

242-246 CONCORD STREET

SHAW-WALKER

Full cut # 8201 • Half cut # 8202 • Third cut # 8203 • Fifth cut # 8205H

PERMIT TO INSTALL PLUMBING

PERMIT NUMBER 0191

Date Issued 3-27-73

Portland Plumbing Inspector

By ERNOLD R. GOODWIN

App. First Insp. APR 5 1973

Date

By ERNOLD R. GOODWIN

App. Final Insp. APR 10 1973

Date

By ERNOLD R. GOODWIN

Type of Bldg.

- Commercial
- Residential
- Single
- Multi Family
- New Construction
- Remodeling

Address 244 Concord W. Ext.

Installation For

Owner of Bldg Mr. Cobb

Owner's Address Same

Date 3-27-73

Plumber Reuben Katz

NEW REPL 173 Neal St.

NEW	REPL		NO.	FEE
		SINKS		
	2	LAVATORIES		
	2	TOILETS		
	2	BATH TUBS		
		SHOWERS		
		DRAINS FLOOR SURFACE		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		
		GARBAGE DISPOSALS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS		
		AUTOMATIC WASHERS		
		DISHWASHERS		
		OTHER		
			TOTAL	10.60

Building and Inspection Services Dept.: Plumbing Inspection

PERMIT TO INSTALL PLUMBING

PERMIT NUMBER **18177**

Date Issued **4/4/68**  
 Portland Plumbing Inspector  
 By **ERNOLD H GOODWIN**

Address **244 Concord Street, West**  
 Installation For **Dwelling**  
 Owner of Bldg **Ralph Bailey**  
 Owner's Address: **244 Concord Street, West** Date: **4/4/68**  
 Plumber **William H. Carr** NO. **1** FEE

App. First Insp. **4/4/68**  
 Date **ERNOLD H GOODWIN**  
 By **ERNOLE PLUMBING INC PERMIT**

NEW	REPL.		NO.	FEE
	1	SINKS	1	2.00
	1	LAVATORIES	1	2.00
	1	TOILETS	1	2.00
	1	BATH TUBS	1	2.00
	1	SHOWERS		
		DRAINS FLOOR SURFACE		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		
		GARAGE DISPOSALS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS		
		AUTOMATIC WASHERS		
		DISHWASHERS		
	1	OTHER	1	2.00
			TOTAL	5 10.00

App. Final Insp. **4/4/68**  
 Date **ERNOLD H GOODWIN**  
 By **ERNOLE PLUMBING INC PERMIT**  
 Type of Bldg.  
 Commercial  
 Residential  
 Single  
 Multi Family  
 New Construction  
 Remodeling

Building and Inspection Services Dept.; Plumbing Inspection

# CITY OF PORTLAND, MAINE

## Application for Permit to Install Wires

Permit No. 56712  
 Issued 4/1/68  
 Portland, Maine April 1, 1968

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

(This form must be completely filled out — Minimum Fee, \$1.00)

Owner's Name and Address Ralph Bailey Tel. ....  
 Contractor's Name and Address Murray Bros 279 Fowler Tel. ....  
 Location 244 General St West Use of Building .....

Number of Families ..... Apartments ..... Stores ..... Number of Stories .....

Description of Wiring: New Work ..... Additions  ..... Alterations .....

Pipe ..... Cable ..... Metal Molding ..... BX Cable ..... Plug Molding (No. of feet) .....

No. Light Outlets 3 ..... Plugs 2 ..... Light Circuits ..... Plug Circuits .....

FIXTURES: No. .... Light Switches 3 ..... Fluor. or Strip Lighting (No. feet) .....

SERVICE: Pipe ..... Cable ..... Underground ..... No. of Wires ..... Size .....

METERS: Relocated ..... Added ..... Total No. Meters .....

MOTORS: Number ..... Phase ..... H. P. Amps ..... Volts ..... Starter .....

HEATING UNITS: Domestic (Oil) ..... No. Motors ..... Phase ..... H.P. ....  
 Commercial (Oil) ..... No. Motors ..... Phase ..... H.P. ....  
 Electric Heat (No. of Rooms) .....

APPLIANCES: No. Ranges ..... Watts ..... Brand Feeds (Size and No.) .....

Elec. Heaters ..... Watts .....

Disposal Miscellaneous ..... Watts ..... Extra Cabinets or Panels .....

Transformer ..... Air Conditioners (No. Units) ..... Signs (No. Units) .....

Will commence, 19..... Ready to cover in April 2 1968 Inspection ..... 19.....

Amount of Fee \$ 2.50 ..... Signed D. H. Murray .....

DO NOT WRITE BELOW THIS LINE

SERVICE .....	METER .....	GROUND .....
VISITS: 1 .....	2 .....	3 .....
4 .....	5 .....	6 .....
7 .....	8 .....	9 .....
10 .....	11 .....	12 .....

REMARKS:

INSPECTED BY D. W. Hubert  
 (OVER)

LOCATION Concord ST. 244

INSPECTION DATE 4/3/68

WORK COMPLETED 4/3/68

TOTAL NO. INSPECTIONS 1

REMARKS:

**FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963**

<b>WIRING</b>	
1 to 30 Outlets	..... (including switches) \$ 2.00
31 to 60 Outlets	..... (including switches) 3.00
Over 60 Outlets, each Outlet	..... (including switches) .05
(Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet).	
<b>SERVICES</b>	
Single Phase	..... 2.00
Three Phase	..... 4.00
<b>MOTORS</b>	
Not exceeding 50 H.P.	..... 3.00
Over 50 H.P.	..... 4.00
<b>HEATING UNITS</b>	
Domestic (Oil)	..... 2.00
Commercial (Oil)	..... 4.00
Electric Heat (Each Room)	..... .75
<b>APPLIANCES</b>	
Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Dish washers, etc. — Each Unit	..... 1.50
<b>TEMPORARY WORK (Limited to 6 months from date of permit)</b>	
Service, Single Phase	..... 1.00
Service, Three Phase	..... 2.00
Wiring, 1-50 Outlets	..... 1.00
Wiring, each additional outlet over 50	..... .02
Circuses, Carnivals, Fairs, etc.	..... 10.00
<b>MISCELLANEOUS</b>	
Distribution Cabinet or Panel, per unit	..... 1.00
Transformers, per unit	..... 2.00
Air Conditioners, per unit	..... 2.00
Signs, per unit	..... 2.50







FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, April 8, 1965

PERMIT ISSUED

COMM. 18 1965

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 244 Concord St. Use of Building Dwelling No. Stories Max Building Existing " Name and address of owner of appliance Mrs. Mary K Bailey, 244 Concord St. Installer's name and address Ballard Oil & Equipment Co. 135 Marginal Way Telephone

General Description of Work

To install Oil-fired steam heating system(replacement)

IF HEATER, OR POWER BOILER

Location of appliance Basement Any burnable material in floor surface or beneath? none If so, how protected? Kind of fuel? oil Minimum distance to burnable material, from top of appliance or casing top of furnace 2' 6' From top of smoke pipe 2' From front of appliance 6' From sides or back of appliance Size of chimney flue 8x12 Other connections to same flue stove 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 American Standard guntype Labelled by underwriters' laboratories? yes Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom Type of floor beneath burner concrete Size of vent pipe 1 1/2" Location of oil storage basement Number and capacity of tanks 275 existing Low water shut off Yes Make McD-Miller No. 47-2 Will all tanks be more than five feet from any flame? Yes How many tanks enclosed? Total capacity of any existing storage tanks for furnace burners

IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath? If so, how protected? Height of Legs, if any Skirting at bottom of appliance? Distance to 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

Amount of fee enclosed? 2.00 (\$2.00 for one heater, etc., \$1.00 additional for each additional heater, etc., in same building at same time.)

APPROVED:

OK 4-8-65 [Signature]

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

Ballard Oil & Equipment Company

[Signature of Installer]

Signature of Installer

CS 300

INSPECTION COPY



Permit No. 65/351

Location 21st Street

Owner Mr. Harry K. Bick

Date of permit 4/8/65

Approved \_\_\_\_\_

NOTES

1	Fill Pipe	_____
2	Vent Pipe	_____
3	Kind of Heat	_____
4	Burner Rigidity & Supports	_____
5	Name & Title	_____
6	Stack Cap	_____
7	High Limit	_____
8	Ramp or Chute	_____
9	Point C	_____
10	Valves	_____
11	Capacity	_____
12	Tank R.C. Footing & Supports	_____
13	Tank Distances	_____
14	Oil Gauge	_____
15	Instruction Card	_____
16	Low Water Switch	_____

8-17-65 Completed HW

Large blank lined area for notes or drawings, containing a large handwritten 'X' mark.

# CITY OF PORTLAND, MAINE

## Application for Permit to Install Wires

Permit No. 53872  
 Issued 5/14/15, 19  
 Portland, Maine

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

(This form must be completely filled out — Minimum Fee, \$1.00)

Owner's Name and Address Permitt Tel.  
 Contractor's Name and Address Delley Tel.

Location 244 W. Commercial St Use of Building  
 Number of Families \_\_\_\_\_ Apartments \_\_\_\_\_ Stores \_\_\_\_\_ Number of Stories  
 Description of Wiring: New Work \_\_\_\_\_ Additions \_\_\_\_\_ Alterations \_\_\_\_\_

Pipe \_\_\_\_\_ Cable \_\_\_\_\_ Metal Molding \_\_\_\_\_ BX Cable \_\_\_\_\_ Plug Molding (No. of feet)  
 No. Light Outlets \_\_\_\_\_ Plugs \_\_\_\_\_ Light Circuits \_\_\_\_\_ Plug Circuits  
 FIXTURES: No. \_\_\_\_\_ Light Switches \_\_\_\_\_ Fluor. or Strip Lighting (No. feet)  
 SERVICE: Pipe \_\_\_\_\_ Cable X Underg. round \_\_\_\_\_ No. of Wires 3 Size 2/3/15  
 METERS: Relocated \_\_\_\_\_ Added \_\_\_\_\_ Total No. Meters \_\_\_\_\_

MOTORS: Number \_\_\_\_\_ Phase \_\_\_\_\_ H. P. \_\_\_\_\_ Amps \_\_\_\_\_ Volts \_\_\_\_\_ Starter  
 HEATING UNITS: Domestic (Oil) \_\_\_\_\_ No. Motors \_\_\_\_\_ Phase \_\_\_\_\_ H.P.  
 Commercial (Oil) \_\_\_\_\_ No. Motors \_\_\_\_\_ Phase \_\_\_\_\_ H.P.  
 Electric Heat (No. of Rooms) \_\_\_\_\_ Brand Feeds (Size and No.) \_\_\_\_\_

APPLIANCES: No. Ranges \_\_\_\_\_ Watts \_\_\_\_\_  
 Elec. Heaters \_\_\_\_\_ Watts \_\_\_\_\_  
 Miscellaneous \_\_\_\_\_ Watts \_\_\_\_\_  
 Transformers \_\_\_\_\_ Air Conditioners (No. Units) \_\_\_\_\_ Extra Cabinets or Panels \_\_\_\_\_  
 Will commence \_\_\_\_\_ 19 \_\_\_\_\_ Ready to cover in \_\_\_\_\_ Signs (No. Units) \_\_\_\_\_  
 Amount of Fee \$ \_\_\_\_\_ Signed [Signature] Inspection \_\_\_\_\_ 19 \_\_\_\_\_

DO NOT WRITE BELOW THIS LINE

SERVICE	METER					GROUND						
	1	2	3	4	5	6	7	8	9	10	11	12
VISITS: <input checked="" type="checkbox"/>												
REMARKS:												

INSPECTED BY [Signature]  
 (OVER)

LOCATION W. Concord - 244  
 INSPECTION DATE 5/10/65  
 WORK COMPLETED 5/10/65  
 TOTAL NO. INSPECTIONS 1  
 REMARKS:

**FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963**

<b>WIRING</b>	
1 to 30 Outlets	(including switches) \$ 2.00
31 to 60 Outlets	(including switches) 3.00
(over 60 Outlets, each Outlet	(including switches) .05
(Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet).	
<b>SERVICES</b>	
Single Phase	2.00
Three Phase	4.00
<b>MOTORS</b>	
Not exceeding 50 H.P.	3.00
Over 50 H.P.	4.00
<b>HEATING UNITS</b>	
Domestic (Oil)	2.00
Commercial (Oil)	4.00
Commercial (Oil)	.75

# CITY OF PORTLAND, MAINE

## Application for Permit to Install Wires

Permit No. 53791

Issued . . . . .

Portland, Maine April 8, 1965, 19.65

To the City Electrician, Portland, Maine:

The undersigned hereby applies for a permit to install wires for the purpose of conducting electric current, in accordance with the laws of Maine, the Electrical Ordinance of the City of Portland, and the following specifications:

*(This form must be completely filled out — Minimum Fee, \$1.00)*

Owner's Name and Address Mrs. Mary K. Bailey 244 Concord St.

Contractor's Name and Address Ballard Oil & Equipment Co. Inc. 135 Marginal Way, Portland

Location 244 Concord St. Use of Building Residence

Number of Families . . . . . Apartments . . . . . Stores . . . . . Number of Stories . . . . .

Description of Wiring: New Work  . . . . . Additions . . . . . Alterations . . . . .

Wiring of high pressure gun type burner to code

Pipe . . . . . Cable . . . . . Metal Molding . . . . . BX Cable . . . . . Plug Molding (No. of feet) . . . . .

No. Light Outlets . . . . . Plugs . . . . . Light Circuits . . . . . Plug Circuits . . . . .

FIXTURES: No. . . . . Light Switches . . . . . Fluor. or Strip Lighting (No. feet) . . . . .

SERVICE: Pipe . . . . . Cable . . . . . Underground . . . . . No. of Wires . . . . . Size . . . . .

METERS: Relocated . . . . . Added . . . . . Total No. Meters . . . . .

MOTORS: Number 1 Phase 1 H. P. 1/8 Amps 3.0 Volts 115 Starter . . . . .

HEATING UNITS: Domestic (Oil) . . . . . No. Motors . . . . . Phase . . . . . H.P. . . . . .

Commercial (Oil) . . . . . No. Motors . . . . . Phase . . . . . H.P. . . . . .

Electric Heat (No. of Rooms) . . . . .

APPLIANCES: No. Ranges . . . . . Watts . . . . . Brand Feeds (Size and No.) . . . . .

Elec. Heaters . . . . . Watts . . . . .

Miscellaneous . . . . . Watts . . . . . Extra Cabinets or Panels . . . . .

Transformers . . . . . Air Conditioners (No. Units) . . . . . Signs (No. Units) . . . . .

Will commence April 9 1965 Ready to cover in . . . . . 1965 Inspection April 13 1965

Amount of Fee \$ 2.00

Signed L. W. Jordan  
Ballard Oil & Equipment Co.

DO NOT WRITE BELOW THIS LINE

SERVICE . . . . . METER . . . . . GROUND . . . . .

VISITS: 1 . . . . . 2 . . . . . 3 . . . . . 4 . . . . . 5 . . . . . 6 . . . . .

          7 . . . . . 8 . . . . . 9 . . . . . 10 . . . . . 11 . . . . . 12 . . . . .

REMARKS:

INSPECTED BY J. W. [Signature]  
(OVER)

LOCATION Concord St. 244  
 INSPECTION DATE 4/15/65  
 WORK COMPLETED 4/15/65  
 TOTAL NO. INSPECTIONS 1  
 REMARKS:

**FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963**

**WIRING**  
 1 to 30 Outlets (including switches) \$ 2.00  
 31 to 60 Outlets (including switches) 3.00  
 Over 60 Outlets, each Outlet (including switches) .05  
 (Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet).

**SERVICES**  
 Single Phase ..... 2.00  
 Three Phase ..... 4.00

**MOTORS**  
 Not exceeding 50 H.P. .... 2.00  
 Over 50 H.P. .... 4.00

**HEATING UNITS**  
 Domestic (Oil) ..... 1.00  
 Commercial (Oil) ..... 2.00  
 Electric Heat (Each Room) ..... 4.00  
 Electric Heat (Each Room) ..... .75

**APPLIANCES**  
 Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Dish-  
 washers, etc. — Each Unit ..... 1.50

**TEMPORARY WORK** (limited to 6 months from date of permit)  
 Service, Single Phase ..... 1.00  
 Service, Three Phase ..... 1.00  
 Wiring, 1-50 Outlets ..... .02  
 Wiring, each additional outlet over 50 ..... 10.00

**MISCELLANEOUS**  
 Wiring, each additional outlet over 50 ..... 1.00  
 Circuits, Carnivals, Fairs, etc. .... 2.00  
 (Rate of Panel, per unit) ..... 2.00

File: GL 244 Concord Street

ATH  
ESS  
RMT  
KJS  
PH  
DJ  
HD  
BS

December 20, 1946

Memo To City Manager: Subject: Reply to inquiry concerning proposed convalescent home situation of Mrs. Bailey at 244 Concord Street

This matter has dragged out without settlement for about two years, and Mrs. Bailey takes considerable credit from the fact that she, herself, made the initial inquiry as to what was needed to comply with the law.

She converted her dwelling to a convalescent home six or eight years ago unaware of the requirements of the Building Code that a permit should be secured for this conversion, and after improvements required by the Building Code have been made, a certificate of occupancy from the Building Department before the dwelling could be lawfully used as a convalescent home.

The only obstacle now is the question of fire protection around the collar stairs of which there are two flights, the Building Code requiring in a convalescent home that all stairs between the cellar and first floor shall be enclosed with partitions and fire door in the cellar having a rating of one-hour fire resistance. She was told at the outset that she could economize by flooring over one of the cellar stairs at the first floor level and then enclosing the other one in the cellar. She has maintained steadily that it was impossible to carry out this provision of the Code, usually qualifying that position by saying that to comply would make extensive changes necessary in her own bedroom.

As she had a right to do under the appeal clause of the Building Code in case of a change of use of a building, she filed an appeal with the Municipal Officers more than a year ago seeking relief from this and some of the other requirements. The Board granted relief from the other features, but four of the five members of the Board who were present at the hearings decided that they could not take the responsibility of approving this open stairway. In all of the discussions Mrs. Bailey has never had her architect show any plans as to this cellar stair enclosure. Her appeal on this score was denied, and, therefore, the building permit could not be issued until compliance with that provision had been shown.

To get the work underway, she finally altered her application for the building permit to show that she would floor over the wells of both cellar stairs, thus leaving the only access to the cellar on the outside--it was her stated purpose at that time to have her architect work out a plan for enclosure of the cellar stairs and file that plan with application for amendment to the permit, it being obvious that she could not get along with access to the cellar only from the outside of the building.

She has never gone through with this proposal to revise the plans, but she has gone back to her original position that the requirement in this connection presented an impossibility in her case.

Inspector of Buildings

WKC/S

INTER-OFFICE CORRESPONDENCE

*Handwritten:*  
R  
P  
out to home work

CITY OF PORTLAND, MAINE  
EXECUTIVE DEPARTMENT

December 16, 1946

Mr. Warren McDonald  
Inspector of Buildings  
BUILDING

Dear Mr. McDonald:

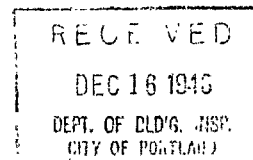
Please bring me up to date by memorandum on the convalescent home situation at 244 Concord Street. I promised Mrs. Bailey to consult you about it.

Yours very truly,



Lyman S. Moore  
CITY MANAGER

LSM:c





# APPLICATION FOR PERMIT

PERMIT ISSUED

0206946

Class of Building or Type of Structure Third Class

Portland, Maine, September 17, 1946

To the INSPECTOR OF BUILDINGS, PORTLAND, ME. Supersedes application of 12/31/45

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment 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 211 Concord Street Within Fire Limits? no Dist. No. 1  
 Owner's name and address Mr. & Mrs. R. E. G. Bailey, 211 Concord St. Telephone: 4-3557  
 Lessee's name and address \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Contractor's name and address \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Architect Miller & Beal, Inc. Specifications none Plans yes No. of sheets 4  
 Proposed use of building Nursing Home and attached garage No. families \_\_\_\_\_  
 Last use Dwelling and attached garage No. families \_\_\_\_\_  
 Material wood No. stories 2 1/2 Heat steam Style of roof pitch Roofing \_\_\_\_\_  
 Other buildings on same lot none  
 Estimated cost \$ 400. Appeal sustained 10/7/46 Fee \$ 1.00

## INSPECTION NOT COMPLETED General Description of New Work

To change use of building from dwelling and attached garage to nursing home with attached garage, and to make the following improvements and alterations:

1. Install a standard automatic fire detection and alarm system with detection system covering entire cellar, all public and stair halls, all closets off hallway the kitchen and the first story of the attached garage, and with alarm gongs in suitable locations to surely arouse all occupants of the building in case of fire.
2. To cover garage side of all parts of wall common between garage and house with double thickness of 3/16th inch thick asbestos board, cemented at the joints. To provide in present door opening in this wall from cellar to garage a standard fire-resistant door in metal covered frame, made self-closing by use of liquid door closer, and with threshold of doorway raised no less than six inches above level of garage floor.
3. To completely close the wells at first floor level of both stairs from first floor to cellar by the usual permanent floor joists and flooring of strength equivalent to that of present first floor.
4. Remove dead bolts from locksets on all doors serving as exits from or through patients' rooms.

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 Issued with Letter**

## 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 \_\_\_\_\_ 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 \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
 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.  
 Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 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? \_\_\_\_\_

## Miscellaneous

Will work require disturbing of any tree on a public street? \_\_\_\_\_  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? \_\_\_\_\_

APPROVED:

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

Signature of owner

*R. E. G. Bailey*  
*Mary K. Bailey*

INSPECTION COPY





(RC) GENERAL RESIDENCE ZONE - C  
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, September 11, 1945

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment 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 244 Concord Street Within Fire Limits? no Dist. No. \_\_\_\_\_

Owner's name and address Mr. & Mrs. R. E. G. Bailey Telephone 4-3557

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

Contractor's name and address Burnham McLellan, 491 1/2 Congress Street Telephone \_\_\_\_\_

Architect Miller & Beal Specifications \_\_\_\_\_ Plans Yes No. of sheets 4

Proposed use of building Nursing Home and garage No. families \_\_\_\_\_

Last use Dwelling and garage No. families 1

Material frame No. stories 2 1/2 Heat steam Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_

Other buildings on same lot garage

Estimated cost \$ 400. Fee \$ 1.00

General Description of New Work

To Change Use of building from dwelling to Nursing Home  
To make changes in building as per plans submitted.

*Appeal Sustained conditionally 10/16/45*

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.

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 \_\_\_\_\_ 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 \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_

Framing lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_

Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_

Girders \_\_\_\_\_ Size \_\_\_\_\_ Columns over 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.

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

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

Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 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:

Inspector's signature box

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

INSPECTION COPY

Signature of owner

*Mary E. Bailey*



244 Concord Street-1

ATH  
ESS  
ATS  
TH  
DJ  
MS

October 21, 1962

Mr. & Mrs. E. T. G. Bailey  
244 Concord Street  
Portland, Maine

Subject: Building permit for alterations and improvements in the dwelling and attached garage at 244 Concord Street and to convert the dwelling house to a nursing or convalescent home.

Dear Mr. & Mrs. Bailey:

Your appeal under both zoning ordinance and building code having been sustained, the building permit is herewith, and issued subject to the following:

1. The basis of this permit is a set of four blueprints of architect's plans - plot plan, basement plan, first floor plan and second floor plan; all four prints received here October 11, 1962, the three latter prints showing in red crayon a layout of automatic fire detection and alarm system and each of the three bearing in red crayon the number B-001 and the date of August 11, 1962.

2. These plans can be used only as a preliminary basis of the work for the building and must be amended to show, without the consideration of the red crayon, the details of the fire alarm system and other details, merely the existing layout. In the considerable negotiations which have taken place since these plans were made, much confusion has arisen as to what the Building Code really calls for on account of the use and just what features have been modified by action of the Building Code Appeal Board. Therefore it seems best to run through the requirements and thus attempt to clear the matter up in the minds of all concerned. References are to the sections of the Building Code applying to each particular feature.

(1) No more than eight patients are to be cared for at any one time in the building and none at all above the second floor. Section 2094.

(2) The entire area of the garage side of the wall between garage and house is to be covered with a double thickness of 3/16 inch thick asbestos board cemented at the joints, a self-closing standard fire resistive door is to be provided with consistent fire door frame, all as outlined in Section 2094. In the wall between lower level of garage and the basement, self-closing device to be a liquid door closer. Note that this allowance of asbestos board is not in strict compliance with the terms of the ordinance which really requires one hour fire resistance, a resistance that would mean plaster on metal lath or equivalent on both sides of the wall dividing garage and dwelling, but the latter fire resistance has been permitted by the appeal board and represents the only modification of the Building Code requirements by the appeal board. Note also that the asbestos board is to cover the garage side of all parts common between garage and house including at both levels in a garage carrying straight up by the stairway in the garage. Reference, Section 2094B which also requires that the garage part shall be equipped with the standard automatic fire alarm detection system which will be dealt with later on.

(3) All means of egress (this means front and rear stairs from second floor, both stairhalls and both public halls, also stairs from third to second and also nurse's room and room number 3 on second floor, are to be equipped with artificial lighting on two circuits and controlled by two switches, as practicable, adequate to illuminate the way to the outside at the ground level. It is evident that lights could be kept burning all night in front and rear stairhalls at both levels, but also evident that it would not be practicable to keep lights burning

October 21, 1946

in the nurse's room, room number 3 and probably over the stairs at third floor level, all night because of needless discomfort on the part of the occupants of these spaces. While we shall not attempt to dictate the details of this arrangement, it seems to me that all of these wall lights could be controlled by a single switch in some strategic place, perhaps Mrs. Bailey's room where the lights could be turned on quickly at a fire alarm. Provision for getting lights quickly in the nurse's room and room number 3 appears necessary because these rooms really act as a passageway between front and rear stairhalls at second floor level. Section 279e9.

(4) Both front and rear exterior doors and any vestibule doors at front or rear entrance require vestibule locksets and to have all other locks and fastenings permanently kept from these doors, this type of lockset being such that any person on the inside may quickly open the door without requiring a key or any special knowledge or ability. All doors to patients' rooms are to be without locking device of any kind other than the ordinary knob latch, this requirement to include the door from second floor rear hall to nurse's room and the door from nurse's room to room number 3. The ordinary lockset may be adapted satisfactorily by removing the dead bolt. If it should become necessary to forcibly detain any patient in any room, that room may be locked with a key in which case there should be an attendant on duty all night with a key to the room or a master key to all such rooms where persons are forcibly detained and the same should be true if the daytime, or it will be satisfactory to introduce on such a door a vestibule lockset as arranged that the door can always be quickly open from the outside but can be locked against persons forcibly detained on the inside. On the whole it is my belief that persons requiring to be forcibly detained should only be kept in the building temporarily and in case of emergency. This question should be thoroughly talked over before such locksets are provided on any doors so that the safest best arrangement can be arrived at, and we should like to have this letter fully cleared up before the certificate of occupancy is issued.

(3) Section 279e12 and Section 200f1 require that all stairways between cellar or basement and first floor shall be enclosed in the collar by separations of one-hour fire resistance. There are two such stairways in this house, and much discussion has centered around this feature, the appeal board having refused to allow either or both of these to remain unprotected. Because of inability to get architectural plans made showing the required enclosure of one or both stairs and any rearrangements necessary, you have agreed in the application for the permit that this requirement of the Building Code will be met by flooring over in permanent fashion both stairwells at the first floor level. Thus if this measure were actually carried through, the provisions of the Building Code would be satisfied but the undesirable feature would be present of not being able to enter the basement direct from first floor level. It is my understanding that you intend to have your architect develop plans as quickly as possible to show only one of the stairwells at first floor level floored over permanently and the other stairs enclosed in the basement by one-hour fire resistive walls and a standard self-closing Class C (labelled) fire door at the foot of the stairs, using a liquid door closer. As soon as these plans are developed, you or your contractor will file application for amendment to the permit now issued to cover this change from the original specifications; thus, if everything is in order, to hasten completion of this and all other features so that the certificate of occupancy may be issued from this office and the building occupied at the earliest possible date.

(6) Since the number of patients in the building at any one time will not exceed eight, the heater room is not required to be fire resistive, ceiling, enclosing partitions or door leading thereto; and ceiling of the base-

October 21, 1948

front is not required to be covered with fire resistive materials. However, if there is any ceiling on any part of the basement, irrespective of material, it should be made tight and any openings from the basement up through the exterior walls or interior partitions of the building should be thoroughly firestopped.

(7) The building is to be equipped with a standard automatic fire detection and alarm system with detection system covering entire cellar, all public and stairhalls, all closets off halls, the kitchen and the attached garage, the latter at both levels. You should have your architect furnish two sets of prints of his revised plans at the earliest possible date to the company which is to install the fire alarm system, and that company should show on the plans in crayon or otherwise distinctively all arrangement of both detector and alarm system, control box etc., and to furnish one set of prints to this office for examination. The marked up print of the fire alarm system which we have seen to indicate only one "annunciator", that located in the nurse's room on second floor, which I suppose means the alarm part of the system. This arrangement would hardly satisfy requirements for a standard system which reads:

"Alarm devices shall be bells, gongs or buzzers, distinctive in tone and character from other such devices in the same building. The strength of signal, number and location of such devices shall be such as to undoubtedly arouse and warn all persons for whose protection they are intended, but without causing for avoiding panic in places of public use. All systems shall be so arranged and equipped as to permit testing at frequent intervals."

In view of the manner in which such institutions are usually constructed and the particular layout of this building, it is not enough merely to discuss the attendant. If there is disagreement on this matter, it would be best to talk it over between Jager, alarm company and this office before settlement is reached, but to satisfy the code, it seems likely to me that gongs will be necessary in both front and rear halls, third floor, and, unless it can be demonstrated that the two gongs on second floor would undoubtedly arouse all persons in first story, additional gongs would be necessary in first floor halls. Section 2107B.

(8) It is my impression that the heat is by oil burner. If that is true, there should be a remote control switch, if not already provided, at first floor level capable of shutting down the oil burner in case of emergency without going down cellar and the purpose of this switch should be clearly marked on it. While the architects are revising the plans to show the cellar stair enclosure, will they also show all of the above provisions except the fire alarm system, so that this office and everyone concerned may have identical information in the best available place--on the plans.

For your convenience I am enclosing a carbon copy of this letter for you to give to your contractor. When he has the wall between garage and house already for covering, he is to notify this office for closing-in inspection and secure our certificate of closure (green tag) before any of the covering is put on. The same procedure is to be followed before the partitions enclosing the cellar stairs are covered. If the rear closets to floor over the well of the cellar stairs leading from the kitchen, the space thus afforded off the kitchen is to be left free and open as a part of the kitchen, since it is beneath the stairs to second floor where no closets are permitted by Section 213e5.5, and this should be clearly shown on the revised plans. Also, if not already existing, handrail is required, full length, on one side of both front and rear stairs from second floor to first and on stairs from third to second.

When all features controlled by the Building Code as outlined above have been completed, notice to this office is to be given of readiness for final inspection after

Mr. & Mrs. H. E. G. Bailey ----- 4

October 21, 1946

which, if everything is found in order, the certificate of occupancy will be issued. Then, and not until then is it lawful to use the building to accommodate more than two patients.

Very truly yours,

Inspector of Buildings

Enc/s

CC: Miller & Deol, Inc.  
465 Congress Street

Gill Fire Service  
310 Commercial Street

Encl: Extra carbon copy of this letter

P.S. I realize that the last application for building permit signed by both of you indicated that the detection system of alarm system to be provided in the first story of the attached garage only. Since the Building Code provides that all attached garages are to be covered by the detection system and since the appeal board did not waive the requirement for providing this detection system in the loft of the attached garage, it is my belief that you are required to extend the detection system to the loft as well as covering the lower level where an automobile would be actually stored.

At 244 Concord Street-I

X ATH  
✓ ESS  
✓ EMT  
✓ AJS  
✓ PH  
✓ DJ  
✓ HD  
✓ BS

September 17, 1946

Mrs. Mary K. Bailey  
244 Concord Street  
Portland, Maine

Dear Mrs. Bailey:

As I agreed yesterday, a new application for building permit to cover change of use of your building at 244 Concord Street from dwelling house and attached garage to nursing home and attached garage, has been prepared and original and one carbon copy are enclosed for you and Mr. Bailey/sign and return. If you know the estimated cost of the entire work including the fire alarm system, that figure should be entered in the blank "estimated cost" and the building permit fee will be established on that figure. I believe you paid a fee of one dollar with application about a year ago and that money will be applied against the fee arrived at by the new estimated cost.

As explained to you, I am unable to issue this permit under the Zoning Ordinance because the Zoning Ordinance forbids issuing a permit to allow establishing of a nursing home in the Residence C Zone where your property is located unless first authorized by the Board of Appeals after the usual appeal procedure.

Under the Building Code I am unable to issue the permit because the fire protection proposed on the wall common between garage and the house does not come up to the standard of one-hour fire resistance called by section 206b3 of the Building Code.

You have told me that you desire to file an appeal under the Zoning Ordinance seeking authorization by the Zoning Board of Appeals (five members of the City Council) for the legal establishing of the nursing home. You have also indicated that you wish to use the fire protection on wall between garage and house agreed upon with the Building Code Board of Appeals (all nine members of the City Council) in connection with the former Building Code appeal which, because of other features, was denied by the Board about a month ago. The fire protection formerly agreed upon is that stated in the application for permit now sent to you.

The procedure for handling appeals has changed since your last experience, and I am therefore enclosing an outline of the appeal procedure for both types of appeals. As explained to you over the phone, the earliest date that you could get an answer on the Zoning appeal is October 7 on the basis of the required public hearing being held on Friday, October 4. In order to get your appeal heard on that date, however, it is important that you file the zoning appeal quickly, by Thursday night of this week (September 19) if at all possible--this because the Board of Appeals must give notice of the required public hearing to neighboring property owners at least ten days before the date of the hearing. Mr. Fyson, Corporation Counsel, has a copy of this letter and will know the problem under both ordinances when you appear at his office to file the appeal.

To clear the record the item on the application with regard to the cellar stairs requires explanation. The proposal to close both cellar stair walls at first floor level was made by yourself yesterday, both of us realizing that this would not be a very good arrangement. This morning you told me over the phone that you had decided that you could not do it this way, and for the first time since these negotiations

Mrs. Mary K. Bailey ----- 2

September 17, 1946

begin you told me that you would enclose one of the cellar stairs in the cellar and close the other one at the first floor level. To complete the application for the permit on this latter basis, however, would require a revision of your plans showing the arrangements of the enclosure in the cellar, the fire door etc. It was recognized that this would take so much time that you could not possibly get the zoning appeal before the Board of Appeals in time to get an answer on October 7. Thus you decided that you would file the application based on flooring over both cellar stair wells which would satisfy the requirements of the ordinance, but with the expectation that you would have your architect work out the plan of enclosing one of the cellar stairs in the cellar with fire door at the bottom and flooring over the well of the other cellar stairs, this change to be covered by a revision of the application for the permit if it can be made before the permit is ready for issuance, or by amendment to the issued permit if the permit has already been issued before the revised plans are received here.

May I assure you again that no one here is trying to prevent you from operating a nursing home, but, to the contrary, pass along to you the word from the Zoning Board of Appeals that they will be sure to look very favorably upon your application for their approval upon the permit to establish a nursing home.

Very truly yours,

Inspector of Buildings

WMB/S

CO. N. Mayo Payne  
Corporation Counsel

Mrs. Helen C. Frost  
46 Westbrook Street

Mr. Walter Murrell  
65 Exchange Street

Encl: Outline of appeal procedure  
2 copies of application for permit

P.S. There are a few minor items left off of this application which I think you will have no difficulty about such as providing handrails on at least one side of all stairs, full length; eliminating permanently any closets that may exist beneath any part of any stairs in the building; providing adequate artificial lighting in the stair and public halls, controls switches as possible; to illuminate the way to safety at the ground level. Some of these safeguards are already present. As far as I know, you have them, but please bear in mind that any minor omissions which are not taken care of have to be taken care of.



AP 244 Concord Street-I

ATH  
ESS  
RMT  
PH  
AJS  
HL  
BS

April 25, 1946

Mrs. Mary K. Bailey  
244 Concord Street  
Portland, Maine

Dear Mrs. Bailey:

It is my recollection that I told you over the phone, several weeks ago, that the Building Code would allow three patients in a single building before classifying the building as a convalescent or nursing home (Type B Hospital).

That is not correct for amendment to the Building Code recommended by the Building Code Commission and ordained by the City Council, becoming effective April 4, 1946, allows only two patients without classification as a convalescent or nursing home--therefore three patients would classify a building under that head--the particular clause of the Building Code reading as follows:

"Under this classification (Asylums, Hospitals & Homes) are included asylums, hospitals, nursing and convalescent homes, and homes for nursing or care of the infirm or the aged, accommodating more than two patients or inmates in a single establishment; also children's homes, benevolent and charitable homes, and institutions for the detention, refuge, protection, treatment or care of more than two persons who are abandoned, homeless, infirm, helpless, blind, deaf, or diseased in body or mind."

I am sorry for this misinformation. It is my recollection that the Building Code Commission decided upon this figure to be consistent with amendments of the Zoning Ordinance being recommended by the Planning Board, the latter now having been adopted and becoming effective on April 26, 1946.

Very truly yours,

Inspector of Buildings

AKJ/S

CC: Mrs. Helen C. Frost  
466 Westbrook Street

AP 244 Concord St.-I

December 26, 1945

Mrs. Mary A. Bailey  
244 Concord Street  
Portland, Maine

Subject: Conversion of dwelling house at 244 Concord Street to nursing home

Dear Mrs. Bailey:

At the first opportunity after our telephone conversation the other day, I examined our file and found that our records show a letter to you on October 18 and enclosed with it a copy of the order of the Board of Appeals or Municipal Officers as it was sustained conditionally on October 15.

Perhaps these miscarried in some way so I am enclosing copies of both. This order is of record in the City Clerk's office, and I, as enforcement officer, am bound by it. The way for you to proceed now is outlined in my letter of October 18--to get your plans revised showing compliance with the Building Code making due allowance for the departure from the precise terms of the Building Code as allowed in the Municipal Officers order.

I am mindful of the fact that one of the principal difficulties in your way, as you explained, is that of financing the improvements. But, as an enforcement officer, I have no way of making allowances for that situation or of extending the time that you can operate without having made all of the improvements. To the contrary I am in the position of having to say that you must proceed with reasonable dispatch to make the improvements or discontinue the use.

Your original contractor I think was Burnham-McCellan, but over the phone you told me that you were employing some other man to put on the protection between the garage and the house. It is of no consequence to us who does the work, but I suggest that you make sure that the man who is to do your work knows all of the conditions; for instance, what material is called for on the wall between the garage and the house and cellar and what parts of the walls are to be covered and which sides and that the door between the garage and the cellar is to be permanently closed with fire resistive wallboard. No permit has been issued for any of the work yet because the plans have not been revised to show the work that is to be done, and I suggest that you first have the plans completed, then file them in the application for the permit and get the permit issued before any of the work is done. This way you may be reasonably sure that whatever is done is done in accordance with the requirements.

As regards the cellar stairs, there is nothing either in the Building Code or in the order of the Municipal Officers which compels you to close either of the cellar stairs. You are at liberty to leave both stairs in use, but if so, then both stairs are required to be enclosed with the fire resistive material, each with a fire door at the bottom. I have looked over the plans again in the light of your statement that it would not be possible to close the cellar stairs leading down from the entry outside of the room marked "Mrs. Bailey's Room" because the Health authorities would object to carrying all of the waste and refuse from the house through the kitchen to get it down cellar. It occurs to me that it might satisfy your requirements more to close up the cellar stairs which lead down from the kitchen and then use only the one that leads down from the entry and enclose that in the cellar with a fire door at the bottom. In any event please remember that you do not have to close either of the cellar stairs, but that all that are left in use must be enclosed in the cellar with fire resistive partitions and a self-closing standard fire door in the enclosure at the foot of the stairs.

Mrs. Mary A. Bailey

December 26, 1945

Will you be kind enough to let me know as soon as possible when you can get the plan revised and filed with the application of the permit so that we can issue the permit? I am in the position of having a mandate both on the Building Code and from the Municipal Officers, and I cannot let the matter lay as it has for so long now.

I can see nothing purely from the physical construction standpoint to prevent enclosing either or both stairways in the cellar as required by the Building Code. Please bear in mind that this is merely from the standpoint of practical construction and not with any idea of telling you how to operate your home or what difficulties might arise in that operation.

Very truly yours,

Inspector of Buildings

MMcD/L

✓ BS  
✓ ATH  
✓ RMT  
✓ PH  
✓ AJS  
✓ HL

AP 244 Concord Street-I

October 18, 1945

Mrs. Mary K. Bailey  
244 Concord Street  
Portland 5, Maine

Subject: Action on Building Code appeal relating  
to the change of use of the single family  
dwelling house at 244 Concord Street to a  
nursing home (type B hospital)

Dear Mrs. Bailey:

After the hearing the other day, the Municipal Officers discussed the proposal for a long time, and finally decided that they could only sustain your appeal subject to a number of conditions in view of their duty to maintain safety and in view of similar problems with relation to nursing homes which have come to their attention.

A copy of the Municipal Officers order sustaining your appeal conditionally and adopted by them on October 18, 1945, is enclosed.

With ~~the~~ regard to the paragraph numbered 2 of the conditions, I believe your proposal to the Board <sup>was</sup> to furnish plaster protection on both sides of the part of the wall common between the garage and the dwelling house. The Board felt that perhaps you could be saved a little money on this by extending the automatic fire alarm system required in the main building to cover the ground floor of the garage, thus probably saving something to be applied on the plastered enclosure of the cellar stairs.

I suggest that you lay the matter now before your contractor and architect, each of whom has a copy of this letter, and see what may be done toward completing the plans and carrying out the conditions of the order.

When the revised plans have been filed with the application for the permit showing compliance with the conditions, I will be able to issue the permit and when the work is done the certificate of occupancy.

In connection with the cellar stairs, as was talked over before, it is allowable to remove one of the cellar stairs and floor over the well and thus have only one stairs to enclose.

Very truly yours,

Inspector of Buildings

WMD/L

CC: Burnham-McLellan, 491 1/2 Congress Street  
Miller & Beal, 485 Congress Street  
Mr. Walter Murrell, 85 Exchange Street

XBS  
ATH  
RMT  
PH  
AJS  
HL

144 Concord Street-1

October 3, 1945

Mrs. Mary K. Bailly  
144 Concord Street  
Portland 5, Maine

Subject: Application for permit for change of use of the dwelling house at 144 Concord Street to a nursing home (type B hospital)

Dear Mrs. Bailly:

With reference to the application for this permit, I saw your letter of September 11, and regarding to our understanding when you and Mr. Warrall met with the Municipal Officers, I have examined the architect's blueprint in the light of Building Code requirements for a type B hospital, and I find the deficiencies as regards the requirements for such a use as listed below. This has been done on the basis that you plan to limit the number of patients to a maximum of six, and that the main improvement contemplated at the present time is that of applying fire resistance to the wall between the garage and the dwelling. There is a discrepancy between the markings on the blueprint in this latter connection and your letter. The blueprints indicate gypsum lath and plaster on one side of the wall only (the garage side) extending from garage floor to garage roof. Your letter indicates one-hour fire resistance. To acquire a rating of one hour fire resistance, the plaster and lath would have to be applied on both sides of the wall, removing the wooden lath which might be on the dwelling house side, and the gypsum lath would have to be "perforated" lath.

In the appeal which you plan to file, you have a right to ask for any type of fire resistance that you propose there or none at all as you see fit, but if in explaining this so that it will be clear to you that if you suggest one hour fire resistance, it will mean covering the wall on both sides.

I also understand that you do not plan to install at this time the automatic fire alarm system indicated in red crayon on the blueprints.

Check against Building Code requirements reveals the following deficiencies which I understand you wish to include in your variance appeal to the Board of Municipal Officers: (Figures and letters are references to Building Code sections applying.)

1. The building is of wooden frame construction instead of Second Class (masonry exterior walls) sprinkered, and the east wall is closer than 30 feet to the side lot line. (00b1 and c)
2. The nursing home would be adjacent to your own garage. (00b5. To offset this discrepancy you are proposing a fire-resistive wall between.
3. It was formerly the practice for one of the nurses to have a sleeping room on the third floor. If this practice is continued, there is only one stairway down from the third floor instead of the two means of egress required, and that one stairway is too steep—if I am reading the blueprints correctly, the risers being 11 inches instead of the maximum of 8 inches—that is, too steep to be counted as a required means of egress. (00a8)
4. Three occupants of the two rear rooms on second floor would be unable to reach the front stairs if the fire were traveling the rear stairs from second to first. (00a1.(e))

October 5, 1945

Mrs. Mary K. Bailey

5. No exit lights seem to indicate the emergency means of egress which could be presumably by the rear stairs. It is obvious that due to the arrangement of the rooms with relation to the rear stairs that exit lights would be of little benefit, and there is little doubt that the Board would be willing to modify this requirement if directional signs were provided. 20069

6. Neither of the two stairways between first floor and cellar proposed to be enclosed with one hour fire resistive partitions with self-closing fire door at the foot of the stairs. 50312 There was some idea at the conference that fire resistive enclosure around the heater and oil tanks would eliminate the need for enclosure of the cellar stairs, but I find no indication of a fire resistive enclosure around the heater.

There are a number of minor questions of which I am not sure from reviewing the plans, or they are of a minor nature which I presume you would rather provide than include in the appeal:

7. To be certain, there would be unrestricted passage from any of the rooms to either front or rear stairs, all of the inter-connecting doorways should be equipped with merely latch bolts without any locking device on the doors. Both front and rear exterior doors at first story should be equipped with what are called "vestibule locksets" unless they are already so equipped, this type being so arranged that any person at any time can open the door from the inside, merely by turning the usual knob, without requiring a key or any special knowledge. 200613

8. Handrail required on at least one side, full length, of rear stairs, including the two steps outside of nurses room. Perhaps the plans indicate a single step and doorway from room number 5 to stair landing. This is not allowable, but is practically impossible of correction, so then if there is only one riser there you will want to include it in your appeal.

9. I cannot find indications of the height of rise and the width of tread of the rear stairs. Maximum rise is 9 1/2 inches, and the minimum tread the same, rise to be measured from trend to trend and tread to be measured from riser to riser.

10. The plan indicates that may be a closet off the dining room beneath the front stairs. Closets under stairs are not allowable, and if this is one and you are not inclined to closing it up, this item should be included in the appeal.

Very truly yours,

W. H. MURPHY

Inspector of Buildings

WHD/L

CC: Mr. Walter F. Murrell, 85 Exchange Street  
Miller & Beal Inc., 435 Congress Street  
Barnes-McLellan, 401 1/2 Congress Street  
Mrs. Helen C. Frost, 466 Westbrook Street



# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, December 31, 1945

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to ~~construct~~ alter ~~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 244 Concord Street Within Fire Limits? No Dist. No. \_\_\_\_\_  
 Owner's name and address Mr. & Mrs. R. E. G. Bailey, 244 Concord St. Telephone 4-3537  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Architect Miller & Beal, Inc. Specifications None Plans Yes No. of sheets 4  
 Proposed use of building Nursing Home and attached garage No. families 1  
 Last use Dwelling and attached garage No. families 1  
 Material wood No. stories 2 1/2 Heat steam Style of roof pitch Roofing \_\_\_\_\_  
 Other buildings on same lot none Fee \$ \_\_\_\_\_  
 Estimated cost \$ \_\_\_\_\_

### General Description of New Work

To change use of building from dwelling and attached garage to nursing home (Type B Hospitals, Asylums and Homes) with attached garage, and to make the following improvements to comply with or in lieu of the requirements of the Building Code for the proposed use:

- In lieu of discontinuing use of the attached garage (former stable) as a garage to cover the garage side in all parts of wall common between garage and house with a double thickness of 3/16-inch thick asbestos board, cemented at the joints, and to provide in present door opening between cellar and garage a standard fire-resistant door in metal covered frame and made self-closing by a suitable door closer; and to extend automatic fire alarm to cover first floor of garage.
- In place of enclosing both cellar stairs with fire resistive material in cellar, to cut off the heater room from the balance of the cellar, by a wall having at least one-hour fire resistance and a standard Class C fire door and frame with liquid door closer.
- To offset the sub-standard class of construction of the building (wooden frame) and to compensate for the condition whereby three patients at rear of second floor would be cut off from reaching front stairs, in event of fire travelling rear stairs, an approved automatic fire alarm system will be provided to cover first floor garage, entire cellar, all stairs and hallways serving as means of egress from second floor and the kitchen.

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.

### Details of New Work

to remove dead bolts from locksets in all doors serving as exits from or through patients' rooms; to provide handrails and eliminate any closets under stairs.

Is any plumbing work involved in this work? No 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 \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
 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 9 feet.  
 Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 If one story building with masonry walls, thickness of walls? \_\_\_\_\_ light?

### 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? \_\_\_\_\_

### 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: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*R. E. G. Bailey*  
*Mary K. Bailey*

Signature of owner \_\_\_\_\_

INSPECTION COPY

Permit No. 46/2069

D

Location 244 Concord St

Owner Mr. R. H. Bailey

Date of permit 10/21/46

Notif. closing-in

Ins'n. closing-in

Final Notif.

Final Ins'n.

Cert. of Occupancy issued

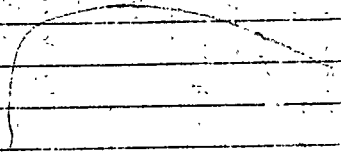
NOTES

3/3/47 - Tony ... says the ... has been ... Delivered ... rest of ... that ... been provided in the ... inspection. -

3/3/47 Checked garage ... fire alarm system but did not have ... space ... Mr. Bailey still disturbed about cellar stairs.

3/17/47 Talked with Mrs Bailey by phone. Referred

... to permit ... 31.46. It ... that at some Council ... on a later date, they were given to understand they would not be required to make any structural changes. Referred her again to the letter ... the basis upon which the council sustained the appeal. etc.





46/87  
Sustained  
10/7/46

City of Portland, Maine  
Board of Appeals  
—ZONING—

September 19 , 19 46

To the Board of Appeals:

Your appellant, Mrs. Mary K. Bailey , who is the owner of property at 244 Concord Street , respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 17, Paragraph E of the Zoning Ordinance,

Application has been made for permit to convert dwelling house into a nursing home at above location, which said permit has been denied by the Building Inspector because Section 9A7 sub h forbids issuing of such permit for the use applied for in the Residence C Zone where the property is located, unless specifically authorized by the appeal board.

The facts and conditions which make this exception legally permissible are as follows:—

Mary K. Bailey  
Appellant

*Sustained**10/7/46*

City of Portland, Maine  
Board of Appeals

—ZONING—

Decision

Public hearing was held on the 4th day of October, 1946,  
on petition of Mrs. Mary K. Bailey, owner of property at  
244 Concord Street, seeking to be permitted an exception to the regulations of  
the Zoning Ordinance relating to this property.

Application made for permit to convert dwelling house at above location  
into a nursing home, which said permit was denied by the Building Inspector  
because Section 9A7h forbids issuing of such permit for the use applied for  
in the Residence C Zone where the property is located, unless specifically  
authorized by the appeal board.

Granted unconditionally.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted  
in this specific case.

*Heles C. Frost*  
*William J. Riley*  
*H. Hamington*  
*Edwin J. Colley*  
*B. William Ballrook*

Board of Appeals

46/87

City of Portland, Maine  
Board of Appeals

September 24, 1946

Mrs. Mary K. Bailey  
244 Concord Street  
Portland, Maine

Dear Mrs. Bailey:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, October 4th, 1946, at eleven o'clock in the forenoon upon your appeal under the Zoning Ordinance relating to a proposal to the dwelling house at 244 Concord Street into a nursing home.

Please be present or be represented at this hearing in support of your appeal.

BOARD OF APPEALS

Helen C. Frost  
Chairman

P. S. At the above stated time and place the Municipal Officers will hold public hearing on your Building Code Appeal.

46/87  
Sent 9/24/46

City of Portland Maine  
Board of Appeals

September 24, 1946

To Whom It May Concern:

The Board of Appeals will hold a public hearing at the Council Chamber, City Hall, on Friday, October 4th, 1946, at eleven o'clock in the forenoon upon the appeal under the Zoning Ordinance of Mrs. Mary K. Bailey relating to a proposal to convert the dwelling house at 244 Concord Street into a nursing home.

This building is located in a Residence C Zone where such a use is not allowable under Section 9A7h of the Zoning Ordinance, unless specifically authorized by the Board of Appeals.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Helen C. Frost  
Chairman

City of Portland, Maine  
Municipal Officers  
—BUILDING CODE APPEAL—

September 19 , 19 46

To the Municipal Officers:

Your appellant, Mrs. Mary K. Bailey, who is the owner of property at 244 Concord Street, respectfully petitions the Municipal Officers of the City of Portland to permit an exception to the provisions of the Building Code relating to this property, as provided in Section 115, Paragraph a of the Building Code, on the ground that the enforcement of the Code in this case involves practical difficulty or unnecessary hardship and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code.

Application to be allowed to cover garage side of all parts of wall common between garage and house with double thickness of 3/16" thick asbestos board cemented at the joints. The provisions of the Building Code require one hour fire resistance wall between a garage and a house used for nursing home.

The facts and conditions which make this exception legally permissible are as follows:—

Mary K. Bailey  
Appellant

46/88  
Sustained  
10/19/46

City of Portland, Maine  
Municipal Officers  
—BUILDING CODE APPEAL—

46/88  
Sustained  
~~10/7/46~~  
10/19/46

Decision

Public hearing was held on the 4th day of October, 1946,  
on petition of Mrs. Mary K. Bailey, owner of property at  
244 Concord Street, seeking to be permitted an exception to the provisions of the  
Building Code relating to this property.

Application made to be allowed to cover garage side of all parts of wall  
common between garage and house with double thickness of 3/16" thick asbestos  
board cemented at the joints. The provisions of the Building Code require one  
hour fire resistance wall between a garage and a house used for nursing home.

Granted unconditionally.

It is, therefore, determined that exception to the Building Code may be permitted in  
this specific case.

Helen C. Frost  
B. William Hulbrook  
H. Jennings  
Bertram B. Libby  
Edwin J. Colley  
Francis A. Gahli

Municipal Officers



City of Portland, Maine

*to be given to city*

4/19/46 46/79  
Denied 8/19/46  
8/14/46

no im front  
no im coll  
no im loading  
no im gutter  
no im Jensen

Appeal to the Municipal Officers to Change the Decision of the

Inspector of Buildings Relating to the Property Owned

by Mr. & Mrs. R.E.G. Bailey 244 Concord Street  
Bailey

January 3, 1946

To the Municipal Officers:

Your appellants, Mr. & Mrs. R.E.G. Bailey

who are the owners of property at 244 Concord Street

respectfully petitions the Municipal Officers of the City of Portland to change the decision of

the Inspector of Buildings relating to this property, as provided by Section 115, Paragraph 2

of the Building Code ~~Zoning Ordinance~~ on the ground that the enforcement of the ordinance in this case

involves unnecessary hardship and because relief may be granted without substantially der-

ogating from the intent and purpose of the Building Code ~~Zoning Ordinance~~

The decision of the Inspector of Buildings holds that a building permit is not issuable to change use of dwelling house on this property to a nursing home (Type B Hospitals, Asylums and Homes) because the building is of wooden frame construction; because there is a garage attached; because two flights of cellar stairs are not to have fire resistive enclosures; because occupants of rear rooms would find front stairs inaccessible if fire involved rear stairs; exit lights not to be provided; only one stairway from third floor where one or more attendants sleep that stairway being too steep to be counted as a means of egress.

The reasons for the appeal are as follows: That the appellants cannot alter building as above mentioned as it would ruin same and is not necessary and your appellants will make necessary changes and alterations in accordance with pending application for permit.

..... R. E. G. Bailey .....

..... Mary K. Bailey .....

40/79  
Denial  
8/19/46

City of Portland, Maine  
Municipal Officers  
—BUILDING CODE APPEAL—

Decision

Public hearing was held on the 16th day of August, 1946,  
on petition of Mr. & Mrs. R. E. G. Bailey, owners of property at  
244 Concord Street, seeking to be permitted an exception to the provisions of the  
Building Code relating to this property.

Application made for building permit to convert wooden frame building  
at above location to a nursing home, which said permit has been denied by the  
Building Inspector because the building is of wooden frame construction;  
because there is a garage attached; because two flights of cellar stairs  
are not to have fire resistive enclosures; because occupants of rear rooms  
would find front stairs inaccessible if fire involved rear stairs; exit  
lights not to be provided; only one stairway from third floor where one or more  
attendants sleep, that stairway being too steep to be counted as a means of  
egress.

~~XXXXXXXXXXXXXXXXXXXX~~

Denial of appeal unanimous.

It is, therefore, determined that exception to the Building Code may not be permitted in  
this specific case.

Helen C. Frost  
John W. Lake  
Edwin J. Colley  
H. Francis Brown  
Herman B. Libby

Superintendent  
William Holbrook  
Robert G. Gilchrist  
Gerald A. Cole

Municipal Officers



46/79

HEARING ON APPEAL UNDER THE BUILDING CODE OF MR. AND MRS. R. E. G.  
BAILEY AT 244 CONCORD STREET

January 4, 1946

Present for City  
Board Members

Hearing on above appeal was held before the  
Board of Municipal Officers today.

- P H. C. Foost, Chairman
- P G. A. Cole
- P E. T. Colley
- P F. H. Gabbi
- A R. G. Getchell
- A E. W. Holbrook
- P J. F. Jensen
- A J. W. Lake
- late P H. B. Libby
- A City Manager J. E. Barlow
- A Corp. Counsel W. M. Payson
- A City Clerk A. E. Smith
- P I. B. Warren McDonald

*Mrs. Bailey, her son & Mr.  
Murrell, her attorney, present  
in support*

*Members of Board present  
(Mr. Foost had voted to sustain  
and had left the meeting) asked B.D. to  
notify appellants attorney that they  
could not take responsibility of sustaining  
appeal unless cellar plans are to  
be enclosed, but they have no objection  
to omitting for assistance partition and  
fire door at boiler room.*

*W. M. Payson*

Memorandum from Department of Building Inspection, Portland, Maine

46/79

244 Concord Street--Application for permit for change of use and proposed Building Code  
appeal relating thereto--12/23/45

Dear Mrs. Bailey:

Herswith our inspection copy add your applicant's copy of application for building permit as I understand that you want it; also the original and your carbon copy of new appeal form.

You should fill in briefly the reasons for the appeal in the blank provided, you and Mr. Bailey sign the original of the appeal form and sign the inspection copy of the application form and return both to this office. If they are back here by Monday night, I think the Board will give hearing on Friday morning. I suggest that you need not give all the reasons for the appeal on the form as there will be plenty of opportunity at the hearing. I have left blank the estimated cost and fee so that it may be adjusted later.

(Signed) Warren McDonald  
Inspector of Buildings

ATH  
LESS  
RMT  
PH  
AJS  
XBS  
HL

I 244 Concord Street

May 22, 1946

Mrs. Mary K. Bailey  
244 Concord Street  
Portland 3, Maine

Subject: Inquiry of Mrs. Mary K. Bailey as to whether or not a building permit may be issued to cover only a part of the work required at 244 Concord Street to make the building comply with the Building Code as it relates to a convalescent or nursing home.

Dear Mrs. Bailey:

You asked over the telephone if a building permit could be issued to cover merely the operation of making the wall between the dwelling house and the garage fire resistive.

A permit covering only that part of the work is not issuable because the Building Code requires that every application for a building permit shall indicate what the proposed use of the building is, that the building will comply with the requirements of the Code for the proposed use with full information as to how compliance will be attained, and the Building Inspector is directed to refuse to issue a permit if the application does not show such compliance.

You propose to use your dwelling for a nursing or convalescent <sup>home</sup> - in fact you are so using it, having four patients there when you talked with me on Monday. The application for the permit to cover only part of the work which you propose would not indicate compliance with the Code for use as a nursing home, and therefore a permit for only that part of the work could not be issued.

Furthermore, the fire-resistive material which you propose to apply to the wall between the dwelling and garage is sub-standard of Building Code requirements for a fire resistive separation between a nursing home and garage. In your second application for a building permit to cover change of use of the building on December 31, 1945, and in your appeal to the Municipal Officers based on that application you sought to cover this wall on garage side with double thickness of asbestos board instead of the plaster on metal lath on both sides of the wall as required by the Building Code, and you offered as compensation to extend the automatic fire alarm to the first story of the garage. You also sought to substitute a fire resistive wall separating the heater room and the balance of the cellar for the fire resistive enclosure of the cellar stairs. To offset the non-complying feature whereby three patients on the second floor would be in the rear of the rear stairs you propose to equip the cellar, all stairs and hallways and the kitchen with an approved automatic fire alarm.

After the hearing on this second appeal, the members of the Board present agreed that they could not see their way clear to sustain the appeal unless the fire-resistive enclosure were provided around the cellar stairs in the cellar. They were willing to accept all of your other proposals, and I was instructed to notify your attorney that the Board would only be able to sustain your appeal conditionally if the cellar stairs were to be enclosed and if you would furnish a plan of such enclosure with the application for the building permit. Nothing further has been done, and the appeal is in the files of the Board of Municipal Officers without further action. In view of the fact that the matter is still before the Municipal Officers as a Board of Appeals under the Building Code, it is neither proper nor lawful for me to issue a building permit which in any way involves the use of this building as a nursing home. It seems ap-

Mrs. Mary K. Bailey-----2

May 22, 1946

parent that you do not intent to provide the fire-resistive enclosure around the cellar stairs, and I shall report the situation to the Municipal Officers at the earliest opportunity when presumably they will decide what final action to take upon your appeal.

That I am not be accused later of keeping you in the dark about developments it is necessary to call to your attention the recent amendments of the Zoning Ordinance which became effective April 26th. While your house is in the same type of zone as before-Residential C-, a nursing or convalescent home is no longer (since April 26th) an allowable use in this type of zone, unless authorized by the Board of Appeals under the Zoning Ordinance, after the usual zoning appeal procedure. While I have had very little time to consider the matter, it appears likely that a permit to change your dwelling to a lawfully established nursing home is not now issuable because the Zoning Ordinance forbids such a permit for establishing a use not in conformity with the provisions of the ordinance. There is little need of going into the zoning aspects of the case, however, until the Board of Municipal Officers under the Building Code have taken final action on your Building Code appeal, including among the other features the matter of enclosure of the cellar stairs.

Should a satisfactory adjustment be reached under the Building Code and in view of the fact that the Board of Appeals under Zoning consists of five members of the Board of Municipal Officers, it seems reasonable to suppose that you would receive very sympathetic consideration in event it is necessary for you to file a zoning appeal.

Very truly yours,

Inspector of Buildings

WMD/L

CC: Mrs. Helen C. Frost, Chairman  
Board of Municipal Officers  
466 Westbrook Street  
Portland 4, Maine

Mr. James E. Barlow  
City Manager

INQUIRY BLANK

*File with  
at 800 - 1000  
at 1000 - 1000*

ZONE RC

FIRE DIST. No

CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

~~XXXXX~~

Date May 20, 1946

By Telephone

LOCATION 244 Concord St. OWNER <sup>R</sup> M. E. G. and Mary K. Bailey

MADE BY Mary K. Bailey TEL. \_\_\_\_\_

ADDRESS 244 Concord St.

PRESENT USE OF BUILDING Last lawful use single family dwelling

CLASS OF CONSTRUCTION Third Class NO. OF STORIES 2 1/2

REMARKS: See applications for permits of 9/11/45 and 12/31/45

INQUIRY: Can a building permit be issued merely to cover construction of a fire resistive partition between dwelling and garage

ANSWER: No. See letter 5/22/46

DATE OF REPLY 5/22/46 REPLY BY wmed



Public meeting set for Feb. 15, 1945 Sustained 1/14/48  
conditionally  
10/15/48

City of Portland, Maine

Conditionally  
Chairman Libby Yes  
Mrs. H.C. Frost Yes  
Fred H. Gabbi Yes  
George A. Harrison  
Herman B. Libby Yes

Appeal to the Municipal Officers to Change the Decision of the  
Inspector of Buildings Relating to the Property Owned  
by Ralph E. G. & Mary K. at 244 Concord Street  
Bailey

Feb. 13, 1945

To the Municipal Officers:

Your appellant, **Ralph E. G. & Mary K. Bailey**

are owners of property at **244 Concord Street**  
who is the

respectfully petitions the Municipal Officers of the City of Portland to change the decision of

the Inspector of Buildings relating to this property, as provided by Section 115, Paragraph C,  
~~Building Code~~  
of the Zoning Ordinance, on the ground that the enforcement of the ordinance in this case

involves unnecessary hardship and because relief may be granted without substantially der-  
ogating from the intent and purpose of the ~~Building Code~~  
Zoning Ordinance.

The decision of the Inspector of Buildings holds that a building permit is not is-  
suable to authorize change of use of the dwelling house on the above property to a nursing  
home (type B hospital) because the building is of wooden frame construction and the wester-  
ly sidewall is closer than 20 feet to the side lot line; there is a Minor Garage attached  
to the dwelling; occupants of two rear rooms on second floor would find the front stairs  
inaccessible if some hazard involved the rear stairs; exit lights are not to be provided;  
the two flights of collar stairs are not to be equipped with fire resistive enclosures in  
the cellar; and there is only one means of egress from third floor where one or more atten-  
dants sleep, that inside stairway being too steep to be counted as a means of egress.

The reasons for the appeal are as follows:

See next page

45/17

The reason for the appeal is as follows:

First: Your appellants state that for many years they have conducted a nursing home at 244 Concord Street, Portland, Maine;

Second: That the proposed changes in accordance with the Zoning Law would involve a great expense on the part of your appellants;

Third: That the appellants are financially unable to undergo and to make the major alterations in accordance with the Zoning Ordinance;

Fourth: That your appellants at all times have had, now have and will have the safety of the occupants of said house in mind and have not, do not and will not permit or create any hazard detrimental to the occupants of said house;

Fifth: That your appellants in order to, if financially able, comply with the Zoning Ordinance requirements would have to practically remodel their entire home;

Sixth: That your appellants are willing to conform to any reasonable alterations insofar as they are financially able. provided same does not mean an entire remodeling job in their home;

Seventh: That your appellants have discussed the matter with your Building Inspector and have suggested practical means of taking care of the fire hazards;

Eighth: That your appellants stand ready, willing and able to do whatever the Municipal Officers request be done, provided the same does not, as before stated, materially alter their home or cost them too much money;

Ninth: That your appellants take patients in said home usually at the request of leading physicians and surgeons in our City who have at all times safety and welfare of their patients in mind and have not been taking their patients to a nursing home where material hazards exist or have existed.

Respectfully submitted,

Mary K. Bailey

(Signed)

Ralph E. G. Bailey

**City of Portland, Maine**

IN BOARD OF MUNICIPAL OFFICERS

October 15, 1945

ORDERED.

That the appeal under the Building Code of Ralph E. G. And Mary K. Bailey at 244 Concord Street, relating to change of use of the single family dwelling house there to a nursing home (Type B Hospital) without providing certain requirements of the Building Code for safety and fire protection, be sustained, subject to the conditions:

1. That all terms of the Building Code not involved in this appeal be complied with.

2. That the doorway between garage and the basement of main building be permanently and tightly closed by putting in one or more studs in the doorway and the covering on the basement side with incombustible wallboard; and that the garage side of the wall which is common between garage and the attic over it, and the eil of main building be covered tightly with non-burnable wallboard.

3. That all stairs between first floor and cellar to be continued shall be enclosed in the cellar by partitions of one-hour fire resistance and standard self-closing fire resistant doors at the foot of the stairs.

4. That an approved automatic fire alarm system be provided with fire detection equipment covering the ground floor of the garage, the entire cellar, all halls and stairways counted as a means of egress from second floor and the kitchen, and the alarm bells automatically operated by the detection system to be provided as to number and location so that all occupants of the three floors of the building used for living quarters will be fully warned or awakened in case of fire in the parts of the building covered by the detection system, and such system to be capable of frequent and efficient testing.

BECAUSE enforcement of the ordinance in this specific case involves unnecessary hardship on account of practical difficulties and excessive cost of meeting the precise requirements; and desirable relief may be granted without substantially departing from the intent and purpose of the Building Code since the extra safeguards required by the conditions are considered to be fully compensating for the deficiencies as compared with the precise requirements of the Code to fully take care of the safety of the occupants of the building.

*Adopted*  
*10/15/45*  
*45/48*  
*mm*



45/18

Sept. 11, 1945.

Mr. Warren McDonald,  
Building Inspector,  
Portland, Maine.

Dear Sir;-  
I have today applied for permit to operate my nursing home at 244 Concord St, Portland, Maine.

I agree to have a one hour fire resisting wall put in between the garage and house as shown on blue print submitted at your request and as explained to me by you and my architect Mr. Beals, just as soon as I can get a contractor to do the work.

At present I am financially unable to do more.

I keep my premises clean and have fire extinguishers and stretchers on each floor.

I am attaching several letters from local physicians testifying to the type of h. o. I operate.  
Please give me what consideration you can.

Very truly yours,

*Mary L. Bailey*  
Proprietor Nursing Home  
244 Concord St. Portland.  
Maine.

Enclosures. 6

1 Blueprint

Letters returned to Mrs. Bailey 11/9/45



GENERAL RESIDENCE ZONE PERMIT ISSUED  
 APPLICATION FOR PERMIT Permit No. 6309

Class of Building or Type of Structure Third Class APR 2 1940  
 Portland, Maine, April 2, 1940

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect alter install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 244 Concord Street Within Fire Limits? no Dist. No. \_\_\_\_\_  
 Owner's or Lessee's name and address R. E. G. Bailey, et al, 244 Concord St. Telephone 4-3557  
 Contractor's name and address Herbert Berry, 78 Woodlawn Ave. Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Plans filed no No. of sheets \_\_\_\_\_  
 Proposed use of building dwelling house No. families 1  
 Other buildings on same lot \_\_\_\_\_ Fee \$ .25  
 Estimated cost \$ 25.

Description of Present Building to be Altered

Material wood No. stories 2 1/2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Last use dwelling house No. families 1

General Description of New Work

To relocate one window in kitchen, first floor,

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.

Details of New Work

CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

Is any plumbing work involved in this work? \_\_\_\_\_  
 Is any electrical work involved in this work? \_\_\_\_\_ Height average grade to top of plate \_\_\_\_\_  
 Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
 To be erected on 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 \_\_\_\_\_  
 Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
 Framing Lumber—Kind \_\_\_\_\_ Dressed or Full Size? \_\_\_\_\_  
 Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or Ledger \_\_\_\_\_ Size \_\_\_\_\_  
 Material columns under girders \_\_\_\_\_ Max. on centers \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-10' \_\_\_\_\_ 3x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece \_\_\_\_\_  
 Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof \_\_\_\_\_  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 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 \_\_\_\_\_  
 Total number commercial cars to be accommodated \_\_\_\_\_  
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

Miscellaneous

Will above work require removal or disturbing of any shade 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

Signature of owner R. E. G. Bailey  
 By Mary K. Bailey

INSTRUCTION COPY

b6642



P.39/1933-1

3-10-33-H

August 4, 1933

Mr. John Dyer,  
482 Auburn Street,  
Portland, Maine

Dear Sir:

In inspecting the oil burner which you have installed for R. E. G. Bailey at 244 Concord Street, we find that although the oil storage tank was an existing one when the new burner was installed, evidently you have provided a new vent pipe and fill pipe and the opening at the outside end of both of these pipes is at the same level which the Building Code regulations require that the vent pipe shall be at least one foot above the opening of the fill pipe.

Also we note that no fusible link has been introduced in the wire which holds the weight controlling the quick-acting, self-closing valve near the storage tank. This fusible link is essential so that in case of fire in the cellar the link will melt with the high temperature, the weight will drop ceasing to hold the valve open, and the self-closing valve will close automatically, thus stopping the flow of oil to the burner.

Will you be kind enough to have both of these matters fully taken care of at least by August 15, 1933?

Very truly yours,

WMB/H

Inspector of Buildings

CC: R. E. G. Bailey  
244 Concord Street

FILL IN COMPLETELY AND SIGN WITH INK

PERMIT ISSUED



APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

JUL 17 1930

Portland, Maine

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 244 Concord St. Use of Building D. S. Miller No. Stories 2 1/2 New Building Existing

Name and address of owner of appliance R. E. Barber, 244 Concord St.

Installer's name and address John Dyer, 482 Commercial Telephone

General Description of Work

To install 1. 1 burner, 1 burner

NOTIFICATION BEFORE LATITUDE OR CLOSING IN IS WAIVED

CERTIFICATE OF OCCUPANCY REQUIREMENT IS WAIVED

IF HEATER, POWER BOILER OR COOKING DEVICE

Is appliance or source of heat to be in cellar? yes. If not, which story Kind of Fuel Oil

Material of supports of appliance (concrete floor or what kind) concrete

Minimum distance to wood or combustible material, from top of appliance or casing top of furnace, 2 ft.

from top of smoke pipe 18" from front of appliance 4 ft. from sides or back of appliance 4 ft.

Size of chimney flue 18x8 Other connections to same flue none

IF OIL BURNER

Name and type of burner Fluid Head. Labeled and approved by Underwriters' Laboratories? yes

Will operator be always in attendance? Type of oil feed (gravity or pressure) pressure

Location oil storage basement. No. and capacity of tanks 1 - 2.75 gal tank

Will all tanks be more than seven feet from any flame? yes How many tanks fireproofed?

Amount of fee enclosed? 1.00 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

Signature of Installer John Dyer

INSPECTION COPY

Permit No. 39/1033  
 Location 244 Concord St.  
 Owner P. E. G. Bailey  
 Date of Permit 7/17/39  
 Post Card sent \_\_\_\_\_  
 Notif. for insp. \_\_\_\_\_  
 Approval Tag issued 8/19/39, 216.  
 Oil Burner Check List (date) 8/2/39  
 1. Kind of heat Steam  
 2. Label 205570  
 3. Anti-siphon no siphon - link in line  
holding weight  
 4. Oil storage   
 5. Tank distance   
 6. Vent Pipe Small level fill  
 7. Fill Pipe   
 8. Gauge   
 9. Rigidity   
 10. Feed safety   
 11. Pipe sizes and material   
 12. Control valve   
 13. Ash pit vent   
 14. Temp. or pressure safety   
 15. Instruction card   
 16. Don't start in any place

fill used, in this case it  
 should comply with  
 present requirements to do.  
 8/4/39 - Be Urens in

NOTES

8/2/39 #3 + 6. This is an  
 existing tank but looks as  
 though a new vent and



Location, Ownership and detail must be correct, complete and legible.  
 Separate application required for every building.  
 Plans must be filed with this application.

# Application for Permit for Alterations, etc.

Portland 9-24- 1913

To the

INSPECTOR OF BUILDINGS:

242-246

The undersigned applies for a permit to alter the following described building—

Location, 198 Leonard St

Name of owner is? Fred E Briggs Address, 2- 9

Name of mechanic is? Owner by day

Name of architect is? \_\_\_\_\_

Material of building is? Wood Style of roof? Pitch Material of roofing? Shingles

Size of building, feet front? \_\_\_\_\_; feet rear? \_\_\_\_\_; feet deep? \_\_\_\_\_; No. of stories? \_\_\_\_\_

Size of L, feet long? 15; feet wide? 16; feet high? \_\_\_\_\_; No. of storeis? one, roof? \_\_\_\_\_

No. of feet in height from sidewalk to highest point of roof? \_\_\_\_\_ Material of foundation? \_\_\_\_\_

Thickness of external walls? \_\_\_\_\_ Party walls? \_\_\_\_\_ Distance from line of street? \_\_\_\_\_ Width of street? \_\_\_\_\_

What was the building last used for? \_\_\_\_\_ How many families? \_\_\_\_\_ Number of stores? \_\_\_\_\_

Nature of egress? \_\_\_\_\_ Size of lot front? \_\_\_\_\_; rear? \_\_\_\_\_; deep? \_\_\_\_\_

Building to be occupied for Dwelling after alteration. Estimated cost? \$250

## DETAIL OF PROPOSED WORK.

To add one story to L

## IF EXTENDED ON ANY SIDE.

Size of extension, No. of feet long? \_\_\_\_\_; No. of feet wide? \_\_\_\_\_; No. of feet high above sidewalk? \_\_\_\_\_

No. of stories high? \_\_\_\_\_; style of roof? \_\_\_\_\_; material of roofing? \_\_\_\_\_

Of what material will the extension be built? \_\_\_\_\_ Foundation? \_\_\_\_\_

If of brick, what will be the thickness of external walls? \_\_\_\_\_ inches; and party walls \_\_\_\_\_ inches.

How will the extension be occupied? \_\_\_\_\_ How connected with main building? \_\_\_\_\_

Distance from lot lines— Front? \_\_\_\_\_; side? \_\_\_\_\_; side? \_\_\_\_\_; rear? \_\_\_\_\_

## WHEN MOVED, RAISED OR BUILT UPON.

Number of stories in height when moved, raised or built upon? 2 1/2 Proposed foundations? Stone & Brick

Number of feet high from level of ground to highest part of roof to be? \_\_\_\_\_

Distance back from line of street? \_\_\_\_\_ Distances from lot lines when moved? \_\_\_\_\_

Distance from next buildings when moved? \_\_\_\_\_; front? \_\_\_\_\_; side? \_\_\_\_\_; side? \_\_\_\_\_; rear? \_\_\_\_\_

How many feet will the external walls be increased in height? \_\_\_\_\_ Party walls? \_\_\_\_\_

## IF ANY PORTION OF THE EXTERNAL OR PARTY WALLS ARE REMOVED.

Will an opening be made in the party or external walls? \_\_\_\_\_ in \_\_\_\_\_ story.

Size of the opening? \_\_\_\_\_ How protected? \_\_\_\_\_

How will the remaining portion of the wall be supported? \_\_\_\_\_

Signature of owner or authorized representative,

Fred E Briggs

Address,

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK

