

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

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

053  
53

<b>Location of Construction:</b> 18 Quiet Ln lot# 2		<b>Owner Name:</b> Chase Custom Built Holmes		<b>Owner Address:</b> One Percy Hawk Road		<b>Phone:</b> 207-892-2700	
<b>Business Name:</b> n/a		<b>Contractor Name:</b> Chase Custom Homes of Windham		<b>Contractor Address:</b> 1 Percy Hawks Road Windham		<b>Phone:</b> 2078922700	
<b>Lessee/Buyer's Name:</b> n/a		<b>Phone:</b> n/a		<b>Permit Type:</b> Single Family			<b>Zone:</b> R-2
<b>Past Use:</b> Vacant		<b>Proposed Use:</b> New 2300 sq. ft. Single Family Home		<b>Permit Fee:</b> \$1,224.00	<b>Cost of Work:</b> \$200,000.00	<b>CEO District:</b> 2	
<b>Proposed Project Description:</b> Build New Single Family				<b>FIRE DEPT:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied		<b>INSPECTION:</b> Use Group: Type 503	
				<p><b>PERMIT ISSUED WITH REQUIREMENTS 503</b></p> <p><i>[Signature]</i></p> <p><b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b></p> <p>Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied</p> <p>Signature: _____ Date: _____</p>			

<b>Permit Taken By:</b> gg		<b>Date Applied For:</b> 08/16/2001		<b>Zoning Approval</b>			
<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>		<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <i>N/A</i> <input checked="" type="checkbox"/> Wetland <i>set approved site plan</i> <input type="checkbox"/> Flood Zone <i>panel 2 zone X</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>#2001-0189</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input checked="" type="checkbox"/>		<b>Zoning Appeal</b> <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		<b>Historic Preservation</b> <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 with conditions 8/20/01</i>		Date: _____		Date: _____	

**PERMIT ISSUED WITH REQUIREMENTS**

**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

\_\_\_\_\_  
SIGNATURE OF APPLICANT ADDRESS DATE PHONE

\_\_\_\_\_  
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE

Inspection Services  
Michael J. Nugent  
Manager



Housing & Neighborhood Services  
Mark Adelson  
Director

**CITY OF PORTLAND**  
**STOP WORK NOTICE**

September 12, 2001

Chase Custom Built Homes  
1 Percy Hawkes Road  
Windham, ME 04062

RE: Lot #2 Quiet Lane  
CBL: 388-A-A-057

**HAND DELIVER**

To Whom It May Concern:

An evaluation of the property at Lot #2 Quiet Lane revealed that the property fails to comply with Section 111.3 of the 1999 BOCA Building Code of the City of Portland. Section 111.3 states that *"All work shall conform to the approved application and the approved construction documents for which the permit has been issued and any amendments...etc."*

This is a **STOP WORK ORDER** pursuant to Section 117.1 of the 1999 BOCA Building Code. All construction activity at the above referenced property must **STOP** immediately.

Construction may begin after the amendment to your building permit application has been issued and this order has been lifted.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision pursuant to Section 1-16.(2) of the City of Portland Code of Ordinances. Please feel free to contact me at 874-8693, if you wish to discuss the matter or have any questions.

Sincerely,

Jeanie Bourke  
Code Enforcement Officer

Applicant: Custom Built Homes

Date: 8/20/01

Address: ~~10~~ Quiet Lane (lot #2)  
21

C-B-L: 388-AA-057

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New

Zone Location - R-2

Amendment shows Daylight Basement 22x22

Interior or corner lot -

Proposed Use/Work - New Single family home with attached garage

Sewage Disposal - City - see Note for force main from house that is Owners resp.

Lot Street Frontage - 50' req 110.55' shown

Front Yard - 25' req - 30' scaled

Rear Yard - 25' req - 26' from end of bulkhead

Side Yard - 16' req - 14' i (25' shown) → required on planning subdivision plan

Projections - rear bulk head - rear bay window - No deck shown on rear

Width of Lot - 80' req ≈ 97' scaled

Height - 35' max - 16.5' scaled

Lot Area - 10,000<sup>sq</sup> min - 11,989<sup>sq</sup>

Lot Coverage/ Impervious Surface - 20% max

or 2397.8<sup>sq</sup> max

Area per Family - 10,000<sup>sq</sup>

Off-street Parking - 2 req - 2 shown

Loading Bays - N/A

Site Plan - minor/minor #2001-0189

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 2 - Zone X

18 x 4 = 72

34 x 52 = 1768

22 x 22 = 484

2324

AT MAX min lot coverage

2001 0189

01-1009

# All Purpose Building Permit Application

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

Location/Address of Construction: Lot 2 Quiet Lane, Hidden Acres Subdivision

Total Square Footage of Proposed Structure 2300 SF	Square Footage of Lot 11,989 SF
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Tax Assessor's Chart, Block & Lot Chart# 388A Block# A Lot# 57	Owner: Chase Custom Homes & Finance, Inc.	Telephone: 892-2700
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Lessee/Buyer's Name (if Applicable)	Applicant name, address & telephone: Chase Custom Homes & Finance, Inc. One Percy Hawkes Road Windham, ME 04062 892-2700	Cost Of Work: \$200,000. Fee: \$
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Current use: Vacant lot in subdivision

If the location is currently vacant, what was prior use: \_\_\_\_\_

Approximately how long has it been vacant: \_\_\_\_\_

Proposed use: \_\_\_\_\_

Project description:  
Single family dwelling

Building Fee 1,224.00  
 Site Fee 300.00  


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 TOTAL 1,524.00

Contractor's name, address & telephone:

Who should we contact when the permit is ready: Jim Fisher *xx*

Mailing address: Northeast Civil Solutions, Inc.  
153 US Route 1  
Scarborough, Me 04074

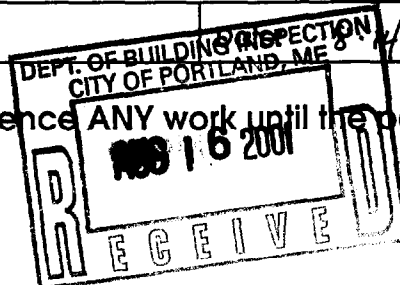
*Call*  
*xx*  
Phone: 883-1000

**IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.**

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 of applicant: *Jim Fisher*

This is not a permit, you may not commence ANY work until the permit is issued



*Call*  
*xx*  
*8/16/01*

**BUILDING PERMIT REPORT**

DATE: 20 Aug. 2001 ADDRESS: 18 Quiet Lane #2 CBL: 388A-A-057  
 REASON FOR PERMIT: To Construct a Single Family dwelling/attached garage  
 BUILDING OWNER: Chase Custom Built Homes  
 PERMIT APPLICANT: \_\_\_\_\_ (CONTRACTOR) Chase Custom Bldg Homes  
 USE GROUP: R-3 CONSTRUCTION TYPE: 5-B CONSTRUCTION COST: 200,000. PERMIT FEES: 1,224.

The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)  
 The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

**CONDITION(S) OF APPROVAL**

This permit is being issued with the understanding that the following conditions shall be met: \*1 \*2 \*3 \*4 \*5 \*8 \*9  
\*11 \*13 \*14 \*16 \*20, 27 \*28 \*29 \*30 \*31 33 34 35 35

1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection) **"ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING."**
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts. Section 2305.17
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete and masonry. Concrete Sections 1908.9-19.8.10/ Masonry Sections 2111.3-2111.4.
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1999)
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42". In occupancies in Use Group A, B.H-4, I-1, I-2, M, R, public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. Handrails shall be a minimum of 34" but not more than 38". Exception: Handrails that form part of a guard shall have a height not less than 36 inches (914 mm) and not more than 42 inches (1067 mm). Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0). Handrails shall be on both sides of stairway. (Section 1014.7) **R-3 (ONE & TWO FAMILY DWELLINGS) GUARD HEIGHT IS 36" MINIMUM.**
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. The Minimum required width of a corridor shall be determined by the most restrictive of the criteria under section 1011.3 but not less than 36".
16. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
17. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units. (Section 1010.1)
18. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's. (Over 3 stories in height requirements for fire rating is two (2) hours. (Section 710.0)
19. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)

- X20. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
  - In the immediate vicinity of bedrooms
  - In all bedrooms
  - In each story within a dwelling unit, including basements
- 21. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
- 22. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.
- 23. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.
- 24. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)
- 25. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
- 26. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.
- X27. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).
- X28. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
- X29. All requirements must be met before a final Certificate of Occupancy is issued.
- X30. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).
- X31. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)
  - 32. Please read and implement the attached Land Use Zoning report requirements.
- X33. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code. *or as per manufacture req*
- X34. Bridging shall comply with Section 2305.16.
- X35. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)
- X36. All flashing shall comply with Section 1406.3.10.
- X37. All signage shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

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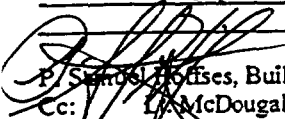
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 P. Samuel Hoopes, Building Inspector  
 Cc: L. McDougall, PFD  
 Marge Schmuckal, Zoning Administrator  
 Michael Nugent, Inspection Service Manager

PSH 10/1/00

\*\*This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.

**...THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD. ( You Shall Call for Inspections )**

**\*\*\*\*ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, DXF FORMAT OR EQUIVALENT.**

**\*\*\*\*\*CERTIFICATE OF OCCUPANCY FEE \$50.00**

CITY OF PORTLAND, ME  
BOCA 1999 Plan Review Record  
One and Two Family Dwelling

Valuation: \$200,000.00 Plan Review # 991/01

Fee: \$1,224.00 Date: 20 Aug. 2001

Building Location: 21 Quiet Lane CBL: 388A-A-05Z

Building Description: Single Family dwelling / attached private garage

Reviewed By: S. Hoffses

Use or Occupancy: R-3 Type of Construction: 5B

Numerals indicated in parenthesis are applicable code sections of the 1999 Edition of the BOCA National Building Code. The plan review accomplished as indicated in this record is limited to those code sections specifically identified herein. This record references commonly applicable code sections with due regard for the amount and type of detailed information which is typically found on construction documents for one and two family dwellings. It does not reference all code provisions, which may be applicable to specific buildings. This record is designed to be used only by those who are knowledgeable and capable of exercising competent judgment in evaluating construction documents for code compliance.

\*NR: Not Required      NA: Not Applicable      SR: See Report      X: OK per plan

Correction List		
NO:	Description	Code Section
1.	All site plan and building code requirements shall be completed before a certificate of occupancy can or will be issued.	111.0 118.0
2.	Before placing concrete for foundation call this office for setback inspections.	111.0
3.	Foundation drains shall comply with section 1813.5.2	1813.5.2
4.	Foundation anchors shall comply with section 2305.12	2305.12
5.	Water proofing and damp proofing shall comply with section 1513.0	1513.0
6.	Private garages shall comply with section 407.0	407.0
7.	Chimneys & vents shall comply with NFPA 211	NFPA 211
8.	Guardrails & handrails shall comply with section 1021.0 & 1022.0	1021.0 1022.0
9.	Stair construction shall comply with Sec. 1014.	1014.0
10.	Sleeping room egress or rescue window shall comply with section 1010.4	1010.4
11.	Smoke detectors shall comply with sec. 907.2	907.2
12.	Venting of crawl or attic space shall comply with section 1210.0 - 1211.0	1210.0 1211.0
13.	Fastening of bldg. elements shall comply with section Table 2305.2	Table P 2305.2

REV: PSH 6/16/01

## CORRECTION LIST (cont'd.)

No.	DESCRIPTION	Code Section
14.	Ventilation of spaces shall comply with Chapter 16 of The BOCA Mech. Code/1993	
15.	Boring, Cutting or Notching shall comply with sec. 2305 or per manufactures req.	2305
16.	Bridging shall comply with section 2305.16	2305.16
17.	Safety glazing shall comply with section 2406.8	2406.8
18.	Flashing shall comply with sec. 1406.3.10	1406.3.10
19.	Roofing shall comply with sec's 1505 - 1502	1505
20.		



## Foundations (Chapter 18)

### Wood Foundation (1808)

~~NA~~ Design  
~~NO~~ Installation

#### Footings (1807.0)

~~X~~ Depth below (outside) grade 4' minimum;  
but below frost line except for insulated footings.

~~NO~~ Insulated footing provided

~~X~~ Soil bearing value (table 1804.3)

~~X~~ Footing width

~~X~~ Concrete footing (1810.0) .3.1, 3.2

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### Foundation Walls

~~X~~ Design (1812.1)

~~X~~ Minimum thickness Tables 1812.3.2.(1) & 1812.3.2 (2)

~~S2~~ Water proofing and damp proofing Section 1813

~~X~~ Sill plate (2305.17)

~~S2~~ Anchorage bolting in concrete (2305.17)

~~X~~ Columns (1912)

~~S1~~ Crawl space (1210.2) Ventilation

~~S2~~ Crawl opening size (1210.2.1)

~~S2~~ Access to crawl and attic space ( 1211.0)

\_\_\_\_\_  
\_\_\_\_\_

#### Floors (Chapter 16-23)

~~X~~ Joists - Non sleeping area LL40PSF (Table - 1606)

~~X~~ Joists - Sleeping area LL30PSF (Table - 1606)

~~X~~ Grade

~~X~~ Spacing

~~X~~ Span

~~X~~ Girder 4" bearing 2305

### Floors (contd.)

- ~~X~~ Bearing (1 1/2" minimum on wood or steel 3" on masonry) and lapped (3")
- ~~SN~~ Bridging (2305.16)
- ~~SN~~ Boring and notching (2305.5.1)
- ~~SN~~ Cutting and notching (2305.3)
- ~~SN~~ Fastening table (2305.2)
- ~~X~~ Floor trusses (AFPANDS Chapter 35)
- ~~X~~ Draft stopping (721.7)
- ~~X~~ Framing of openings (2305.11) (2305.12)
- ~~X~~ Flooring - (2304.4) 1" solid - 1/2" particle board
- ~~X~~ Concrete floors (1905) 3 1/2" 6 mil polyethylene vapor retarder
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### Wall Construction (Chapter 2300)

- ~~X~~ Design (1609) wind loads
- ~~X~~ Load requirements
- ~~X~~ Grade
- ~~SN~~ Fastening schedule (Table 2305.2)
- ~~X~~ Wall framing (2305.4.1)
- ~~X~~ Double top plate (2305.4.2)
- ~~X~~ Bottom plates: (2305.4.3)
- ~~SN~~ Notching and boring: (2305.4.4) studs
- ~~X~~ Non load bearing walls (2305.5)
- ~~SN~~ Notching and boring (2305.5.1)
- ~~X~~ Wind bracing (2305.7)
- ~~X~~ Wall bracing required (2305.8.1)
- ~~X~~ Stud walls (2305.8.3)
- ~~X~~ Sheathing installation (2305.8.4)
- ~~X~~ Minimum thickness of wall sheathing (Table 2305.13)
- ~~NQ~~ Metal construction
- ~~NQ~~ Masonry construction (Chapter 21)
- ~~X~~ Exterior wall covering (Chapter 14)
- ~~X~~ Performance requirements (1403)
- ~~X~~ Materials (1404)
- ~~NQ~~ Veneers (1405)
- ~~X~~ Interior finishes (Chapter 8)

### Roof-Ceiling Construction (Chapter 23)

- ~~NA~~ Roof rafters - Design (2305.15) spans
- ~~X~~ Roof decking and sheathing (2305.15.1) 5/8" boards and (2307.3) (Table 2307.3.1(2))
- ~~X~~ Roof trusses (2313.3.1)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Roof Coverings (Chapter 15)**

- ~~SA~~ Approved materials (1404.1)
- ~~SA~~ Performance requirement (1505)
- ~~SA~~ Fire classification (1506)
- ~~SA~~ Material and installation requirements (1507)
- ~~SA~~ Roof structures (1510.0)
- ~~SA~~ Type of covering (1507)

**Chimneys and Fireplaces  
BOCA Mechanical/1993**

- ~~NA~~ Masonry (1206.0)
- ~~SA~~ Factory - built (1205.0)
- ~~NA~~ Masonry fireplaces (1404)
- ~~SA~~ Factory - built fireplace (1403)
- ~~SA~~ NFPA 211

**Mechanical  
1993 BOCA Mechanical Code**

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### Load Design Criteria

Floor live load sleeping	<u>30 PSF</u>	<u>X</u>
Floor live load non sleeping	<u>40 PSE</u>	<u>X</u>
Roof live load	<u>42 PSF</u>	<u>X</u>
Seismic Zone	<u>C</u>	<u>X</u>
Weathering area	<u>S</u>	<u>X</u>
Frost line depth	<u>4' MIN</u>	<u>X</u>
Exterior balconies	<u>60 PSF</u>	<u>NA</u>
Decks	<u>42 PSF</u>	<u>X</u>
Guardrails & Handrails	<u>200 Live Load</u>	<u>X</u>

### Glazing (Chapter 24)

<u>SM</u>	Labeling (2403.1)
<u> </u>	Louvered window or jalousies (2403.5)
<u> </u>	Human impact loads (2406.0)
<u> </u>	Specific hazardous locations (2406.2)
<u> </u>	Sloped glazing and skylights (2405)
<u>SA</u>	Safety glazing (2406.0)

### Private Garages (Chapter 4)

<u>SA</u>	General (407)
<u> </u>	Beneath rooms (407.3)
<u> </u>	Attached to rooms (407.4)
<u> </u>	Door sills (407.5)
<u> </u>	Means of egress (407.8)
<u> </u>	Floor surface (407.9)

**Egress (Chapter 10)**

- ~~X~~ One exit from dwelling unit (1010.2)
- ~~SA~~ Sleeping room window (1010.4)
- ~~X~~ EXIT DOOR (1017.3) 32" W 80" H
- ~~X~~ Landings (1014.3.2) stairway
- ~~NA~~ Ramp slope (1016.0)
- ~~SA~~ Stairways (1014.3) 36" W
- ~~SA~~ Treads (1014.6) 10" min.
- ~~SA~~ Riser (1014.6) 7 3/4" max.
- ~~SA~~ Solid riser (1014.6.1)
- ~~NO~~ Winders (1014.6.3)
- ~~NA~~ Spiral and Circular (1014.6.4)
- ~~SA~~ Handrails (1022.2.2.) Ht.
- ~~SA~~ Handrail grip size (1022.2.4) 1 1/4" to 2"
- ~~SA~~ Guards (1012.0) 36" min.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Smoke Detectors (920.3.2)**

- ~~SA~~ Location and interconnection
- ~~SA~~ Power source

**Dwelling Unit Separation  
Table 602**

*NA*

## CONSTRUCTION AGREEMENT

AGREEMENT made this 17<sup>th</sup> day of July, 2001, by and between Chase Custom Homes & Finance, Inc., a Maine corporation, with a principle place of business located at 1 Percy Hawkes Road, Windham, Maine, 04062, (hereinafter referred to as "builder") and Stephen & Carol Paulding, 340 Main St., Cumberland, Me. (hereinafter collectively referred to as "Buyer").

WHEREAS, Buyer is the buyer or owner of a certain parcel of land known as Lot #2, Hidden Acres, Portland, , Maine, and desire to have a home constructed thereon,

WHEREAS, Builder desires to perform such construction and related services with certain terms and conditions.

NOW THEREFORE, the parties hereby agree as follows:

1. CONSTRUCTION: Builder shall, according to the terms and conditions hereof, provide the construction labor, services and materials set forth in attached Exhibit A. The parties acknowledge that Builder shall provide comprehensive services for the entire project, except the following which shall be the sole responsibility of Buyer:
  - A. Building permit
  - B. Blueprints
  - C. Final landscaping
2. PRICE AND PAYMENT: Payment to the Builder shall be in the amount of \$ with a deposit of 5000<sup>00</sup> at the time of this contract; 48,800 at the time of existing home sale, Home Equity at the time the foundation goes in. The balance of \$ 215,500 shall be paid at closing.  
Total Price 269,000<sup>00</sup>
3. LAND PURCHASE: If Builder purchases land for Buyer to construct the home on, Buyer will be responsible for all costs associated with that purchase including but not limited to closing costs, any property taxes due on the property during the construction, any Central Maine Power set-up fees.
4. SERVICES PROVIDED: All services, labor and materials provided by Builder shall meet or exceed all building a zoning standards and requirements. Builders shall secure all licenses and permits required.

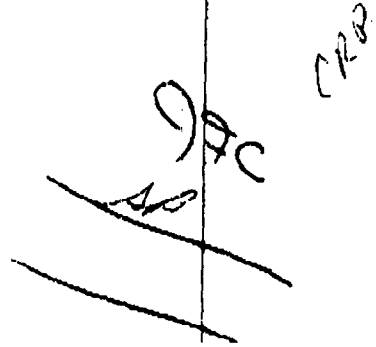
OFFICE  
see  
CRP.

5. **BUILDER'S INSURANCE:** Builder shall secure, and upon request, provide to Buyer proof of insurance for Builder's risk, liability and workers compensation in amounts sufficient and appropriate for this project. Builder hereby indemnifies and holds harmless Buyer for any damage liability or expenses, including reasonable attorney's fees, with respect to real or claimed damage to anyone or anything in connection with the undertakings and duties of Builder as set forth herein.
6. **BUYER'S SUBCONTRACTORS:** By mutual agreement, the Buyer may let their contractors become involved in connection with the work, and the Builder shall cooperate with any such other contractors. These other contractors shall perform their work or service under direction of General Builder so as not to delay or impede construction. Further, by mutual agreement, the Buyer may purchase directly portions of the materials specified herein.
7. **LIEN WAIVERS:** Builder shall deliver a Master Lien Waiver to Buyer at the time of final payment.
8. **CONDITION OF THE PREMISES:** Builder shall keep the building and lot free from accumulation of waste material and rubbish and at the completion of the work he shall remove all rubbish from and about the building and all his tools, scaffolding, surplus materials, and shall leave the entire work "broom clean". Buyer should expect to have to clean the home prior to moving in.
9. **OWNER'S INSURANCE:** The Builder agrees that during the construction of the house full fire insurance will be maintained in the amount to satisfy any needs that may arise, which insurance will run for the benefit of both parties to this contract, and in the event of total or substantial destruction of the house when partly completed, then the parties agree that upon the collection of the insurance the same shall be paid to the Builder, who agrees to start reconstruction promptly, consistent with its other work in process, and thereafter proceed expeditiously, all in accordance with the foregoing agreement drawings and specification. If Buyer is the current owner of the land being construction on, it is recommended that the Buyer obtain liability insurance.
10. **WORK DATES:** The builder shall initiate on site construction within a reasonable time after receiving a deposit and after being notified by the Buyer that financing as set forth in paragraph 21 is in place. The construction shall be substantially completed with a reasonable time frame. Said agreement as to completion is contingent upon strike, accidents, weather condition, delays caused by work change orders or delays beyond the control of the Builder.

DTC

CRP

11. **DESCRIPTION OF THE WORK:** The work to be performed by the Builder under this contract includes the following:
- A. Procuring building permits (cost of building permits to be paid for by Buyer)
  - B. Excavation, foundation and site work.
  - C. All building materials supplied with allowances as specified in Exhibit A
  - D. All labor for foundation, excavation, carpentry, plumbing and heating, electrical, masonry, drywall, insulation, roofing, flooring and miscellaneous work as needed, outlined and specified in Exhibit A
  - E. Construction shall be according to building plans or blueprints (as may be modified) attached hereto. Builder has the right to make modification to blueprints and deemed structurally necessary.
  - F. Allowances are listed in Exhibit A. The contract price shall be increased or decreased, as the case may be, to the extent materials or labor provided is greater than or less than a stated allowance without further writing. The materials or labor furnished, as an allowance shall not be considered a "change order" as defined in paragraph 15.
12. **CONSTRUCTION OF AGREEMENT:** This instrument, executed in multiple counterparts, is to be construed as a Maine contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and ensures to the executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both the Buyer and Builder. If two or more persons are named herein as Buyer their obligations hereunder shall be joint and several.
13. **DEFAULT; DAMAGES:** If Builder shall fail to fulfill Builder's agreement herein, all deposits made hereunder by Buyer, together with all interest earned, thereon shall be retained by Buyer as liquidated damages and this shall be Buyer's sole and exclusive remedy at law or in equity for any default by Builder under this agreement. Should Buyer default, then Builder shall have all available remedies, including specific performance, and reasonable attorneys' fees.
14. **DISPUTE RESOLUTION:** If a dispute arises concerning the provision of this contract or the performance of the parties, then the parties agree to settle this dispute by jointly paying for binding arbitration as regulated by the Maine Uniform Arbitration Act with parties agreeing to accept the Arbitrator's decision as final.


  
 JJC  
 40  
 CRB



15. **WARRANTIES:** In addition to any additional warranties agreed to by the parties and contained herein, the Builder warrants that the work will be free from faulty materials and constructed according to the building code applicable for the location as referred to on page one of this agreement; constructed from new materials; constructed in a skillful manner and fit for habitation. The warranty rights and remedies set forth in the Maine Uniform Commercial Code apply to this contract. Specifically, and without limiting any other remedies, Builder warrants its workmanship, materials and construction for minimum of one year from the date of completion.
16. **CHANGE ORDERS:** Any alteration or deviation from the construction specifications contained herein or attached hereto that involve the revisions of the contract price will be executed only upon the parties entering into a written change order. The change order shall operate as an amendment to this contract. Each change order must be in writing and becomes a part of and shall be in conformance with this contract unless otherwise stated in the change order. All work shall be performed under the same terms and conditions as specified in the original contract unless otherwise stipulated. The change order must detail all changes to the original contract that resulted in revision of the sales price and must be signed by the Buyer.
17. **ENERGY STANDARDS:** Builder and Buyer acknowledge that 10 M.R.S.A. 1411 et. Seq. establishes minimum energy efficiency standards for residential construction. Both parties acknowledge that the building to be constructed hereunder does meet or exceed such standards.
18. **CLOSING:** Buyer will close on the property within 5 days of the Certificate of Occupancy. Seller will have the option to charge interest on the outstanding balance owed in an amount to be determined by Seller.
19. **POSSESSION OF PROPERTY:** Buyer will take possession of home after the closing of the property and after full payment to Builder has been made. Buyer agrees that no personal property or items will be moved into the property until after said closing has taken place and full payment has been made. In the case of a recession as required by the mortgagor, possession will not take place until the three-day recession period has ended and final payment has been received.
20. **WATER QUANTITY & QUALITY:** Builder will guaranty water quantity as regulated by DHS but will not guaranty water quality.
21. **MORTGAGE CONTINGENCY CLAUSE:** In order to help finance the acquisition of said premises, the Buyer shall within 7 days from the effective date of this agreement apply for a mortgage loan of  
Payable in no less than \_\_\_\_\_ years at an interest rate not to exceed market rates.

CRP

DTC

22. SALE OF BUYER'S CURRENT RESIDENCE: Subject to Buyers putting their home under contract 60 days from the effective date of the construction agreement. Buyers will be give 72 hours to arrange alternative financing or other means to fulfill the construction agreement in the event a third party offer is presented.

✓ Copy of Declaration of Protective Covenants received

James Smith

to all

7/17/01

John F. Chase President 7/17

Chase Custom Homes & Finance, Inc.

S. Paulding  
Buyer

Carol Paulding  
Buyer

7/17/01

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

Insp Copy

2001-0189

Application I. D. Number

08/17/2001

Application Date

Quiet Lane lot #2, Hidden Acres

Project Name/Description

Chase Custom Homes

Applicant

20 Belmont Street, Portland, ME 04102

Applicant's Mailing Address

21 Quiet Lane, Portland, Maine

Address of Proposed Site

388 AA057001

Assessor's Reference: Chart-Block-Lot

Consultant/Agent

Agent Ph:

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

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

2300 sq. ft.

11,989 sq. ft.

Proposed Building square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan<br>(major/minor) | <input type="checkbox"/> Subdivision<br># of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                          | <input type="checkbox"/> Shoreland                      | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance                |  | <input type="checkbox"/> Other _____             |

Fees Paid: Site Plan \$50.00 Subdivision \_\_\_\_\_ Engineer Review \$250.00 Date: 08/17/2001

**Insp Approval Status:**

Reviewer Marge Schmuckal

- Approved  **Approved w/Conditions  
See Attached**  Denied

Approval Date 08/20/2001 Approval Expiration 08/20/2002 Extension to \_\_\_\_\_  Additional Sheets Attached

Condition Compliance Marge Schmuckal 08/20/2001  
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 Issued             | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____          | _____  | _____           |
|   | date           | remaining balance                                  | signature       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____          | <input type="checkbox"/> Conditions (See Attached) | _____           |
|   | date           |  | 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 |

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

2001-0189

Application I. D. Number

08/17/2001

Application Date

Quiet Lane lot #2, Hidden Acres

Project Name/Description

Chase Custom Homes

Applicant

20 Belmont Street, Portland, ME 04102

Applicant's Mailing Address

Consultant/Agent

Agent Ph:

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

Quiet Lane, Portland, Maine

Address of Proposed Site

388 AA057001

Assessor's Reference: Chart-Block-Lot

**Approval Conditions of Insp**

- 1 This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2 Separate permits shall be required for future decks, sheds, pools, and/or garage. No rear decks are approved with this permit. HOWEVER, PLEASE NOTE THAT MAXIMUM LOT COVERAGE IS ALMOST MET WITH THIS APPROVED SITE PLAN. THIS WILL RESTRICT ANY FUTURE ADDITIONS.
- 3 No construction or filling of wetlands other than that shown on the approved subdivision/site plan are allowed. A NRPA permit is required by DEP.
- 4 Lot #2 is required to install wastewater solids handling grinder pumps. These homeowners will own, maintain and repair their pump and force main from the house to the cleanout structure. THE CITY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OR REPAIR OF PRIVATE SYSTEMS.
- 5 There shall e minimal disturbance to the area within the 25 feet buffer area as shown. The developer shall preserve (or replant to the specifications of the City Arborist) no less than 50% of the existing tree growth and other vegetation. NO STRUCTURES ARE PERMITTED IN THIS BUFFER.

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

2001-0189  
Application I. D. Number  
08/17/2001  
Application Date

Chase Custom Homes  
Applicant  
20 Belmont Street, Portland, ME 04102  
Applicant's Mailing Address

# 21  
Quiet Lane lot #2, Hidden Acres  
Project Name/Description

Consultant/Agent  
Agent Ph: \_\_\_\_\_ Agent Fax: \_\_\_\_\_  
Applicant or Agent Daytime Telephone, Fax

# 21  
Quiet Lane, Portland, Maine  
Address of Proposed Site  
388 AA057001  
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  Other (specify) \_\_\_\_\_

2300 sq. ft. 11,989 sq. ft.  
Proposed Building square Feet or # of Units Acreage of Site Zoning

Check Review Required:

- Site Plan (major/minor)  Subdivision # of lots \_\_\_\_\_  PAD Review  14-403 Streets Review  
 Flood Hazard  Shoreland  Historic Preservation  DEP Local Certification  
 Zoning Conditional Use (ZBA/PB)  Zoning Variance  Other \_\_\_\_\_

Fees Paid: Site Plan \$50.00 Subdivision \_\_\_\_\_ Engineer Review \$250.00 Date 08/17/2001

DRC Approval Status:

Approved  See Attached  Denied

Revised Plans Attached

Condition Compliance  Approval Expiration 08/30/2002 Extension to \_\_\_\_\_  Additional Sheets Attached  
Jay Reynolds signature 08/30/2001 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 | _____          | <input type="checkbox"/> Conditions (See Attached) | _____           |
|   | date           |  | 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  |                 |

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

2001-0189

Application I. D. Number

08/17/2001

Application Date

Quiet Lane lot #2, Hidden Acres

Project Name/Description

**Chase Custom Homes**

Applicant

20 Belmont Street, Portland, ME 04102

Applicant's Mailing Address

Consultant/Agent

Agent Ph:

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

21 Quiet Lane, Portland, Maine

Address of Proposed Site

388 AA057001

Assessor's Reference: Chart-Block-Lot

**Approval Conditions of Insp**

- 1 This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
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- 3 No construction or filling of wetlands other than that shown on the approved subdivision/site plan are allowed. A NRPA permit is required by DEP.
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- 5 There shall e minimal disturbance to the area within the 25 feet buffer area as shown. The developer shall preserve (or replant to the specifications of the City Arborist) no less than 50% of the existing tree growth and other vegetation. NO STRUCTURES ARE PERMITTED IN THIS BUFFER.

**Approval Conditions of DRC**

- 1 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.
- 2 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.
- 3 Your new street address is now # 21 Quiet Lane, the number must be displayed on the street frontage of your house prior to issuance of a Certificate of Occupancy.
- 4 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.
- 5 A sewer permit is required for you project. Please contact Carol Merritt at 874-8300, ext . 8828. The Wastewater and Drainage section of Public Works must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.
- 6 As-built record information for sewer and stormwater service connections must be submitted to Public Works Engineering Section (55 Portland Street) and approved prior to issuance of a Certificate of Occupancy.
- 7 The building contractor shall check the subdivision recording plat for pre-determined first floor elevation and establish the first floor elevation (FFE) and sill elevation (SE) to be set above the finish street/curb elevation to allow for positive drainage away from entire footprint of building.
- 8 The site contractor shall establish finish grades at the foundation, bulkhead and basement windows to be in conformance with the first floor elevation (FFE) and sill elevation (SE) set by the building contractor to provide for positive drainage away from entire footprint of building.
- 9 The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.

Department of Planning & Development  
Lee D. Urban, Director



**CITY OF PORTLAND**

**Division Directors**  
Mark B. Adelson  
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP  
Planning

John N. Lufkin  
Economic Development

September 10, 2002

Donna Kommel  
15 Quiet Lane  
Portland, ME 04103

RE: 15 Quiet Lane Building Envelope

CBL: 388A A 053

Dear Ms. Kommel:

This letter is to confirm the revision to the approved plan of the project located at 15 Quiet Lane. The approved revision includes an enlargement of the building envelope to include the easternmost corners of the the garage and rear deck ( 2ft. +/-). The revised plan has been reviewed and approved by the project review staff, including representatives of the Planning, Public Works, Building Inspections, Fire and Parks Departments.

We do recommend a recording of this approval letter and will gladly register it in the Cumberland County Registry of Deeds for a filing/administrative cost of \$50.00.

If you have any questions regarding the revision please contact me at 874-8720.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Hopkins', is written over the typed name.

Sarah Hopkins  
Development Review Program Manager

O:\PLAN\DEVREVW\QUIETLAN\LETTERS\REVISIONLETTERLOT 15.DOC

THIS IS NOT A BOUNDARY SURVEY

MORTGAGE INSPECTION OF: DEED BOOK 12312 PAGE 155 COUNTY Cumberland  
PLAN BOOK 200 PAGE 216 LOT     

ADDRESS: 15 Quiet Lane, Portland, Maine

Job Number: 386-16

Inspection Date: 8-09-02

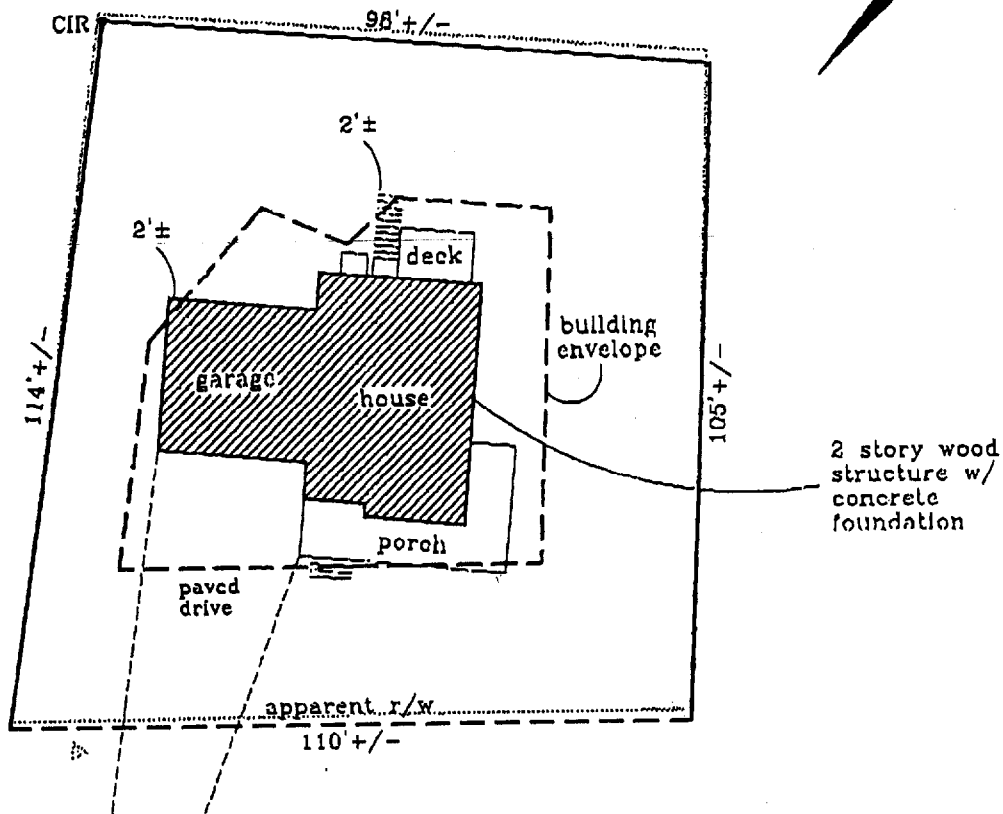
Buyers: Erik & Jill Hawkins

Scale: 1" = 30'

Client File#: 22-1215 pc

Sellers: Donna Kemmal ←

Cindy Kueck  
774-1116



Q u i e t L a n e

to Summit St.

I HEREBY CERTIFY TO: Guaranty Title Co.; Banknorth Mortgage  
and its title insurer.

- Monuments found did not conflict with the deed description.
- The dwelling setbacks do ~~not~~ violate town zoning requirements.
- As delineated on the Federal Emergency Management Agency Community Panel:
- The structure does not fall within the special flood hazard zone.
- The land does not fall within the special flood hazard zone.

APPARENT EASEMENTS AND RIGHTS OF WAY ARE SHOWN. OTHER ENCUMBRANCES, RECORDED OR NOT, MAY EXIST. THIS SKETCH WILL NOT REVEAL ADJUTING DEED CONFLICTS, IF ANY.

copyright © 1994

Livingston - Hughes  
Professional Land Surveyors  
88 Guinea Road  
Kennebunkport - Maine 04046  
207-967-9781 phone/fax

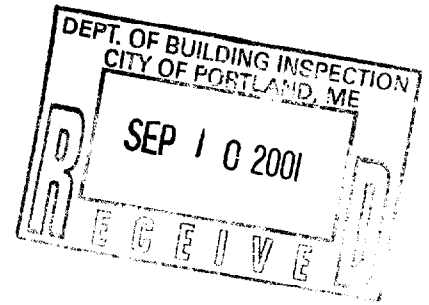
THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY



3008A A052

**STEVEN & DONNA KOMMEL**

15 Quiet Lane  
Portland, ME 04103  
207-878-4125



September 10, 2001

Mike Nugent  
Manager of Inspection Services  
City of Portland  
389 Congress Street  
Portland, ME 04101

Dear Mr. Nugent:

This letter is in response to your letter dated August 29, 2001 which we received on September 4, 2001. The delay in receipt was caused in part by the fact that you mailed the notice to the wrong address. A notice alleging violation that we are unlawfully occupying the premises at 15 Quiet Lane should be mailed to 15 Quiet Lane. Please send all future correspondence regarding this matter to us at that address, which will ensure that we receive it on time.

We have never received written notice from any city official as to why a permanent occupancy permit has been denied. We have heard verbally from our builder that it relates to the absence of two trees in the front lawn. We have spoken with City Arborist Jeff Tarling, who has indicated that he believes one of the existing trees suffices and that one additional tree is needed on the driveway side of the yard. In a telephone message he left for us, he stated that the final decision on this is up to the Planning Department.

As you may know, the requirement of two trees is contained in §14-499 of the City of Portland Code of Ordinances. Subsection (f) of that section makes reference to "Aboriginal Specifications and Standards of Practice" and also grants the City Arborist discretion as to allowing existing trees to meet the requirements. Unfortunately, earlier telephone conversations with Mr. Tarling lead me to believe that he is unfamiliar both with the ordinance requirements and the specifications, except in the most general sense. A request for a copy of the specifications was met with a response that he does not have them.

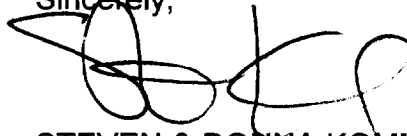
We are not seeking to circumvent the City ordinance. Our home is ringed on two sides with hundreds of trees, and there are at least a dozen sizable healthy trees in the area between the front line of our home and the street. Reasonable interpretation and application of the City ordinance would not require planting of any additional trees, which will only serve to deprive us of sunlight and will not improve the aesthetics of our street.

Mike Nugent  
September 10, 2001  
Page Two

This is not a safety issue. The threat of legal penalties set forth in your letter is far out of proportion to what has transpired. As noted above, we never received a notice that a permanent Certificate was being denied. Added to the lack of knowledge by city officials of the governing ordinance, it seems that form is being elevated well above substance.

A copy of this letter is being filed with the Board of Appeals as our notice of appeal. I would hope that a formal hearing would not be necessary, as a better use of city time would be to contact us to discuss application of the lawful standards to our situation. We will of course comply with any requirements imposed in accordance with city ordinances.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven & Donna Kommel', written over a horizontal line.

STEVEN & DONNA KOMMEL

cc: Jeff Tarling  
Joseph Gray, City Manager

Inspection Services  
Michael J. Nugent  
Manager

Department of Urban Development  
Joseph E. Gray, Jr.  
Director



## CITY OF PORTLAND

August 29, 2001

Steve Kommel  
Donna Jones  
7 Prospect Avenue  
Peaks Island, Maine 04108

RE: 15 Quiet Lane  
CBL: 388A-A-052

CERTIFIED MAIL: 70001670000030721790

Dear Mr. Kommel & Ms. Jones,

Our records indicate that the temporary certificate of occupancy required pursuant to building permit # 00-0775 has expired. Please be advised that the occupancy of the portion of the premises covered by the permit without the Certificate of Occupancy is a violation of Section 108.1 of the City Building Code (1999 BOCA).

This is a notice of violation pursuant to Section 116.2 of the Code. All referenced violations shall be corrected within 10 days of the date of this notice. Our records will be reviewed again on September 10, 2001.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. ss 4452.

This constitutes an appealable decision pursuant to Section 121 of the Code. Please feel free to contact me at 874-8700, if you wish to discuss the matter or have any questions.

Sincerely,

  
Mike Nugent  
Manager of Inspection Services

Cc: Chase Custom Homes  
Jay Reynolds, Development Review Coordinator



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 15 Quiet Lane (lot 1) CBL: 388A-A-052

Issued to Chase Custom Homes

Date of Issue February 26, 2001

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. 000775, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, 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: R3  
Type: 5B  
Boca: 1999

**Limiting Conditions:**

Temporary until June 1, 2001

This certificate supersedes  
certificate issued

Approved:

2/24/01  
(Date)

*[Signature]*  
Inspector

*[Signature]*  
Inspector of Buildings

Elect. - KW

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

Department of Planning & Development  
Lee D. Urban, Director



**CITY OF PORTLAND**

*Jodine A.*

Division Directors  
Mark B. Adelson  
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP  
Planning

John N. Lufkin  
Economic Development

**REVISED**  
September 25, 2002

Donna Kommel  
15 Quiet Lane  
Portland, ME 04103

RE: 15 Quiet Lane Building Envelope

CBL: 388A A 053

Dear: Ms. Kommel:

This letter is to confirm the revision to the approved plan of the project located at 15 Quiet Lane. The approved revision includes an enlargement of the building envelope to include the easternmost corners of the the garage and rear deck ( 2ft. +/-) as well as the north edge of the front porch and steps..Section 14-425 allows the encroachment of a front porch or entry in the front yard if it does not exceed 50 sq. ft.in area or a distance of 2 ft. Northeast Civil Solutions has provided documentation stating that the front porch extends a distance of 1.6 ft and ar area of 16 sq.ft, thereby meeting the requirement.

The revised plan has been reviewed and approved by the project review staff, including representatives of the Planning, Public Works, Building Inspections, Fire and Parks Departments.

We do recommend a recording of this approval letter and will gladly register it in the Cumberland County Registry of Deeds for a filing/administrative cost of \$50.00.

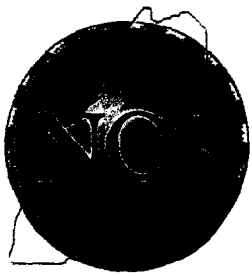
If you have any questions regarding the revision please contact me at 874-8720.

Sincerely,

Sarah Hopkins  
Development Review Program Manager

O:\PLANDEVREVW\QUIETLAN\LETTERS\REVISION\LETTER2\LOT 15.DOC

cc: Lee D. Urban, Planning and Development Department Director  
Jay Reynolds, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
— Jodine Adams, Inspections  
William Bray, Director of Public Works  
Larry Ash, Traffic Engineer  
Tony Lombardo, Project Engineer  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
Don Hall, Appraiser, Assessor's Office  
Approval Letter File  
Correspondence File



SURVEYING ENGINEERING LAND PLANNING  
**Northeast Civil Solutions**  
INCORPORATED

September 16, 2002

153 U.S. Route 1  
Scarborough  
Maine 04074

Sarah Hopkins  
City of Portland  
Department of Planning & Development  
389 Congress Street  
Portland, ME 04101

tel  
207.883.1000

RE: Lot 1 Hidden Acres

800.882.2227

Dear Sarah:

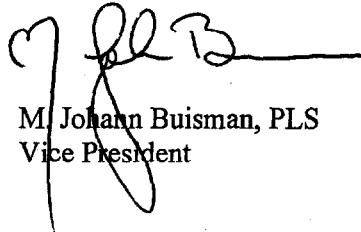
fax  
207.883.1001

Based on our Mortgage Loan Inspection dated 3/2/01 on Lot 1 Hidden Acres, we found the front deck extends into the front setback by about 1.6' and 16 S.F.

According to section 14-425 of the Portland Ordinance, we find that this extension is not in violation because the area of the entire porch is less than 50 square feet and the projection of the building is less than 5 feet.

Please call me at 883-1000 if you have further questions regarding this project.

Sincerely,



M. Johann Buisman, PLS  
Vice President

Cc: Cindy Kueck