

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



# CITY OF PORTLAND

# BUILDING PERMIT

This is to certify that MZ PROPERTIES, LLC

Located At 12 KENNETH ST

Job ID: 2012-07-4523-SF

CBL: 382- A-005-001

has permission to new single family

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes 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

**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**



# PORTLAND MAINE

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

Director of Planning and Urban Development  
Jeff Levine

Job ID: 2012-07-4523-SF

Located At: 12 KENNETH ST

CBL: 382- A-005-001

## **Conditions of Approval:**

### **Zoning**

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
3. Separate permits shall be required for future decks, sheds, pools, and/or garages.

### **Building**

1. Hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level.
2. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm HVAC systems, heating appliances, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
3. The design load spec sheets for any engineered beam(s) / Trusses must be submitted to this office prior to the close in inspection.
4. Separate plans shall be submitted for the deck. The deck detail lacks information.

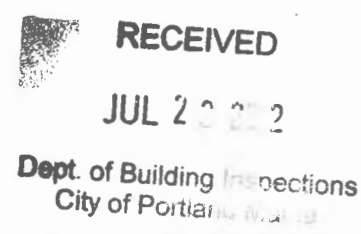
### **Fire**

1. All construction shall comply with City Code Chapter 10.
2. A sprinkler system shall be installed in accordance with NFPA 13D.
3. A separate no fee One- or Two-family Fire Sprinkler Permit is required.
4. Hardwired, interconnected smoke alarms are required. All smoke alarms shall be photoelectric.
5. Hardwired, interconnected Carbon Monoxide alarms with battery backup are required on each floor.



2012-07-4523

Coyler

Project Address: <u>17 Kenneth St.</u>		
Total Square Footage of Proposed Structure/Area: <u>1,789</u>	Area of lot (total sq. ft.): <u>10,167</u> Garage: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/> Sq. Ft.: <u>488</u>	Number of Stories: <u>2</u> Number of Bathrooms: <u>2.25</u> Number of Bedrooms: <u>3</u>
Tax Assessor's Chart, Block & Lot(s): Chart# <u>382</u> Block # <u>A</u> Lot # <u>5-6</u>		
Current legal use: <u>Vacant land</u> Number of Residential Units <u>1</u> If vacant, what was the previous use? <u>vacant</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project Description: <u>New single family home construction</u> <u>28' X 32' 1 attached garage deck</u>		
Applicant - must be owner, Lessee or Buyer Name: <u>Michael Boissonneau</u> Business Name, if applicable: <u>MZ Properties, LLC</u> Address: <u>126 Underwood Rd.</u> City/State: <u>Falmouth, ME</u> Zip Code: <u>04105</u>		Applicant Contact Information Work # _____ Home# _____ Cell # <u>(207) 332-3038</u> e-mail: <u>mboisso1@maine.rr.com</u>
Owner - (if different from Applicant) Name: _____ Address: _____ City/State: _____ Zip Code: _____		Owner Contact Information Work # _____ Home# _____ Cell # _____ e-mail: _____ 
Billing Information Name: _____ Address: _____ City/State: _____ Zip Code: _____ Phone Number: _____		Contact when Building Permit is Ready: Name: _____ Address: _____ City/State: _____ Zip Code: _____ Phone Number: _____

East Bay

**DEVELOPMENT REVIEW FEES:**

Payment may be made in cash, credit card or check addressed to the City of Portland.

<p><b>Level I Minor Residential Site Plan</b></p> <p>1. <b>Application Fee - \$300.00</b></p> <p>2. <b>Inspection Fee - \$100.00</b> (for site plan inspection by the Planning Division)</p> <p>3. <b>Certificate of Occupancy Fee - \$75.00</b></p> <p>4. <b>Building Permit (Cost of Work)</b> <i>(125,000)</i> <b>Total Due:</b></p>	<p><b>Fees Paid:</b></p> <p>\$ <u>300.00</u></p> <p>\$ <u>100.00</u></p> <p>\$ <u>75.00</u></p> <p>\$ <u>1,270.00</u></p> <p>\$ <u>1,745</u></p>
<p><b>Building Permit Fee - \$30 for the first \$1,000 construction cost - \$10 every additional \$1,000.</b></p>	
<p><b>Performance Guarantee - Exempt except for those projects that complete construction in the winter and the site work is incomplete.</b></p>	

Please submit all of the information outlined on the applicable Checklist, shown on Page 4 and 5 of this Application. In addition, a CD or PDF (e-mailed to [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov)) of the entire Application, including all plans, must be submitted with the Application. Failure to do so may result in the automatic denial of your permit.

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. All of the information on the checklist must be submitted for review. The applicant must check off the items contained in the application package to ensure the application is complete.

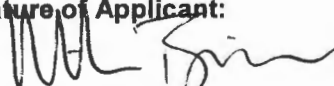
**Property Taxes:**

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before a permit of any kind is accepted.

**Separate Permits:**

Separate permits are required for internal and external plumbing, HVAC, and electrical installations.

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.

<p><b>Signature of Applicant:</b> </p>	<p><b>Date:</b> 7/23/12</p>
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**This is not a permit - you may not commence any work until the permit is issued.**

(A CD or PDF (e-mailed to [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov)) of the entire application, including all plans, must be submitted with the application.)

<b>General Submittal Requirements – Level I Minor Residential</b>			
<b>Applicant Checklist</b>	<b>Planner Checklist (internal)</b>	<b>Number of Copies</b>	<b>Submittal Requirement</b>
✓		2	Completed application form and check list.
✓	✓	1	Application fees.
✓	✓	2	Evidence of right, title and interest.
N/A	-N/A	2	Copies of required state and/or federal permits.
✓	✓	2	Written Description of existing and proposed easements or other burdens.
N/A	✓N/A	2	Written requests for waivers from individual site plan and/or technical standards.
✓		2	Written summary of fire safety (referencing NFPA fire code and Section 3 of the City of Portland Technical Manual). Refer to Fire Department Checklist on page 6 of this application.

<b>Site Plans and Boundary Survey Requirements – Level I Minor Residential</b>			
<b>Applicant Checklist</b>	<b>Planner Checklist (internal)</b>	<b>Number of Copies</b>	<b>Submittal Requirement</b>
✓		3	Boundary survey meeting the requirements of section 13 of the City of Portland Technical Manual with the site plan information listed below shown on the plan, including a north arrow and a scale greater than or equal to 1"=20'. (Photocopies of the plat or hand drawn building footprints will not be accepted.)
✓			<ul style="list-style-type: none"> <li>▪ Zoning district, setbacks and dimensional requirements. Show zone lines and overlay zones that apply to the property, including Shoreland Zone &amp;/or Stream Protection Zone.</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Existing and proposed structures (including location of proposed piers, docks or wharves if in Shoreland Zone).</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Location and dimension of existing and proposed paved areas.</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Proposed ground floor area of building.</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Finish floor elevation (FEE) or sill elevation.</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Exterior building elevations (show all 4 sides).</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Existing and proposed utilities (or septic system, where applicable)</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Existing and proposed grading and contours.</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Proposed stormwater management and erosion controls.</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Total area and limits of proposed land disturbance.</li> </ul>
N/A			<ul style="list-style-type: none"> <li>▪ Proposed protections to or alterations of watercourses.</li> </ul>
N/A			<ul style="list-style-type: none"> <li>▪ Proposed wetland protections or impacts.</li> </ul>
✓			<ul style="list-style-type: none"> <li>▪ Existing vegetation to be preserved and proposed site landscaping and street trees (2 trees per unit for a single or two-family house).</li> </ul>

N/A		▪ Existing and proposed curb and sidewalk, except for a single family home.
✓		▪ Existing and proposed easements or public or private rights of way.
✓		▪ Show foundation/perimeter drain and outlet.
N/A		▪ Additional requirements may apply for lots on unimproved streets.

### Building Permit Submittal Requirements –Level I: Minor Residential Development

Applicant Checklist	Planner Checklist (internal)	Number of Copies	Submittal Requirement
✓		1	<b>One (1) complete set of construction drawings must include:</b>
✓			▪ Cross section with framing details
✓			▪ Floor plans and elevations to scale
✓			▪ Stair details including dimensions of : rise/run, head room, guards/handrails, baluster space
✓			▪ Window and door schedules
✓			▪ Foundation plans w/required drainage and damp proofing , if applicable
✓			▪ Detail egress requirements and fire separation, if applicable
✓			▪ Insulation R-factors of walls, ceilings & floors & U-factors of windows per the IECC 2003
✓			▪ Deck construction including: pier layout, framing, fastenings, guards, stair dimensions
✓			▪ As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)
✓			▪ Reduced plans or electronic files in pdf format are also required if original plans are larger than 11X17"

**\*\* Reminder: \*\***

1. **A CD or PDF of the entire application, including all plans, must be submitted with the application.**
2. Separate permits are required for internal and external plumbing, HVAC, and electrical installations.
3. Please submit all of the information outlined in this application checklist.
4. If the application is incomplete, the application may be refused.
5. The Planning and Urban Development Department may request additional information prior to the issuance of a permit.



## 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. Site Access and Circulation (i) and (ii);
    - 2.c Sidewalks: *(if the site plan is a two- family or multi-family building only)*;
    - 4.a. Location and required number of vehicle parking spaces:(i) and (iv)
  - 14-526 (b) **Environmental Quality Standards:**
    - 1. Preservation of significant natural features.
      - 2.a. Landscaping and landscape preservation
      - 2.b. Site landscaping (iii)
      - 3.a. Water quality, stormwater management and erosion control: a., d., e., and f.
  - 14-526 (c) **Public Infrastructure and Community Safety Standards:**
    - 1. Consistency with Master Plan
    - 2. Public Safety and fire prevention
    - 3. Availability and adequate capacity of public utilities; a., c., d., and e.
  - 14-526 (d) **Site Design Standards:**
    - 5. Historic Resources
    - 9. Zoning related design standards
- *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.*



### PORTLAND FIRE DEPARTMENT SITE REVIEW FIRE DEPARTMENT CHECKLIST



A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. Proposed fire protection of all structures
  - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**
7. Hydrant locations



July 23, 2012

Per the City of Portland sprinkler requirement, the proposed single family residence at 12 Kenneth St will be served via an engineered system designed by Uponor. The Fire Safety system will satisfy the requirements of NFPA 13D. My plumbing contractor, All Aspects Plumbing and Heating, has sent the house specs to Uponor and we anticipate receipt of the design within two to three weeks. Once received, we will immediately forward to the City for review/approval.

A handwritten signature in black ink, appearing to read "Michael Boissonneau". The signature is fluid and cursive, with the first name being more prominent.

Michael Boissonneau  
MZ Properties, LLC

## STORMWATER REPORT

12 Kenneth Street  
MZ Properties, LLC  
July 20, 2012

The following Stormwater Report has been prepared to summarize the stormwater impact of a single family structure at 12 Kenneth Street in Portland, Maine.

### **Project Description:**

MZ Properties, LLC is proposing the development of a single family home at 12 Kenneth Street. The new home will introduce approximately 1,681 square feet of impervious area to the 10,671 s.f. lot. The impervious area includes the building and new driveway apron to the garage.

### **Existing Conditions:**

The lot is currently lined by evergreen trees and is maintained as a decorative lawn and garden area. There is an existing driveway on the site that will be utilized as access to the new home. In fact, some of the existing pavement is to be removed and re-vegetated as part of the single family home construction.

The lot slopes away from Kenneth Street and therefore stormwater runoff is mostly directed toward an existing home on Auburn Street.

### **Proposed Conditions:**

The new home will be located in the center of the lot. A crushed rock infiltration trench is proposed along the southern edge of the home with a storage capacity of approximately 436 cubic feet. This represents the difference in the volume of runoff produced in the post-development conditions versus the pre-development conditions. Runoff will enter the trench and be allowed to slowly infiltrate into the ground rather than allowed to run overland to the neighboring property.

The medium intensity soils survey indicates the soils of the area to be well suited for infiltration and indicate that the groundwater elevation should be below that of the infiltration trench. The infiltration of the runoff will eliminate the increase in volume from the site and maintain pre-development numbers. Therefore this project is not expected to have a significant, negative impact on downstream areas.

Prepared by,  
**Terradyn Consultants, L.L.C.**



Jon H. Whitten, Jr., P.E.  
Project Manager



7-20-12



# 12 KENNETH ST



Drainage Diagram for 1225 PRE  
Prepared by Terradyn Consultants, LLC 7/19/2012  
HydroCAD® 7.10 s/n 003654 © 2005 HydroCAD Software Solutions LLC

**1225 PRE**

*Type II 24-hr 25-YEAR Rainfall=5.50"*

Prepared by Terradyn Consultants, LLC

Page 2

HydroCAD® 7.10 s/n 003654 © 2005 HydroCAD Software Solutions LLC

7/19/2012

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1S: 12 KENNETH ST**

Runoff Area=9,015 sf Runoff Depth>1.81"  
Tc=5.0 min CN=65 Runoff=0.74 cfs 0.031 af

**Subcatchment 1S: 12 KENNETH ST**

Runoff = 0.74 cfs @ 11.96 hrs, Volume= 0.031 af, Depth> 1.81"

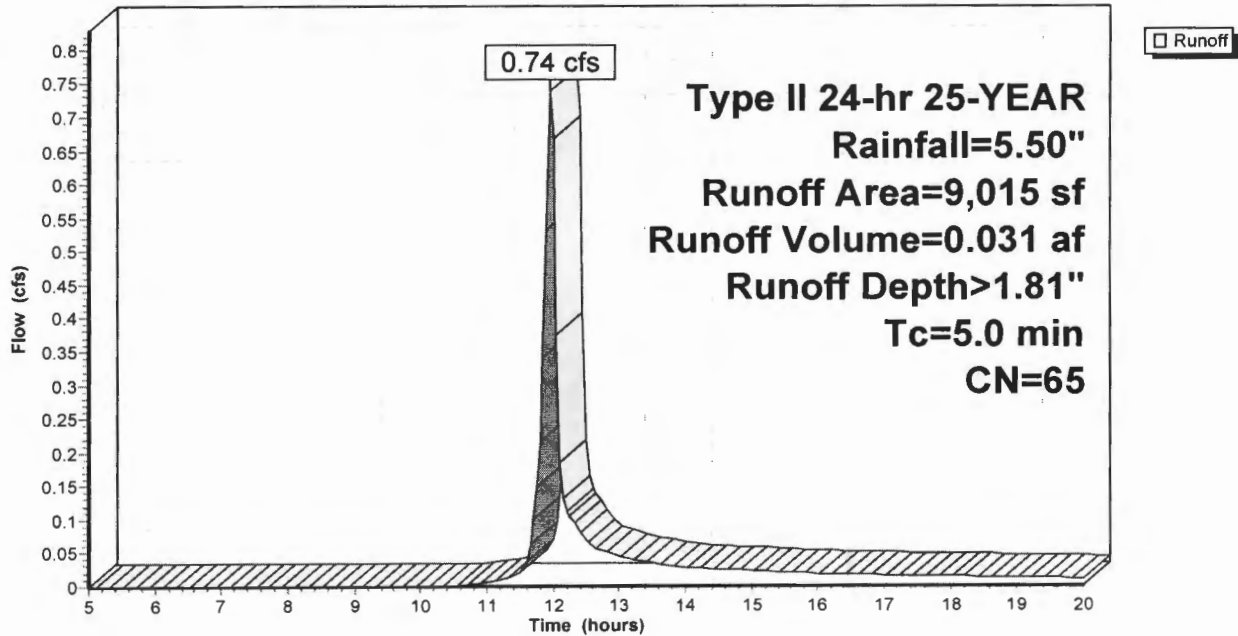
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Type II 24-hr 25-YEAR Rainfall=5.50"

Area (sf)	CN	Description
8,015	61	>75% Grass cover, Good, HSG B
1,000	98	Paved parking & roofs
9,015	65	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

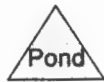
**Subcatchment 1S: 12 KENNETH ST**

Hydrograph





12 Kenneth St.



Drainage Diagram for 1225 POST  
Prepared by Terradyn Consultants, LLC 7/19/2012  
HydroCAD® 7.10 s/n 003654 © 2005 HydroCAD Software Solutions LLC

**1225 POST**

Prepared by Terradyn Consultants, LLC

HydroCAD® 7.10 s/n 003654 © 2005 HydroCAD Software Solutions LLC

*Type III 24-hr 25-year Rainfall=5.50"*

Page 2

7/19/2012

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1S: 12 Kenneth St.**

Runoff Area=9,015 sf Runoff Depth>2.40"  
Tc=5.0 min CN=72 Runoff=0.63 cfs 0.041 af



**1225 POST**

Type III 24-hr 25-year Rainfall=5.50"

Prepared by Terradyn Consultants, LLC

Page 3

HydroCAD® 7.10 s/n 003654 © 2005 HydroCAD Software Solutions LLC

7/19/2012

**Subcatchment 1S: 12 Kenneth St.**

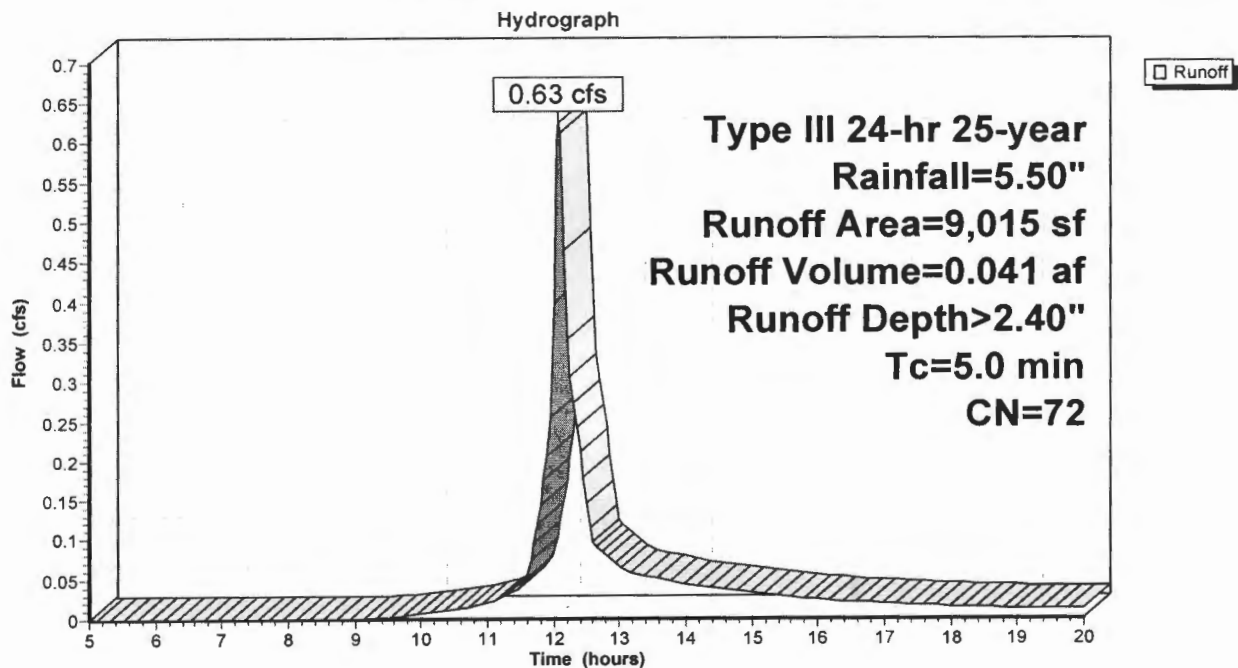
Runoff = 0.63 cfs @ 12.08 hrs, Volume= 0.041 af, Depth> 2.40"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type III 24-hr 25-year Rainfall=5.50"

Area (sf)	CN	Description
6,334	61	>75% Grass cover, Good, HSG B
2,681	98	Paved parking & roofs
9,015	72	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

**Subcatchment 1S: 12 Kenneth St.**



①

COPY

# WARRANTY DEED

(Maine Statutory Short Form)

KNOW ALL PERSONS BY THESE PRESENTS, that we, **DOUGLAS C. ANDREWS and ELIZABETH A. ANDREWS**, of Portland, Maine, for consideration paid, grant to **MZ Properties, LLC**, a Maine Limited Liability Company, whose mailing address is 126 Underwood Road, Falmouth, ME 04105, with *Warranty Covenants*, a certain lot or parcel of land, with any buildings thereon, situated at Kenneth Street, City of Portland, County of Cumberland and State of Maine, as more fully described below:

A certain lot or parcel of land located in the City of Portland, County of Cumberland, State of Maine, labeled "Parcel B" as shown on a plan entitled "Plan of Boundary Survey and Lot Division made for Elizabeth Andrews" made by Titcomb Associates dated March 14, 2012 and revised through April 23, 2012 a copy of which is attached as Exhibit A, bounded and described as follows:

Beginning at a 5/8" capped iron rod "PLS 2273" on the westerly sideline of Kenneth Street at the northeasterly corner of land now or formerly of Scott S. Spencer, as described in a deed recorded in the Cumberland County Registry of Deeds in Book 19836, Page 265. Thence:

- 1) S 89°25'27" W by said land of Spencer a distance of One Hundred and 00/100 (100.00) feet to a 5/8" capped iron rod "PLS 2273" at the southeasterly corner of "Parcel C" as labeled on said plan;
- 2) N 00°34'32" W by said "Parcel C" a distance of One Hundred Twenty and 00/100 (120.00) feet to a 5/8" capped iron rod "PLS 2273";
- 3) N 89°25'42" E a distance of One Hundred and 00/100 (100.00) feet to a 5/8" capped iron rod "PLS 2273" on the westerly sideline of said Kenneth Street;
- 4) S 00°34'33" E by said Kenneth Street a distance of One Hundred Twenty and 00/100 (120.00) feet to the point of beginning.

Said lot is also shown as 2 parcels laid out on a Plan of Property in Portland, Maine Made For Deering Loan & Building Association dated April, 1933 approved by the City of Portland on June 5, 1933 and recorded in Plan Book 21 Page 37.

Bearings are referenced to magnetic north.

Meaning and intending to convey a portion of the premises conveyed to Grantors by deeds recorded in the Cumberland County Registry of Deeds Book 14459, Page 313 and Book 23858 Page 143.

Witness our signatures this 31st day of May, 2012.

Steven W. Hand  
Witness

Douglas C. Andrews by Elizabeth A. Andrews RA  
Douglas C. Andrews by Elizabeth A. Andrews  
his Attorney in Fact

(to both)  
Witness

Elizabeth A. Andrews  
Elizabeth A. Andrews

STATE OF MAINE  
COUNTY OF CUMBERLAND

May 31, 2012

Then personally appeared the above named ELIZABETH A. ANDREWS, individually and as Agent and Attorney in Fact for DOUGLAS C. ANDREWS, and acknowledged the foregoing instrument to be her free act and deed, individually and in her said capacity.

Before me,  
Steven W. Hand  
Notary Public/Attorney at Law

STEVEN W. HAND  
ATTORNEY AT LAW, STATE OF MAINE  
(AUTHORIZED TO TAKE ACKNOWLEDGMENTS  
PURSUANT TO 4 M.R.S.A. 1056)



2



COPY

**WARRANTY DEED**  
(Maine Statutory Short Form)

**KNOW ALL MEN BY THESE PRESENTS**

**THAT MZ PROPERTIES, LLC**, a Maine Limited Liability Company, with a principal place of business in Falmouth, Cumberland County, State of Maine, for consideration paid, grants to **SETH GILLIS**, whose mailing address is 417 Auburn Street, Portland, Maine 04103, with **WARRANTY COVENANTS**, a certain lot or parcel of land, situated in Portland, County of Cumberland and State of Maine, being bounded and described as follows:

A certain lot or parcel of land located westerly of, but not adjacent to, Kenneth Street in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at the southwesterly corner of land now or formerly of Seth Gillis as described in a deed recorded in the Cumberland County Registry of Deeds in Book 29621, Page 298. Thence:

- 1) N 89°25'27" E a distance of Ninety-Five and 00/100 (95.00) feet to a point;
- 2) S 00°34'33" E a distance of Twenty-Seven and 14/100 (27.14) feet to a 5/8" capped iron rod ("PLS 2273");
- 3) N 81°31'08" W a distance of Ninety-Six and 20/100 (96.20) feet to a 5/8" capped iron rod ("PLS 2273") at land now or formerly of Nicole A. Carrier as described in a deed recorded in said Registry in Book 29612, Page 182;
- 4) N 00°34'32" W by said land of Carrier a distance of Eleven and 99/100 (11.99) feet to the point of beginning.

Bearings are based on magnetic north.

The above-described parcel contains 1,859 square feet and being a portion of land now or formerly of MZ Properties, LLC as described in a deed recorded in the Cumberland County Registry of Deeds in Book 29670, Page 41.

Reference is herein made to a plan entitled "Plan of Boundary and Lot Division made for Elizabeth Andrews" by Titcomb Associates dated March 14, 2012 and a plan entitled "Plan of Property in Portland, Maine made for Deering Loan and Building Association" dated April, 1933 and recorded in Plan Book 21, Page 37.

The Grantor herein expressly reserves a certain water line and storm drain easement located westerly of, but not adjacent to, Kenneth Street in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the southerly line of land now or formerly of Seth Gillis as described in a deed recorded in the Cumberland County Registry of Deeds in Book 29621, Page 298, said point lying N 89°25'27" E by said land of Gillis a distance of Eighty and 00/100 (80.00) feet from the south westerly corner of said land of Gillis.

Thence:

- 1) N 89°25'27" E by said land of Gillis a distance of Fifteen and 00/100 (15) feet to a point;
- 2) S 00°34'33" E a distance of Twenty-Seven and 14/100 (27.14) feet to a point;
- 3) N 81°31'08" W a distance of Fifteen and 19/100 (15.19) feet to a point;
- 4) N 00°34'33" W a distance of Twenty-Four and 75/100 (24.75) feet to the point of beginning. Bearings are based on magnetic north.

The above-described easement contains 389 square feet and lying over a portion of land now or formerly of MZ Properties, LLC as described in a deed recorded in the Cumberland County Registry of Deeds in Book 29670, Page 41. Grantor agrees that all construction, reconstruction, operation, maintenance and removal and any other activities which disturb the above-described easement will be coordinated with Grantee so as to minimize any description to Grantee's property and Grantor will return any temporarily disturbed area(s) as nearly as practicable to its original condition, taking into consideration the nature of the work being performed.

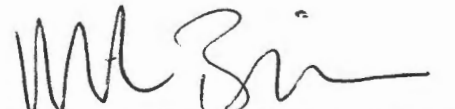
Reference is herein made to a plan entitled "Plan of Boundary and Lot Division made for Elizabeth Andrews" by Titcomb Associates dated March 14, 2012 and a plan entitled "Plan of Property in Portland, Maine made for Deering Loan and Building Association" dated April, 1933 and recorded in Plan Book 21, Page 37.

IN WITNESS WHEREOF, I, **Michael O. Boissonneau**, President of MZ Properties, LLC, have caused this instrument to be executed on this 25<sup>th</sup> day of June, 2012.

SIGNED, SEALED AND DELIVERED  
in presence of



Witness

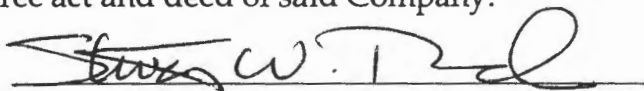
By: 

**Michael O. Boissonneau**

Its: President

STATE OF MAINE  
Cumberland, ss.

Then personally appeared before me on this 25<sup>th</sup> day of June, 2012, the above-named Michael O. Boissonneau, President of said Grantor Limited Liability Company 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 Company.

  
Notary Public/ Attorney at Law

Printed Name: \_\_\_\_\_ **STEVEN W. RAND**

COMMISSION EXPIRES: \_\_\_\_\_

**ATTORNEY AT LAW, STATE OF MAINE  
(AUTHORIZED TO TAKE ACKNOWLEDGMENTS  
PURSUANT TO 4 M.R.S.A. 1056)**



3

**WARRANTY DEED**  
(Maine Statutory Short Form)



**KNOW ALL MEN BY THESE PRESENTS**

THAT I, SETH GILLIS, of Portland, Cumberland County, Maine, for consideration paid, grant to **MZ PROPERTIES, LLC**, a **Maine Limited Liability Company**, whose mailing address is 126 Underwood Drive, Falmouth, ME 04105, *with Warranty Covenants*, a certain lot or parcel of land, situated in Portland, County of Cumberland, State of Maine, and being more particularly described as follows:

A certain lot or parcel of land located on the westerly side of Kenneth Street and the southerly side of Clayton Street in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a 5/8" capped iron rod ("PLS 2273") at the intersection of the westerly side of Kenneth Street with the southerly side of Clayton Street.

thence:

- 1) S 00°34'33" E by said Kenneth Street a distance of One Hundred Six and 07/100 (106.07) feet to a point at the northeasterly corner of land now or formerly of MZ Properties, LLC as described in a deed recorded in the Cumberland County Registry of Deeds in Book 29670, Page 41;
- 2) S 89°25'27" W a distance of Five and 00/100 (5.00) feet to a point;
- 3) N 00°34'33" W a distance of One Hundred Five and 01/100 (105.01) feet to a 5/8" capped iron rod ("PLS 2273") on the southerly sideline of said Clayton Street;
- 4) N 86°22'47" E by said Clayton Street a distance of Five and 01/100 (5.01) feet to the point of beginning.

Bearings are based on magnetic north.

The above-described parcel contains 530 square feet and being a portion of land now or formerly of Seth Gillis as described in a deed recorded in the Cumberland County Registry of Deeds in Book 29621, Page 298.

Reference is herein made to a plan entitled "Plan of Boundary and Lot Division made for Elizabeth Andrews" by Titcomb Associates dated March 14, 2012 and a plan entitled "Plan of Property in Portland, Maine made for Deering Loan and Building Association" dated April, 1933 and recorded in Plan Book 21, Page 37.

Also hereby conveying a certain water line and storm drain easement located on the southerly side of Clayton Street in the City of Portland, County of Cumberland, State of Maine, to the Grantees, its successors and assigns, bounded and described as follows:

Beginning at a 5/8" capped iron rod ("PLS 2273") on the southerly sideline of Clayton Street, said iron rod lying S 86°22'47" W a distance of Five and 01/100 (5.01) feet from a 5/8" capped iron rod ("PLS 2273") at the intersection of the westerly side of Kenneth Street with the southerly side of Clayton Street.

Thence:

- 1) S 00°34'33" E a distance of One Hundred Five and 81/100 (105.81) feet to a point at land now or formerly of MZ Properties, LLC as described in a deed recorded in the Cumberland County Registry of Deeds in Book 29670, Page 41;
- 2) S 89°25'27" W by said land of MZ Properties, LLC a distance of Fifteen and 00/100 (15.00) feet to a point;
- 3) N 00°34'33" W a distance of One Hundred Five and 01/100 (105.01) feet to a point on the southerly sideline of said Clayton Street;
- 4) N 86°22'47' E by said Clayton Street a distance of Fifteen and 02/100 (15.02) feet to the point of beginning.

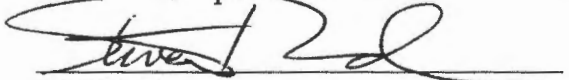
Bearings are based on magnetic north.

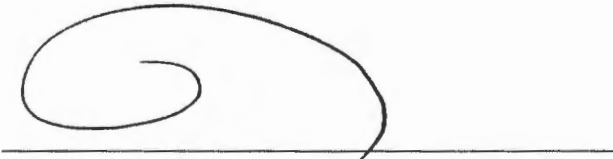
The above described easement contains 1,581 square feet and lying over a portion of land now or formerly of Seth Gillis as described in a deed recorded in the Cumberland County Registry of Deeds in Book 29621, Page 298. Grantee agrees that all construction, reconstruction, operation, maintenance and removal and any other activities which disturb the above-described easement will be coordinated with Grantor so as to minimize any description to Grantor's property and Grantee will return any temporarily disturbed area(s) as nearly as practicable to its original condition, taking into consideration the nature of the work being performed.

Reference is herein made to a plan entitled "Plan of Boundary and Lot Division made for Elizabeth Andrews" by Titcomb Associates dated March 14, 2012 and a plan entitled "Plan of Property in Portland, Maine made for Deering Loan and Building Association" dated April, 1933 and recorded in Plan Book 21, Page 37.

IN WITNESS WHEREOF, I, **SETH GILLIS**, have caused this instrument to be executed on this 25<sup>th</sup> day of JUNE, 2012.

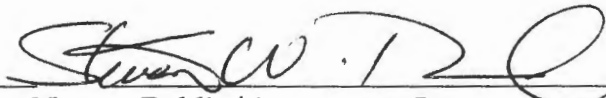
SIGNED, SEALED AND DELIVERED  
in presence of

  
WITNESS

  
SETH GILLIS

STATE OF MAINE  
COUNTY OF CUMBERLAND

Personally appeared before me on this 25<sup>th</sup> day of June, 2012, the above named **SETH GILLIS** and acknowledged the foregoing instrument to be his free act and deed.



Notary Public/ Attorney at Law

Printed Name: \_\_\_\_\_

COMMISSION EXPIRES: **STEVEN W. RAND**

**ATTORNEY AT LAW, STATE OF MAINE  
(AUTHORIZED TO TAKE ACKNOWLEDGMENTS  
PURSUANT TO 4 M.R.S.A. 1056)**



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Greg Mitchell - Acting Director of Planning and Urban Development  
Marge Schmuckal, Zoning Administrator

May 24, 2012

Douglas and Elizabeth Andrews

RE: 417 Auburn Street (called parcel C) -382-A-009  
12 Kenneth Street (called parcel B) – 382-A-5 & 6  
22 Kenneth Street (called parcel A) – 382-A-7 & 8

SCANNED

Dear Mr. & Mrs. Andrews,

I am in receipt of your request of a determination concerning the properties located at 417 Auburn Street, 12 Kenneth Street and 22 Kenneth Street. I have based my determination response on a submitted survey prepared by Rex Croteau of Titcomb Associates dated March 14, 2012 with a job # 203067. The submitted survey is not signed and not sealed. I have also done research of the files located in Inspection Services and the Assessor's office. All the lots are located in a R-3 residential zone.

**417 Auburn Street:** Parcel C is shown to be 28,956 square feet in land area which is well over the R-3 minimum lot size of 6,500 square feet. The minimum street frontage and minimum lot width of the R-3 zone are being met. The building has existed prior to the basis of the City's current zoning ordinance of 1957. The legal use of the building is a single family with an accessory dwelling unit. The Zoning Board of Appeals approved a conditional use for the accessory dwelling unit on 12/06/2007. Please note that all conditions must be maintained during the existence of the accessory dwelling unit, such as the owner residing on site in one of the approved units.

The survey shows the existence of a 6' x 23' deck on the rear of the building. Inspection Services never received a building permit for this deck. Using the Assessor's records, it appears the deck was erected between 1988 and 1990. Again, this office does not have any evidence of a required building permit. This is important because the deck has been built to within approximately 1 foot of the rear property line. The rear deck is in violation of the required rear setback in the R-3 residential zone. It is my understanding that parcel A is to be conveyed to a separate owner from parcel C. Under zoning, the deck creates a violation of the zoning ordinance. If the deck were to be removed, the violation of the zoning ordinance would be eliminated.

**12 Kenneth Street:** The submitted survey shows a 5.01 foot strip of land that extends from parcel B along Kenneth Street and ends at Clayton Street. The 5.01 foot of land is proposed to part of parcel B. Parcel B is shown to be 11,297 square foot in land area which is well over the R-3 minimum required land area of 6,500 square foot. The R-3 zone minimum requirement for street frontage and lot width are being met. The

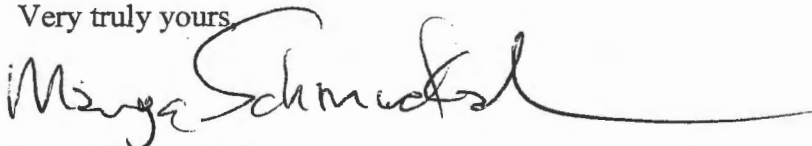
proposed 5.01 foot strip is not in violation of the zoning ordinance. The proposed 5.01 foot strip does not require a subdivision review. It may be possible to position the 5.01 foot strip of land at the opposite side of the lot along the common property line of parcel A and parcel C as long as all R-3 zone requirements are met. It is not my role to design or recommend any lot configuration. My role is to be sure that the zoning ordinance is being met and any proposal is not in violation of the zoning ordinance.

**22 Kenneth Street:** Parcel A as shown on the submitted survey is shown to be 11,045 square foot in land area which is well over the R-3 minimum land area requirement of 6,500 square foot. It is being shown as having more than the minimum street frontage of 50 feet. It is being shown as having more than the minimum R-3 lot width requirement of 65 feet.

You have asked me further on whether the proposed changes should be made now or later. It is not under my purview to advise you on this issue. You should consult your own attorney on this issue before making any decision. My concern is to uphold the zoning ordinance.

If you have any further questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Marge Schmuckal  
Zoning Administrator



# PORTLAND MAINE

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## Receipts Details:

**Tender Information:** Check , BusinessName: mastercard, Check Number: 882

**Tender Amount:** 1745.00

## Receipt Header:

**Cashier Id:** gguertin

**Receipt Date:** 7/24/2012

**Receipt Number:** 46277

## Receipt Details:

Referance ID:	7368	Fee Type:	BP-C of O
Receipt Number:	0	Payment Date:	
Transaction Amount:	75.00	Charge Amount:	75.00
Job ID: Job ID: 2012-07-4523-SF - new 28' x32' sf with detached garage			
Additional Comments: 12 Kenneth, Michael boissoneau			

Referance ID:	7369	Fee Type:	BP-Constr
Receipt Number:	0	Payment Date:	
Transaction Amount:	1270.00	Charge Amount:	1270.00
Job ID: Job ID: 2012-07-4523-SF - new 28' x32' sf with detached garage			

Additional Comments:

Referance ID:	7370	Fee Type:	BP-MSFSR
Receipt Number:	0	Payment Date:	
Transaction Amount:	300.00	Charge Amount:	300.00
Job ID: Job ID: 2012-07-4523-SF - new 28' x32' sf with detached garage			
Additional Comments:			

Referance ID:	7371	Fee Type:	BP-INSP
Receipt Number:	0	Payment Date:	
Transaction Amount:	100.00	Charge Amount:	100.00
Job ID: Job ID: 2012-07-4523-SF - new 28' x32' sf with detached garage			
Additional Comments:			

Thank You for your Payment!



Job No: 12 Kenneth

Pitch, Span, Spacing & Dimension (Table R802.5.1(1) - R 802.5.1( 8)) Roof Rafter; Framing & Connections (Section R802.3 & R802.3.1)	2x10's	
Sheathing; Floor, Wall and Roof (Table R503.2.1.1(1))	OK - see plans	
Fastener Schedule (Table R602.3(1) & (2) )	Per IRC	
<b>Private Garage</b> (Section R309) Living Space ? (Above or beside)	yes N/A	
Fire separation (Section R309.2)	Shows - 5/8" log wall	
Opening Protection (Section R309.1)		
Emergency Escape and Rescue Openings (Section R310)	OK	
Roof Covering (Chapter 9)	OK	
Safety Glazing (Section R308)	N/A	
Attic Access (Section R807)	22x50	
Chimney Clearances/Fire Blocking (Chap. 10)	N/A	
Header Schedule (Section 502.5(1) & (2))	3- 2x10 - Typ - Lam Beams	
Energy Efficiency IECC, 2009 R-Factors of Walls, Floors, Ceilings, Building Envelope, U-Factor Fenestration Ventilation of Space per ASRAE 62.2, 2007	OK - see plan	

2

Job No:

12 Kennedy

Type of Heating System		
<b>Means of Egress</b> (Sec R311 & R312)		
Basement		
Number of Stairways	OK see details	
Interior		
Exterior		
Treads and Risers (Section R311.5.3)		
Width (Section R311.5.1)		
Headroom (Section R311.5.2)		
Guardrails and Handrails (Section R312 & R311.5.6 - R311.5.6.3)		
Carbon Monoxide Alarms (R315)	Noted	
Smoke Alarms (Section R313) Location and Interconnected		
Dwelling Unit Separation (Section R302.3)	N/A	
Deck Construction (Section R502.2.1)	No details	

Job No:

12 Kenneth

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)	OK - See detail	
Foundation Drainage, Fabric, Damp proofing (Section R405 & R406)	" "	
Ventilation/Access (Section R408.1 & R408.3) Crawls Space ONLY	N/A	
Anchor Bolts/Straps, spacing (Section R403.1.6)	See Detail	
Lally Column Type (Section R407)		
Girder & Header Spans (Table R 502.5(2))	3-2x12-S OK	
Built-Up Wood Center Girder Dimension/Type	<del>2x6</del>	
Sill/Band Joist Type & Dimensions	2x6 PT	
First Floor Joist Species Dimensions and Spacing (Table R502.3.1(1) & Table R502.3.1(2))	2x10	
Second Floor Joist Species Dimensions and Spacing (Table R502.3.1(1) & Table R502.3.1(2))	2x12	
Attic or additional Floor Joist Species Dimensions and Spacing (Table R802.4(1) and R802.4(2))	OK	

## Gayle Guertin - 12 Kenneth St., abutters notices

---

**From:** Gayle Guertin  
**To:** Ann Machado; Marge Schmuckal  
**Date:** 8/13/2012 10:30 AM  
**Subject:** 12 Kenneth St., abutters notices  
**CC:** Gayle Guertin

---

abutters notices were sent out as of 08-13-12 for 12 Kenneth Street.  
Gayle

**Labels Requested For CBL:**

---

382 A004

382 A005

382 A009

382 B022

ANDREWS DOUGLAS C &  
ELIZABETH A ANDREWS  
417 AUBURN ST  
PORTLAND , ME 04103

ANDREWS DOUGLAS C &  
ELIZABETH A ANDREWS  
417 AUBURN ST  
PORTLAND , ME 04103

SMITH MATTHEW G &  
NATALIE D BEATON-SMITH JTS  
13 KENNETH ST  
PORTLAND, ME 04103

SPENCER SCOTT S &  
MARGUERET G SPENCER JTS  
57 JACKSON ST  
PORTLAND , ME 04103





**IMPORTANT NOTICE FROM CITY OF PORTLAND**

To residents and property owners: A Level I Minor Residential Development application was submitted to the Portland Inspections Division by MZ Properties, LLC (Michael Boissonneau) to build a new single family home at 12 Kenneth Street.

In accordance with the Portland Land Use Ordinance, notices of receipt of a Level I Minor Residential Development application must be sent to neighbors. This application will be reviewed administratively by City Staff.

Plans are available in the Portland Inspections Division, Room 315, City Hall. If you have any questions or wish to submit comments, contact Ann Machado, Zoning Specialist at 874-8709 or email [amachado@portlandmaine.gov](mailto:amachado@portlandmaine.gov)

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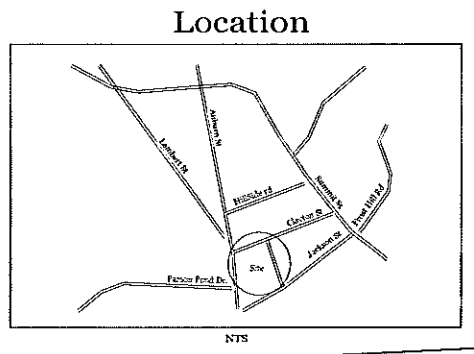
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CERTIFICATION  
  
 RICHARD W. EATON P.L.S. # 2075

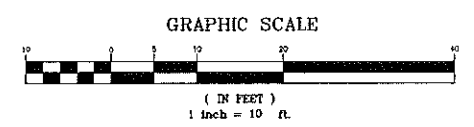
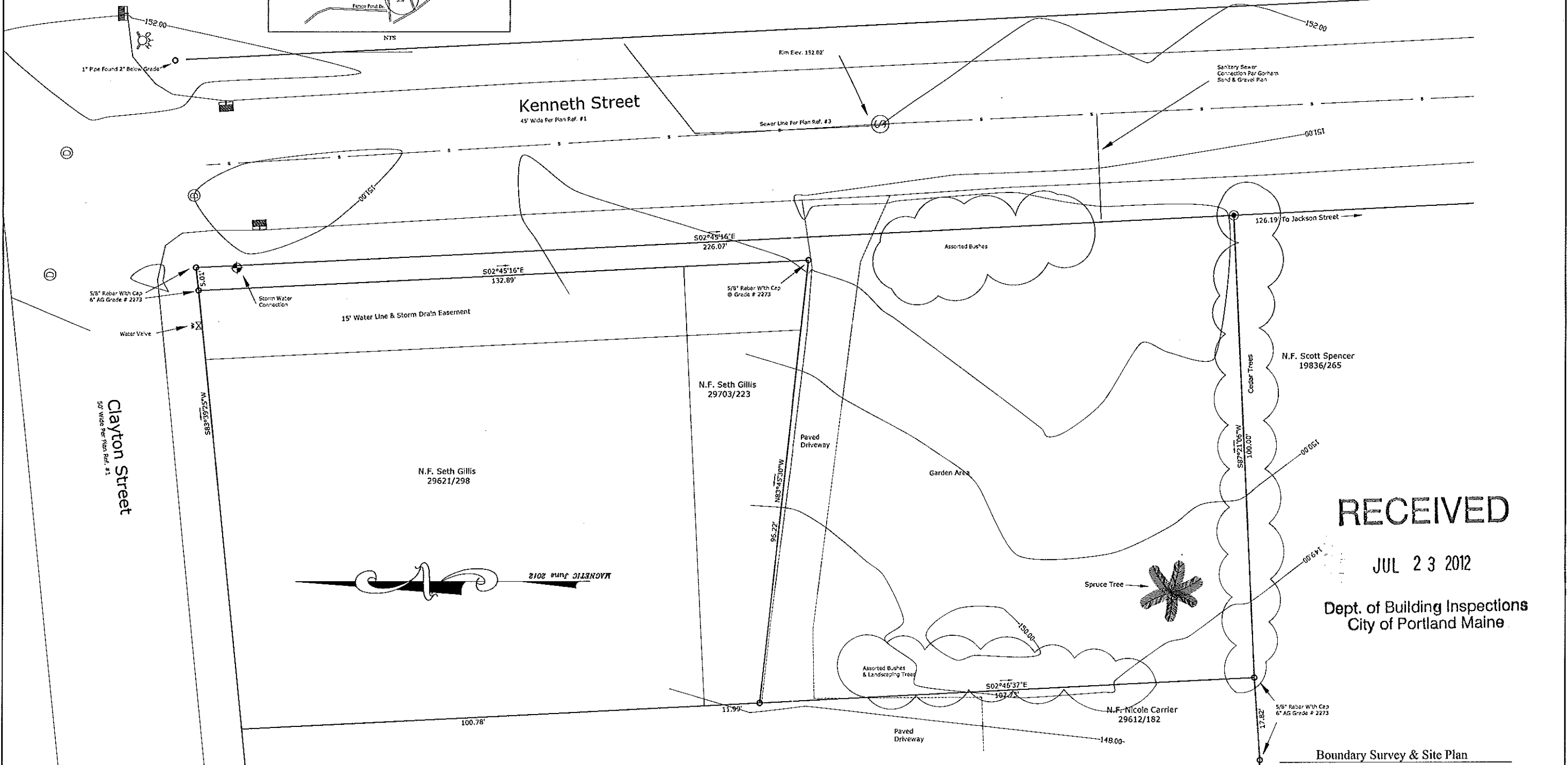


LEGEND

- 5/8" Rebar Set With Cap
- Rebar/Iron Pipe Found
- Utility Pole
- N.F. Now or Formerly

1324/98 Book & Page

Total Area  
 10,671 Square Feet or 0.24 Acres  
 Notes: Pavement Not Complete. Binder Only on Kenneth Street  
 Tax Map 382 Lot A 005 & Portion of A 006  
 Bench Mark Elev. 150.07 a Nail on Pole #6 on Jackson St.



- PLAN REFERENCE
- 1) Survey Plan by Titcomb Associates Recorded in Exhibit A Book 29670 Page 43 and on file at R.W. Eaton Associates
  - 2) Plan of Property in Portland, Maine Made for Deering Loan and Building Association Dated April 1933 By E.C. Jordan Recorded in Plan Book 21 Page 37
  - 3) Sewer Connection Plan Provided By Gorham Sand & Gravel

RECEIVED  
 JUL 23 2012  
 Dept. of Building Inspections  
 City of Portland Maine

Boundary Survey & Site Plan

Land Located at:	12 Kenneth Street Portland, Maine 04103
Land Owned By:	MZ Properties LLC Address: 126 Underwood Road Falmouth, Maine 04105
Deed Reference:	Book 29670 Page 41 Book 29703 Page 220

SCALE: 1:10
DRAWN BY: R.W.E.
CHECKED BY: R.W.E.
CAD FILE: 413
PROJ #: 413
ORIG DATE: 08-28-12
0 REV DATE: 00-00-00
1 REV DATE: 00-00-00
2 REV DATE: 00-00-00
3 REV DATE: 00-00-00

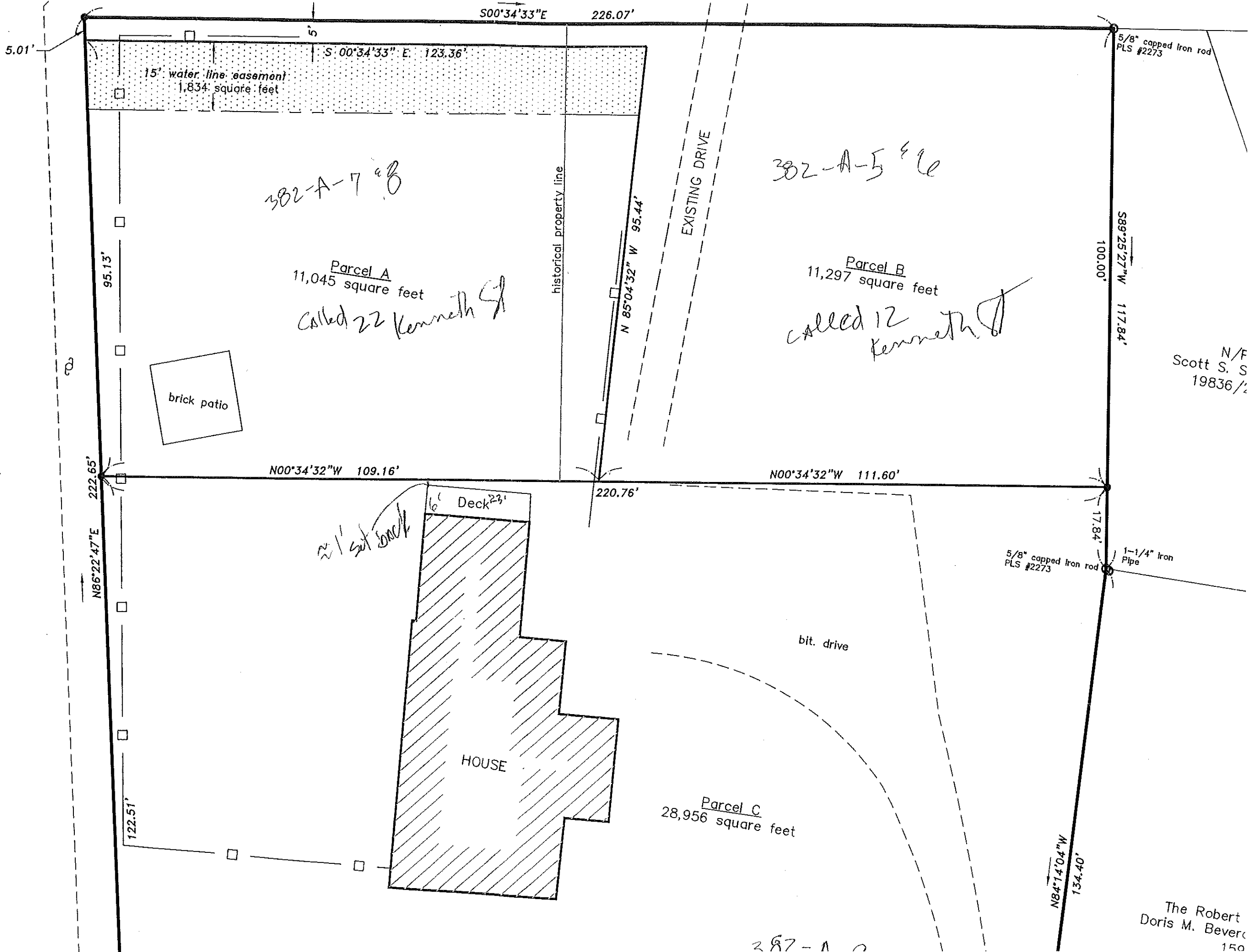
R. W. EATON ASSOCIATES  
 LAND SURVEYING & REAL ESTATE  
 58 PLEASANT STREET, WESTBROOK, MAINE 04092  
 PHONE: 207-854-2402 FAX: 856-7157 E-MAIL: RWEATON@MAINE.RR.COM  
 June 28th 2012





Clayton Street

Street



S00°34'33"E 226.07'

S 00°34'33" E. 123.36'

15' water line easement  
1,834 square feet

302-A-7<sup>28</sup>

Parcel A  
11,045 square feet

called 22 Kenneth St

brick patio

historical property line

N 85°04'32" W 95.44'

EXISTING DRIVE

302-A-5<sup>6</sup>

Parcel B  
11,297 square feet

called 12 Kenneth St

5/8" capped iron rod  
PLS #2273

S89°25'27"W 117.84'

N/E  
Scott S. S  
19836/2

N00°34'32"W 109.16'

N00°34'32"W 111.60'

N86°22'47"E 222.65'

Deck 23'

2 1/2' set back

HOUSE

220.76'

bit. drive

5/8" capped iron rod  
PLS #2273

1-1/4" Iron Pipe

Parcel C  
28,956 square feet

N84°14'04"W  
134.40'

The Robert  
Doris M. Bever  
150

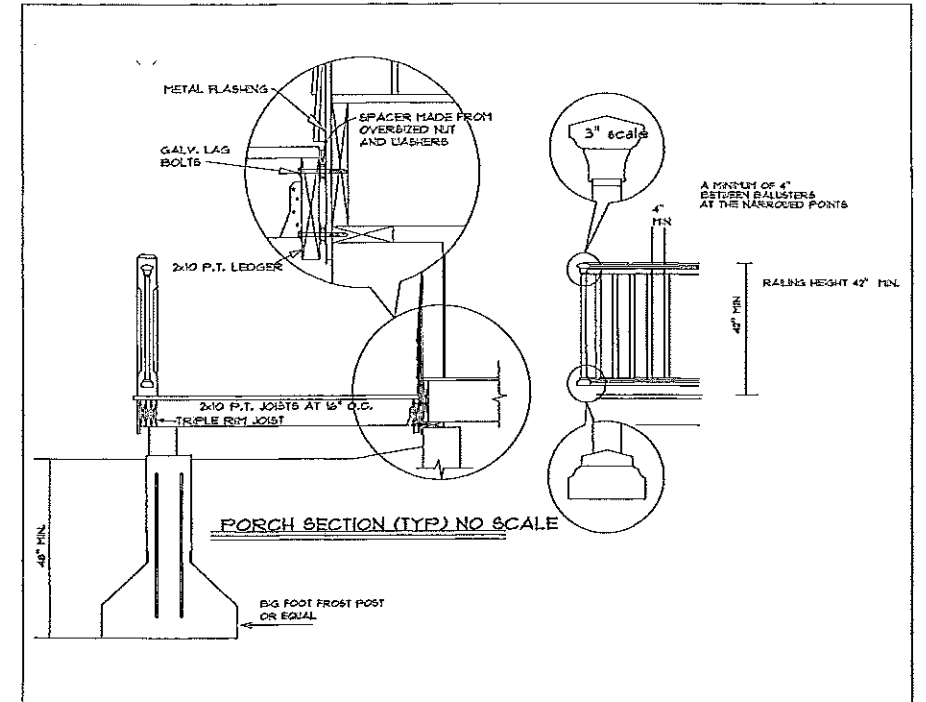
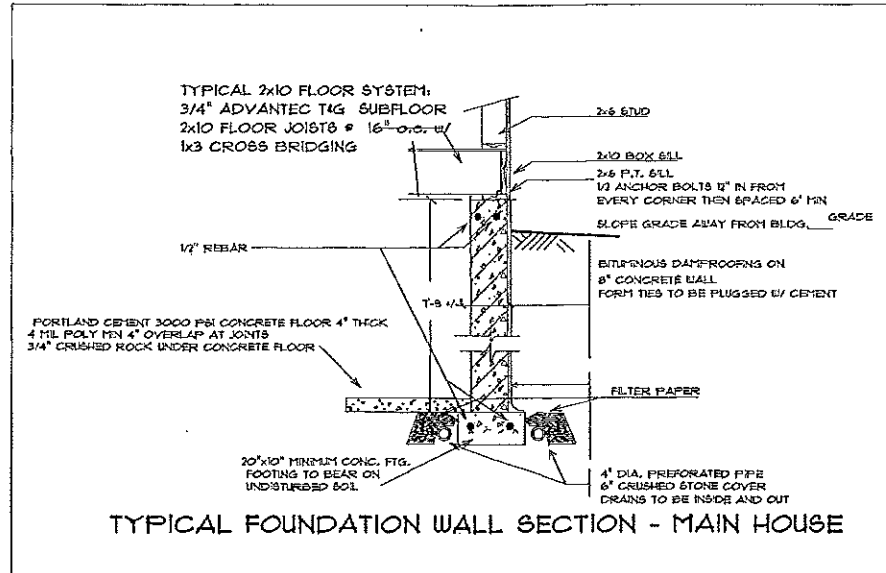
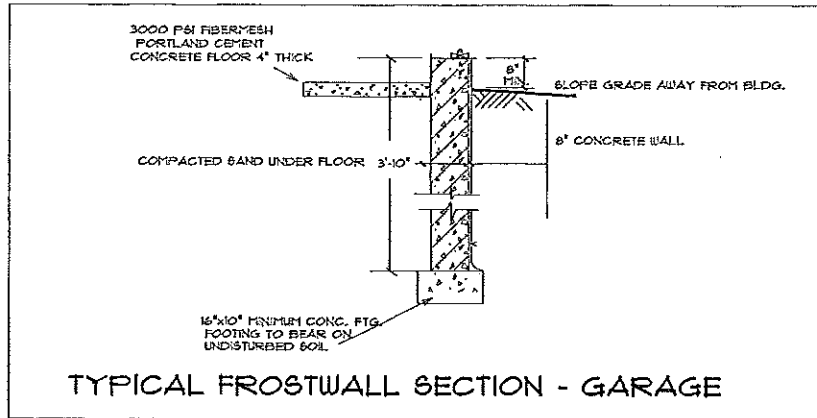
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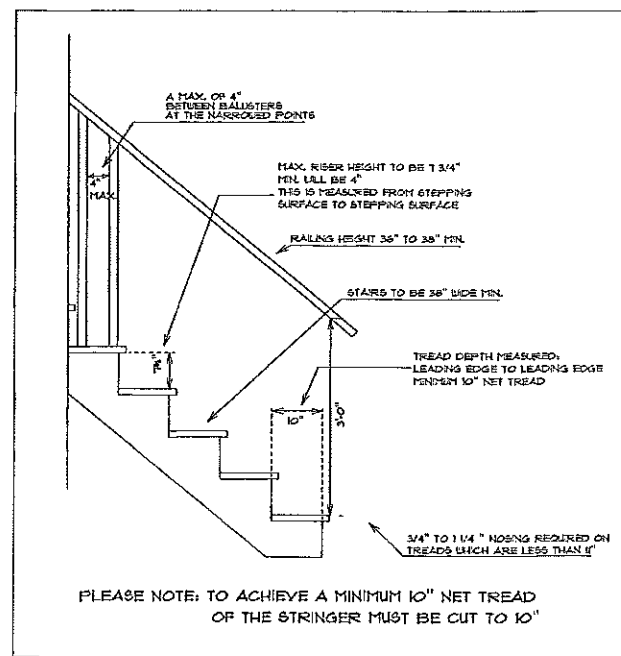






- FOUNDATION NOTES:**
1. ALL FINISH WALL & FOOTING HEIGHTS SHALL BE DETERMINED IN THE FIELD WITH CONTRACTOR.
  2. BASEMENT WINDOW LOCATIONS & AND ROUGH OPENINGS SHALL BE CHECKED & VERIFIED IN FIELD WITH CONTRACTOR, OTHERWISE IF NOT SHOWN SHALL BE DETERMINED IN FIELD BY CONTRACTOR.
  3. ALL ANCHOR BOLTS SHALL BE 1/2\"/>

SEE NOTE F	6d	PANEL SIDING (TO FRAMING) 5/8\"/>					
SEE NOTE F	6d	PANEL SIDING (TO FRAMING) 1/2\"/>					
SEE NOTE D	6d	SUBFLOOR UNDERLAYMENT SINGLE FLOOR (COMBINATION 3/8\"/>					
SEE NOTE P SEE NOTE M SEE NOTE D, G, SEE NOTE C	2\"/>						
SEE NOTE D SEE NOTE M SEE NOTE C, J	4\"/>						
FACE NAIL	4\"/>						
FACE NAIL	6\"/>						
FACE NAIL	3\"/>						
TOENAIL	3\"/>						
FACE NAIL	3\"/>						
TOENAIL	4\"/>						
FACE NAIL	4\"/>						
FACE NAIL	3\"/>						
AT EACH SPLICE FACE NAIL AT ENDS	3\"/>						
STAGGERED ON OPPOSITE SIDES FACE NAIL AT TOP & BOTTOM	3\"/>						
16\"/>							
18\"/>							
24\"/>							
NOTES	LOCATION	FASTENING	CONNECTION	NOTES	LOCATION	FASTENING	CONNECTION



FASTENING SCHEDULE ( SEE TABLE 2304.9.1 M.E.S. RESIDENTIAL CONSTRUCTION CODE FOR COMPLETE DETAILS)