

PORTLAND MAINE

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*Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator*

March 14, 2013

Drummond Woodsum
84 Marginal Way, Suite 600
Portland, ME 04101-2480
Attn: William Plouffe, Esq.

RE: 77 Read Street – 141-J-012 – R-9

Dear Attorney Plouffe,

I am in receipt of your request for a determination concerning the use of the property located at 77 Read Street.

Very clearly permits were applied for in 1999, first for a change of use from 3 families to 1 family and secondly for alterations to a single family. John Hills of Glenwood Building & Remodeling was the representative for the owner of the property, Cheverus High School, for both permits. The contact person for Cheverus High School was Reverend Richard Roos. I believe that the permits were accurate and approved as requested by the applicant. It is also noted that a certificate of occupancy for the change of use was apparently never issued. No certificate of occupancy was found in the Inspection Services files. It leads to the question as to whether the work requested was ever completed.

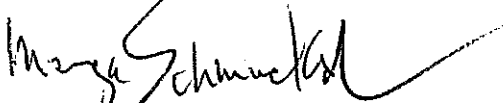
The Land Use Zoning Ordinance defines the term "Dwelling Unit" as "One (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit." You have stated that the third floor kitchen facilities were removed years ago, perhaps in 1999. You have also stated that the third floor functions as an extension of the 2nd floor dwelling unit, comprising one dwelling unit. I reviewed the pictures of the second floor kitchen facilities. The first floor apparently contains another dwelling unit with separate kitchen facilities (photos submitted), rooms and bath. There are separate and distinct entrances for each dwelling unit.

I have also been given information that there is an internal staircase in the "front hall" of the first floor that leads to the second floor assumingly connecting the two units. You went on to tell me that it was Cheverus who opened up this stairway. In order to be considered two independent self-contained dwelling units, this interconnecting stairway between units must be eliminated or fire coded off in a manner consistent with the Building Codes.

Before I can finally state that the two residential dwelling units are separate and distinct from each other, the interconnecting stairway shall be blocked by partition as suggested in your letter. It must be done at this time in order for the units to be considered fully independent and self-contained. I would require a permit application to verify how the stairway will be block and restored to the condition when Cheverus purchased the property. It will also be a good paper trail. When that work is completed and finalized with an inspection by this office, I would revise this determination to state that the legal use of the premises is a legal, nonconforming two family dwelling unit building. Until that time there is doubt that the two units are completely independent, self-contained dwelling units.

If you have any questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Marge Schmuckal", with a long, sweeping underline that extends to the right.

Marge Schmuckal
Zoning Administrator

DrummondWoodsum

William L. Plouffe

(207) 772-1941

wplouffe@dwmlaw.com

(207) 772-3627 Fax

(800) 727-1941

84 Marginal Way, Suite 600
Portland, ME 04101-2480

Admitted in ME only
www.dwmlaw.com

December 20, 2012

Marge Schmuckal
Zoning Administrator
Room 315, City Hall
389 Congress Street
Portland, ME 04101

RE: 77 Read Street, Portland (141-J-12)

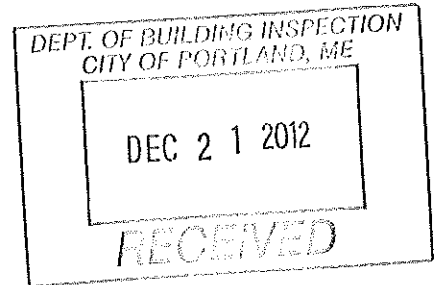
Dear Marge:

I am following up on our recent telephone conversation regarding the zoning status of 77 Read Street, a residential property owned by Cheverus High School and located nearby the Cheverus campus. On behalf of Cheverus, I am asking for your determination on whether the property can be used as a two-family dwelling.

1. Background.

This property is in the R-3 District. In 1999, the property was owned by Dominic and Margaret Aceto and was used as a three-family dwelling. The property had three dwelling units for some years prior to 1999 and had lawful non-conforming use status that allowed it to be so used notwithstanding that the R-3 District regulations in effect in 1999 did not allow two or three-family dwellings.

Cheverus bought the property from the Acetos in March 1999 for use as a residence for the Jesuits who are assigned to teaching/administration positions at Cheverus. The then-Superior of the Jesuit Community hired John Hills Glenwood Building and Remodeling to undertake interior renovations of the property so that it would better accommodate the Jesuit community that would live there. The contractor who applied for the building permit on May 24, 1999 apparently told the City that the proposed use of the property would be a "1 - Family." (Exhibit 1) The City code official wrote on the building permit application, in the space for "Zoning Approval:" "R3 - Note will lose any nonconforming rights." A second building permit was issued in September 1999 for the purpose of repairing/replacing the front porch and installing a new roof. Under "Zoning Approval" on the permit, it reads: "To remain 1 family & not to have ASE footprint." (Exhibit 2) The same code official signed both permits. It is not clear that the Superior of the Jesuit Community or anyone else in authority at Cheverus in 1999 saw the building permits or was otherwise aware of the code official's notations. We can find no records at Cheverus, e.g., Board minutes or resolutions, suggesting that Cheverus itself intended to abandon the multi-family grandfathered status of the property.



Daniel Amory*
David J. Backer*
S. Campbell Badger*
Michael L. Buescher*
Alexandra E. Caulfield*
Jerrol A. Crouter*
George T. Dilworth*
Peter C. Felmsy*
Erin R. Feltes*
Adrienne E. Fouts*
Sara S. Hellstedt*
Eric R. Herlan*†
Melissa A. Heway*†
Michael E. High*
David M. Kalin*
John S. Kaminski*
Edward J. Kelleher*
James T. Kibbreth*
Jeanne M. Kincaid*†
Peter D. Klein*
Rodney A. Laska*
Benjamin E. Marcus*
Elak A. Miller*
Mona T. Movafaghit*
Michael J. Murray*
Robert P. Nadeau*
Daina J. Nathanson*†
Kimberly A. Pacelli*
Jeffrey T. Pianpiano*
William L. Plouffe*
Aaron M. Pratt*†
Harry R. Pringle*
Kerriann Romant*
Daniel J. Rosa*†
George Royle V*
Gregory W. Sample*
Jessica M. Scherb*†
David S. Sherman, Jr.*
Richard A. Shinay*
Christina R. Simpson†
Kaighn Smith, Jr.*
Bruce W. Smith*
Richard A. Spencer*†
Christopher G. Stevenson*
E. William Stockmeyer*†
Amy K. Tchao*†
Joanna B. Tourangeau*†
M. Thomas Trenholm*
Matthew H. Upton†
Gary D. Vogel*
Ronald N. Ward*
Thomas R. Watson†
Brian D. Willing*
Reade E. Wilson*
Gerald M. Zetini†

Consultants

Ann S. Chapman
Policy & Labor Relations

Roger P. Kelley
Labor Relations &
Conflict Management

Michael J. Opuda Ph.D.
Special Education

Of Counsel

Joseph L. DeLafeld III*
Robert L. Gips*
Donald A. Kopp*
Hugh G. E. MacMahon*
Harold E. Woodsum, Jr.*

* Admitted in Maine

† Admitted in New Hampshire

MERITAS

When you and I spoke by phone, you asked if a certificate of occupancy had been issued after completion of the remodeling work. We have reviewed the City's file on this property and did not find a certificate of occupancy.

Since 1999, as many as five Jesuits at one time have taken up residence at the property. Because Cheverus has recently acquired a residential property on Ocean Avenue, it has decided to move the Jesuits' residence from Read Street to the Ocean Avenue site. Cheverus wants to rent the Read Street property as a two-family dwelling.

2. The case for 77 Read Street being allowed as a two-family dwelling.

I concede that on a first read of the above background, it is easy to conclude that this issue was settled in 1999 when the building permits were issued. However, a closer examination of what actually transpired can lead to a different conclusion for one simple reason: The contractor never carried out the remodeling steps that likely led the City code official to write the notes regarding loss of non-conforming use rights. Specifically, the contractor did not remove the full kitchen on the second floor and it has continued to be used since 1999. (The kitchen that had been on the third floor (attic) has been removed.)

The Portland land use ordinance defines "Dwelling, two-family" as follows: "A single building containing two dwelling units used exclusively for occupancy by two (2) families living independently of each other." The term "Dwelling unit" is defined: "One (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit."

What has been at 77 Read Street since Cheverus acquired the property in 1999 is a single building that has a kitchen, full bath and a bedroom on the first floor (Exhibits 3, 4 and 5) and that has a kitchen, full bath and bedrooms on the second floor (Exhibits 6, 7 and 8). In other words, two "dwelling units" remained at 77 Read Street after the remodeling in 1999 notwithstanding what the contractor apparently told the City code official. (Interestingly, the City property tax "card" shows 77 Read Street as having three units. See Exhibit 9.)

Assessors do not determine zoning use

It is also notable that the property has two front entrances. (Exhibit 10) The middle entrance opens to an entry way on the first floor. The side front entrance provides direct access to the second floor. There is also a parking area in the rear of the property that will accommodate five cars. (Exhibit 11) Additionally, the neighborhood includes multi-family properties. There is a four unit residential property next door and several other multi-family properties on both sides of Read Street. In sum, use of 77 Read Street as a two-family residence would result in no changes to the exterior of the building; no parking problems; and no change in the character of the neighborhood.

3. Conclusion.

Based upon the above, we ask you to find that 77 Read Street did not lose its non-conforming status as a two family dwelling unit and that it may be so used.

December 20, 2012
Page 3

Thank you for your consideration of this request and we are prepared to answer any questions that you may have.

Very truly yours,



William L. Plouffe

Enclosures

Cc: Rev. William R. Campbell, S.J.
Michael Komich

~~32-11-11~~
requested for
H.M.G.

DrummondWoodsum

ATTORNEYS AT LAW

William L. Plouffe

wplouffe@dwmlaw.com

84 Marginal Way, Suite 600
Portland, ME 04101-2480

(207) 772-1941
(207) 772-3627 Fax
(800) 727-1941

www.dwmlaw.com

March 7, 2013

Marge Schmuckal
City Of Portland
City Hall - Room 315,
389 Congress Street
Portland, ME 04101

RE: 77 Read Street

RECEIVED

MAR 11 2013

Dept. of Building Inspections
City of Portland Maine

Dear Marge:

I am responding to the voice mail you left for me on March 5, 2013. You asked if Cheverus had floor plans for the building. I am informed that Cheverus does not have floor plans.

You asked about separate entry ways to the first and second floors and the interconnection between the two floors. In my December 20 letter, I noted that there is a separate entrance for the second floor on the Read Street (south) side of the building and furnished a photograph showing that. I have since learned that there is second separate entrance to the second floor. That entry is located toward the rear and on the east side of the building. I am enclosing photographs showing the rear porch and the two entry doors that are inside the porch. One of those doors (right side) leads to stairs up to the second floor. The other door (left side) leads to the first floor. Given that this rear porch is adjacent to the parking area,¹ this is the access to the second floor that is likely to be most used by second floor tenants. In summary, we have two separate entrances to the second floor, a rear and a front. The second floor tenant would have keys to those doors. (Obviously, having two entrances/exits is advisable from a fire safety perspective.)

You should be aware that there is an internal staircase in the "front hall" of the first floor that leads to the second floor. This has always been part of the house. This will be blocked by a partition when (if) Cheverus returns the property to a more typical two family; as it was before Cheverus bought it. This is the only structural change that will be made.

You asked about the third floor. The kitchen was removed some years ago but a full bath and some rooms remain. The third floor functions as an extension of the second floor. It is not a separate dwelling unit.

¹ I included a photograph of the parking area with my last letter. It can accommodate several cars.

Cheverus should restore

March 6, 2013

Page 2

We very much appreciate the thought that you are giving this matter. Please feel free to contact me with any further questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'William L. Plouffe', with a long, sweeping horizontal stroke extending to the right.

William L. Plouffe

WLP/ap

Cc: Rev. William J. Campbell, S.J.
Michael Komich

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

EXHIBIT 1

8716

Location of Construction: 77 Read Street 04103		Owner: Cheverus High School Rev. Richard H. Roos		Phone: 774-0473		Permit No: 990545
Owner Address: 271 Ocean Ave. Portland, ME 04103		Lessee/Buyer's Name:		Business Name:		
Contractor Name: **John Hills Glenwood Bldg. & Remodeling		Address: 36 Riggs St. Ptland, ME 04102		Phone: 774-7998 838-3347 cell		Permit Issued: MAY 27 1999
Past Use: 3-Family		Proposed Use: 1-Family		COST OF WORK: \$ 10,000		
				PERMIT FEE: \$ 70.00		CITY OF PORTLAND Zone: R3 CBL: 141-J-012 Zoning Approval: Note will be Special Zone or Reviews: Non Conforming rights
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		
Proposed Project Description: This is school property. Housing is needed for priest to live in. Remodel existing 3 family to making it into a 1 family. Closets are being added. Change of Use w/interior renovations.		INSPECTION: Use Group: R3 Type: 513 606796		Signature: <i>[Signature]</i>		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: SP		Date Applied For: 5-24-99				

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..

- 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: *[Signature]*

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

5-24-99

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

CEO DISTRICT

2

Location of Construction: 77 REad Street 04103		Owner: Rev. Richard Roos Cheverus High School		Phone: Rev. Roos 774-7226		Permit No: 991098	
Owner Address: 271 Ocean Ave. Portland, ME		Lessee/Buyer's Name: N/A		Phone:		BusinessName:	
Contractor Name: **John J. Hills Glenwood Bldg. & Remodeling		Address: 36 Riggs St. Ptld, ME		Phone: 774-7998		Permit Issued:	
Past Use: 1-Family		Proposed Use: Same		COST OF WORK: \$ 3,000		PERMIT FEE: \$ 42,00	
Proposed Project Description: Repair/replace deck front porch & stairs, install new roofing as to re-roof. (This is in keeping with the original footprint.)				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group <i>A3</i> Type <i>53</i> <i>BOCA 96</i>	
				Signature:		Signature: <i>[Signature]</i>	
Permit Taken By: UB				Date Applied For: 9-28-99			

Zone: *R-3* CBL: 141-J-012

Zoning Approval: *to remain in family*

Special Zone or Reviews:

Shoreland *Not to*

Wetland *here as*

Flood Zone *footprint*

Subdivision

Site Plan *major* minor mm

OK - 9/28/99

Zoning Appeal

Variance

Miscellaneous

Conditional Use

Interpretation

Approved

Denied

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..

***Send to: John J. Hills
Glenwood Bldg. & Remodeling
36 Riggs Street
Portland, ME 04102

**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

9-28-99

SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: _____ PHONE: _____

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

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

GEO DISTRICT
ub

2

EXHIBIT 3
labley
First floor
kitchen



EXHIBIT 4
labokey®
First floor
bathroom



EXHIBIT 5

First floor
bedroom

tabbler



EXHIBIT 6
tabbaker
Second floor
kitchen



EXHIBIT 7
tabbies®
Second floor
bathroom



EXHIBIT 8
tabbies®
Second floor
bedroom



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:

Services	CBL	141 J012001
	Land Use Type	LITERARY & SCIENTIFIC INS
	Property Location	77 READ ST
Applications	Owner Information	CHEVERUS HIGH SCHOOL 267 OCEAN AVE PORTLAND ME 04103
Doing Business	Book and Page	14648/88
Maps	Legal Description	141-J-12 READ ST 77
Tax Relief		9655 SF
Tax Roll	Acres	0.2216

Current Assessed Valuation:

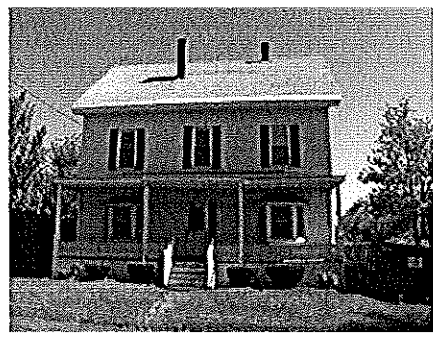
TAX ACCT NO.	21104	OWNER OF RECORD AS OF APRIL 2012
		CHEVERUS HIGH SCHOOL
LAND VALUE	\$70,900.00	267 OCEAN AVE
BUILDING VALUE	\$218,300.00	PORTLAND ME 04103
LITERARY AND SCIENTIFIC	(\$289,200.00)	
NET TAXABLE - REAL ESTATE	\$0.00	
TAX AMOUNT	\$0.00	

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



Building Information:

	Building 1	
Year Built	1925	
Style/Structure Type	COLONIAL	
# Stories	2	
# Units	3	
Bedrooms	5	
Full Baths	3	
Total Rooms	13	
Attic	FULL FINSH	
Basement	FULL	
Square Feet	3926	
View Sketch	View Map	View Picture



Sales Information:

Sale Date	Type	Price	Book/Page
3/31/1999	LAND + BUILDING	\$0.00	14648/87
3/1/1999	LAND + BUILDING	\$185,000.00	14648/88

New Search!

Handwritten notes:
 I am a former owner of this property.
 I had my name removed from the deed.

EXHIBIT 10
tabbies
Front of 77
Read Street
with 2
Entrances



EXHIBIT 11
tabbies®
Parking in rear



Assessor's Office | 369 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

[City](#) [Home](#) [Departments](#) [City Council](#) [E-Services](#) [Calendar](#) [Jobs](#)

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:

Services

Applications

Doing Business

Maps

Tax Relief

Tax Roll

Q & A

browse city services a-z

browse facts and links a-z

CBL 141 J012001
Land Use Type LITERARY & SCIENTIFIC INS
Property Location 77 READ ST
Owner Information CHEVERUS HIGH SCHOOL
 267 OCEAN AVE
 PORTLAND ME 04103
Book and Page 14648/88
Legal Description 141-J-12
 READ ST 77
Acres 9655 SF
 0.2216

Current Assessed Valuation:

TAX ACCT NO.	21104	OWNER OF RECORD AS OF APRIL 2012
		CHEVERUS HIGH SCHOOL
LAND VALUE	\$70,900.00	267 OCEAN AVE
BUILDING VALUE	\$218,300.00	PORTLAND ME 04103
LITERARY AND SCIENTIFIC	(\$289,200.00)	
NET TAXABLE - REAL ESTATE	\$0.00	
TAX AMOUNT	\$0.00	

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

Building Information:

Building 1

Year Built 1925
Style/Structure Type COLONIAL
Stories 2
Units 3
Bedrooms 5
Full Baths 3
Total Rooms 13
Attic FULL FINSH
Basement FULL
Square Feet 3926

[View Sketch](#) [View Map](#) [View Picture](#)



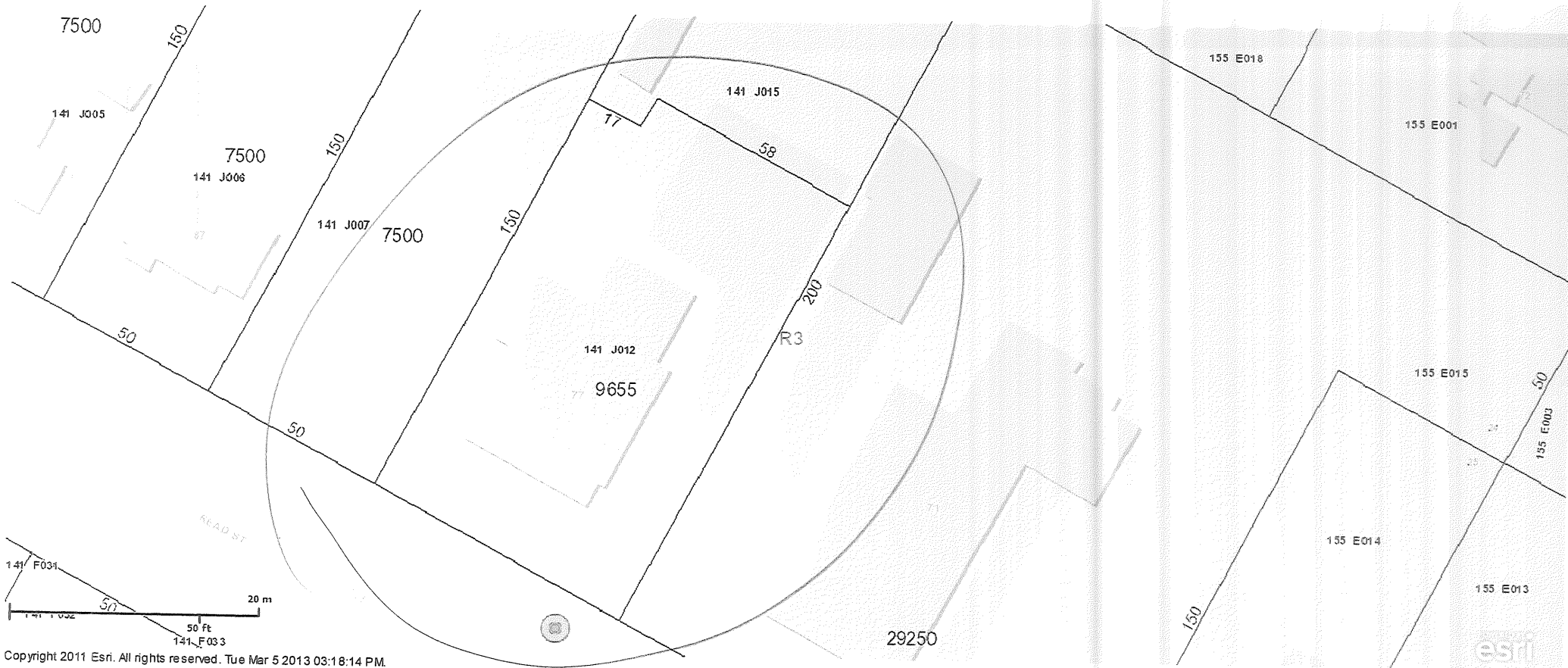
Sales Information:

Sale Date	Type	Price	Book/Page
3/31/1999	LAND + BUILDING	\$0.00	14648/87
3/1/1999	LAND + BUILDING	\$185,000.00	14648/88

[New Search](#)

may 27, 1999 #99-0545 - change of use permit from 3 family to 1 fam
 oct, 1999 #99-1098 - vacates 1 family with alterations -

77 Read St



Copyright 2011 Esri. All rights reserved. Tue Mar 5 2013 03:18:14 PM.

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

Location of Construction: 77 Read Street		04103	Owner: Cheverus High School Rev. Richard H. Roos	Phone: 774-0473	Permit No: 990545
Owner Address: 271 Ocean Ave. Portland, ME 04103		Lessee/Buyer's Name:	Phone:	BusinessName:	PERMIT ISSUED MAY 27 1999 CITY OF PORTLAND
Contractor Name: **John Hills Glenwood Bldg. & Remodeling		Address: 36 Riggs St. Ptland, ME 04102	Phone: 774-7998 838-3347 cell		
Past Use: 3-Family	Proposed Use: 1-Family	COST OF WORK: \$ 10,000		PERMIT FEE: \$ 70.00	Zoning Approval: <i>Note will lose any Non-Conflicting rights</i> CBL: 141-J-012 <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"/> Cmm <input type="checkbox"/>
Proposed Project Description: This is school property. Housing is needed for priest to live in. Remodel existing 3 family to making it into a 1 family. Closets are being added. Change of Use w/interior renovations.		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group <i>R2</i> Type: <i>5B</i> <i>BOC 96-11/12</i>		
		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: <i>sp</i>		Date Applied For: 5-24-99			

- 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..

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

5-24-99
SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: 5-24-99 PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____
White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

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: _____

CEO DISTRICT **2**

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

Location of Construction: 77 Read Street 04103		Owner: Rev. Richard Roos Cheverus High School		Phone: Rev. Room 774-7226		Permit No: 991098	
Owner Address: 271 Ocean Ave. Portland, ME		Lessee/Buyer's Name: N/A		Phone:		Business Name:	
Contractor Name: **John J. Hills Glenwood Bldg. & Remodeling		Address: 36 Riggs St. Ptd, ME		Phone: 774-7998		Permit Issued: 1. . 4	
Past Use: 1-Family		Proposed Use: Same		COST OF WORK: \$ 3,000		PERMIT FEE: \$ 42,00	
		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group 3 Type 5 BOC46		Signature: <i>[Signature]</i>	
Proposed Project Description: Repair/replace deck front porch & stairs, install new roofing as to re-roof. (This is in keeping with the original footprint.)		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: UB		Date Applied For: 9-28-99		Zone: P-3		CBL: 141-J-012	

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..

***Send to: John J. Hills
Glenwood Bldg. & Remodeling
36 Riggs Street
Portland, ME 04102

**PERMIT ISSUED
WITH REQUIREMENTS**

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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

9-28-99

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

Special Zone or Reviews:
 Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan ma 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: *[Signature]*
 GEO DISTRICT ub 2

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

Building or Use Permit Pre-Application

Additions/Alterations/Accessory Structures

To Detached Single Family Dwelling

In the interest of processing your application in the quickest possible manner, please complete the information below for a Building or Use Permit.

NOTEIf 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:	77 READ ST. Portland 04103
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Tax Assessor's Chart, Block & Lot Number Chart# 141 Block# J Lot# 012	Owner: Rev. Richard Robs Cheverus High School	Telephone# Rev. Richard Robs 774. 7226
--	--	--

Owner's Address: 271 Ocean Ave Portland, ME	Lessee/Buyer's Name (If Applicable) M/A. [unclear]	Cost Of Work: \$ 3000.00	Fee \$ 42
--	---	--------------------------	-----------

Proposed Project Description: (Please be as specific as possible) *keeping original footprint* *Re-roofing*
Repair/Replace Deck front porch & stairs, install new Roofing

Contractor's Name, Address & Telephone * John J. Hills Glenwood Bldg. & Rem. Co. Portland, ME 774. 7998	36 Riggs St Portland 04102	Rec'd By: WA
--	----------------------------	--------------

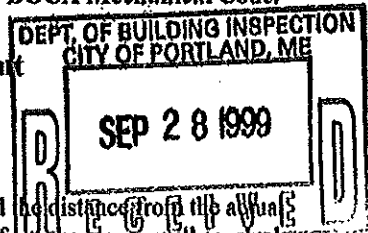
- Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.
- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
 - All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
 - All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
 - HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan (Sample Attached)

If there is expansion to the structure, a complete plot plan (Site Plan) must include:

- The shape and dimension of the lot, all existing buildings (if any), the proposed structure and the distance from the adjacent property lines. Structures include decks porches, a bow windows cantilever sections and roof overhangs, as well as, stairs, pools, garages and any other accessory structures.
- Scale and required zoning district setbacks



4) Building Plans (Sample Attached)

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

Certification

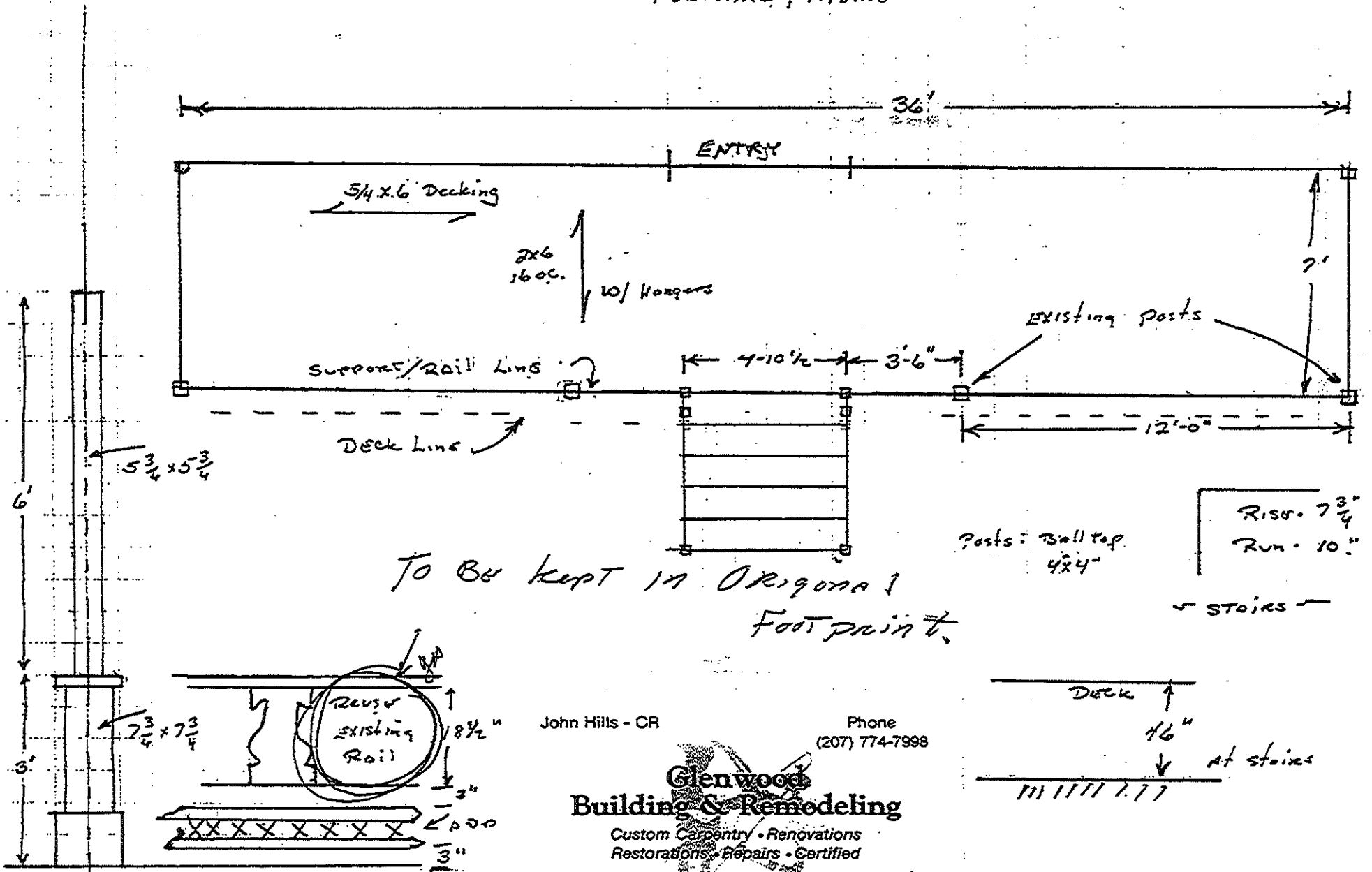
I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, 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: <i>[Handwritten Signature]</i>	Date: 9.28.99
--	---------------

Building Permit Fee: \$25.00 for the 1st \$1000 cost plus \$5.00 per \$1,000.00 construction cost thereafter.

0:\NSP\CORRESP\MNUAGENT\APAD\SEP.WPD

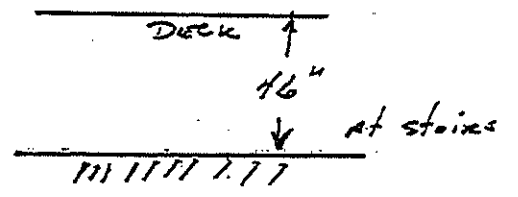
FRONT Porch
 77 REND. St.
 Portland, Maine



To Be kept in Original Footprint

posts: Ball top
 4x4"
 Rise: 7 3/4"
 Run: 10"

5 STAIRS



Post & Handrail

John Hills - CR

Phone
 (207) 774-7998

Glenwood
Building & Remodeling

Custom Carpentry • Renovations
 Restorations • Repairs • Certified

36 Riggs Street
 Portland, Maine 04102



DrummondWoodsum

William L. Plouffe

(207) 772-1941

wplouffe@dwmlaw.com

(207) 772-3627 Fax

(800) 727-1941

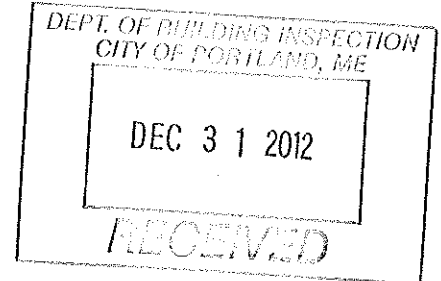
84 Marginal Way, Suite 600
Portland, ME 04101-2480

Admitted in ME only
www.dwmlaw.com

December 21, 2012

Marge Schmuckal
Zoning Administrator
Room 315, City Hall
389 Congress Street
Portland, ME 04101

R-3
9655



RE: 77 Read Street, Portland (141-J-12)

Dear Marge:

I have enclosed my firm's check in the amount of \$150 for the processing fee in connection with your determination relative to the status of the property at 77 Read Street, Portland, Maine.

Thank you for your consideration of our request. If you should have any further concerns, please do not hesitate to contact me.

Very truly yours,


William L. Plouffe

Enclosures

Cc: Rev. William R. Campbell, S.J.
Michael Komich

Daniel Amory*
David J. Backer*
S. Campbell Badger*
Michael L. Buescher*
Alexandra E. Caulfield*
Jerrol A. Crouter*
George T. Dilworth*
Peter C. Feinly*
Erin R. Feltes*
Adrienne E. Fouts*
Sara S. Hellstedt*
Eric R. Herlan*†
Melissa A. Hewey*†
Michael E. High*
David M. Kellin*
John S. Kaminski*
Edward J. Kelleher*
James T. Kilbreth*
Jeanne M. Kincaid*†
Peter D. Klein*
Rodney A. Lake*
Benjamin E. Marcus*
Elek A. Miller*
Mona T. Movafaghit*
Michael J. Murray*
Robert P. Nadeau*
Deina J. Nathanson*†
Kimberly A. Pacelli*
Jeffrey T. Piampiano*
William L. Plouffe*
Aaron M. Pratt*†
Harry R. Pringle*
Kerriann Romant*
Daniel J. Rose*†
George Royle V*
Gregory W. Sample*
Jessica M. Scherb*†
David S. Sherman, Jr.*
Richard A. Shinay*
Christina R. Simpson*
Kathryn Smith, Jr.*
Bruce W. Smith*
Richard A. Spencer*†
Christopher G. Stevenson*
E. William Stockmayer*†
Amy K. Tchao*†
Joanna B. Tourangeau*†
M. Thomas Trenholm*
Matthew H. Upton*
Gary D. Vogel*
Ronald N. Ward*
Thomas R. Watson*
Brian D. Wilking*
Reade E. Wilson*
Gerald M. Zelint*

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Policy & Labor Relations
Roger P. Kelley
Labor Relations &
Conflict Management
Michael J. Opuda Ph.D.
Special Education

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Donald A. Kopp*
Hugh G. E. MacMahon*
Harold E. Woodsum, Jr.*

* Admitted In Maine
† Admitted In New Hampshire

* Admitted In Maine
† Admitted In New Hampshire

Of Counsel

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* Admitted In Maine
† Admitted In New Hampshire

MERITAS

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
 389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1607	Applicant: CHEVERUS HIGH SCHOOL
Project Name: 77 READ ST	Location: 77 READ ST
CBL: 141 J012001	Application Type: Determination Letter
Invoice Date: 12/31/2012	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance **\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		\$150.00
	Total Current Fees:	+ \$150.00
	Total Current Payments:	- \$150.00
	Amount Due Now:	\$0.00

Bill to: CHEVERUS HIGH SCHOOL
 267 OCEAN AVE
 PORTLAND, ME 04103

CBL 141 J012001
Application No: 0000-1607
Invoice Date: 12/31/2012
Invoice No: 39602
Total Amt Due: \$0.00
Payment Amount: \$150.00

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.

Marge Schmuckal - 77 Read St determination

From: Marge Schmuckal
To: wplouffe@dwmlaw.com
Date: 12/21/2012 3:09 PM
Subject: 77 Read St determination

Hi Bill,

I received your request for a determination. Such requests require a \$150 fee as part of the request. Your request will be on hold until the fee is received - made out to the City of Portland.

Thank you,

Marge



RECEIVED

MAR 11 2013

Dept. of Building Inspections
Maine



RECEIVED

MAR 11 2013

Dept. of Building Inspections
City of Portland Maine



RECEIVED

MAR 1 1 2013

Dept. of Building Inspections
City of Portland Maine

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MAR 11 1993

Doc. # 181
City of Portland Internal

