



Jeanie Bourke &lt;jmb@portlandmaine.gov&gt;

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## 605 Stevens Ave - Code

4 messages

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**Kevin Gough** <gough@archetypepa.com> Fri, May 13, 2016 at 4:08 PM  
To: Michael White <maw@portlandmaine.gov>, Craig Messinger <crm@portlandmaine.gov>, Jeanie Bourke <jmb@portlandmaine.gov>, Laurie Leader <llr@portlandmaine.gov>  
Cc: David Lloyd <lloyd@archetypepa.com>

Michael,

Thank you for taking the time yesterday to discuss the issues with the code for the 605 Stevens Ave/Motherhouse project. I understand that this building is quite complicated and atypical and I will work diligently until we are all comfortable with the arrangement and the code compliance.

With regards to the assembly occupancy, the chapel, on the third floor I will try my best to lay out my interpretation of the NFPA codes as they apply and we can discuss this interpretation going forward. Bear with me, please, as this is not short or quick.

First, we should agree if we can that this project does not constitute a change of occupancy. The Motherhouse, as a convent, was always an R-2 (in IBC parlance/Apartment or non-transient-Lodging in NFPA), and the chapel was always an A-3 assembly. Both of these conditions will remain, and no building addition is being constructed. So, structurally and physically this building is unchanged entirely. I will address this again below when I discuss Chapter 43.

Second, in chapter 13, Existing Assembly occupancies:

### 13.1.1.2

*An existing building housing an assembly occupancy established prior to the effective date of this Code shall be permitted to be approved for continued use if it conforms to, or is made to conform to, the provisions of this Code to the extent that, in the opinion of the authority having jurisdiction, reasonable life safety against the hazards of fire, explosion, and panic is provided and maintained.*

To me, this says that the assembly space on floor 3, regardless of what is stated in Table 13.1.6, is permitted to remain on floor 3 so long as we all agree that this does not constitute a distinct life-safety issue – something which I will address below.

Chapter 13 continues:

### 13.1.1.4

*Existing portions of buildings shall be upgraded if the addition results in an increase in the required minimum number of separate means of egress in accordance with 7.4.1.2.*

The statement "if the addition results in an increase..." tells me that we are ok with the existing situation because we have not made any modification that would in any way increase the occupant loading.

#### 13.1.1.5

*Existing portions of the structure shall not be required to be modified, provided that both of the following criteria are met: (1) The new construction has not diminished the fire safety features of the facility. (2) The addition does not result in an increase in the required minimum number of separate means of egress in accordance with 7.4.1.2.*

#### 13.1.1.6

*An assembly occupancy in which an occupant load increase results in an increase in the required minimum number of separate means of egress, in accordance with 7.4.1.2, shall meet the requirements for new construction.*

This statement is self-explanatory, as I see it. We are in no way diminishing the life safety features of the facility. On the contrary, by enclosing the stair shafts in new rated construction, we are *increasing* the life-safety features. We are not increasing the floor area in any way, so the occupant load will remain unchanged.

Now I need to address chapter 43 because this building is listed on the National Register of Historic Places by the National Park Service.

*43.4.1.2 Renovations in historic buildings shall comply with the requirements of one of the following:*

*(1) Section 43.4*

*(2) Section 43.4, as modified by Section 43.10*

*43.4.1.3 All new work shall comply with the requirements of this Code applicable to existing buildings.*

*43.4.1.4 The work shall not make the building less conforming with other sections of this Code, or with any previous approved alternative arrangements, than it was before the renovation was undertaken, unless otherwise specified in 43.4.1.5.*

As stated above, we are not making the building any less conforming. The Assembly space is being left intact and unchanged. The Residential portion of the project is reducing the number of occupants if anything, and is leaving all public areas/means of egress intact and upgraded for safety with sprinklers and fire and smoke partitions.

As far as Section 43.10 is concerned, if you have not received it already I can send you the fully accepted NPS Part 1 approval which names this building a landmark and thus qualifies it under Section 43.10.1 and 43.10.2.

But, the most important Section for this project is this:

#### 43.10.4.11 Sprinkler Systems

*43.10.4.11.1 Historic buildings that do not conform to the construction requirements specified in other chapters of this Code for the applicable occupancy or use and that, in the opinion of the authority having jurisdiction, constitute a fire safety hazard, shall be protected throughout by an approved automatic sprinkler system.*

*43.10.4.11.2 The automatic sprinkler system required by 43.10.4.11.1 shall not be used as a substitute for, or serve as an alternative to, the required number of exits from the facility.*

This clearly gives the authority having jurisdiction the alternative, where the building does not conform to Table 13.1.6, and where you determine that the renovation does, in fact, constitute a life-safety hazard (which I would argue it does not), to have the building sprinkled as an alternative. We are providing a full NFPA 13 sprinkler system in this building and would thus be allowed by this section to *not conform* with "other chapters of this code", i.e. Table 13.1.6.

I appreciate your patience with this long and somewhat detailed letter. I hope I have covered adequately all of your concerns. I am happy to elaborate or to discuss any of these items in more detail.

Thank you.

Respectfully,

**Kevin Gough, Architect**

**Associate**

**Archetype PA** | 48 Union Wharf | Portland, Maine 04101 | tel. 207.772.6022 | cell. 207.232.3858 | [www.archetype-architects.com](http://www.archetype-architects.com)

**From:** Michael White [mailto:[maw@portlandmaine.gov](mailto:maw@portlandmaine.gov)]  
**Sent:** Tuesday, April 05, 2016 9:34 AM  
**To:** [gough@archetypepa.com](mailto:gough@archetypepa.com); Craig Messinger; Jeanie Bourke; Laurie Leader  
**Subject:** Interior Finish- 605 Stevens Ave

Good Morning Kevin,

Thank you for taking the time yesterday to walk through this project. As with any complex plan, having the opportunity for a site visit allows for better understanding.

Lt. Messinger and I had the opportunity to review the interior finish requirements, and this information can be found in NFPA 101, Chapter 10, Interior Finish, Contents and Furnishings. Please pay particular attention to 10.2.3, 10.2.3.4, and 10.2.5 as this will set the guide as to what we are dealing with for the doors and trim work.

Also would you verify that we are working with two occupancy types on this plan; NFPA 101, Chapter 30, New Apartment Buildings as well as NFPA 101, Chapter 13 Existing Assembly (for the Church portion) for my understanding.

Feel free to contact me if you have any other questions.

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Thank You,

Michael White

Life Safety Code Plan Reviewer

City of Portland

380 Congress Street,

Portland, Maine 04101

[maw@portlandmaine.gov](mailto:maw@portlandmaine.gov)

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**Michael White** <[maw@portlandmaine.gov](mailto:maw@portlandmaine.gov)>

Fri, May 13, 2016 at 4:31 PM

To: Kevin Gough <[gough@archetypepa.com](mailto:gough@archetypepa.com)>, Keith Gautreau <[kng@portlandmaine.gov](mailto:kng@portlandmaine.gov)>

Cc: Craig Messinger <[crm@portlandmaine.gov](mailto:crm@portlandmaine.gov)>, Jeanie Bourke <[jmb@portlandmaine.gov](mailto:jmb@portlandmaine.gov)>, Laurie Leader <[lr@portlandmaine.gov](mailto:lr@portlandmaine.gov)>, David Lloyd <[lloyd@archetypepa.com](mailto:lloyd@archetypepa.com)>

Hi Kevin,

Thank you for this information. I wanted to quickly get back to you as I am working late today but will not be able to get at this information... I just wanted to acknowledge that I received it and that I will be able to begin to sort through and digest it on Wednesday as I will be out of town for business Monday and Tuesday.

I have been trying to think of ways to address this also.. it is a terrific project. Please bear with me and I will be in touch Wednesday.

Enjoy your weekend.

Thank You,

Michael White

Life Safety Code Plan Reviewer

207-756-8256

City of Portland

380 Congress Street,

Portland, Maine 04101

[maw@portlandmaine.gov](mailto:maw@portlandmaine.gov)

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**Michael White** <msw@portlandmaine.gov>

Wed, May 18, 2016 at 9:29 AM

To: Kevin Gough <gough@archetypepa.com>, Keith Gautreau <kng@portlandmaine.gov>, David Petruccelli <petruccellid@portlandmaine.gov>

Cc: Craig Messinger <crm@portlandmaine.gov>, Jeanie Bourke <jmb@portlandmaine.gov>, Laurie Leader <lrl@portlandmaine.gov>, David Lloyd <lloyd@archetypepa.com>

Good Morning Kevin,

Thank you for providing this documentation. I know it was time consuming, yet necessary.

When Craig and I did the walk through, there was some discussion as to the use of the assembly space. This remained rather unclear after we asked this. Could you remind me of the proposed use?

One other question is the pews. Would they remain existing? Directly, what I am getting at is the occupant load. Can you tell me the existing OL, and what would be the possible OL?

Thank You,

Michael White  
Life Safety Code Plan Reviewer  
207-756-8256

City of Portland  
380 Congress Street,  
Portland, Maine 04101

[msw@portlandmaine.gov](mailto:msw@portlandmaine.gov)

On Fri, May 13, 2016 at 4:08 PM, Kevin Gough <gough@archetypepa.com> wrote:

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**Kevin Gough** <gough@archetypepa.com>

Wed, May 18, 2016 at 10:08 AM

To: Michael White <msw@portlandmaine.gov>, Keith Gautreau <kng@portlandmaine.gov>, David Petruccelli <petruccellid@portlandmaine.gov>

Cc: Craig Messinger <crm@portlandmaine.gov>, Jeanie Bourke <jmb@portlandmaine.gov>, Laurie Leader <lrl@portlandmaine.gov>, David Lloyd <lloyd@archetypepa.com>

Michael,

Thanks for the follow-up and the phone call. As discussed, we are still unclear on the actual use of the space, but we assume it will continue to be an assembly occupancy. The pews will remain.

The current occupant load, based on 15 sq.ft./person is 339. As discussed, it would not be a problem for us to have you post the occupant load at 299, to keep it below the NFPA threshold for occupants found in Table 13.1.6, X4, when dealing with building height.

Feel free to call any time for further discussion.

I appreciate your time.

**Kevin Gough, Architect**

**Associate**

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**From:** Michael White [mailto:[msw@portlandmaine.gov](mailto:msw@portlandmaine.gov)]  
**Sent:** Wednesday, May 18, 2016 9:30 AM  
**To:** Kevin Gough; Keith Gautreau; David Petruccelli  
**Cc:** Craig Messinger; Jeanie Bourke; Laurie Leader; David Lloyd  
**Subject:** Re: 605 Stevens Ave - Code

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