

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



# CITY OF PORTLAND BUILDING PERMIT



**This is to certify that**

ROCHA-MCCARTHY LOUISE /All Around Home Care -  
Ernie Anthony

**Located at**

266 CONCORD ST W

**PERMIT ID:** 2013-00226

**ISSUE DATE:** 04/11/2013

**CBL:** 175 C006001

has permission to **Replace 2 ceilings in first floor apt.**

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closoed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be procured prior to occupancy.

**Fire Prevention Officer**

**Code Enforcement Officer / Plan Reviewer**

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY  
THERE IS A PENALTY FOR REMOVING THIS CARD**

**PERMIT ID:** 2013-00226

**Located at:** 266 CONCORD ST W

**CBL:** 175 C006001

**BUILDING PERMIT INSPECTION PROCEDURES**  
Please call 874-8703 (ONLY)  
or email: [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov)

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

**REQUIRED INSPECTIONS:**

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 2013-00226	Issue Date:	CBL: 175 C006001
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<b>Location of Construction:</b> 266 CONCORD ST W	<b>Owner Name:</b> ROCHA-MCCARTHY LOUISE	<b>Owner Address:</b> 266 CONCORD ST W PORTLAND, ME 04103	<b>Phone:</b> (207) 767-0642
<b>Business Name:</b>	<b>Contractor Name:</b> self	<b>Contractor Address:</b> Portland ME	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Alterations - Multi Family	<b>Zone:</b> R5
<b>Past Use:</b> Last Legal Use: Two Family Dwelling	<b>Proposed Use:</b> Same: Two family	<b>Permit Fee:</b> \$40.00	<b>Cost of Work:</b> \$2,000.00
<b>Proposed Project Description:</b> Replace 2 ceilings in first floor apt.		<b>FIRE DEPT:</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> N/A	<b>INSPECTION:</b> Use Group: R3 Type: SB IRC, 2009 (NOBEC) Signature: <i>[Signature]</i>
		<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b> Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____	

<b>Permit Taken By:</b> bjs	<b>Date Applied For:</b> 02/04/2013	<b>Zoning Approval</b>	
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p><b>Special Zone or Reviews</b></p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p><i>ak with condit</i></p> <p>Date: <i>5/5/13</i></p>	<p><b>Zoning Appeal</b></p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date: _____</p>	<p><b>Historic Preservation</b></p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p><i>[Signature]</i></p> <p>Date: _____</p>
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**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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>Permit No:</b> 2013-00226	<b>Date Applied For:</b> 02/04/2013	<b>CBL:</b> 175 C006001
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<b>Location of Construction:</b> 266 CONCORD ST W	<b>Owner Name:</b> ROCHA-MCCARTHY LOUISE	<b>Owner Address:</b> 266 CONCORD ST W	<b>Phone:</b> (207) 767-0642
<b>Business Name:</b>	<b>Contractor Name:</b> All Around Home Care - Ernie Anth	<b>Contractor Address:</b> 55 Ocean House Rd Cape Elizabeth	<b>Phone:</b> (207) 329-9553
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Alterations - Multi Family	

<b>Proposed Use:</b> Same: Two family	<b>Proposed Project Description:</b> Replace 2 ceilings in first floor apt.
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<b>Dept:</b> Zoning	<b>Status:</b> Approved w/Conditions	<b>Reviewer:</b> Marge Schmuckal	<b>Approval Date:</b> 02/05/2013
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
<p>1) At a meeting on 3/12/13, the owner and her lawyer acknowledged that there was one illegal dwelling unit and will be applying to legalize the illegal unit very shortly</p> <p>2) This property shall remain a two family dwelling. Any change of use shall require a separate permit application for review and approval. Our records show the last legal use to be a two family dwelling. This permit is NOT approving an additional dwelling unit. If in reality the number of dwelling units is more than two units, IT IS REQUIRED to either remove the illegal dwelling unit or to legalize that unit within 30 days of the issuance of this permit.</p>			

<b>Dept:</b> Building	<b>Status:</b> Approved w/Conditions	<b>Reviewer:</b> Jon Rioux	<b>Approval Date:</b> 04/08/2013
<b>Note:</b> See emailed action plan from David Lourie, Esq.			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
<p>1) Carbon Monoxide (CO) alarms shall be installed in each area within or giving access to bedrooms. That detection must be powered by the electrical service (plug-in or hardwired) in the building and battery.</p> <p>Hardwired (non- ionization detection technology) interconnected battery backup smoke alarms shall be installed in each bedroom, protecting the bedrooms, and on every level.</p> <p>A field inspection will verify your current smoke detector arrangement and the City's minimal code requirements.</p> <p>2) R302.12 Draftstopping. In combustible construction where there is usable space both above and below the concealed space of a floor/ceiling assembly, draftstops shall be installed so that the area of the concealed space does not exceed 1,000 square feet. Draftstopping shall divide the concealed space into approximately equal areas. Where the assembly is enclosed by a floor membrane above and a ceiling membrane below, draftstopping shall be provided in floor/ceiling assemblies under the following circumstances: 1. Ceiling is suspended under the floor framing. 2. Floor framing is constructed of truss-type open-web or perforated members.</p> <p>R302.12.1 Materials. Draftstopping materials shall not be less than 1/2-inch gypsum board, 3/8-inch wood structural panels or other approved materials adequately supported. Draftstopping shall be installed parallel to the floor framing members unless otherwise approved by the building official. The integrity of the draftstops shall be maintained.</p> <p>3) R302.4 Dwelling unit rated penetrations. Penetrations of wall or floor/ceiling assemblies required to be fire-resistance rated in accordance with Section R302.2 or R302.3 shall be protected in accordance with this section.</p> <p>Contractor noted field modifications may be necessary, separate review and approval may be required.</p> <p>4) R302.3.1 Supporting construction. When floor assemblies are required to be fire-resistance rated by Section R302.3, the supporting construction of such assemblies shall have an equal or greater fire-resistance rating.</p> <p>Contractor st. no modification to load bearing walls/ floors, ceiling are being lowered for energy and to meet the fire separation requirements.</p>			

<b>Location of Construction:</b> 266 CONCORD ST W	<b>Owner Name:</b> ROCHA-MCCARTHY LOUISE	<b>Owner Address:</b> 266 CONCORD ST W	<b>Phone:</b> (207) 767-0642
<b>Business Name:</b>	<b>Contractor Name:</b> All Around Home Care - Ernie Anth	<b>Contractor Address:</b> 55 Ocean House Rd Cape Elizabeth	<b>Phone:</b> (207) 329-9553
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Alterations - Multi Family	

5) R302.3 Two-family dwellings. Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies having not less than a 1-hour fire-resistance rating when tested in accordance with ASTM E 119 or UL 263. Fire-resistance-rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

**Exceptions:**

1. A fire-resistance rating of 1/2 hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.

**Dept:** Fire      **Status:** Approved w/Conditions      **Reviewer:** Chris Pirone      **Approval Date:** 04/09/2013  
**Note:**      **Ok to Issue:**

- 1) All new smoke detectors and smoke alarms shall be photoelectric.  
Carbon Monoxide detection is required in accordance with NFPA 720, Standard for Installation of Carbon Monoxide (CO) Detection and Warning Equipment, 2009 edition.
- 2) All outstanding code violations shall be corrected prior to final inspection.
- 3) Street addresses shall be marked on the structure and shall be as approved by the City E-911 Addressing Officer. Contact Michelle Sweeney at 874-8682 for further information.
- 4) All construction shall comply with City Code Chapter 10.  
<http://www.portlandmaine.gov/citycode/chapter010.pdf>



# General Building Permit Application

If 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: <u>266 West Concord</u>		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot	Number of Stories <u>3</u>
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot#	Applicant: (must be owner, lessee or buyer) Name <u>Louise Rocha-McCarthy</u> Address <u>90 Sawyer St.</u> City, State & Zip <u>So. Portland 04106</u>	Telephone:
Lessee/DBA  <b>RECEIVED FEB 04 2013 Dept. of Building Inspections City of Portland Maine</b>	Owner: (if different from applicant) Name Address City, State & Zip	Cost of Work: \$ <u>2,000</u> C of O Fee: \$ _____ Historic Review: \$ _____ Planning Amin.: \$ _____  Total Fee: \$ <u>40</u>
Current legal use (i.e. single family) <u>3 family</u> Number of Residential Units <u>3</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>2 per mvr rickie</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>replacement of 2 ceilings in first floor apartment</u> <u>No other work</u>		
Contractor's name: <u>self</u> Email: _____ Address: _____ City, State & Zip _____      Telephone: _____ Who should we contact when the permit is ready: <u>Louise Rocha-McCarthy</u> Telephone: <u>767-0642</u> Mailing address: _____		

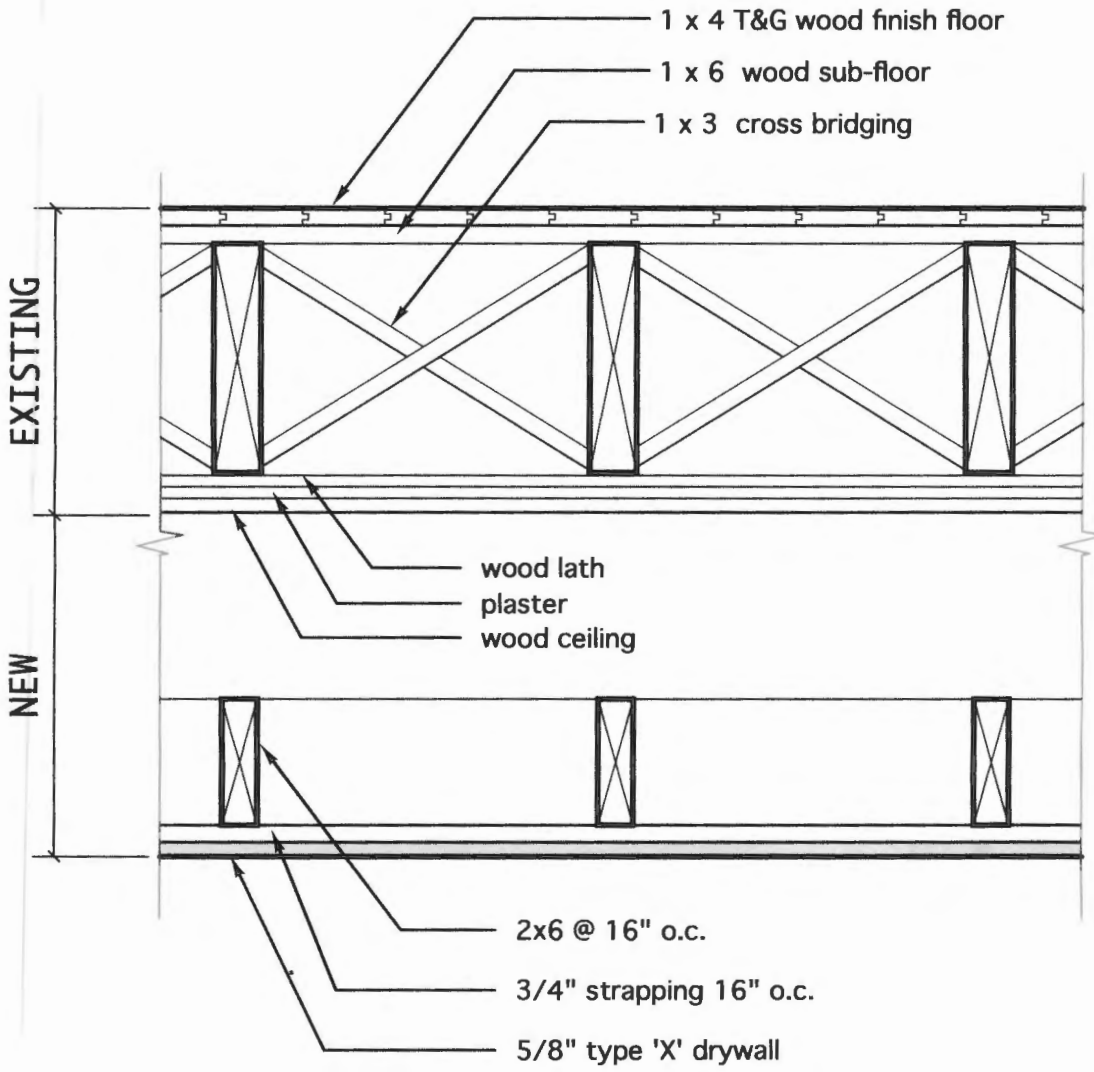
**Please submit all of the information outlined on the applicable checklist. Failure to do so will result in the automatic denial of your permit.**

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work 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: Louise Rocha-McCarthy Date: 2-4-2013

**This is not a permit; you may not commence ANY work until the permit is issued**



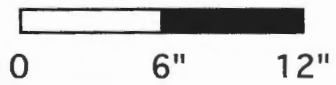
**1 Hr. Fire Rated Detail for First floor Ceiling**  
 based on UL Design No. L522  
 Fire-stopping at all vertical penetrations

RECEIVED

**APR 08 2013**

Dept. of Building Inspections  
 City of Portland Maine

266 West Concord  
 Portland, Maine



Program: FP322L

by Property Report

FIRE PREVENTION

Property address		Property name	Property number		
Inspection type	Date	Inspector	Reference	Target date	Actual date
Seq.	Violation class	Violation type			
	Location(s)				
0266 WEST CONCORD ST, PORTLAND ME 04103		266 WEST CONCORD	56932-000-000		
	COMPLAINT INSPECTION	CHRISTOPHER PIRONE, Fire HQ, Staff 10 hrs			
1	APARTMENT BUILDINGS BASEMENT DOOR LEADING INTO UNIT !	60-MIN FIRE DOOR ASSEMBLIES REQ		2/29/12	0/00/00
2	APARTMENT BUILDINGS BASEMENT	JUNCTION BOXES REQUIRE COVERS		2/29/12	0/00/00
3	ELECTRIC WIRING FIRST FLOOR HALL	DEFECTIVE LIGHT FIXTURE		2/29/12	0/00/00
4	ELECTRIC WIRING UNIT 1 CLOSET	EXPOSED LIVE ELECTRICAL WIRES		2/29/12	0/00/00
5	ELECTRIC WIRING BASEMENT	EXPOSED LIVE ELECTRICAL WIRES		2/29/12	0/00/00
6	ELECTRIC WIRING ON BOILER	OPEN ELECTRICAL JUNCTION BOX		2/29/12	0/00/00
7	ELECTRIC WIRING WASHER OUTLET	DEFECTIVE ELECTRICAL RECEPTICAL		2/29/12	0/00/00
8	APARTMENT BUILDINGS	LABEL ALL ELECTRICAL PANELS		2/29/12	0/00/00
9	GENERAL FRONT AND REAR UNIT DOORS	Unit/suite numbers not marked		2/29/12	0/00/00
10	APARTMENT BUILDINGS	SMOKE DETECTOR EACH SLEEPING ROOM	10-3	2/29/12	0/00/00
11	APARTMENT BUILDINGS ONE REQ'D IN EACH UNIT COMMON AREA	HARDWIRED CARBON MONOXIDE ALARMS RE	10-3	2/29/12	0/00/00
12	APARTMENT BUILDINGS BASEMENT	PLUG OPENINGS IN FUSE PANEL		2/29/12	0/00/00
13	APARTMENT BUILDINGS UNIT 1 CLOSET	SEAL OPENINGS IN WALLS & CEILING		2/29/12	0/00/00
14	HEATING EQUIPMENT	FLUE PIPE NOT SEALED IN CHIMNEY		2/29/12	0/00/00
15	APARTMENT BUILDINGS NEED ONE IN COMMON AREA OF EACH UNIT	SMOKE DETECTOR VIOLATION		2/29/12	0/00/00

## Violation Summary:

Open	Closed	Total
15	0	15



4-24-13

GF  
BKL

CHG TRAPS TO P-TRAP  
VER-WET PROPERLY  
OR  
DBL "SANI-T"

-OK CLOSE IN

175-C-006

**From:** dalourie <dalourie@maine.rr.com>  
**To:** david@lourielaw.com  
**Date:** 3/12/2013 3:44 PM  
**Subject:** 266 Concord West

This will confirm our discussion today.

Our action plan is as follows:

- 1-The contractor will submit additional info and/or plans establishing that the 1st floor ceiling will meet 1 hour fire code requirement.
- 2-The Owner intends to file an Application to legitimize the 3rd floor unit.
- 3-The owner will renovate the 1st floor, then move the 2nd floor tenant into it.
- 4-The owner will get another bldg permit to renovate the 2nd floor. When that is complete, (c/o issued) the owner will temporarily relocate the 3rd floor tenant into the 2nd floor.
- 5-When and if the City approves legalization of the 3rd floor unit (subject to coming into compliance with Code), the owner will renovate 3rd floor, and will put tenant back into it when c/o is issued.

Please advise if I omitted anything. Thanks again for meeting with us on such short notice.

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This message was sent from the Law Offices of David A. Lourie. Any questions should be addressed to David A. Lourie, 189 Spurwink Avenue, Cape Elizabeth, ME 04107, and 97 India Street, Portland ME 04101; (207)799-4922/cell phone (207)749-3642/Fax (207)221-1688.

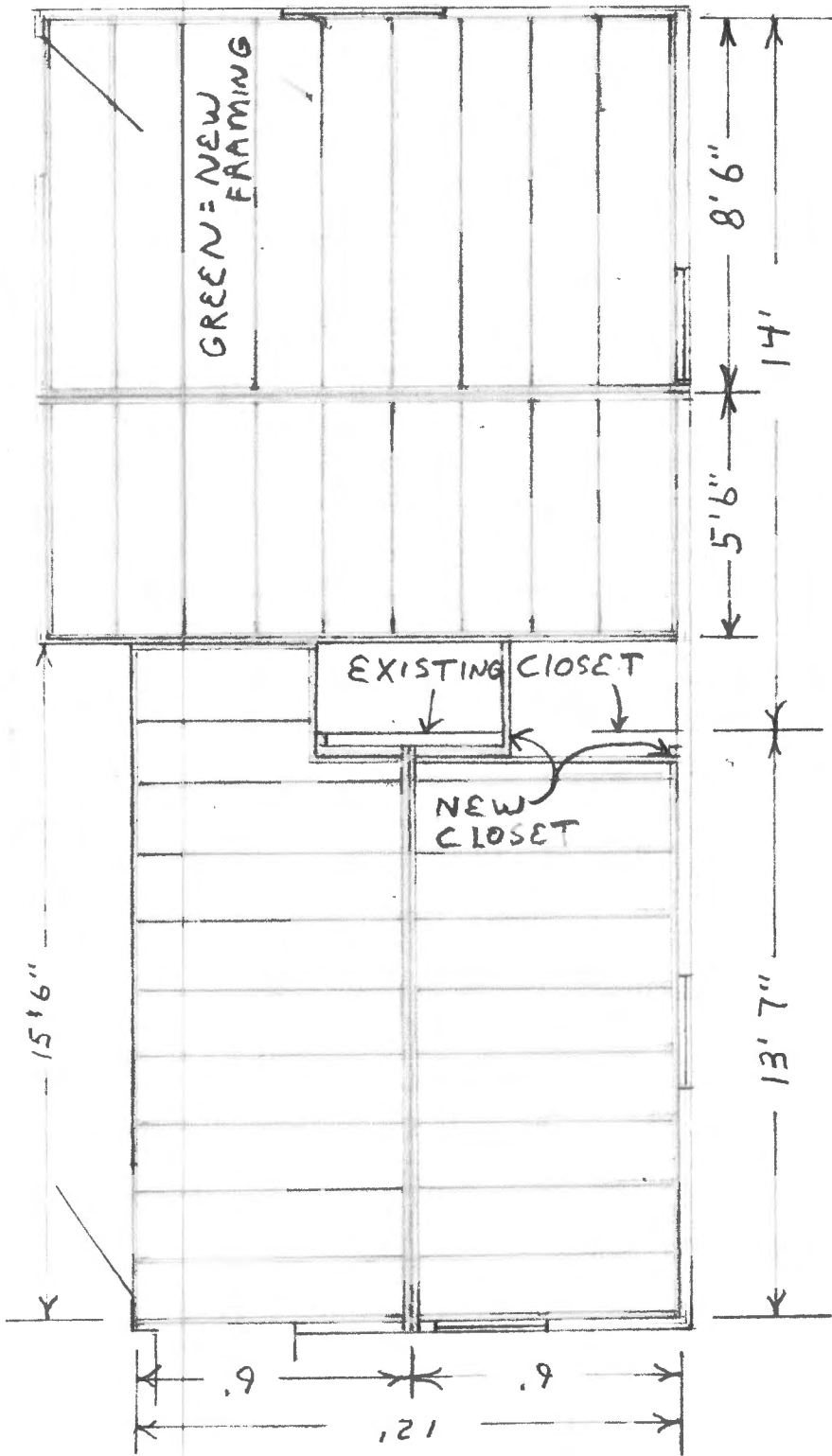
This communication may contain attorney-client privileged or confidential matters, and is exempt from disclosure under applicable law. Dissemination or further distribution is prohibited. Please "reply" to advise me of its receipt to avoid any repetition.

Please be advised that any tax advice contained in this communication and any attachment or enclosure is not intended to be relied upon nor can it be used by any taxpayer for the purpose of avoiding tax penalties.

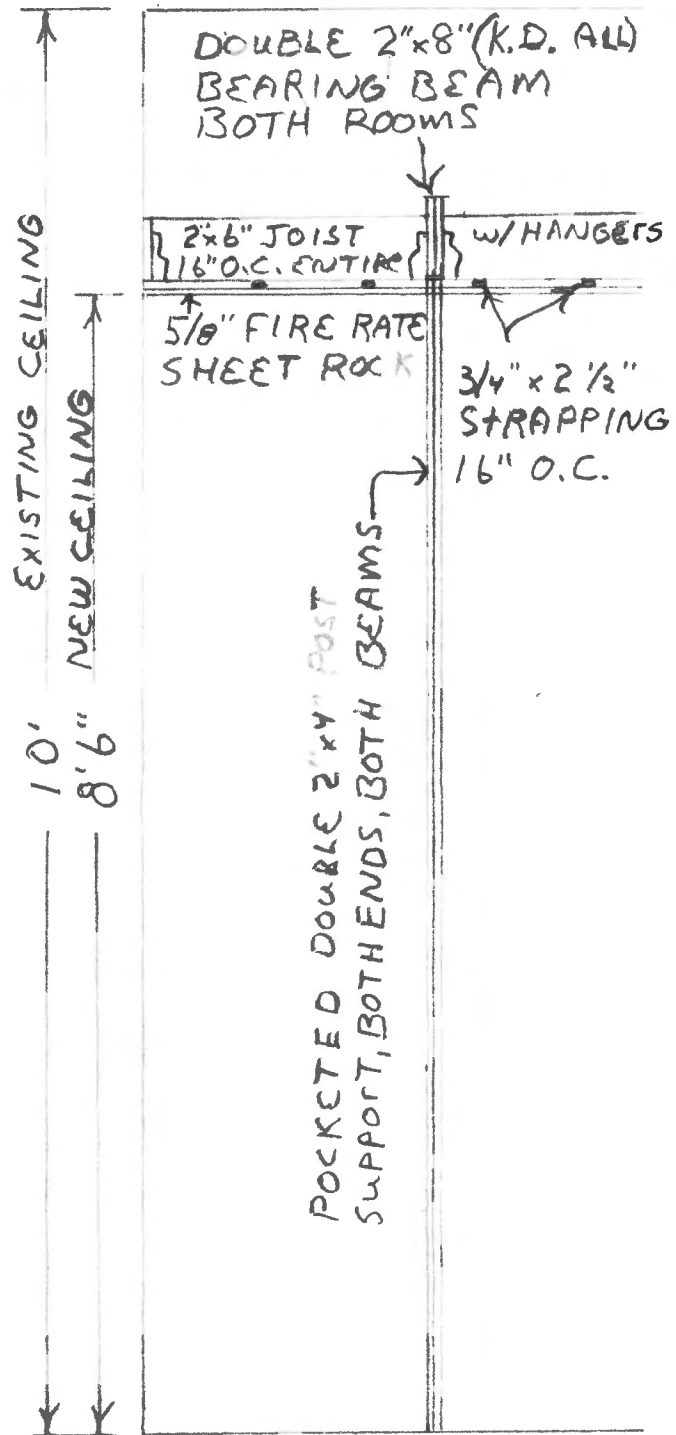
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MAR 12 2013

Dept. of Building Inspections  
City of Portland Maine



Floor + Ceiling Plan



Ceiling Plan