

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 75 Allen Ave. 04101		Owner: Matt Irsaelson		Phone: 774-6714		Permit No:	
Owner Address: 135 Marginal Way #313 04101		Lessee/Buyer's Name: Karen L. McIlwain		Phone:		Business Name:	
Contractor Name:		Address:		Phone:		Permit Issued: DEC 23 1999	
Past Use: 2 Family		Proposed Use: 1 Rental Unit w/Daycare Business		COST OF WORK: \$ N/A		PERMIT FEE: \$ 30.00	
		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group A3 Type: 5B DEC 29 1999		Zone: CBL: 435-A-050	
Proposed Project Description: Change of Use From 2 Family To 1 Rental Unit & 1 Daycare Business		Signature:		Signature:		Zoning Approval:	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: UB		Date Applied For: GD December 22, 1999		Signature:		Date:	

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
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..

***Please Mail To: Karen L. McIlwain
664 Allen Avenue
Portland, ME. 04103

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 provisions of the code(s) applicable to such permit

December 22, 1999

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

PERMIT ISSUED
WITH REQUIREMENTS

PERMIT ISSUED
WITH REQUIREMENTS
CEO DISTRICT



435-A-050

Angus S. King
Governor



Maine Department of Public Safety
State Fire Marshal's Office
164 State House Station
Augusta, Maine 04333-0164



Michael F. Kelly
Commissioner
Chief John C. Dean
State Fire Marshal
Fax 207-624-8767

Phone 207-624-8744

Statement of Deficiencies and Plan of Corrections

Facility Name: Karen L. Mcilwain
Location: 75 Allen Avenue
Portland, Maine 04103
Facility Type DC (12)
Telephone : (207)878-9334
Resource ID : 389454 - File #63671

Owner Name: Karen L. Mcilwain
Address: 664 Allen Avenue
Portland, Maine 04103

During an inspection of your facility a certified State Inspector has found the following violations.

In this right hand column you are required to indicate how and when you will have these violations corrected. Complete this information and return this "Plan of Correction" to the above address within 10 days of receipt of this statement.

1. **dc09** All areas and rooms used to nap day-care occupants in must have a properly installed smoke detector. New installations of smoke detectors must be powered by the house electrical supply but may include battery back-up power. (NFPA 101, 30-3.4.5, 31-3.4.5)
2. **dc34** A portable fire extinguisher with an ABC rating must be installed the area of the kitchen. The extinguisher must be checked for fullness each month and should be turned over to allow movement of powder agent. (NFPA 10)
3. **dc30** All electrical junction boxes and electrical panels must have all protective covers in place at all times. (NEC, NFPA 70)

WR/map

(PENDING)

cc: DHS
Portland Fire Department

Date of Inspection: December 7, 1999
Inspector: William Romano
Date Sent : 24 March, 2000

Owner/Occupant Signature
Date:

BUILDING PERMIT REPORT

DATE: 23 Dec. 99 ADDRESS: 75 Allen Ave. CBL: 435-A-050

REASON FOR PERMIT: Change of use from 2 DU To 1 DU and day care

BUILDING OWNER: Matt Israelson

PERMIT APPLICANT: _____ /CONTRACTOR owner

USE GROUP: R-3 CONSTRUCTION TYPE: 53 CONSTRUCTION COST: _____ PERMIT FEES: \$30,00

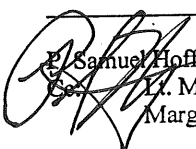
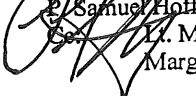
The City's Adopted Building Code (The BOCA National Building code/1996 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: *1, *11, *15, *18
*19, *27, *34, *36

- *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 from freezing. Section 1908.0
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 means of 1.2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1996)
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", 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. (Handrails shall be a minimum of 34" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38"). 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)
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 3/4" 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") 1014.4.4.0
- *15. 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 (508)mm, and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
16. 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)
17. 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. (Over 3 stories in height requirements for fire rating is two (2) hours. (Section 710.0)
- *18. 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)

- X 19. 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/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
- 20. 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)
- 21. The Fire Alarm System shall maintained to NFPA #72 Standard.
- 22. The Sprinkler System shall maintained to NFPA #13 Standard.
- 23. 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/1996)
- 24. 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".
- 25. 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.
- 26. Ventilation shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
- X 27. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
- 28. All requirements must be met before a final Certificate of Occupancy is issued.
- 29. 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).
- 30. 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)
- 31. Please read and implement the attached Land Use Zoning report requirements.
- 32. 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.
- 33. Bridging shall comply with Section 2305.16.
- 34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2405.0)
- 35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1996).
- X 36. A one (1) hour Fire partition shall be required between Dwelling and day care.

 Samuel Hoffes, Building Inspector
 Marge Schmuckal, Zoning Administrator

PSH 11/25/99

****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.**

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

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

**Building or Use Permit Pre-Application
Attached Single Family Dwellings/Two-Family Dwelling
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

NOTE 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 (include Portion of Building): <u>75 Allen Ave Portland, ME</u>		
Total Square Footage of Proposed Structure <u>N/A</u>	Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Number Chart# <u>435</u> Block# <u>A</u> Lot# <u>050</u>	Owner: <u>ISRAELSON</u> <u>Mutt + Israelson</u>	Telephone#: <u>774-6714</u>
Owner's Address: <u>135 Marginal way #313 Portland, ME 04101</u>	(Lessee/Buyer's Name (If Applicable)) <u>Karen L. McElwain</u>	Cost Of Work: <u>N/A</u> Fee <u>\$ 30.00</u> <u>PAID ON</u>
Proposed Project Description: (Please be as specific as possible) <u>(*) 664 ALLEN AVE wee care day care 04103</u> <u>change of use from 2 family to rental & child care bus</u>		
Contractor's Name, Address & Telephone <u>2 family N/A</u>		Rec'd By <u>UB</u>
Current Use: <u>Residential Rental</u>	Proposed Use: <u>Child Care Business</u>	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with your application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

4) Building Plans

Unless exempted by State Law, construction documents must be designed by a registered design professional.

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

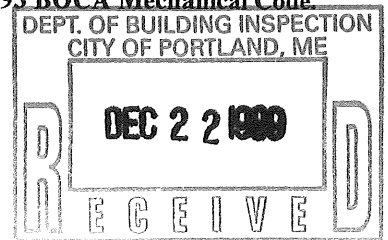
Certification

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/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: <u>Karen McElwain</u>	Date: <u>12/22/99</u>
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Building Permit Fee: \$30.00 for the 1st \$1000. cost plus \$6.00 per \$1,000.00 construction cost thereafter.

Additional Site review and related fees are attached on a separate addendum



Inspection Services
Michael J. Nugent
Manager



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

CITY OF PORTLAND

congratulations !!!!!

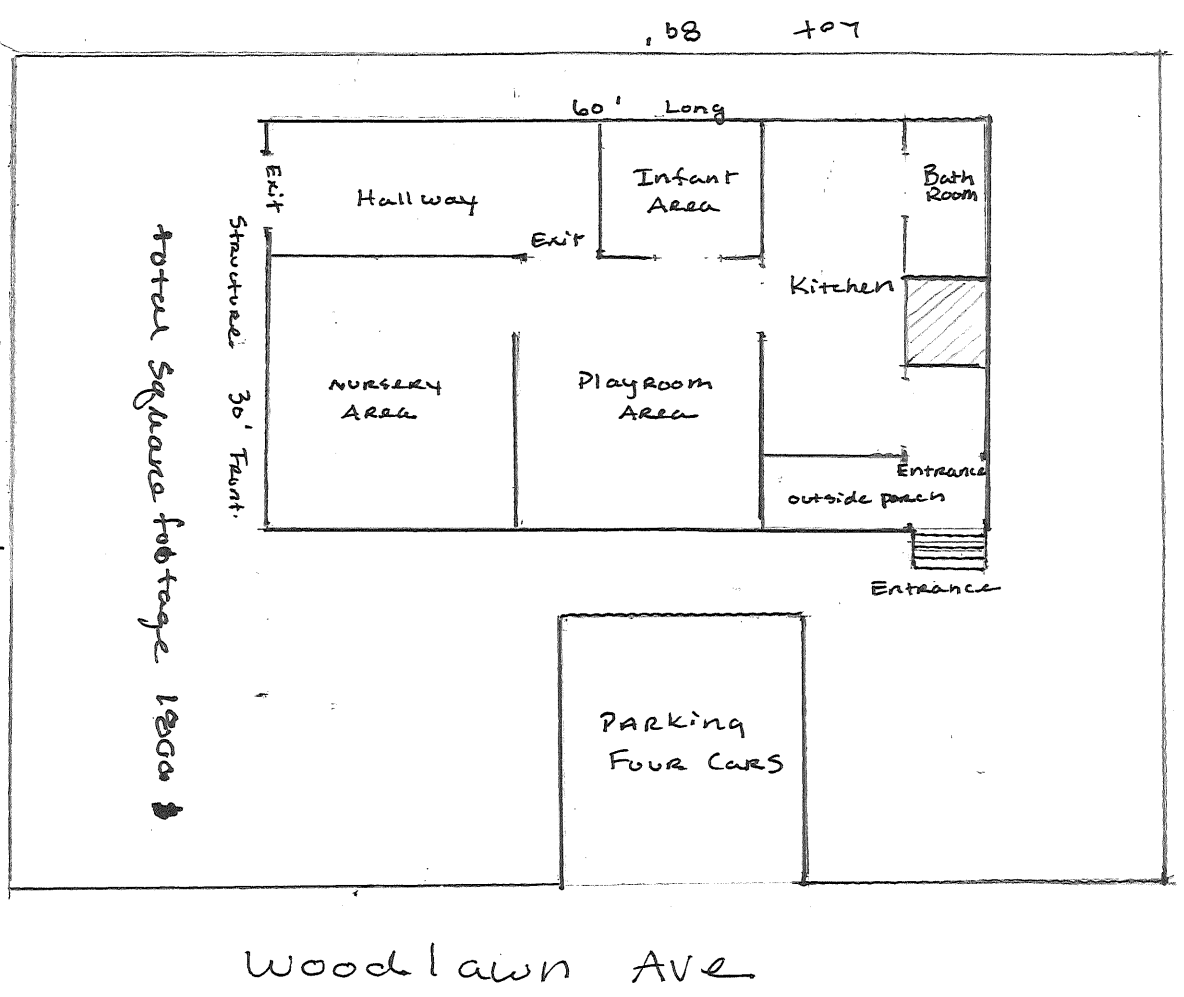
**Building or Use Permit Application
Attached Single Family Dwellings/Two-Family Dwelling
Multi-Family or Commercial Structures and Additions Thereto**

As an applicant for a building permit, you are about to enter into a relationship with our Office. We welcome any questions, comments or suggestions that will make the process more efficient. Attached you will find an application and some samples of the submissions you will provide at application time. Please read ***ALL*** of the information and if you need any further assistance please call 874-8703 or 874-8693.

Minor or Major site plan review will be required for the most of the above proposed projects.



Deed 89-21 Page 229



75 ALLEN AVE

Lot Frontage 72'

Total Square footage 1800

Lot size 72' x 89'
Structure 30' x 60'
(Drawing not to scale)

Children's Enrichment Center
3rd Floor Plan

11/04/99

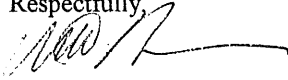
To: City of Portland
Fr: Matthew Israelson
Re: Karen McIlwain/day care

Please be advised that Ms. McIlwain has been working with me since late summer regarding a day care facility at my property (75 Allen ave.)

Let it be known that she is welcome to move in and begin operations as of January 1st, 2000.

Feel free to contact me with any questions @ 773-7134.

Respectfully,

A handwritten signature in black ink, appearing to read 'M. Israelson', with a long horizontal flourish extending to the right.

Matthew Israelson

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

Elizabeth Bordowitz, Chair
Lee Lowry III, Secretary
William Neleski, Jr.
Andrew Braceras
Sam Sivovlos
Julie Brady
Peter Clifford

November 22, 1999

Karen L. McIlwain
664 Allen Avenue
Portland, ME 04103

RE: 75 Allen Avenue
CBL: 435-A-050
ZONE: R-5 Zone

Dear Ms. McIlwain;

As you know, at its November 18, 1999 meeting, **the Board of Appeals voted 5-0 to grant** a childcare facility for up to 12 children, changing from 2 units to 1 unit and daycare, as outlined under Section 118(3) d, R-5 Zone.

Enclosed please find a copy's of the Board's decision.

It will now be necessary for you to come to this office and apply for a change of use permit. This permit will indicate that it is changing a 2-unit building to a 1 unit and daycare. We will require complete floor plans with dimensions and a set of construction plans should you do any interior renovations. A cost of a change of use is \$30.00.

Should you have any questions regarding this matter, please do not hesitate to contact either myself or Nadine Williamson, Office Manager.

Sincerely,



Marge Schmuckal
Zoning Administrator

MS/nbg
Enclosure

CC: Area 2 (Kevin Carroll, Tammy Munson, and John Reed)

Children's Enrichment Ctr.
4) copy of letter RE: City permit