Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 11/12/14

Accessibility Building Code Certificate

Designer: Andre M. Guimond

Address of Project: 660-662 Congress Street, Portland, ME

Nature of Project: Existing historic 3 story brick mixed-use commercial and residential building. One commercial unit for a restuarant (Assembly Group A-2) and two rental apartments (Residential R-3). See attached letter for further information.

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced standards found in the Maine Human Rights Law and Federal Americans with Disability Act. Residential Buildings with 4 units or more must conform to the Federal Fair Housing Accessibility Standards. Please provide proof of compliance if applicable.

(SEAL)

Signature: _____

Title: Director

Firm: PRESENT Architecture PLLC

Address: 66 West Broadway, Suite 306
New York, NY, 10007

Phone: 207 449 8513

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov

Building Inspections Division • 389 Congress Street • Portland, Maine 04101 • (207) 874-8703 • FACSIMILE (207) 874-8716 • TTY (207) 874-8936

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PRESENT
ARCHITECTURE

66 West Broadway, Suite 306
New York, NY, 10007, USA
telephone 207 449 8513

Building Inspections Division
City of Portland
389 Congress St.
Portland, Maine 04101

August 24, 2014

RE: Accessibility Building Code Certificate, Phase II Permitting
660-662 Congress Street
Portland, Maine, 04101

Inspections Division:

660-662 Congress Street is a brick building built in 1886 with storefronts added in 1912 and 1950. It is certified by the federal government as a contributing building in the Spring Street Historic District and has been designated a landmarked building in the Congress Street Historic District by the City of Portland.

The 2010 ADA Standards permit exceptions to its accessibility guidelines where compliance would threaten or destroy the historic significance of a building. Given the historic brick facade, the height above sidewalk level of the finished 1st Floor commercial space and the limited building site, it is my professional belief that it is not possible to provide an accessible entry to the proposed commercial unit without threatening the historic significance of the building. The State of Maine Historic Preservation Office, The U.S. Park Service and the State of Maine Fire Marshall has endorsed this interpretation of the building's historic significance and the waiver of ADA Standards, as herein presented.

2010 ADA Standards citation:

> *Where the State Historic Preservation Officer or Advisory Council on Historic Preservation determines that compliance with the requirements for accessible routes, entrances, or toilet facilities would threaten or destroy the historic significance of the building or facility, the exceptions for alterations to qualified historic buildings or facilities for that element shall be permitted to apply. (Section 202.5, Alterations to Qualified Historic Buildings and Facilities)*

If you have any questions, please do not hesitate to contact me.

Sincerely,

Andre Guimond, R.A.
Director, PRESENT Architecture PLLC

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A.K. Longfellow, LLC

RichardNason
State of Maine
Office of State Fire Marshall

Re: 660 Congress Street
Portland, Maine

February 6, 2014

REQUEST For WAIVER

In reference to IBC- 1008 , NFPA Life Safety Code 101- 7.2 and ADA Standards

660 Congress Street now defined and officially identified as a Landmark Building in the City of Portland's Arts District and having been reviewed by the City of Portland Historic Preservation Board, The State of Maine Historic Preservation Commission, and United States Department of the Interior – National Parks Service, herein, requests certain waivers as outlined below.

An exception to the codes, IBC, NFPA and ADA presented as attached, is requested concerning access and egress of the building and specifically covering the two historic doors exiting the building onto the Congress Street sidewalk.

1. With the first floor sitting approximately 48" above ground level and the building footprint resting fundamentally on the property line, any opportunity to create ADA access by means of ramping, or otherwise, is eliminated.

2. The six existing granite steps and landing, identical to both Congress Street exits, do not and cannot be modified to meet the codes listed below. The top landings sit 7" below the entry/exit doors and attempts to raise and extend the exterior steps would encroach the Congress Street sidewalk.

3. The swing of both doors, currently and historically installed to swing to the interior cannot be modified to swing to the exterior without creating the hazard of forcing someone approaching the entry from the outside off the landing onto the stairs themselves.

4. With the exit doors swinging to the interior an approved lever type exit hardware must replace a "panic bar" installation.

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International Building Code:

1008.1.2 Door swing. Egress doors shall be of the pivoted or side-hinged swinging type.

Doors shall swing in the direction of egress travel where serving an occupant load of 50 or more persons or a Group H occupancy.

1008.1.5 Floor elevation. There shall be a floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level except for exterior landings, which are permitted to have a slope not to exceed 0.25 unit vertical in 12 units horizontal (2-percent slope).

1008.1.6 Landings at doors. Landings shall have a width not less than the width of the stairway or the door, whichever is greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches (178 mm). When a landing serves an occupant load of 50 or more, doors in any position shall not reduce the landing to less than one-half its required width. Landings shall have a length measured in the direction of travel of not less than 44 inches (1118 mm).

1008.1.9 Door operations. Except as specifically permitted by this section egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1008.1.10 Panic and fire exit hardware. Doors serving a Group H occupancy and doors serving rooms or spaces with an occupant load of 50 or more in a Group A or E occupancy shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware.

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National Fire Protection Association (NFPA) Life Safety Code 101

7.2.1.4 Swing and Force to Open.

7.2.1.4.1* Any door in a means of egress shall be of the side-hinged or pivoted-swinging type, and shall be installed to be capable of swinging from any position to the full required width of the opening in which it is installed, unless otherwise specified in 7.2.1.4.1.1 through 7.2.1.4.1.9.

7.2.1.4.2 Doors required to be of the side-hinged or pivoted swinging type shall swing in the direction of egress travel where serving a room or area with an occupant load of 50 or more.

7.2.2.3.2 Landings:

7.2.2.3.2.1 Stairs shall have landings at door openings, except as permitted in 7.2.2.3.2.5.

7.2.2.3.2.5 In one- and two-family dwellings and existing buildings, a door at the top of a stair shall be permitted to open directly to the stair, provided that the door does not swing over the stair and the door serves an area with an occupant load of fewer than 50 persons.

Chapter 12 New Assembly Occupancies:

12.2.2.2.4 Locking devices complying with 7.2.1.5.4 shall be permitted to be used on a single door or a single pair of doors if both of the following conditions apply:

(1) The door or pair of doors serve as the main exit and the assembly occupancy has an occupant load not greater than 500.

(2) Any latching devices on such a door(s) from an assembly occupancy having an occupant load of 100 or more are released by panic hardware or fire exit hardware.

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ADA STANDARDS

New construction and alterations.
§ 35.151

(b) Alterations.
(3)

(i) Alterations to historic properties shall comply, to the maximum extent feasible, with the provisions applicable to historic properties in the design standards specified in § 35.151(c).

(ii) If it is not feasible to provide physical access to an historic property in a manner
that will not threaten or destroy the historic significance of the building or facility, alternative methods of access shall be provided pursuant to the requirements of § 35.150.

(4) Path of travel

(A) Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area.

(B) Costs that may be counted as expenditures required to provide an accessible path of travel may include:

(1) Costs associated with providing an accessible entrance and an accessible route to the altered area, for example, the cost of widening doorways or installing ramps;

(2) Costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls;

(3) Costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); and

(4) Costs associated with relocating an inaccessible drinking fountain

§ 36.404 Alterations: Elevator exemption.

1) For purposes of this paragraph (d)—

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(2) This section does not require the installation of an elevator in a facility that is less than three stories or has less than 3000 square feet per story. Exceptions: N/A.

CHAPTER 4: ACCESSIBLE ROUTES

303 Changes in Level

303.1 General. Where changes in level are permitted in floor or ground surfaces, they shall comply with 303.2. Areas of sport activity shall not be required to comply with 303.

303.2 Vertical. Changes in level of ¼ inch (6.4 mm) high maximum shall be permitted to be vertical.

303.3 Beveled. Changes in level between ¼ inch (6.4 mm) high minimum and ½ inch (13 mm) high maximum shall be beveled with a slope not steeper than 1:2.

303.4 Ramps. Changes in level greater than ½ inch (13 mm) high shall be ramped, and shall comply with 405 or 406.

403 Walking Surfaces

403.1 General. Walking surfaces that are a part of an accessible route shall comply with 403.

403.2 Floor or Ground Surface. Floor or ground surfaces shall comply with 302.

403.3 Slope. The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48.

403.4 Changes in Level. Changes in level shall comply with 303.

404.2.5 Thresholds. Thresholds, if provided at doorways, shall be ½ inch (13 mm) high maximum. Raised thresholds and changes in level at doorways shall comply with 302 and 303.

404.3.3 Thresholds. Thresholds and changes in level at doorways shall comply with 404.2.5.

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STATE OF MAINE - DEPARTMENT OF PUBLIC SAFETY
OFFICE OF STATE FIRE MARSHAL
45 COMMERCE DR STE 1
AUGUSTA, ME 04333-0001

Construction Permit

No. 21958

In accordance with the provisions of M.R.S.A. Title 25, Chapter 317, Sec.317 and Title 5, Section 4594-F, permission is hereby granted to construct or alter the following referenced building according to the plans hitherto filed with the Commissioner and now approved. No departure from application form/plans shall be made without prior approval in writing. Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions.

Each permit issued shall be displayed at the site of construction.

Building: GEORGE S. HUNT BLOCK
Location: 660-662 CONGRESS STREET, PORTLAND, ME 04101
Owner: A.K. LONGFELLOW LLC
Owner Address: PO BOX 179, SOUTH FREEPORT, ME 04078-0179

Occupancy Type: Assembly Class <300
Secondary Use: Apartments
Use Layout: Separated Use
Sprinkler System
Fire Alarm System
Barrier Free
Construction Mode: Renovation
Unprotected Ordinary: Type III (200)
Final Number of Stories: 3

Permit Date: 03/14/2014 **Expiration Date:** 09/13/2014

John E Morris

COMMISSIONER OF PUBLIC SAFETY

Copy 2 - Architect