

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

Location of Construction: 262 Capisic St		Owner: Howison, William & Julie		Phone: 772-1197	Permit No: 980870	
Owner Address: SAA 04102		Lessee/Buyer's Name:		Phone:	Business Name:	
Contractor Name: Portland Builders, Inc.		Address: 63 Federal St Ptd, ME		Phone: 879-0118		
Past Use: 1-fam		Proposed Use:		COST OF WORK: \$ 50,000.00	PERMIT FEE: \$ 270.00	
Proposed Project Description: Addition to house/garage		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: 43 Type: 50		
		Signature:		Signature:		
		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: 30 July 1998				Zone: R-3 CBL: 224-A-003-14 Zoning Approval: <i>OK with conditions 8/19/98</i> Special Zone or Reviews: <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"/>

- 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..

Call for Pick Up

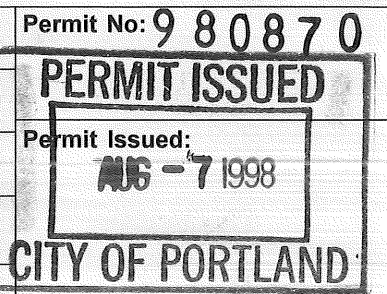
PERMIT ISSUED WITH REQUIREMENTS

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

SIGNATURE OF APPLICANT	ADDRESS:	DATE: 31 July 1998	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



Zone: R-3 CBL: 224-A-003-14
 Zoning Approval: *OK with conditions 8/19/98*
 Special Zone or Reviews:
 Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan maj 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: *8*

CEO DISTRICT 3

COMMENTS

8/2/98 Contacted builder to call when work begins

9-1-98 checked footing rebar ^{mm} installed
setbacks for well beyond ^{minimum mm}

9-8-98- Checked foundation in ready to backfill
OK

9-17-98 floor paved for garage OK mm

~~12/7/98 checked did final inspection on
garage framing OK mm~~

Inspection Record

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

BUILDING PERMIT REPORT

DATE: 6 Aug. 98 ADDRESS: 262 Capisic St. (224-A-003)
REASON FOR PERMIT: To Construct
BUILDING OWNER: W. Howison
CONTRACTOR: Portland Builders, Inc.
PERMIT APPLICANT: _____
USE GROUP R-3 (U) BOCA 1996 CONSTRUCTION TYPE 5B

CONDITION(S) OF APPROVAL

This Permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: *1, *2, *2.5, *2.6, *5, *8, *9, *10, *12, *16, *24, *26, *27, *28, *29

- *1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
- *2. Before concrete for foundation is placed, approval from the ~~Development Review Coordinator and Inspection Services~~ must be obtained. (A 24 hour notice is required prior to inspection)
- *2.5. 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.
- *2.6. Foundations anchors shall be a minimum of 1 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of From corners of foundation and a maximum 6'o.c. between bolts. (Section 2305.17)
3. Precaution must be taken to protect concrete from freezing.
4. 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.
- *5. 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)
6. 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).
7. Sound transmission control in residential building shall be done in accordance with Chapter 12 section 1214.0 of the city's building code.
- *8. 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 +2", 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 34" 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)
- *9. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
- *10. 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)
11. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6' 8")
- *12. 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)

13. 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.
14. 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.)
15. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
- X16. 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 19, 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 basementsIn 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)
17. 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.
18. The Fire Alarm System shall be maintained to NFPA #72 Standard.
19. The Sprinkler System shall maintained to NFPA #13 Standard.
20. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
21. 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".
22. 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 to the Division of Inspection Services.
23. Ventilation shall meet the requirements of Chapter 12 Sections 1210. Of the City's Building Code. (crawl spaces & attics)
- X24. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade.
25. All requirements must be met before a final Certificate of Occupancy is issued.
- X26. 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).
- X27. 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)
- X28. Please read and implement the attached Land Use-Zoning report requirements.
- X29. As per our telephone conversation of 6 Aug. 1998 The rafters will be
2x12 @ 16" O.C OK ON PLAN
30. _____
31. _____
32. _____


P. Samuel Hoffes, Building Inspector

cc: Lt. McDougall, PFD
Marge Schmuckal Zoning adm.

LAND USE - ZONING REPORT

ADDRESS: 262 Caprice St. DATE: 8/5/98

REASON FOR PERMIT: construct garage

BUILDING OWNER: William & Julie Howison C-B-L: 224-A-3 & 14

PERMIT APPLICANT: Portland Builders

APPROVED: with conditions DENIED: _____
#5 #9

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment.
4. 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 garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. 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.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.
9. Other requirements of condition if the area over the garage is to be for

A home occupation, a separate permit shall be applied for. See attached information which details how to apply for this use

10. The area is not to be used for another dwelling unit. No kitchen equipment shall be installed. If the shown sink:

Marge Schmuckal, Zoning Administrator,
Asst. Chief of Code Enforcement

to be used for a home occupation, it will first need to be justified as to it's use for the home occupation. Secondly, it shall not be a regular "kitchen" sink. Other sinks such as slate or a Janitors sink may be used with approvals first - Marge Schmuckal

Applicant: Portland Building

Date: 8/5/98

Address: 262 CAPISE ST

C-B-L: 224-A-314

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing 1949

Zone Location - R-3

Interior or corner lot -

Proposed Use/Work - New garage with overhead space

Sewage Disposal -

- Lot Street Frontage -

Front Yard - 25' req - 50'+ shown

Rear Yard - 25' req - 50'+ shown

Side Yard - 14' req - 50'+ shown

Projections -

Width of Lot -

Height -

Lot Area -

59,298^{sq}

Lot Coverage/ Impervious Surface -

Area per Family -

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning/ Stream Protection -

over 25' from HWM

Flood Plains - map 12 - ZREC

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

**Building or Use Permit 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: 262 Capisic Street, Portland, Maine

Tax Assessor's Chart, Block & Lot Number Chart# <u>224</u> Block# <u>A</u> Lot# <u>3</u>		Owner: William and Julie Howison	Telephone#: 772-1197
Owner's Address: 262 Capisic Street, Portland		Lessee/Buyer's Name (If Applicable)	Cost Of Work: \$ 50,000.00 <u>4800</u> <u>270</u>
Proposed Project Description:(Please be as specific as possible) Addition to House/garage			
Contractor's Name, Address & Telephone Portland Builders Inc., 63 Federal Street, Portland, Maine 207-879-0118			

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.

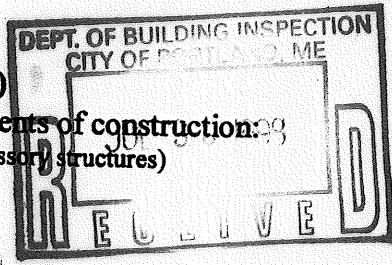
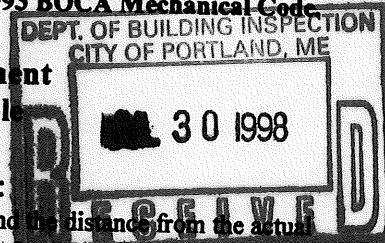
Certification

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: <u>[Signature]</u>	Date: <u>7/30/98</u>
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Site Review Fee: \$150.00/Building Permit Fee: \$25.00 for the 1st \$1000.cost plus \$5.00 per \$1,000.00 construction cost thereafter.

Call for P/C 879-0118



INDENTURE AGREEMENT

Wm. Howison
262 Capisic S
Portland, Me.
772-1197

THIS INDENTURE made this 24th day of October, 1997, by and among the PORTLAND WATER DISTRICT, a quasi-municipal corporation organized and existing under the laws of the State of Maine with a principle place of business at Portland, in the County of Cumberland and State of Maine (hereinafter the "DISTRICT") and WILLIAM W. HOWISON and JULIE L. HOWISON, of 262 Capisic Street, Portland, Maine 04102 (hereinafter the "HOWISONS").

WITNESSETH

WHEREAS, the HOWISONS own a parcel of land located on Capisic Street in Portland, said parcel being acquired from George W. R. Sykes by deed dated July 16, 1976 and recorded in the Cumberland County Registry of Deeds in Book 3879, Page 197; and

WHEREAS, the DISTRICT has an easement for a 42" water transmission main crossing through the HOWISONS land; said easement being acquired from Murray Folkins by eminent domain, a notice of said taking being recorded in said Registry of Deeds in Book 896, Page 472; and

WHEREAS, the DISTRICT released portions of said easement by deeds dated November 11, 1912 and October 28, 1982 and recorded in the Registry of Deeds in Book 904, Page 29 and Book 5060, Page 229 respectively; and

WHEREAS, the HOWISONS desire to construct a garage within a portion of the easement area of the DISTRICT; and

WHEREAS, the DISTRICT, subject to the limits and conditions herein, is willing to allow the HOWISONS to construct, maintain and utilize the existing paved driveway and proposed new garage within the DISTRICT'S easement.

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other valuable considerations each to the other paid, the receipt whereof is hereby acknowledged, and in consideration of the mutual promises herein contained, it is agreed by and between the parties hereto as follows:

1. The DISTRICT hereby consents, insofar as it may legally do so, subject to the rights referred to hereinabove and subject to the terms and conditions herein contained, to the construction, maintenance and utilization of the existing paved driveway and a proposed garage within the easement area of the DISTRICT.
2. The HOWISONS, prior to constructing the garage on the DISTRICT'S easement, shall submit a plan of such garage to the DISTRICT for their approval, which approval shall not unreasonably be withheld. The DISTRICT shall review the plan with respect to the distance from its pipeline and finished grading around the garage.
3. Each party agrees to notify the other at least one week prior to conducting work on existing facilities on the DISTRICT LAND which will involve excavation, except in an emergency, whereupon either party shall notify the other immediately. The DISTRICT shall provide two months notice prior to the installation of any new pipelines.
4. With respect to existing pipelines and future pipelines, once installed, and their respective appurtenances thereto, the HOWISON'S shall reimburse, fully and completely indemnify and

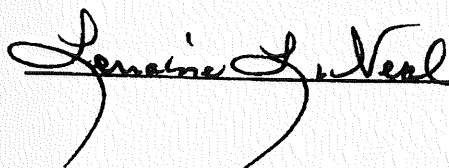
save harmless the DISTRICT from any and all loss, damage, cost, and expense caused by or arising out of the HOWISON'S use of the DISTRICT LAND, including without limitation any and all reasonable costs and expenses, including attorney's fees, incurred to assure the safety, securement, protection and continuity of present and future operations which are deemed reasonably necessary by the DISTRICT, including but not limited to the cost of inspection. The DISTRICT shall not be responsible for damage to that portion of garage within the PWD easement, unless caused directly by the DISTRICT'S negligence. With respect to construction of new pipelines on the DISTRICT LAND, the DISTRICT shall be responsible for all costs related to said new construction, including any costs related to the protection of the HOWISON'S garage and any inspections costs during the construction.

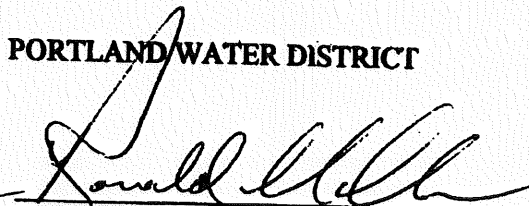
5. The DISTRICT reserves the right without limitation thereto, to lay an additional line or lines of pipe within the DISTRICT LAND no closer than ten (10) feet from the garage of the HOWISONS.
6. The DISTRICT agrees to restore any portion of the DISTRICT easement to a reasonable condition after the laying, relaying, maintenance or removal of any existing or future pipelines, and will take reasonable steps to protect the garage and driveway of the HOWISONS located on the DISTRICT easement. However, the DISTRICT shall not be responsible to replace any pavement, shrubs, trees or other ornamental plantings.
7. Finished grades of any new construction over the DISTRICT'S pipeline shall provide the DISTRICT with a minimum of 4 feet and a maximum of 7 feet of cover over its pipeline. The garage shall be no closer than 20 feet from the 42" transmission main.
8. This Indenture shall be binding upon and inure to the benefit of the parties thereto and their respective heirs, successors and assigns and shall run as a covenant with the land.
9. The failure of the DISTRICT to enforce or insist upon compliance with any of the terms or conditions of this agreement shall not constitute a general waiver or relinquishment of any of said terms or conditions but same shall be and remain in full force and effect at all times.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed and sealed in duplicate by their duly authorized agents, all as of the day and year first above written.

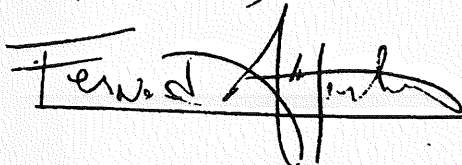
Signed, Sealed and Delivered
In the presence of

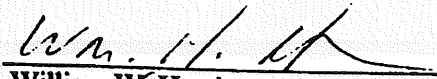
PORTLAND WATER DISTRICT



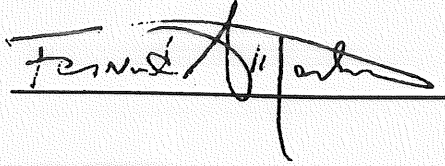


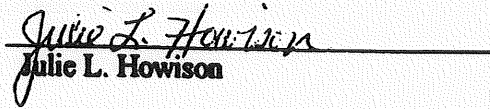
Ronald Miller
Its Acting General Manager





William W. Howison
H.





Julie L. Howison

State of Maine
Cumberland, ss.

October 23, 1997

Personally appeared the above named Ronald Miller and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Portland Water District.

Before me,



Norman V. Twaddel
Notary Public - Maine
My Commission Expires 12/17/2002

State of Maine
County of Cumberland, ss.

October 24, 1997

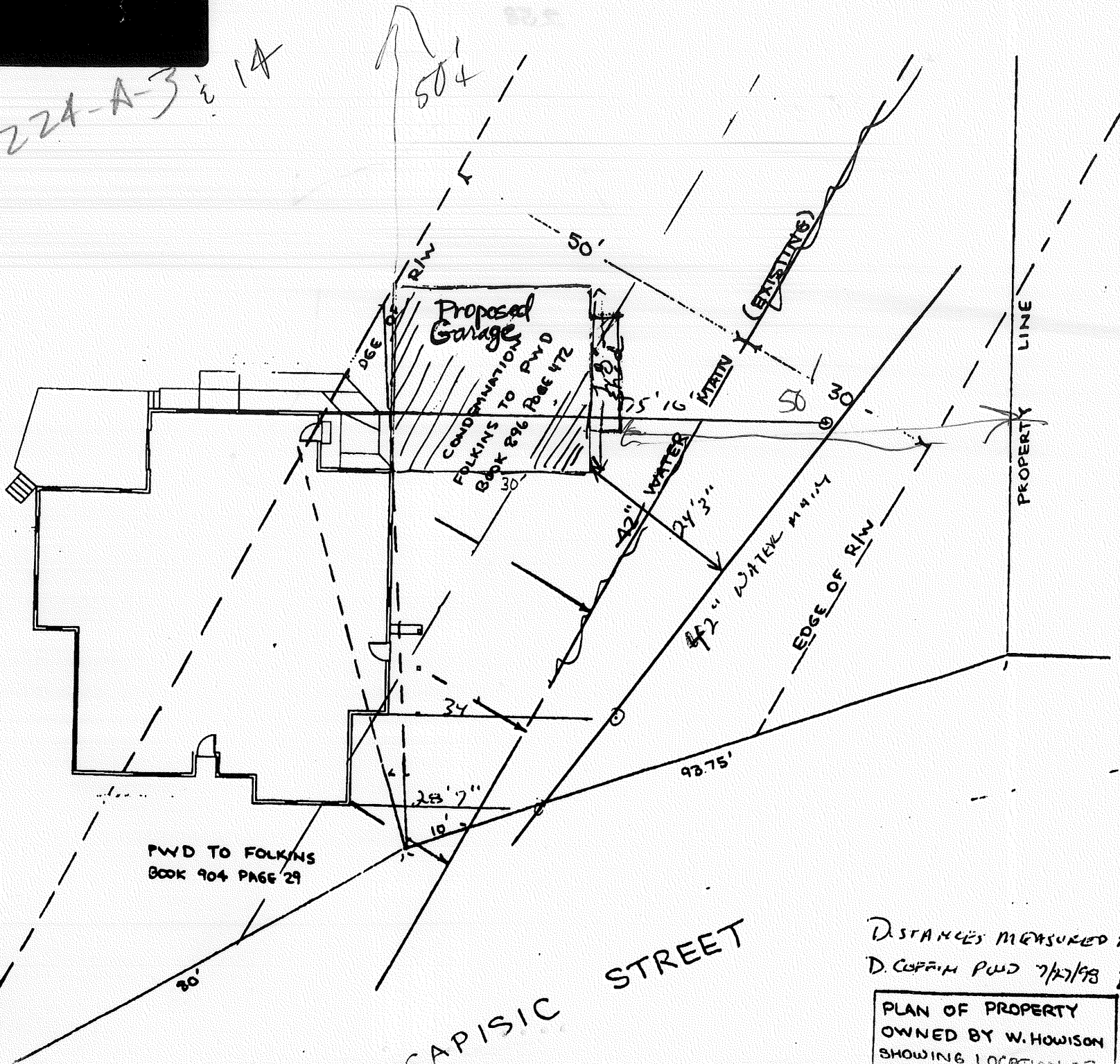
Personally appeared the above named William ~~W~~^H Howison and Julie L. Howison and acknowledged the foregoing instrument to be their free act and deed.

Before me,


Attorney at Law
~~Notary Public~~ FERNAND A. MARTINEAU
278 CAPISIC ST
PORTLAND, ME 04102
773-6105

224-A-3 & 14

PROPERTY LINE



DISTANCES MEASURED BY
D. COFFIN PWD 7/27/98 D

PLAN OF PROPERTY
OWNED BY W. HOWISON
SHOWING LOCATION OF