

July 21, 2017

Ms. Christina Stacey
City of Portland
Department of Permitting and Inspections
389 Congress Street
Portland, Maine 04101

Re: 236 Brackett Street CBL 055 B022-0001 Application for Legalization of Nonconforming dwelling unit

Dear Ms. Stacey,

I am providing this affidavit describing the history of the 3rd unit located in my building at 236 Brackett St. The previous owner, Janice Ionta, has kindly agreed to assist me with this affidavit as she owned the property from October 1981 until my purchase in January 2014. I assert that the dwelling unit existed well before 4/1/1995 and that it meets all current City codes.

Ms. Ionta purchased the building known as 236 Brackett Street from Gustave Karlsen in October 1981. The building contained three distinct occupancy units, each with kitchen sinks and appliances. Ms. Ionta purchased the building as a multifamily to accommodate herself and her married children, as well as being able to rent one of the units for additional income. In 1983, Ms. Ionta, who was employed by the City of Portland, participated in a weatherization and rehab program administered by the City, whereby the City of Portland made low interest loans/grants to owner occupied dwellings to update electrical, plumbing and insulation needs. Ms. Ionta does not recall the actual City of Portland program name, except to say that the administrator's name was "Max" and the work was performed by Richard Waltz under contract with the City at that time. Renovations included installing updated electrical and plumbing to the 3rd floor and insulating the attic and eaves in the building. Ms. Ionta believes that no permits were issued in her name at the time because the program was entirely administered by the City.

After the work was completed, the 3rd floor unit was occupied as a dwelling unit by her son and his family, complete with a 50amp stove circuit, sink/refridge unit and a full bathroom with tub and shower. In addition, her son and his family were receiving AFDC (aid to families with dependent children) and the unit was inspected by Maine's Dept. of Human Services to insure life safety requirements were in place at that time.

In January 2014, I (Dennis Martin) purchased the building from Ms. Ionta with the intent to completely renovate it and bring all systems up to City and State code. All three units were occupied when I purchased the building and the 3rd floor stove circuit, kitchen sink and bath all existed. During the purchase process, I learned that there was some confusion as to the status of the number of dwelling units, and approached Marge Schmuckle (sp?) at City hall for guidance. Because of the financial burden I had placed on myself to rehabilitate this structure, Marge advised that I apply for a fast track permit as a two unit now and that I determine the status of the 3rd floor unit at a later date. I agreed, but made sure that all plumbing and electrical renovations, as well as life safety improvements included the 3rd floor

unit. As I considered the building a three unit, I continued to register it as such with the housing office. The inspections officers included the third floor unit in all their inspections during rehabilitation as well. I still have to install a fire door to the basement of the building and update the hand railings as verbally determined by your inspector back in December 2016, but sprinklers have been installed in the basement and all smoke/CO units throughout the building, including the third floor unit, are working and up to code. The new electrical service approved by the City and installed includes an additional meter socket for the third floor. I appreciate your consideration of this application and look forward to working with you to continue my efforts to provide affordable housing on the Peninsula.



Dennis B. Martin dba Homekeepers and current owner



Janice Ionta- past owner

Notary public

State of Maine

County of Cumberland

The foregoing instrument was acknowledged before me this 21st day of July, 2017 at South Portland, Maine, by Dennis B. Martin and Janice Ionta to be their free act and deed.



Notary Public

ALICE O. GOODWIN
Notary Public, Maine

My Commission Expires December 10, 2019