

109-115 CLINTON ST.

WALSH  
#6203-38

September 1, 1954

Inquiry 113 Clinton St.--Practicing Optometry in the home of the Optometrist

David Berlowitz  
Optometrist  
825a Main St.  
Westbrook, Maine

Dear Dr. Berlowitz:

The need for consulting our Legal Department and the pressure of other matters in this office have caused the delay in answering your inquiry received here July 13, for which I am sorry.

Although some of the background was explained to you over the phone, it seems worthwhile to outline it again here. Your property is in a Residence C Zone where such a use of a part of the building is not specifically given as an allowed use, but could only be allowable if it is established as an accessory use to a dwelling house on the same lot of such a character that it could be considered as customarily incident to the dwelling house use. The Ordinance clearly establishes that such an accessory use must be carried on by the party who lives in the dwelling.

The question is, therefore, whether or not the practice of Optometry by you in your own dwelling is customarily incident to the use of an Optometrist's home.

Our Legal Department calls attention to the fact that the practice of medicine in a doctor's own home is generally considered allowable as being an accessory use; and draws the conclusion, tentatively, that the practice of optometry by an optometrist in his own home is similar and, therefore, allowable.

I should say that the next step is for you to apply for a building permit at this department, seeking the change of use of a part of the building, designating the particular rooms to be so used, and including any physical alterations. We will then be confronted with a specific decision as to whether or not the permit can issue. If the permit is issued, followed later by a certificate of occupancy, it is unlikely the decision to so issue would be upset.

If on the other hand, upon your application, the question of allowable use should be so much in doubt that we could not issue the permit, you would then have a choice of giving up the project without expense to yourself or seeking a variance from the Board of Appeals.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WHCD/B

INTER-OFFICE CORRESPONDENCE

*Building Inspector*

CITY OF PORTLAND, MAINE  
CORPORATION COUNSEL

To: Warren McDonald, Inspector of Buildings

DATE: August 12, 1954

FROM: Robert W. Donovan, Assistant Corporation Counsel

SUBJECT: Part of the home at 113 Clinton Street for optometrist's office

I find myself unable to distinguish Mr. Berlowitz's situation from other home occupation situations previously considered.

I do not see how our zoning ordinance can distinguish among medical doctors, osteopathic physicians, chiropractors, optometrists and other professionals or quasi-professionals. I find some support in the following language from the case of Maurer v. Snyder, 87 A.2d 612:

"In the professional aspect, a chiropractor is not a physician,.....but in the real estate aspect the positions of a chiropractor and a physician are analogous."

I agree that we should continue to consider each case on its merits. I should like to point out that if in the future Mr. Berlowitz's operations should prove to be objectionable, we would not be precluded from re-examining our position in this or other cases.

Mr. Berlowitz's letter of July 9th is herewith returned to you.

  
Robert W. Donovan  
Assistant Corporation Counsel

K  
Attachment

RECEIVED

AUG 12 1954

DEPT. OF BLD'G. INSP.  
CITY OF PORTLAND

David Berlowitz  
Optometrist  
825a Main Street  
Westbrook, Maine

RECEIVED

JUL 13 1954

DEPT. OF BLD'G. INSP.  
CITY OF PORTLAND

July 9, 1954

Mr. Warren MacDonald,  
Building Inspector  
City of Portland  
Room 21, City Hall  
Portland, Maine

*Answered  
11/54*

Dear Mr. Macdonald:

I reside at 113 Clinton St., Portland, a one story private dwelling owned by my wife Rose and myself. I would like the opinion of your department and the authorities of the City of Portland if I may convert a room in my home for the practice of Optometry, to wit, the examination of eyes and the fitting of glasses and or prescribing visual treatment non-medically as provided by the Optometry Laws of the State of Maine.

For your information, I have been practicing Optometry in Westbrook at the same address, 825 A Main St. for almost 18 years, and plan to continue my main office there. My contacts and large circle of friends in the Portland Area have indicated to me that they would like my professional services, and that is the purpose of asking you if my home can be made available in that light.

I am a graduate of the Massachusetts College of Optometry, Boston, 1936, graduated from the prescribed course and given a Certificate in Optometry making me eligible to take various State Board Examinations to practice Optometry. I hold license #1271 State of Massachusetts and License #311 State of Maine. I am a member of the Maine Optometric Association and the American Optometric Association. According to the laws of the State of Maine, I am permitted to call myself Dr. David Berlowitz, Optometrist. (The qualifying title optometrist is necessary for the use of the prefix Dr.). As you will notice on this stationary, I prefer the heading David Berlowitz, Optometrist. The stature of my professional accomplishment will let the public determine the proper prefix.

Your opinion in this matter, at your convenience, will be greatly appreciated. If there is any further information you require, please advise me and I shall be happy to do my best to inform you accordingly.

Very respectfully yours,

*David Berlowitz, opt.*

David Berlowitz,  
Optometrist.

INQUIRY BLANK

ZONE PC

FIRE DIST. \_\_\_\_\_

CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

Letter  
Verbal  
By Telephone

Date July 23, 1954

LOCATION 113 Clinton St. OWNER David & Rose Berlowitz

MADE BY David Berlowitz TEL. \_\_\_\_\_

ADDRESS 113 Clinton St.

PRESENT USE OF BUILDING Private Dwelling NO. STORIES one

LAST USE OF BUILDING \_\_\_\_\_ CLASS OF CONSTRUCTION \_\_\_\_\_

REMARKS \_\_\_\_\_

INQUIRY Could one room be converted for the practice of Optometry?

ANSWER Memo to Asst. Corp. Counsel 7/23/54.

DATE OF REPLY \_\_\_\_\_ REPLY BY \_\_\_\_\_

RFU WMcD 7/30/54  
Inq. 113 Clinton St.

July 23, 1954

Robert W. Donovan, Ass't. Corporation Counsel

Warren McDonald, Inspector of Buildings

Use of part of the home at 113 Clinton St. for optometrist's office

The attached letter from Optometrist Borlowitz explains the problem as to whether or not his type of activity can be classified as "accessory use customarily incident" to the dwelling house which he owns and where he lives.

You will remember the question out on Brighton Ave. of the doctor of chiropody, and your feeling that his activities would be customarily incident to a dwelling house. In that case I remember that the fact that he was actually a doctor by profession and by degree apparently made some difference.

This case on Clinton St. seems to be a small step lower in the scale, but I am wondering whether too much attention should be paid to whether or not the active party has a profession or is just run-or-mine.

There seems to be some room for the thought that irrespective of the degrees held by the active party, the actual activity should be considered. On this basis it might be difficult to establish that an optometrist set up in his own home is a customary arrangement.

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Inspr. of Bldgs.

WMcD/G



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine

6/1/53

PERMIT ISSUED 01001 JUN 23 1953 CITY OF PORTLAND

N-WJH

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 113 Clinton St. Use of Building Dwelling No. Stories 1 New Building Existing 1 Name and address of owner of appliance Monte Forest Co. 426 1/2 St. Installer's name and address Talotta Oil Co Telephone 426 71

To install Forced Hot Water Boiler & Oil Burner

IF HEATER, OR POWER BOILER

Location of appliance Basement Any burnable material in floor surface or beneath? No If so, how protected? Kind of fuel? Oil Minimum distance to burnable material, from top of appliance or casing top of furnace 35 in From top of smoke pipe 20 in From front of appliance 14 ft From sides or back of appliance 15 ft Size of chimney flue 8 X 10 Other connections to same flue No If gas fired, how vented? Rated maximum demand per hour Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? Yes

IF OIL BURNER

Name and type of burner Fluid Heat Labelled by underwriter's laboratories? Yes Will operator be always in attendance? No Does oil supply line feed from top or bottom of tank? Bottom Type of floor beneath burner Concrete Location of oil storage Basement Number and capacity of tanks 1 - 275 If two 275-gallon tanks, will three-way valve be provided? Will all tanks be more than five feet from any flame? Yes How many tanks fire proofed? Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath? If so, how protected? Kind of fuel? Minimum distance to wood or combustible material from top of appliance From front of appliance From sides and back From top of smokepipe Size of chimney flue Other connections to same flue Is hood to be provided? If so, how vented? Forced or gravity? If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

14" Vent

RECEIVED JUN 22 1953 DEPT OF BLDG. INSP. CITY OF PORTLAND

Amount of fee enclosed? \$2.00 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

6/22/53 O.H. W.J.H.

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? Yes

INSPECTION COPY

Signature of Installer

Talotta Oil Co S. J. Talotta

1. Tank No. \_\_\_\_\_

2. Tank Capacity \_\_\_\_\_

3. Kind of Fuel \_\_\_\_\_

4. Burner Rating & Supports \_\_\_\_\_

5. Name & Label \_\_\_\_\_

6. Stack Control \_\_\_\_\_

7. High Limit Control \_\_\_\_\_

8. Remote Control \_\_\_\_\_

9. Piping Support & Details \_\_\_\_\_

10. Valves in Suction Line \_\_\_\_\_

11. Capacity of Tank \_\_\_\_\_

12. Tank Rigging & Supports \_\_\_\_\_

13. Tank Distance \_\_\_\_\_

14. Oil Gauge \_\_\_\_\_

15. Instruction Card \_\_\_\_\_

16. Low Water Shut-off \_\_\_\_\_

NOTES

Permit No. 53/1001

Location 113 Clifton St.

Owner Martin Construction Co.

Date of permit 6/23/53

Approved [Signature]

Large ruled area for notes and additional information.





(RC) RESIDENCE ZONE-C  
**APPLICATION FOR PERMIT**  
 Class of Building or Type of Structure Third Class

**PERMIT ISSUED**  
 00407  
 MAR 27 1953  
 CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.  
 Portland, Maine, March 18, 1953

The undersigned hereby applies for a permit to erect ~~and reconstruct~~ the following building ~~and reconstruct~~ 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 109-113 Clinton St., corner of James St. Within Fire Limits? no Dist. No. \_\_\_\_\_  
 Owner's name and address David Berlowitz, 11 James St. Telephone \_\_\_\_\_  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address Monte Construction Co., 42 Anson Road Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Telephone 3-7244  
 Proposed use of building 2-car garage Specifications see house application Plans no No. of sheets \_\_\_\_\_  
 Last use \_\_\_\_\_ No. families \_\_\_\_\_  
 Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ No. families \_\_\_\_\_  
 Other buildings on same lot proposed garage Roofing \_\_\_\_\_  
 Estimated cost \$ 1,200. Fee \$ 5.00

**General Description of New Work**

To construct 2-car frame garage 21' x 22'.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor.  
**CERTIFICATE OF OCCUPANCY**  
 REQUIREMENT IS FULFILLED  
 Permit to be issued to Monte Construction Co.

**Details of New Work**

Is any plumbing work involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
 Height average grade to top of plate 8' Height average grade to highest point of roof 2'  
 Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
 Material of foundation concrete at least 4' below grade Thickness, top 8" bottom 10" cellar no  
 Material of underpinning " to 3'11" Height \_\_\_\_\_ Thickness \_\_\_\_\_  
 Kind of roof pitch-gable Rise per foot 5" Roof covering Asphalt Class C Und Lab  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
 Framing lumber—Kind hemlock Dressed or full size? dressed  
 Corner posts 4x6 Sills 4x6 Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
 Girders \_\_\_\_\_ Columns \_\_\_\_\_ or girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on center \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-10" O. C. Bridging in every floor and flat roof span over 8 feet.  
 Joists and rafters: 1st floor 2x12, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 2x8  
 Or centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 16"  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

**If a Garage**

No. cars to be accommodated on same lot 0, to be accommodated 2 number commercial cars to be accommodated 0  
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

**Miscellaneous**

Will work require disturbing of any tree on a public street? no  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

APPROVED:  
O.R.-3/26/53-A.J.S.

David Berlowitz  
 Monte Construction Co.

Signature of owner by: Monte Const. Co. Inc.  
2 J. Murthy

INSPECTION COPY

Permit No. 53/407

Location 109-113 Clinton St

Owner David Berlowitz

Date of permit 3/27/53

Notif. closing-in

Inspn. closing-in

Final Notif

Final Inspn

Cert. o. Occupancy issued

NOTES

2-19-53 - Garage not laid out  
on ground. WJM

3-24-53 - Location staked out  
O. L. WJM

4/24/53 - Work completed  
WJM



(RC) RESIDENCE ZONE - G

# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, March 18, 1953

PERMIT ISSUED

00307  
MAR 20 1953

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~the following building~~ the following building ~~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 109-115 Clinton St., corner of James St. Within Fire Limits? no Dist. No. \_\_\_\_\_

Owner's name and address David Berlowitz, 11 James St. Telephone \_\_\_\_\_

Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_

Contractor's name and address Monte Construction Co., 42 Anson Road Telephone 3-7244

Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 6

Proposed use of building dwelling house No. families 1

Last use \_\_\_\_\_ No. families \_\_\_\_\_

Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_

Other buildings on same lot \_\_\_\_\_

Estimated cost \$ 15,000. Fee \$ 15.00

### General Description of New Work

To construct 1-story frame dwelling house 55' 8" x 33'.

Permit Issued with Letter

*Warning + Important notice sent*

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** Monte Construction Co.

### Details of New Work

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes

Is connection to be made to public sewer? yes If not, what is proposed for sewage? \_\_\_\_\_

Height average grade to top of plate 10' Height average grade to highest point of roof 15'

Size, front 55' 8" depth 33' No. stories 1 solid or filled land? solid earth or rock? earth

Material of foundation concrete at least 4' below grade Thickness, top 10" bottom 12" cellar yes

Material of underpinning \_\_\_\_\_ to sill \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_

Kind of roof Pitch-gable Rise per foot 5" Roof covering Asphalt Class C Und Lab

No. of chimney 1 Material of chimneys brick of lining tile Kind of heat h water fuel oil

Framing lumber—Kind hemlock Dressed or full size? dressed

Corner posts 4x6 Sills box Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_

Girders yes Size 6x8 full size \_\_\_\_\_ Column under girders Lally Size 2 1/2" Max. on centers 7' 3"

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor 2x10 2x8 2nd 2x8 3rd \_\_\_\_\_, roof 2x8

On centers: 1st floor 16" 2nd 16" 3rd \_\_\_\_\_, roof 16"

Maximum span: 1st floor 15' 12' 2nd 12' 12' 3rd \_\_\_\_\_, roof \_\_\_\_\_

If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

### If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

APPROVED:

*with letter by [Signature]*

### Miscellaneous

Will work require disturbing of any tree on a public street? no

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

David Berlowitz  
Monte Construction Co.

Signature of owner by: *Monte Construction Co.*

INSPECTION COPY

NOTES

9-19-53 - Location OK except on James  
street side which is 19'-10" from street  
line. WJM

11-8-53 - Forms OK. WJM

1-16-53 - Forms are being stripped off  
WJM

5-11-53 - No work going forward  
pretty well understood. WJM  
6/5/53 - Closing in subject to  
excavating chimney & pipes  
WJM

7-24/53 - Work completed  
except for water closet &  
Kitchen. Masons bath  
room is finished &  
is working under WJM.

No. 53/367  
 location of 1500 Boston St.  
 Owner: David DeLewitz  
 Date of permit: 3/28/53  
 Comm. exp. 4/8/53  
 Inspn. closing-in: 6/29/53 WJM  
 Final Notif.  
 Final Inspn. 6/24/53 WJM  
 Cert. of Occupancy issued 8/1-5/53

1500  
1/16  
8-22

Blank lined area for additional notes.

STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

109-115 Clinton St for dwellin: and garage Date 3/18/53  
at corner of Clinton and James Sts.

1. In whose name is the title of the property now recorded? David Berlowitz
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? stakes
3. Is the outline of the proposed work now staked out upon the ground? yes  
If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced? \_\_\_\_\_
4. What is to be maximum projection or overhang of eaves or drip? \_\_\_\_\_
5. Do you assume full responsibility for the correctness of the location plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches and other projections? yes
6. Do you assume full responsibility for the correctness of all statements in the application concerning the size, design and use of the proposed building? yes
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made? yes

Martin Const. Co. Inc.  
C. J. Martin, Pres.

(COPY)

CITY OF PORTLAND, MAINE  
Department of Building Inspection



# Certificate of Occupancy

LOCATION 109-115 Clinton St.

Issued to David Herlowitz

Date of Issue August 25, 1953

This is to certify that the building, premises, or part thereof, at the above location, built—~~altered~~  
~~changed in use~~ under Building Permit No. 53/367, 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

Two-family Dwelling House

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

8/24/53 William J. Wheeler  
(Date) Inspector

Warren J. Gold  
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.

**PERMIT # 1619 CITY OF Portland BUILDING PERMIT APPLICATION MAP # LOT #**

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Pat Tanguay - 774-4275  
 Address: 113 Clinton Street, Portland, ME 04103

LOCATION OF CONSTRUCTION: 113 Clinton Street

CONTRACTOR: Interiors Unlimited SUDDOKKREATOR: 767-4598

ADDRESS: 26 Henry St, So. Portland, ME 04106

Est. Construction Cost: 12,500.00 Type of Use: 2-Fam

Prop Use: Single Family

Building Dimensions L      W      Sq. Ft.      # Stories:      Lot Size:     

Is Proposed Use: 2-Fam Seasonal      Condominium      Apartment     

Change of Use from Single Family to

2-Family with renovations - Basement area.

COMPLETE ONLY IF THE NUMBER OF UNITS WILL CHANGE

Residential Buildings Only:

# Of Dwelling Units      # Of New Dwelling Units     

Foundation:

- 1. Type of Soil:
- 2. Set Backs - Front      Rear      Side(s)
- 3. Footings Size:
- 4. Foundation Size:
- 5. Other

Floors:

- 1. Sills Size:      Sills must be anchored.
- 2. Girder Size:
- 3. Lally Column Spacing:      Size:
- 4. Joists Size:      Spacing 16" O.C.
- 5. Bridging Type:      Size:
- 6. Floor Sheathing Type:      Size:
- 7. Other Material:

Exterior Walls:

- 1. Studding Size      Spacing
- 2. No. windows
- 3. No. Doors
- 4. Header Sizes      Span(s)
- 5. Bracing: Yes      No
- 6. Corner Posts Size
- 7. Insulation Type      Size
- 8. Sheathing Type      Size
- 9. Siding Type      Weather Exposure
- 10. Masonry Materials
- 11. Metal Materials

Interior Walls:

- 1. Studding Size      Spacing
- 2. Header Sizes      Span(s)
- 3. Wall Covering Type
- 4. Fire Wall if required
- 5. Other Materials

For Official Use Only	
Date: <u>December 18, 1987</u>	Subdivision: Yes / No <u>    </u>
Inset Fire Layout <u>    </u>	Name <u>    </u>
Bldg Code <u>    </u>	Lot <u>    </u>
Time Limit <u>    </u>	Block <u>    </u>
Estimated Cost: <u>\$12,500.00</u>	Permit Expiration: <u>    </u>
Value/Structure <u>    </u>	Ownership: <u>    </u> Public <u>    </u> Private <u>    </u>
Fee: <u>\$5.00</u>	

Ceiling:

- 1. Ceiling Joists Size:
- 2. Ceiling Strapping Size      Spacing
- 3. Type Ceiling:
- 4. Insulation Type      Size
- 5. Ceiling Height:

Roof:

- 1. Truss or Rafter Size      Span
- 2. Sheathing Type      Size
- 3. Roof Covering Type
- 4. Other

Chimneys:

Type:      Number of Fire Places     

Heating:

Type of Heat:     

Electrical:

Service Entrance Size:      Smoke Detector Required Yes      No     

Plumbing:

- 1. Approval of soil test if required Yes      No
- 2. No. of Tubs or Showers
- 3. No. of Flushes
- 4. No. of Lavatories
- 5. No. of Other Fixtures

Swimming Pools:

- 1. Type:
- 2. Pool Size:      x      Square Footage
- 3. Must conform to National Electrical Code and State Law.

Zoning:

District      Street Frontage Req.:      Provided     

Required Setbacks: Front      Back      Side      Side     

Review Required:

Zoning Board Approval: Yes      No      Date:     

Planning Board Approval: Yes      No      Date:     

Conditional Use:      Variance      Site Plan      Subdivision     

Shore and Floodplain Mgmt.      Special Exception     

Other (Explain)     

Date Approved     

Permit Received By Joyce M. Rinaldi

Signature of Applicant Michael Lewis Date 12/18/87

Signature of CEO      Date     

Inspection Dates



**APPLICATION FOR PERMIT  
DEPARTMENT OF BUILDING INSPECTIONS SERVICES  
ELECTRICAL INSTALLATIONS**

Date January 7, 19 88  
Receipt and Permit number 2275/

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine.

The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 113 Clinton Street  
OWNER'S NAME: Patricia Tanguay ADDRESS: same

	FEES
<b>OUTLETS:</b>	
Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL <u>15</u> .....	3.00
<b>FIXTURES:</b> (number of)	
Incandescent _____ Fluorescent <u>7</u> (not strip) TOTAL <u>7</u> .....	3.00
Strip Fluorescent _____ ft. ....	
<b>SERVICES:</b>	
Overhead _____ Underground _____ Temporary _____ TOTAL amperes ..	
<b>METERS:</b> (number of) .....	
<b>MOTORS:</b> (number of)	
Fractional .....	
1 HP or over .....	
<b>RESIDENTIAL HEATING:</b>	
Oil or Gas (number of units) .....	
Electric (number of rooms) .....	
<b>COMMERCIAL OR INDUSTRIAL HEATING:</b>	
Oil or Gas (by a main boiler) .....	
Oil or Gas (by separate units) .....	
Electric Under 20 kws _____ Over 20 kws .....	
<b>APPLIANCES:</b> (number of)	
Ranges _____ <u>1</u> _____ Water Heaters _____	
Cook Tops _____ Disposals _____	
Wall Ovens _____ Dishwashers _____	
Dryers _____ Compactors _____	
Fans _____ <u>1</u> _____ Others (denote) _____	
TOTAL <u>2</u> .....	3.00
<b>MISCELLANEOUS:</b> (number of)	
Branch Panels .....	
Transformers .....	
Air Conditioners Central Unit .....	
Separate Units (windows) .....	
Signs 20 sq. ft. and under .....	
Over 20 sq. ft. ....	
Swimming Pools Above Ground .....	
In Ground .....	
Fire/Burglar Alarms Residential .....	
Commercial .....	
Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under .....	
over 30 amps .....	
Circus, Fairs, etc. ....	
Alterations to wires .....	
Repairs after fire .....	
Emergency Lights, battery .....	
Emergency Generators .....	
INSTALLATION FEE DUE: .....	
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT ..... DOUBLE FEE DUE: .....	
FOR REMOVAL OF A "STOP ORDER" (304-16.b) .....	
TOTAL AMOUNT DUE: .....	9.00

**INSPECTION:**  
Will be ready on 1/11 pm, 1988; or Will Call \_\_\_\_\_  
CONTRACTOR'S NAME: Peter L. Doria  
ADDRESS: 135 Bolton Street  
TEL: \_\_\_\_\_  
MASTER LICENSE NO.: 04821 SIGNATURE OF CONTRACTOR: [Signature]  
LIMITED LICENSE NO.: \_\_\_\_\_

INSPECTOR'S COPY — WHITE  
OFFICE COPY — CANARY  
CONTRACTOR'S COPY — GREEN





PERMIT # 11600 CITY OF Portland BUILDING PERMIT APPLICATION MAP # \_\_\_\_\_ LOT# \_\_\_\_\_

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Pat Turvey - 774-4275  
 Address: 113 Clinton Street, Portland, ME 04103

LOCATION OF CONSTRUCTION 113 Clinton Street

CONTRACTOR Interiors Unlimited SUBCONTRACTORS: 767-4598

ADDRESS 25 Henry St., So. Portland, ME 04106

Est. Construction Cost: 12,500.00 Type of Use: Res. - Fam.

Past Use: Single Family

Building Dimensions L \_\_\_\_\_ W \_\_\_\_\_ Sq Ft \_\_\_\_\_ # Stories: \_\_\_\_\_ Lot Size: \_\_\_\_\_

Is Proposed Use: 2-Fam. Seasonal Condominium Apartment  
Change of Use from Single Family to  
 Conversion - Explain Two-Family with renovations -Basement area.

COMPLETE ONLY IF THE NUMBER OF UNITS WILL CHANGE  
 Residential Buildings Only:  
 # Of Dwelling Units \_\_\_\_\_ # Of New Dwelling Units \_\_\_\_\_

Foundation:  
 1. Type of Soil: \_\_\_\_\_  
 2. Set Backs - Front \_\_\_\_\_ Rear \_\_\_\_\_ Side(s) \_\_\_\_\_  
 3. Footings Size: \_\_\_\_\_  
 4. Foundation Size: \_\_\_\_\_  
 5. Other \_\_\_\_\_

Floor:  
 1. Sills Size: \_\_\_\_\_ Sills must be anchored.  
 2. Girder Size: \_\_\_\_\_  
 3. Lally Column Spacing: \_\_\_\_\_ Size: \_\_\_\_\_  
 4. Joists Size: \_\_\_\_\_ Spacing 16" O.C.  
 5. Bridging Type: \_\_\_\_\_ Size: \_\_\_\_\_  
 6. Floor Sheathing Type: \_\_\_\_\_ Size: \_\_\_\_\_  
 7. Other Material: \_\_\_\_\_

Exterior Walls:  
 1. Studding Size \_\_\_\_\_ Spacing \_\_\_\_\_  
 2. No. windows \_\_\_\_\_  
 3. No. Doors \_\_\_\_\_  
 4. Header Sizes \_\_\_\_\_ Span(s) \_\_\_\_\_  
 5. Bracing: Yes \_\_\_\_\_ No \_\_\_\_\_  
 6. Corner Posts Size \_\_\_\_\_  
 7. Insulation Type \_\_\_\_\_ Size \_\_\_\_\_  
 8. Sheathing Type \_\_\_\_\_ Size \_\_\_\_\_  
 9. Siding Type \_\_\_\_\_ Weather Exposure \_\_\_\_\_  
 10. Masonry Materials \_\_\_\_\_  
 11. Metal Materials \_\_\_\_\_

Interior Walls:  
 1. Studding Size \_\_\_\_\_ Spacing \_\_\_\_\_  
 2. Header Sizes \_\_\_\_\_ Span(s) \_\_\_\_\_  
 3. Wall Covering Type \_\_\_\_\_  
 4. Fire Wall if required \_\_\_\_\_  
 5. Other Materials \_\_\_\_\_

For Official Use Only	
Date <u>December 18, 1987</u>	Subdivision: Yes / No _____
Inside Fire Limits _____	Name _____
Bldg Code _____	Lot _____
Time Limit _____	Block _____
Estimated Cost <u>\$12,500.00</u>	Permit Expiration: _____
Value/Structure _____	Ownership: _____ Public _____ Private _____
Fee <u>85.00</u>	

Ceiling:  
 1. Ceiling Joists Size: \_\_\_\_\_  
 2. Ceiling Strapping Size \_\_\_\_\_ Spacing \_\_\_\_\_  
 3. Type Ceilings: \_\_\_\_\_ **PERMIT ISSUED**  
 4. Insulation Type \_\_\_\_\_ Size \_\_\_\_\_  
 5. Ceiling Height: \_\_\_\_\_

Roof:  
 1. Truss or Rafter Size \_\_\_\_\_ Span \_\_\_\_\_  
 2. Sheathing Type \_\_\_\_\_ Size \_\_\_\_\_  
 3. Roof Covering Type \_\_\_\_\_ **City of Portland**  
 4. Other \_\_\_\_\_

Chimneys:  
 Type: \_\_\_\_\_ Number of Fire Places \_\_\_\_\_

Heating:  
 Type of Heat: \_\_\_\_\_

Electrical:  
 Service Entrance Size: \_\_\_\_\_ Smoke Detector Required Yes \_\_\_\_\_ No \_\_\_\_\_

Plumbing:  
 1. Approval of soil test if required Yes 80.00 No \_\_\_\_\_  
 2. No. of Tubs or Showers \_\_\_\_\_  
 3. No. of Flushes \_\_\_\_\_  
 4. No. of Lavatories \_\_\_\_\_  
 5. No. of Other Fixtures \_\_\_\_\_

Swimming Pools:  
 1. Type: \_\_\_\_\_  
 2. Pool Size: \_\_\_\_\_ x \_\_\_\_\_ Square Footage \_\_\_\_\_  
 3. Must conform to National Electrical Code and State Law

Zoning:  
 District R-5 Street Frontage Req. \_\_\_\_\_ Provided \_\_\_\_\_  
 Required Setbacks: Front \_\_\_\_\_ Back \_\_\_\_\_ Side \_\_\_\_\_

Review Required:  
 Zoning Board Approval: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_  
 Planning Board Approval: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_  
 Conditional Use \_\_\_\_\_ Variance \_\_\_\_\_ Site Plan \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Shore and Floodplain Mgmt \_\_\_\_\_ Special Exception \_\_\_\_\_  
 Other (Explain) \_\_\_\_\_  
 Date Approved Pat Turvey Dec 18, 1987

Permit Received By Joyce M. Kanaoui

Signature of Applicant Michael Date 12/18/87

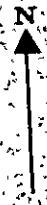
Signature of CEO \_\_\_\_\_

Inspection Dates \_\_\_\_\_

**PERMIT ISSUED WITH LETTER**

77 Mr. Williams

**PILOT PLAN**



**FEES (Breakdown From Front)**

Base Fee \$ 85.00

Subdivision Fee \$ \_\_\_\_\_

Site Plan Review Fee \$ \_\_\_\_\_

Other Fees \$ \_\_\_\_\_

(Explain) \_\_\_\_\_

Late Fee \$ \_\_\_\_\_

Type	Inspection Record	Date
_____	_____	____/____/____
_____	_____	____/____/____
_____	_____	____/____/____
_____	_____	____/____/____

**COMMENTS**

*NOISE DONE WITHOUT ANY INSPECTIONS*

Signature of Applicant:

*Michael Pa...*

Date: *12/18/87*

BUILDING PERMIT REPORT

DATE: 21/Dec/87

ADDRESS: 109-103 Clinton ST.

REASON FOR PERMIT: Change of Use From ONE TO  
Two Family Dwelling

BUILDING OWNER: Pat Tanguay

CONTRACTOR: Interior W/Limiter

PERMIT APPLICANT \_\_\_\_\_

APPROVED: 2-3-4-5 DENIED \_\_\_\_\_

CONDITION OF APPROVAL OR DENIAL:

- 1.) All vertical openings shall be enclosed with construction having a fire rating of at least one(1) hour, including fire doors with self-closers.
- 2.) 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.
- 3.) The boiler shall be protected by enclosing with one(1) hour fire rated construction including fire doors and ceiling, or by placing over the boiler, two(2) residential sprinkler heads supplied from the domestic water.
- 4.) 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 opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches (1118 mm) above the floor. All egress or rescue windows from sleeping rooms must have minimum net clear openings of 5.7 square feet (0.53m<sup>2</sup>). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).
- 5.) In addition to any automatic fire alarm system required by Sections 1018.3.5, a minimum of one single station smoke detector shall be installed in each guest room, suite or sleeping area in buildings of Use Groups R-1 and I-1 and in dwelling units in the immediate vicinity of the bedrooms in buildings of Use Group R-2 or R-3. When actuated, the detector shall provide an alarm suitable to warn the occupants within the individual unit (see Section 1717.3.1).

In buildings of Use Groups R-1 and R-2 which have basements, an additional smoke detector shall be installed in the basement. In buildings of Use Group R-3, smoke detectors shall be required on every story of the dwelling unit, including basements.

In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a smoke detector shall be installed on both levels.

All detectors shall be installed in an approved location. Where more than one detector is required to be installed within an individual dwelling unit, the detectors shall be wired in such a manner that the actuation of one alarm will actuate all the alarms in the individual unit.

- 6.) Private garages located beneath rooms in buildings of Use Groups R-1, R-2, R-3 or I-1 shall have walls, partitions, floors and ceilings separating the garage space from the adjacent interior spaces constructed of not less than 1-hour fire-resistance rating. Attached private garages shall be completely separated from the adjacent interior spaces and the attic area by means of 1/2-inch gypsum board or equivalent applied to the garage side. The sills of all door openings between the garage and adjacent interior spaces shall be raised not less than 4 inches (102 mm) above the garage floor. The door opening protectives shall be 1 3/4-inch solid core wood doors or approved equivalent.
- 7.) A guardrail system located near the open side of deck or elevated walking surfaces shall be constructed. Guards in buildings of Use Group R-3 shall be not less than 36 inches in height. Open guards shall have intermediate rails, balusters or other construction such that a sphere with a diameter of 6 inches cannot pass through any opening.
- 8.) 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."

Sincerely,



F. Samuel Hofises  
Chief, Inspection Services

/ksc  
11/9/87

corner

July 2, 1987

DEC 1

CITY OF PORTLAND

The density of Deering Place has been calculated as follows:

- 1. Total land area 7,511 sq. ft.
- 2. Less land allocated to 73 Deering St. (existing professional office building at corner of Deering and Mellen Streets) 4,750
- 3. Amount of land available for Congregate Care 48,761 sq. ft.

4. Resident/Unit Density for Congregate Care Facility:

8,000 square feet	=	2 units
40,768 square feet	=	11 units
48,768 square feet	=	14 units

5. Projected Deering Place Density: 140 units

In addition to the congregate care units, approximately 8,000 to 10,000 square feet of medical office space will be provided on site.

3. Professional Office Use

Currently the House of Lights operation is a grandfathered non-conforming use in the R-6 zone. Specifically, the House of Lights operation includes 12,000 +/- square feet of showroom/retail activity, 8,000 +/- square feet of office use and 16,000 square feet of storage and warehousing - all taking place at the 510 Cumberland Avenue building.

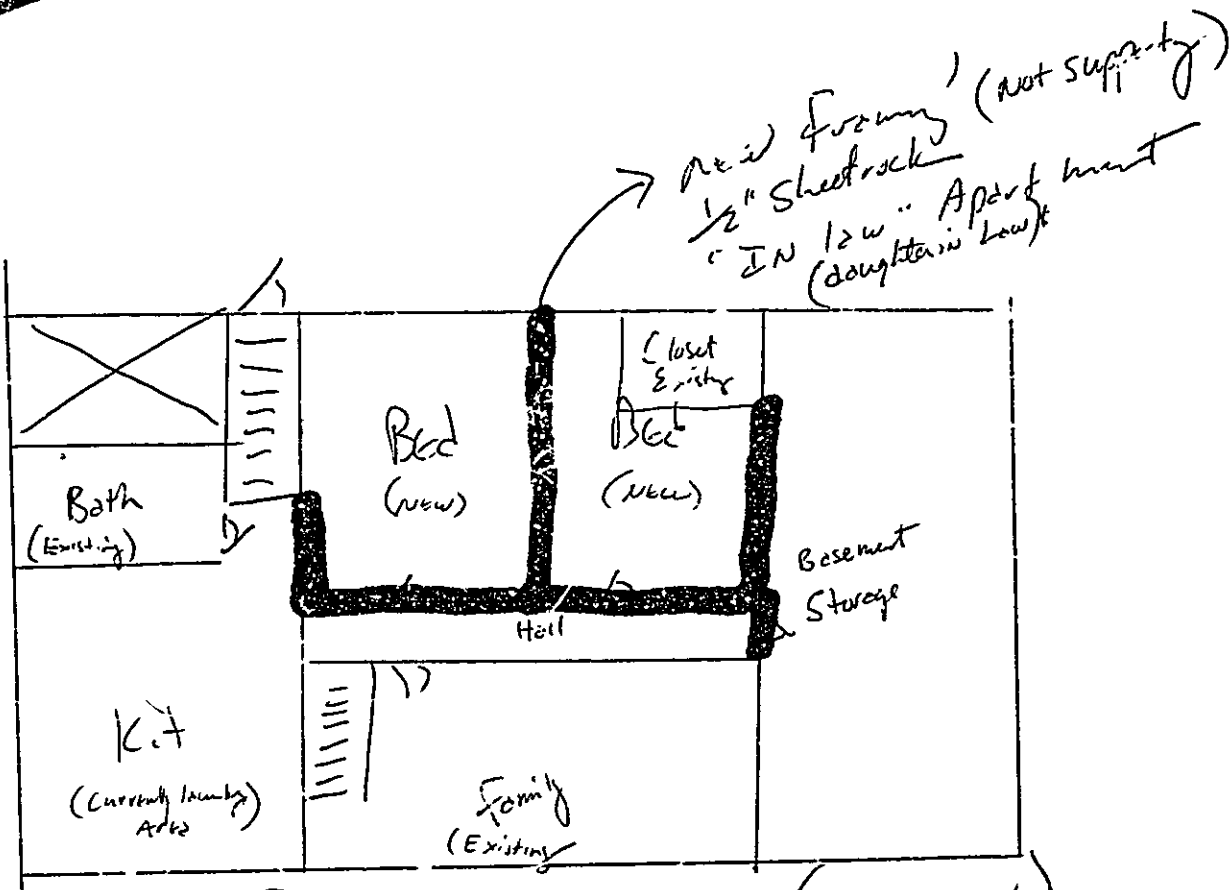
It is my understanding that the zoning ordinance allows the "upgrading" of existing non-conforming uses.

The Deering Place congregate care facility will include approximately 8,000 to 10,000 square feet of medical office space. The office space will be occupied by a physical therapist who will in turn provide direct services to the occupants of Deering Place.

The current development program envisions retaining the existing two story House of Lights building at 510 Cumberland Avenue. New construction would take place on the vacant lots on the corner of Cumberland Avenue and Mellen Street and Deering Street with new construction occurring also above the existing two story garage.

DEC 1 6 1987

DEPT OF BUILDING INSPECTION  
CITY OF PORTLAND



Interiors Unlimited  
26 Henry St  
S. Portland

Pat Langley  
113 Clinton St  
Portland Me

(Basement)

Applicant: *Interiors Unlimited*

Date: *Dec 18, 1987*

Address: *107-115 Clinton St.*

Assessors No.: *130-B-12*

Owner of Record  
*Pat Tanguay*

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - *R-5*

Interior or corner lot -

Use - *Change from single to Two family*

Sewage Disposal -

Rear Yards -

Side Yards -

Front Yards -

Projections -

Height -

Lot Area - *10,000 sq ft*

Building Area -

Area per Family - *3,000 sq ft.*

Width of Lot -

Lot Frontage -

Off-street Parking -

Loading Bays -

Site Plan -

Shoreland Zoning -

Flood Plains -



AP 109-115 Clinton St.  
Corner of James St.

March 20, 1953

Mcrite Construction Co.,  
42 Anson Road  
Portland, Maine

Copy to: Mr. David Berlowitz  
11 James St.

Gentlemen:-

Building permit for construction of a single family dwelling 33 feet by 56 feet on the lot at 109-115 Clinton St., corner of James St., is issued herewith based on the plans filed with the application for permit, but subject to the following conditions:-

1. The 4x10 header indicated for the large window in the front wall of the living room will need be of Douglas Fir lumber in order to figure out.

2. Spacing of metal ties for the brick veneer is required to be not over 16 inches horizontally and 12 inches vertically instead of as noted on plans. Corrugated sheet copper ties of such thickness that 1000 ties will weigh at least 48 pounds may be used in place of the #6 gauge wire ties specified on the plans. These ties may be of galvanized sheet steel of similar weight if two ties nested one on top of the other are used at each location.

Since the location of the garage has not yet been staked out on the ground, we have been unable to check it. Therefore, issuance of garage permit is being withheld until this has been done.

Very truly yours,

Warren McDonald  
Inspector of Buildings

AJS/G