

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



# CITY OF PORTLAND

# BUILDING PERMIT

This is to certify that CYNTHIA L MCALLISTER

Located At 34 CASTINE AVE.

Job ID: 2011-07-1810-SF

CBL: 309 - - E - 015 - 001 - - - -

has permission to build a new Single Family Residence (See UI Permit # 10-1163)

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 closed-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

08/01/2011

\_\_\_\_\_  
**Fire Prevention Officer**

  
\_\_\_\_\_  
**Code Enforcement Officer / Plan Reviewer**

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

## **BUILDING PERMIT INSPECTION PROCEDURES**

**Please call 874-8703 or 874-8693 (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 Inspection 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 with construction.**

  X   **Footing/Building Location Inspection: Prior to pouring concrete or setting precast piers**

  X   **Foundation Inspection: Prior to placing ANY backfill for below grade occupiable space**

  X   **Framing/Rough Plumbing/Electrical: Prior to Any Insulating, drywalling or covering.**

  X   **Final/Certificate of Occupancy: Prior to any occupancy of the structure or use.**  
**NOTE: There is a \$75.00 fee per inspection at this point.**

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

## BUILDING PERMIT INSPECTION PROCEDURES

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1. See attachment for inspection requirements.

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

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# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life* • [www.portlandmaine.gov](http://www.portlandmaine.gov)

Director of Planning and Urban Development  
Penny St. Louis

Job ID: 2011-07-1810-SF

Located At: 34 CASTINE

CBL: 309 - - E - 015 - 001 - - - -

## Conditions of Approval:

- All conditions under UI Building Permit # 10-1163 apply, see attachment.

<b>Location of Construction:</b> 34 Castine Ave (#40)	<b>Owner Name:</b> Mcallister Cynthia L	<b>Owner Address:</b> Po Box 874	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Diversified Properties, Inc /Jim Wol	<b>Contractor Address:</b> P.O. Box 10127 Portland	<b>Phone</b> (207) 773-4988
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Single Family	

- 5) A street opening permit(s) is required for your site. Please contact Carol Merritt ay 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible.)
- 6) A sewer permit is required for your project. Please contact Carol Merritt at 874-8300, ext . 8822.The Wastewater and Drainage section of Public Services must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.
- 7) All damage to sidewalk, curb, street, or public utilities shall be repaired to City of Portland standards prior to issuance of a certificate of occupancy.
- 8) The Development Review Coordinator (874-8632) must be notified five (5) working days prior to date required for final site inspection. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.
- 9) Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.
- 10 All Site work (final grading, landscaping, loam and seed) must be completed prior to issuance of a certificate of occupancy.
- 11 The applicant shall have a licensed surveyor install, prior to the issuance of any Certificate of Occupancy, permanent mounumentation/pins identifying property corners.

**Comments:**

9/27/2010-amachado: Left vcm for Jim Wolf to call me. Need a copy of Cynthia Mcallister's deed. Regarding the driveway easement for the existing house, need a written description of it & driveway needs to be shown on plan (right now it encroaches on proposed deck). Garage needs to be removed before the building permit is issued. Need deed description for new lot including driveway easement that will be recorded. Location of bulkhead does not match on the site plan and building plans.

10/18/2010-amachado: Received revised site plan & building plans.

10/20/2010-amachado: Received revised boundary survey.

10/19/2010-amachado: Gave permit to plan review. Can't sign off until permit is approved by plan review. Then the garage must be demolished before the permit is issued.

7/29/2011-jrioux: Demo. Permit Submitted, see One Solution Permit # 2011-07-1809-DEMO.

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

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

Permit No: 10-1163	Date Applied For: 09/14/2010	CBL: 309 E015001
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Lessee/Buyer's Name	Phone:	Permit Type: Single Family	

Proposed Use: Single Family / New 24' x 32' cape style home with 10' x 10' deck.	Proposed Project Description: New 24' x 32' cape style home with 10' x 10' deck.
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Ann Machado      **Approval Date:** 07/30/2011

**Note:** **Ok to Issue:**

- 1) This permit cannot be issued until the garage is demolished.
- 2) The certificate of occupancy will not be issued until our office receives a copy of the recorded deed for the property including the driveway easement.
- 3) As discussed during the review process, the property must be clearly identified prior to pouring concrete and compliance with the required setbacks must be established. Due to the proximity of the setbacks of the proposed structure, it may be required to be located by a surveyor.
- 4) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 5) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Jonathan Rioux      **Approval Date:** 11/15/2010

**Note:** **Ok to Issue:**

- 1) A copy of the enclosed chimney or fireplace disclosure must be submitted to this office upon completion of the permitted work or for the Certificate of Occupancy.
- 2) Fastener schedule per the IRC 2003
- 3) The basement is NOT approved as habitable space. A code compliant 2nd means of egress must be installed in order to change the use of this space.
- 4) Hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, and on every level. A Carbon Monoxide Detector hardwired, or plug in with battery backup shall be installed in each area giving access to bedrooms.
- 5) Stairway headroom shall be not less than 6 feet 8 inches measured vertically from the sloped plane adjoining the tread nosing or from the floor surface of the landing or platform.

**Dept:** DRC      **Status:** Approved with Conditions      **Reviewer:** Eric Giles      **Approval Date:** 10/27/2010

**Note:** **Ok to Issue:**

- 1) Prior to a Certificate of Occupancy the 4' Driveway Easement to benefit remaining land on the Parcel to be Conveyed shall be recorded at the Cumberland County Registry of Deeds. A recorded copy shall be submitted to the Planning Authority.
- 2) Erosion and Sedimentation control shall be established and inspected by the Development Review Coordinator prior to soil disturbance, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines. All Erosion and Sedimentation control measures must be inspected and maintained daily.
- 3) The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.
- 4) As-built record information for sewer and stormwater service connections must be submitted to Public Services Engineering Section (55 Portland Street) and approved prior to issuance of a Certificate of Occupancy.

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Business Name:	Contractor Name: Diversified Properties, Inc /Jim Wol	Contractor Address: P.O. Box 10127 Portland	Phone: 2077734988
Lessee/Buyer's Name	Phone:	Permit Type: Single Family	Zone: R-3

Past Use: Vacant Land	Proposed Use: Single Family / New 24' x 32' cape style home with 10' x 10' deck. <i>fill down area</i>	Permit Fee: \$995.00	Cost of Work: \$90,000.00	CEO District: 5
		FIRE DEPT: <i>N/A</i> <input type="checkbox"/> Approved <input type="checkbox"/> Denied <i>per Capt P. Rone</i>	INSPECTION: Use Group: <i>R3</i> Type: <i>SB</i> <i>IRC 2003</i>	

Proposed Project Description: New 24' x 32' cape style home with 10' x 10' deck. <i>-fill down area</i>	Signature:	Signature:
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature:	Date:	

Permit Taken By: gg	Date Applied For: 09/14/2010	<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>Special Zone or Reviews</p> <input type="checkbox"/> Shoreland <i>N/A</i> <input type="checkbox"/> Wetland <i>N/A</i> <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>2010-0013 Level 1-Min</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input checked="" type="checkbox"/> Ra	<p>Zoning Appeal</p> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<p>Historic Preservation</p> <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
	Date: <i>OK w/ conditions</i> <i>10/15/10 ABM</i>	Date:	Date: <i>ABM</i>

**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 \_\_\_\_\_



# General Building Permit Application

101163

... of real estate or personal property taxes or user charges on any...  
... arrangements must be made before portions of any kind are accepted.

Location/Address of Construction: <u>40<sup>34</sup> Castine Ave, Portland.</u>										
Total Square Footage of Proposed Structure/Area <u>1344</u>	Square Footage of Lot	Number of Stories <u>2</u>								
Tax Assessor's Chart, Block & Lot Chart# <u>309</u> Block# <u>E</u> Lot# <u>31+32</u> <u>4a Portion of 17 309 E 015</u>	Applicant *must be owner, Lessee or <u>Buyer</u> Name <u>Diversified Properties</u> Address <u>POB 10127</u> City, State & Zip <u>Portland, ME</u>	Telephone: <u>713 4988</u>								
Lessee/DBA (If Applicable) <b>RECEIVED</b> <b>SEP 14 2010</b> <b>Dept. of Building Inspections</b> <b>City of Portland Maine</b>	Owner (if different from Applicant) Name <u>Cynthia McAllister</u> Address <u>PO Box 874</u> City, State & Zip <u>Sublimus ME 0420</u>	Cost Of Work: \$ <u>90,000</u> C of O Fee: \$ _____ Total Fee: \$ _____								
Current legal use (i.e. single family) <u>Vacant land</u> Number of Residential Units <u>1</u>										
If vacant, what was the previous use? _____										
Proposed Specific use: <u>24 x 32 CAPE W/DECK</u> <u>10 x 10 deck</u>										
Is property part of a subdivision? _____ If yes, please name _____										
Project description: <u>CONSTRUCTION of a single family CAPE</u>										
<table border="0"> <tr> <td></td> <td style="text-align: right;">8149 900.00</td> </tr> <tr> <td></td> <td style="text-align: right;">SITE 300.00</td> </tr> <tr> <td></td> <td style="text-align: right;">C/O 75.00</td> </tr> <tr> <td style="text-align: right;"><b>TOTAL</b></td> <td style="text-align: right;"><b>\$ 1,295.00</b></td> </tr> </table>				8149 900.00		SITE 300.00		C/O 75.00	<b>TOTAL</b>	<b>\$ 1,295.00</b>
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<b>TOTAL</b>	<b>\$ 1,295.00</b>									
Contractor's name: <u>Diversified Properties</u>										
Address: <u>POB 10127</u>										
City, State & Zip: <u>Portland ME 04104</u>		Telephone: <u>713 4988</u>								
Who should we contact when the permit is ready: <u>Lynda Portel</u>		Telephone: <u>same</u>								
Mailing address: <u>same</u>										

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:	Date: <u>9/13/2010</u>
------------	------------------------

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

✓ lot split Com. 34 Cashline

Applicant: Diversified Properties

Date: 9/27/10

Address: 36-40 Cashline Ave

C-B-L: 309-E - part of 17, 31, 32 <sup>allot</sup>

permit # 10-1167

CHECK-LIST AGAINST ZONING ORDINANCE

\* revised site plan 10/18/10

Date - new

Zone Location - R-3

Interior or corner lot -

Proposed Use/Work - build new single family cage (32' x 24') w/ full dormer on rear  
10' x 10' deck

Sevage Disposal - city

Lot Street Frontage - 50' - 73' given (OK)

Front Yard - 25' min - 25.75' scaled to front steps (OK)

Rear Yard - 25' min - 25.5' scaled to rear deck (OK)

Side Yard - 2 sides - 14' min. - 8' on left - (OK) can borrow from other side  
29' on right - needs to be 20' (OK)

Projections - 10x10 deck; front steps 5'x4'; side steps 4'x5'; bulkhead 5.35'x6'

Width of Lot - 65' min. - 73' scaled (OK)

Height - 35' max. - 21' scaled (OK)

Lot Area - 6,500 sq ft - 6570 given (OK)

Lot Coverage/ Impervious Surface - 35% = 2299.5 sq ft

Area per Family - 6500 sq ft (OK)

Off-street Parking - 2 spaces required - 2 spaces 18'x18' each (OK)

Loading Bays - N/A

Site Plan - Level I - minor residential 2010-3033

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - panel 6 - zone X

32 x 24 = 768 sq ft

10 x 10 = 100 sq ft

5.35 x 6 = 31.95 sq ft

5 x 4 = 20 sq ft

4 x 5 = 20 sq ft

939.95 sq ft

OK

OK

\* Garage must be removed before permit is issued.

\* Existing Single Family

Owner - Cynthia McAllister  
Applicant: Diversified Properties (Jim Wolf)

Date: 9/27/10

Address: 34 Cashier Ave

C-B-L: 379-E-15617 ~~15617~~

perm # 10-1113

CHECK-LIST AGAINST ZONING ORDINANCE

Date - built 1935

Zone Location - R-3

Interior or corner lot -

Proposed Use/Work - existing 2 story house on ~~15633~~ lot - being divided

Savage Disposal -

Lot Street Frontage - 50' min - 77' setback 15' min OK

Front Yard - N/A

Rear Yard - N/A

Side Yard - 14' min - right side - 15' setback OK

Projections -

Width of Lot - 65' min - 77' setback OK

Height - N/A

Lot Area - 6500  $\phi$   $77 \times 90 = 6930$  OK

Lot Coverage/Impervious Surface - 35% = 2425.5  $\phi$

Area per Family - 6500  $\phi$  OK

Off-street Parking - 2 spaces required OK

Loading Bays - N/A

Site Plan - Level I Minor ~~Site~~ Residential site plan - 2010-0033

Shoreland Zoning/ Stream Protection - > N/A

Flood Plains -

$25 \times 35 =$	975
$11 \times 16 =$	176
deck =	240 (12x20)
"	25 (4x5)
	<u>1411 <math>\phi</math> <u>OK</u></u>

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Building Copy**

**2010-0033**  
Application I. D. Number  
**9/21/2010**  
Application Date

**Mcallister Cynthia L**  
Applicant  
**Po Box 874 , Sabattus , ME 04280**  
Applicant's Mailing Address

Project Name/Description

Consultant/Agent

**Agent Ph:** \_\_\_\_\_ **Agent Fax:** \_\_\_\_\_  
Applicant or Agent Daytime Telephone, Fax

**34 - 34 Castine Ave, Portland, Maine**  
Address of Proposed Site  
**309 E015001**  
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Apt 0  Condo 0  Other (specify)

Proposed Building square Feet or # of Units \_\_\_\_\_ Acreage of Site \_\_\_\_\_ Proposed Total Disturbed Area of the Site **0** Zoning \_\_\_\_\_

**Check Review Required:**

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> Site Plan (major/minor)          | <input type="checkbox"/> Zoning Conditional - PB  | <input type="checkbox"/> Subdivision # of lots | <input type="checkbox"/> Design Review           |
| <input type="checkbox"/> Amendment to Plan - Board Review | <input type="checkbox"/> Zoning Conditional - ZBA | <input type="checkbox"/> Shoreland             | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Amendment to Plan - Staff Review | <input type="checkbox"/> Zoning Variance          | <input type="checkbox"/> Flood Hazard          | <input type="checkbox"/> Site Location           |
| <input type="checkbox"/> After the Fact - Major           | <input type="checkbox"/> Stormwater               | <input type="checkbox"/> Traffic Movement      | <input type="checkbox"/> Housing Replacement     |
| <input type="checkbox"/> After the Fact - Minor           | <input type="checkbox"/> PAD Review               | <input type="checkbox"/> 14-403 Streets Review | <input type="checkbox"/> Other                   |

Fees Paid: Site Plan **\$50.00** Subdivision \_\_\_\_\_ Engineer Review **\$250.00** Date **9/21/2010**

**Building Approval Status:**

Reviewer

- Approved  Approved w/Conditions See Attached  Denied

Approval Date \_\_\_\_\_ Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets Attached

Condition Compliance \_\_\_\_\_ signature \_\_\_\_\_ date \_\_\_\_\_

**Performance Guarantee**  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                      |  |                       |
|---|----------------------|--|-----------------------|
| <input type="checkbox"/> Performance Guarantee Accepted     | _____ date           | _____ amount                                       | _____ expiration date |
| <input type="checkbox"/> Inspection Fee Paid                | _____ date           | _____ amount                                       |                       |
| <input type="checkbox"/> Building Permit Issue              | _____ date           |  |                       |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____ date           | _____ remaining balance                            | _____ signature       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ date           | <input type="checkbox"/> Conditions (See Attached) | _____ expiration date |
| <input type="checkbox"/> Final Inspection                   | _____ date           | _____ signature                                    |                       |
| <input type="checkbox"/> Certificate Of Occupancy           | _____ date           |  |                       |
| <input type="checkbox"/> Performance Guarantee Released     | _____ date           | _____ signature                                    |                       |
| <input type="checkbox"/> Defect Guarantee Submitted         | _____ submitted date | _____ amount                                       | _____ expiration date |
| <input type="checkbox"/> Defect Guarantee Released          | _____ date           | _____ signature                                    |                       |

RECEIVED

OCT 15 2010

Dept. of Building Inspections  
City of Portland Maine

Deed Description  
Parcel to be Conveyed by Portas  
October, 14, 2010.

A certain lot or parcel of land located on the southeasterly side of Castine Street in the City of Portland, County of Cumberland, State of Maine; said parcel being bounded and described as follows:

Beginning at a 5/8" reinforcing rod with identification cap number 2271 set on the southeasterly sideline of Castine Avenue at the northerly corner of a parcel of land now or formerly of Scott B. Anderson and Cara A. MacBurnie as described in a deed recorded in the Cumberland County Registry of Deeds in Book 25157, Page 218. Thence:

- 1) N 41° 25' 32" E by said Castine Avenue a distance of Seventy-Three and 00/100 (73.00) feet to a similar reinforcing rod set at the remaining land now or formerly of Stanley R. Portas and Cynthia L. Portas as described in a deed recorded in said Registry in Book 3144, Page 648.
- 2) S 48° 34' 28" E by said remaining land a distance of Ninety and 00/100 (90.00) feet to a similar reinforcing rod set on the northwesterly sideline of land now or formerly of Erin Morey as described in a deed recorded in said Registry in Book 25809, Page 203.
- 3) S 41° 25' 32" W by said land of Morey and by land now or formerly of Jennifer J. Bishop and John L. Bishop as described in a deed recorded in said Registry in Book 25462, Page 45 a distance of Seventy-Three and 00/100 (73.00) feet to a similar reinforcing rod set at the easterly corner of said land of said Anderson and MacBurnie.
- 4) N 48° 34' 28" W by said land of Anderson and MacBurnie a distance of Ninety and 00/100 (90.00) feet to the point of beginning.

Bearings are referenced to Grid North, NAD83 (1996), Maine West Zone (1802).

Said parcel contains 6,570 square feet (0.15) acres and being a portion of land now or formerly of Stanley R. Portas and Cynthia L. Portas as described in a deed recorded in the Cumberland County Registry of Deeds in Book 3144, Page 648.

Said parcel also being part of Lot 141 and all of lots 142 and 143 as shown on a plan entitled, "Deering Terrace owned by J.W. Wilbur Co. Inc.," made by Ernest W. Branch dated April 20, 1915 and recorded in Plan Book 12, Page 6.

Said parcel is subject to a Four (4) foot wide driveway easement as shown on a plan entitled "Proposed Lot Division made for Diversified Properties, Inc.," by Titcomb Associates dated October 12, 2010.

**Easements, restrictions, etc. to be inserted here.**



**Level I: Minor Residential  
Site Plan Application  
PORTLAND, MAINE**

Planning and Urban Development Department  
Planning Division and Planning Board

PROJECT NAME: 40 CASTINE AVE Portland

PROPOSED DEVELOPMENT ADDRESS: SAME

PROJECT DESCRIPTION: CONSTRUCTION OF A SINGLE FAMILY CAPE  
24 X 32 w/ deck 3 bedroom 1.5 BATH.

CHART/BLOCK/LOT: 309-E-31+32 +  
a portion of 17

PRELIMINARY PLAN \_\_\_\_\_

FINAL PLAN ✓

**CONTACT INFORMATION:**

**APPLICANT**

Name: Diversified Prop.  
Address: POB 10127  
Portland, ME  
Zip Code: 04104  
Work #: 723-4988  
Cell #: -  
Fax #: 723-6875  
Home: -  
E-mail: jmk1@maine.ll.com

**PROPERTY OWNER**

Name: Cynthia L McAllister  
Address: POB 874  
Sabbathus, ME 04280  
Zip Code: \_\_\_\_\_  
Work #: \_\_\_\_\_  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**BILLING ADDRESS**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Zip: Same as Above  
Work #: \_\_\_\_\_  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home: \_\_\_\_\_  
E-mail: \_\_\_\_\_

~As applicable, please include additional contact information on the next page~

AGENT/REPRESENTATIVE

Name: Lynda Partek  
Address: 449 Forest Ave  
Portland, ME  
Zip Code: 04101  
Work #: 773-4988  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home: \_\_\_\_\_  
E-mail: \_\_\_\_\_

surveyor

ENGINEER

Name: Titcomb Associates  
Address: 133 Gray Rd  
FALMOUTH ME  
Zip Code: 04105  
Work #: 797-9199  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home: \_\_\_\_\_  
E-mail: dtitcomb@titcombsurvey.com

Engineer  
SURVEYOR

Name: Gorrill + Palmer Consulting Engineers  
Address: POB 1237  
Gray, ME  
Zip Code: 04039  
Work #: 657-6910  
Cell #: \_\_\_\_\_  
Fax #: 657-6912  
Home: \_\_\_\_\_  
E-mail: apalmer@gorrillpalmer.com



**DEVELOPMENT REVIEW FEES:**

Check all reviews that apply. Payment may be made in cash or check to the City of Portland.

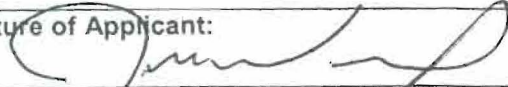
<b>Level I: Minor Residential Site Plan</b> <input checked="" type="checkbox"/> Application Fee (flat fee)	\$300
Mailed notices to abutters are now required for single family, two-family and the addition of a unit being reviewed as a Level I minor residential site plan. The applicant will be billed for the notice costs.	.75 cents each
<input checked="" type="checkbox"/> Inspection Fee, due after approval (flat fee)	\$100
<input type="checkbox"/> Performance Guarantee <i>N/A</i>	Exempt except for those projects that complete construction in the winter and the site work is incomplete

**Refer to the application checklist (page 5) for a detailed list of submittal requirements.**

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: [www.portlandmaine.gov](http://www.portlandmaine.gov) Copies of the ordinances may be purchased through the Planning Division.

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 Planning Authority and Code Enforcement'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.

**This application is for a Site Plan review only. A Performance Guarantee, Inspection Fee, Building Permit Application (attached) and associated fees will be required prior to construction.**

Signature of Applicant: 	Date: 9/13/2010
---	-----------------

Please refer to Article V, Site Plan of the City of Portland Land Use Code for detailed information concerning the City's site plan review process, thresholds and standards. Should you have any questions regarding the submittal requirements or any other aspect of the site plan review process, please contact the Planning Division.

**City of Portland Planning Division**  
389 Congress Street  
Portland, Maine 04101  
(207) 874-8719  
[www.portlandmaine.gov](http://www.portlandmaine.gov)

**Office Hours:**  
Unless noted, office hours are  
Monday thru Friday  
8:00 a.m. – 4:30 p.m.

## General Submittal Requirements – Level 1 Minor Residential

Applicant Checklist	Planner Checklist	Number of Copies	Submittal Requirement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Completed application form.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Application fees. <del>_____</del>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Written description of project.
<input type="checkbox"/>	<input type="checkbox"/>	4	Evidence of right, title and interest. <i>owner's deed</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Copies of required state and/or federal permits. <i>N/A.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Written assessment of zoning.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Written Description of existing and <del>proposed easements</del> or other burdens. <i>proposed</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Written requests for waivers from individual site plan and/or technical standards. <i>N/A</i>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4	Evidence of financial and technical capacity.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Evidence of utilities capacity to serve the development.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Written summary of fire safety (referencing NFPA fire code and Section 3 of the City of Portland Technical Manual).

## Site Plans and Boundary Survey Requirements – Level I Minor Residential

Applicant Checklist	Planner Checklist	Number of Copies	Submittal Requirement
<input type="checkbox"/>	<input type="checkbox"/>	4	Boundary survey meeting the requirements of section 13 of the City of Portland Technical Manual.
<input type="checkbox"/>	<input type="checkbox"/>	4	<b>Site Plan Including the following:</b>
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed ground floor area and finish floor elevation (FFE).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Exterior building elevations (show all 4 sides).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Identification of an proposed protection measures for any significant natural features located in the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities (or septic system, where applicable)
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed stormwater management and erosion controls.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Total area and limits of proposed land disturbance.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed protections to or alterations of watercourses.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed wetland protections or impacts.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing vegetation to be preserved and proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed curb and sidewalk.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed easements or public or private rights of way.
<input type="checkbox"/>	<input type="checkbox"/>		▪ A reduced boundary survey/site plan is required if original is larger than 11'x17'

## Site Plan Standards for Review of Level I: Minor Residential

Level I: Minor Residential site plan applications are subject to the following site plan standards\*, as contained in section 14-526 of Article V, Site Plan:

- 14-526 (a) **Transportation Standards:** 2.a.(i) and (ii);  
2.c (if the site plan is a two-family or multi-family building);  
4.a.(i) and (iv)
- 14-526 (b) **Environmental Quality Standards:** 1  
2.a.  
2.b.(iii)  
3.c. and d. and e.
- 14-526 (c) **Public Infrastructure and Community Safety Standards:** 1. and 3.a through e.
- 14-526 (d) **Site Design Standards:** 5. and 9.

*\*Except as provided in Article III of the City Code, or to conditions imposed under Section 14-526(e) only, or to those submission requirements set forth in section 14-527 as relate solely thereto.*

September 14, 2010

Ms. Barbara Barhydt, Development Review Services Manager  
Department of Planning and Development  
Portland City Hall  
389 Congress Street  
Portland, ME 04101-2503

Subject: Minor Residential Site Plan Application  
40 Castine, Portland, Maine

Dear Barbara,

Enclosed please find a complete Minor Residential Sites Plan application and supporting information for 40 Castine Ave. in Portland, Maine. Gorill & Palmer Engineers has been retained by Diversified Properties, Inc. to prepare plans for the proposed house located at 40 Castine Ave. Portland, ME. The property has been surveyed by Titcomb Associates Inc. The site is located on the City of Portland's Tax Map 309-E-31-32 and a portion of 17the property is currently owned by Cynthia L. McAllister.

The lot area is approximately 6,570 S.F. of land. The property is undeveloped. The site has the ability to be served with public water, sewer and electricity. Based on the size of the development, the project meets the definition of a minor development. Work is planned to start upon a building permit being issued

This application package describes the applicant's plans to develop the above-referenced parcel. We look forward to discussing this project with you during your review.

### Site Description

The site is located on Casting Ave. The property is abutted by single family residences on the left and side, with vacant land to the rear. Single Family homes are located across the street. Currently, the topography is flat. The lot is a flat side yard of an existing home.

Castine Ave. is a city accepted road.

### Proposed Use

This proposal includes the construction of a 24X32 Cape home with 3 bedrooms and 1.5 baths. Building plans are included with this package.

### Zoning

The location of the site is in zoning district R-3. Residential homes are a permitted use within this zone, space and bulk requirements are shown on the plan.

**Title Right & Interest**

We have enclosed a purchase agreement with this application.

**Financial Capacity**

A letter of financial capacity from TD Bank north has been included which indicates the applicant's ability to undertake this project.

**Utilities**

Lots will have water service from the Portland Water District and City sewer via connection to the existing utilities in Casting Ave. Central Maine Power will serve the sites, via over head service. Ability to serve letters has been sent to the appropriate utilities. Where a response hasn't been received, the original letter is attached. Responses will be forwarded upon receipt.

**Flood Plain Mapping**

The property is not located in flood zone according to FEMA insurance rate maps.

Soil types for the site were determined using the Cumberland County Medium intensity soils map. The soil found on the site appears to be Elmwood fine sandy loam.

**Erosion Control**

The plans provide Erosion and Sedimentation measures by installing silt fence around the entire lot.

**Waste Disposal**

Solid waste disposal will be carried out through city trash collection.

**Wetlands**

Wetlands are not located onsite.

### Summary of Fire Safety

Castine Avenue can be accessed from either Castine or Aldworth thus providing access from two different locations. A fire hydrant is located 75 ft. on the same side of street as the new structure.

### Easements

A driveway easement for the abutting property owned by Cynthia McAllister is shown on the plan.

The existing garage shall be removed prior to a occupancy permit being issued.

*up to the issuance of the occupancy permit \**

### Abutters

Cynthia L. McAllister      Also current property owner, abutter to the left  
PO Box 874  
Sabattus, Me 04280

Erin Morey      Rear property owner  
19 Brandon St.  
Portland, ME 04103

Jennifer J. Bishop      Rear property owner  
John L. Bishop, Jr  
PO Box 51  
Brownville, ME 04414

Scott B. Anderson      Right hand abutter  
Cara MacBurnie  
31 Wyndam St.  
Portland, ME 04103

**Lynda Porter**

---

**From:** Lynda Porter [lyndap@maine.rr.com]

**Sent:** Tuesday, August 31, 2010 9:41 AM

**To:** 'rspugnardi@pwd.org'

**Cc:** 'jmw1@maine.rr.com'

**Subject:** Capacity letter for 40 Castine Ave.

Good Morning Rico,

In keeping with the City of Portland new requirements, we are requesting an ability to serve letter for new construction of a

24 X 32 Single family cape at 40 Castine Ave., Portland. There is an existing water line in Castine Ave. that we wish to use to bring one service into the property

May we please have a letter of capacity for this project?

Thank you

*Lynda Porter*  
*Diversified Properties*  
207-773-4988



# PORTLAND MAINE

*Strengthening a Remarkable City. Building a Community for Life* \* [www.portlandmaine.gov](http://www.portlandmaine.gov)

**Public Services Department**  
Michael J. Bobinsky, Director

31 August 2010

Ms. Lynda Porter,  
Diversified Properties, Inc.,  
P. O. Box 10127,  
Portland, Maine 04104

**RE: The Capacity to Handle the Anticipated Wastewater Flows, from a Proposed Single Family Dwelling, at 40 Castine Avenue, Portland, Maine.**

Dear Ms. Porter:

The existing eight-inch diameter asbestos cement sewer pipe located in Castine Avenue has **adequate capacity to transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have **adequate capacity to treat** the total anticipated wastewater flows of **270 GPD**, from the proposed house.

**Anticipated Wastewater Flows from the Proposed Single Family Dwelling:**

1 Proposed Three-Bedroom House @ 270 GPD/ Three-Bedroom House	= 270 GPD
Total Proposed Increase in Wastewater Flows for this Project	= 270 GPD

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects. If the City can be of further assistance, please call 874-8832.

Sincerely,  
CITY OF PORTLAND

Frank J. Brancely, B.A., M.A.  
Senior Engineering Technician

FJB

CC:

Penny Littell, Director, Department of Planning, and Urban Development, City of Portland  
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland  
Philip DiPiero, Planner, Planning Division, Department of Planning, and Urban Development, City of Portland  
David Margolis-Pineo, Deputy City Engineer, City of Portland  
Michael Farmer, P.E., Project Engineer, City of Portland  
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland  
Stephen K. Harris, Assistant Engineer, City of Portland  
John Emerson, Wastewater Coordinator, City of Portland  
Jane Ward, Administrative Assistant, City of Portland



# CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Works,  
55 Portland Street,  
Portland, Maine 04101-2991



Mr. Frank J. Brancely,  
Senior Engineering Technician,  
Phone #: (207) 874-8832,  
Fax #: (207) 874-8852,  
E-mail: fjb@portlandmaine.gov

Date: 8/31/10

### 1. Please, Submit Utility, Site, and Locus Plans.

Site Address: 40 Castine Ave. Chart Block Lot Number: \_\_\_\_\_

*(Regarding addressing, please contact Leslie Kaynor, either at 756-8346, or at LMK@portlandmaine.gov)*

Proposed Use: Single Family Home

Previous Use: Vacant Lot

Existing Sanitary Flows: N/AGPD

Existing Process Flows: N/AGPD

Description and location of City sewer, at proposed building sewer lateral connection:  
8" sewer line in Eastman Ave. Exists.

One Sewer Lateral to be installed

*Clearly, indicate the proposed connection, on the submitted plans.*

Site Category	Commercial	_____
	Industrial <i>(complete part 4 below)</i>	_____
	Governmental	_____
	Residential	<u>X</u>
	Other <i>(specify)</i>	_____

### 2. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 1 single family 270GPD

Peaking Factor/ Peak Times: \_\_\_\_\_

Specify the source of design guidelines: *(i.e. "Handbook of Subsurface Wastewater Disposal in Maine," "Plumbers and Pipe Fitters Calculation Manual," "Portland Water District Records," "Other (specify) )*

**Note:** Please submit calculations showing the derivation of your design flows, either on the following page, in the space provided, or attached, as a separate sheet.

### 3. Please, Submit Contact Information.

Owner/Developer Name: Diversified Properties, Inc.

Owner/Developer Address: P.O. Box 10127, Portland, ME 04104

Phone: 207-773-4988 Fax: 207-773-6875 E-mail: Jmw1@maine.rr.com

Engineering Consultant Name: Gorrill-Palmer Consulting Engineers

Engineering Consultant Address: POB 1237, Gray, ME

Phone: 207-657-6912 Fax: 207-657-6912 E-mail: apalmer@gorrillpalmer.co

Phone: m

City Planner's Name: N/A

**Note: Consultants and Developers should allow +/- 15 days, for capacity status, prior to Planning Board Review.**

**4. Please, Submit Industrial Process Wastewater Flow Calculations**

Estimated Industrial Process Wastewater Flows \_\_\_\_\_ GPD

Generated:

Do you currently hold Federal or State discharge permits? Yes  No

Is the process wastewater termed categorical under CFR 40? Yes  No

OSHA Standard Industrial Code (SIC): \_\_\_\_\_ (<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times: \_\_\_\_\_

**Note: On the submitted plans, please show the locations, where the building's sanitary, and process water sewer laterals, exit the facility, where they enter the city's sewer, the location of any control manholes, wet wells, or other access points, and the locations of any filters, strainers, or grease traps.**

Notes, Comments, or Calculations:

---

# Diversified Properties, Inc.

P.O. Box 10127, Portland, ME 04104  
Tel 207-773-4988 • Fax 207-773-6875

August 31, 2010

Mr. Paul DuPerre  
Energy Services  
Central Maine Power  
162 Canco Rd.  
Portland, ME. 04103

Re: 24x32 single family cape, 40 Castine, Portland, ME

Dear Paul:

As required by the reviewing authorities of the City of Portland, we are writing to request a letter indicating the ability of Central Maine Power to serve this project.

## **Description of Development Site**

The project site consists of Map 309 Block E Lots 31-32 and portion of 17 as shown on the City of Portland Assessor's map. The project site is currently undeveloped.

## **Project Description**

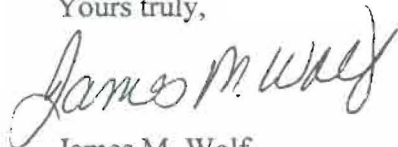
Construction of a single family 24x32 Cape to be served by overhead power.

## **Ability to Serve**

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Central Maine Power Company to serve the project.

Please contact me if you have any questions relative to this matter.

Yours truly,



James M. Wolf  
Diversified Properties  
E-mail [jmw1@maine.rr.com](mailto:jmw1@maine.rr.com)

JMW/lp



**Bank**

America's Most Convenient Bank®

TD Bank, N.A.  
One Portland Square  
P.O. Box 9540  
Portland, ME 04112-9540  
T: 207-761-8600 F: 207-761-8660  
www.tdbank.com

August 31, 2010

City of Portland

**RE: Diversified Properties, Inc. - Financing Approval**

To Whom It May Concern:

Diversified Properties, Inc. has a long standing relationship with TD Bank, N.A. and has the financial and technical capability to build at 40 Castine Avenue, Portland, Maine

If you have any further questions, I can be reached at 207-761-8518.

Sincerely,

Jeffrey Lane  
Duly Authorized Representative of  
TD Bank, N.A.

3144/648

648

16532  
**Know all Men by these Presents, That**

I, GEORGE E. PATT, of Portland, in the County of Cumberland and State of Maine

in consideration of one dollar and other valuable considerations  
paid by STANLEY R. PORTAS and CYNTHIA L. PORTAS of said Portland

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Stanley R. Portas and Cynthia L. Portas, as joint tenants and not as tenants in common, their heirs and assigns forever.

Five certain lots or parcels of land, with the buildings thereon, situated on Castine Avenue, formerly called Cadman Street, in the City of Portland, County of Cumberland and State of Maine, being lots numbered 139, 140, 141, 142 and 143 as shown on plan of lots at Dearing Terrace belonging to J. W. Wilbur Co., Inc., said plan being made by Ernest W. Branch, C. E., dated April 20, 1915 and recorded in Cumberland County Registry of Deeds in Plan Book 12, Page 6, to which plan reference is hereby made.

Said lots measure each thirty (30) feet in width by ninety (90) feet in depth and contain each, according to said plan, two thousand seven hundred (2,700) square feet, more or less.

Being the same premises conveyed to me by Harold C. Siddons, et al, by deed dated May 24, 1968 and recorded in said Registry of Deeds in Book 3041, Page 469.



To Have and to Hold the aforesaid and bargained premises, with all the privileges and appurtenances thereof, to the said Stanley R. Portas and Cynthia L. Portas, as joint tenants and not as tenants in common, their

heirs and assigns, for ~~and their heirs and assigns forever~~ and I do covenant with the said Grantee<sup>s</sup>, their heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances and that I have good right to sell and convey the same to the said Grantee<sup>s</sup> to hold as aforesaid; and that I and my heirs and assigns shall and will warrant and defend the same to the said Grantee<sup>s</sup>, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, GEORGE E. PATT, the said Grantor, being unmarried,

do hereby set my hand and seal this twenty-fifth day of September in the year of our Lord one thousand nine hundred and seventy.

Signed, sealed and Delivered in presence of

*Shirley M. Maltby* \_\_\_\_\_ *George E. Patt* \_\_\_\_\_

State of Maine, Cumberland, ss. September 25, 1970.  
Personally appeared the above named GEORGE E. PATT

and acknowledged the foregoing instrument to be his free act and deed.

Before us, *William A. Goring* \_\_\_\_\_ NOTARY PUBLIC  
STATE OF MAINE, CUMBERLAND COUNTY, SS. \_\_\_\_\_

REGISTRY OF DEEDS  
Received SEP 25 1970 at 3 o'clock P. M. and recorded in BOOK 3144 PAGE 648  
*Margaret L. Goring* \_\_\_\_\_  
*Deputy Register*



*My commission expires June 12, 1972*

RECEIVED

SEP 30 2010

Dept. of Building Inspections  
City of Portland Maine

PURCHASE AND SALE AGREEMENT - LAND ONLY

Offer Date August 2, 2010

Effective Date Effective Date is defined in Paragraph 20 of this Agreement.

1. PARTIES: This Agreement is made between Diversified Properties, Inc., (James M. Wolf) ("Buyer") and Cynthia L. McAllister, Chris Portis ("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy (X) part of, If "part of" see para. 22 for explanation) the property situated in municipality of Portland, County of Cumberland, State of Maine, located at 34B Castine Ave. (Land Only) and described in deed(s) recorded at said County's Registry of Deeds Book(s) 25185, Page(s) 260.

3. PURCHASE PRICE: For such Deed and conveyance Buyer agrees to pay the total purchase price of \$... Buyer [ ] has delivered or [X] will deliver to the Agency within 1 days of the Offer Date, a deposit or earnest money in the amount of \$... If said deposit is to be delivered after the submission of this offer and is not delivered by the above deadline, this offer shall be void and any attempted acceptance of this offer in reliance on the deposit being delivered will not result in a binding contract. Buyer agrees that an additional deposit of earnest money in the amount of \$XXXXXXXXXXXX will be delivered XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX. Failure by Buyer to deliver this additional deposit in compliance with the above terms shall constitute a default under this Agreement. The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

4. EARNEST MONEY/ACCEPTANCE: Agency I Real Estate ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until August 5, 2010 (date) 5:00 [ ] AM [X] PM; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.

5. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on October 6, 2010 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or this Agreement shall become null and void in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

6. DEED: The property shall be conveyed by a Warranty deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

7. POSSESSION: Possession of premises shall be given to Buyer immediately at closing unless otherwise agreed in writing.

8. RISK OF LOSS: Until the closing, the risk of loss or damage to said premises by fire or otherwise, is assumed by Seller. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

9. PRORATIONS: The following items, where applicable, shall be prorated as of the date of closing: rent, association fees, (other) n/a. Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing, they shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained, which later provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

September 2009 Page 1 of 4 - P&S-LO Buyer(s) Initials [Signature] Seller(s) Initials CM

10. DUE DILIGENCE: Buyer is encouraged to seek information from professionals regarding any specific issue or concern.

Neither Seller nor Licensee makes any warranties regarding the condition, permitted use or value of Sellers' real property. This Agreement is subject to the following contingencies, with results being satisfactory to Buyer:

CONTINGENCY	YES	NO	DAYS FOR COMPLETION	OBTAINED BY	TO BE PAID FOR BY
1. SURVEY Purpose: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<u>Buyer</u>	<u>Buyer</u>
2. SOILS TEST Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
3. SEPTIC SYSTEM DESIGN Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
4. LOCAL PERMITS Purpose: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<u>Buyer</u>	<u>Buyer</u>
5. HAZARDOUS WASTE REPORTS Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
6. UTILITIES Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
7. WATER Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
8. SUB-DIVISION APPROVAL Purpose: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<u>Buyer</u>	<u>Buyer</u>
9. DEP/LURC APPROVALS Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
10. ZONING VARIANCE Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
11. HABITAT REVIEW/WATERFOWL Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
12. MDOT DRIVEWAY/ENTRANCE PERMIT Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
13. DEED RESTRICTION Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
14. TAX EXEMPT STATUS Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
15. OTHER Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____

Further specifications regarding any of the above:

Unless otherwise specified above, all of the above will be obtained and paid for by Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, Buyer will declare the Agreement null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement, Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an investigation is unsatisfactory within the time period set forth above, this contingency is waived by Buyer. In the absence of inspection(s) mentioned above, Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

*[Handwritten Signature]*

*[Handwritten Signature]*

11. FINANCING: This Agreement  is  is not subject to Financing. If subject to Financing:
- This Agreement is subject to Buyer obtaining a \_\_\_\_\_ loan of \_\_\_\_\_ % of the purchase price, at an interest rate not to exceed \_\_\_\_\_ % and amortized over a period of \_\_\_\_\_ years.
  - Buyer to provide Seller with letter from lender showing that Buyer has made application and, subject to verification of information, is qualified for the loan requested within \_\_\_\_\_ days from the Effective Date of the Agreement. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer.
  - Buyer to provide Seller with loan commitment letter from lender within \_\_\_\_\_ days of the Effective Date of the Agreement. If Buyer fails to provide Seller with this loan commitment letter within said time period, Seller may deliver notice to Buyer that this Agreement is terminated three days after delivery of such notice unless Buyer delivers the loan commitment letter before the end of the three-day period. If the Agreement is terminated under the provision of this sub-paragraph, the earnest money shall be returned to Buyer.
  - Buyer hereby authorizes, instructs and directs its lender to communicate the status of the Buyer's loan application to Seller, Seller's licensee or Buyer's licensee.
  - After (b) or (c) are met, Buyer is obligated to notify Seller in writing if the lender notifies Buyer that it is unable or unwilling to proceed under the terms of the financing. Any failure by Buyer to notify Seller within two days of receipt by Buyer of notice from the lender shall be a default under this Agreement.
  - Buyer agrees to pay no more than \_\_\_\_\_ points. Seller agrees to pay up to \$ \_\_\_\_\_ toward Buyer's actual pre-pays, points and/or closing costs, but no more than allowable by Buyer's lender.
  - Buyer's ability to obtain financing  is  is not subject to the sale of another property. See addendum  Yes  No.
  - Buyer may choose to pay cash instead of obtaining financing. If so, Buyer shall notify Seller in writing and the Agreement shall no longer be subject to financing, and Seller's right to terminate pursuant to the provisions of this paragraph shall be void.

12. BROKERAGE DISCLOSURE: Buyer and Seller acknowledge they have been advised of the following relationships:

Ron Beaulieu / Gary Agger of Agency 1 Real Estate is a  Seller Agent  Buyer Agent  
 Licensee Agency  Disc Dual Agent  Transaction Broker

Ron Beaulieu / Gary Agger of Agency 1 Real Estate is a  Seller Agent  Buyer Agent  
 Licensee Agency  Disc Dual Agent  Transaction Broker

If this transaction involves Disclosed Dual Agency, the Buyer and Seller acknowledge the limited fiduciary duties of the agents and hereby consent to this arrangement. In addition, the Buyer and Seller acknowledge prior receipt and signing of a Disclosed Dual Agency Consent Agreement.

13. PROPERTY DISCLOSURE FORM: Buyer acknowledges receipt of Seller's Property Disclosure Form

14. MEDIATION: Earnest money disputes subject to the jurisdiction of small claims court will be handled in that forum. For all other disputes or claims arising out of or relating to this Agreement or the property addressed in this Agreement shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules. Buyer and Seller are bound to mediate in good faith and pay their respective mediation fees. If a party does not agree first to go to mediation, then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who refused to go to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.

15. DEFAULT: In the event of default by the Buyer, Seller may employ all legal and equitable remedies, including without limitation, termination of this Agreement and forfeiture by Buyer of the earnest money. In the event of a default by Seller, Buyer may employ all legal and equitable remedies, including without limitation, termination of this Agreement and return to Buyer of the earnest money. Agency acting as escrow agent has the option to require written releases from both parties prior to disbursing the earnest money to either Buyer or Seller.

16. PRIOR STATEMENTS: Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.

17. HEIRS/ASSIGNS: This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.

18. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts, such as a faxed copy, with the same binding effect as if the signatures were on one instrument. Original or faxed signatures are binding.

19. ADDENDA:  Yes Explain: \_\_\_\_\_  No

20. EFFECTIVE DATE/NOTICE: Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required notice, communication or documentation to the party or their licensee. Withdrawals of offers and counteroffers will be effective upon communication, verbally or in writing. This Agreement is a binding contract when signed by both Buyer and Seller and when that fact has been communicated which shall be the Effective Date. Licensee is authorized to fill in the Effective Date on Page 1 hereof. Except as expressly set forth to the contrary, the use of the term "days" in this Agreement, including all addenda made a part hereof, shall mean business days defined as excluding Saturdays, Sundays and any State/Federal holidays (including but not limited to Patriots Day, Columbus Day, Martin Luther King Holiday, etc.) Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 5:00 p.m. Eastern Time on such date.



21. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the entire closing statement to release a copy of the closing statement to the parties and their licensees prior to, at and after the closing.

22. OTHER CONDITIONS: The lot is to be divided to convey .15 acres with appropriate setbacks to obtain building permits to be obtained by the buyer. The buyer will pay for the deep preparation.

A copy of this Agreement is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine.

Seller acknowledges that State of Maine law requires buyers of property owned by non-resident sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Revenue Services.

Buyer and Seller acknowledge that Maine law says the owner of property as of April 1st is legally responsible to pay the property taxes even if the property is later sold and any tax lien filed for non-payment will be in the name of the owner as of April 1st which could have a negative effect on their credit rating.

Buyer acknowledges that Maine law requires continuing interest in the property and any back up offers to be communicated by the listing agent to the Seller.

Buyer's Mailing address is Post Office Box 10127, Portland, ME 04104

[Signature] 8-3-2010 BUYER [Signature] 8-3-2010  
BUYER DATE BUYER DATE  
Diversified Properties, Inc. (James M. Wolf)

Seller accepts the offer and agrees to deliver the above-described property at the price and upon the terms and conditions set forth and agrees to pay agency a commission for services as specified in the listing agreement.

Seller's Mailing address is 34 Castine Avenue, Portland, ME 04103

[Signature] 8/5/10 SELLER [Signature] 8/5/10  
SELLER Cynthia L. McAllister DATE SELLER Chris Portis DATE

**COUNTER-OFFER**

Seller agrees to sell on the terms and conditions as detailed herein with the following changes and/or conditions:

The parties acknowledge that until signed by Buyer, Seller's signature constitutes only an offer to sell on the above terms and the offer will expire unless accepted by Buyer's signature with communication of such signature to Seller by (date) \_\_\_\_\_ (time) \_\_\_\_\_ AM \_\_\_\_\_ PM.

SELLER \_\_\_\_\_ DATE SELLER \_\_\_\_\_ DATE

The Buyer hereby accepts the counter offer set forth above

BUYER \_\_\_\_\_ DATE BUYER \_\_\_\_\_ DATE

**EXTENSION:**

The time for the performance of this Agreement is extended until \_\_\_\_\_ DATE

BUYER \_\_\_\_\_ DATE SELLER \_\_\_\_\_ DATE

BUYER \_\_\_\_\_ DATE SELLER \_\_\_\_\_ DATE



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## SELLER'S PROPERTY DISCLOSURE - LAND ONLY

PROPERTY LOCATED AT: 34B Castine Ave. (Land Only), Portland,

Under Maine Law, certain information must be made available to buyers prior to or during preparation of an offer. This statement has been prepared to assist prospective buyers in evaluating this property. This disclosure is not a warranty of the condition of the property and is not part of any contract between the Seller and any buyer. The Seller authorizes the Listing Broker in this transaction to disclose the information in this statement to other real estate licensees and to prospective buyers of this property. The Seller agrees to notify the Listing Broker promptly of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

**NOTE: DO NOT LEAVE ANY QUESTIONS BLANK. WRITE N/A (NOT APPLICABLE) OR UNKNOWN IF NEEDED.**

### SECTION I. HAZARDOUS MATERIAL

The Seller makes the following representations regarding known hazardous materials that are currently or previously existing in or on the real estate:

- A. UNDERGROUND STORAGE TANKS - Current or previously existing:**  
 Are there now, or have there ever been, any underground storage tanks on your property?  Yes  No  Unknown  
 IF YES: Are tanks in current use?  Yes  No  
 IF NO above: How long have tank(s) been out of service? n/a  
 What materials are, or were, stored in the tank(s)? n/a  
 Age of tank(s): n/a Size of tank(s): n/a  
 Location: n/a  
 Have you experienced any problems such as leakage? n/a  
 Are tanks registered with the Dept. of Environmental Protection?  Yes  No  Unknown  
 If tanks are no longer in use, have tanks been abandoned according to D.E.P.?  Yes  No  Unknown  
 Comments: \_\_\_\_\_
- B. OTHER HAZARDOUS MATERIALS - Current or previously existing (such as Toxic Material, Land Fill, Radioactive Material, etc.):**  
 Yes  No  Unknown  
 Attachment explaining current problems, past repairs or additional information to any of the above hazardous materials?  Yes  No

Buyers are encouraged to seek information from professionals regarding any specific issue or concern.

### SECTION II. GENERAL INFORMATION

- Is the property subject to or have the benefits of any encroachments, easements, rights-of-way, leases, rights of first refusal, life estates or restrictive covenants on the property?  Yes  No  Unknown  
 IF YES: Explain: n/a  
 What is your source of information: seller
- Are there any shoreland zoning, resource protection or other overlay zone requirements on the property?  Yes  No  Unknown  
 IF YES: Explain: n/a  
 What is your source of information: seller
- Is the subject property the result of a division of property within the last five years (for example, subdivision)?  Yes  No  Unknown  
 IF YES: Explain: Seller in process of dividing off a lot.  
 What is your source of information: Seller
- Are you receiving a tax exemption or reduction for this property for any reason including but not limited to: Tree Growth, Open Space and Farmland, Blind, Working Waterfront?  Yes  No  Unknown  
 IF YES: Explain: \_\_\_\_\_
- Has property ever been soil tested?  Yes  No  Unknown IF YES, are the results available?  Yes  No  
 Are mobile/manufactured homes allowed?  Yes  No  Unknown Are modular homes allowed?  Yes  No  
 Has the property been surveyed?  Yes  No  Unknown IF YES, is the survey available?  Yes  No  
 ATTACHMENTS: \_\_\_\_\_  
 Additional Information: A survey will be needed to split off a lot.

Seller shall be responsible and liable for any failure to provide known information about property defects to Buyer

<p><u>Cynthia L. McAllister</u>                  SELLER                  Cynthia L. McAllister                  I/We have read and received a copy of this disclosure and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.</p>	<p><u>8/5/10</u>                  DATE                  SELLER                  Chris Portis                  I/We have read and received a copy of this disclosure and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.</p>
<p><u>[Signature]</u>                  BUYER                  Diversified Properties, Inc.</p>	<p><u>8-3-2010</u>                  DATE                  BUYER                  (James M. Wolf)</p>

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Agency 1 Real Estate 152 US Route 1 Scarborough, ME 04074  
 Phone: 207.883.5135 202 Fax: 207.883.9791

Ronald Beaulieu

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Cynthia L.

## Ann Machado - Re: Castine revisions

**From:** Ann Machado  
**To:** Jim Wolf  
**Date:** 10/8/2010 8:27 AM  
**Subject:** Re: Castine revisions  
**CC:** Eric Giles

Jim -

When the siteplan is all set we will need two copies, one for inspections and one for planning.

There are still a few things that need to be addressed

- The two parking spaces need to be located on the lot. The driveway may encroach on the new lot but the parking spaces cannot.
- We talked about the existing driveway shape being revised because right ow it extends to where the deck on the new lot is located.
- With the legal description for the new lot, the driveway easement needs to be include.

Let me know if you have any questions.

Ann Machado  
Zoning Specialist  
(207) 874-8709

>>> "Jim Wolf" <jmw1@maine.rr.com> 10/7/2010 4:56 PM >>>

James M. Wolf  
Diversified Properties, Inc.  
Post Office Box 10127  
Portland, Maine 04104  
1-207-773-4988  
1-207-773-6875 fax

This electronic transmission may be privileged and contain confidential information. It is not intended nor may it be received by any unauthorized persons. If you have received this transmission in error, please destroy without copying it and notify the sender by calling sender at 207-773-4988 or reply to sender of this email. Thank you.

Hi Ann

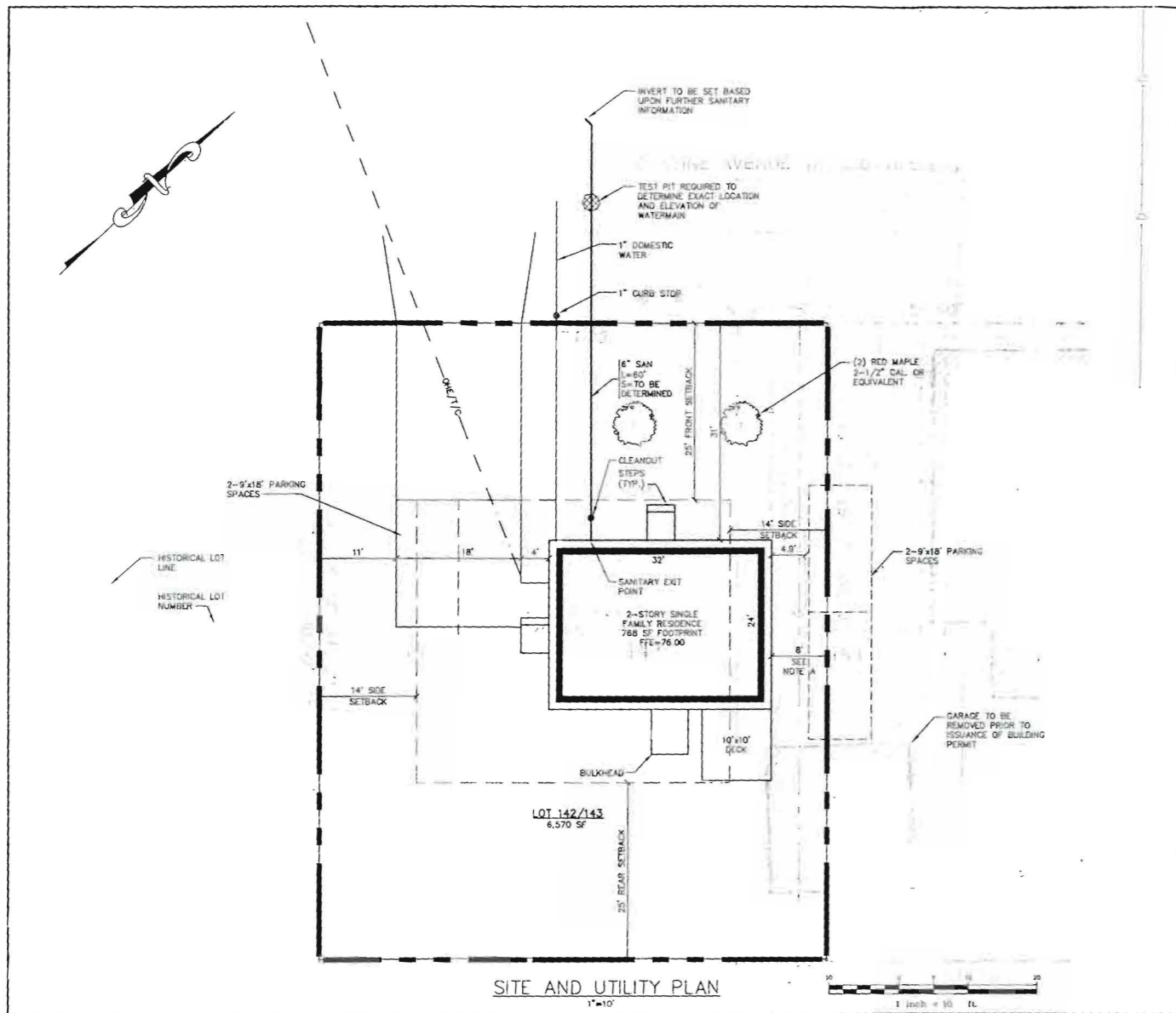
I believe the attached covers the garage removal and shows the two parking spaces for the original house. We are in the process of having the legal description for the new lot prepared. How many copies of this would you like?

Jim

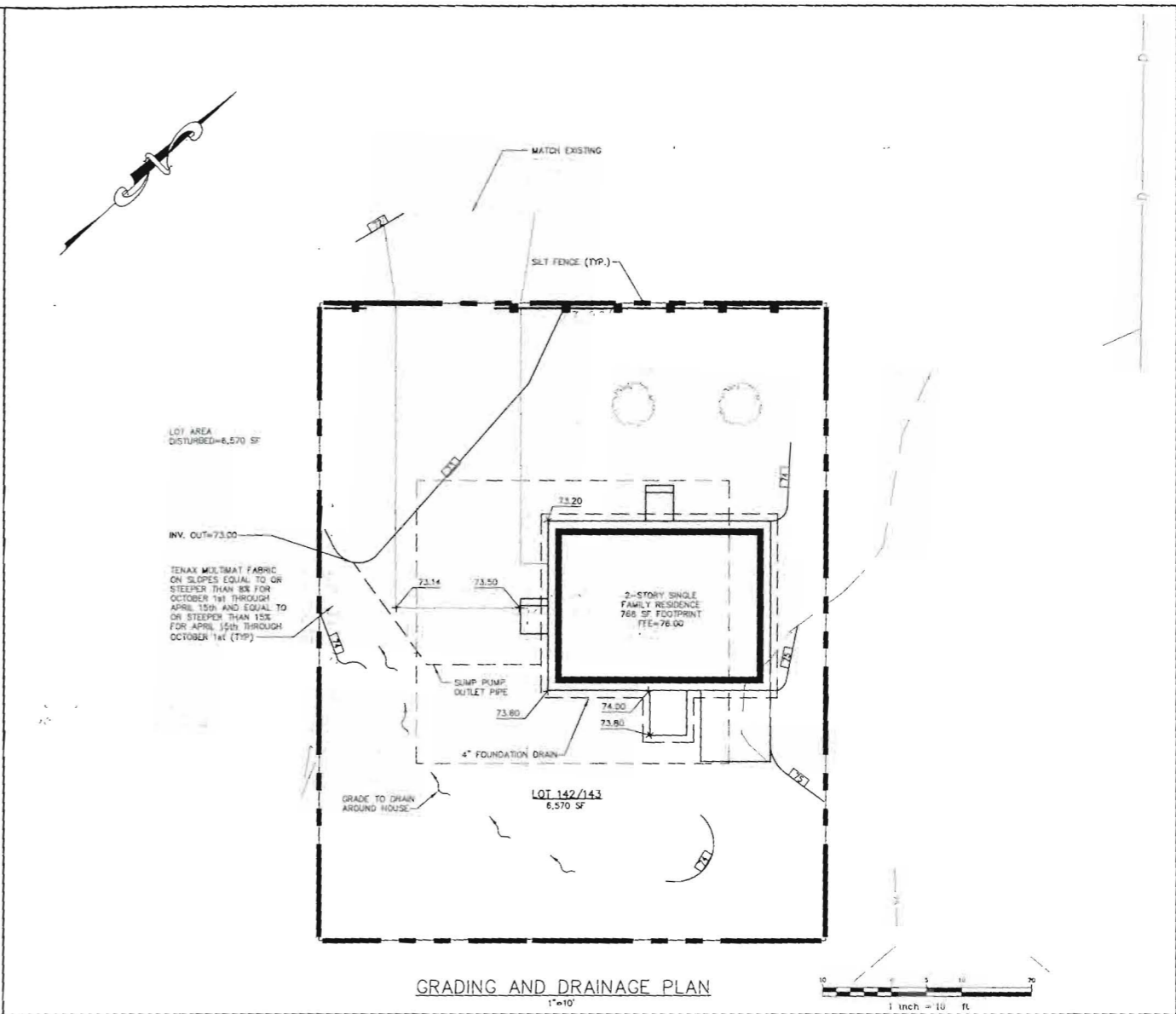
ONE AND TWO FAMILY	PLAN REVIEW	CHECKLIST
Soil type/Presumptive Load Value (Table R401.4.1) _____		
Component	Submitted Plan	Findings/Revisions/Dates
<b>STRUCTURAL</b> Footing Dimensions/Depth (Table R403.1 & R403.1(1), (Section R403.1 & R403.1.4.1)	10" x 16" 10" Wall / 4' Frost	okay
Foundation Drainage, Fabric, Damp proofing (Section R405 & R406)	→ Damp proofing not shown	3
Ventilation/Access (Section R408.1 & R408.3) Crawls Space ONLY	/	
Anchor Bolts/Straps, spacing (Section R403.1.6)	5/8" DIA @ 12" corners 3' O.C	okay
Lally Column Type (Section R407)	3 1/2" on footing	okay
Girder & Header Spans (Table R 502.5(2))	(3) 2x10 5'-9" span	okay
Built-Up Wood Center Girder Dimension/Type		
Sill/Band Joist Type & Dimensions	2x6" PF	
First Floor Joist Species Dimensions and Spacing (Table R502.3.1(1) & Table R502.3.1(2) )	2x10 @ 16" O.C 2x10 @ 12" O.C	Spacing okay
Second Floor Joist Species Dimensions and Spacing (Table R502.3.1(1) & Table R502.3.1(2) )		
Attic or additional Floor Joist Species Dimensions and Spacing (Table R802.4(1) and R802.4(2))		

Pitch, Span, Spacing & Dimension (Table R802.5.1(1) - R 802.5.1(8)) Roof Rafter; Framing & Connections (Section R802.3 & R802.3.1)	12 <sup>1/2</sup> / 4 <sup>1/2</sup> 2x8 @ 16" OC - If trusses are used; use 2x10 @ 16" OC or 24" OC Nails	Specs (1)
Sheathing; Floor, Wall and roof (Table R503.2.1.1(1))	Roof 5/8"; Wall 1/2"; Floor 3/4"	okay
Fastener Schedule (Table R602.3(1) & (2))		Per IRC, 2003
<b>Private Garage</b> (Section R309) Living Space? (Above or beside)	N/A	
Fire separation (Section R309.2)	/	
Opening Protection (Section R309.1)	/	
Emergency Escape and Rescue Openings (Section R310)	Egress in bedrooms shown	okay
Roof Covering (Chapter 9)	Asphalt	
Safety Glazing (Section R308)	/	
Attic Access (Section R807)		(4) 22x30" Required
Chimney Clearances/Fire Blocking (Chap. 10)	16" x 16" 1/2" clearance & draft stop	okay N.F.P.A. all Discharge Req.
Header Schedule (Section 502.5(1) & (2))	Table okay	
Energy Efficiency (N1101.2.1) R-Factors of Walls, Floors, Ceilings, Building Envelope, U-Factor Fenestration	Roof R-38; R-21 Floors window .35	okay

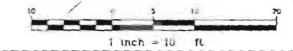
Type of Heating System		
<b>Means of Egress</b> (Sec R311 & R312) Basement		
Number of Stairways	Bulkhead	
Interior		
Exterior		
Treads and Risers (Section R311.5.3)	10" x 7 9/16" 10" x 7 3/4"	okay
Width (Section R311.5.1)	3' 6"	
Headroom (Section R311.5.2)	6' 8" shown → not to posting	
Guardrails and Handrails (Section R312 & R311.5.6 - R311.5.6.3)	@ 34"	
Smoke Detectors (Section R313) Location and type/Interconnected	CO & smoke det req → wet alarm	(2)
Dwelling Unit Separation (Section R317) and IBC - 2003 (Section 1207)	/	
Deck Construction (Section R502.2.1)	(2) 2x10" Beam 2x10 @ 16" OC	≥ 30" of Grade? okay



SITE AND UTILITY PLAN



GRADING AND DRAINAGE PLAN



SPACE AND BULK REQUIREMENTS - R-3 ZONE

MINIMUM LOT SIZE:	6,500 S.F.
MINIMUM FRONTAGE:	50 FT.
MINIMUM SETBACKS:	
FRONT YARD	25 FT.
REAR YARD	25 FT.
SIDE YARD (NOTE A)	
1 STORY	8 FT.
1 1/2 STORY	8 FT.
2 STORY	14 FT.
2 1/2 STORY	18 FT.
MINIMUM LOT WIDTH:	
OTHER USES	85 FT.

NOTE A: THE WIDTH OF ONE (1) SIDE YARD MAY BE REDUCED ONE (1) FOOT FOR EVERY FOOT THAT THE OTHER SIDE YARD IS CORRESPONDINGLY INCREASED, BUT NO SIDE YARD SHALL BE LESS THAN EIGHT (8) FEET IN WIDTH.

GRADING AND DRAINAGE NOTES:

1. ALL DISTURBED AREAS THAT ARE NOT PAVED SHALL RECEIVE 4" LOAM & SEED.
2. COMMON BORROW SHALL MEET MOOT SPECIFICATION 703.15.
3. FOUNDATION DRAIN SHALL BE DIRECTED TO SUMP LOCATED WITHIN BUILDING.
4. THE GRADING AND DRAINAGE SYSTEM ON THE PROPERTY SHALL BE CONSTRUCTED AND LOCATED AS DEPICTED ON THE APPROVED SITE PLAN AND SAID GRADING AND DRAINAGE SYSTEM SHALL NOT BE MODIFIED WITHOUT FURTHER APPROVAL FROM THE PLANNING AUTHORITY.

GENERAL NOTES

1. TOPOGRAPHIC DATA AND EXISTING CONDITIONS ARE BASED UPON A GROUND SURVEY CONDUCTED BY TITONIS ASSOCIATES OF FALMOUTH, MAINE IN SEPTEMBER 2010.
2. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR THE ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AND DO SO AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
3. MAINTENANCE OF EROSION CONTROL MEASURES IS OF PARAMOUNT IMPORTANCE TO THE OWNER AND THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL EROSION CONTROL MEASURES SHOWN ON THE PLANS. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IF DEEMED NECESSARY BY ON-SITE INSPECTIONS OF THE OWNER OR THEIR REPRESENTATIVES AT NO ADDITIONAL COST TO THE OWNER.
4. ALL WATER UTILITY MATERIALS AND INSTALLATION METHODS SHALL CONFORM TO PORTLAND WATER DISTRICT STANDARDS. DISINFECTION OF WATER LINES SHALL CONFORM TO ANWA STANDARD C651, LATEST REVISION.
5. ALL SEWER MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
6. ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MAINE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS AND CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
7. LOT OWNER IS RESPONSIBLE FOR LAYOUT AND EXTENSION OF ELECTRIC SERVICE, COORDINATE WITH CMP.
8. THE LOT SHALL BE PROVIDED WITH AT LEAST TWO (2) TREES MEETING THE CITY'S ARBORICULTURE SPECIFICATIONS AND WHICH ARE CLEARLY VISIBLE FROM THE STREET LINE AND ARE LOCATED SO AS TO VISUALLY OPEN THE NARROW DIMENSION OR PROPORTION OF THE UNIT.
9. SEWER AND WATER SERVICES SHALL BE INSTALLED BY THE DEVELOPER 5' INTO THE PROPERTY. CONNECTION TO THE HOUSE WILL BE THE RESPONSIBILITY OF THE LOT OWNER.
10. EQUIVALENT STREET TREE SHALL INCLUDE RETENTION OF EXISTING TREES OF SAME OR GREATER CALIPER.
11. ALL WORK SHALL BE DONE IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL STANDARDS, SECTION VII EROSION AND SEDIMENTATION CONTROL STANDARDS FOR SINGLE AND TWO FAMILY HOMES.
12. ANY CURBING REMOVED WITHIN THE RIGHT-OF-WAY IS THE PROPERTY OF THE CITY OF PORTLAND AND SHALL BE DELIVERED TO THE PUBLIC WORKS FACILITY OR OUTER CONGRESS STREET.

RECEIVED

OCT 18 2010

Dept. of Building Inspections  
City of Portland Maine



NOTE: THIS PLAN SET IS ISSUED FOR PERMITTING PURPOSES AND SHALL NOT BE USED FOR CONSTRUCTION.

U:\3466\_Corbin Single Family Residence\3466-1048.dwg - 10/7/2010 4:33 PM

Rev	Date	Revision
1	10/7/10	RESPONSE TO CITY COMMENTS

Municipal Review	Issued For	Date	By
		9/13/10	AMP

Design: JKA	Draft: CC	Date: SEPT 2010
Checked: AMP	Scale: 1"=20'	Job No: 2466
File Name: 2466-PS&E.dwg		
This plan shall not be modified without written permission from Gorrill-Palmer Consulting Engineers, Inc. (GPCEI). Any alterations, authorized or otherwise, shall be at the user's sole risk and without liability to GPCEI.		

**Gp** Gorrill-Palmer Consulting Engineers, Inc.  
 Engineering Excellence Since 1998  
 PO Box 1237 13 Shaker Road Gray, ME 04039  
 207-657-8916 FAX: 207-627-6912 E-Mail: mailbu@gorrilpalmer.com

Drawing Name	Site, Utility, Grading and Drainage Plans
Project	Single Family Residence 40 Castine Avenue, Portland, Maine
Client	Diversified Properties, Inc. PO Box 10127, 449 Forest Avenue, Portland, ME 04104

Drawing No.	1
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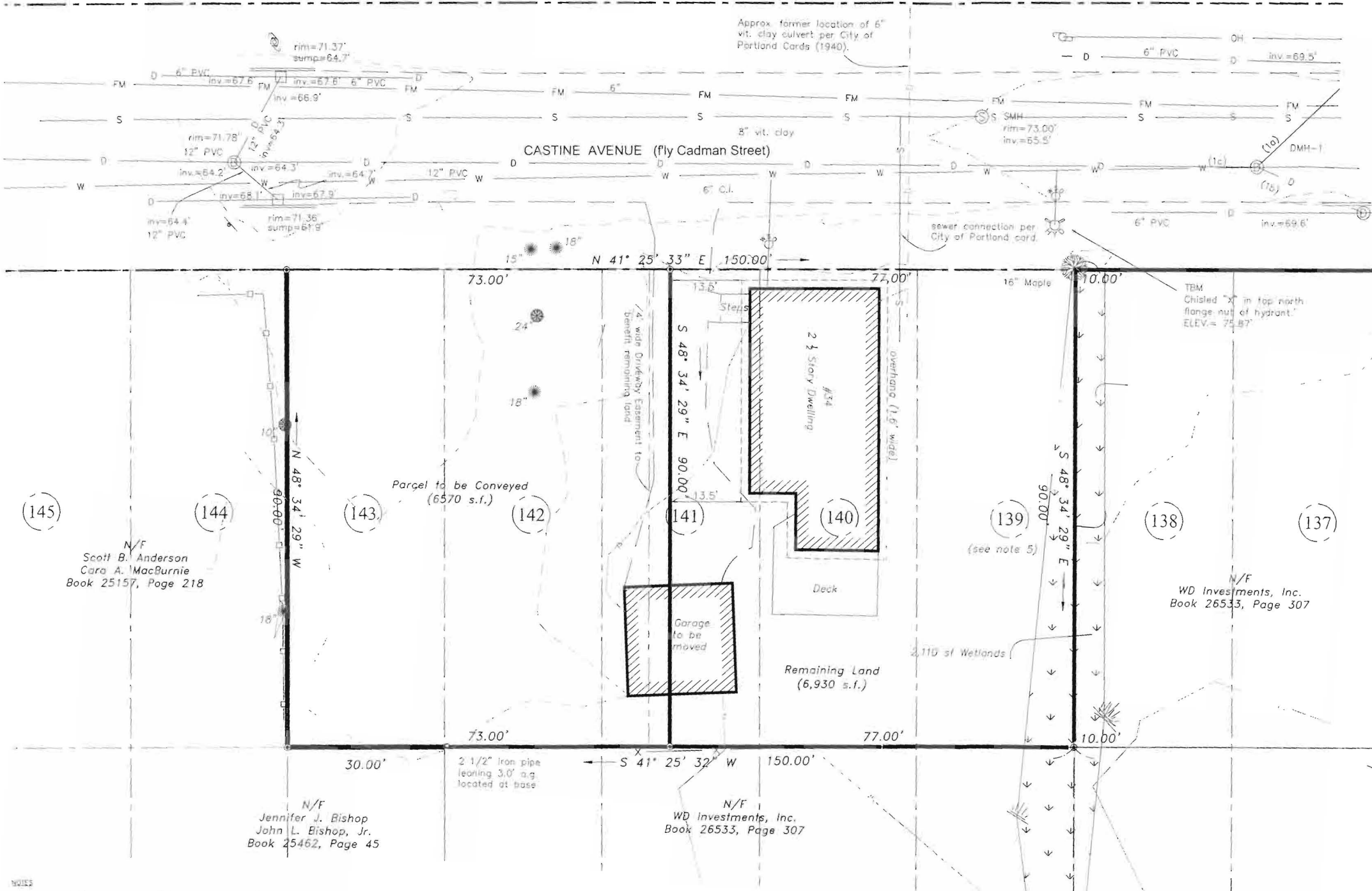
UMH-1  
rim=73.21'  
Pipes In  
(1a) 12" PVC - Inv.=67.3'  
(1b) 12" PVC - Inv.=67.4'  
Pipe out  
(1c) 12" PVC - Inv.=67.4'

DMH-3  
rim=73.88'  
Inv. (out)=68.1'  
drop inlet=72.89'

**LEGEND**

	Edge of pavement		Iron pin found
	Edge of ground		Monument found
	Curb (paviment, unless noted)		Catch basin
	Property line		Water valve
	Hydrant line (4"/12)		Sewer manhole
	Plan line 1/2 (4"/12)		Drain manhole
	Right of way		Fire hydrant
	Easement		Gas valve
	Wire fence		Sign
	House line		Utility pole
	Driveway		Railroad flag
	Driveway		Gas valve
	Underground gas		Tree line
	Underground electric		Lot corner (reference 2)
	Fence line		Corner/line
	Fence line (except)		Corner/line
	Telephone line		Corner/line
	1' Contour		Corner/line
	5' Contour		Corner/line
			Lot corner (reference 2)
			Corner/line
			Corner/line
			Corner/line
			Corner/line
			Corner/line
			Corner/line
			Corner/line
			Corner/line
			Corner/line

- REFERENCES**
- CAD file entitled "Boundary Survey of 14 and 18 Castine Avenue Portland Maine 04103 prepared for Gary S. Bedosian and Andrea D. Knight, by Jason E. Plante PLS 2334 dated November 10, 2004.
  - Plan entitled "Deering Terrace owned by J.W. Wilbur Co. Inc." made by Ernest W. Branch dated April 20, 1915 and recorded in the Cumberland County Registry of Deeds in Plan Book 12, Page 6.
  - CAD file entitled "Survey of Street Lines Castine Avenue, Wyndham Street, Aldworth Street, Forest Avenue," by the City of Portland Public Works Department Engineering Section dated October 1997.
  - Street records provided by the City of Portland Public Works Department.
  - Plan entitled "Castine Avenue, Wyndham and Aldworth Street Improvements, Castine Avenue Sign and Pavement," sheets 2-4 prepared by City of Portland, Maine Public Works Department Engineering Section dated December 16, 1996.
  - Plan entitled "Forest Avenue Sanitary Sewer," made by the City of Portland Department of Public Works, revised through March 1977.
  - Portions of plans provided by the Portland Water District and Northern Utilities.
  - Plan entitled "Plan of Boundary Survey made for WAC LLC," by Titcomb Associates dated September 14, 2008 and recorded in Plan Book 206, Page 645.
  - Plan entitled "Plan of Existing Conditions made for WAC LLC," by Titcomb Associates dated September 14, 2008 and revised to October 27, 2008.



Owners of Record:  
Stanley R. Portas  
Cynthia L. Portas  
Book 3144, Page 648  
Area = 13,500 s.f. (0.31) acres

- NOTES**
- Bearings are referenced to Grid North, NAD83, Maine West Zone (1802).
  - Deed Book and Plan Book references are to the Cumberland County Registry of Deeds unless otherwise noted.
  - Elevations are referenced to NGVD 29 based on differential leveling from City of Portland Benchmark BM 4 (PK) on northerly side of utility pole number CMP/NET6.
  - The location of underground utilities is approximate based on the location of observable features and information provided by others. Dig-Date and/or the appropriate utilities should be contacted prior to any excavation.
  - Lot 39 of reference 2 may be subject to a drainage easement as described in Book 266, Page 191.



This survey conforms to the current standards of the Maine State Board of Registration for Land Surveyors except as noted.

1) This not red as of plan date



**PLAN OF PROPOSED LOT DIVISION**  
Castine Avenue Portland, Maine

**MADE FOR**  
**DIVERSIFIED PROPERTIES, INC.**  
P.O. Box 10127 Portland, Maine

JOB# 210046	DATE: 03/2010	SCALE: 1"=10'
BOOK# 807		
DWG# 210046		
FILE# 5143		

**Titcomb Associates**  
133 Gray Road  
Falmouth, Maine 04105 (207) 797-9199







STATUTORY WARRANTY DEED

DIVERSIFIED PROPERTIES, INC., a Maine corporation with a principal place of business in the City of Portland, County of Cumberland and State of Maine,

For Consideration Paid, GRANT with WARRANTY COVENANTS TO:

C.G.B. PROPERTIES, LLC, a Maine limited liability company with a principal place of business and address of 84 Country Lane, in the City of Portland, County of Cumberland and State of Maine,

A certain lot or parcel of land with any improvements thereon, situated on the southeasterly side of Castine Street in the City of Portland, County of Cumberland and State of Maine, said parcel being bounded and described as follows:

BEGINNING at a 5/8" reinforcing rod with identification cap number 2271 set on the southeasterly sideline of Castine Avenue at the northerly corner of a parcel of land now or formerly of Scott B. Anderson and Cara A. MacBurnie as described in a deed recorded in the Cumberland County Registry of Deeds in Book 25157, Page 218; thence (1) N 41° 25' 32" E by said Castine Avenue a distance of Seventy-Three and 00/100 (73.00) feet to a similar reinforcing rod set at the remaining land now or formerly of Stanley R. Portas and Cynthia L. Portas as described in a deed recorded in said Registry of Deeds in Book 3144, Page 648; (2) S 48° 34' 28" E by said remaining land a distance of Ninety and 00/100 (90.00) feet to a similar reinforcing rod set on the northwesterly sideline of land now or formerly of Erin Morey as described in a deed recorded in said Registry of Deeds in Book 25809, Page 203; (3) S 41° 25' 32" W by said land of Morey and by land now or formerly of Jennifer J. Bishop and John L. Bishop as described in a deed recorded in said Registry of Deeds in Book 25462, Page 45 a distance of Seventy-Three and 00/11 (73.00) feet to a similar reinforcing rod set at the easterly corner of said land of said Anderson and MacBurnie; (4) N 48° 34' 28" W by said land of Anderson and MacBurnie a distance of Ninety and 00/100 (90.00) feet to the point of beginning, containing 6,570 square feet (0.15) acres.

Bearings are referenced to Grid North, NAD83 (1996), Maine West Zone (1802).

MAINE REAL ESTATE TAX PAID

Being the same premises conveyed to the Grantor herein by deed of Cynthia L. McAllister and Leland McAllister dated April 7, 2011 and recorded at the Cumberland County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_.

Said parcel also being a part of Lot 141 and all of Lots 142 and 143 as shown on a plan entitled "Deering Terrace owned by J.W. Wilbur Co. Inc." made by Ernest W. Branch dated April 20, 1915 and recorded at said Registry of Deeds in Plan Book 12, Page 6.

Said lot being depicted as Lot 1 on a plan entitled "Proposed Lot Division made for Diversified Properties, Inc." by Titcomb Associates dated August 9, 2010 and recorded at the Cumberland County Registry of Deeds in Plan Book 211, Page 103, containing 6,570 square feet.

This conveyance is subject to a four (4) foot wide driveway easement as shown on said plan entitled "Proposed Lot Division made for Diversified Properties, Inc." by Titcomb Associates dated August 9, 2010.

IN WITNESS WHEREOF, the said Diversified Properties, Inc. has caused this instrument to be signed in its corporate name and sealed with its corporate seal by James M. Wolf, its President, thereunto duly authorized this 7<sup>th</sup> day of April, 2011.

DIVERSIFIED PROPERTIES, INC.

[Signature]

By: [Signature]  
James M. Wolf, Its President

STATE OF MAINE  
CUMBERLAND, SS.

April 7, 2011

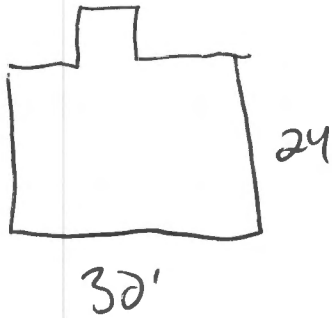
Then personally appeared the above-named JAMES M. WOLF, President of DIVERSIFIED PROPERTIES, INC. as aforesaid and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

[Signature]  
Attorney at Law/Notary Public  
Print Name: REWY D. SNOW  
My Commission Expires: 8/27/10

Received  
Recorded Register of Deeds  
Apr 12, 2011 08:59:28A  
Cumberland County  
Pamela E. Lovley

8-11-11



Pinned At 30' x 24'  
Setbacks appear okay to within the  
building envelope Will tell Dwight  
an amended siteplan will be needed  
for new location of Burlington NCS

Memorandum  
Department of Planning and Urban Development  
Planning Division

---



TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: November 16, 2011

RE: C. of O. for # 34 Castine Street, Brackett Single Family Home  
(Id#2010-0033) (CBL 309 E 015001)

---

After visiting the site, I have the following comments:

Site work complete:

At this time, I recommend issuing a **Permanent Certificate of Occupancy**.

Cc: Tammy Munson, Inspection Services Manager  
File: Barbara Barhydt, Development Review Services Manager  
File: 1 Solution



# Certificate of Occupancy



## CITY OF PORTLAND, MAINE

Department of Planning and Urban Development  
Building Inspections Division

Location: 40 Castine Ave

CBL: 309- E-015-001

Issued to: C.G.B Properties, LLC.

Date Issued: November 16, 2011

**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. 2011-07-1810-SF, has had a final inspection, has been found to conform substantially to the requirements of the Building Code and the Land Use Code of the City of Portland, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Single Family Home  
Use Group R-3  
Type 5B  
IRC-2009

Limiting Conditions: NONE

Approved:

11-16-11

(Date)

Inspector

Inspections Division Director

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.