

September 8, 2014

Building Inspections
Portland City Hall
Room 315
289 Congress Street
Portland, Maine 04101

Re: Condo Conversion Permit Application - 223 Western Promenade,
Portland

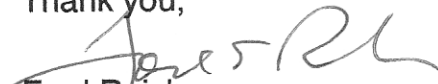
Enclosed please find the following relative to the above Application:

- Electronic Signature and Fee Payment Confirmation;
- Condominium Conversion Application Form;
- Project Data Form;
- Building Permit Application form, on which we have noted that the permit was previously issued;
- Copy of Building Permit as issued on 9/19/2013.

We will send in the \$450 fee amount by US Mail as soon as you indicate to do so.

Please note: this property is vacant. There have been no occupants or tenants in the past several years. In written correspondence with Greg Mitchell and Marge Schmuckel, I have confirmed that we should go through this Conversion process per City regulations even though there are no tenants to notify. Marge also advised us to put a provision in future leases, if we decide to lease these condos, so that tenants will understand that the conversion has already occurred; so that we will not have any future notice obligations to tenants under the Portland Condo Conversion ordinance.

Thank you,


Ford Reiche
for 223 Western Promenade, LLC

c/o Ford Reiche
100 Middle Road
Cumberland, Maine 04021
207-740-6099



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Jeff Levine, AICP, Director
Director of Planning and Urban Development

Tammy Munson
Director, Inspections Division

Electronic Signature and Fee Payment Confirmation

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

I, the undersigned, intend and acknowledge that no permit application can be reviewed until payment of appropriate permit fees are **paid in full** to the Inspections Office, City of Portland Maine by method noted below:

Within 24-48 hours, upon receipt of an e-mailed invoice from Building Inspections, which signifies that my electronic permit application and corresponding paperwork have been received, determined complete, entered by an administrative representative, and assigned a permit number, I then have the following four (4) payment options:

- to provide an on-line electronic check or credit/debit card (we now accept American Express, Discover, VISA, and MasterCard) payment (along with applicable fees beginning July 1, 2014),
- call the Inspections Office at (207) 874-8703 and speak to an administrative representative to provide a credit/debit card payment over the phone,
- hand-deliver a payment method to the Inspections Office, Room 315, Portland City Hall,
- or deliver a payment method through the U.S. Postal Service, at the following address:

City of Portland
Inspections Division
389 Congress Street, Room 315
Portland, Maine 04101

Once my payment has been received, this then starts the review process of my permit. **After all approvals have been met and completed, I will then be issued my permit via e-mail.** No work shall be started until I have received my permit.

Applicant Signature: _____

Just S. [Signature]
for 223 WESTERN Pkwy LLC

Date: _____

9/8/14

I have provided digital copies and sent them on: _____

Date: _____

NOTE: All electronic paperwork must be delivered to buildinginspections@portlandmaine.gov or by physical means ie; a thumb drive or CD to the office.

Room 315 - 389 Congress Street- Portland, Maine 04101 (207) 874-8703 - Fax: 874-8716 - TTY: 874-8936



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Gregory A Mitchell
Acting Director of Planning and Urban Development

Marge Schmuckal
Zoning Administrator

CONDOMINIUM CONVERSION PERMIT APPLICATION

FEES: \$150 administrative fee and \$100 Certificate of Occupancy fee PER UNIT. There is an additional fee for any building alterations using normal permit fee structures.

Before an owner offers to convey a converted unit, a conversion permit shall be obtained. Condo Conversions are NOT a change of use. They are considered a change of ownership of building area, not land. Subdivision is not involved. Only the LEGAL number of dwelling units may be condominiumized. Any illegal units shall be removed or made legal by proper permitting.

The entire purpose of this ordinance is to protect existing residential tenants & to ensure that converted housing is safe and decent.

Notice of intent to convert: All tenants shall be given a specific notice of intent to convert their unit to a condominium, from the owner. This notice shall contain a specific offer and terms for the tenant to purchase their unit. The notice shall contain specific wording outlined within the Ordinance that notifies the tenants of irrevocable rights and how to contact the City of Portland. The tenant shall also be given a specific time for notice to vacate based upon the number of years that they have occupied their unit. The minimum notice to vacate is 120 day notice:

0-4 years =	120 days notice	7 years =	210 days notice	10 years =	300 days notice
5 years =	150 days notice	8 years =	240 days notice	11 years =	330 days notice
6 years =	180 days notice	9 years =	270 days notice	12+years=	360 days notice

Sixty days after their notice, the tenant has an exclusive, irrevocable option to purchase their own unit. During that time, the owner/developer may not convey, nor offer to convey, the unit to any other person. For the next 180 days, the owner/developer cannot offer a more favorable price or term to any other person unless the same terms are offered to the original tenant first.

Rent may not be altered during the official noticing period unless expressly provided in a pre-existing written lease.

The owner/developer shall post a copy of the issued permit in a conspicuous place in each unit, and shall make copies available to prospective purchasers upon request.

Relocation payments: If the tenant does NOT purchase, the owner shall (before the tenant vacates) make a cash payment to the tenant in the amount of rent for the preceding two months ONLY if the tenant meets the current 80% of the low/moderate income rules adjusted for family size as given to the City of Portland by the Federal Government. Additionally, the developer shall provide other assistance to the tenant in the form of reasonable accommodations, referrals, and determining tenant eligibility.

Copies of your notice to each of your tenants MUST be attached to your permit application. NO permit will be issued without copies of the notices. If there are building vacancies, this office requires the reason why the unit is vacant, with the previous tenant's name, new address, and phone number to contact them.

NO TENANTS EXISTING - NO NOTICE REQUIRED.

PLEASE READ SPECIFIC ORDINANCE FOR EXACT INFORMATION

SUBMIT WITH CONDOMINIUM CONVERSION PERMIT APPLICATION

PROJECT DATA:

ADDRESS: 223 WESTERN PROMENADE

Chart/Block/Lot(CBL): _____

Number of legal dwelling unit in building: 3

Tenant Name	Tenant Telephone #	Occupancy Length	Date of Notice	Eligible for \$?
Unit 1: NONE - THE PROPERTY HAS BEEN				
Unit 2: VACANT FOR SEVERAL YEARS.				
Unit 3:				
Unit 4:				
Unit 5:				
Unit 6:				
Unit 7:				
Unit 8:				
Unit 9:				
Unit 10:				

If more than 10 units, submit same information on all units on a separate piece of paper (or back of this one)

Length of time building owned by applicant: 1 1/2 yrs

Are any building improvements, renovations, or modifications being made associated with this conversion that requires a building, plumbing, electrical or HVAC permit? YES X NO _____ (check ONE)

BUILDING PERMIT ISSUED 2013 - ATTACHED

Type and cost of building improvements, associated with this conversion, that do NOT require permits:

\$ _____ Exterior walls, windows, doors, roof

\$ _____ Insulation

\$ _____ Interior Cosmetics (walls/floors/hallways/refinishing, etc.)

\$ _____ OTHER (specify)

See Building Permit application



General Building Permit Application

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.

Address/Location of Construction: <u>223 WESTERN PROMENADE</u>		
Total Square Footage of Proposed Structure: <u>12,500 ±</u>		
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>063 F005001</u>	Applicant Name: <u>223 WESTERN PROMENADE LLC</u> Address <u>40 FORD REICHTZ</u> <u>100 MIDDLE RD</u> City, State & Zip <u>CUMBERLAND, ME 04021</u>	Telephone: <u>207 740 6099</u> Email: <u>FORD@FORDREICHTZ.COM</u>
Lessee/Owner Name : (if different than applicant) Address: City, State & Zip: Telephone E-mail:	Contractor Name: (if different from Applicant) Address: <u>SANZ</u> City, State & Zip: Telephone E-mail:	Cost Of Work: \$ _____ C of O Fee: \$ <u>PA</u> Historic Rev \$ <u>PA</u> Total Fees : \$ _____
Current use (i.e. single family) _____ If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? <input type="checkbox"/> If yes, please name _____ Project description:		
Who should we contact when the permit is ready: <u>FORD REICHTZ</u>		
Address: <u>100 MIDDLE RD</u>		
City, State & Zip: <u>CUMBERLAND, MAINE 04021</u>		
E-mail Address: <u>FORD@FORDREICHTZ.COM</u>		
Telephone: <u>207 740 6099</u>		

Please submit all of the information outlined on the applicable checklist. Failure to do so causes an automatic permit denial.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division 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: [Signature] for 223 Western Promenade Date: 9/18/14

This is not a permit; you may not commence ANY work until the permit is issued.

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND BUILDING PERMIT



This is to certify that

223 WESTERN PROMENADE LLC C/O FORD
REICHE/WRIGHT RYAN CONSTRUCTION

Located at

223 WESTERN PROMENADE

PERMIT ID: 2013-01639 **ISSUE DATE:** 09/19/2013 **CBL:** 063 E005001

has permission to **To change the use from two dwelling units to three dwelling units**
provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise cloosed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be procured prior to occupancy.

/s/ Chris Pirone

Fire Official

/s/ Jeanie Bourke

Building Official

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
THERE IS A PENALTY FOR REMOVING THIS CARD**

Approved Property Use - Zoning

current use before #2013-01639 permit:
Two dwelling units. There was a conditional use appeal approval on 4/4/2013 to allow 2 to 4 dwelling units

Building Inspections

Use Group: R-2 **Type:** 3B
Residential Apartments (3 Units)
ENTIRE
MUBEC/IBC 2009

Fire Department

Classification:
Apartment Building
ENTIRE
2009 NFPA

BUILDING PERMIT INSPECTION PROCEDURES
Please call 874-8703 (ONLY)
or email: buildinginspections@portlandmaine.gov

Check the Status or Schedule an Inspection On-Line at
<http://www.portlandmaine.gov/planning/permitstatus.asp>

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**
- **Per Section 107.3.1 of the Maine Uniform Building and Energy Code (MUBEC). One set of printed approved stamped construction documents shall be kept at the site of work and shall be open to inspection by building officials.**

REQUIRED INSPECTIONS:

Footings/Setbacks

Foundation/Backfill

Plumbing Only

Close-in Plumbing/Framing

Electrical Close-in

Certificate of Occupancy/Final

Final - Electric

Final - Fire

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.

City of Portland, Maine - Building or Use Permit 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716	Permit No:	Date Applied For:	CBL:
	2013-01639	07/30/2013	063 E005001

Proposed Use: To change the use from two dwelling units to three dwelling units	Proposed Project Description: To change the use from two dwelling units to three dwelling units
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Dept: Historic	Status: Approved w/Conditions	Reviewer: Robert Wiener	Approval Date: 08/26/2013
Note: Historic Preservation Board approved exterior alterations on 4/17/2013, with conditions. Board also approved removal of existing fencing on eastern side of property; removal of vegetation, and restoration of iron fencing, pending new site treatment.			Ok to Issue: <input checked="" type="checkbox"/>
Conditions:			
1) •Final details, wall sections and material specifications to be submitted to staff for final review and approval prior to construction.			
2) •Site plan to be developed in consultation with landscape design professional. Final site plan proposed to be reviewed and approved by Historic Preservation Board.			
Dept: Zoning	Status: Approved w/Conditions	Reviewer: Marge Schmuckal	Approval Date: 08/15/2013
Note: ZBA approval 4/4/2013 for 2 to 4 dwelling unit only requesting 3 with this application			Ok to Issue: <input checked="" type="checkbox"/>
Conditions:			
1) It is understood that this request is only to Change the Use from two to three dwelling units instead of the 4 approved by the ZBA on 4/4/2013			
2) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.			

Dept: Building	Status: Approved w/Conditions	Reviewer: Jeanie Bourke	Approval Date: 09/19/2013
Note:			Ok to Issue: <input checked="" type="checkbox"/>
Conditions:			
1) Permit approved based upon information provided by the applicant or design professional. Any deviation from the final approved plans requires separate review and approval prior to work.			
2) Draftstopping and Fireblocking in combustible concealed spaces and locations shall be in accordance with IBC Sec. 717.			
3) All structural design requirements, changes or upgrades found during the alterations shall be submitted to this office for approval prior to commencement of the work.			
4) Beams & girders shall be solid or built up and bear on wood or supported by approved anchors per IBC Sec. 2308.7 and IRC R502.6			
5) Penetrations through fire resistance rated assemblies shall be protected by an approved penetration firestop system installed as tested in accordance with ASTM E814 or UL 1479			
6) This permit is approved per IBC 2009 Section 3409.1 for existing historic buildings; guardrail height allowance is a minimum of 36", handrail height a minimum of 34" and a maximum of 38".			
7) Any modifications to existing building systems and all new systems (HVAC, electrical, plumbing) shall meet IECC 2009 or ASHRAE 90.1-2007 requirements for energy code compliance.			
8) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm, HVAC systems, heating appliances, including pellet/wood stoves, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.			

Dept: Fire	Status: Approved w/Conditions	Reviewer: Chris Pirone	Approval Date: 09/02/2013
Note:			Ok to Issue: <input checked="" type="checkbox"/>
Conditions:			
1) A sprinkler system shall be installed in accordance with NFPA 13R.			

- 2) Single-station photoelectric smoke alarms are required. They shall be powered by the building's electrical service with battery backup and shall be interconnected. Smoke alarms shall be installed in the following locations:
 - (1) All sleeping rooms
 - (2) Outside each separate sleeping area, in the immediate vicinity of the sleeping rooms
 - (3) On each level of the dwelling unit, including basements.Single-station Carbon Monoxide (CO) alarms are required. They shall be powered by the building's electrical service with battery backup and shall be interconnected. CO alarms shall be installed in the following locations:
 - (1) Outside each separate dwelling unit sleeping area in the immediate vicinity of the bedrooms
 - (2) On every occupiable level of the dwelling unit, including basements, excluding attics and crawl spaces
- 3) A copy of the required state sprinkler permit with RMS signoff shall be provided prior to the final inspection.
- 4) All construction shall comply with City Code Chapter 10.
- 5) Street addresses shall be marked on the structure.
- 6) A separate Fire Alarm Permit is required for new systems; or for work effecting more than 5 fire alarm devices; or replacement of a fire alarm panel with a different model. This review does not include approval of fire alarm system design or installation.
- 7) A separate Suppression System Permit is required for all new suppression systems or sprinkler work effecting more than 20 heads. This review does not include approval of sprinkler system design or installation.
- 8) A sprinkler supervisory system shall be provided in accordance with NFPA 101, Life Safety Code, and NFPA 72, National Fire Alarm and Signaling Code. Sprinkler supervisory systems shall monitor for water flow and sprinkler supervisory signals via an approved fire alarm panel to central station. One smoke detector shall be located over the panel, a manual pull station located at the front door, and an audible water flow alarm provided.
- 9) System acceptance and commissioning must be coordinated with alarm and suppression system contractors and the Fire Department. Call 874-8705 to schedule.
- 10) Installation of a sprinkler or fire alarm system requires a Knox Box to be installed per city ordinance.
- 11) Shall Comply with 2009 NFPA 101 Chapter 30 New Apartment Building Occupancy.