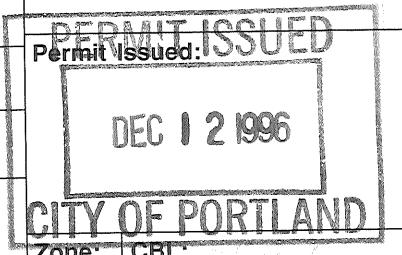


961214

Location of Construction: 131 Curtis Rd		Owner: Tod Berube		Phone: 753-9359	
Owner Address: 295 Forest Ave - Portland ME		Leasee/Buyer's Name: 04103		Business Name:	
Contractor Name: 00000		Address:		Phone:	
Past Use: vacant lot		Proposed Use: 1-fam dwlg		COST OF WORK: \$ 19,000	
				PERMIT FEE: \$ 115	
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
				INSPECTION: Use Group: Type:	
				Signature: Signature:	
Proposed Project Description: construct foundation & move a building		PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.)			
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied			
		Signature:		Date:	
Permit Taken By: L Chase		Date Applied For: 12/2/96			



Zoning Approval: _____

Special Zone or Reviews:

Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan maj minor mm

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: _____



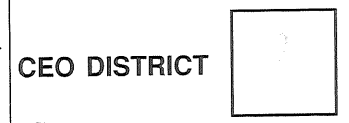
1. Thi Call Jim T. PE
 2. Bu 871-8333
 3. Bu Curtis Rd. File
 tio

CERTIFICATION

property, or that the proposed work is authorized by the owner of record and that I have been authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, certify that the code official's authorized representative shall have the authority to enter all areas covered by the permit and to enforce the provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:



COMMENTS

- 12/17/96 Checked lat - Nothing happening (10)
- 12/23/96 - Bulldozer & Backhoe on lat - no work being done (P)
- 12/24/96 - Bulldozer working - Spoke w/ Mike Weisman, Escavator - They are only excavating to verify actual location of utilities - (P) Called H.S. to Notify J.G. (P)
- 12/26/96 - 2nd pm - Arrived on site to find M. Weisman excavating foundation - Called K. Staples & P.S.H. - Pre Construction Requirements not met - T. Meckle, D.P.W. Eng. arrived on site - I issued a stop order & Pasted lat - Weisman stopped work - R. Berube came into office - P.S.H. showed him w/ a copy of stop order. (P)
- 12/27/96 Met w/ T. Meckle, DPW - Spoke w/ K. Staples, City Engineer by phone - She released job - I lifted stop order (P)

- 1/3/97 - Amendment to permit moving Bldg to right approved (P)
- 1/7/97 - Forms placed for foundation - Verified & Signed off by Edw. M. Lawrence PLS # 2189
- 1/9/97 - Plans submitted & approved for Structural Support of left Rear corner (Eccment overhang) (P)
- 1/10/97 DPW (R. Beoy) approved house move
- 1/21/97 Bldg moved on 1/18/97 - Being set this week
- Meeting w/ neighbors - Some concerns voiced (P) (See attached Memo dated 1/23/97 KC to PSH)

- 1/22/97 - Checked out neighbors complaints - unfounded
- 1/29/97 - Better Cold - Snow - no further progress (P)

- 2/5/97 - " " " " " " (P)
- 2/14/97 - " " " " " " (P)
- 2/20/97 - " " " " " " (P)

See attached files for further info (P)

Inspection Record		Date
Type		
Foundation:	(P)	
Framing:		
Plumbing:		
Final:		
Other:		



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 168 Curtis Rd (Lot #4) 389-G-024

Date of Issue 30 October 1997

Issued to Rod Berube

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. 961214, 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

APPROVED OCCUPANCY

Entire

Single Family Dwelling w/deck
No Garage

Limiting Conditions:

This certificate supersedes
certificate issued

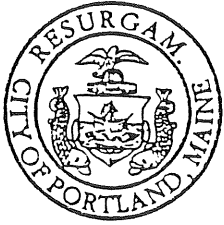
Approved:

(Date)

Inspector

Inspector of Buildings

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.



Kevin

CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Code Enforcement

FROM: Jim Wendel P.E., Development Review Coordinator

DATE: October 15, 1997

RE: Request for Certificate of Occupancy
168 Curtis Road (Lot 4)

On October 14 and 15, 1997 I reviewed the site for compliance with the site plan approval dated 11-25-96.

My comments are:

1. The two City of Portland trees need to be planted.
2. Verification is needed from Public Works that they have the as-built data for the storm and sanitary services.
3. The applicant chose not to relocate the curb cut; he is utilizing the existing curb cut. Also the bulkhead and deck are in different locations. A revised site plan showing these changes and the revised utility services should be submitted for the file.
4. No documentation has been submitted of the easement deed for the foundation drain from Lot 3 located within Lot 4.
5. All site drainage will drain off the property through the 20' drainage easement that is located along the back property line on Lots 4 and 5.
6. The street number needs to be placed on the house.

cc: Alexander Jaegerman, Chief Planner
Joseph E. Gray, Jr., Director of Planning and Urban Development
Kandi Talbot, Planner

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

December 12, 1996

Mr. Rod Berube
295 Forest Ave.
Portland, Maine 04103

RE: 168 Curtis Rd.

Dear Sir ,

Your application to construct a 22' x 36' foundation been reviewed and a permit is herewith issued subject to the following requirements. This permit does not excuse the applicant from meeting applicable State and Federal laws.

NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL REQUIREMENTS OF THIS LETTER ARE MET.

Site Plan Review Requirements

Building Inspection : Separate permits shall be required for any future decks/and or garages.2. All required of the attached memo. from Katherine Staples, city engineer shall be adhered to as outlined before an occupancy permit is issued. (memo. dated 12/10/96 3. All permits from Public Works to move the existing bldg. to the new site shall be procured prior to moving the building.
M. Schmuckal

Development Review Coordinator : Approved with conditions . (see attached) J. Wendel

Building and Fire Code Requirements

1. Please read and implement items 1,2,13, 18 of the attached Building Permit Report.

Sincerely,


P. Samuel Hoffses
Chief of Inspection Services

cc: M. Schmuckal , J. Wendel



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

96112501

I. D. Number

RoHe Berube
Applicant

25 November 1996
Application Date

295 Forest Ave Ptld
Applicant's Mailing Address

Curtis Rd
Project Name/Description

Rod - 758-0859
Consultant/Agent

162-168 Curtis Rd
Address of Proposed Site

Applicant or Agent Daytime Telephone, Fax

389-G-024
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 Other (specify) _____

968.50 GFC Proposed Building Square Feet or # of Units 10,007 Sq Ft Acreage of Site _____ Zoning

Check Review Required:

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # 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 Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input checked="" type="checkbox"/> Single-Family Minor | <input type="checkbox"/> Other _____ |

Fees paid: site plan 50.00 subdivision _____ 100.00 Engineer Review Fee

Approval Status:

Reviewer JIM WENDEL

- Approved Approved w/Conditions listed below Denied

- _____
- SEE ATTACHED CONDITIONS OF APPROVAL
- _____
- _____

Approval Date 11/25/96 Approval Expiration 11/97 Extension to _____ date Additional Sheets Attached

Condition Compliance _____ signature _____ date _____

Performance Guarantee Required* Not Required

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

- | | | | |
|---|----------------------------|-------------------------------|-----------------------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ date _____ | _____ amount _____ | _____ expiration date _____ |
| <input type="checkbox"/> Inspection Fee Paid | _____ date _____ | _____ amount _____ | |
| Performance Guarantee Reduced | _____ date _____ | _____ remaining balance _____ | _____ signature _____ |
| Performance Guarantee Released | _____ date _____ | _____ signature _____ | |
| Defect Guarantee Submitted | _____ submitted date _____ | _____ amount _____ | _____ expiration date _____ |
| Defect Guarantee Released | _____ date _____ | _____ signature _____ | |

Address: 162-168 Curtis Rd



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

96112501

I. D. Number

Applicant Rod Berube

Application Date 25 November 1996

Applicant's Mailing Address 295 Forest Ave Ptld

Project Name/Description Curtis Rd

Consultant/Agent Rod - 758-0859

Address of Proposed Site 162 - 168 Curtis Rd

Applicant or Agent Daytime Telephone, Fax Rod - 758-0859

Assessor's Reference: Chart-Block-Lot 389-G-024

Proposed Development (check all that apply): New Building Building Addition Change of Use Residential
 Office Retail Manufacturing Warehouse/Distribution Other (specify) _____

Proposed Building Square Feet or # of Units 968.50 GFC Acreage of Site 10,007 Sq Ft Zoning R-2

Check Review Required:

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # 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 Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input checked="" type="checkbox"/> Single-Family Minor | <input type="checkbox"/> Other _____ |

Fees paid: site plan 50.00 subdivision _____ 100.00 Engineer Review Fee

Approval Status:

Reviewer Marge Schumaker

- Approved Approved w/Conditions listed below Denied

- Separate permits shall be required for any future decks and/or garage
- ~~Other~~ All requirements of the attached memo from K. Theime ^{staples} city Engineer shall be adhered to as outlined before an occupancy permit is issued (memo dated 12/10/96)
- All permits from Public Works to move the existing bldg on to the site shall be

Approval Date 12/10/96 Approval Expiration _____ date Extension to _____ date Additional Sheets procured Attached prior to moving the Bldg

Condition Compliance _____ signature _____ date _____

Performance Guarantee Required* Not Required

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

- | | | | |
|---|----------------------------|-------------------------------|-----------------------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ date _____ | _____ amount _____ | _____ expiration date _____ |
| <input type="checkbox"/> Inspection Fee Paid | _____ date _____ | _____ amount _____ | |
| Performance Guarantee Reduced | _____ date _____ | _____ remaining balance _____ | _____ signature _____ |
| Performance Guarantee Released | _____ date _____ | _____ signature _____ | |
| Defect Guarantee Submitted | _____ submitted date _____ | _____ amount _____ | _____ expiration date _____ |
| Defect Guarantee Released | _____ date _____ | _____ signature _____ | |

Address: 162-168 Curtis Rd

Applicant: Rod Berube
Address: 1600 Curtis Rd

Date: 12/5/96
C-B-L: 389-G-24

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New

Zone Location - R-2

Interior or corner lot -

Proposed Use/Work - construct foundation to move existing structure on site (old Amato's office bldg) (cor Washington & Allen)

Sewage Disposal - City

Lot Street Frontage - 50' req - 99.62' shown

Front Yard - 25' req - 25' shown

Rear Yard - 25' req - 35' + shown

Note → Side Yard - 16' req - 20' ^{4'} / 12' shown on right using the reduction of 4' from right side adding 4' to the left side

Projections -

Width of Lot - 80' req

Height - 2 1/2 stories

→ 12' is the minimum reduction on that right side - looks to be exact

Lot Area - 10,006 sq ft req. Assessors show 10,007 sq ft

Lot Coverage/ Impervious Surface - 20% lot coverage (or 2001.4 sq ft max)

Area per Family - 10,000 sq ft

Off-street Parking - 2 spcs shown

Loading Bays - N/A

Site Plan - minor/minor

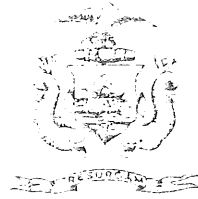
OK
36 x 24 = 864 sq ft

Shoreland Zoning/ Stream Protection - N/A

Flood Plains -

Need memo from Kathy Staples RE: The over hang received 12/10/96
12/10/96 → Kevin oked structure after inspecting it.

Housing & Neighborhood Services Division
Mark B. Adelson
Director



Dept. of Planning and Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND

Rod Berube
48 Sturdivant Drive
Portland, Maine 04104

October 17, 1997

Subject: 168 Curtis Road

Dear Mr. Berube,

This is to inform you that the City of Portland has denied your request for a Certificate of Occupancy for 168 Curtis Road for non-compliance with your agreement with the City, signed by you on August 12, 1997, as well as failure to meet the conditions of the site plan approval dated November 11, 1996. Specifically, the following improvements have not been completed; paving of the driveway, which is considered a required element of exterior finish, and the installation of shrubbery.

In addition, we have no written documentation that an easement for the foundation drain has been granted across your property to the house located on lot #3. In regard to this easement, which was required by the original site plan approval, we have told the attorney for your neighbors that it is their responsibility to prepare the deed and give it to you for your review, approval and signature. We will not hold up your Certificate of Occupancy on this item, unless we hear that they have done their part and you have not returned the deed.

The City's Corporation Counsel is prepared to file litigation if these issues are not resolved to our satisfaction immediately.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark B. Adelson".

Mark B. Adelson
Director of Housing and Neighborhood Services

cc: Robert Ganley
Joseph Gray
Gary Wood
Sam Hoffses
Kevin Carroll ✓
Jim Wendel

SECTION VI — ARBORICULTURAL SPECIFICATIONS AND STANDARDS OF PRACTICE AND
LANDSCAPE GUIDELINES

9. RECOMMENDED TREE PLANTING AND SALT TOLERANCE LISTS

Large Trees	Over 50' in Height	Minimum Caliper Size when Planted
Autumn Purple White Ash	Fraxinus americana "Autumn Purple"	2 1/2 - 3"
Chinese Scholar Tree	Sophora japonica "Regent"	2 1/2 - 3"
Copper Beach	Fagus sylvatica purpurea	2 1/2 - 3"
European Beach	Fagus sylvatica	2 1/2 - 3"
Ginkgo Tree	Ginkgo Biloba	2 1/2 - 3"
Japanese Black Pine	Pinus thunbergii	6' - 7'
Kentucky Coffeetree	Bymnocladus dioicus	2 1/2 - 3"
Littleleaf Linden	Tilia cordata	2 1/2 - 3"
Marshall Green Ash	Fraxinus pennsylvanica "Marshall - Seedless"	2 1/2 - 3"
Pin Oak	Quercus palustris	2 1/2 - 3"
Pyramidal English Oak	Quercus robur "Fastigiata"	2 1/2 - 3"
Red Oak	Quercus Borealis	2 1/2 - 3"
Rosehill White Ash	Fraxinus americana "Summitt" or "Marshalls"	2 1/2 - 3"
Ruby Red Horsechestnut	Aesculus carnea "Briotii"	2 1/2 - 3"
Shademaster Honeylocust	Gleditsia triacanthos inermis "Shademaster"	2 1/2 - 3"
Sweetgum	Liquidambar styraciflua	2 1/2 - 3"
Thornless Honeylocust	Gleditsia triacanthos inermis	2 1/2 - 3"
Tuliptree	Liriodendron tulipifera	2 1/2 - 3"
Village Green Zelkova	Zelkova serrata "Village Green"	2 1/2 - 3"
Canada Hemlock	Tsuga canadensis	4' - 5'
White Fir	Abies concolor	6' - 7'
White Pine	Pinus strobus	6' - 7'
Austrian Pine	Pinus nigra	6' - 7'
Various Spruce varieties	abies, spp.	6' - 7'

CITY OF PORTLAND, MAINE
SITE PLAN REVIEW (ADDENDUM)
CONDITIONS OF APPROVAL

APPLICANT: ROD BERURE
 ADDRESS: 295 FOREST AVE PORTLAND
 SITE ADDRESS/LOCATION: 168 CURTIS RD
 DATE: 11/25/96

Review by the Development Review Coordinator is for General Conformance with ordinances and standards only and does not relieve the applicant, his contractors or agents from the responsibility to provide a completely finished site, including but not limited to: increasing or concentrating of all surface runoff onto adjacent or downstream properties, issues regarding vehicle sight distance, location of public utilities and foundation elevations.

CONDITIONS CHECKED OFF BELOW WILL BE ENFORCED FOR YOUR SITE PLAN

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 168 CURTIS RD, the number must be displayed on the street frontage of your house prior to issuance of Certificate of Occupancy.
4. The Development Review Coordinator (874-8300 ext. 8722) 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. Show all utility connections: water, sanitary sewer, storm drain, electric, telephone, cable.
6. A sewer permit is required for your 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.
7. A street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

8. As-built record information for sewer and stormwater service connections must be submitted to Parks and Public Works Engineering Section (55 Portland Street) and approved prior to issuance of a Certificate of Occupancy. BUILDER SHALL SUBMIT A COPY OF THE SEWER PERMIT TO THE DEVELOPMENT REVIEW COORDINATOR
9. 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.
10. The site contractor shall establish finish grades at the building 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.
11. A drainage plan shall be submitted to and approved by Development Review Coordinator showing first floor elevation (FEE), sill elevation (SE), finish street/curb elevation, lot grading, existing and proposed contours, drainage patterns and paths, drainage swales, grades at or near abutting property lines, erosion control devices and locations and outlets for the drainage from the property.
12. The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.
13. ALL ERODED SOIL SHALL BE CONTAINED ON-SITE. ALL DISTURBED AREAS SHALL BE HEAVILY MULCHED, FOR THE WINTER.

cc: Katherine Staples, P.E., City Engineer

14. ALL THE EXISTING PAV'T FROM THE 30' EASEMENT TO THE CITY OF PORTLAND SHALL BE REMOVED FROM THE SITE.
15. THE EXISTING CURB CUT SHALL BE REMOVED IN ACCORDANCE WITH CITY OF PORTLAND STANDARDS. THE NEW CURB CUT SHALL BE CONSTRUCTED TO CITY OF PORTLAND STANDARDS.



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Code Enforcement

FROM: Jim Wendel P.E., Development Review Coordinator

DATE: October 15, 1997

RE: Request for Certificate of Occupancy
168 Curtis Road (Lot 4)

On October 14 and 15, 1997 I reviewed the site for compliance with the site plan approval dated 11-25-96.

My comments are:

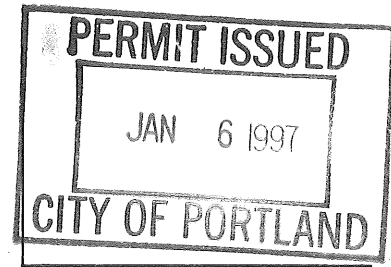
1. ✓ The two City of Portland trees need to be planted.
2. Verification is needed from Public Works that they have the as-built data for the storm and sanitary services.
- ~~3.~~ The applicant chose not to relocate the curb cut; he is utilizing the existing curb cut. Also the bulkhead and deck are in different locations. A revised site plan showing these changes and the revised utility services should be submitted for the file.
4. No documentation has been submitted of the easement deed for the foundation drain from Lot 3 located within Lot 4.
- ~~5.~~ All site drainage will drain off the property through the 20' drainage easement that is located along the back property line on Lots 4 and 5.
- ~~6.~~ The street number needs to be placed on the house.

cc: Alexander Jaegerman, Chief Planner
Joseph E. Gray, Jr., Director of Planning and Urban Development
Kandi Talbot, Planner

*Special provisions in plan
Cap @ Corner part front porch
10/15/97
Delus
No side extension
20' side
for new entrance
11/15/97
J.W.*



APPLICATION FOR AMENDMENT TO PERMIT



Amendment No. 1
Portland, Maine, 12/30/96

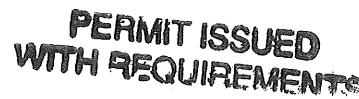
To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 96/1214 pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location 163 Curtis Rd Within Fire Limits? _____ Dist. No. _____
Owner's name and address Rod Beruba 753-0859 Telephone _____
Lessee's name and address 295 Forest Ave- Ptld ME 04102 Telephone _____
Contractor's name and address SU #110 Telephone _____
Architect _____ Plans filed _____ No. of sheets _____
Proposed use of building 1-fam dwlg No. families _____
Last use _____ No. families _____
Increased cost of work n/a Additional fee \$25

Description of Proposed Work

move the deck & bulkhead - setbacks are unchanged
The entire bldg is also shifted to the right, but no closer than the original setbacks shown



Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____
Framing lumber — Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O.C. Bridging in every floor and flat roof span over 8 feet.
Joints and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

Approved: OK with attached conditions 1/3/97 Signature of Owner _____
See memo dated 1/2/97 from Jim Wandel giving approval



INSPECTION COPY — WHITE FILE COPY — PINK Inspector of Buildings
APPLICANT'S COPY — YELLOW ASSESSOR'S COPY — GOLDEN

LAND USE - ZONING REPORT

ADDRESS: 168 Curtis Road DATE: 1/3/97

REASON FOR PERMIT: relocate side deck & bulkhead and shift entire building to the right AS shown

BUILDING OWNER: Rod Beube C-B-L: _____

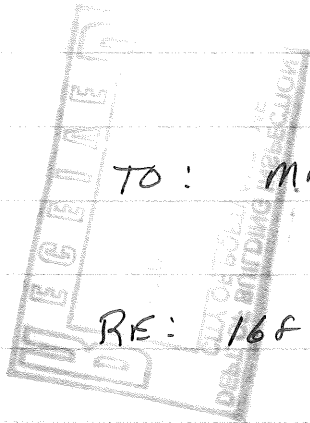
PERMIT APPLICANT: owner

APPROVED: with conditions ~~PERMITTED~~: _____
#3, #9

CONDITION(S) OF APPROVAL

1. During its existence, all aspects of the Home Occupation criteria, Section 14-410, shall be maintained.
2. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
3. All the conditions placed on the original, previously approved, permit issued on 12/12/96 are still in effect for this amendment. Permit # 961214
4. Your present structure is legally nonconforming as to rear and side setbacks. If you were to demolish the building on your own volition, you will not be able to maintain these same setbacks. Instead you would need to meet the zoning setbacks set forth in today's ordinances. In order to preserve these legally non-conforming setbacks, you may only rebuild the garage in place and in phases.
5. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
6. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval.
7. Separate permits shall be required for any signage.
8. Separate permits shall be required for future decks and/or garage.
9. Other requirements of condition please be aware that 12' is the minimum reduction allowed on the side yard. Foundation placement will be critical on that side for verification

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



TO: MARGE SCHMUCKAL

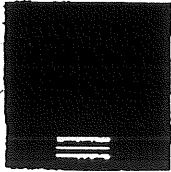
RE: 168 CURTIS ROAD SITE PLAN MODIFICATION-ENCLOSED.

THE DECK ON THE RIGHT SIDE OF THE HOUSE IS MOVED TO THE REAR OF THE HOUSE. (THE DECK IS VISUALLY MORE APPEALING ON THE REAR OF THE HOUSE THAN ON THE SIDE IN CLEAR VIEW FROM THE STREET.)

THE BULKHEAD IS MOVED TO BELOW THE REAR DECK.

THE SET BACK DISTANCES REMAIN THE SAME.

YOURS TRULY,
ROD GERUBE
RJG



DELUCA HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL 207 775 1121
FAX 207 879 0896

- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- TRAFFIC STUDIES AND MANAGEMENT
- PERMITTING
- AIRPORT ENGINEERING
- SITE PLANNING
- CONSTRUCTION ADMINISTRATION

MEMORANDUM

TO: Code Enforcement

FROM: Jim Wendel, Development Review Coordinator

DATE: January 2, 1997

RE: Site Plan Amendment
168 Curtis Road

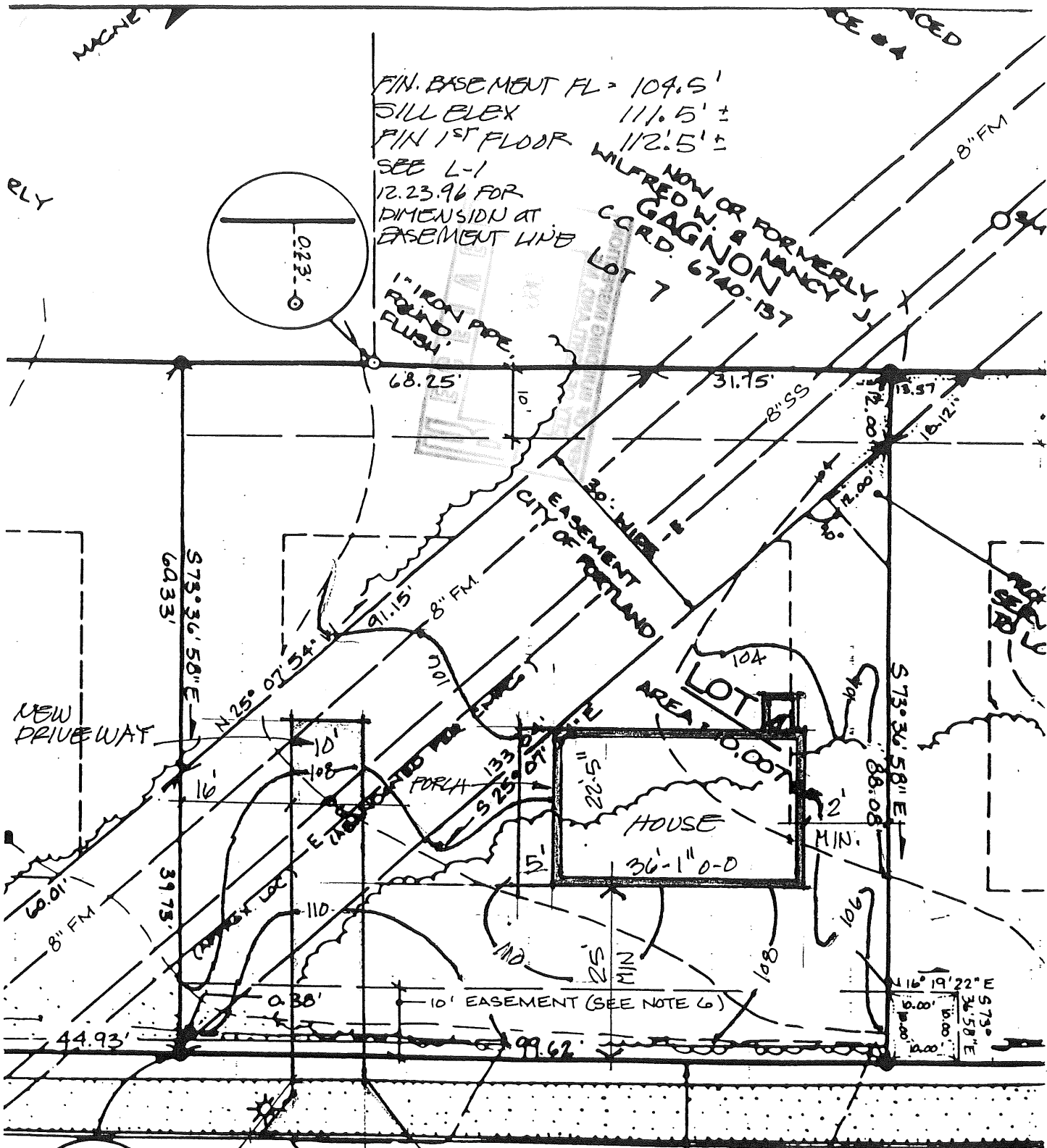
On December 31, 1996 I reviewed the amended site plan for 168 Curtis Road. From a drainage point of view the reduction of the right side yard dimension to 12' will not negatively impact drainage on site or on the abutting lot. There is sufficient side yard space to properly construct the swale.

Should you have any questions, please call.

James T. Wendel, P.E.

c: Kandi Talbot, Planning Department

JN1350.10168curts



FIN. BASEMENT FL = 104.5'
 SILL ELEV 111.5' ±
 FIN 1ST FLOOR 112.5' ±
 SEE L-1
 12.23.96 FOR
 DIMENSIONS AT
 EASEMENT LINE

WILFRED W. & NANCY J.
 GAGNON
 C.O.R.D. 6740-137
 LOT 7

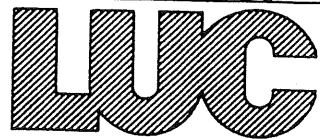
1" IRON PIPE
 ROUND
 FLUSH

EASEMENT
 CITY OF PORTLAND

HOUSE
 36'-1" O-D

PERMIT ISSUED
 WITH REQUIREMENTS

NOTE: SEE SECOND AMENDED RECORDING PLAT 1"=20' 4.13.95



LAND USE CONSULTANTS, INC.
 Land Planners * Engineers * Surveyors
 966 Riverside Street Portland, Maine 04103
 207-878-3313

PREPARED FOR:
 FOD PERUBE

SCALE: 1"=20'

DATE: 12.23.96

TITLE: SCHEMATIC
 GRADING

PERMIT ISSUED
 WITH REQUIREMENTS

JOB # 2718.4 EXHIBIT # L-2

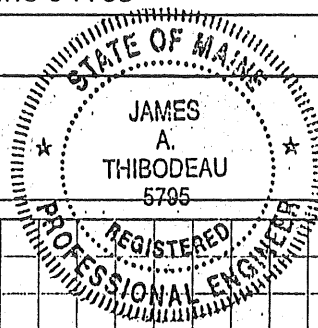
ASSOCIATED DESIGN PARTNERS INC.

222 Riverside St. • Portland, Maine 04103

Office: 207•871•8333

FAX: 871-8333

168 CURTIS ST.



THE ATTACHED DESIGN SKETCHES PROVIDE A CANTILEVER SILL BEAM EXTENSION DESIGN FOR THE FORMER AMIATOS OFFICE BUILDING ON AUGU AVE TO BE RELOCATED TO 168 CURTIS ST

THE DETAILS PROVIDE "GENERAL" GUIDELINES FOR INSTALLATION. THE CONTRACTOR IS REQUIRED TO REVIEW THEIR INSTALLATION PROCEDURE WITH ASSOC. DESIGN PARTNERS PRIOR TO CONSTRUCTION TO CONFIRM THEIR UNDERSTANDING OF THE CONSTRUCTION REQUIREMENTS.

SEVERAL STEEL BEAM SELECTIONS WERE PROVIDED TO ENSURE AVAILABILITY AND EASE OF INSTALLATION, ONLY ONE SIZE IS RECD.

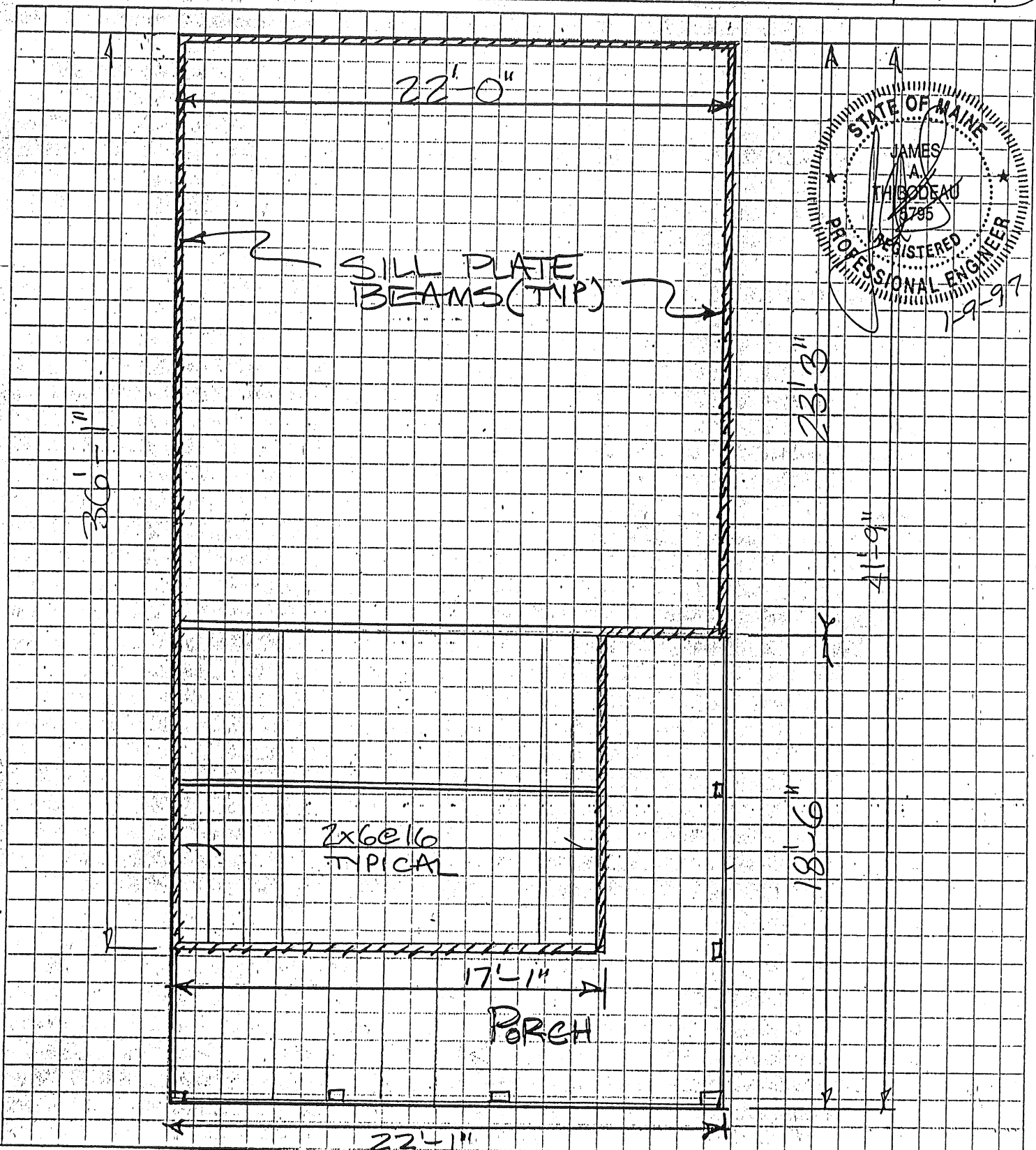
ASSOCIATED DESIGN PARTNERS INC.

222 Riverside St. • Portland, Maine 04103

Office: 207•871•8333

FAX: 871•8333

168 CURTIS ST. - EXIST. BUILDING FOOTPRINT.
CANTILEVER SILL SUPPORT
1-9-97



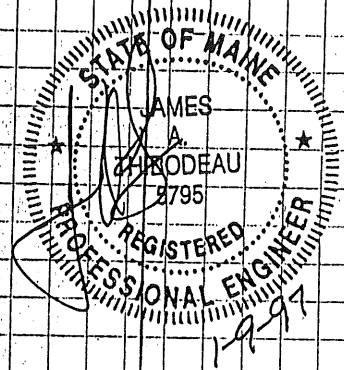
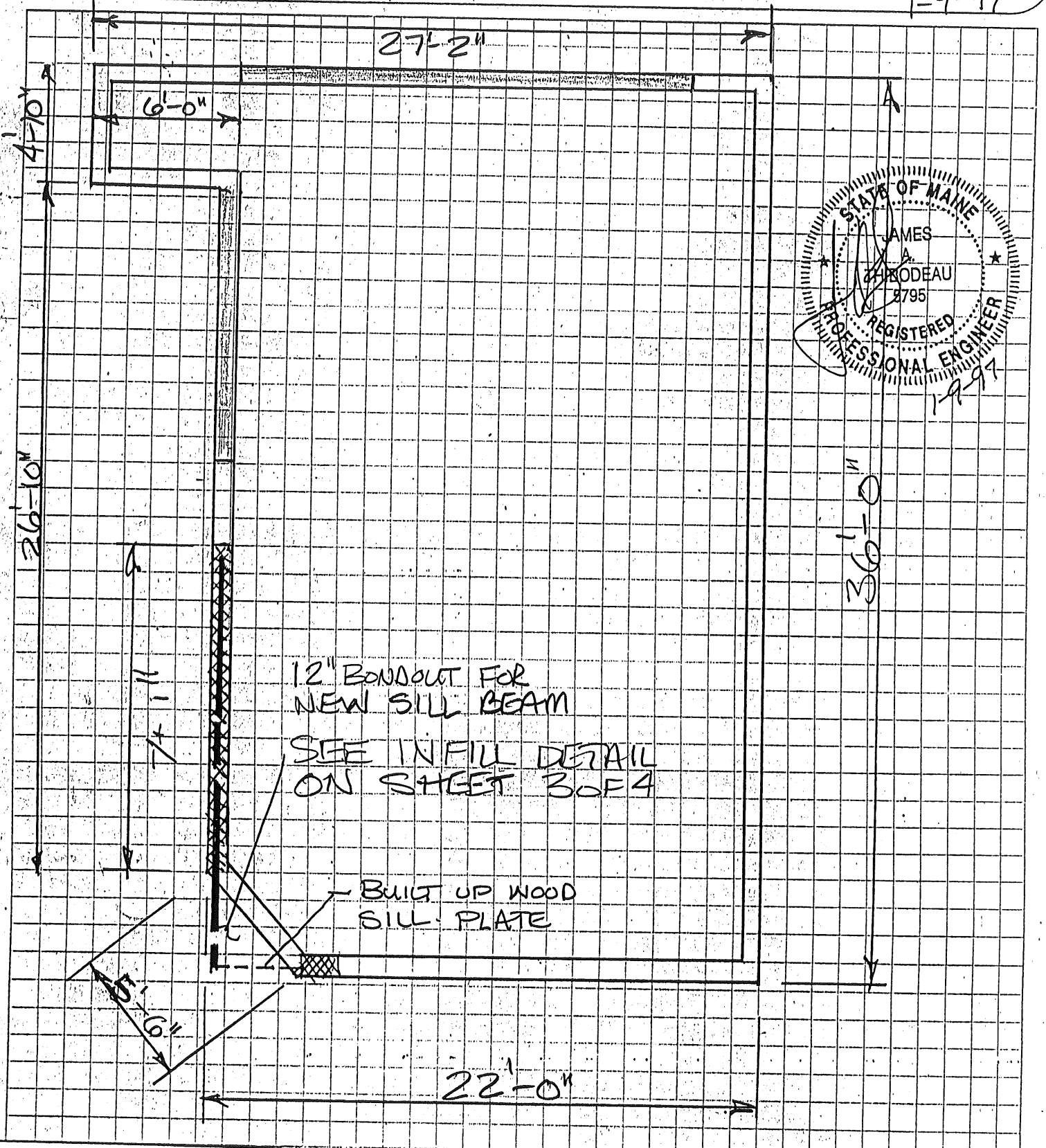
ASSOCIATED DESIGN PARTNERS INC.

222 Riverside St. • Portland, Maine 04103

Office: 207•871•8333

FAX: 871-8333

NEW FOUNDATION AS BUILT
168 CURTIS ST. 1-9-97



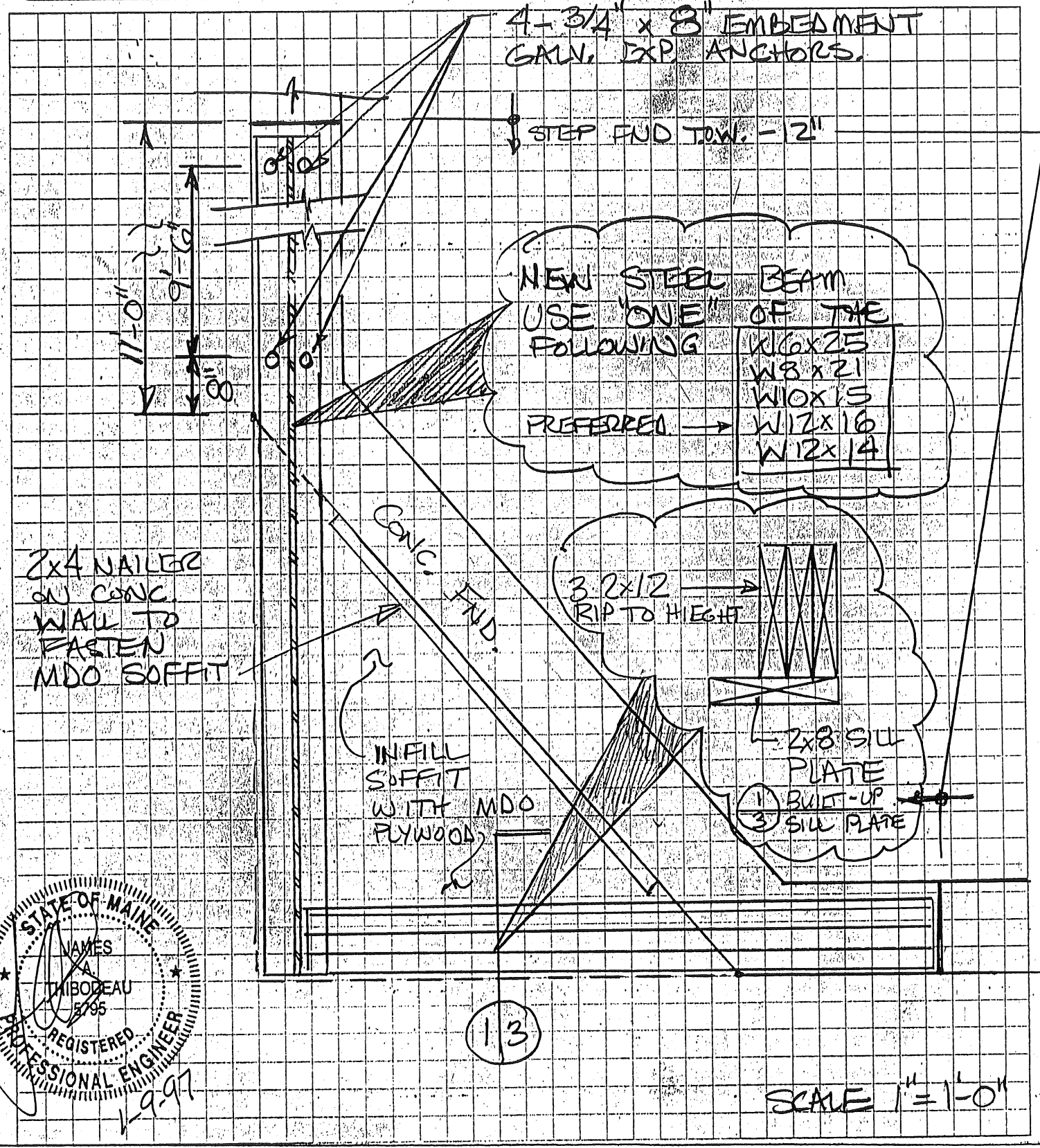
ASSOCIATED DESIGN PARTNERS INC.

222 Riverside St. • Portland, Maine 04103

Office: 207•871•8333

FAX: 871-8333

1-9-97



STATE OF MAINE
 JAMES A. THIBODEAU
 5795
 REGISTERED PROFESSIONAL ENGINEER
 1-9-97

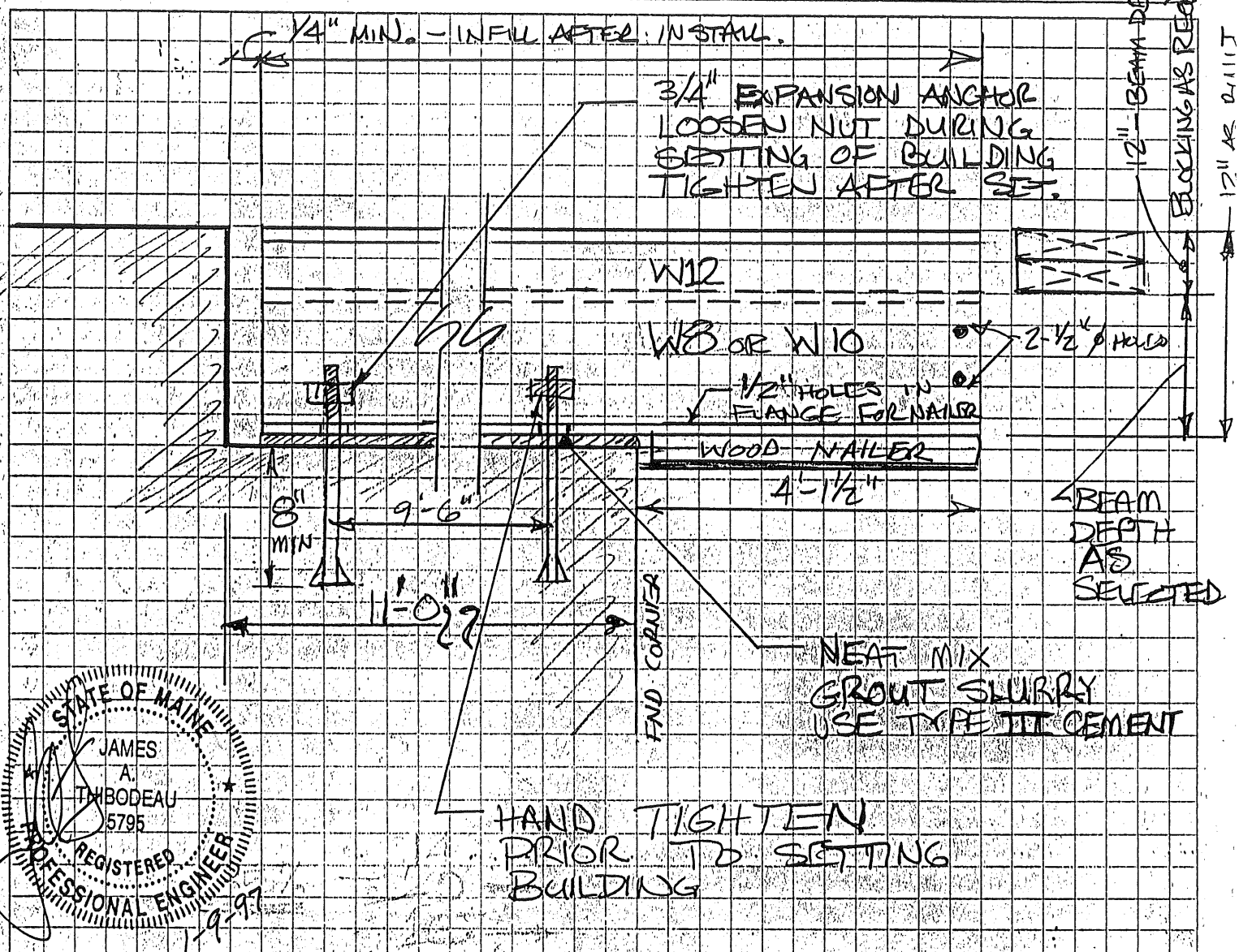
ASSOCIATED DESIGN PARTNERS INC.

222 Riverside St. • Portland, Maine 04103

Office: 207 • 871 • 8333

FAX: 871-83333

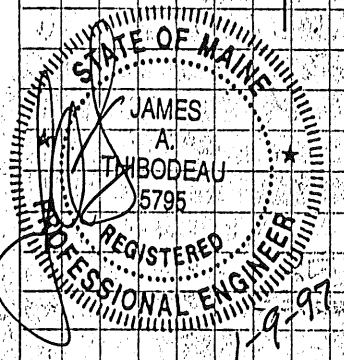
168 CURTIS ST. CANTILEVER BEAM



SECTION @ CANTILEVER BEAM

NOTES

1. PROVIDE WOOD BLOCKING TO TOP FLANGE TO MAKE UP REQUIRED HEIGHT TO SUPPORT SILL
2. USE A36 STEEL - DRILL BEAM W/ 1/2" ϕ HOLES @ 2' ON TO ACCOMMODATE NAILERS TOP AND BOTTOM.



BUILDING PERMIT REPORT

DATE: 12/Dec/96 ADDRESS: 168 Curtis Rd

REASON FOR PERMIT: move building / new foundation

BUILDING OWNER: Bob Berube


CONTRACTOR: owner

PERMIT APPLICANT: _____ APPROVAL: *1, *2, *13
DENIED: *18

CONDITION OF APPROVAL OR DENIAL

1. 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)
2. Precaution must be taken to protect concrete from freezing.
3. 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.
4. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
5. Guardrail & 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", except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect.
6. Headroom in habitable space is a minimum of 7'6".
7. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use group minimum 11" tread, 7" maximum rise.
8. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
9. Every sleeping room below the fourth story in buildings of use Groups S 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.
10. 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.
11. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's.
12. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
13. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's building code Chapter 9, Section 19, 919.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
 - In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basements
 In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)
14. 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.

- 15. The Fire Alarm System shall be maintained to NFPA #72 Standard.
- 16. The Sprinkler System shall maintained to NFPA #13 Standard.
- 17. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
- 18. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.
- 19. 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".
- 20. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
- 21. This permit does not excuse the applicant from obtaining any license which may be needed from the City Clerk's office.
- 22. _____
- 23. _____
- 24. _____
- 25. _____



P. Samuel Hoffses, Chief of Code Enforcement

cc: Lt. McDougall, PFD

From: Joe Gray
To: RBG
Date: 10/14/97 2:54pm
Subject: Curtls road -Reply

Bob, I went out to 168 Curtls Road this pm with Sam, Mark, and Lieut. Mac. Berube is working on the building. He has grassed outside, has some work to finish on the deck and wainscoting around the front porch. He is finishing up inside. Please look at the building. Our consensus is that there are no grounds for demolition. If you still want us to proceed after you look at the building I will order the title search and have it marked up for demolition.

>>> Robert B Ganley 10/14/97 09:05am >>>

Please let me know if we are moving toward demolition. Deadline is tomorrow. Neighbors are telling me that nothing of substance is being done. Also a rumor that Kevin Carroll has promised Berube an extension. Hope its not true.

CC: MBA,SPH,GARY

Joe
Obviously the "Rumor" is just that!
I have informed Mr. Berube several times that if, upon my inspection @ 8 AM, Thursday, Oct 16, 1997 (with Jim Wendall) the property does not meet the standard for a permanent C&D the city will proceed to process for demolition - from 10/15/97 7⁰⁵ AM

P.S. The term "time extension" has not even been used in this case. Mr. Berube has not brought it up in any context and obviously I have not brought it up.

As you know, it has been made very clear to all Code Officers that Granting of any time extensions are beyond their authority and must be approved at a higher level of management
I'll keep you informed



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

8/15/97
7:30 AM

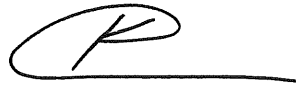
To: Joe Gray
From: Kevin Carroll
Re: 168 Curtis Rd.

Mr. Berube called me @ 7:30m Today and asked to move the final inspection of above property up from 8am tomorrow to 3pm today —

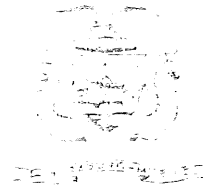
Jim Wendall is going out this morning & will call me w/ his report regarding site work.

I am waiting for Mike Collins report —
The electrician has called for a final —

I will keep you informed —



cc: Mark Adelson
Stan Hoffses



Aldy Inap

Joseph E. Gray Jr.
Director

CITY OF PORTLAND

October 6, 1997

Mr. Rod Berube
295 Forest Avenue
Portland ME 04103

RE: 168 Curtis Road (Lot 4)

Dear Mr. Berube:

The Planning Department has been approached by an abutter at 158 Curtis Road (Lot 3) with an issue that is associated with your lot.

As you may know, your lot was part of a 5 lot subdivision on Curtis Road that was approved in early 1995. As part of that approval a 10 foot wide easement was created along the front of lot 4 to allow the installation and connection of a house foundation drain from lot 3 to the storm drain system in Curtis Road. This drain was installed in the easement at the time of the construction of the house on lot 3. The easement is shown on the submitted site plan in your application for a single family house. The abutter has indicated that they do not have an executed and recorded easement providing maintenance rights for their foundation drain pipe on your lot.

The Planning Department is committed to securing an executed easement as required at the time of the subdivision approval. Consequently, the Planning Department hereby informs you that an easement deed for the location and maintenance of the foundation drain, acceptable to the abutters of lot 3 and recorded in the registry of deeds is an additional condition to the site plan approval for your permit to construct a single family house on lot 4. Also, as part of other possible requirements set forth by the City under the site plan approval, no type of certificate of occupancy will be granted for the house on lot 4 until documentation of the executed and recorded deed is submitted to the Planning Department.

To assist the resolution of this condition, please find enclosed a letter from Mr. Lourie, the attorney for the abutters, outlining how the deed should be written. It is assumed that Mr. Lourie may wish to contact you to coordinate this effort with you.

Should you have any questions please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Alexander Jaegerman", followed by a long horizontal line extending to the right.

Alexander Jaegerman
Chief Planner

cc: ✓ Mary Gresik, Building Permit Secretary
Natalie Burns, Associate Corporation Counsel
John & Sarah Burton (Lot 3)
Jim Wendel, DRC
David Lourie, Attorney at Law

DAVID A. LOURIE
Attorney at Law
189 Spurwink Avenue
Cape Elizabeth, Maine 04107

(207) 799-4922 Fax 767-4266
Cellular 671-4922
Toll free 1 888 625-9505

VIA FAX October 1, 1997

Jim Wendel
DeLuca Hoffman
778 Main Street
So. Portland, ME 04106

Re: Easement Deed from Owner(s) of Lot 4 to Owners of Lot 3 (St.
Angelo Subdivision - Curtis Road, Portland)

Dear Jim:

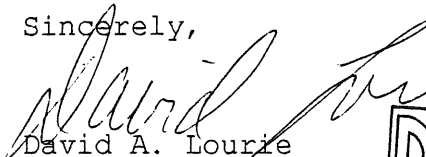
Per your request I am advising as to what the Burtons need in an
easement deed from the owner of Lot 4.

1. The deed should be in the form of a warranty deed. The deed
should convey a ten foot wide (10') drainage easement to Sarah A. Burton
and John C. Burton, owners of Lot 3 in perpetuity, which easement shall
be appurtenant to their property (shown as Lot 3 on a certain
Subdivision Plan entitled "Second Amended Recording Plat" prepared by
Land Use Consultants (LUC) for Gregory, Jr. and Norma M. St. Angelo
recorded in the Cumberland County Registry of Deeds in Plan Book 195,
Page 97). The description of the easement should refer to the ten (10)
foot wide easement along Curtis Road over Lot 4 shown on said Amended
Plan.

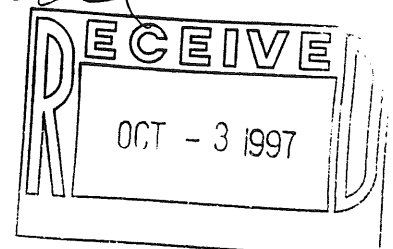
2. The Deed should contain a covenant that the Grantor will not plant
any trees in the easement area without obtaining the written permission
of the Grantees, and that Grantor will not place any structure or take
any action within the easement area which may adversely affect the pipe
or conduit, or which unreasonably interferes with the rights of
Grantees. The Deed should also convey the following rights:
"Together with the right to enter upon said easement area for the
purpose of laying, relaying, maintaining, repairing, and replacing
subsurface pipe or conduit within the easement area at the expense of
Grantees; and the right to disturb soil, pavement, and/or vegetation as
necessary to accomplish such laying, relaying, maintaining, repairing,
and replacing of subsurface pipe or conduit, provided Grantees shall
repair or replace any soil, pavement, or vegetation."

Please call if you need any clarification of the above.

Sincerely,


David A. Lourie

cc: Sarah Burton



Kevin _____

12/23/96



Received 12/23/96

put with The file. =
I didn't find any REAL ISSUES
that The City could enforce.
Marge

tis Rd

1-800-438-5000

We are writing to express our concerns regarding Building Permit No. 961214 issued to Mr. Rod Berube for construction at 168 Curtis Rd. (ref. 368 - G - 24). The Building Permit pertains to the construction of a new foundation on this property with the intent of moving the former Amato's office building, presently located at the corner of Washington and Allen Ave.'s, to this site and locating it on the new foundation.

We wish to take exception to the issuance of this Permit for the following reasons:

- Precedence not to allow encroachment into the existing City of Portland sewer easement.
- Lack of an approved plan for relocating the building and the required permit from Public Works
- Lack of a site plan showing all necessary utility connections.
- Failure to address regrading of the lot and its effect on drainage for this lot and those of the abutting landowners.
- Development Review Application based on a new residential building, not on a relocated structure.
- Proposed residence is out of character with this area and will not blend in with the rest of the houses in the neighborhood.

As we are sure you are aware, an existing 30' wide City of Portland sewer easement essentially bisects this property running from the southeast corner of the lot to the northwest corner. Additionally, for an R-2 Residence zoning, the City of Portland requires minimum setbacks on both the front and rear of this lot of 25' and minimum setbacks on the sides of 16' although we understand the Code does allow this to be reduced to 12' on one side if the opposite side setback is increased to 20' under certain conditions. Based on the above constraints, and the size of the proposed foundation, that being, 36' - 1" by 22' - 5", the foundation can not be constructed without encroachment into the City's easement of more than 4'. Further, the above foundation dimensions do not take into consideration the additional width that the wall footing adds to a foundation. The foundation wall footing proposed for this house is twenty inches (20") wide with a ten inch (10") wall which means that the foundation dimensions are an additional eight inches (8") wider in both directions than the Building Permit application indicates. Normally this is not a problem except when you are trying to build right on a property line or easement. This footing projection will therefore make the encroachment even greater.

NOT Handed out
G...
New F... Footing

We understand that the City's Engineer, Ms. Katherine A. Staples, P.E., has reviewed the Building Permit Application. We also understand that, according to Ms Staples, it is the City's policy not to allow encroachments on any of its easements. However, Ms. Staples did give a conditional approval to the construction of the foundation with certain conditions. Among the conditions was that the foundation be truncated along the easement but she did not require that the house be similarly truncated. As previously stated, it is the policy of the City of Portland not to allow encroachments on any of its easements and precedence has been set for this very easement to not allow even the structure to overhang. The garage of the house on Lot 7 of Presumpscot River Place belonging to Wilfred W. and Nancy J. Gagnon was required by the City of Portland to be truncated at its time of construction because it would otherwise be over the easement. This is extremely significant because Lot 7 is directly behind the lot on which Mr. Berube proposes to build. Based on this, it seems inappropriate to allow Mr. Berube to construct a house extending over the very same easement. Further, since the City, in essence, granted a variance to Mr. Berube to allow this, we feel it was not appropriate to do so without advising the abutting landowners of this variance and without allowing their comments.

Ms. Staples also required that Mr. Berube verify the actual location of the existing sewer as it currently exists since it may vary from the locations shown on the plans. Mr. Berube was requested to excavate to find the existing sewers and to have a Registered Land Surveyor locate the sewer and the right of way. He was further requested to have the land surveyor stake out the location of the proposed foundation in its agreed upon location. Ms. Staples asked Mr. Berube to submit a plan to the City for review showing the proposed location of the foundation and it's relationship to the existing sewer (i.e. distances and elevation differences) before construction begins. Because Mr. Berube has not located the sewer lines, staked out the proposed foundation nor submitted the requested plan, the protection of the City's interests is in question and we feel the City should not have issued a Building Permit.

Done
Done
Done
Done

The issue of moving the building was only addressed to the extent that it was noted that a permit was required to be obtained from Public Works prior to moving the building. This does not even touch upon the logistics of such a large endeavor which we feel should be addressed before the foundation is even started. It seems illogical to allow the foundation to be constructed until all the issues concerning the move have been addressed adequately. If the foundation were constructed only to find out later that the building move is unfeasible or not cost-effective, then the issue of the safety of an open foundation would have to be addressed. This neighborhood has a number of children under the age of 8 and their safety would be at risk.

The most logical route for moving this building is out Allen Ave., left onto Summit Street and the right onto Curtis Rd. Because the building is 2½ stories high, all the electric, telephone and cable lines will need to be raised in order to move the building to its proposed location. This will require significant coordination between the mover, CMP, NYNEX and Time - Warner Cable. All this will take a considerable amount of time and will affect traffic on these streets. The thought of moving a 22 foot wide building down any of those streets carrying traffic including school buses and potentially emergency vehicles as well as the

daily commuter traffic is inconceivable. This would also require coordination with the Portland Police, Fire and School Departments as well as any neighboring communities that may use Allen Ave. for their ambulances, etc. Signs would also be needed to give commuters advance warning of traffic delays. Additionally, once the building gets past Abby Lane, Curtis Road will be effectively blocked and no vehicles will be able to get on or out while the house is in the road. This is the only access route for approximately 35 homes and a school bus route.

The height of the building would also have an impact on the trees along this route that overhang the road. It is entirely conceivable that the mover would have to trim trees in order to move the house, particularly on the upper end of Curtis Road. Many of these trees are quite large and majestic and it would be unacceptable to the residents along the route to have their beauty destroyed by trimming to make way for the mover of a building. We also believe that a permit would be required from the City Arborist prior to cutting any of the trees on the City's property.

The City of Portland also requires that Mr. Berube show all utility connections including water, sanitary sewer, storm drain, electricity, cable and telephone, on his site plan as indicated on the Site Plan Review (Addendum) Conditions of Approval, Item #5. The current plan does not include any of this information. The Building Permit should not have been issued until all information required had been provided.

*Transfer
Corner #7
Site Plan*

The Building Permit application does not adequately address the issue of regrading of the site necessary in order to construct the foundation and its impact on the adjacent landowners with respect to drainage concerns. As indicated on the plan submitted with the Building Permit application, the finish floor of the basement is proposed to be at El. 104' - 4" whereas the proposed grade in the northwest corner of the foundation is at approximately 105' - 6". The top of the basement walls are at approximately El. 111' per the submitted plan. The proposed foundation walls are to be 8' high on the 10" wall footing. This means that the bottom of footing is at El. 102' - 2". In order to get below frost, which is at 4 feet below grade, the foundation must be below El 101' - 6" here or the existing grade must be raised more than proposed thereby creating drainage questions.

DR

Because of its affects on the abutting landowners, we feel it is appropriate to have the revised plans reviewed prior to the issuance of the Building Permit and not after construction has started.

The City of Portland Development Review Application was submitted as if the building were a new residential structure and not one that was being relocated. In Ms. Staple's review, she discussed the construction as if it were to be built on site and not an existing building to be moved to this site. The Development Review Application did not address the change of use issue either. At its present location, the building, although originally a residence, is an office building in a B-1 zone. Mr. Berube proposes to move this building and make it an R-2 zone dwelling. According to the BOCA 1996 Building Code, Section 3405.0, Change of Occupancy, the Code Official shall certify that such structure

meets the intent of the provisions of law governing building construction for the proposed occupancy, and that such change of occupancy does not result in any greater hazard to the public health, safety or welfare. With regards to moving the building, Mr. Berube is moving the structure within the same jurisdiction and therefore is required by the BOCA 1996 Building Code, Section 3407.8, Moved Structures, to comply with the provisions of the code for new structures. This would include plumbing and electrical upgrades to the current codes, adding smoke detectors, as well as removing any hazardous materials. The existing building is quite old and although it has been modernized somewhat, we believe it probably contains lead-based paints and lead solder in the plumbing. We also suspect that it has asbestos somewhere within the building, be it in the floor tiles, the roof shingles and/or the heating system. For the safety of all the children in our neighborhood, these materials must all be removed from this building and the structure certified to be free of all hazardous materials by a licensed industrial hygienist before it is moved from its present location.

- No 174070
- Smoke
 Ductwork (40)
- No 174070
 Removal
 Lead Paint?
- Use 174070
 174070 new

The Building Permit Application listed the cost of the work to be \$19,000 which we consider to significantly underestimated. Included with the application was a quote for the foundation and the basement slab of \$5,221.00. This quote does not appear to include the excavation costs. Nor does it include the cost of moving the house to the site. It is hard to imagine that the hole can be dug, the house can be moved to the site, all the necessary code upgrade work can be done, all the lead, asbestos and other hazardous materials removed from the house and the house interior reconstructed for the remaining \$13,189.00. Anyone who has had a basement refinished or a garage built knows that this can easily exceed \$10,000.

no? Refinish
what? House

The Development Review Application reviewed by Mr. Jim Wendel on Nov. 25, 1996 included a list of 15 conditions that will be enforced on Mr. Berube's site plan. These included a copy of the Sewer Permit being submitted to the Development Review Coordinator, and a Street Opening Permit. We also understand that Section 25-135 does not allow Street Opening Permits to be issued between Nov. 15 and April 15. Therefore, Mr. Berube will not be allowed to change the location of his driveway from the north end of his lot to the south end as proposed on the site plan until next April. He may further have difficulty making his utility tie-ins unless they are presently terminated on his property.

After Block
Permit? Found

Marge Schmuckal performed a second review of the Application on Dec. 10, 1996 providing further conditions. Among the conditions put forth by Ms. Schmuckal was that Mr. Berube obtain a permit to move the existing building from the Public Works Dept. prior to moving the building. It would seem more appropriate to require Mr. Berube to have the Permit in hand prior to issuing the Building Permit and not after.

As previously stated, the existing building is a very old structure. We feel it would be out of place in the location proposed by Mr. Berube and would be more appropriate relocated to a neighborhood where it would blend in with the other houses. Because Lot 4 is so impacted by easements and setbacks, the house cannot be positioned on the lot in the orientation that it is presently in. What this means is that the front of the house will be facing a side of the lot and a side of the house will be facing the street making for a very awkward

looking house. Its presence will have a very negative effect on the character of the neighborhood. All the other houses in this neighborhood face the street.

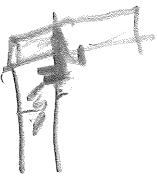
In summation, we believe that the City was premature in issuing the Building Permit to Mr. Berube without having all the necessary information regarding its impact on the easement, utility tie-ins, permit from Public Works to move the building, drainage concerns, issues pertaining to updating to the current Building Code, presence of hazardous materials and its impact on the neighborhood in general. We, the undersigned, therefore hereby request that the City revoke or suspend Mr. Berube's Building Permit and that no work be allowed to continue until all the above issues have been addressed to our satisfaction. We understand that it is Mr. Berube's intent to start excavation for the foundation as soon as Monday, Dec. 23, 1996 so prompt and immediate action on these issues is required.

cc: Katherine A. Staples, P.E., City Engineer

Joseph Gray, Jr., Dir. of Planning and Urban Development

<u>NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>
1. <u>Paul Gillis</u>	<u>Paul Gillis</u>	<u>7 Whaleboat Road Portland, ME</u>
2. <u>Carol Gillis</u>	<u>Carol Gillis</u>	<u>7 Whaleboat Rd. Portland, ME</u>
3. <u>Jennifer T. Mull</u>	<u>Jennifer T. Mull</u>	<u>174 Curtis Rd 17461 ME</u>
4. <u>Charles W. Mull</u>	<u>Charles W. Mull</u>	<u>174 Curtis Rd PORTO, ME</u>
5. <u>John C Burton</u>	<u>John C. Burton</u>	<u>158 Curtis Rd Portland ME.</u>
6. <u>Sarah A Burton</u>	<u>Sarah A. Burton</u>	<u>158 Curtis Rd Portland ME</u>
7. <u>Howard Strang</u>	<u>Howard Strang</u>	<u>1103 CURTIS RD, PORTLAND, ME</u>
8. <u>Katherine S. Strang</u>	<u>Katherine S. Strang</u>	<u>1103 Curtis Rd. Port., ME</u>
9. <u>Linda A. Morris</u>	<u>Linda A. Morris</u>	<u>10 Overseas Rd. Port. ME</u>
10. <u>Christine R. Foley</u>	<u>Christine R. Foley</u>	<u>189 Curtis Rd. Portland ME.</u>
11. <u>Kevin B. Foley</u>	<u>Kevin B. Foley</u>	<u>189 Curtis Rd Portland, ME</u>
12. <u>Robert Reno Jr</u>	<u>Robert Reno Jr</u>	<u>45 Overseas Rd, Portland ME</u>
13. <u>Ross Weber</u>	<u>Ross Weber</u>	<u>51 Overseas Rd. Portland, ME</u>
14. <u>Barbara Peisner</u>	<u>Barbara Peisner</u>	<u>26 Overseas Rd. Portland ME</u>
15. <u>Michael Peisner MICHAEL PEISNER</u>	<u>Michael Peisner</u>	<u>26 OVERSEAS RD, PORTLAND</u>
16. <u>William M. Woods</u>	<u>William M. Woods</u>	<u>19 Whitehead Cir Portland</u>
17. <u>Lynn Woods</u>	<u>Lynn Woods</u>	<u>19 Whitehead Cir. Portland</u>
18. <u>David P. Laetsch</u>	<u>David P. Laetsch</u>	<u>24 Whitehead Circle Portland</u>
19. <u>Barbara L. Laetsch</u>	<u>Barbara L. Laetsch</u>	<u>24 Whitehead Circle 1270</u>
20. <u>Steve O'Connell</u>	<u>Steve O'Connell</u>	<u>20 Whitehead Circle</u>

<u>NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>
21. <u>Therese B. Damato</u>	<u>Therese B. Damato</u>	<u>20 Whitehead Circle</u>
22. <u>Nancy M. Mattis</u>	<u>Nancy M. Mattis</u>	<u>11 Whitehead Circle</u>
23. <u>MICHAEL J. MATTIS</u>	<u>Michael J. Mattis</u>	<u>11 WHITEHEAD CIR.</u>
24. <u>Denise Connick</u>	<u>Denise Connick</u>	<u>22 Whaleboat Rd</u>
25. <u>Paul Jones</u>		<u>15 Whitlinsac rd.</u>
26. <u>Valerie Jones</u>	<u>Valerie Jones</u>	<u>16 Whaleboat Rd.</u>
27. <u>RAY JONES</u>	<u>Ray Jones</u>	<u>16 Whaleboat Rd</u>
28. <u>Steve Morris</u>	<u>Steve Morris</u>	<u>10 OVERT ROAD</u>
29. <u>NANCY CAGNON</u>	<u>Nancy Cagon</u>	<u>61 Clapboard Rd</u>
30. <u>Eugene G. Ardito</u>	<u>E G Ardito</u>	<u>17 Overset Rd</u>
31. <u>Barbara W. Ardito</u>	<u>Barbara W. Ardito</u>	<u>17 Overset Rd,</u>
32. <u>TIMOTHY L. LAYTON</u>	<u>Timothy Layton</u>	<u>11 OVERT RD.</u>
33. <u>Roberta A. Layton</u>	<u>Roberta A. Layton</u>	<u>11 Overset Road</u>
34. <u>Sheryl A. Simmons</u>	<u>Sheryl A. Simmons</u>	<u>5 Overset Road</u>
35. <u>Deane J. Simmons</u>	<u>Deane J. Simmons</u>	<u>5 Overset Road</u>
36. _____	_____	_____
37. _____	_____	_____
38. _____	_____	_____
39. _____	_____	_____
40. _____	_____	_____



Foundation completed by - Aug. 15-97

- 1. Apron ~~at~~ steel
- * 2. Anchoring house to foundation
- 3. Steel columns anchors
- 4. Voids in foundation filled,
- 5. windows
- 6. bulkhead

Landscaping: Sept. 30 97

Lawn -

Trees

shrubs -

grading to spec,

Chimney -

Aug. 30-97

ELE - completed -

~~BY~~ BG -

Aug. 30-97

Finished ~~at~~ inside work
EXTERIOR work finally

Sept. 30,

Sept 30

Name of Contractors -

Foundation - Completed -

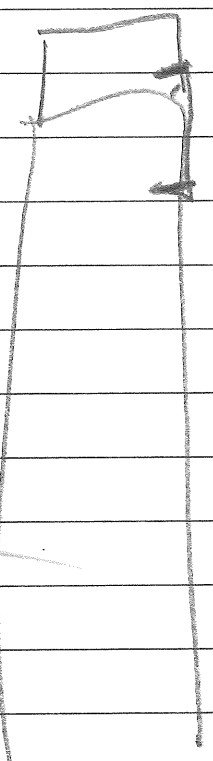
Ele. -

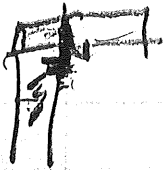
Plumbing -

Chimney -

Landscaping -

295 Forest Ave
Box 110





— Foundation Completed by — Aug. 15-97

1. Apron ~~at~~ Steel
- * 2. Anchoring house To Foundation
3. Steel Columns anchors.
4. Voids in Foundation Filled,
5. windows
6. bulkhead

— Landscaping: Sept. 30 97

Lawn —

Trees " shrubs — grading To SPEC,

— Chimney —

Aug. 30-97

Ele - completed -

Aug. 30-97

~~BLBG~~ -

Finished ^{inside} ~~work~~ work

Sept. 30,

EXTERIOR WORK FINISHED

Sept 30

I REQUEST A BUILDING PERMIT
AND A MOVING PERMIT TO
MOVE A HOUSE (PICTURE ENCLOSED)
FROM THE CORNER OF ALLEN AVE
AND WASHINGTON AVE TO CURTIS
RD., WHICH IS OFF SUMMIT ST. IN
PORTLAND.

THE HOUSE WILL BE USED AS A SINGLE
FAMILY HOME. THE ZONE IS R-2
MAP 389-G-24 WITH 10,007 +/- S.F.
THE MOVER OF THE BUILDING IS JIM MERRY.

St. Angelo, Greg.

162-168 Curtis Rd.

**CITY OF PORTLAND
PUBLIC WORKS DEPARTMENT
ENGINEERING SECTION**

M E M O R A N D U M

TO: Marge Schmuckal, Inspections

FROM: Katherine A. Staples, PE, City Engineer

SUBJECT: Request to Build Within a City Sewer Right of Way

DATE: December 10, 1996

KAS

-168 Curtis Rd

389-G-24

Rod Berube contacted this office on Friday, November 15, 1996 in the course of researching two parcels of land upon which he was interested in building a house. One of these parcels is Lot 4 of the St. Angelo Subdivision, between 134 and 174 Curtis Rd. Lot 4 has a 30' sewer easement running through the middle of the lot. It is the City of Portland's policy not to allow encroachments on any of its easements. As the sewer easement runs through the middle of the lot, it appears(at best) difficult to construct a home on the lot. Consequently, Mr. Berube explained an idea that he had for building a house on said Lot 4. The attached photocopy depicts this idea, and shows a house foundation built up against the easterly side of the sewer right of way.

The southwest corner of the house's foundation would be built up to the edge of the sewer right of way but not over the line. The result would be a truncated foundation corner on the back of the house. Mr. Berube would then like to frame up the house so that the truncated back corner was squared off like any other home; this means that the house's framing would extend out beyond the foundation and encroach on the sewer right of way from above but not touch the ground. My staff and I explained to him the reasoning behind the need for a 30' sewer easement and that any encroachments made on City easements are done solely at the abutter's risk and liability. After some additional discussion my staff and I proposed to Mr. Berube that if the City of Portland could be certain beyond a reasonable doubt that the proposed building would be built in such a way as not to interfere with the City's use of the sewer easement, then perhaps we could allow his building of the proposed home and its subsequent encroachment on our sewer right of way. In order to assure the City of Portland of this, Mr. Berube needs to have a foundation laid out by a land surveyor and verify the actual location of the existing sewer within the right of way. The Engineering Section feels that the only way to insure that the proposed building does not adversely encroach on the sewer easement is for Mr. Berube to do the following:

1. He must hire someone to verify the actual location of the sewer as it currently exists. This may involve excavation of the ground in and around the proposed

Kevin,

12/23/16
4:30

^AThe Neighbor called RE,
168 Curtis Rd - she SAID she
KNOWS the EXCAVATOR (Mike
Weisman) ? he knows nothing
of all the conditions placed on
this site. He was just going
to start digging tomorrow
morning - I did NOT say that the

Dozer MAN couldn't start
digging - but I did say
that he should be aware of
all the restrictions & that
nothing was going to be
poured without meeting
Katie Staples memo.

me