

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator

June 19, 2014

Perkins / Thompson
One Canal Plaza
PO Box 426
Portland, ME 04112
Attn: James N. Katsiaficas

RE: 777 Stevens Avenue -146-C-5-10 – Park Danforth / Home For The Aged (the "Property")

Dear James N. Katsiaficas, Esq.

I am in receipt of your request concerning the Property. The Property is currently located within the R-6 Residential Zone. Both the residential uses and assisted care uses are permitted in the R-6 Zone.

To the best of my knowledge, all necessary City of Portland code, zoning, land use and planning permits and approvals have been obtained for the Property and its current uses and configuration. I have enclosed copies of all permits and occupancy permits that have been found. The original building permit was issued subject to a sustained appeal granted by the Zoning Board of Appeals for parking relief. The Property was allowed 50 parking spaces instead of the required 108 parking spaces. It is evident that the Property was also reviewed under a site plan review of which a copy is enclosed.

An addition to the Property was approved in December of 1997 with a Certificate of Occupancy issued December 17, 1998.

I am not aware of any outstanding City of Portland code, zoning or planning violations concerning the Property. No violations or enforcements are pending, threatened or contemplated by the City of Portland.

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 black ink that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

JUN - 2 2014

Dept. of Building Inspections
City of Portland Maine

RECEIVED

JUN - 2 2014

ONE CANAL PLAZA
PO BOX 426
PORTLAND ME 04112
TEL 207.774.2635
FAX 207.871.8026

May 30, 2014

Marge Schmuckal, Zoning Administrator
City of Portland
389 Congress Street
Portland, ME 04101-3509

Dept. of Building Inspections
City of Portland Maine
www.perkinsthompson.com

Re: Determination of Property Code, Zoning, Land Use and Planning Compliance,
777 Stevens Avenue

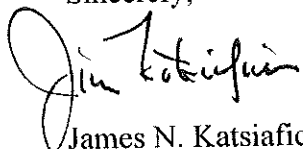
Dear Marge:

This Firm represents The Park-Danforth in connection with a restructuring and refinance of property owned by The Park-Danforth and the Home for The Aged at 777 Stevens Avenue, Chart/Block/Lot Nos. 146 C005 and 146 C010 (the "Property"). We have been asked to provide a Code Enforcement Officer letter regarding the Property. Therefore, we ask the following questions:

- (1) In what zoning district(s) is the Property located?
- (2) Are the current uses (residential and assisted care uses) of the Property allowed in that zoning district?
- (3) Have all the necessary City of Portland code, zoning, land use and planning permits and approvals been obtained for this Property and its current uses and configuration?
- (4) Is there a current occupancy permit for the Property and its uses?
- (5) Are there currently any outstanding City of Portland code, zoning or planning violations at the Property, and, if so, are there any pending, threatened or contemplated City of Portland enforcement actions related to the Property?

We understand that this request will be processed as a "Request for Zoning Determination" for which there is a \$150 fee; therefore, enclosed please find a check in the amount of \$150 payable to the "City of Portland, Maine." If you have any questions or concerns regarding this request, please do not hesitate to contact me. As always, thank you for your attention and assistance in this matter.

Sincerely,



James N. Katsiaficas

JNK/ems

Enclosures

cc: Melissa H. Murphy, Esq., Perkins Thompson

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



GAIL D. JAYAC
Chairman

MICHAEL A. WYSTORY
Secretary

JACQUELINE COHEN
TIMOTHY E. FLAHEARY
EUGENE S. MARTIN
THOMAS J. MURPHY
MERRILL S. SEITZER

October 29, 1982

Park Danforth Corporation
Att: Konnit Lipetz
One Canal Plaza
Portland, Maine 04112

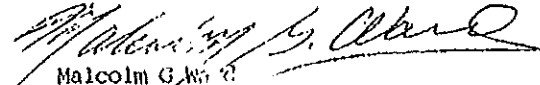
RE: Appeal at 757-777 Stevens Cor 1-43 Poland Street, cor. 1082-1092 Forest Avenue

Dear Sir:

Following is the decision of the Board of Appeals regarding your petition to construct 108 unit congregato elderly housing facility at the above named location. Please note that your appeal was granted.

Also, before your permit can be issued, you must pay the permit fee itself. Please make all checks payable to City of Portland.

Very truly yours,


Malcolm G. W. ?
Zoning Enforcement Officer

MGW/t

Applicant: MARK DANFORTH CORP.

Date: 10/31/82

Address: 754-777 STEVENS HUB. COR., 1-43, MOLAND ST.

Assessors No.: 146 - C - 5,10 COM. 1082 - 1092 FOREST AVE.

CHECK LIST AGAINST ZONING ORDINANCE

Date - NEW

Zone location - R-6

Interior or corner lot -

10 ft. setback area (Section 21) -

Use - 108 ANT. COMPLEX

Sewage Disposal PUBLIC

Rear Yards -

Side Yards -

Front Yards -

Projections -

Height - 65' - 65' MAX.

Lot Area - 109,079 sq ft - 108,000 MIN.

Building Area - 17,468 sq ft - 43,631 MAX. 4,363

Area per Family - 109,079 - 108,000 sq ft MIN. 16,343

Width of Lot - 30K

Lot Frontage

602.14 ft
 Off-street Parking - 50 shown 108 REQ.

Loading Bays -

Site Plan -

Shoreland Zoning -

Flood Plains -

174191
34888

109877
1

1125

17468

APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE ... April 1, 1983

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION .. 787-777 Stevens Ave. & 1286 Forest Avenue Fire District #1 #2
 1. Owner's name and address .. Park-Danforth - 125 Danforth St. Telephone 773-1786
 2. Lessor's name and address Telephone
 3. Contractor's name and address .. D. M. Cimino, Inc. - 3 Warren Ave. West ... Telephone 854-8876

Proposed use of building .. Congregate, 3' early housing	No. of sheets
Last use	No. families
Material .. No stories .. filled ..	Style of roof
Other buildings on same lot .. 4,242,824.00	Roofing
Estimated contractual cost \$..	Appeal Fee \$.. 50.00
FIELD INSPECTOR - MR. [Signature] @ 775-5451	Date Fee
	State Fee .. 21,224.00
	TOTAL \$

To construct 108 apartments units

~~Appeal estimated 4,242,824~~

(This application does not constitute an approval of zoning appeal. In the event stamp of Special Condition is required, the applicant shall provide complete information, estimated cost and pay.

Send permit to 4-3 04092

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

Is any plumbing involved in this work?	Is any electrical work involved in this work?
Is connection to be made to public sewer?	If not, what is proposed for sewerage?
Has septic tank notice been sent?	Form notice sent?
Height average grade to top of plate	Height average grade to highest point of roof
Size front .. depth ..	solid or filled land? .. earth or rock? ..
Material of foundation ..	Thickness, top .. bottom .. collar ..
Kind of roof ..	Rise per foot .. Roof covering ..
No. of chimneys ..	Material of chimneys .. of lining .. Kind of heat .. fuel ..
Framing Lumber - Kind ..	Dressed or full size? .. Corner no. is .. Sills ..
Size Girder ..	Columns under girders .. Size .. Max. on centers ..
Studs (outside walls and carrying partitions) 2x4-16" O.C. bridging in every floor and flat roof span over R feet	
Joints and rafters .. 1st floor .. 2nd .. 3rd .. roof ..	
On centers .. 1st floor .. 2nd .. 3rd .. roof ..	
Maximum span .. 1st floor .. 2nd .. 3rd .. roof ..	
If one story building with masonry walls, thickness of walls? ..	height? ..

IF A GARAGE

No. cars now recommended on same lot .. to be accommodated .. number commercial cars to be accommodated ..
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? ..

APPROVALS BY ..	DATE ..	MISCELLANEOUS ..
BUILDING INSPECTION - PLAN EXAMINER ..		Will work require disturbing of .. tree on a public street? ..
ZONING ..		
BUILDING CODE ..		Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? ..
Fire Dept. ..		
Health Dept. ..		



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

1015

OCT 13 1982

ZONING LOCATION PORTLAND, MAINE

October 12, 1982

CITY OF PORTLAND

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications.

LOCATION 75 1/2 77 Seavanh Avo, & 1006 Portland Avenue City of Portland

1. Owner's name and address Park Danforth Corp, 4 129 Danforth St., City 04101 Telephone 773-1786

2. Lessee's name and address

3. Contractor's name and address

Proposed use of building Concrete 5 story housing

Last use vacant

Material No stories Heat Style of roof

Other buildings on same lot Estimated contractual cost \$4,242,824.00

FIELD INSPECTOR Mr. @ 775-5451 To construct 100 apartment units, as per plan.

Appeal fees XXXXX Site Plan 200.00
Late fee
TOTAL 21,224.00

Stamp of Special Conditions

NOTE TO APPLICANT: Separate permits are required by the Institute and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF WORK

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof?
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cello
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys Liner Kind of heat fuel
Framing Lumber Kind Dressed or full size? Corner posts Sills
Size Girder Columns under girders Size Max. on centers
Struts (outside walls and carrying partitions) 2x4-1S" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters 1st floor 2nd 3rd roof
On centers 1st floor 2nd 3rd roof
Maximum span 1st floor 2nd 3rd roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE MISCELLANEOUS
BUILDING INSPECTION PLAN EXAMINER Will work require disturbing of any tree on a public street?
ZONING: Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?
BUILDING CODE:
Fire Dept.:
Health Dept.:
Others:

Signature of Applicant Robert Lopez for Park Danforth Phone # 775-2361
Type Name of above Attorney
Other and Address

Handwritten number 9 in a circle.

**CITY OF PORTLAND, MAINE
SITE PLAN REVIEW
Processing Form**

Date _____

Applicant _____

Mailing Address _____

Proposed Use of Site _____

Acres of Site / Ground Floor Coverage _____

Address of Proposed Site _____

Site Identifier(s) from Assessors Maps _____

Zoning of Proposed Site _____

Site Location Review (DEP) Required: () Yes () No

Proposed Number of Floors _____

Board of Appeals Action Required: () Yes () No

Total Floor Area _____

Planning Board Action Required: () Yes () No

Other Comments: _____

Date Dept. Review Due: _____

PLANNING DEPARTMENT REVIEW

(Date Received) _____

Major Development -- Requires Planning Board Approval: Review Initiated

Minor Development -- Staff Review Below

*APPROVED BY PLANNING BOARD
AUGUST 9, 1983*

APPROVED
APPROVED
CONDITIONALLY

DISAPPROVED

LOADING AREA	PARKING	CIRCULATION PATTERN	ACCESS	PEDESTRIAN WALKWAYS	SCREENING	LANDSCAPING	SPACE & BULK OF STRUCTURES	LIGHTING	COMPLY WITH CITY PROJECTS	FINANCIAL CAPACITY	CHANGE IN SITE PLAN

CONDITIONS SPECIFIED BELOW

REASONS SPECIFIED BELOW

REASONS: 1. THE DETENTION BASIN SHALL NOT CONSTITUTE AN OBSTACLE TO IMPROVING UPON THE EXISTING TREE ALONG PELAND STREET AND PELAND AVENUE.
2. PROPOSED TREES ON THE CORNER OF STEVENSON AVENUE AND PELAND ST. AND PELAND ST. AND PELAND AVENUE SHALL BE SETBACK PER SECTIONS 14-24.34 OF THE ZONING ORDINANCE.
3. ALL LANDSCAPING SHALL MEET THE CITY ABOUT SPECIFICATIONS. THE CITY ABOUT (LANDSCAPING) SHALL BE CONSULTED WITH PRIOR TO ANY LANDSCAPING BEING PLANNED SO THAT THE LANDSCAPING CAN BE INSPECTED. THE CITY ABOUT SHALL BE CONSULTED WITH PRIOR TO CONSTRUCTION. THAT TREES PROPOSED TO BE PLANTED SHALL BE PERMANENTLY PLANTED.
(Attach Separate Sheet if Necessary)
4. OUTWARD AREAS SHALL BE LANDSCAPED AND SLOPED.

Richard Knowles 9-

SIGNATURE OF REVIEWING STAFF/DATE

PLANNING DEPARTMENT COPY

C.M. Cimino
Page Two
September 28, 1983

2. The automatic alarm system and sprinkler system shall require a separate permit and approval. These systems shall be connected to the City Fire Department as an approved Central Receiving System.
3. Emergency power shall be supplied to at least one elevator, and the elevators shall have auto recall upon activations of either the alarm or sprinkler system.
4. The Activity and Craft rooms shall be provided with additional remote existing, one of which shall lead directly to the building exterior.
5. An approved voice communication system and firefighter telephone system shall be provided as required.
6. Exhaust ducts or vents of air conditioning systems shall not discharge into stairways or elevator enclosures. Nor shall corridors serving as exits access be used as the return exhaust from air conditioned spaces through louvers or other devices in the doors or partitions enclosing such air conditioned spaces, unless such passageways are equipped with approved smoke detectors to automatically stop the supply and exhaust fans and close the louvers, and such use is approved by the building official.
7. In buildings more than three stories in height except those with a roof slope greater than 4 unit vertical in 12 units horizontal (4:12) access to roof shall be provided by means of a stairway or a ladder and trap door.
8. In all buildings having an occupant load of 50 or more, all required means of egress shall be indicated with approved internally illuminated signs reading EXIT, visible from the exit access and, when necessary, supplemented by directional signs in the access corridors indicating the direction and way of egress. All EXIT signs shall be located at exit doors or exit access areas, so as to be readily visible.
9. All exit signs shall be illuminated at all times, when the building is occupied from an emergency electrical system. In those buildings required by Section 824.4 to have an independent power source for means of egress lighting, Exit signs shall be connected to the independent power source or other approved auxiliary source of power to assure continued illumination in case of emergency or primary power loss.
10. All means of egress in other than building of Use Group R-3 shall be equipped with artificial lighting facilities to provide the intensity of illumination of at least one foot candle.

C.M. Cimino
Page Three
September 28, 1983

11. Means of egress lighting, except that lighting within a dwelling unit shall be wired on a circuit independent of circuits within the dwelling unit.

12. If a structural analysis is required, a certificate of design, signed by a licensed structural engineer, shall be filed with the building official. Your plans have a registered architect but not that of a structural engineer. I am requesting such a certificate by a structural engineer.

If you have any questions on these requirements, please call me at City Hall, 775-5451, Ext. 346.

Sincerely,

P. Samuel Hoffses
Chief of Inspection Services

PSH/ulb

cc: Rick Knowland
Marc Guimont
Lt. Collins



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 777 Stevens Ave 146-C-005

Issued to Park Danforth

Date of Issue December 17, 1998

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 971332, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Addition

Limiting Conditions:

APPROVED OCCUPANCY

Housing for Elderly
Use Group R-2-I41
Type 2A
1996 Boca

This certificate supersedes
certificate issued

Approved:

17 Dec. 98

(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

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

RECEIPT OF FEES

Application No: 0000-1941	Applicant: HOME FOR THE AGED
Project Name: 777 STEVENS AVE	Location: 777 STEVENS AVE
CBL: 146 C005001	Application Type: Determination Letter
Invoice Date: 06/03/2014	

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

CBL 146 C005001
Bill to: HOME FOR THE AGED
 777 STEVENS AVE
 PORTLAND, ME 04103

Application No: 0000-1941
Invoice Date: 06/03/2014
Invoice No: 45324
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.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/planning/permitstatus.asp>