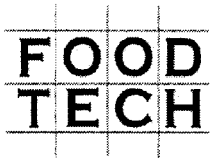


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2/1/05



January 20, 2005

via Fax

City of Portland
Inspectional Services
389 Congress St.
Portland, ME 04101

ATTN : Michael Nugent, Plans Review

RE: Barber Foods
Milliken Warehouse Renovation
Variance Request

Dear Michael:

We are writing to request a variance from section 1009.3.2 and the requirement that the exterior stair have solid risers.

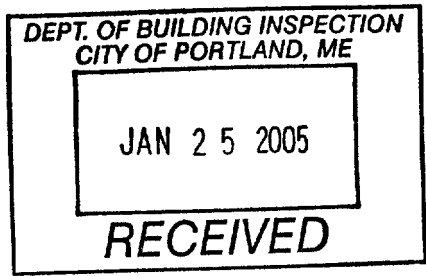
- a. The section cited 1009.3.2 requires solid risers and has an exception which allows open risers if the stairs are not required to comply with section 1007.3.
- b. The existing roof has a hatch that qualifies under the exception to section 1009.12.1, therefore this stair provides maintenance access to mechanical equipment only and section 1007.3 does not apply.
- c. Since the stair qualifies for Section 1009.3.2 exception #1 the riser can be open provided it pertains to the 4" sphere rule. The commentary reviews the reasons for closed risers but allows for open risers in certain situations. We believe the Section 1009.3.2 exception and commentary will be modified in time to recognize the Section 1012.3 exception #2 pertaining to guards and the same modification of the 4" sphere rule contained in Section 1012.5. Applying the 4" sphere rule to stair risers that provide maintenance access to mechanical equipment is not consistent with the Section 1009.3.2 commentary and the exceptions to the sections of the code that govern guards.
- d. We feel that keeping the risers open on these outdoor stairs is an important consideration to allow the open grip strut treads to remain free of snow. Closing the risers may cause the accumulation of snow and would certainly hinder snow removal.

Thank you for your consideration of this request. Please call with any questions.

Regards:
Food Tech Structures, LLC

David S. Wittliff, P.E.
Senior Vice President

Cc Jeff Shorey, Barber Foods





MEMO

Date: January 20, 2005

To: Michael Nugent, City of Portland Inspection Services
From: David S. Wittliff PE, Food Tech Structures, LLC
CC: Jeff Shorey, Barber Foods
Via: fax

Project: Milliken Warehouse Renovation
Reference: Plans review issues
No. of Pages: cover

Mike,

Thank you for the review time you've spent and the questions contained in your fax of 1-18-05 and our conversation of 1-20-05. *Revisions to our prior correspondence shown in italics.* We prepared the plans under the following interpretation:

7. The building complies with section 302.2.1, non-separated mixed use group, as the building qualifies under section 507.2 as an unlimited area building, single story, sprinklered which includes use groups F, S and B. The area of the building is not limited and fire separation assemblies between use groups are not required except as required under Table 302.1.1 for incidental uses. *After reviewing Ch. 9 we are not aware of more restrictive applicable provisions that would apply to the non separated uses that are already anticipate in the design.*
2. Drawing A7.1, rev. A dated 12-02-04 addresses your questions. Two copies are being overnighted to you. It maybe you do not have that plan revision in your review set. That revised plans show 11" treads, 6.95" risers and 4'-0" tread width. Head room is 8'-9" under the landings.
3. We have been lobbying for a revision to the code and commentary on this very issue as it pertains to stairs that provide maintenance access to industrial areas supporting mechanical and electrical equipment. The section you cite 1009.3.2 requires solid risers and has an exception which allow open risers if the stairs are not required to comply with section 1007.3.
 - a. The existing roof has a hatch that qualifies under the exception to section 1009.12.1, therefore this stair provides maintenance access to mechanical equipment only and section 1007.3 does not apply.
 - b. Since the stair qualifies for Section 1009.3.2 exception #1 the riser can be open provided it pertains to the 4' sphere rule. The commentary reviews the reasons for closed risers but allows for open risers in certain situations. We believe the Section 1009.3.2 exception and commentary will be modified in time to recognize the Section 1012.3 exception #2 pertaining to guards and the same modification

of the 4" sphere rule contained in Section 1012.5. Applying the 4" sphere rule to stair risers that provide maintenance access to mechanical equipment is not consistent with the Section 1009.3.2 commentary and the exceptions to the sections of the code that govern guards.

- c. We feel that keeping the risers open on these outdoor stairs is an important consideration to allow the open grip strut treads to remain free of snow. Closing the risers may cause the accumulation of snow and would certainly hinder snow removal.
 - d. *A variance request will be filed with your office shortly.*
4. Table 1015.1 governs the exit access travel distance, the storage is S-1 and the building is sprinklered, travel distance is therefore 250'. Compliance with the 250' distance is subject to field review to determine the travel path; the drawing may not show that path clearly. Barber Foods proposes to renovate this area in the near future and plans on that renovation will be submitted for your review. As this area of the building is presently unoccupied we suggest setting this issue aside pending review of the plans for the proposed renovation in the future.
- a. *A copy of drawing PR1.1 is being sent to you via overnight so you may view the planned rack changes and the impact on travel distance.*