

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 30 Saunders St.		Owner: William and Deborah Train	Phone: 773-3839	Permit No: 70601
Owner Address: 3 Stuart Street		Lessee/Buyer's Name:	Phone:	BusinessName:
Contractor Name:		Address:		Phone:
Past Use: 2 family unit	Proposed Use: 3 family unit	COST OF WORK: \$	PERMIT FEE: \$ 25 + 306	<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: JUN 16 1997 CITY OF PORTLAND </div>
		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>	
Proposed Project Description: Conditional Use Appeal Change Use		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		
Permit Taken By: Vicki Dover		Date Applied For: 5/22/97		

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. 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..

Zone: **R-5** CBL: **170-6-10**

Zoning Approval:

Special Zone or Reviews:

Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan maj minor mm

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: 5/22/97

PERMIT ISSUED WITH REQUIREMENTS

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 provisions of the code(s) applicable to such permit

Patricia Balzano
 SIGNATURE OF APPLICANT **Pat Balzano for owners** ADDRESS: _____ DATE: **5/22/97** PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

CEO DISTRICT 6

COMMENTS

10-20-97 No work yet.

9-15-98 Met with Contractor. Work in progress
 went over fire door requirement & window
 in rear bedroom. P. Miller
 Check Plumbing in 3rd floor Gutters & ^{New} heating systems
 FHW

3rd Floor 4-22-99 New Sink needs trap under sink, Egress window
 in Bed Room NOT Big Enough, No Fire doors, Barriers in Bath

4-29-99 Return for Inspection with make collars and Mack call back (TR)
 mortar in chimney, order

01/21/00 Rear Bedroom on 3rd floor w/ Bill Train needs to
 be larger to meet the 5.7 Φ opening for egress.
 Miller

Inspection Record

Type	Inspection Record	Date
Foundation:	_____	_____
Framing:	_____	_____
Plumbing:	_____	_____
Final:	_____	_____
Other:	_____	_____

BUILDING PERMIT REPORT

DATE: 6/16/97 ADDRESS: 30 Saunders St
REASON FOR PERMIT: Change of use
BUILDING OWNER: V P Train
CONTRACTOR: _____
PERMIT APPLICANT: Pat B... APPROVAL: 6' x 7' x 8' x 9' x 10' x 11' x 12' x 13' x 14' x 15' DENIED
x 20' x 25'

CONDITION(S) OF APPROVAL

1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
 2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
 3. Precaution must be taken to protect concrete from freezing.
 4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
 5. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of ½ inch gypsum board or the equivalent applied to the garage means of ½ inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
 - *6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993) U.L. 103.
 - *7. Guardrail & Handrails A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42", except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect.
 - *8. Headroom in habitable space is a minimum of 7'6".
 - *9. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use group minimum 11" tread, 7" maximum rise.
 - *10. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
 - *11. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft.
 12. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
 13. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's.
 14. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment. w/ Smoke Detector
 15. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 19, 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
 - In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basements
- In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)

16. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type.
17. The Fire Alarm System shall be maintained to NFPA #72 Standard.
18. The Sprinkler System shall maintained to NFPA #13 Standard.
19. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
- *20. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.
21. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
22. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
23. This permit does not excuse the applicant from obtaining any license which may be needed from the City Clerk's office.
24. Ventilation shall meet the requirements of Chapter 12 Sections 1210. of the City's Building Code.
25. All electrical and plumbing permits must be obtained by a Master Licensed holders of their trade.
- *26. No exterior open egress is allowed
27. _____
28. _____

P. Samuel Hoffses, Chief of Code Enforcement

cc: Lt. McDougall, PFD
Marge Schmuckal



Applicant: PAT BALZANO
Address: 30 SAUNDAS ST

Date: 6/4/97
C-B-L: 130-F-10

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing 1900

Zone Location - R-5

Interior or corner lot -

Proposed Use/Work - change of use from 2 → 3 units

Sewage Disposal - City

Lot Street Frontage -

Front Yard -
Rear Yard -
Side Yard -

Existing

Projections -

Width of Lot -

Height -

Lot Area -

12,750[#]

Lot Coverage/ Impervious Surface -

Area per Family - 3,000[#]/fam or 9,000[#] min

Off-street Parking - 3 1/2 parking spaces req (2 for existing 2 & 1 1/2 for new)

Loading Bays -

Site Plan -

Shoreland Zoning/ Stream Protection -

N/A

Flood Plains -

N/A

NO exterior open exits shown.

New unit is 1051[#]
old units not impacted, but
≈ 1650[#] each

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

May 27, 1997

William and Deborah Train
3 Stuart Street
Portland, Maine 04103

RE: 30 Saunders Street

Dear William and Deborah,

Further review of our files indicates that a conditional use appeal is not required in order to grant the change of use at the above referenced address from a two family dwelling unit to a three family dwelling unit. It appears that you meet all the requirements under the R-5 Zone to allow for a third unit without having to go through the appeal process.

At this time it will be necessary for you to call or visit this office to proceed with the change of use and to apply for a refund of the \$50.00 appeal fee. We are open from Monday through Friday from 7:00 a.m. to 4:00 p.m.

Should you have any further questions regarding this matter please do not hesitate to contact this office.

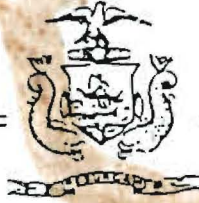
Sincerely,

Marge Schmuckal
Asst. Chief, Insp Svcs Div

cf: P. Samuel Hoffses, C, Insp Svcs Div

CITY OF PORTLAND, MAINE

BOARD OF APPEALS



Copy
6/13/97

CONDITIONAL USE APPEAL APPLICATION

Applicant's name and address: William and Deborah Train

Applicant's interest in property (e.g., owner, purchaser, etc.):

Owner

Owner's name and address (If different):

William + Deborah Train. 3 Stewart St.

Address of property and Assessor's chart, block and lot number:

30 Saunders St. Portland 130 - 10

zone: R-5 Present use: 2 Family Dwelling

Type of conditional use proposed: 3 Family Dwelling

Conditional use authorized by: Section 14- 118

NOTE: If site plan approval is required, attached preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as above described, and certifies that all information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.

Date: 5/27/97

William Train
Signature of Applicant

May 22, 1997

Dear Board of Appeals,

My husband, William Train and I Deborah Train have recently purchased a multi-unit tenement on 30 Saunders Street in Portland. The building presently has an existing first floor and second floor unit. The third floor has been used as additional living space for the past owners and fully equipped with all the amenities of a single living space.

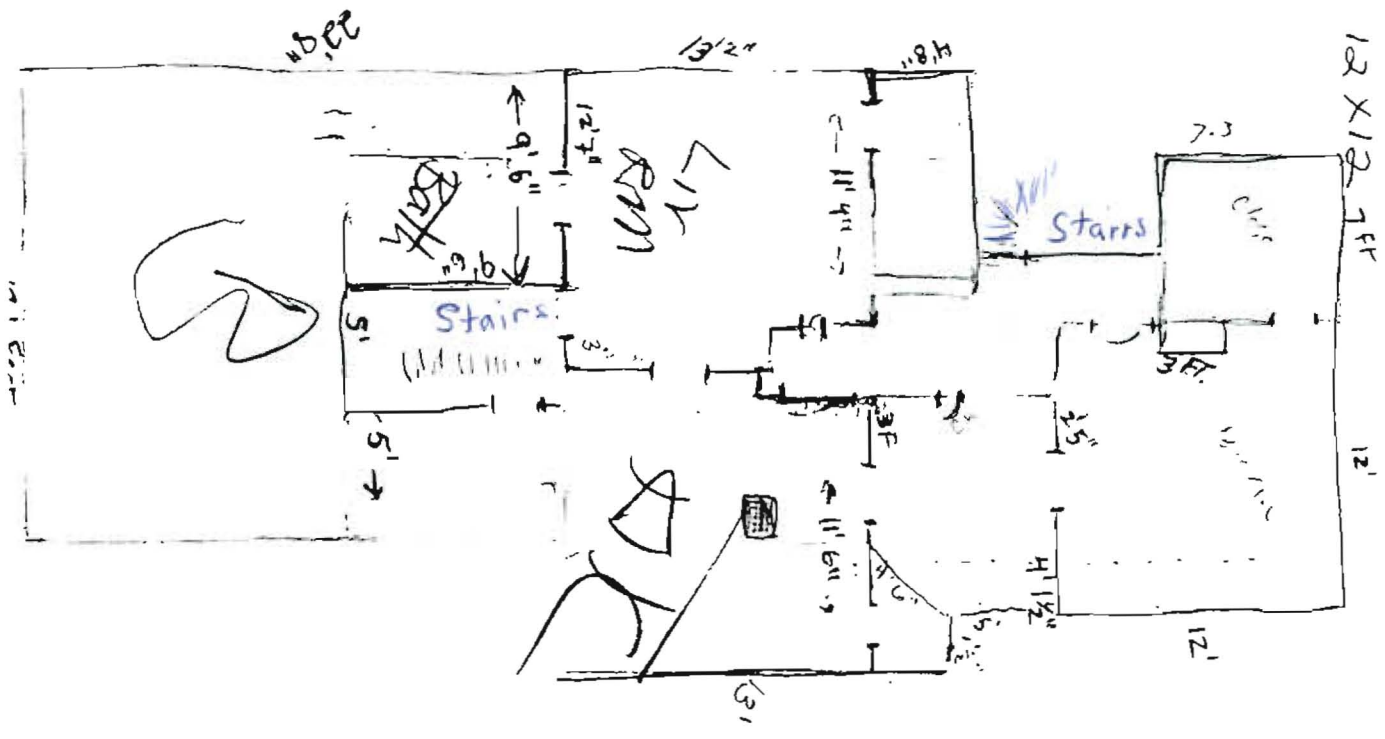
Our proposal to the board is that we would like to make this into a legal third floor unit that we can lease. The property meets all requirements as stated under section 14-118 Conditional Uses. There will be no additional construction or structures added.

The parking space accommodates 6 automobiles. It is 3' from the adjoining property line. This is the same for all surrounding 3 and 4 unit tenements on the street. There is also additional parking on the street.

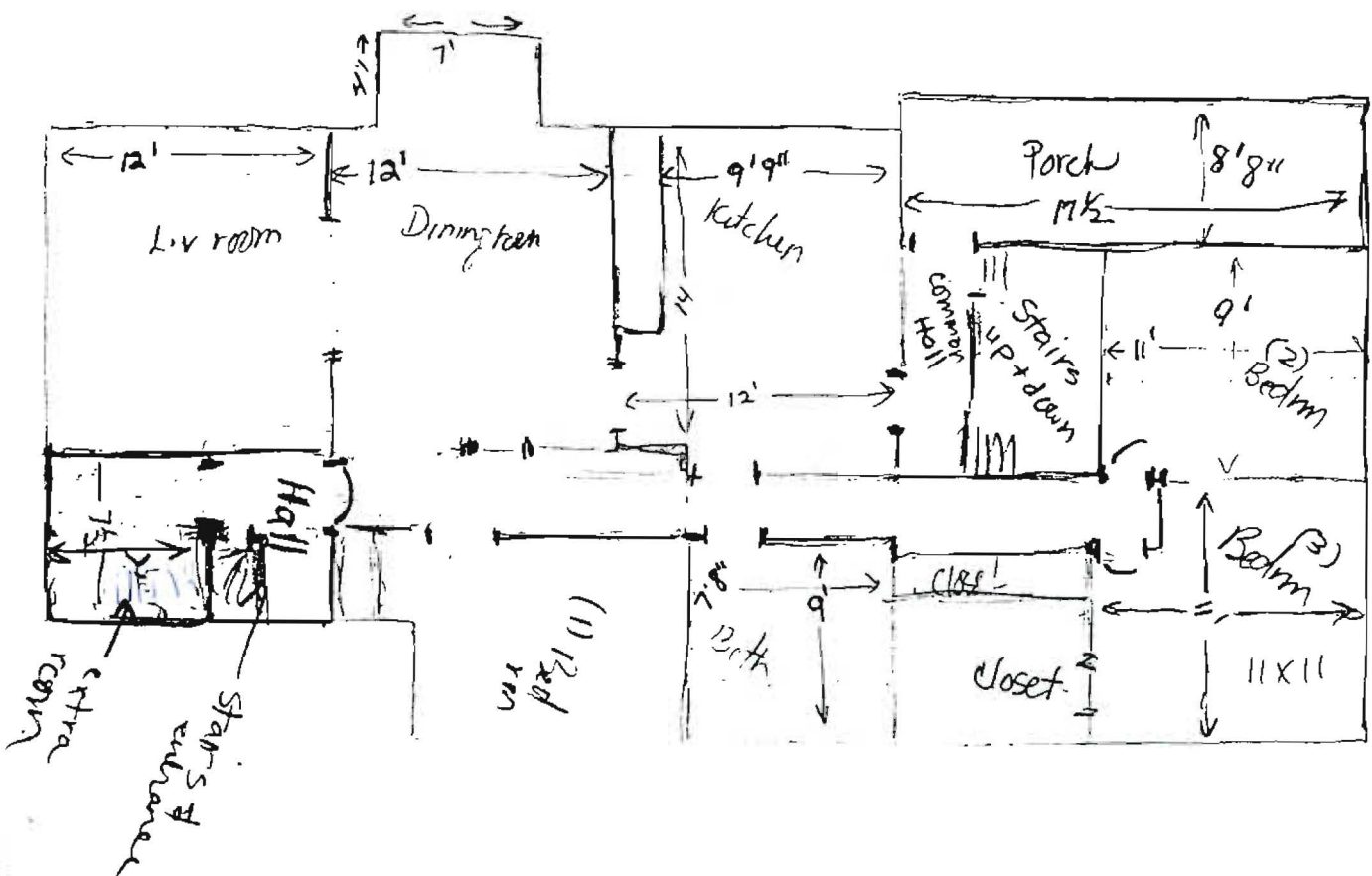
Sincerely,
William & Deborah Train



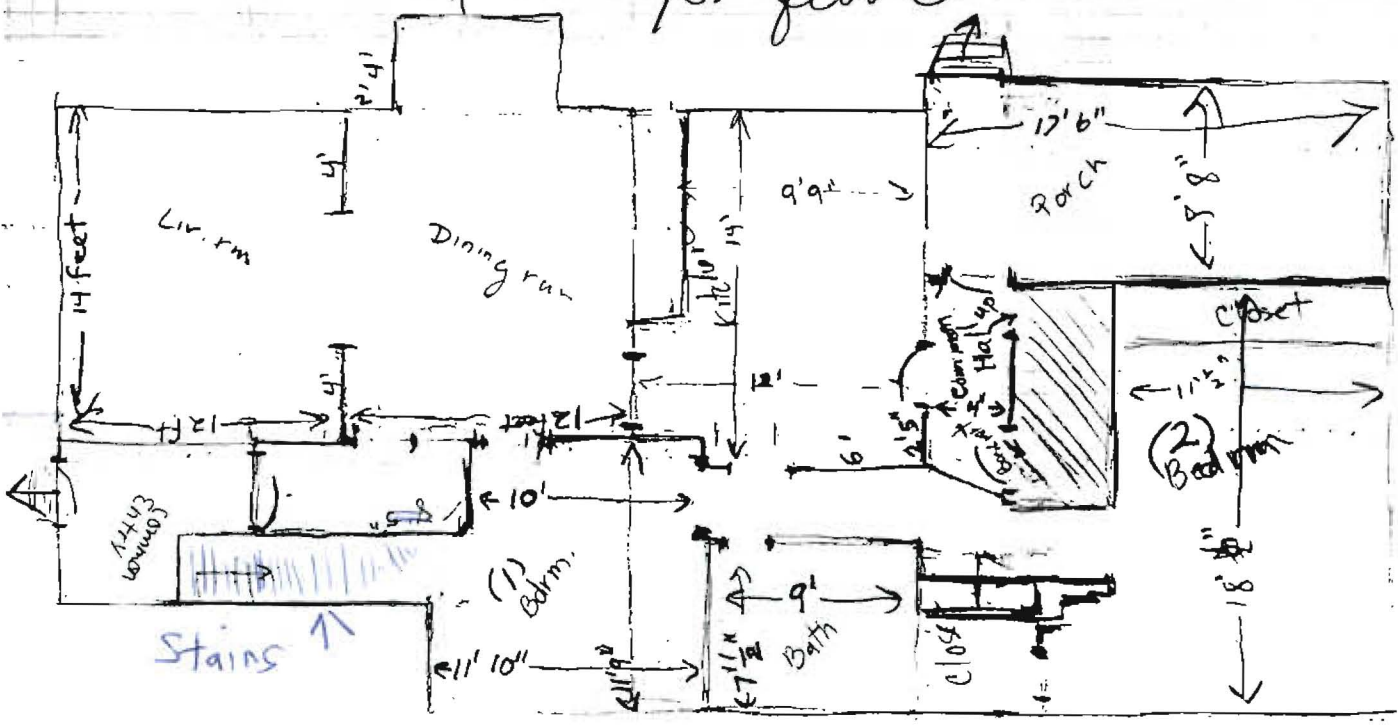




2nd Floor

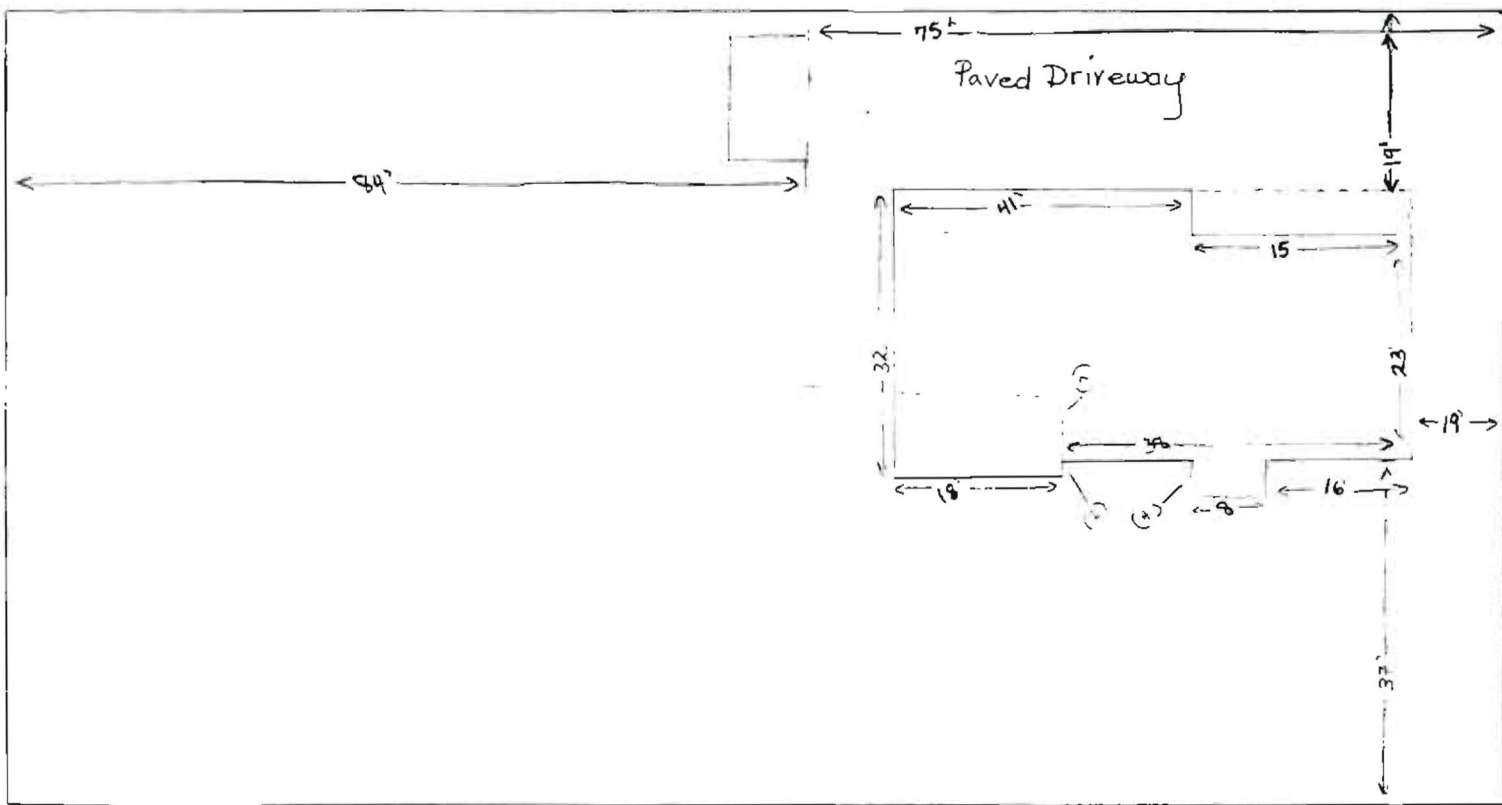


1st floor



← 85' →

← 159' →



Property Line

SIDEWALK

ROAD

19697

KNOW ALL MEN BY THESE PRESENTS

That William D. Train and Deborah A. Train of 3 Stuart Street, Portland, Maine 04103

in consideration of the sum of ONE HUNDRED FIFTEEN THOUSAND AND NO/100 (\$115,000.00) DOLLARS

paid to them by Kevin Leary of 1 St. Lawrence Street, Portland, Maine 04103

the receipt whereof they do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Kevin Leary, his heirs and assigns forever.

SEE ATTACHED SCHEDULE A

To Have and to Hold the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Kevin Leary, his heirs and assigns, to them and their use and behoof forever.

And do Covenant with the said Grantee, his heirs and assigns, that they are lawfully seized in fee of the premises; that they are free of all incumbrances; that they have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that they and their heirs, shall and will warrant and defend the same to the said Kevin Leary, his heirs and assigns forever, against the lawful claims and demands of all persons.

Provided Nevertheless, that if the said William D. Train and Deborah A. Train, their heirs, executors or administrators pay to the said Kevin Leary, his heirs, executors, administrators, or assigns, the sum of ONE HUNDRED FIFTEEN THOUSAND AND NO/100 (\$115,000.00) DOLLARS

then this deed, as also a certain promissory note bearing even date with these presents, given by the said William D. Train and Deborah A. Train to pay the sum and interest at the time aforesaid, be void, otherwise shall remain in full force.

This Mortgage is upon the Statutory Condition, for any breach of which the Mortgagee shall have the remedies provided by law.

IN WITNESS WHEREOF, we have hereunto set our hands this 22nd day of April, 1997

Richard L. Boire
Witness
(as to both)

William D. Train
William D. Train

Witness

Deborah A. Train
Deborah A. Train

State of ~~Maine~~ *New Hampshire* ^{UB}
~~Sumnerland~~ ^{UB} 88.
Roxingham

April 22, 1997

Personally appeared the above named William D. Train and Deborah A. Train and acknowledged the above instrument to be their free act and deed.

Before Me,

SEAL

Richard L. Boire
Justice of the Peace - Notary Public

RICHARD L. BOIRE
★ NOTARY PUBLIC - NEW HAMPSHIRE ★
My Commission Expires June 8, 2001

BK 13043PG210

2210165297

A certain lot or parcel of land with the buildings thereon, situated on the Southerly side of Saunders Street in Portland, Cumberland County, Maine, bounded and described as follows:

Beginning on the Southerly side of Saunders Street two hundred five (205) feet Westerly from the Westerly line of Maine Central Railroad location; thence running South $21\frac{1}{2}^{\circ}$ West, one hundred forty eight (148) feet, more or less, to land formerly of Simeon Hersey thence Westerly by said Hersey land, eighty five (85) feet to the Southwesterly corner of land conveyed to Luther Bradford by Joshua Saunders et al; thence North $21\frac{1}{2}^{\circ}$ East, one hundred fifty six (156) feet, more or less, to said Saunders Street; thence Easterly by Saunders Street, eighty five (85) feet to the point of beginning.

Meaning and intending to describe and convey the same premises conveyed to Patrick J. Dadiago and Eleanor M. Dadiago, by Warranty Deed of Jeremiah J. McCarthy and Barbara J. McCarthy, Dated May 14, 1959, and recorded at Book 2472, Page(s) 449, Cumberland County Registry of Deeds.

Patrick J. Dadiago died June 3, 1995 leaving Eleanor M. Dadiago as surviving joint tenant. Eleanor M. Dadiago died December 5, 1995 in Portland, Maine.

RECEIVED
RECORDED REGISTRY OF DEEDS

97 APR 23 PM 1:53

CUMBERLAND COUNTY

John B. O'Brien

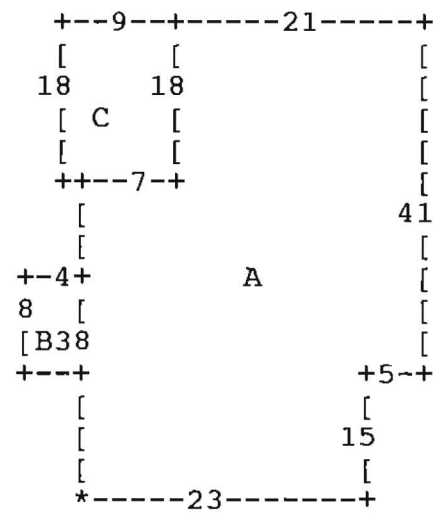
- iii. A lower level dwelling unit shall have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level;
 - iv. Three thousand (3,000) square feet of land area per dwelling unit shall be required;
 - v. On-site parking shall be required as specified in division 20 (off-street parking) of this article, for the combined uses of the site;
 - vi. The project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:
 - 1. Any addition or exterior alterations such as facade materials, building form, and roof pitch shall be designed to be compatible with the architectural style of the structure;
 - 2. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.
 - d. Conversions of existing two-family or multiplex structures into lodging houses, provided that a lodging house shall not be located within five hundred (500) feet of another as measured along street lines to the respective property lines.
- (2) *Institutional*: Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article, or any other provision of this Code, the planning board shall be substituted for the board of appeals as the reviewing authority:
- a. Elementary, middle, and secondary school;
 - b. i. Long-term and extended care facilities;
 - ii. Intermediate care facility for thirteen (13) or more persons;
 - c. Church or other place of worship;
 - d. Private club or fraternal organization;
 - e. Reserved;
 - f. Hospital;
 - g. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

- i. In the case of expansion of existing such uses onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and
- ii. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; and

LWR	1ST MAIN	2ND STR	3RD	AREA
50	15			1367
50	12	12		0032
				0162

TOTAL AREA: 2766



Return []

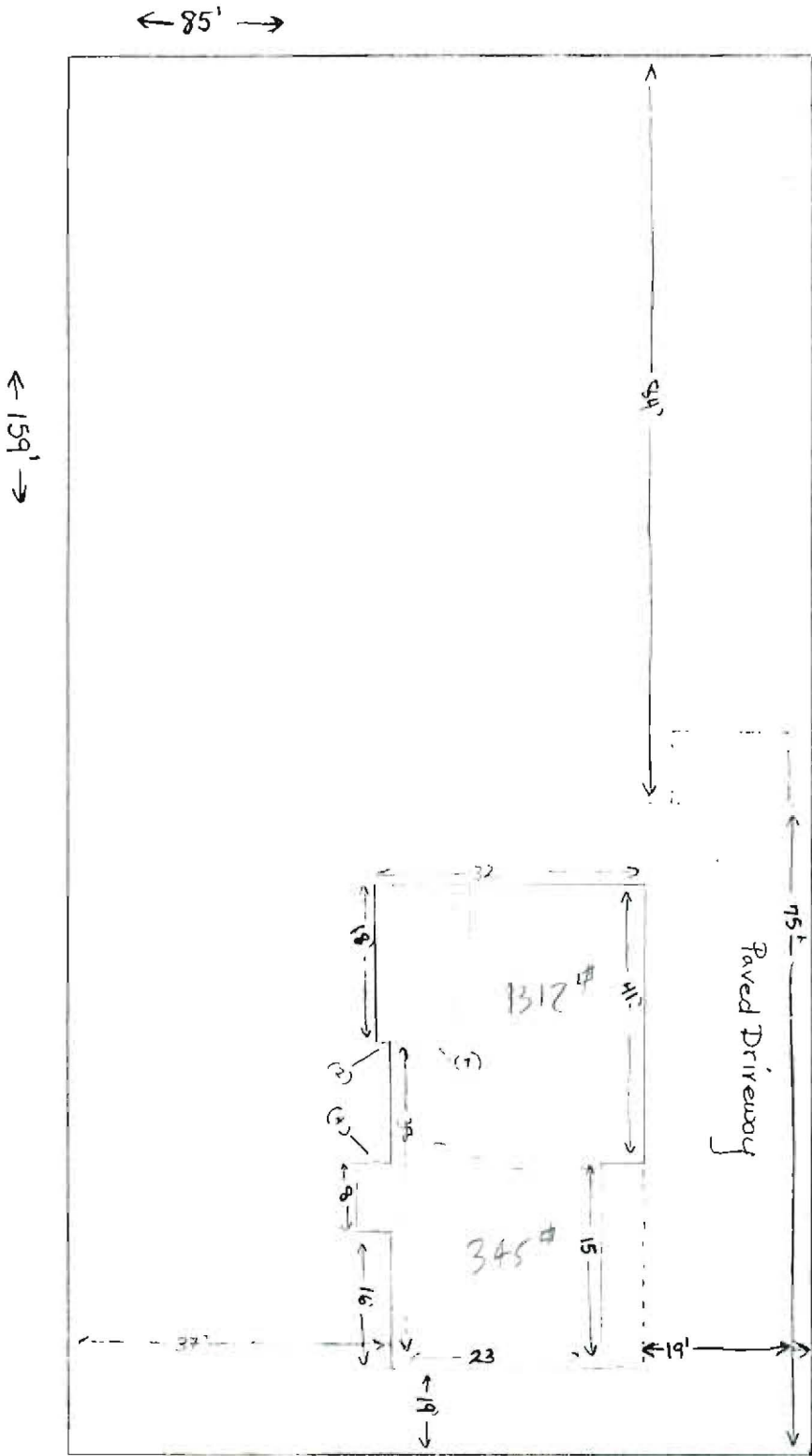
$$23 \times 56 =$$

$$\begin{array}{r} 41 \\ 15 \\ \hline 56 \end{array}$$

$$\begin{array}{r} 1288 \\ - (5 \times 15) - 75 \\ \hline \end{array}$$

$$\begin{array}{r} 1213 \\ + (9 \times 12) 162 \\ \hline 10514 \end{array}$$





Prop. Line



sidewalk
PUSHED

for additional provisions relative to Ord. No. 83-88. Ord. No. 95-89, § 1, adopted Sept. 6, 1989, amended subsection (1)a of § 14-117 to read as set out and, as amended, further ordained "that the prohibition upon unit additions contained in this ordinance shall not apply where a building permit has been issued. Additions proposed to such buildings shall require major site plan review and all other reviews required by this chapter."

Sec. 14-118. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) and any special provisions, standards or requirements specified below:

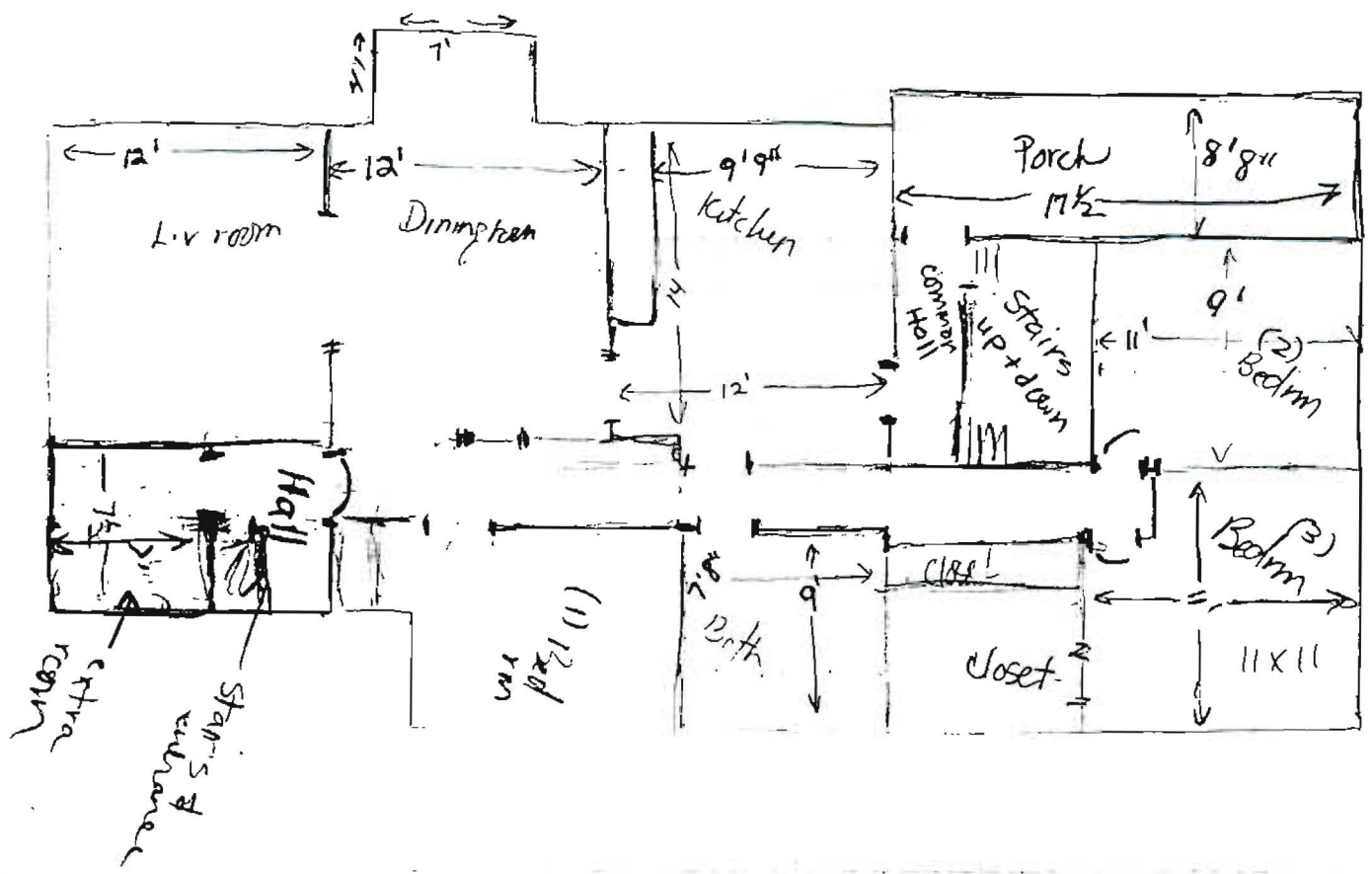
(1) *Residential:*

- a. Reserved.
- b. Sheltered care group homes, as defined in section 14-47 of this article, for up to twelve (12) individuals, plus staff, and serving a primary population which is not handicapped persons, parolees, persons involved in correctional prerelease programs, or current illegal drug users, provided that:
 - i. A sheltered care group home shall not be located within five hundred (500) feet of another, as measured along street lines to the respective property lines;
 - ii. There shall be no open outside stairways or fire escapes above the ground floor;
 - iii. The facility shall make provision for adequate on-site staffing and supervision of residents in accordance with applicable state licensing requirements. If a facility is not licensed by the state, there shall be a minimum of one (1) staff person for every ten (10) residents or fraction thereof.

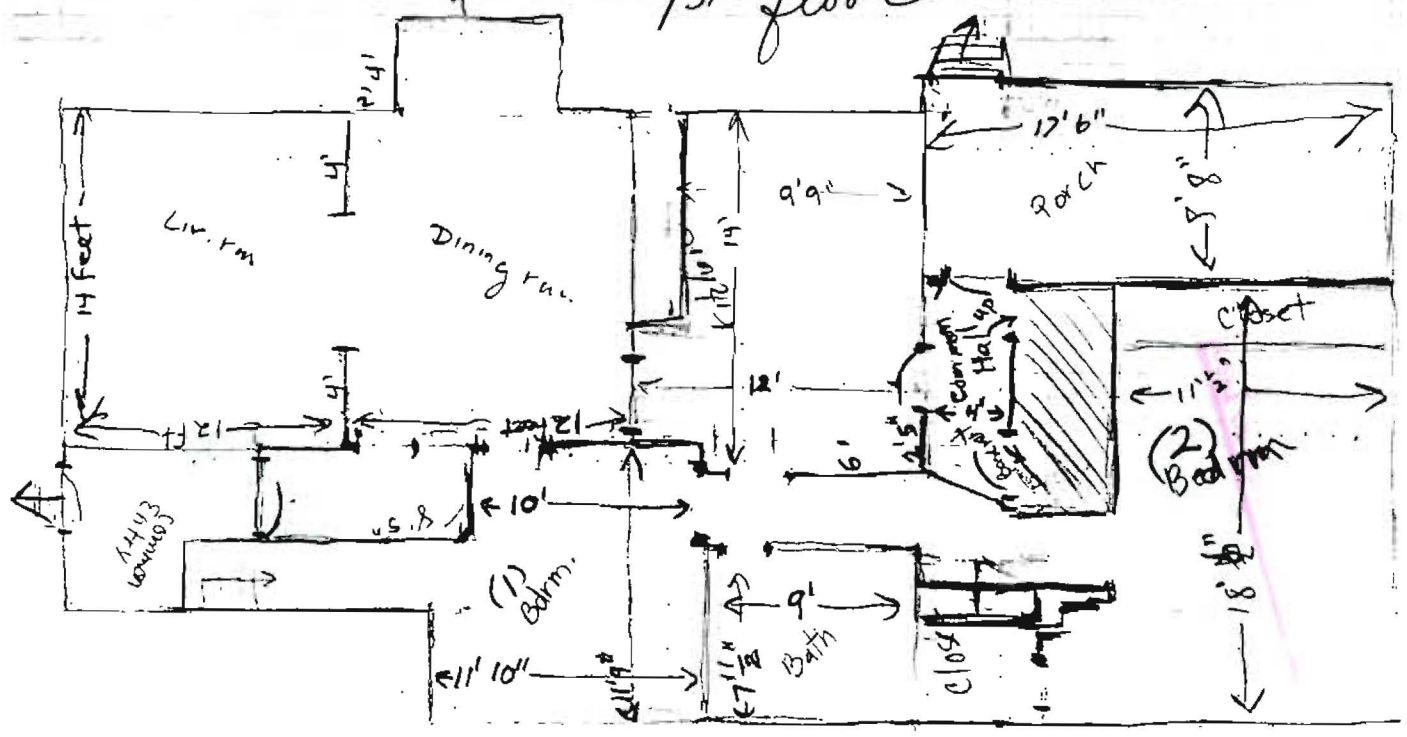
The board of appeals may impose conditions upon a conditional use permit concerning the creation or operation of a sheltered care group home including but not limited to the following: site and building maintenance; lighting, fencing, and other appropriate security measures; screening and buffering of parking areas; compatibility of any additions or alterations with the existing residential structure; compatibility of new structures with the architectural character of the surrounding area; and limitation on the duration of the sheltered care group home permit.

- c. Alteration of a structure existing and not in residential use as of January 1, 1984, to three (3) or more dwelling units, provided that:
 - i. No dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic;
 - ii. No open outside stairways or fire escapes above the ground floor shall be constructed or have been constructed in the immediately preceding five (5) years;

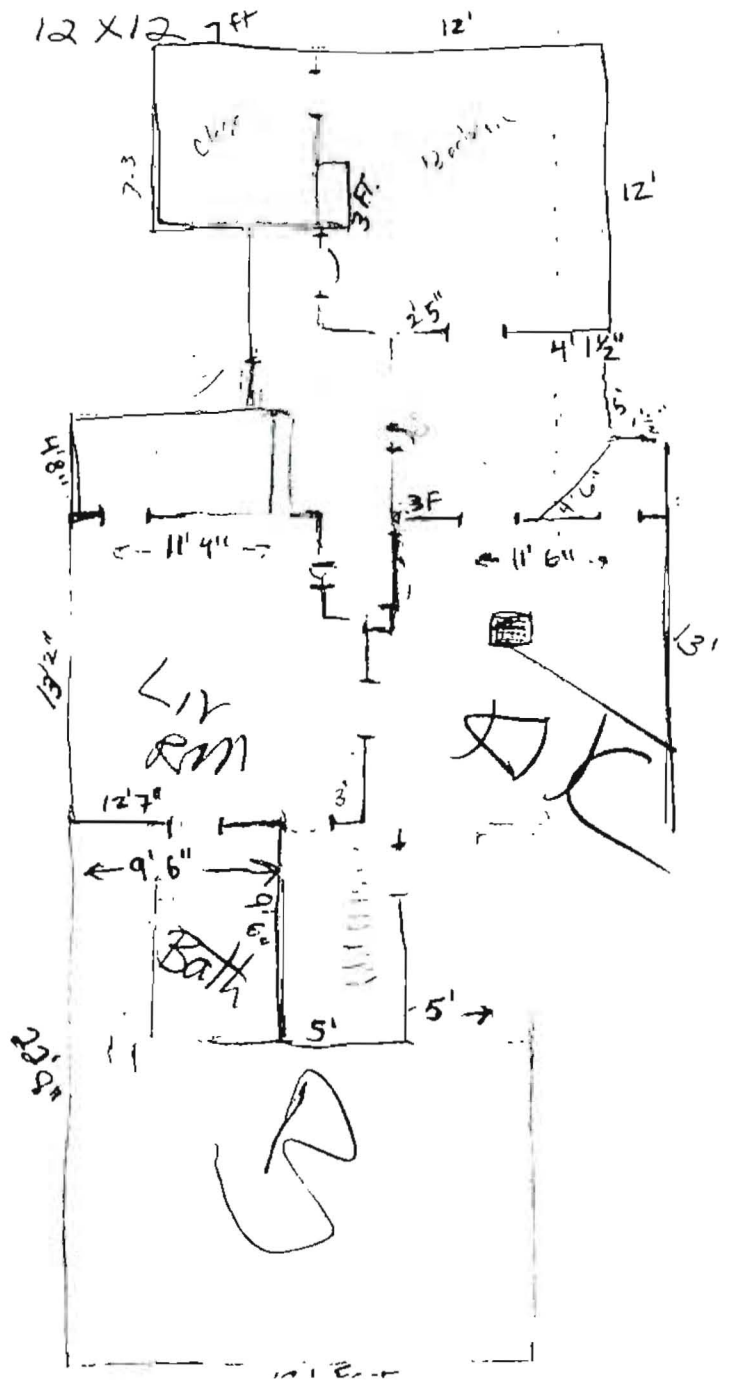
2nd Floor



1st floor



3rd year



2 1051#