



CITY OF PORTLAND, MAINE  
Department of Building Inspection

## Certificate of Occupancy

LOCATION 128 Braintree Street

Issued to David Walton

Date of Issue March 11, 1993

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 924420, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Single-family dwelling with attached garage

Limiting Conditions:

Any required site work and work within the right-of-way shall be completed by 6-30-93

This certificate supersedes certificate issued

Approved:

3-11-93

(Date)

Inspector

*[Signature]*  
Inspector of Buildings

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

Permit # **924420** **DAVID WALTON** bldg prif 445.00 = 495 X 900  
 City of Portland BUILDING PERMIT APPLICATION Fee 50.00 Zone \_\_\_\_\_ Map # \_\_\_\_\_ Lot # \_\_\_\_\_  
 Please fill out any part which applies to job. Proper plans must accompany form. **PERMIT ISSUED**

Owner: Custom Build Homes Phone # 892-3149  
 Address: 27 Main St So. Windha, ME 04062  
 LOCATION OF CONSTRUCTION Braintree St 333-G-17, 18, 19, 20  
 Contractor: #128 Sub: lots 180, 181, 182, 183  
 Address: \_\_\_\_\_ Phone # \_\_\_\_\_  
 Est. Construction Cost: 85,000 Proposed Use: VACANT LAND 1-fam  
 Past Use: Vacant Land  
 # of Existing Res. Units \_\_\_\_\_ # of New Res. Units \_\_\_\_\_  
 Building Dimensions L 36 W 24 Total Sq. Ft. \_\_\_\_\_  
 # Stories: \_\_\_\_\_ # Bedrooms \_\_\_\_\_ Lot Size: \_\_\_\_\_  
 Is Proposed Use: Seasonal \_\_\_\_\_ Condominium \_\_\_\_\_ Conversion \_\_\_\_\_  
 Explain Conversion Minor-Minor Site Plan - Const 1-fam dwlg 36'x24'

**For Official Use Only**  
 Date November 23, 1992 Subdivision: \_\_\_\_\_  
 Inside Fire Limits: \_\_\_\_\_ Name: \_\_\_\_\_  
 Bldg Code: \_\_\_\_\_ Lot: \_\_\_\_\_  
 Time Limit: \_\_\_\_\_ Ownership: **CITY OF PORTLAND**  
 Estimated Cost: \_\_\_\_\_  
 Zoning: R2  
 Street Frontage Provided: \_\_\_\_\_  
 Provided Setbacks: Front \_\_\_\_\_ Back \_\_\_\_\_ Side \_\_\_\_\_  
 Review Required:  
 Zoning Board Approval: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_  
 Planning Board Approval: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_  
 Conditional Use: \_\_\_\_\_ Variance \_\_\_\_\_ Site Plan \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Shoreland Zoning Yes \_\_\_\_\_ No \_\_\_\_\_ Floodplain Yes \_\_\_\_\_ No \_\_\_\_\_  
 Special Exception \_\_\_\_\_  
 Other (Explain) WDA-14-92

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

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

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

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

**Ceiling:**  
 1. Ceiling Joists Size: \_\_\_\_\_  
 2. Ceiling Strapping Size \_\_\_\_\_ Spacing \_\_\_\_\_  
 3. Type Ceilings: \_\_\_\_\_  
 4. Insulation Type \_\_\_\_\_ Size \_\_\_\_\_  
 5. Ceiling Height: \_\_\_\_\_  
**Roof:**  
 1. Truss or Rafter Size \_\_\_\_\_ Span \_\_\_\_\_  
 2. Sheathing Type \_\_\_\_\_ Size \_\_\_\_\_  
 3. Roof Covering Type \_\_\_\_\_  
**Chimneys:**  
 Type: \_\_\_\_\_ Number of Fire Places \_\_\_\_\_  
**Heating:**  
 Type of Heat: \_\_\_\_\_  
**Electrical:**  
 Service Entrance Size: \_\_\_\_\_ Smoke Detector Required Yes \_\_\_\_\_ No \_\_\_\_\_  
**Plumbing:**  
 1. Approval of soil test if required Yes \_\_\_\_\_ No \_\_\_\_\_  
 2. No. of Tubs or Showers \_\_\_\_\_  
 3. No. of Flushes \_\_\_\_\_  
 4. No. of Lavatories \_\_\_\_\_  
 5. No. of Other Fixtures \_\_\_\_\_  
**Swimming Pools:**  
 1. Type: \_\_\_\_\_  
 2. Depth \_\_\_\_\_ x \_\_\_\_\_ Square Footage \_\_\_\_\_  
 3. Must conform to National Electrical Code and State Law.

138465

**PERMIT ISSUED WITH LETTER**  
 Permit Received By: Mary Gresik  
 Signature of Applicant: Ron Smith  
 CEO's District: 7

**PERMIT ISSUED WITH LETTER**  
 Date: Nov 23, 1992

CONTINUED TO REVERSE SIDE [7] MA. TSOAC  
 Ivory Tag - CEO

White - Tax Assessor

PLOT PLAN

N



FEES (Breakdown From Front)		Type	Ins	n Record	Date
Base Fee \$	_____	Found			12, 18, 92
Subdivision Fee \$	_____	Inter			1, 16, 93
Site Plan Review Fee \$	_____	Final			3, 11, 93
Other Fees \$	_____				
(Explain)	_____				
Late Fee \$	_____				

COMMENTS 3-11-93 Builder agreed to relocate backflow preventer to make it accessible.  
 3-11-93 ~~Consent~~ site plan approval OK 3-16

CERTIFICATION

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

SIGNATURE OF APPLICANT *[Signature]* ADDRESS \_\_\_\_\_ PHONE NO. 892-2147

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ PHONE NO. \_\_\_\_\_

Inspection Services  
Samuel P. Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

**CITY OF PORTLAND**

December 14, 1992

RE: 128 Braintree St.  
128

Custom Built Homes  
27 Main St.  
So. Windham, ME 04062

Dear Sir:

Your application to construct a single family dwelling with attached garage 24' X 36' -- 20' X 24' has been reviewed and a permit is herewith issued subject to the following requirements:

No certificate of occupancy can be issued until all requirements of this letter are met.

**Site Plan Review Requirements**

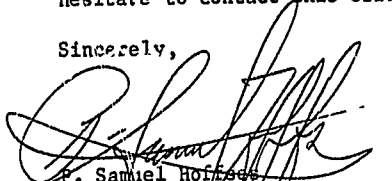
Inspection Services Approved William Giroux  
Public Works Approved with conditions (See attached) M. Esterberg

**Building Code Requirements**

Please read and implement items 1, 2, 6, 7, 8, 9, 12, 13, 14, and 15.

If you have any questions regarding these requirements, please do not hesitate to contact this office.

Sincerely,

  
S. Samuel Hoffses  
Chief of Inspection Services

/el

BUILDING PERMIT REPORT

128  
ADDRESS: 126 Bram Tree St. PTL, Me. DATE: 14/Dec/92

REASON FOR PERMIT: Construct a single family dwelling  
with garage 24'x36' with garage 20'x24'

BUILDING OWNER: Custom Build Homes

CONTRACTOR: " " "

PERMIT APPLICANT: " " "

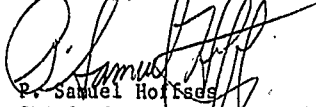
APPROVED: \*1, \*2, \*6, \*7, \*8, \*9, \*12, \*13, \*14, \*15

CONDITION OF APPROVAL:

- \*1.) Before concrete for foundation is placed, approvals from Public Works and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection.)
- \*2.) Precaution must be taken to protect concrete from freezing.
- 3.) All vertical openings shall be enclosed with construction having a fire rating of at least one(1) hour, including fire doors with self-closers.
- 4.) Each apartment shall have access to two(2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
- 5.) The boiler shall be protected by enclosing with one(1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. Sprinkler piping serving not more than six sprinklers may be connected to a domestic water supply system having a capacity sufficient to provide 0.15 gallons per minute, per square foot of floor throughout the entire area. An INDICATING shut-off valve shall be installed in an accessible location between the sprinkler and the connection to the domestic water supply. Minimum pipe size shall be 3/4 inch copper or 1 inch steel. Maximum coverage area of a residential sprinkler is 144 square feet per sprinkler.
- \*6.) Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches (1118 mm) above the floor. All egress or rescue windows from sleeping rooms must have minimum net clear openings of 5.7 square feet (0.53m<sup>2</sup>). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).
- \*7.) All single and multiple-station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the building code (BOCA National Building Code 1990, and N.F.P.A. 101 Chapter 18 & 19.

- 8.) Private garages located beneath rooms in buildings of Use Groups R-1, R-2, R-3 or I-1 shall have walls, partitions, floors and ceilings separating the garage space from the adjacent interior spaces constructed of not less than 1-hour fire-resistance rating. Attached private garages shall be completely separated from the adjacent interior spaces and the attic area by means of 1/2-inch gypsum board or equivalent applied to the garage side. The sills of all door openings between the garage and adjacent interior spaces shall be raised not less than 4 inches (102 mm) above the garage floor. The door opening protectives shall be 1 3/4-inch solid core wood doors or approved equivalent.
- 9.) A guardrail system located near the open side of deck or elevated walking surfaces shall be constructed. Guards in buildings of Use Group R-3 shall be not less than 36 inches in height. Open guards shall have intermediate rails, balusters or other construction such that a sphere with a diameter of 4 inches cannot pass through any opening. Handrails on stairs shall be no less than 34 inches nor more than 38 inches. Handrails within individual dwelling units shall not be less than 30 inches nor more than 38 inches. For more detail on guards & handrails see Article 8 section 824.0 and 825.0 of the BOCA National Building Code.
- 10.) Section 25-135 of the Municipal Code for the City of Portland states: "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year.
- 11.) The builder of a facility to which Section 4594-C of the Maine State Human Rights Act, Title 5 M.R.S.A. refers, shall obtain a certification from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
- 12.) Stair construction in Use Group R-3, R-4, is a minimum of 9" tread and 8-1/4" maximum rise.
- 13.) Headroom in habitable spaces is a minimum of 7'6".
- 14.) The minimum headroom in all parts of a stairway shall not be less than 6 feet 8 inches.
- 15.) All construction and demolition debris must be disposed at the RWS by a licensed carrier or solid waste at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final certificate of occupancy is issued or demolition permit is granted.

Sincerely,

  
P. Samuel Hoffes  
Chief of Inspection Services

/el  
11/16/88-11/27/90-8/14/91-9/2/92-10/14/92

**CITY OF PORTLAND, MAINE**  
**SITE PLAN REVIEW**  
 Processing Form

Applicant Custom Build Homes Date November 23, 1992  
27 Main St So. Windham, ME 04062 #126 128  
 Mailing Address Construct 1-fam dwlg Braintree St - Lots 180, 181, 182, 183  
36' x 24' Address of Proposed Site  
12,000 sq ft 333-G-17, 18, 19, 20  
884 sq ft Site Identifier(s) from Assessors Maps  
24' x 20' Zoning of Proposed Site  
 Acreage of Site / Ground Floor Coverage  
 Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors 2  
 Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area 1,800  
 Planning Board Action Required: ( ) Yes ( ) No  
 Other Comments: Contact person - Ron Smith - 892-3149  
 Date Dept. Review Due: \_\_\_\_\_

-----  
 MINOR MINOR SITE PLAN REVIEW  
 -----

**BUILDING DEPARTMENT SITE PLAN REVIEW**  
 (Does not include review of construction plans)

- Use does NOT comply with Zoning Ordinance
  - Requires Board of Appeals Action
  - Requires Planning Board/City Council Action

Explanation \_\_\_\_\_

- Use complies with Zoning Ordinance — Staff Review Below

Zoning: SPACE & BULK, as applicable

	DATE	ZONE LOCATION	INTERIOR OR CORNER LOT	40 FT. SETBACK AREA (SEC. 21)	USE	SEWAGE DISPOSAL	REAR YARDS	SIDE YARDS	FRONT YARDS	PROJECTIONS	HEIGHT	LOT AREA	BUILDING AREA	AREA PER FAMILY	WIDTH OF LOT	LOT FRONTAGE	OFF-STREET PARKING	LOADING BAYS
COMPLIES																		
COMPLIES CONDITIONALLY																		
DOES NOT COMPLY																		

CONDITIONS SPECIFIED BELOW

REASONS SPECIFIED BELOW

REASONS: WDL - 12-14-92

\_\_\_\_\_  
 SIGNATURE OF REVIEWING STAFF/DATE

BUILDING DEPARTMENT—ORIGINAL

Applicant: Custom Built Homes

Date: 12-14-92

Address: 128 Braintree St,

Assessors No.: 333-G-17,18,19,20

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - R2

Interior or corner lot -

Use - single

Sewage Disposal - city

Rear Yards - 25'+

25' req

Side Yards - 16' and 16'

12' req

Front Yards - 25'+

25' req

Projections - none

Height - 1 1/2 story

Lot Area - 12,000 sq ft

Building Area - 24x36 and 8x20 and 24x20

Area per Family - entire

Width of Lot - 120'

Lot Frontage - 120'

Off-street Parking - 2 cars

Loading Bays - N/A

Site Plan -

Shoreland Zoning -

Flood Plains -



92-102-MMP

CITY OF PORTLAND, MAINE  
SITE PLAN REVIEW  
Processing Form

Melodie Esterberg  
Planning

November 23, 1992  
Date

Applicant Custom Build Homes #125128  
 27 Main St So. Windham, ME 04062  
 Mailing Address Construct 1-fam dwlg  
 36' x 24'  
 Proposed Use of Site & garage  
 12,000 sq ft / 884 sq ft 24' x 20'  
 Acreage of Site / Ground Floor Coverage

Address of Proposed Site Braintree St Lots 180, 181, 182, 183  
 333-G-17, 18, 19, 20  
 Site Identifier(s) from Assessors Maps

Zoning of Proposed Site

Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors 2  
 Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area 1,800  
 Planning Board Action Required: ( ) Yes ( ) No

Other Comments: Contact person - Ron Smith - 892-3149

Date Dept. Review Due: \_\_\_\_\_

MINOR MINOR SITE PLAN REVIEW

PUBLIC WORKS DEPARTMENT REVIEW

(Date Received)

	TRAFFIC CIRCULATION	ACCESS	CURB CUTS	ROAD WIDTH	PARKING	SIGNALIZATION	TURNING MOVEMENTS	LIGHTING	CONFLICT WITH CITY CONSTRUCTION PROJECT	DRAINAGE	SOIL TYPES	SEWERS	CURBING	SIDEWALKS	OTHER	
APPROVED																CONDITIONS SPECIFIED BELOW
APPROVED CONDITIONALLY																
DISAPPROVED																REASONS SPECIFIED BELOW

REASONS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Attach Separate Sheet if Necessary)

Melodie Esterberg 12/1/92  
SIGNATURE OF REVIEWING STAFF/DATE

PUBLIC WORKS DEPARTMENT COPY

Contact:  
Ron Smith  
892-3149

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

APPLICANT: Custom Built Homes  
ADDRESS: 27 Main St. So Windham ME 04062  
SITE ADDRESS/LOCATION: Braintree St lots 180-183  
DATE: 12/14/92

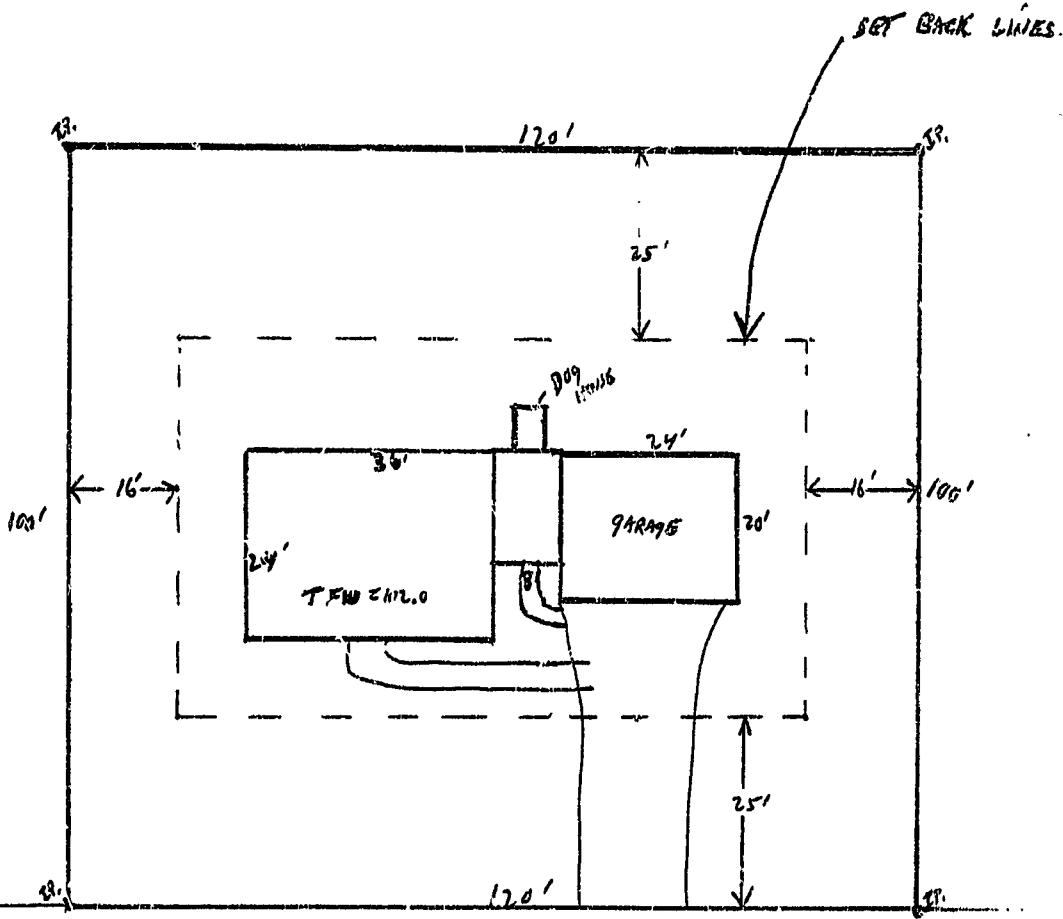
Review by the Development Review Coordinator is for General Conformance with ordinances and standards only and does not relieve the applicant, his contractors or agents from the responsibility to provide a completely finished site, including but not limited to not increasing or concentrating of all surface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

CONDITIONS CHECKED OFF BELOW ARE IN FORCE FOR YOUR SITE PLAN

- All damage to sidewalk, curb, street, or public utilities shall be repaired prior to issuance of a Certificate of Occupancy.
- Two (2) City of Portland approved species and size trees must be planted <sup>or retained</sup> on your street frontage prior to issuance of a Certificate of Occupancy.
- Your new street address is now <sup>138</sup> ~~27~~ Braintree St, the number must be displayed on the street frontage of your house prior to issuance of a Certificate of Occupancy.
- The Development Review Coordinator (874-8300, ext. 8722) must be notified five (5) working days prior to date required for final site inspection. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closings with these requirements in mind.
- A sewer permit is required for your project. Please notify Paul Niehoff at 874-8300 ext 8838. The Sewer Division of Parks and Public Works (Jackie Wurslin at 797-5302) must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.
- As-built record information for sewer and storm service connections must be submitted to Parks & Public Works Engineering Division (55 Portland St.) and approved prior to issuance of a Certificate of Occupancy.
- A street opening permit is required for your site. Please contact Carol Poliskey at 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible).
- 

cc: P. Niehoff

PLOT PLAN FOR LOTS 180, 181, 182, 183 BRAINTREE ST.  
PORTLAND, ME.



*[Signature]*  
R.S.

BRAINTREE STREET 100.0

6-23

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

Location of Construction <b>128 Braintree Street</b>		Owner: <b>David Walton, Sr.</b>	Phone: <b>04103</b>	Permit No: <b>951221</b>
Owner Address: <b>128 Braintree Street</b>		Leasee/Buyer's Name:	Business Name: <b>Mary's Daycare</b>	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>PERMIT ISSUED</b>                  Permit Issued:  <b>NOV 20 1995</b> </div>
Contractor Name:		Address:	Phone:	
Past Use: <b>Single family dwelling w/ daycare for 8 children</b>	Proposed Use: <b>Single family dwelling w/daycare for 12 children</b>	COST OF WORK: \$	PERMIT FEE: \$25.00 + \$0.00	Zoning Approval: OK see R 10-11-95 Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>
Proposed Project Description: <b>Change use - add daycare facilities for up to 12 children</b>		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: <input checked="" type="checkbox"/> Use Group: Type:	
		Signature:	Signature:	
Permit Taken By: <b>Victoria A. Dovez</b>		Date Applied For: <b>October 27, 1995</b>		

- This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.

**APPEAL SUSTAINED 11-16-95**

**CERTIFICATION**

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

SIGNATURE OF APPLICANT: David Walton, Sr. ADDRESS: 128 Braintree St DATE: October 27, 1995 PHONE: 878-0260

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

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

**CITY OF PORTLAND**

Zone: **CBL**

**Zoning Appeal**

Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved 11-16-95  
 Denied

**Historic Preservation**

Not in District or Landmark  
 Does Not Require Review  
 Requires Review

**Action:**

Approved  
 Approved with Conditions  
 Denied

Date: 11/20/95

CEO DISTRICT 1  
E. Jordan

COMMENTS

11-21-95 - Insp. Comp. on  
Previous Insp.

Inspection Record

Type	Inspection Record	Date
Foundation:	_____	_____
Framing:	_____	_____
Plumbing:	_____	_____
Final:	OK Close	11-21-95
Other:	_____	_____



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 128 Braintree St

Issued to David Walton, Sr.

Date of Issue 21 November 1995

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 951221, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

Limiting Conditions:

maximum (12) twelve children.

APPROVED OCCUPANCY

Single Family Dwelling

w/daycare

This certificate supersedes  
certificate issued

Approved:

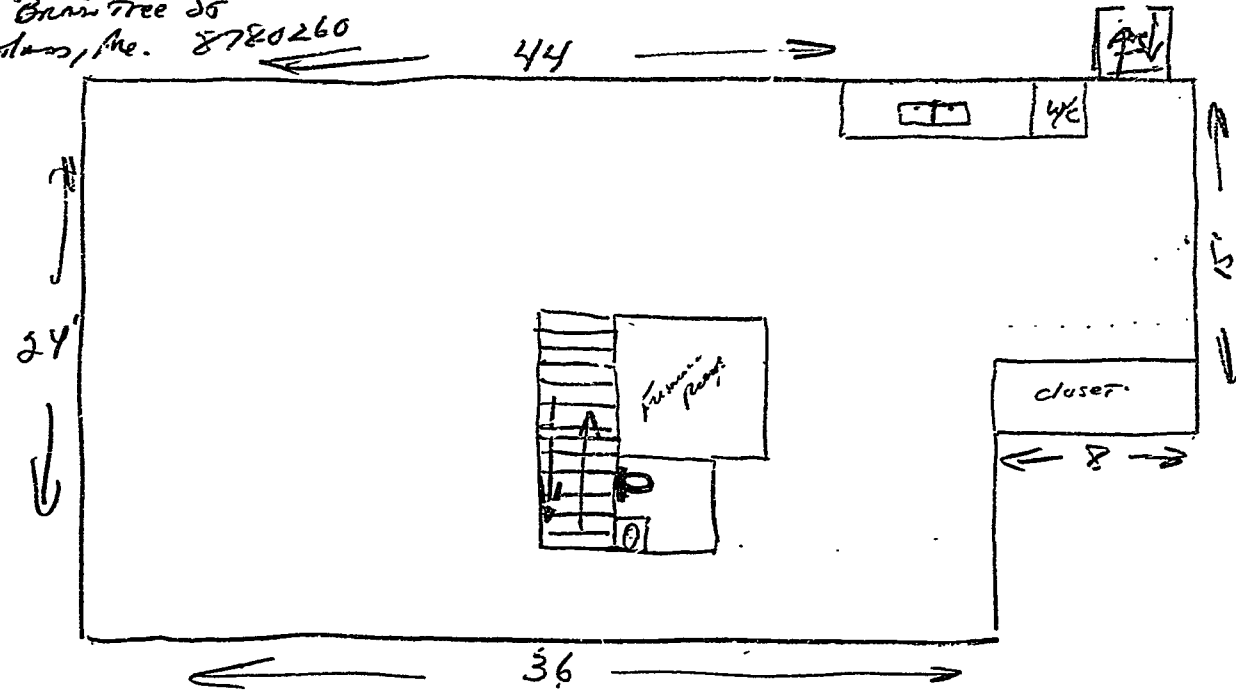
11-21-95  
(Date)

*[Signature]*  
Inspector

*[Signature]*  
Inspector of Buildings

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

DAVID WALTON  
MARY WALTON  
128 BRANTREE ST  
PORTLAND, ME. 8720260



Basement Level - 984 sq ft Living Space.

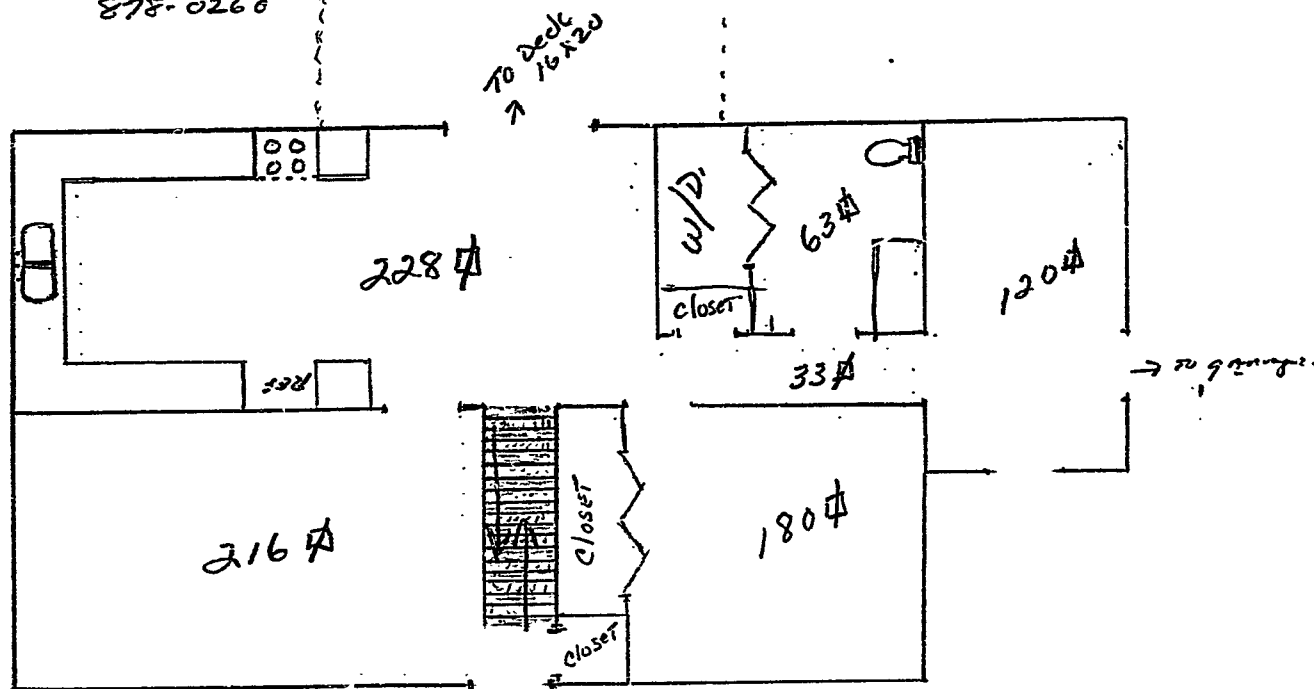
David Walton  
Mary Walton

12 E BRAINTREE ST

PORTLAND, MAINE 04103

878-0266

FLOOR PLAN 1ST FLOOR



TOTAL SQ FT 1ST FLOOR 840 sq Living Space



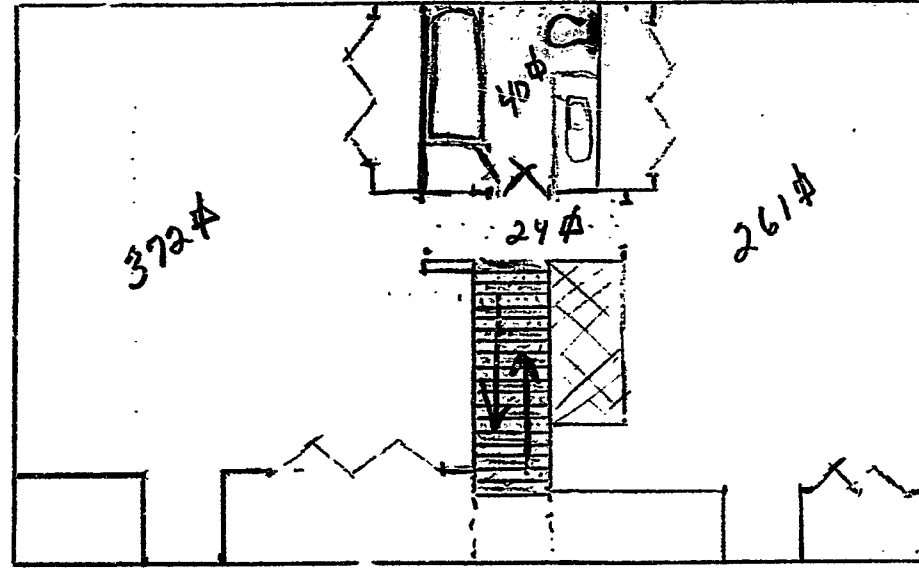
David Watson  
Mary Watson

138 E. Main St

Portland, Maine 04103

878-0260

Floor Plan and Deck



Total Sq. Ft. 2nd Floor 697 sq ft Living Space

David Watson  
Mary Watson



**City of Portland, Maine - Building or Use Permit Application: 389 Congress St**

☎74-8703, FAX: 874-8716

Location of Construction: 123 Braintree St.		Owner: Mary M. Walton	
Owner Address: 123 Braintree St - Portland, ME	Lease/Buyer's Name: 04103	Phone:	Bus.:
Contractor Name:	Address:	Phone:	
Past Use: 1-fam dw'g	Proposed Use: 1-fam w home occpn (day care to 5ch)	COST OF WORK: \$	PL \$
Proposed Project Description: Change of use - to day care w 5 chn		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INF. DIVISION: Use Group: Type:
Signature:		Signature:	
Signature: _____		Signature: _____	
Permit Taken By: L. Chase	Date Applied For: 5/2/95	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)	
Action: Approved <input type="checkbox"/>		Action: Approved <input type="checkbox"/>	
Action: Approved with Conditions <input type="checkbox"/>		Action: Approved with Conditions <input type="checkbox"/>	
Action: Denied <input type="checkbox"/>		Action: Denied <input type="checkbox"/>	
Signature: _____		Date: _____	

Permit No: **950422**

**PERMIT ISSUED**

Permit Issued:  
**MAY 5 1995 7**

**CITY OF PORTLAND**

Zone: **R-2** CBL: \_\_\_\_\_

Zoning Approval:  
*of with Home occ. conditions 5/4/95*

Special Zone or Reviews:  
 Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan maj  minor  mm

**Zoning Appeal**  
 Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

**Historic Preservation**  
 Not in District or Landmark  
 Does Not Require Review  
 Requires Review

Action:  
 Approved  
 Approved with Conditions  
 Denied

Date: \_\_\_\_\_

CEO, DISTP: \_\_\_\_\_

1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.

**CERTIFICATION**

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

SIGNATURE OF APPLICANT: *Mary M. Walton* ADDRESS: \_\_\_\_\_ DATE: *5/2/95* PHONE: \_\_\_\_\_

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

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

COMMENTS

10-25-95 - no access (no body/home)  
10-27-95 - DHS - License 0054391 - 6-2-95 / Furniture Rem OK / 5/8 x Type GWB  
(this is going to be updated to a 12 child) will not issue until  
until / new permit issued / appeals board 1st of Nov. will wait until then. Close X

Type	Inspection Record	Date
Foundation:		
Framing:		
Plumbing:		
Final: <i>OK Close</i>		<i>10-27-95</i>
Other:		

**CITY OF PORTLAND, MAINE**

**BOARD OF APPEALS**



November 17, 1995

Mr. and Mrs. David Walton  
128 Braintree Street  
Portland, Maine 04103

RE: 128 Braintree Street

Dear Mr. and Mrs. Walton,

As you know, at its November 16, 1995 meeting, the Board of Appeals voted to grant the change of use from a single family dwelling with daycare for six children to a single family dwelling with daycare for twelve children.

A copy of the Board's decision is enclosed for your information.

Sincerely,

  
Marge Schmuckal  
Asst. Chief, Inspection Services

cc: Matthew D. Manahan, Chairman, Board of Appeals  
Joseph E. Gray, Director, Planning & Urban Development  
P. Samuel Hoffses, Chief, Inspection Services  
Charles A. Lane, Associate Corp. Counsel  
D. Jordan, Code Enforcement Officer

be permitted as a conditional use subject to the requirements of paragraph (1) of this section and section 14-474 (conditional use) of this article. This provision shall not include veterinarians, kennels, animal raising, funeral homes, retail uses including antique shops, restaurants, dancing studios, towing services, repair and painting of automobiles as home occupations.

(Code 1968, § 602.18.I; Ord. No. 277-77, 11-7-77; Ord. No. 548-85, § 1, 5-6-85; Ord. No. 76-85, § 1, 7-1-85; Ord. No. 66-87, § 2, 11-2-87; Ord. No. 329-90, 5-7-90)

Secs. 14-411-14-420. Reserved.

#### DIVISION 25. SPACE AND BULK REGULATIONS AND EXCEPTIONS

##### Sec. 14-421. Generally.

The requirements of this article shall be subject to the space and bulk regulations and exceptions of this division.

(Code 1968, § 602.19.A)

##### Sec. 14-422. Reduction of lot area prohibited.

No lot shall be so reduced that yards, lot width, lot frontage, lot area, area per dwelling unit, and space for off-street parking and/or off-street loading shall be less than the minimum required under this article.

(Code 1968, § 602.19.A)

##### Sec. 14-423. Joint occupancy.

When two (2) or more uses occupy the same building or premises, the off-street parking and loading requirements and the area per dwelling unit requirements of both uses shall be met in full.

(Code 1968, § 602.19.B)

##### Sec. 14-424. Required open space.

No part of a yard or other open space required about any building under this article shall be included as a part of a yard or other open space required for another building.

(Code 1968, § 602.19.C)

##### Sec. 14-425. Projections in required yard areas

A front yard may be occupied by a one-story entrance porch not enclosed, with or without a roof, if the area of the porch does not exceed fifty (50) square feet nor the projection from the building exceed five (5) feet. A cornice eave, sill, canopy, chimney, or other similar architectural feature, but not including a bay window, may project into any required yard a distance of not more than two (2) feet.

(Code 1968, § 602.19.D)

OK ↓

- b. Answering services (telephone);
  - c. Architects;
  - d. Artists and sculptors;
  - e. Authors and composers;
  - f. Computer programming;
  - g. Custodial services;
  - h. Custom furniture repair and upholstery;
  - i. Dentists, doctors, therapists, and health care practitioners;
  - j. Direct mail services;
  - k. Dressmakers, seamstresses and tailors;
  - l. Engineers;
  - m. Family planning services;
  - n. Hairdressers (limited to no more than two (2) hair dryers);
  - o. Home crafts, such as model making, rug weaving, lapidary work, cabinet making, weaving, ceramics;
  - p. Interior decorators;
  - q. Lawyers, justices of the peace and notary publics;
  - r. Licensed family day care home or babysitting services; (see (1) a.)
  - s. Musicians or music teachers, including group instruction not to exceed six (6) students at any time but not including performances or band rehearsals, which shall meet the following requirements in addition to those set forth in subsection (1) of this section:
    - 1. Electronic amplification is prohibited;
    - 2. The applicant shall demonstrate that noise attenuation is provided which minimizes perception of sound at property line at all times during the use. Noise attenuation measures may include, but are not limited to, insulation, double-pane windows, air conditioners or any combination of these or similar noise attenuation measures;
    - 3. Hours of operation shall be limited to 8:30 a.m. to 9:30 p.m.
  - t. Office facility of a minister, rabbi, or priest;
  - u. Photographic studios;
  - v. Professional counseling and consulting services;
  - w. Professional research services;
  - x. Sales persons provided that no retail or wholesale transactions are made on the premises;
  - y. Small appliance repair;
  - z. Snow plowing provided that only one (1) snow plow vehicle is stored on or generated from the site;
  - aa. Special tutoring or instruction (not to exceed three (3) pupils at any given time);
  - bb. Stenographic and other clerical services.
- (3) A home occupation that is not listed in paragraph (2) of this section but is similar to and no more objectionable than those home occupations listed in that paragraph, shall

(8) *Approach zone transition area:* Slope, one (1) in two (2).  
(Code 1968, § 602.18.H)

**Sec. 14-410. Home occupation.**

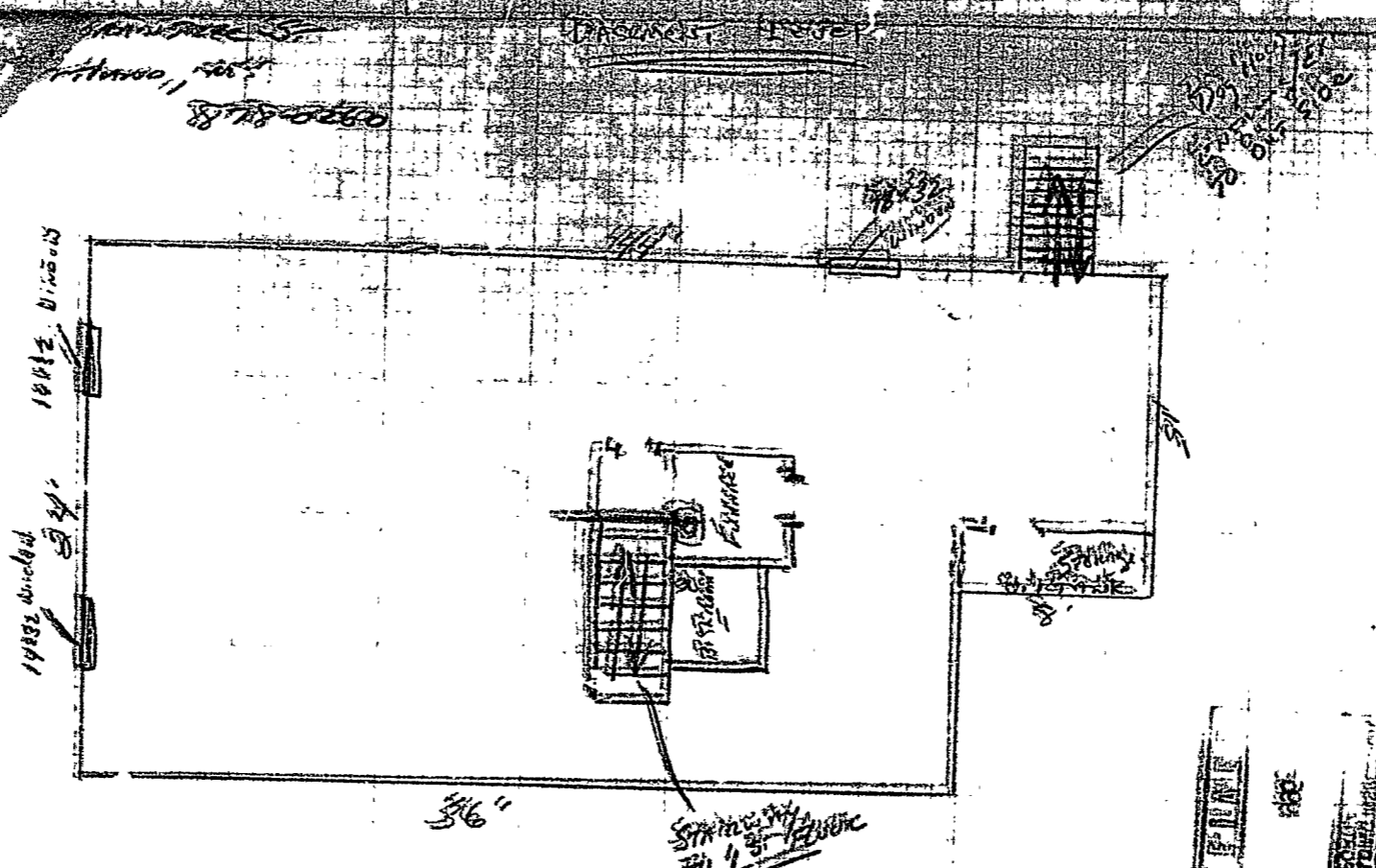
*Purpose.* The purpose of home occupations is to allow the secondary and incidental use of a residence for the conduct of appropriate occupations whose external activity levels and impacts are so limited as to be compatible with the residential character of the neighborhood.

- (1) In connection with the operation of a home occupation, within a dwelling unit, the following requirements shall be met:
  - a. A home occupation shall not occupy more than five hundred (500) square feet of floor area or more than twenty-five (25) percent of the total floor area of such a dwelling unit, whichever is less, or in the case of licensed family day care homes, or home babysitting services, to accommodate not more than six (6) children plus two (2) children after school and having no nonresidential employees;
  - b. There shall be no outside storage of goods and materials nor shall there be exterior displays, or display of goods visible from the outside;
  - c. Storage of materials related to the home occupation shall count as a part of the occupancy limitations in subsection (1)a. above, but shall not constitute a dominant part of such occupancy provided, however, storage of such materials or products in garages or other accessory structures is prohibited;
  - d. Exterior signs shall be limited to one (1) nonilluminated sign not exceeding a total area of two (2) square feet, affixed to the building and not projecting more than one (1) foot beyond the building;
  - e. Any exterior alterations to the residence shall be compatible with the architecture of the building and maintain the residential appearance by virtue of exterior materials, lighting, and signs;
  - f. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard;
  - g. The home occupation shall not produce offensive noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare or other objectionable effects;
  - h. There shall be no more than one (1) nonresident employed in the home occupation, provided, however, family day care or home babysitting services shall have no nonresident employees;
  - i. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood;
  - j. No motor vehicle exceeding a gross vehicle weight of six thousand (6,000) pounds shall be stored on the property in connection with the home occupation.
- (2) No residence shall be occupied, altered or used for any home occupation except the following:
  - a. Accountants and auditors;

OK







\* Day One to utilize white rock for furnace room  
 by museum and furnace room  
 good rock with similar texture  
 \* Saw well the furnace all with white rock  
 essential

**City of Portland, Maine - Building or Use Permit Application** 339 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 128 Braintree Street		Owner: David Walton, Sr.	Phone: 878-0260	Permit No: <b>951221</b>
Owner Address: 128 Braintree Street		Leasee/Buyer's Name:	Business Name: Mary's Daycare	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>PERMIT ISSUED</b>                  NOV 20 1995  <b>CITY OF PORTLAND</b> </div>
Contractor Name:		Address:	Phone:	
Past Use: Single family dwelling w/ daycare for 8 children	Proposed Use: Single family dwelling w/daycare for 12 children	<b>COST OF WORK:</b> \$	<b>PERMIT FEE:</b> appeal fee \$25.00 + 50.00	Zone: R-2    CBL: 333-G-17-20 Zoning Approval: <i>OK see Appeal 11/20/95</i> Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>
Proposed Project Description: Change use - add daycare facilities for up to 12 children		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: <i>4</i> Use Group: Type: <i>SB</i> <i>00C-2-93</i>	
		Signature: _____	Signature: _____	
Permit Taken By: Victoria A. Dover		Date Applied For: October 27, 1995	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied Signature: _____ Date: _____	
1. This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. If information may invalidate a building permit and stop all work..				
<p><b>APPEAL SUSTAINED 11-16-95</b></p> <p><b>CERTIFICATION</b></p> <p>I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit</p>				
SIGNATURE OF APPLICANT <i>David Walton, Sr.</i>		ADDRESS: 128 Braintree St	DATE: October 27, 1995	PHONE: 878-0260
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		PHONE: White-Permit Desk    Green-Assessor's    Canary-D.P.W.    Fink-Public File    Ivory Card-Inspector		
				Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Date: <i>11/20/95</i> CEO DISTRICT <div style="border: 1px solid black; padding: 2px; display: inline-block;">7 D. JORDAN</div>