

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

Location of Construction: **41 Haywood Street 04102		Owner: ** Cecilia Nickerson		Phone: 773-7123	Permit No: <b>990945</b>
Owner Address:		Lessee/Buyer's Name: n/a		Phone:	BusinessName:
Contractor Name: homeowner		Address:		Phone:	
Past Use: 1-Family		Proposed Use: Same		COST OF WORK: \$ 1500	PERMIT FEE: \$ 36.00
		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group <b>93</b> Type <b>503</b> <b>BOCA 46</b>	
Proposed Project Description: Finished Room in Basement.		Signature:		Signature: <i>[Signature]</i>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Signature: <i>[Signature]</i>	
		Action: Approved <input type="checkbox"/>		Date:	
		Approved with Conditions: <input type="checkbox"/>			
		Denied <input type="checkbox"/>			
Permit Taken By: <b>SP</b>		Date Applied For: <b>8-19-99</b>		Zoning Approval: <b>Special Zone or Reviews:</b> <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"/> mm <input type="checkbox"/>	

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: Cecilia Nickerson  
41 Haywood 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

8-19-99

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

**PERMIT ISSUED**  
Permit Issued:  
**SEP - 1 1999**  
**CITY OF PORTLAND**

Zone: CBL: 196-G-018

**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

3

COMMENTS

9-30-99 OK to Insulate

9/10/00 Checked for final smoke Detector  
installed work completed checked room  
with owner and is OK  
m.w.

Inspection Record

Type	Date
Foundation: _____	_____
Framing: _____	_____
Plumbing: _____	_____
Final: _____	_____
Other: _____	_____

**BUILDING PERMIT REPORT**

DATE: 1 Sept. 99 ADDRESS: 41 Haywood ST. CBL: 196-G-018  
 REASON FOR PERMIT: Finished Room in Basement  
 BUILDING OWNER: Nickerson  
 PERMIT APPLICANT: Contractor owner  
 USE GROUP R-3 CONSTRUCTION TYPE 5B

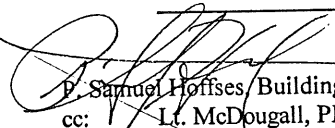
The City's Adopted Building Code (The BOCA National Building Code/1996 with City Amendments)  
 The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: \*1, \*11, \*13, \*12, \*15, 27, 29  
\*30, \*31, \*33  
 Approved with the following conditions: \_\_\_\_\_

1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection) **"ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING."**
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' o.c. between bolts. (Section 2305.17)
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1996)
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42", except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2, M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. (Handrails shall be a minimum of 3e4" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38".) Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0) - Handrails shall be on both sides of stairway. (Section 1014.7)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1018.6)

16. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units. (Section 1010.1)
17. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's. (Over 3 stories in height requirements for fire rating is two (2) hours.) (Section 710.0)
18. The boiler shall be protected by enclosing with (1)hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)
19. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 &19. (Smoke detectors shall be installed and maintained at the following locations):
  - In the immediate vicinity of bedrooms
  - In all bedrooms
  - In each story within a dwelling unit, including basements
 In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required) Section 920.3.2.
20. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
21. The Fire Alarm System shall maintained to NFPA #72 Standard.
22. The Sprinkler System shall maintained to NFPA #13 Standard.
23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1996)
24. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
25. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.
26. Ventilation shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
- \* 27. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. **No closing in of walls until all electrical (min.72 hours notice) and plumbing inspections have been done.**
28. All requirements must be met before a final Certificate of Occupancy is issued.
- \* 29. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (the BOCA National Building Code/1996).
- \* 30. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993). (Chapter M-16)
- \* 31. Please read and implement the attached Land Use Zoning report requirements.
- \* 32. Boring, cutting and notching shall be done in accordance with Sections 2305.4.4, 2305.5.1 and 2305.5.3 of the City's Building Code.
- \* 33. Glass and glazing shall meet the requirements of Chapter 24 of the building code.
- \* 34. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code 1996).
35. \_\_\_\_\_
36. \_\_\_\_\_
37. \_\_\_\_\_
38. \_\_\_\_\_

  
 P. Samuel Hoffses, Building Inspector  
 cc: L.L. McDougall, PFD  
 Marge Schmuckal, Zoning Administrator

**\*\*On the basis of plans submitted and conditions placed on these plans any deviations shall require a separate approval.**

LAND USE - ZONING REPORT

ADDRESS: 41 Haywood St DATE: 8/31/99

REASON FOR PERMIT: Finish off room in basement

BUILDING OWNER: Cecilia Nakerson C-B-L: 196-G-18

PERMIT APPLICANT: owner

APPROVED: with conditions DENIED: \_\_\_\_\_

#1, #6, #10, #11  
CONDITION(S) OF APPROVAL

- 1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
- 3. The footprint of the existing \_\_\_\_\_ shall not be increased during maintenance reconstruction.
- 4. All the conditions placed on the original, previously approved, permit issued on \_\_\_\_\_ are still in effect for this amendment.
- 5. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will **not** be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the \_\_\_\_\_ in place and in phases.
- 6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 7. Our records indicate that this property has a legal use of \_\_\_\_\_ units. Any change in this approved use shall require a separate permit application for review and approval.
- 8. Separate permits shall be required for any signage.

Please note

9. ~~Separate permits shall be required for future decks, sheds, pool(s), and/or garage.~~  
10. This is **not** an approval for an additional dwelling unit. You **shall not** add any additional kitchen equipment, such as stoves, microwaves, refrigerators, or kitchen sinks, etc.

11. Other requirements of condition Also no decks or other new structures are being approved with this permit.

Marge Schmuckal, Zoning Administrator

**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.

**NOTE\*\*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: *41 HAYWOOD STREET 04102*

Tax Assessor's Chart, Block & Lot Number Chart# <i>196</i> Block# <i>G</i> Lot# <i>18</i>	Owner: <i>CECILIA NICKERSON</i>	Telephone#: <i>773-7123</i>
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Owner's Address: <i>41 HAYWOOD STREET</i>	Lessee/Buyer's Name (If Applicable) <i>N/A</i>	Cost Of Work: <i>\$ 1500</i> - Fee <i>\$ 300.00</i>
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Proposed Project Description:(Please be as specific as possible)  
*FINISHED ROOM IN BASEMENT*

Contractor's Name, Address & Telephone <i>HOMEOWNER</i>	Rec'd By: <i>[Signature]</i>
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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 actual property lines. Structures include decks porches, a bow windows cantilever sections and roof overhangs, as well as sheds, pools, garages and any other accessory structures.
- Scale and required zoning district setbacks

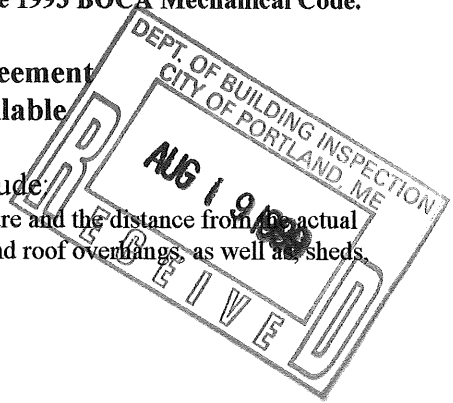
**4) Building Plans (Sample Attached)**

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.

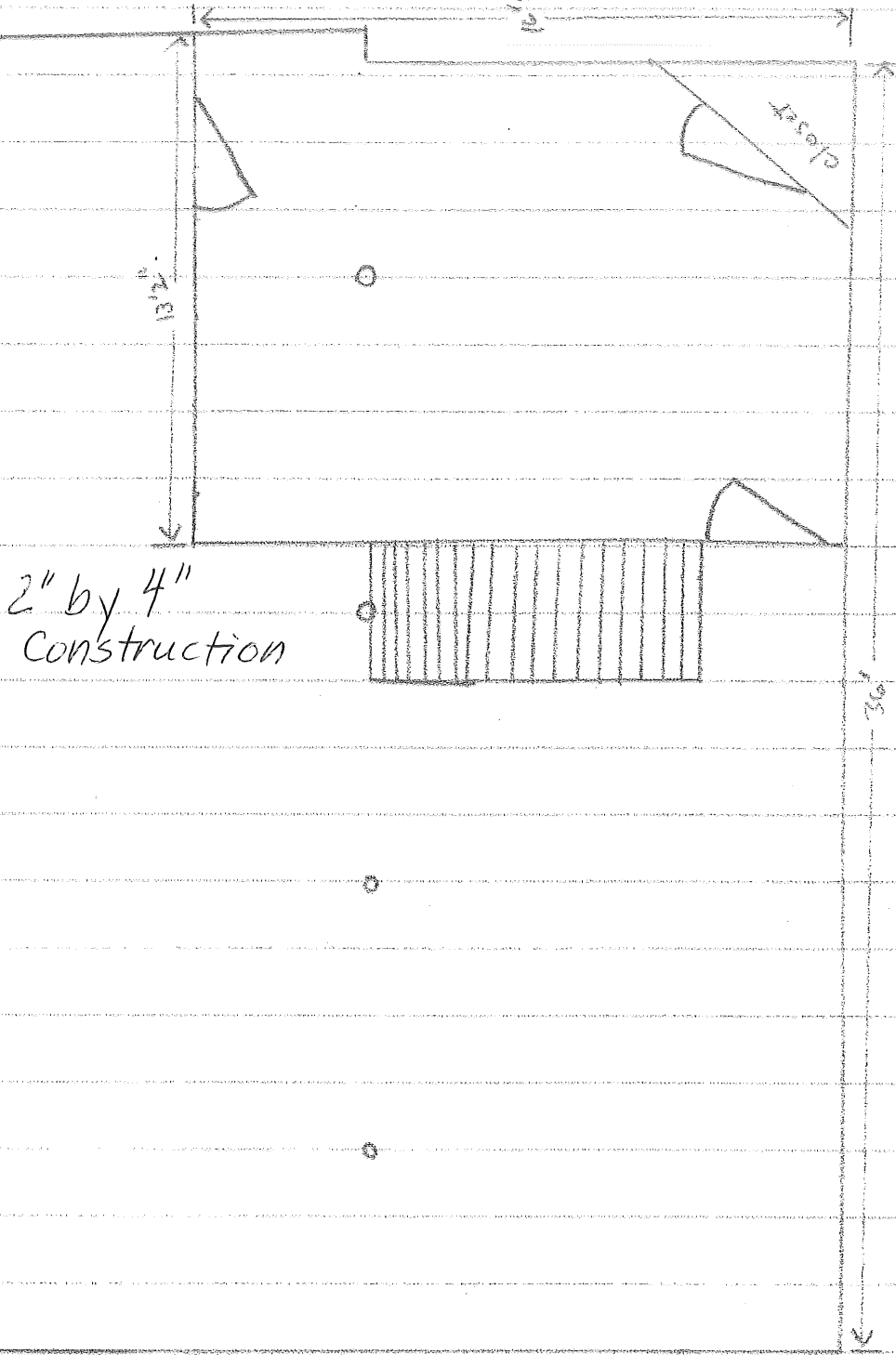
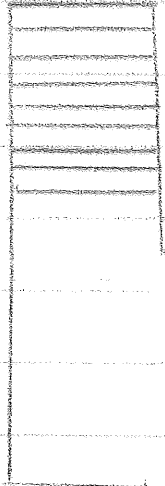
**Certification**

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>[Signature]</i>	Date: <i>8/17/99</i>
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Building Permit Fee: \$30.00 for the 1st \$1000.cost plus \$6.00 per \$1,000.00 construction cost thereafter.



2" by 4"  
Construction

CLOSET

↑  
PROPOSED ROOM

36"

13'2"

16'4"

07436

**WARRANTY DEED**

(Statutory Short Form)

DANIEL L. NICKERSON, of Portland, County of Cumberland, and State of Maine, for consideration paid, grant to CECILIA M. NICKERSON, of Portland, County of Cumberland, and State of Maine, WITH WARRANTY COVENANTS, the following described real estate in Portland, County of Cumberland, and State of Maine:

See Exhibit A attached hereto and made a part hereof.

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

WITNESS my hand and seal this ~~day of October, 1996.~~  
31<sup>st</sup> day of January, 1997

WITNESS

[Signature]

[Signature]  
Daniel L. Nickerson

STATE OF MAINE  
Cumberland, ss.

~~October~~, 1996  
January 31, 1997

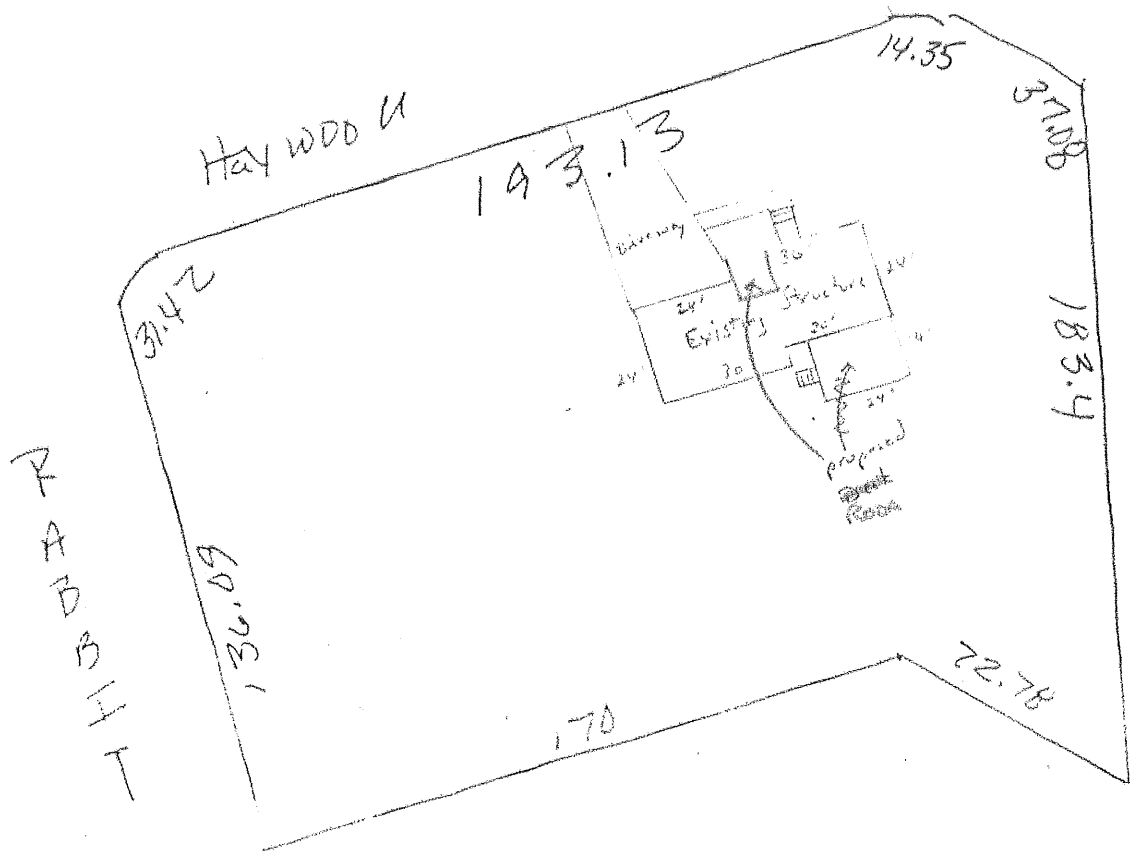
Then personally appeared the above-named Daniel L. Nickerson and acknowledged the foregoing instrument to be his free act and deed.

Before me,

**SEAL**

[Signature]  
Notary Public ~~Attorney at Law~~  
MARILYN L. WELSCH  
NOTARY PUBLIC, MAINE  
MY COMMISSION EXPIRES FEBRUARY 6, 1998





NOT TO SCALE

## EXHIBIT A

A certain lot or parcel of land, situated on Haywood Street in the City of Portland, County of Cumberland, and State of Maine, and being shown as Lot 18 on plan entitled "Frost Street Subdivision, Subdivision Plat, Phase II" dated February, 1992, and recorded in the Cumberland County Registry of Deeds in Plan Book 193, Page 70, to which plan reference is made for a more particular description.

Also conveying the right and easement for pedestrian and vehicular passage, in common with the public, on and over Haywood Street, Eastfield Road and Rabbit Run and the benefit of the various easements described in the deed from Ralph Romano, Jr., Inc. to the City of Portland dated October 12, 1995, and recorded in Book 12165, Page 322, subject to the terms and provisions of the use thereof.

This conveyance is made subject to the rights of way and utility easements of record that may affect the above-described premises and the following:

Certificate of Subdivision Variance Approval dated August 1, 1992, and recorded in Book 10234, Page 195.

Certificate of Subdivision Variance Approval dated August 11, 1992, and recorded in Book 10234, Page 198.

Matters affecting the premises, if any, as shown on plans entitled "Frost Street Subdivision, Subdivision Plat, Phase I, II, III and IV" dated February 1992, and recorded in the Cumberland County Registry of Deeds in Plan Book 193, Pages 7, 70, 178, 179, respectively ("Frost Street Subdivision Plans").

Amended and Restated Frost Street Subdivision, Portland, Maine, Declaration of Protective Covenants by Ralph Romano, Jr. Inc. dated January 26, 1994, and recorded in said Registry of Deeds in Book 11303, Page 22, and by Amendment to Declaration of Protective Covenants Frost Street Subdivision, Portland, Maine by Ralph Romano, Jr., Inc. dated May 5, 1994, and recorded in said Registry of Deeds in Book 11433, Page 102. Grantees, by acceptance of this deed agree to comply with and be subject to the terms and conditions of said Declaration, as amended.

Being the same premises conveyed to the Grantor and Grantee herein by deed of Hildreth & White dated July 22, 1996, and recorded in the Cumberland County Registry of Deeds in Book 12627, Page 262.

Subject to a mortgage given by Daniel L. Nickerson and Cecilia M. Nickerson to Peoples Heritage Savings Bank dated July 22, 1996, and recorded on July 23, 1996, at 3:01 p.m. in the Cumberland Registry of Deeds in Book 12627, Page 264.

real\9797.mjb(ddf)

RECEIVED  
[RECORDED REGISTRY OF DEEDS]

97 FEB 14 AM 9:47

CUMBERLAND COUNTY