

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING DEPARTMENT

PERMIT

Permit Number: 040831

Please Read Application And Notes, If Any, Attached

This is to certify that Bissonnette Susan N/Owner

has permission to installed gas burning stove, built in cabinet, sheetrocked, new doors & doors

AT 140 William St City of Portland 081 B011001

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 closed-in. 48 HOUR NOTICE IS REQUIRED.

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

OTHER REQUIRED APPROVALS

Fire Dept. _____
Health Dept. _____
Appeal Board _____
Other _____

Department Name

Expired

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: 04-0831	Issue Date:	CBL: 081 B011001
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Location of Construction: 140 William St	Owner Name: Bissonnette Susan N	Owner Address: 140 William St	Phone: 775-0733
Business Name:	Contractor Name: Owner	Contractor Address: 140 William Street Portland	Phone: 2077750733
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Dwellings	Zone: R-3

Past Use: detached carriage house/garage that is accessory to primary two family dwelling <i>↑ legal use.</i>	Proposed Use: To remove unpermitted dwelling unit work, such as sink, refrigerator and stairs. But to permit cabinets and sheetrock and new deck and doors.	Permit Fee: \$186.00	Cost of Work: \$10,000.00	CEO District: 2
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Proposed Project Description: installed gas burning stove, built in cabinets, sheetrocked, new deck & doors <i>↓ not permitted see conditions of approval</i>	FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:
	Signature:	Signature:
	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied	
	Signature:	Date:

Permit Taken By: jodinea	Date Applied For: 06/17/2004	Zoning Approval
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<ol style="list-style-type: none"> 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.. 	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
	Date: <i>7/19/04</i>	Date:	Date:

Expired

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

City of Portland, Maine - Building or Use Permit

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

Permit No: 04-0831	Date Applied For: 06/17/2004	CBL: 081 B011001
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Proposed Use: To remove unpermitted dwelling unit work, such as sink, refrigerator and stairs. But to permit cabinets and sheetrock and new deck and doors.	Proposed Project Description: installed gas burning stove, built in cabinets, sheetrocked, new deck & doors
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 07/19/2004

Note: 7/19/04 I was confused as to what this permit application was for - I spoke with Susan B. for quite a while. **Ok to Issue:**
 But her fax specifically states and she confirmed it on the phone in respect to the garage: "We will not request a "change of use" at this time and will continue to use the building as a garage with respect to the permits requested."

- 1) PLEASE NOTE: Your request to add an approximate 6' x 8' deck is not part of this permit approval. It shall be removed until, or if, it can be legalized. A separate letter is being sent to describe your rights of denial.
- 2) It is understood with this approval that the garage will remain an accessory garage and will not become a living space for another dwelling unit in any way. It is further understood that any unpermitted work such as the installation of kitchen facilities including sinks, refrigerator, and any cooking facilities shall be removed. The only permitted use for the garage is as an accessory garage.
- 3) This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals.
- 4) This property shall remain a two (2) family dwelling within the primary structure. Any change of use shall require a separate permit application for review and approval.

Dept: Building **Status:** Pending **Reviewer:** Tammy Munson **Approval Date:****Note:** **Ok to Issue:** **Comments:**

06/17/2004-jodinea: invoice not generated, no payment rec'd as of 6/17-gave to Lannie JLH

07/26/2004-mjn: On hold until the ZBA hears the deck dispute

City of Portland, Maine - Building or Use Permit

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

Permit No: 04-0831	Date Applied For: 06/17/2004	CBL: 081 B011001
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Note: **Ok to Issue:**

Comments:

6/17/04-jodinea: invoice not generated, no payment rec'd as of 6/17-gave to Lannie JLH

All Purpose 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.

Location/Address of Construction: <u>140 William St. Portland ME 04103</u>		
Total Square Footage of Proposed Structure <u>896'</u>	Square Footage of Lot <u>15102'</u>	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <i>MAP REFERENCE 81-0-11 CENSUS TRACT 0015</i>	Owner: <u>Susan N. Bissonnette</u>	Telephone: <u>(207) 775-0733</u>
Lessee/Buyer's Name (if Applicable)	Applicant name, address & telephone: <u>Susan Bissonnette 140 William St. Portland ME 04103</u>	Cost Of Work: <u>\$ 10,000.-</u>
		Fee: \$
Current use: <u>garage</u>		
If the location is currently vacant, what was prior use: <u>garage</u>		
Approximately how long has it been vacant: _____		
Proposed use: <u>NO CHANGE OF USE</u>		
Project description:		
Contractor's name, address & telephone: <u>N/A</u>		
Who should we contact when the permit is ready: <u>Same</u>		
Mailing address:		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>(207) 775-0733</u>		

081 B A1

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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: <u>Susan Bissonnette</u>	Date: <u>6/9/04</u>
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This is NOT a permit, you may not commence ANY work until the permit is issued. If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

July 19, 2004

Susan N. Bissonnette
140 William Street
Portland, ME 04103

RE: 140 William Street – 081-B-011 – R-3 Zone where all buildings are located – permit application #04-0831


Dear Susan,

This letter is to confirm our conversation today. Under zoning, I have approved your application to return your garage to a garage use and to remove all unpermitted dwelling unit installation work, such as sink, refrigerator, any cooking equipment, and stairs. Your permit allows cabinets and sheetrock. This permit application has not been reviewed nor approved under building codes at this time. Your application is still being reviewed and has not been issued yet.

However, please note that your request for a new deck and entry way which you stated is approximately 6 feet by 8 feet, is not allowed under this permit. This deck is being denied because it does not meet the requirements of the Zoning Ordinance. Section 14-90 of the R-3 Zone requires a 25 foot rear setback instead of the approximate 3 to 5 foot that you have indicated the new deck setback is sited.

You have the right to appeal my decision. If you wish to exercise your right to appeal you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork this is required to file an appeal. If you wish to appeal, you will need to submit more accurate site plans showing exactly where your property lines are located and what the actual setbacks from the property lines are.

Very truly yours,


Marge Schmuckal
Zoning Administrator

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

July 19, 2004

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Very truly yours,


Marge Schmuckal
Zoning Administrator

Department Director
Lee D. Urban



Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman
Planning

John N. Lufkin
Economic Development

DEPARTMENT OF PLANNING AND DEVELOPMENT
NOTICE OF VIOLATION

April 27, 2004

Susan Bissonette
140 William St.
Portland, Maine
04101

Re: 140 William St. (081 B011) **Cert. Mail Receipt Number 7003 3110 0002 7278**

Dear Ms. Bissonette,

An evaluation of the above property on this date by C.E.O. Kevin Carroll and myself revealed that the detached garage has been converted to a living space without benefit of approvals and permits. The living space contains of kitchen facilities and a private bath and is self-contained. The City Zoning Regulation defines this condition as a dwelling unit. The property is located in the R3 and R5 Zones.

The above, described, condition is in violation of Section 14-52 and 14-463 of the Municipal Zoning Ordinance and Section 6-107.1 of the Building Code. This is a notice of violation pursuant to Section 14-56 of the Municipal Zoning Ordinance and Section 6-116.2 of the Building Code. The property must be made to conform by either obtaining required permits or eliminating the unauthorized construction. A reinspection of the premises will occur on 5/27/2004 at which time compliance is required. It should be noted that the stairs that were constructed do not comply with the building code and it appears that there are not emergency escape windows in the sleeping area, as required.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. ss 4452. This constitutes an appealable decision pursuant to Section 14-472 of the Municipal Zoning Ordinance and Section 121.5 of the Building Code. You have the right to appeal this decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to apply. Please feel free to contact me at 874-8700, if you wish to discuss the matter or have any questions.

Yours truly,

Mike Nugent
Manager of Inspection Services

From: Marge Schmuckal
To: Mike Nugent
Date: Mon, Jul 19, 2004 2:45 PM
Subject: Re: 140 Williams St - 081-B-011

Mike,

I think that you have confused a couple of our projects. I am talking about Williams Street, corner of Brighton Ave. Remember that they put an illegal dwelling unit in the garage? We did inspections and met David Lourie there. I thought something may have been put in writing. However, I am not seeing anything under that CBL. Do you know if any letters or stop orders were sent out? I would like copies of those for the paper work that I am creating on it now.

Thanks,

Marge

>>> "Mike Nugent " <MJN@portlandmaine.gov> 07/19 2:36 PM >>>

The copies of the permits were all that were on the microfiche, the chronology is as follows:

Permit # 84-133 (February 16, 1984) to convert a garage to a dwelling unit. C/O issued June 18, 1984.

Permit # 85-609 (June 1, 1988) To convert the Main house to a six room B & B, C/O Issued June 3, 1989.

Permit # 923557 (April 13, 1992) To convert the apartment in the garage to "lodging house" , final inspection

June 17, 1992, no record of a C/O, I put Sam's condition sheet on your chair it indicates "Lodging unit"

You have everything that was in the record regarding this. Thanks for you effort.

>>> "Marge Schmuckal" <MES@portlandmaine.gov> 07/19/2004 12:23:24 PM >>>

Mike,

Was there anything ever put in writing regarding the illegal unit in the garage? I am not seeing anything in the CBL stuff. I would like copies of anything given to the owner concerning this property to go along with her permit application to allow the unit in the garage.

Thanks,

Marge

CC: Lee Urban

43/03

CITY OF PORTLAND, MAINE
BOARD OF MUNICIPAL OFFICERS
COMMITTEE ON ZONING AND BUILDING ORDINANCE APPEALS

Room 21, City Hall
August 31, 1940

To Whom It May Concern:

The Committee on Zoning and Building Ordinance Appeals of the Municipal Officers will hold a public hearing at the Council Chamber, City Hall on Friday, September 13, 1940 at two o'clock in the afternoon upon the appeal under the Zoning Ordinance of Fred H. Gabbi relating to construction of an addition to the existing two family dwelling house at 140 William Street, corner of Brighton Avenue, in a Single Residence A Zone.

The Inspector of Buildings was unable to issue a building permit to cover this increase in volume because the present building is a two family dwelling house converted from a single family dwelling house to a two family dwelling house by appeal from the precise terms of the ordinance in 1933; and a permit to increase the volume of such a non-conforming use is not allowable under the precise terms of the ordinance.

The appellant proposes a two story addition on the easterly side toward the rear of the present building to provide additional rooms for the comfort and convenience of the present occupants of the building, proposing no change in the number of apartments in the dwelling house.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of hearing having been sent to the owners of property within 500 feet of the premises in question, as required by law.

COMMITTEE ON ZONING AND BUILDING
ORDINANCE APPEALS

W. Earle Eskilson, Chairman

40/60

Appeal

September 17, 1940

Mr. Fred H. Gabbis,
140 William Street,
Portland, Maine

Dear Mr. Gabbis:

The Municipal Officers on September 16th voted to sustain your appeal under the Zoning Ordinance relating to the construction of a two story addition to your dwelling house at 140 William Street.

On this basis, as soon as your contractor files application for the permit, we ought to be able to issue the permit promptly. Despite the sustaining of the appeal under the Zoning Ordinance, the work is still required to comply with all terms of the Building Code.

Very truly yours,

Inspector of Buildings

WICD/H

CITY OF PORTLAND, MAINE

DEPARTMENT OF BUILDING INSPECTION

Record of Inquiry



Verbal in person
By telephone letter Date January 26, 1943

Location 140 William Street

Made by Mary A. Dabbi, 140 William Street

Inquiry-1 How to proceed with two rooms on third floor of this two family dwelling may be used for lodgers? As per letter of

2 January 28, 1943

3

Answer-1 Letter of January 27, 1943 by

2

3

Reply by W.M.C.D.

902257

Permit # _____ City of Portland BUILDING PERMIT APPLICATION Fee \$170. Zone _____ Map # _____ Lot# _____

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Sumner Weeks Phone # _____
 Address: 140 Williams St; Ptl'd, ME 04103
 LOCATION OF CONSTRUCTION 140 Williams St.
 Contractor: George Ballard, Sub: Builder Inc.
 Address: 291 A Falmouth Rd; Falmouth, ME 04105 Phone # _____
 Est. Construction Cost: 30,000. Proposed Use: 2-fam w renovat.
 Past Use: 2-fam
 # of Existing Res. Units _____ # of New Res. Units _____
 Building Dimensions L _____ W _____ Total Sq. Ft. _____
 # Stories: _____ # Bedrooms _____ Lot Size: _____
 Is Proposed Use: Seasonal _____ Condominium _____ Conversion _____
 Explain Conversion Interior renovations after a fire

For Official Use Only
 Date 1/4/91 Subdivision: **PERMIT ISSUED**
 Inside Fire Limits _____ Name _____
 Bldg Code _____ No. _____
 Time Limit _____ Ownership: JAN 7 1991
 Estimated Cost: 30,000 Private
City Of Portland

Zoning: R-3
 Street Frontage Provided: _____
 Provided Setbacks: Front _____ Back _____ Side _____
 Review Required:
 Zoning Board Approval: Yes _____ No _____ Date: _____
 Planning Board Approval: Yes _____ No _____ Date: _____
 Conditional Use: _____ Variance _____ Site Plan _____ Subdivision _____
 Shoreland Zoning Yes _____ No _____ Floodplain Yes _____ No _____
 Special Exception _____
 Other (Explain) OK WITH HISTORIC PRESERVATION 1-7-91

Ceiling:
 1. Ceiling Joists Size: _____ Not in District nor Landmark.
 2. Ceiling Strapping Size _____ Spacing _____ Does not require review.
 3. Type Ceilings: _____
 4. Insulation Type _____ Size _____ Requires Review.
 5. Ceiling Height: _____ *****

Roof:
 1. Truss or Rafter Size _____ Span _____ Action: _____ Approved.
 2. Sheathing Type _____ Size _____ Approved with Conditions.
 3. Roof Covering Type _____
 Date: 1/4/91
 Signature: [Signature]

Chimneys:
 Type: _____ Number of Fire Places _____
 Heating:
 Type of Heat: _____
 Electrical:
 Service Entrance Size: _____ Smoke Detector Required Yes _____ No _____
 Plumbing:
 1. Approval of soil test if required Yes _____ No _____
 2. No. of Tubs or Showers _____
 3. No. of Flushes _____
 4. No. of Lavatories _____
 5. No. of Other Fixtures _____
 Swimming Pools:
 1. Type: _____
 2. Pool Size: _____ x _____ Square Footage _____
 3. Must conform to National Electrical Code and State Law.

Permit Received By Louise F. Chase
 Signature of Applicant [Signature] Date 1/4/91
 Signature of CEO David Ballard Date _____
 Inspection Dates _____

Foundation:
 1. Type of Soil: _____
 2. Set Backs - Front _____ Rear _____ Side(s) _____
 3. Footings Size: _____
 4. Foundation Size: _____
 5. Other _____

Floor:
 1. Sills Size: _____ Sills must be anchored.
 2. Girder Size: _____
 3. Lally Column Spacing: _____ Size: _____
 4. Joists Size: _____ Spacing 16" O.C.
 5. Bridging Type: _____ Size: _____
 6. Floor Sheathing Type: _____ Size: _____
 7. Other Material: _____

Exterior Walls:
 1. Studding Size _____ Spacing _____
 2. No. windows _____
 3. No. Doors _____
 4. Header Sizes _____ Span(s) _____
 5. Bracing: Yes _____ No _____
 6. Corner Posts Size _____
 7. Insulation Type _____ Size _____
 8. Sheathing Type _____ Size _____
 9. Siding Type _____ Weather Exposure _____
 10. Masonry Materials _____
 11. Metal Materials _____

Interior Walls:
 1. Studding Size _____ Spacing _____
 2. Header Sizes _____ Span(s) _____
 3. Wall Covering Type _____
 4. Fire Wall if required _____
 5. Other Materials _____

To: Department of Planning and Development
Attn: Mike Nugent
Fax: 874-8716

From: Susan Bissonnette
Re: 140 William St.
Portland, ME 04103
Fax: 775-0742

Dear Mike,

I am faxing you this Building Permit and accompanying documentation as I do not know who to send it to and/or if I need to send it with a fee or not.

I have spent much money paying for the services of an attorney to do this since I have neither the knowledge nor the strength but have received nothing but bad advice that has lead me to this point!

My first question is where do I obtain a Chart#, Block# and Lot#. I have a deed with a book and page and I have the map reference and census tract number but I do not know where to find the above numbers?

Next, do I submit a fee of \$30.00? I really don't know what permits I need so I don't know what to send for a fee. I was also told that an "after the fact" permit would be more?

The request form also requests a plot plan, I have a drawing I was given I am faxing but I have no more than this. Also I have no construction plans since I am requesting the permits required to keep the property as a garage?

Also, I thank you for giving us an extra 30 days to remove the sink, stairs and refrigerator, we were told not to do anything until our attorney notified us as he thought we needed permits to REMOVE anything?

Your assistance will be greatly appreciated.

Sincerely,

Susan Bissonnette

June 9, 2004

DEPARTMENT OF PLANNING AND DEVELOPMENT
389 Congress St.
Portland, ME 04101

To Whom It May Concern,

I am submitting a request for "After Fact Permits". I would like to explain how I am finding myself in this situation, as these permits would have been obtained prior to work commencing if I had been aware I needed them.

Let me start with explaining that when I purchased the home over 9 years ago, I was excited to find that the garage was actually more like a carriage house. The property had full dormers on the second floor, plumbing, electrical, sheet rock, a fireplace and gas heat. The property also had large windows. I knew that one day I might want to finish the carriage house for additional living space.

Two years ago, my daughter Danielle, who is in the Air Force told me she was thinking of returning to Maine when her service was complete. I was excited, as she had always spoken of staying in South Carolina. Much of her decision was based on the fact that I was diagnosed with non-curable leukemia and was undergoing chemo treatments. She asked me if I had moved forward with my previous plans to complete the carriage house, as she would be interested in staying at 140 William Street since she would have no employment when she arrived.

— After my discussion with her I decided to move forward and contacted Jim Lemieux and David Lourie. I wanted to see what I would need to do in order to change the zoning so that I could use the garage as an in-law apartment. I knew that owning 2.5 lots would make it easier to obtain. I was told that I had three avenues. I could go before the zoning board and request a zoning change, I could separate my deeds giving me more than the 6500 square feet needed to have two building lots, but in order to this I would need to hold the second lot in a *Danielle L. Johnson and Susan Bissonnette* Trust. If I opted for the splitting of the property, I would **NOT** have to go before the zoning board. I was also told that the third option would be to remove the second unit of the house and then the carriage house could become the second unit.

Since I felt I had many options available to me, my husband and I decided to make some of the improvements while waiting for some pertinent information. I was told that the set backs would **NOT** be a problem and that I just had to decide which avenue to go with. Since my daughter would not need to live in the carriage house until late October, I assumed I had time to further discuss the options above before deciding how to move forward.

Since my husband was doing the improvements we did not obtain permits because we spoke with several people that stated the work we were doing did not require permits. My husband completed the sheet rock, most of which was already there (we were told this did not require a permit), he installed track lighting on the first floor (all exposed) and replaced the lights in the bathroom and on the second floor (all of this we were told did not require a permit since he was just replacing an already existing fixture). We had the second floor carpeted and had new windows and doors installed, again told this did not require permits. The garage had a natural gas line with a gas burning stove and a chimney that once housed a wood-burning stove. We purchased a new propane heater and had Dead River install this. We assumed that Dead River would request a permit if one was needed. We updated the bathroom, built kitchen cabinets and built a bookcase in front of the garage door. We were told that as long as we did not install a cook stove we did not need a permit for installing a kitchen. My husband plumbed the kitchen sink and also was under the impression that he could do work to our own living unit without obtaining a permit. I was having a problem with water collecting in front of the door and we wanted to put some decking down. We were specifically told that as long as the decking was not secured to the building and it remained free floating that is was not considered a deck and did not require a permit. We were told it would be no more than an attractive pallet. The staircase leading to the second floor was very steep and we considered it very "dangerous". Since we were improving the staircase already there, we did not think we needed a permit.

As you can see, we did not maliciously attempt to defraud the city, we were under the impression we were completely following good advice.

At this time, I am requesting THE DEPARTMENT OF PLANNING AND DEVELOPMENT for some advise as well as the permits required either to continue with an additional living space or to obtain the proper "after the fact" permits to continue using the space as just a garage.

Ideally, I would love to complete the carriage house so that my daughter can live there. I have been under the impression, until a week ago, that I would be able to either split the lot or remove the second unit in the house. I have already removed the tenant and most of the second unit from the house. How do I go about finding out what would be required to do either? What are the set backs, as this was not a problem according to the previous research Jim and David had done, so obviously, finding out this information so late in the game surprised me. It seems to me that since I own 2.5 lots that I could even construct a second home and remove the garage completely and I would like to know how I would go about finding out what I would need to accomplish this.

As it looks like I have much more homework before I can make the changes I would ideally want to make I would like to request the "after the fact" permits for the work my husband did as described above as I am not sure which I would need a permit for.

Mike Nugent told me that I would need to remove the staircase, remove the sink in the kitchen and remove the refrigerator so that the garage would not be considered a self-contained unit. All of these items have been removed. My husband will also be removing the kitchen cabinets and bookcase in front of the garage door, as he would like the space to house his motorcycle while we are deciding on our options and awaiting some advise from the Planning Board. We would like to keep the gas stove, as he would like to be able to work on the motorcycle during winter months. Also, he would like to keep the toilet in the garage, first since there was already one there, and second so he does not have to run back and forth to the house. We will not request a "change of use" at this time and will continue to use the building as a garage with respect to the permits requested.

I hope this letter offers you a better perspective to our original intent so that you can understand we worked within the parameters we assumed kept us from needing permits and not that we just ignored them.

Sincerely,



Susan Bissonnette
140 William St.
Portland, ME 04103
(207) 775-0733

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, Sumner C. Weeks, Jr. and Carol A. Weeks, formerly known as Carol A. Roy, of 15 Partridge Lane, Kennebunk, County of York and State of Maine, for consideration paid, grant to Susan N. Bissonnette of 65 Gamage Avenue, Auburn, County of Androscoggin and State of Maine, with WARRANTY COVENANTS,

A certain lot or parcel of land with the buildings thereon, situated on the southeasterly side of William Street in the City of Portland, County of Cumberland and State of Maine, and being Lots #21 and #22 upon the plan of Fessenden Park in said Portland recorded in the Cumberland County Registry of Deeds in Plan Book 8, Page 67. Said lots are bounded as follows: Beginning on the northeasterly side of Brighton Avenue at the southerly corner of William Street; thence running northeasterly on said William Street one hundred thirty three and eleven hundredths (133.11) feet to a hub; thence southeasterly at right angles with said William Street one hundred twenty-one and one tenth (121.1) feet to a hub; thence southwesterly parallel with said William Street sixty six and three hundredths (66.03) feet to a hub on the easterly side of said Brighton Avenue; thence northwesterly on said Brighton Avenue to the point begun at.


Also a certain other lot or parcel of land situated on William Street in said City of Portland and described as follows: Beginning at a point distant one hundred thirty three (133) feet and eleven (11) inches from the intersection of the easterly sideline of Brighton Avenue and southerly line of said William Street; thence running southerly along the easterly sideline of land now or formerly owned by one Clark to an iron hub; thence easterly parallel with the southerly sideline of William Street twenty-five (25) feet and six (6) inches to a point; thence parallel with the easterly sideline of said Clark land to a point in the southerly sideline of said William Street; and thence westerly by the southerly sideline of said William Street to the point of beginning; being the westerly half of Lot #20 on plan of Fessenden Park recorded in the Cumberland County Registry of Deeds in Plan Book 8, Page 87, to which plan reference is hereby made.

Meaning and intending to describe and convey all and the same premises as conveyed to Sumner C. Weeks, Jr. and Carol A. Roy by Warranty Deed of Philip L. and Linda H. Merrill dated June 15, 1984, recorded with the Cumberland County Registry of Deeds at Book 6477, Page 297.


IN WITNESS WHEREOF, we have hereunto set our hand this 9th day of August, 1995.



Witness



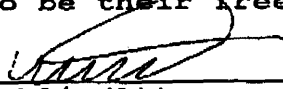
Sumner C. Weeks, Jr.



Carol A. Weeks

STATE OF Maine
COUNTY OF Cumberland

On this 9th day of August, 1995, personally appeared before me the above-named Sumner C. Weeks, Jr. and Carol A. Weeks, and acknowledged the foregoing to be their free act and deed.



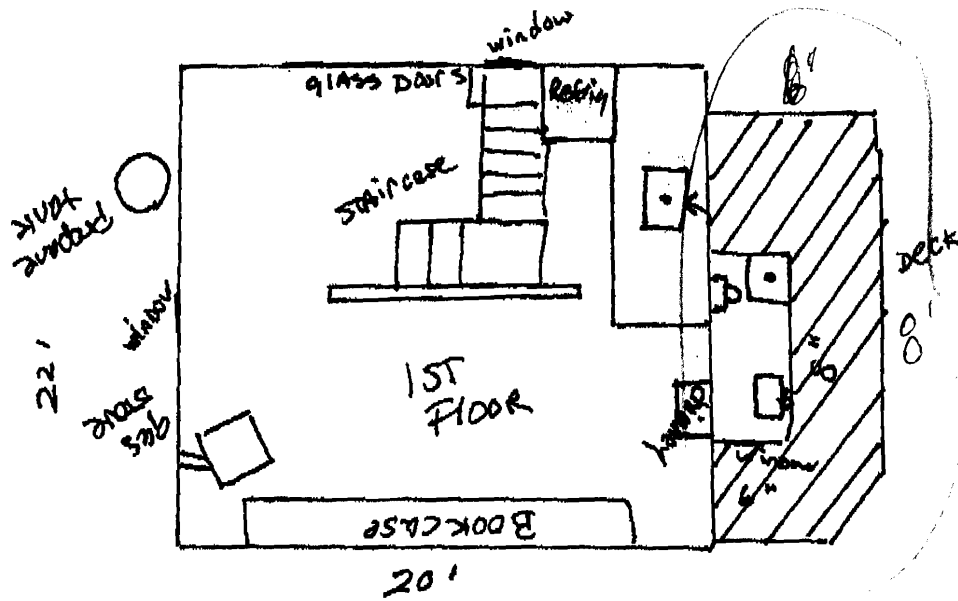
Notary Public/Attorney at Law

My Commission Expires:

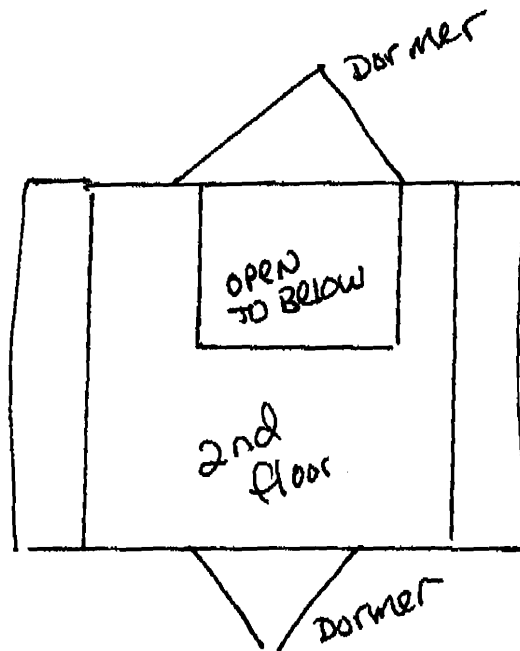
William P. Donley

Garage

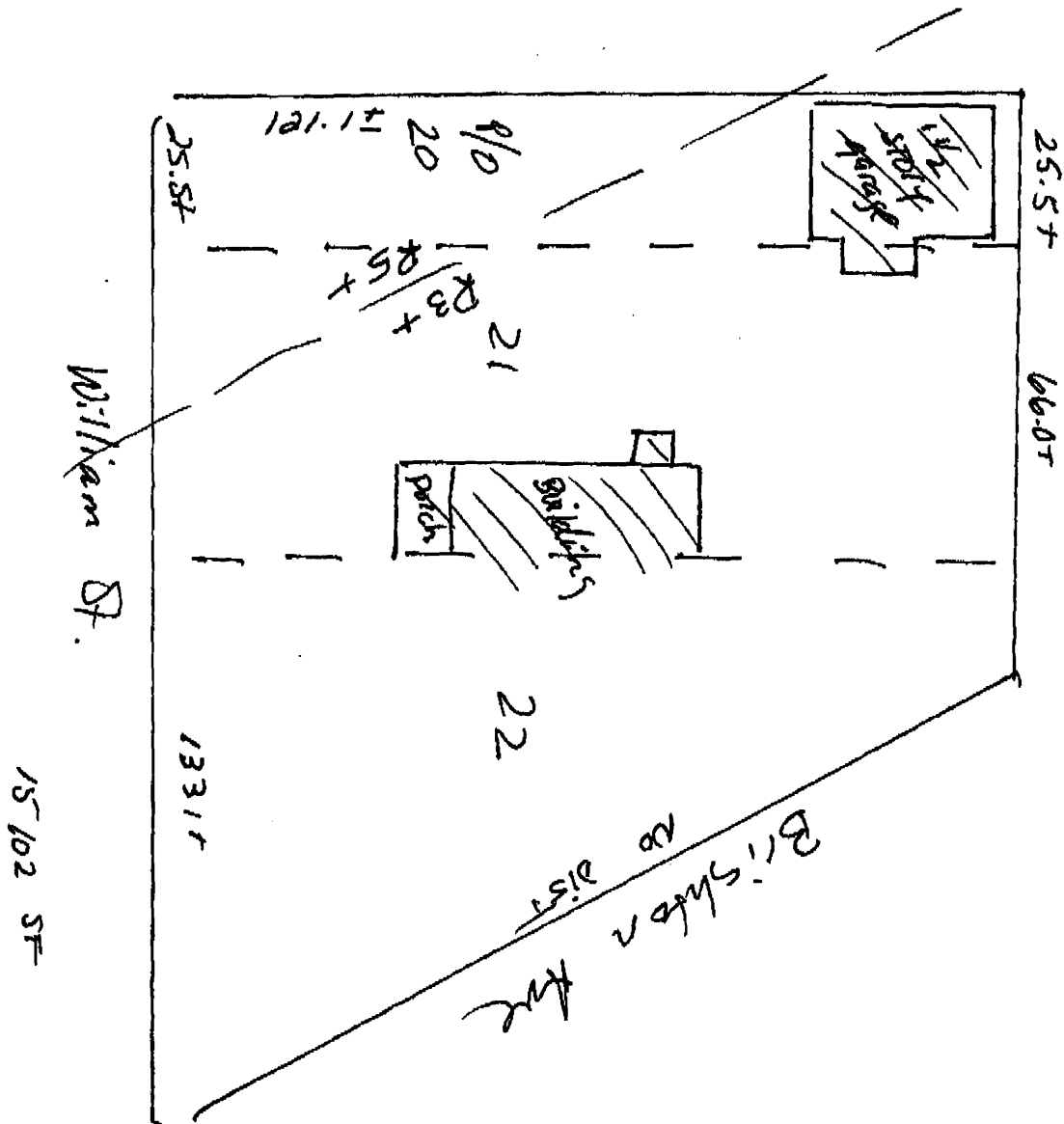
Building 36 ft
 1st floor 20x22 + 8x6 440 sq ft
 2nd floor 20x22 440 sq ft
880 sq ft



→ calling it a
 pallet



□ All highlighted areas removed
 1) stairs
 2) sink
 3) refrigerator



lots 22, 21, 20 (90)

Dear Jim

It appears I own lots 21 & 22 and part of lot 20. I want to put house on one lot and garage on the other lot so I will then have two building lots and will not need to go before the board to convert my garage into an apartment. There is approximately 38 feet between the house and garage and David said I only need 30. He said we need to keep 14 ft between the two, maybe you can call him to discuss his research, you can reach him at 799-4922. I would hold the lot with the garage on it in trust with my daughter Danielle L Johnson in the Bissonnette Trust, you can discuss this with David as well since he will be drawing up the trust. I am faxing you a drawing of what I believe to be my lot dimensions, as you can see lot 20 is about 25 ft. along William and lots 21 & 22 are 133.11 ft. along William St.. Since I will not require financing will I need a lot release to do this on my current mortgage? I don't mind if the mortgage encumbers both properties if needed. I would need to have an easement to use the driveway as well and they will share utilities and plumbing and sewer. Please let me know if you need anything from me.

Thank you

Susan Bissonnette
775-0733
sbisson1@maine.rr.com

*Letter sent to
Jim Lemieux*

Hi David,

If I'm interpreting my deed correctly it sounds like I own lots 21 & 22 and part of 20. I believe they are as in my attached drawing which would mean that I should be able to increase lot 21 by joining it with lot 20 and be left with 2 lots both ending up being building lots since I should have enough land to make each lot around ~~10,000~~^{7,000} sq ft... If a building lot is 6500 sq ft.. Then I would be able to actually turn my garage into a small house, no? How are you reading this.

Susan

775-0733

Letter sent to
David Carie

From: Marge Schmuckal
To: Mike Nugent
Date: Mon, Jul 19, 2004 12:23 PM
Subject: 140 Williams St - 081-B-011

Mike,

Was there anything ever put in writing regarding the illegal unit in the garage? I am not seeing anything in the CBL stuff. I would like copies of anything given to the owner concerning this property to go along with her permit application to allow the unit in the garage.

Thanks,

Marge

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number	1 of 1
Parcel ID	081 B011001
Location	140 WILLIAM ST
Land Use	TWO FAMILY
Owner Address	BISSONNETTE SUSAN N 140 WILLIAM ST PORTLAND ME 04103
Book/Page	12050/129
Legal	81-B-11 WILLIAM ST 136-140 BRIGHTON AVE 15240 SF

Valuation Information

Land	Building	Total
\$37,170	\$170,310	\$207,480

Property Information

Year Built 1905	Style Old Style	Story Height 2	Sq. Ft. 3345	Total Acres 0.35		
Bedrooms 8	Full Baths 3	Half Baths	Total Rooms 12	Attic Full Finsh	Basement Full	

Outbuildings

Type GARAGE-WD/CB	Quantity 1	Year Built 1905	Size 20X24	Grade C	Condition G
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Sales Information

Date 08/01/1995	Type LAND + BLDING	Price \$223,900	Book/Page 12050-129
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Picture and Sketch

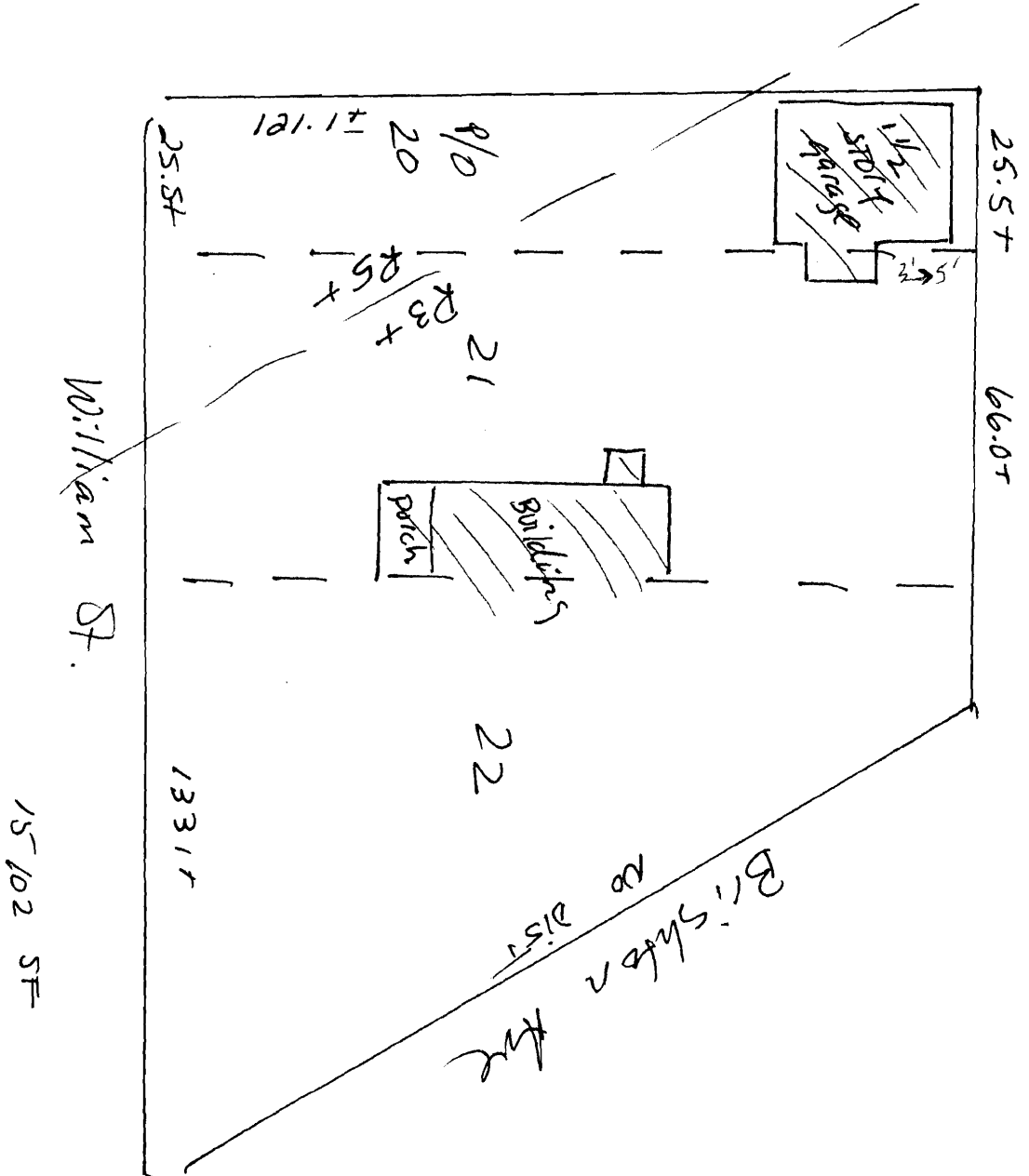
[Picture](#) [Sketch](#)

[Click here to view Tax Roll Information.](#)

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.

New Search!





To: Department of Planning and Development
Attn: Mike Nugent
Fax: 874-8716

From: Susan Bissonnette
Re: 140 William St.
Portland, ME 04103
Fax: 775-0742

copy
faxed
6/8/04

Dear Mike,

I am faxing you this Building Permit and accompanying documentation as I do not know who to send it to and/or if I need to send it with a fee or not.

I have spent much money paying for the services of an attorney to do this since I have neither the knowledge nor the strength but have received nothing but bad advice that has lead me to this point!

My first question is where do I obtain a Chart#, Block# and Lot#. I have a deed with a book and page and I have the map reference and census tract number but I do not know where to find the above numbers?

Next, do I submit a fee of \$30.00? I really don't know what permits I need so I don't know what to send for a fee. I was also told that an "after the fact" permit would be more?

The request form also requests a plot plan, I have a drawing I was given I am faxing but I have no more than this. Also I have no construction plans since I am requesting the permits required to keep the property as a garage?

Also, I thank you for giving us an extra 30 days to remove the sink, stairs and refrigerator, we were told not to do anything until our attorney notified us as he thought we needed permits to REMOVE anything?

Your assistance will be greatly appreciated.

Sincerely,

Susan Bissonnette

June 9, 2004

DEPARTMENT OF PLANNING AND DEVELOPMENT
389 Congress St.
Portland, ME 04101

To Whom It May Concern,

I am submitting a request for "After Fact Permits". I would like to explain how I am finding myself in this situation, as these permits would have been obtained prior to work commencing if I had been aware I needed them.

Let me start with explaining that when I purchased the home over 9 years ago, I was excited to find that the garage was actually more like a carriage house. The property had full dormers on the second floor, plumbing, electrical, sheet rock, a fireplace and gas heat. The property also had large windows. I knew that one day I might want to finish the carriage house for additional living space.

Two years ago, my daughter Danielle, who is in the Air Force told me she was thinking of returning to Maine when her service was complete. I was excited, as she had always spoken of staying in South Carolina. Much of her decision was based on the fact that I was diagnosed with non-curable leukemia and was undergoing chemo treatments. She asked me if I had moved forward with my previous plans to complete the carriage house, as she would be interested in staying at 140 William Street since she would have no employment when she arrived.

After my discussion with her I decided to move forward and contacted Jim Lemiex and David Lourie. I wanted to see what I would need to do in order to change the zoning so that I could use the garage as an in-law apartment. I knew that owning 2.5 lots would make it easier to obtain. I was told that I had three avenues. I could go before the zoning board and request a zoning change, I could separate my deeds giving me more than the 6500 square feet needed to have two building lots, but in order to this I would need to hold the second lot in a *Danielle L. Johnson and Susan Bissonnette* Trust. If I opted for the splitting of the property, I would **NOT** have to go before the zoning board. I was also told that the third option would be to remove the second unit of the house and then the carriage house could become the second unit.

Since I felt I had many options available to me, my husband and I decided to make some of the improvements while waiting for some pertinent information. I was told that the set backs would **NOT** be a problem and that I just had to decide which avenue to go with. Since my daughter would not need to live in the carriage house until late October, I assumed I had time to further discuss the options above before deciding how to move forward.

Since my husband was doing the improvements we did not obtain permits because we spoke with several people that stated the work we were doing did not require permits. My husband completed the sheet rock, most of which was already there (we were told this did not require a permit), he installed track lighting on the first floor (all exposed) and replaced the lights in the bathroom and on the second floor (all of this we were told did not require a permit since he was just replacing an already existing fixture). We had the second floor carpeted and had new windows and doors installed, again told this did not require permits. The garage had a natural gas line with a gas burning stove and a chimney that once housed a wood-burning stove. We purchased a new propane heater and had Dead River install this. We assumed that Dead River would request a permit if one was needed. We updated the bathroom, built kitchen cabinets and built a bookcase in front of the garage door. We were told that as long as we did not install a cook stove we did not need a permit for installing a kitchen. My husband plumbed the kitchen sink and also was under the impression that he could do work to our own living unit without obtaining a permit. I was having a problem with water collecting in front of the door and we wanted to put some decking down. We were specifically told that as long as the decking was not secured to the building and it remained free floating that is was not considered a deck and did not require a permit. We were told it would be no more than an attractive pallet. The staircase leading to the second floor was very steep and we considered it very "dangerous". Since we were improving the staircase already there, we did not think we needed a permit.

As you can see, we did not maliciously attempt to defraud the city, we were under the impression we were completely following good advice.

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I hope this letter offers you a better perspective to our original intent so that you can understand we worked within the parameters we assumed kept us from needing permits and not that we just ignored them.

Sincerely,



Susan Bissonnette

140 William St.

Portland, ME 04103

(207) 775-0733

All Purpose 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.

Location/Address of Construction: <u>140 William St. Portland ME 04103</u>		
Total Square Footage of Proposed Structure <u>896'</u>	Square Footage of Lot <u>15102'</u>	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>MAP reference 81-D-11 census tract 0015</u>	Owner: <u>Susan N. Bissonnette</u>	Telephone: <u>(207) 775-0733</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Susan Bissonnette 140 William St. Portland ME 04103</u>	Cost Of Work: \$ <u>10,000.-</u> Fee: \$
Current use: <u>garage</u>		
If the location is currently vacant, what was prior use: <u>garage</u>		
Approximately how long has it been vacant: _____		
Proposed use: <u>NO change of use</u>		
Project description:		
Contractor's name, address & telephone: <u>n/a</u>		
Who should we contact when the permit is ready: <u>Same</u>		
Mailing address:		
<p>*We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>(207) 775-0733</u></p>		

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, Sumner C. Weeks, Jr. and Carol A. Weeks, formerly known as Carol A. Roy, of 15 Partridge Lane, Kennebunk, County of York and State of Maine, for consideration paid, grant to Susan N. Bissonnette of 65 Gamage Avenue, Auburn, County of Androscoggin and State of Maine, with **WARRANTY COVENANTS,**

A certain lot or parcel of land with the buildings thereon, situated on the southeasterly side of William Street in the City of Portland, County of Cumberland and State of Maine, and being Lots #21 and #22 upon the plan of Fessenden Park in said Portland recorded in the Cumberland County Registry of Deeds in Plan Book 8, Page 67. Said lots are bounded as follows: Beginning on the northeasterly side of Brighton Avenue at the southerly corner of William Street; thence running northeasterly on said William Street one hundred thirty three and eleven hundredths (133.11) feet to a hub; thence southeasterly at right angles with said William Street one hundred twenty-one and one tenth (121.1) feet to a hub; thence southwesterly parallel with said William Street sixty six and three hundredths (66.03) feet to a hub on the easterly side of said Brighton Avenue; thence northwesterly on said Brighton Avenue to the point begun at.

Also a certain other lot or parcel of land situated on William Street in said City of Portland and described as follows: Beginning at a point distant one hundred thirty three (133) feet and eleven (11) inches from the intersection of the easterly sideline of Brighton Avenue and southerly line of said William Street; thence running southerly along the easterly sideline of land now or formerly owned by one Clark to an iron hub; thence easterly parallel with the southerly sideline of William Street twenty-five (25) feet and six (6) inches to a point; thence parallel with the easterly sideline of said Clark land to a point in the southerly sideline of said William Street; and thence westerly by the southerly sideline of said William Street to the point of beginning; being the westerly half of Lot #20 on plan of Fessenden Park recorded in the Cumberland County Registry of Deeds in Plan Book 8, Page 87, to which plan reference is hereby made.

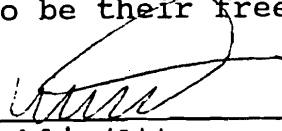
Meaning and intending to describe and convey all and the same premises as conveyed to Sumner C. Weeks, Jr. and Carol A. Roy by Warranty Deed of Philip L. and Linda H. Merrill dated June 15, 1984, recorded with the Cumberland County Registry of Deeds at Book 6477, Page 297.

IN WITNESS WHEREOF, we have hereunto set our hand this 9th day of August, 1995.



STATE OF Maine
COUNTY OF Cumberland

On this 9th day of August, 1995, personally appeared before me the above-named Sumner C. Weeks, Jr. and Carol A. Weeks, and acknowledged the foregoing to be their free act and deed.



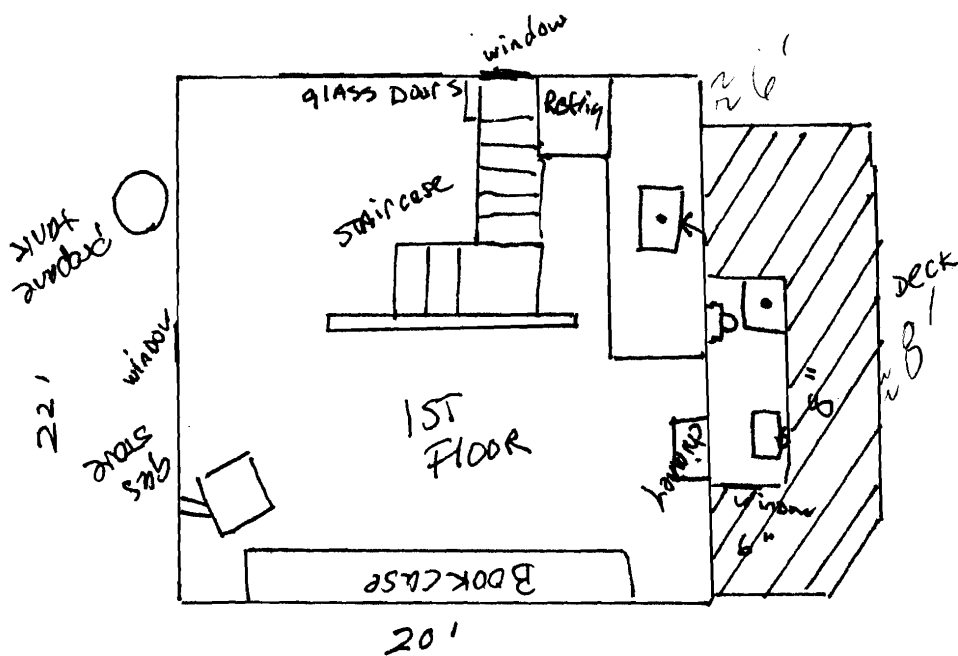
Notary Public/Attorney at Law

My Commission Expires:

William P. Donley

Garage

Building	38 ft	
1st floor	20x22	440 sq ft
+ 8x6		16 sq ft
2nd floor	20x22	440 sq ft
		<hr/>
		896 sq ft.



All highlighted areas removed
 []

Dear Jim

It appears I own lots 21 & 22 and part of lot 20. I want to put house on one lot and garage on the other lot so I will then have two building lots and will not need to go before the board to convert my garage into an apartment. There is approximately 38 feet between the house and garage and David said I only need 30. He said we need to keep 14 ft between the two, maybe you can call him to discuss his research, you can reach him at 799-4922. I would hold the lot with the garage on it in trust with my daughter Danielle L Johnson in the Bissonnette Trust, you can discuss this with David as well since he will be drawing up the trust. I am faxing you a drawing of what I believe to be my lot dimensions, as you can see lot 20 is about 25 ft. along William and lots 21 & 22 are 133.11 ft. along William St.. Since I will not require financing will I need a lot release to do this on my current mortgage? I don't mind if the mortgage encumbers both properties if needed. I would need to have an easement to use the driveway as well and they will share utilities and plumbing and sewer. Please let me know if you need anything from me.

Thank you

Susan Bissonnette
775-0733
sbisson1@maine.rr.com

Letter sent to

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775-0733

Letter sent to
David Carie