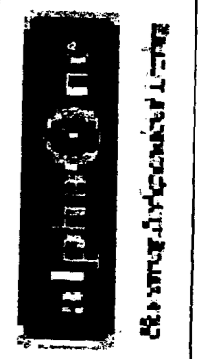
SITE INFORMATION TAKEN FROM SURVEY DRAWING BY OEST ASSOCIATES, J. WATTS SURVEYOR, DATED MAY 1990, FIELD BOOK 129, TITLED: STANDARD TOPOGRAPHIC AND BOUNDARY SURVEY, LAW SCHOOL SITE, UNIVERSITY OF SOUTHERN MAINE, FALMOUTH STREET AND DEERING AVENUE PROJECT NO 910.01.01" AND SITE PLAN BY TFH ARCHITECTS, DATED 17 JULY, 1990, FOR USM SCHOOL OF LAW DONALD L. GARBRECHT LAW LIBRARY, ADDITIONS AND RENOVATIONS. ALSO FROM FIELD MEASUREMENTS MADE ON-SITE 5/19-20/2003.

FENCE ENCLOSURE & PLANTINGS AROUND RELOCATED CHILLER



**PROPOSED SITE PLAN**

SCALE: 1" = 10'-0"

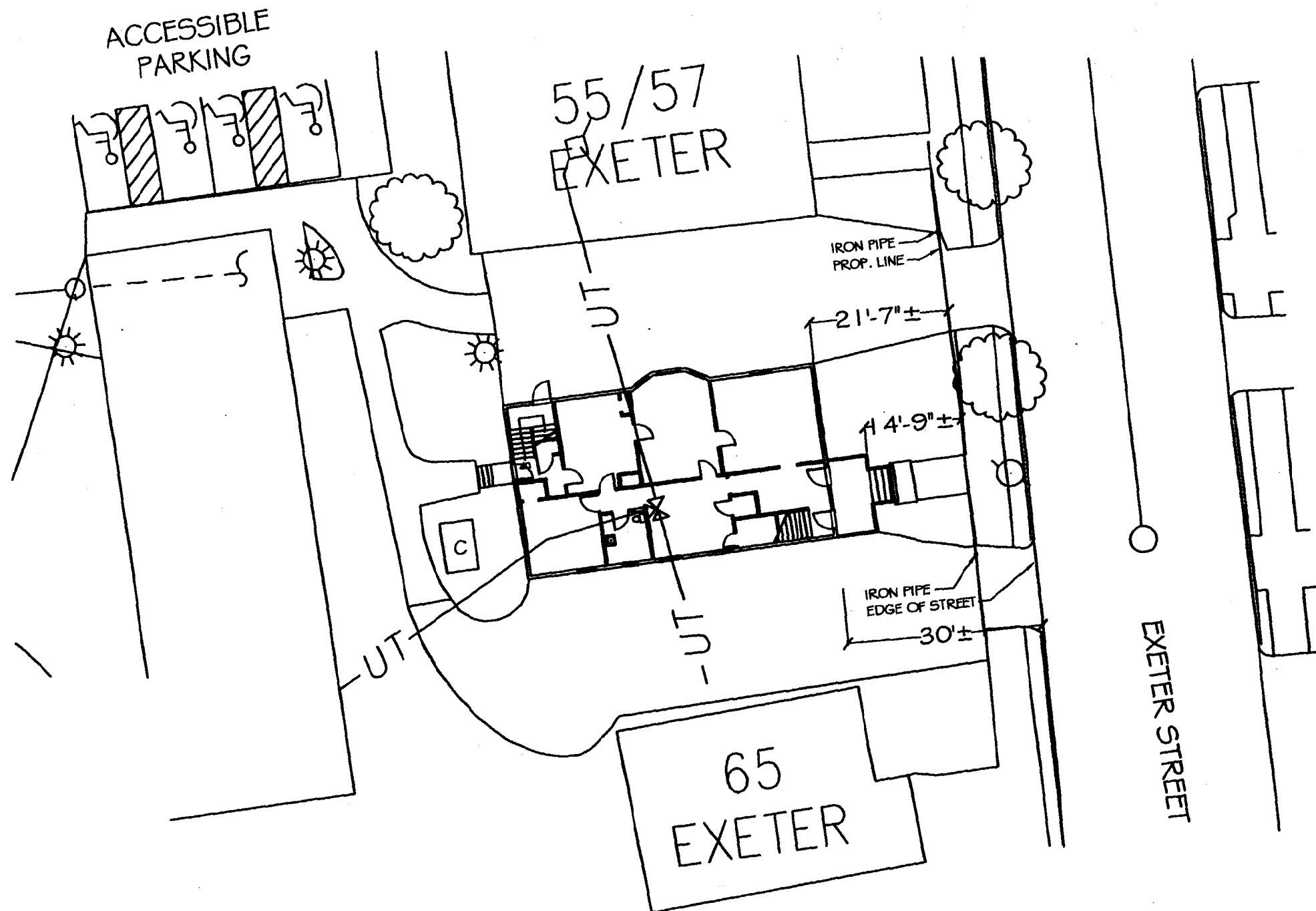


**USM LAW CLINIC**  
59 EXETER STREET  
PORTLAND, MAINE

**PROPOSED SITE PLAN**

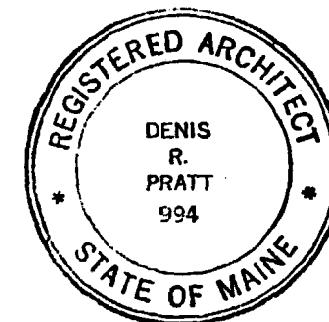
DATE: 06/17/03

**SP-1**



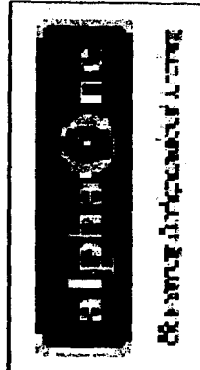
**SITE NOTES:**

SITE INFORMATION TAKEN FROM SURVEY DRAWING BY OEST ASSOCIATES, J. WATTS SURVEYOR, DATED MAY 1990, FIELD BOOK 129, TITLED: STANDARD TOPOGRAPHIC AND BOUNDARY SURVEY, LAW SCHOOL SITE, UNIVERSITY OF SOUTHERN MAINE, FALMOUTH STREET AND DEERING AVENUE PROJECT NO 910.01.01" AND SITE PLAN BY TFH ARCHITECTS, DATED 17 JULY, 1990, FOR USM SCHOOL OF LAW DONALD L. GARBRECHT LAW LIBRARY, ADDITIONS AND RENOVATIONS. ALSO FROM FIELD MEASUREMENTS MADE ON-SITE 5/19-20/2003.



EXISTING SITE PLAN

SCALE : 1" = 10' - 0"



USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

EXISTING SITE PLAN

DATE : 06/17/03

EX-1

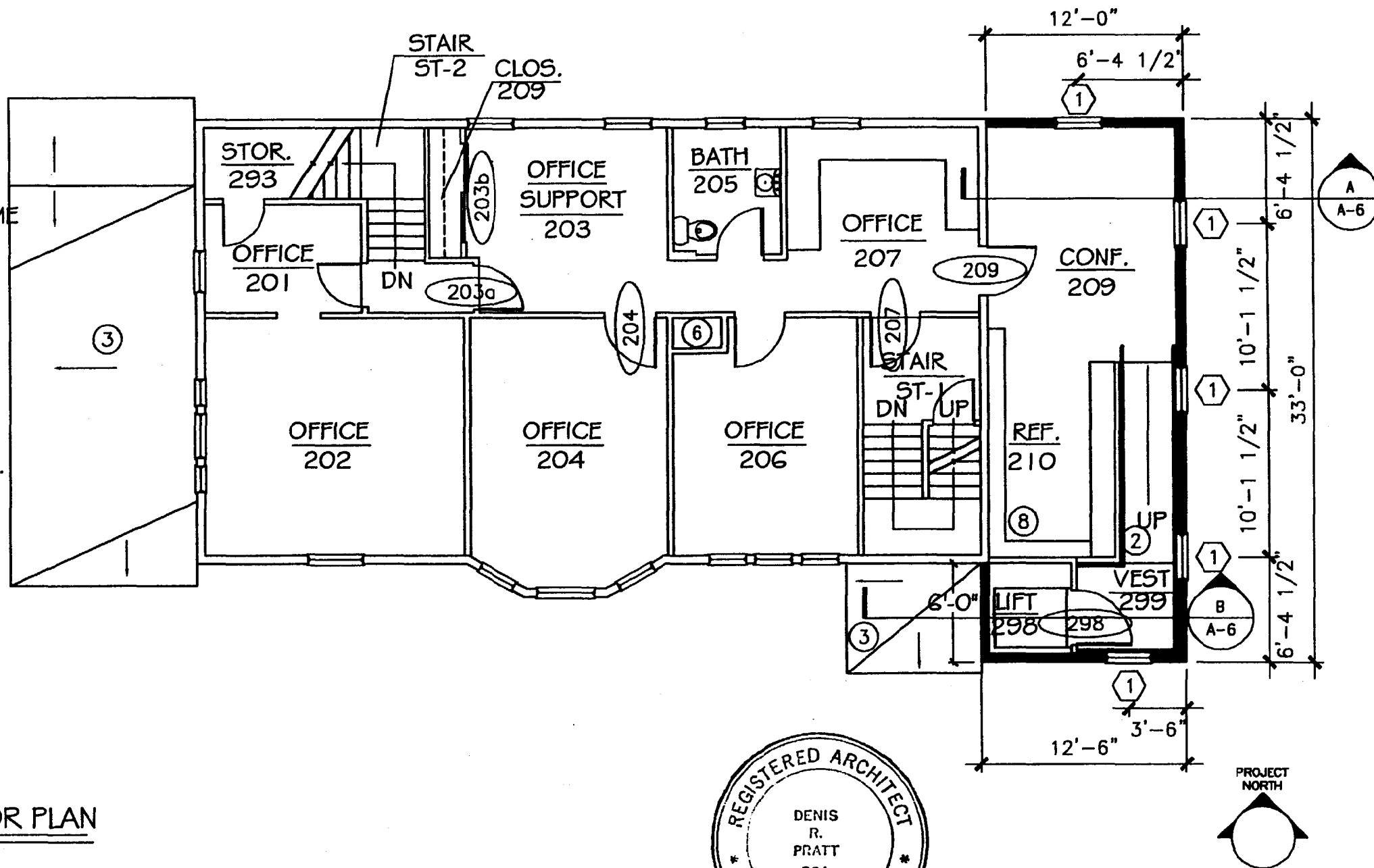
**KEY NOTE LEGEND:**

- ① COUNTER @ 3'-0" AFF W/ LIFT UP LEAF & GATE
- ② 1/2 WALL W/ WOOD CAP AND ADA RAMP ( 1/12 MAX PITCH) W/ HANDRAIL
- ③ ROOF BELOW
- ④ KITCHEN BASE & COUNTERTOP @ 34" AFF, W/ BAR SINK, 3/4 SIZE REFRIG., CNTRTP. MICROWAVE, & 12"D. CABINETS ABOVE.
- ⑤ HEADER ABOVE
- ⑥ EXISTING CHIMNEY
- ⑦ SLIDING WINDOW & COUNTER
- ⑧ 5 ADJUSTABLE SHELVES- 12"W. X 3/4"
- ⑨ ENLARGE OPENING FOR NEW DOOR FRAME PATCH & REFINISH WALL TO MATCH
- ⑩ SLOPED GYP SOFFIT ON RAMP ABOVE

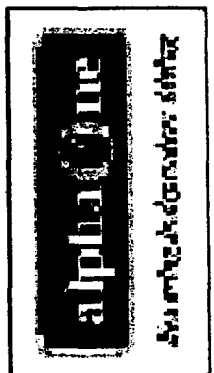
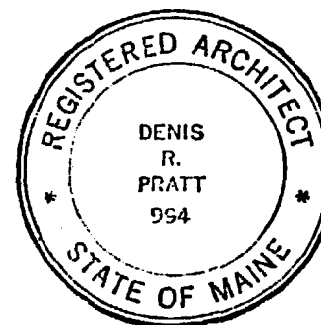
NOTE: KEY NOTES ARE NUMBERED SEQUENTIALLY WITHIN THIS DRAWING SET & THE SAME KEY NOTE LEGEND APPEARS ON EACH FLOOR PLAN . SPECIFIC KEY NOTES REFER ONLY TO THE DRAWING WHERE THEY APPEAR. NOT ALL KEY NOTES APPEAR ON ALL DRAWINGS.

**NOTES:**

- 1. ALL WALLS ENCLOSING ST-1, ST-2 AND LIFT ARE TO BE 1 HOUR RATED= 5/8" TYPE X GWB EACH SIDE, 2 X 4 WOOD STUDS 24" O.C. ALL PENETRATIONS ARE TO BE FIREPROOFED.
- 2. ALL EXTERIOR WALLS = 5/8" TYPE X GWB, VAPOR BARRIER, 2 X 6 WOOD STUDS @ 24" O.C., FULL THICKNESS BATT INSUL., 7/16" OSB SHEATHING, AIR BARRIER, VINYL SIDING TO MATCH EXISTING.
- 3. ALL INTERIOR WALLS = 5/8" TYPE X GWB EACH SIDE, 2 X 4 WOOD STUDS @ 24" O.C., FULL THICKNESS BATT INSUL.



PROPOSED SECOND FLOOR PLAN  
SCALE: 0 4 8



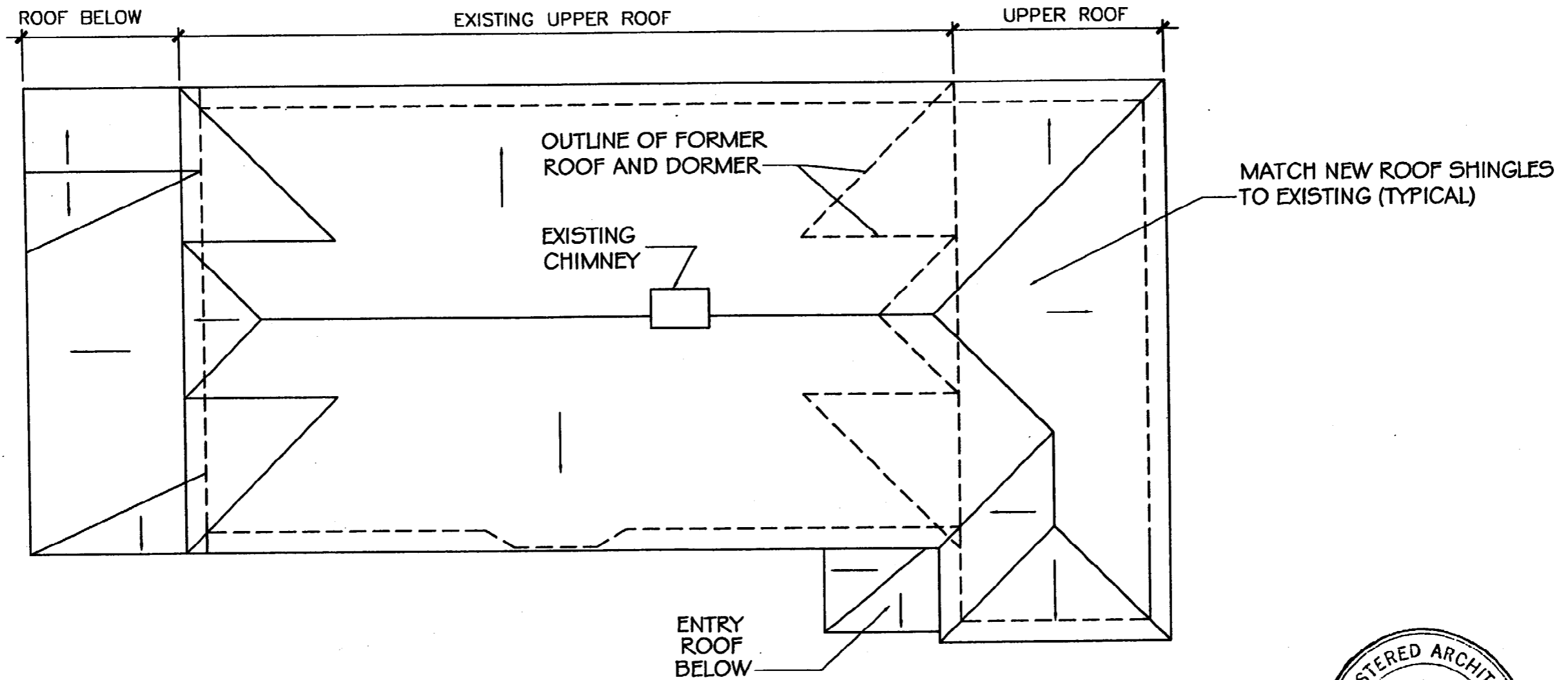
USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

PROPOSED SECOND  
FLOOR PLAN  
DATE: 06/17/03

A-2

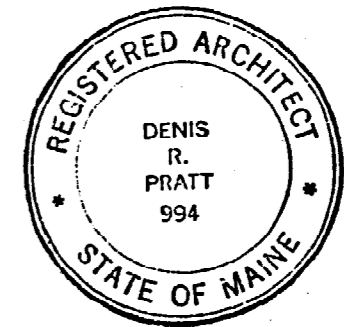
NOTES:

1. LOW-SLOPE ROOF SHINGLES AT FRONT ADDITION ROOF: PROVIDE "ICE & WATER SHIELD" SELF ADHERING MODIFIED MEMBRANE UNDERLAYMENT (TYPICAL FOR ALL ROOFING), PLUS FULLY CEMENT SHINGLES, PLUS REDUCE EXPOSURE TO APPROX. 4 5/8" PER ROW.
2. PROVIDE NEOPRENE BOOTS AT ALL VENTS & PIPES THRU ROOF, FULLY FLASH INTO ROOFING SYSTEM.



PROPOSED ROOF PLAN

SCALE: 0 4 8



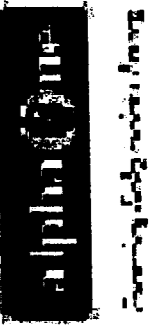
USM LAW CLINIC

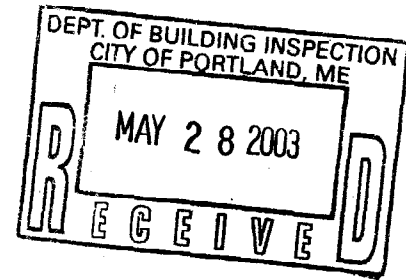
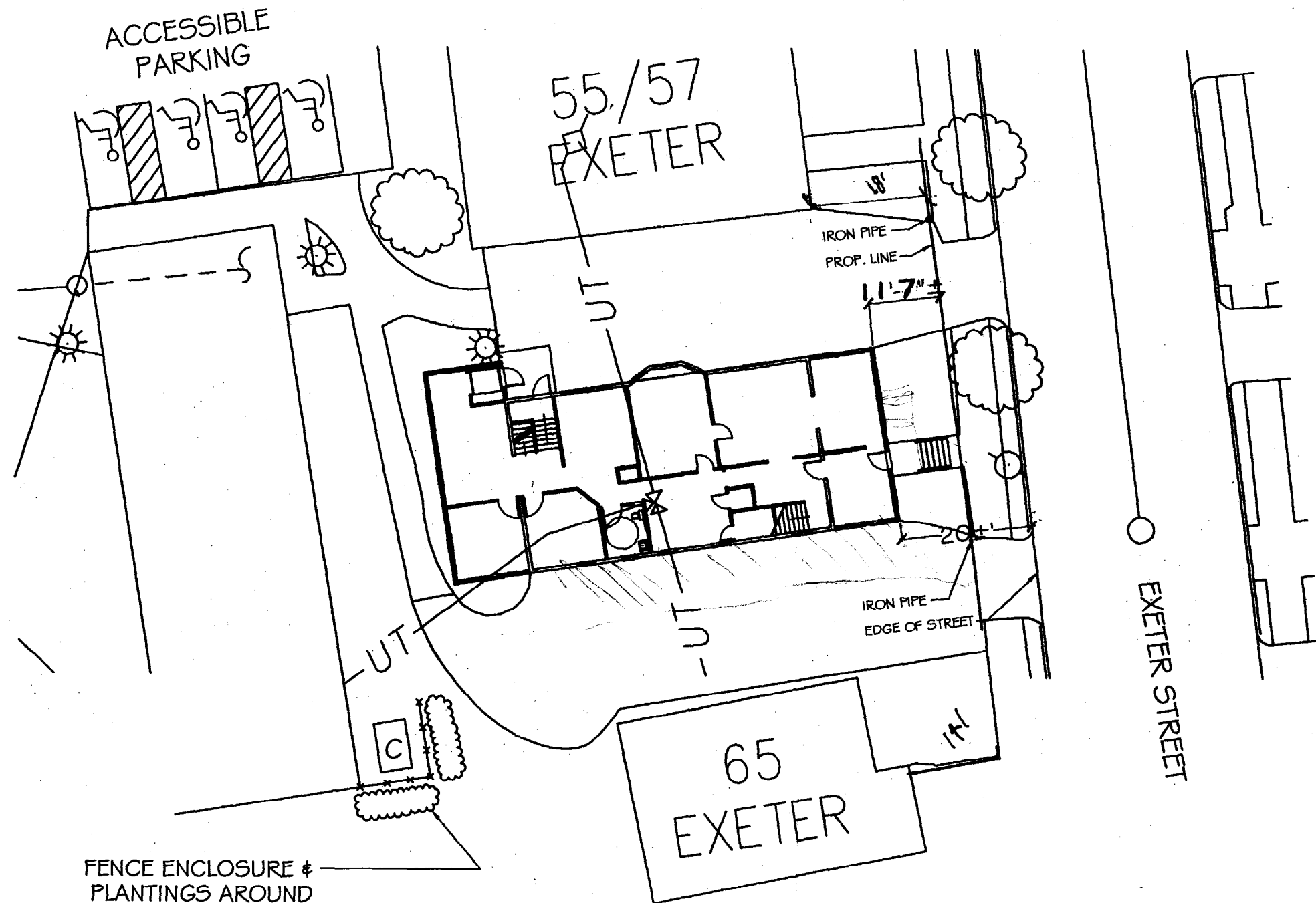
59 EXETER STREET  
PORTLAND, MAINE

PROPOSED ROOF  
PLAN

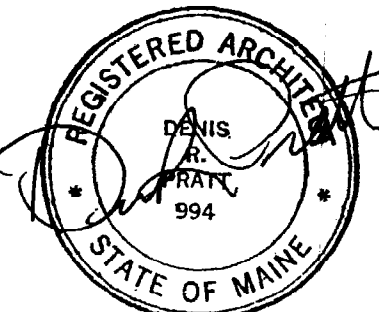
DATE: 06/17/03

A-3





**SITE NOTES:**  
 SITE INFORMATION TAKEN FROM SURVEY DRAWING BY OEST ASSOCIATES, J. WATTS SURVEYOR, DATED MAY 1990, FIELD BOOK 129, TITLED: STANDARD TOPOGRAPHIC AND BOUNDARY SURVEY, LAW SCHOOL SITE, UNIVERSITY OF SOUTHERN MAINE, FALMOUTH STREET AND DEERING AVENUE PROJECT NO 910.01.01" AND SITE PLAN BY TFH ARCHITECTS, DATED 17 JULY, 1990, FOR USM SCHOOL OF LAW DONALD L. GARBRECHT LAW LIBRARY, ADDITIONS AND RENOVATIONS. ALSO FROM FIELD MEASUREMENTS MADE ON-SITE 5/19-20/2003.



*Programmatic Access Also, Not just physical*

**PROPOSED SITE PLAN**

SCALE: 1" = 10'-0"

*what size wheelchair circulation within the bldg Not increasing office area*

*18  
14  
32 ÷ 2 = 16' Allowable front setback*

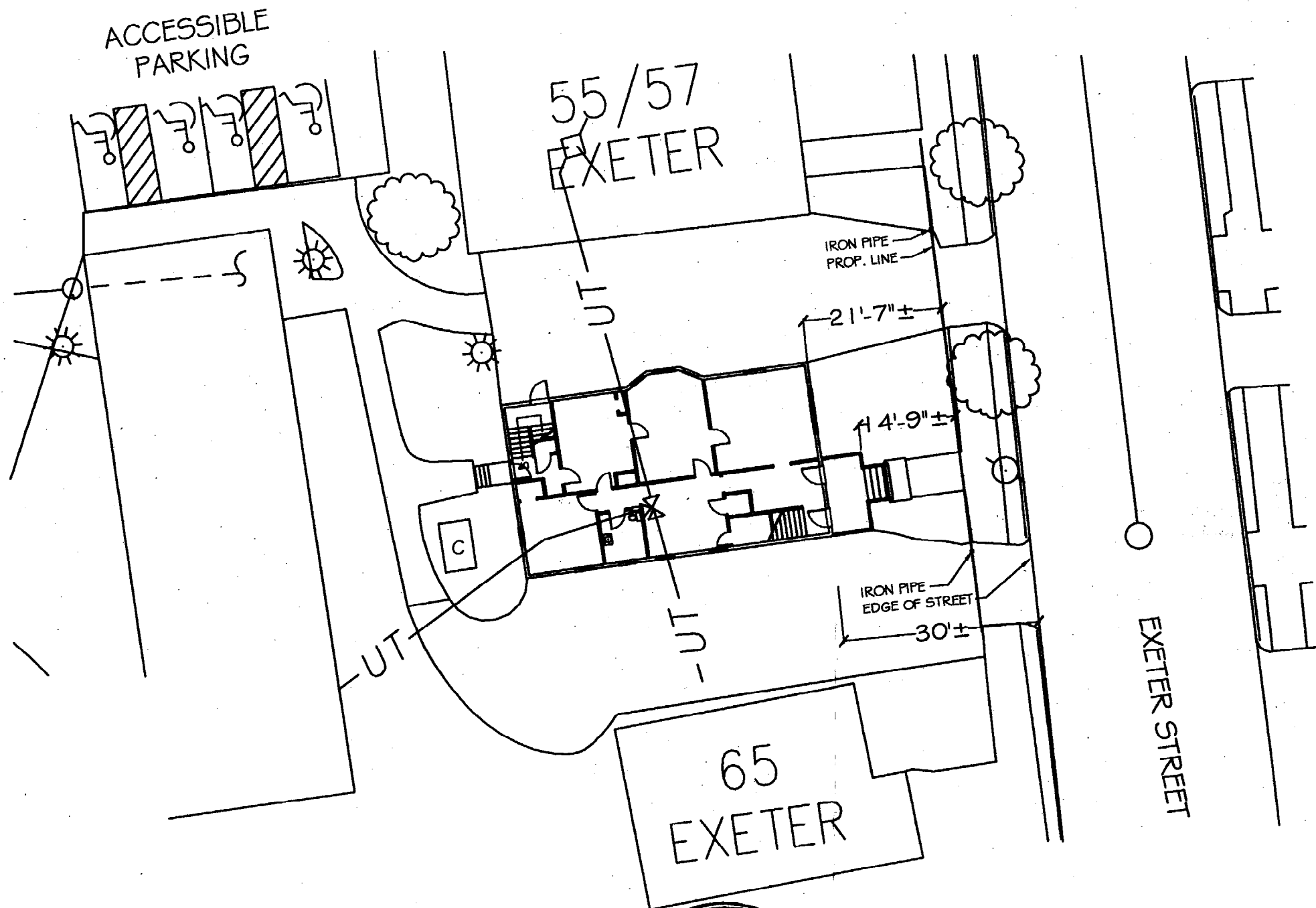


**USM LAW CLINIC**  
 59 EXETER STREET  
 PORTLAND, MAINE

**PROPOSED SITE PLAN**

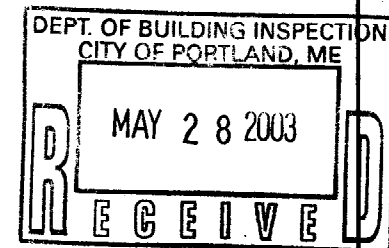
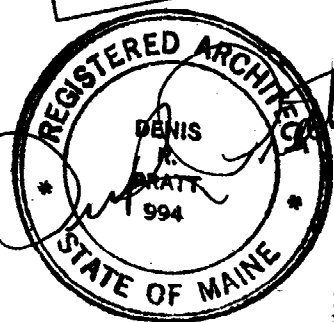
DATE: 04/03/03

**SP-1**



SITE NOTES:

SITE INFORMATION TAKEN FROM SURVEY DRAWING BY OEST ASSOCIATES, J. WATTS SURVEYOR, DATED MAY 1990, FIELD BOOK 129, TITLED: STANDARD TOPOGRAPHIC AND BOUNDARY SURVEY, LAW SCHOOL SITE, UNIVERSITY OF SOUTHERN MAINE, FALMOUTH STREET AND DEERING AVENUE PROJECT NO 910.01.01 AND SITE PLAN BY TFH ARCHITECTS, DATED 17 JULY, 1990, FOR USM SCHOOL OF LAW DONALD L. GARBRECHT LAW LIBRARY, ADDITIONS AND RENOVATIONS. ALSO FROM FIELD MEASUREMENTS MADE ON-SITE 5/19-20/2003.



EXISTING SITE PLAN

SCALE: 1" = 10'-0"



USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

EXISTING SITE PLAN

DATE: 04/04/03

EX-1

NOTES:

1. FIELD MEASURE & VERIFY EXISTING ROOF PITCHES & MATERIALS.
2. MATCH EXISTING FLASHING. PROVIDE WIDTHS AS SHOWN.
3. ALL WOOD TRIM= WRAPPED WITH BRAKE FORMED PRE-FINISHED ALUMINUM. COLOR TO MATCH EXISTING.

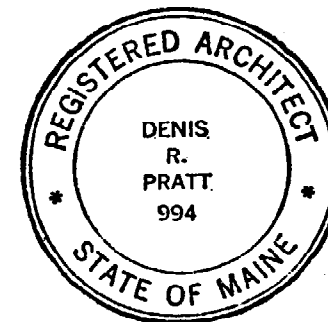


EAST ELEVATION

SCALE: 0 4 8

SOUTH ELEVATION

SCALE: 0 4 8



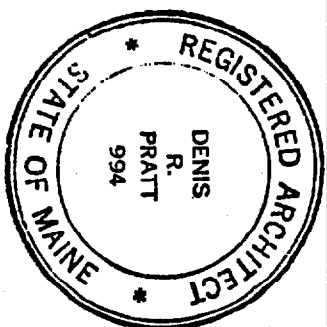
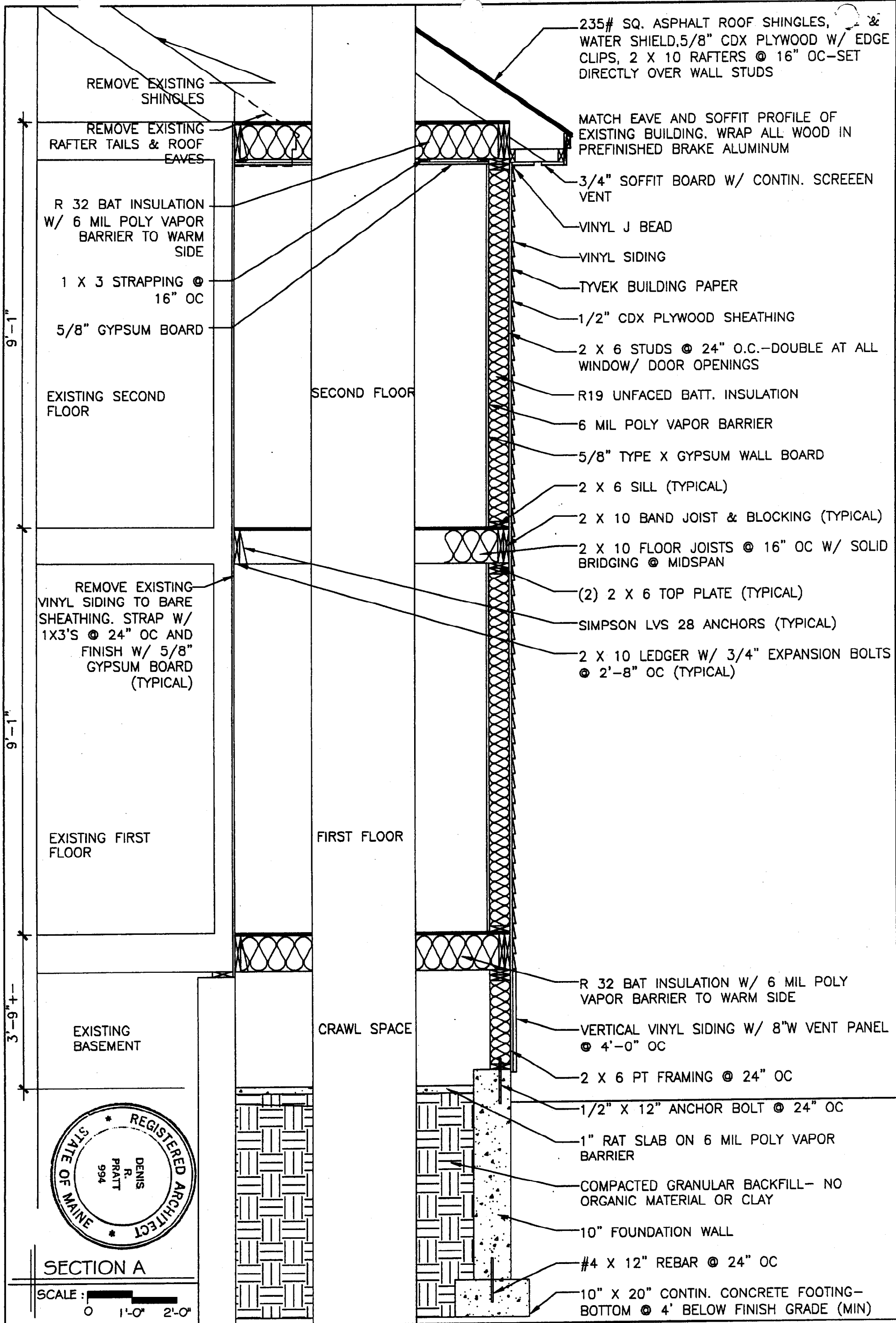
USM LAW CLINIC

59 EXETER STREET  
PORTLAND, MAINE

PROPOSED  
EXTERIOR ELEVATIONS

DATE: 06/17/03

A-5



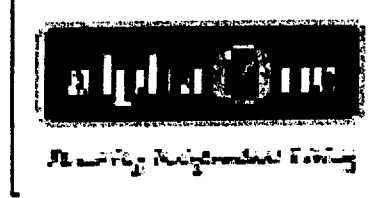
SECTION A

SCALE: 0 1'-0" 2'-0"

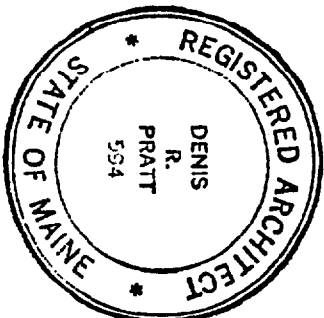
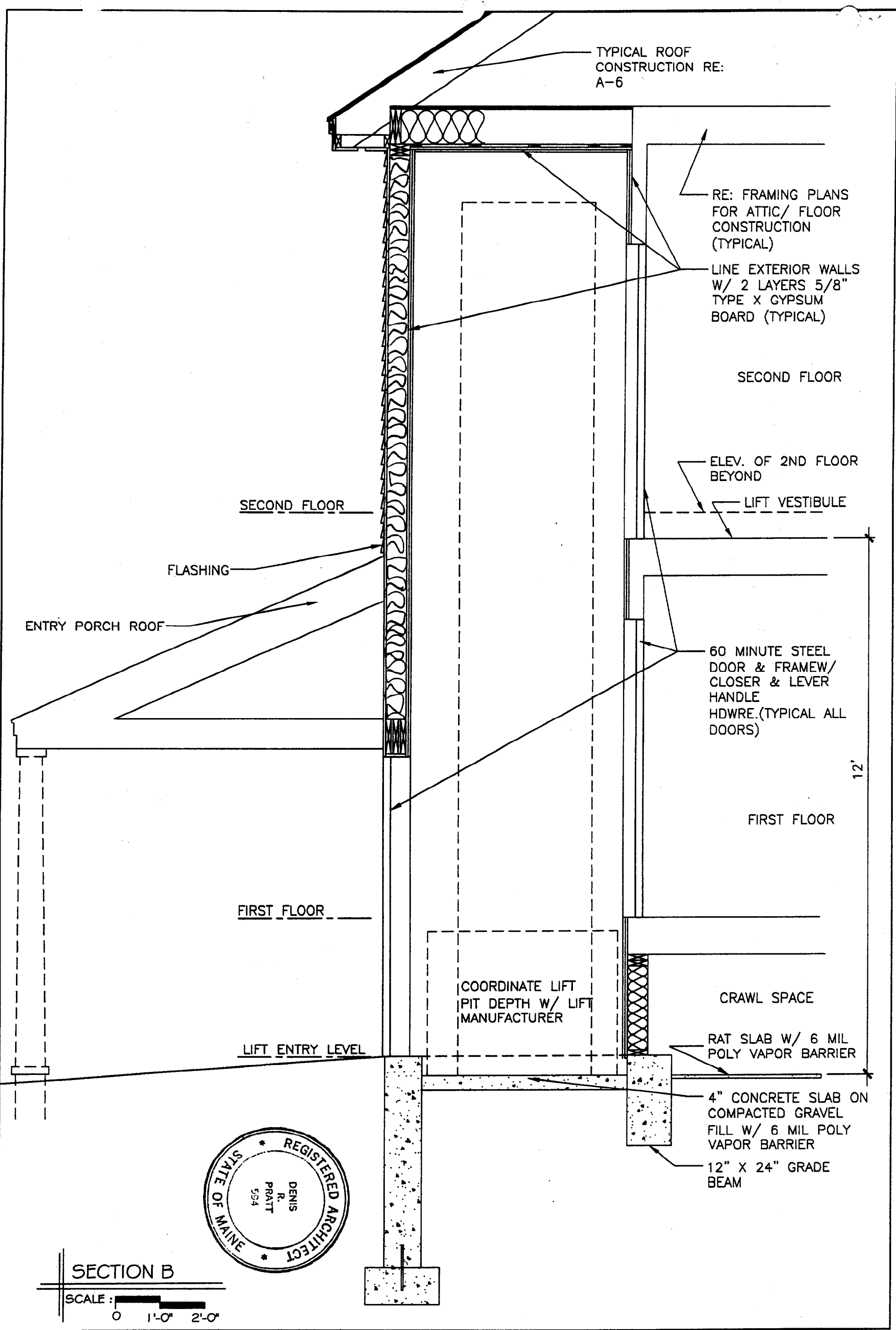
A-6

BUILDING SECTIONS  
DATE: 06/17/03

USM LAW CLINIC  
59 EXETER STREET  
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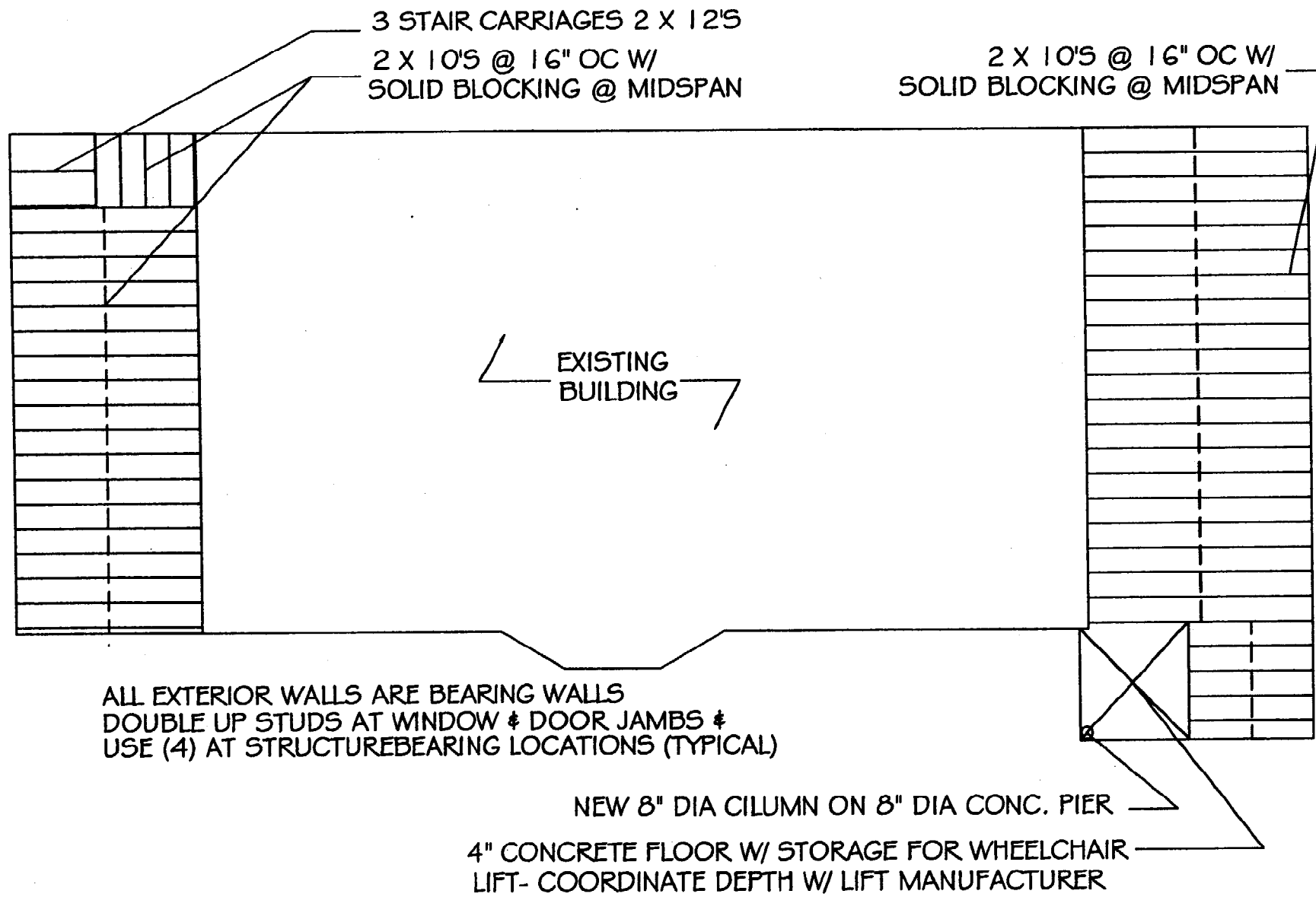






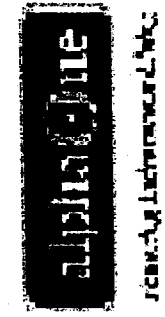
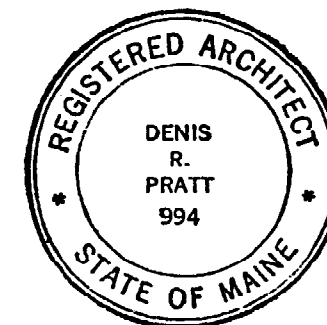
SECTION B  
 SCALE: 0 1'-0" 2'-0"

<p>A-7</p>	<p>BUILDING SECTION</p> <p>DATE: 06/17/03</p>	<p>USM LAW CLINIC</p> <p>59 EXETER STREET</p> <p>PORTLAND, MAINE</p>	<p>Printing. Digitally. Perfectly.</p>
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FIRST FLOOR FRAMING PLAN

SCALE: 0 4 8

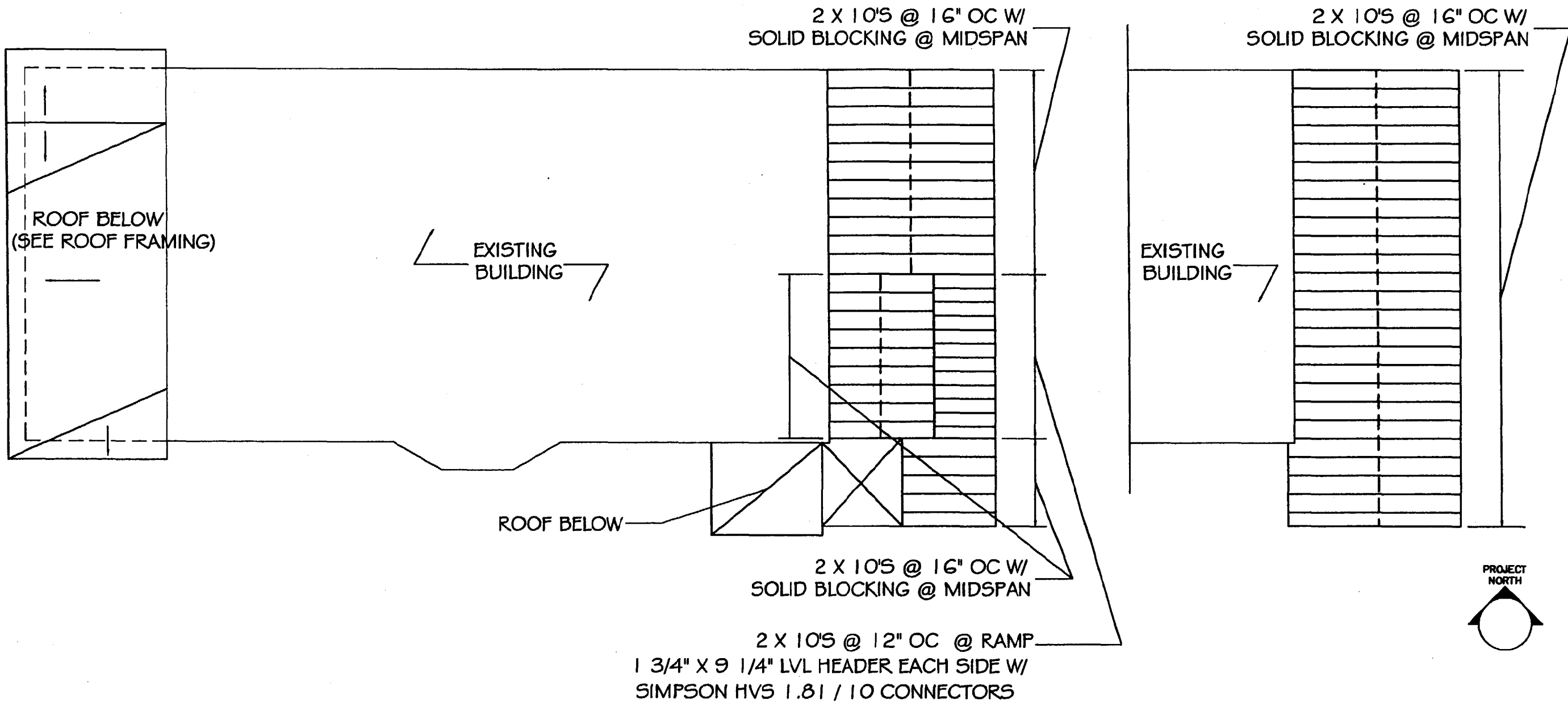


USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

FIRST FLOOR  
FRAMING PLAN

DATE: 06/17/08

S-1

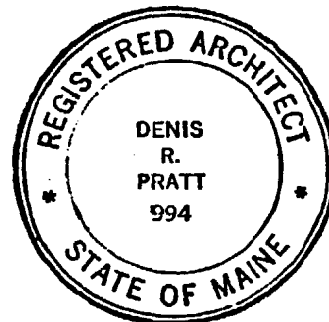


SECOND FLOOR FRAMING PLAN

SCALE: 0 4 8

ATTIC FRAMING PLAN

SCALE: 0 4 8

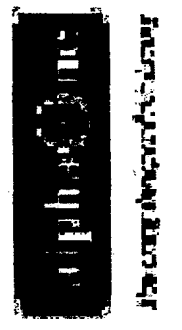


USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

SECOND FLOOR  
FRAMING PLAN

DATE: 06/17/03

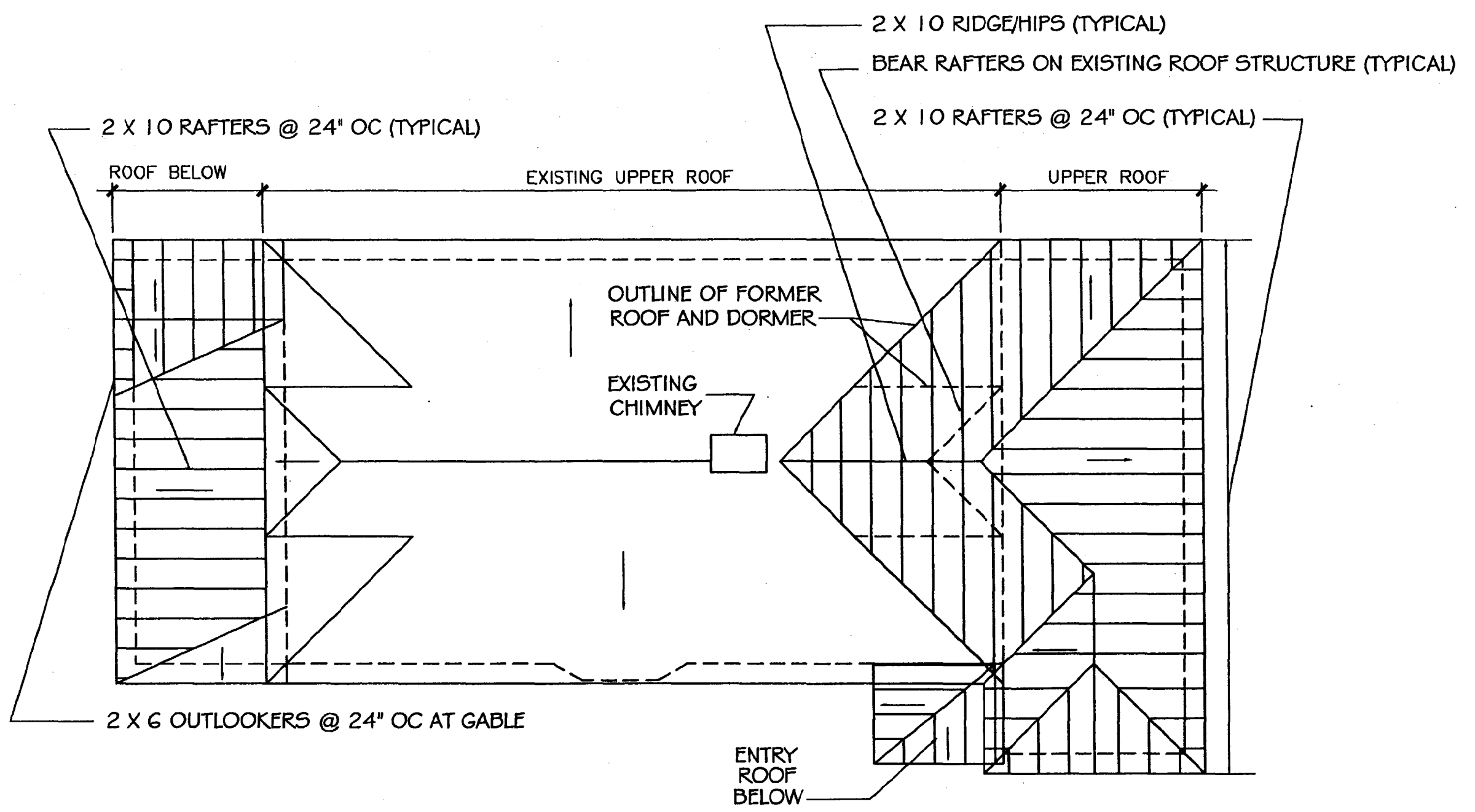
S-2



USM LAW CLINIC  
59 EXETER STREET  
PORTLAND, MAINE

ROOF  
FRAMING PLAN  
DATE : 06/17/03

S-3



ROOF FRAMING PLAN

