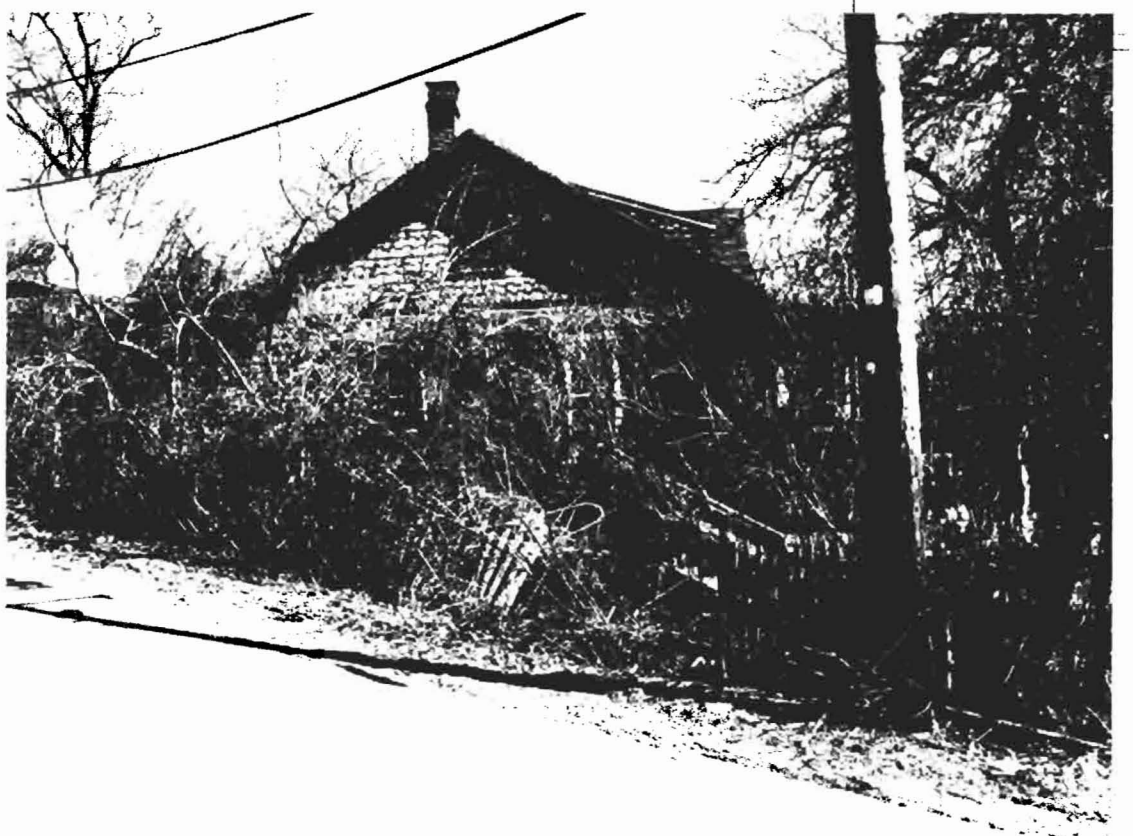
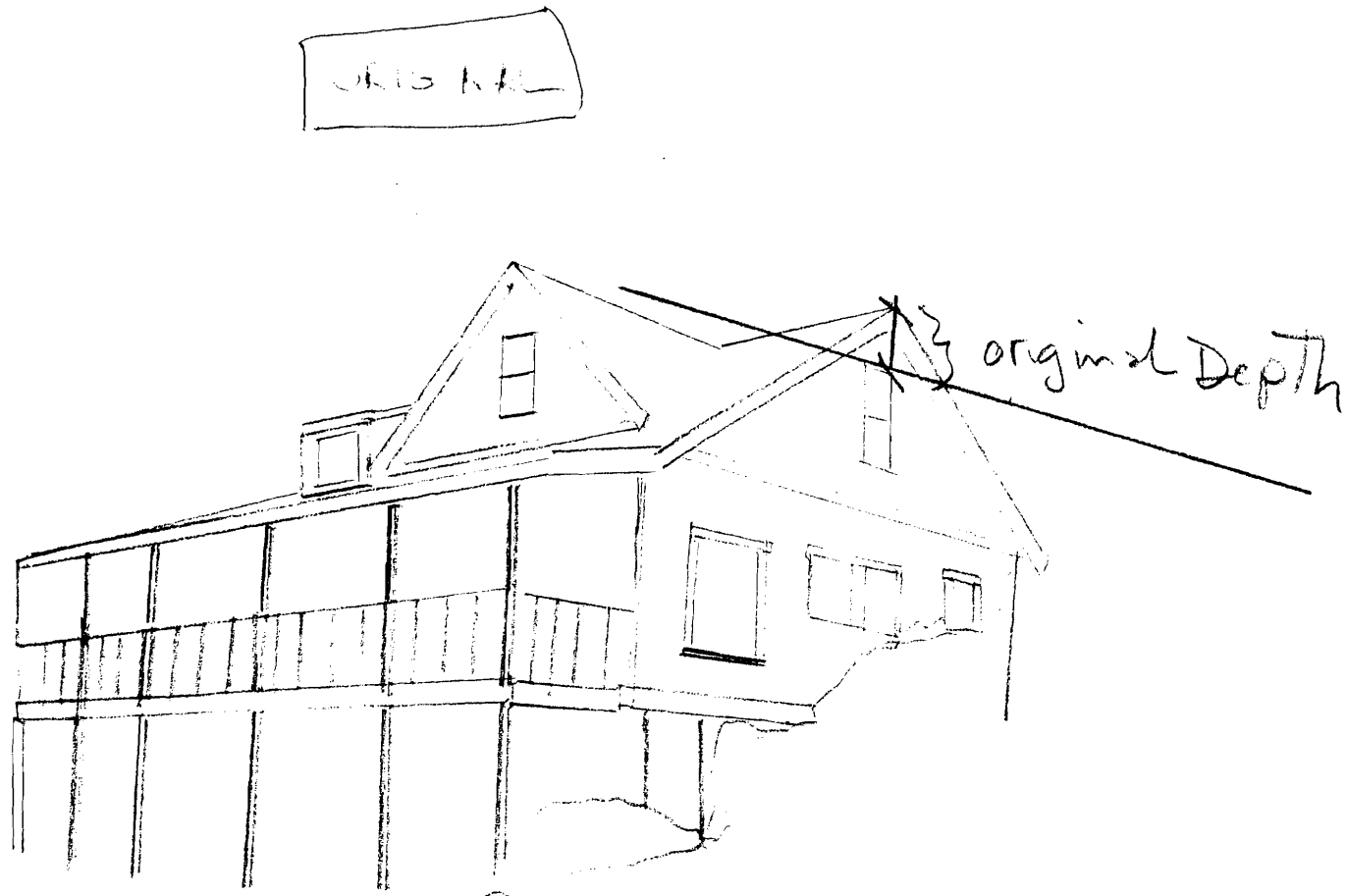
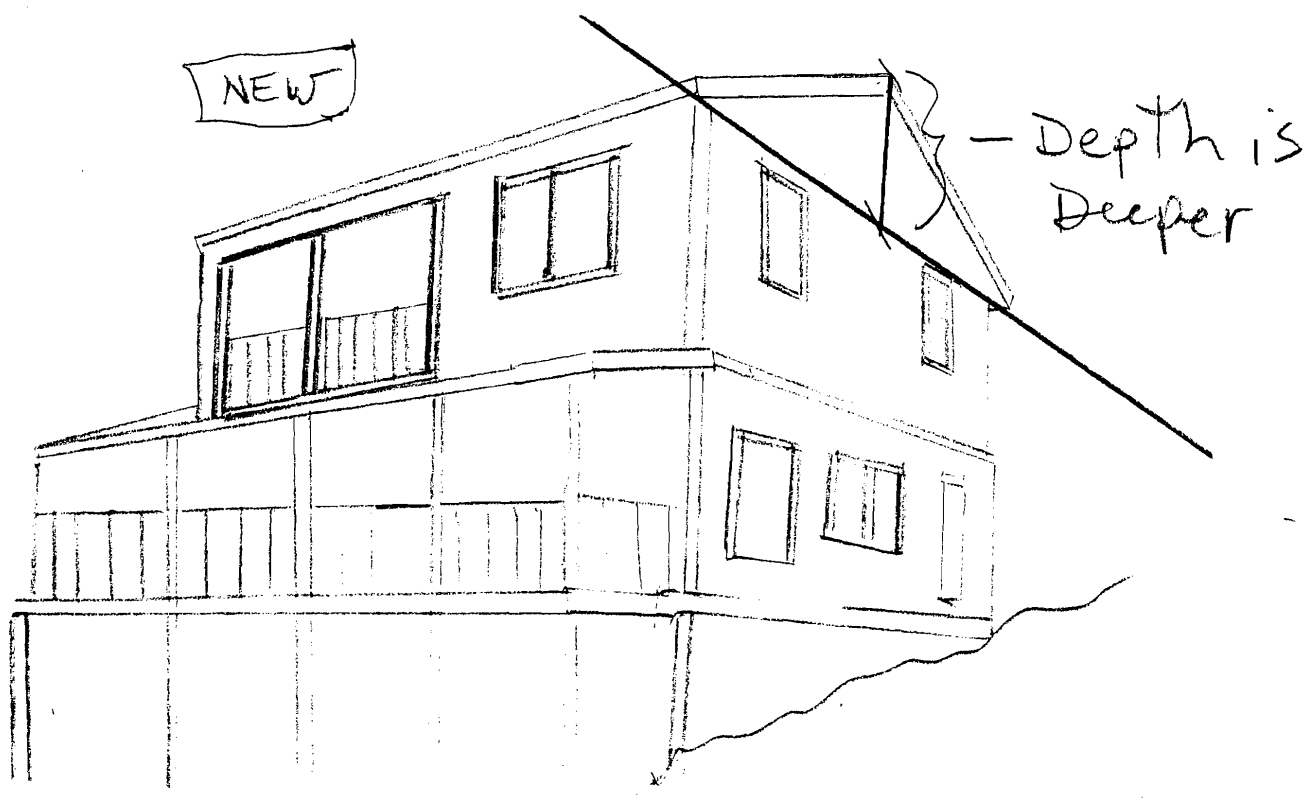
West Elevation




original Depth


NEW
Depth is Deeper

Job	Truss	Truss Type	Qty	Ply	I14538873
89245	A	FAN	14	1	Job Reference (optional)

Sprowl Building Components, Searsmont, ME 04973 — 7.060 s Aug 6 2008 MiTek Industries, Inc. Fri Sep 19 05:51:39 2008 Page 1

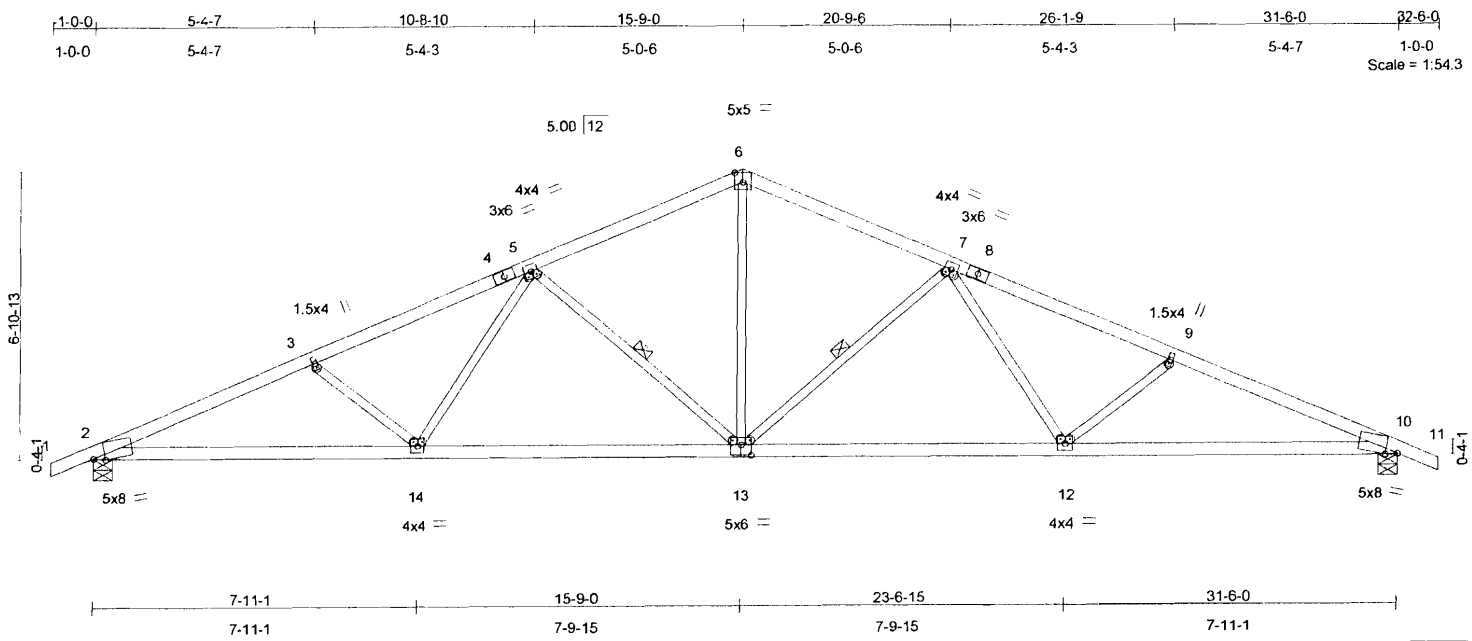


Plate Offsets (X,Y): [2:0-3-6,Edge], [6:0-2-8,Edge], [10:0-3-6,Edge], [13:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	42.0	Plates Increase	1.15	TC	0.71	Vert(LL)	-0.33	13	>999	360	MT20	169/123
(Roof Snow=42.0)		Lumber Increase	1.15	BC	0.74	Vert(TL)	-0.59	13-14	>629	240		
TCDL	7.0	Rep Stress Incr	YES	WB	0.50	Horz(TL)	0.17	10	n/a	n/a		
BCLL	0.0 *	Code	BOCA/TPI2002	(Matrix)							Weight: 100 lb	
BCDL	10.0											

LUMBER
TOP CHORD 2 X 4 SPF-S No.2
BOT CHORD 2 X 4 SPF 1650F 1.5E
WEBS 2 X 3 SPF No.2

BRACING
TOP CHORD Structural wood sheathing directly applied or 2-1-3 oc purlins.
BOT CHORD Rigid ceiling directly applied or 6-2-2 oc bracing.
WEBS 1 Row at midpt 5-13, 7-13
with 2 X 4 SPF-S No.2 with 2 - 10d (0.148"x3") nails and cross brace spacing of 20-0-0 oc.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

DEPT OF TRANSPORTATION
JUN 22 2009

REACTIONS (lb/size) 2=1952/0-5-8, 10=1952/0-5-8
Max Horz 2=-120(LC 7)
Max Uplift2=-756(LC 6), 10=-756(LC 7)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-3912/1433, 3-4=-3502/1282, 4-5=-3320/1291, 5-6=-2471/965, 6-7=-2471/965, 7-8=-3319/1291, 8-9=-3502/1283, 9-10=-3912/1433
BOT CHORD 2-14=-1323/3495, 13-14=-968/2862, 12-13=-849/2862, 10-12=-1203/3495
WEBS 3-14=-579/347, 5-14=-167/630, 5-13=-1097/498, 6-13=-473/1321, 7-13=-1097/498, 7-12=-167/630, 9-12=-579/347

NOTES (8)
1) Wind: ASCE 7-02; 100mph; TCDL=4.2psf; BCDL=5.0psf; h=25ft; Cat. II; Exp C; partially; MWFRS (low-rise) gable end zone; cantilever left exposed ; Lumber DOL=1.33 plate grip DOL=1.33
2) Roof design snow load has been reduced to account for slope.
3) Unbalanced snow loads have been considered for this design.
4) As requested, plates have not been designed to provide for placement tolerances or rough handling and erection conditions. It is the responsibility of the fabricator to increase plate sizes to account for these factors.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members.
6) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 756 lb uplift at joint 2 and 756 lb uplift at joint 10.
7) Warning: Additional permanent and stability bracing for truss system (not part of this component design) is always required.
8) This truss design is based upon the building code shown. This code has been specified by the project engineer/architect or building designer. The applicability of this code in any particular jurisdiction shoud be confirmed with the building official prior to truss fabrication. This determination is not the responsibility of the component/truss dsigner.

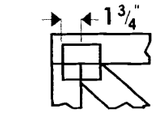
LOAD CASE(S) Standard

STATE OF MAINE
JUAN GARCIA
No. 10080
LICENSED PROFESSIONAL ENGINEER
September 19,2008

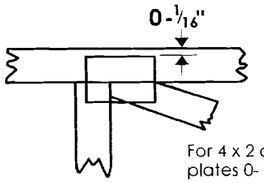
MiTek
POWER TO PERFORM
14515 N. Outer Forty, Suite #300
Chesterfield, MO 63017

Symbols

PLATE LOCATION AND ORIENTATION



Center plate on joint unless x, y offsets are indicated. Dimensions are in ft-in-sixteenths. Apply plates to both sides of truss and fully embed teeth.



For 4 x 2 orientation, locate plates 0-1/16" from outside edge of truss.

This symbol indicates the required direction of slots in connector plates.

*** Plate location details available in MiTek 20/20 software or upon request.**

PLATE SIZE

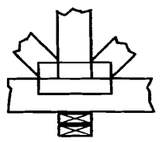
4 x 4

The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

LATERAL BRACING LOCATION

Indicated by symbol shown and/or by text in the bracing section of the output. Use T, I or Eliminator bracing if indicated.

BEARING

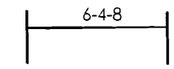


Indicates location where bearings (supports) occur. Icons vary but reaction section indicates joint number where bearings occur.

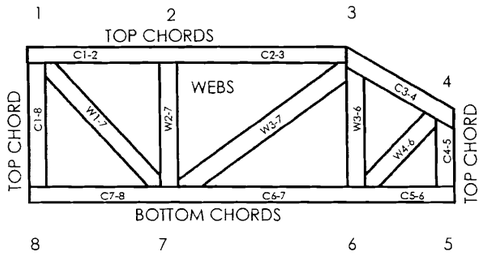
Industry Standards:

ANSI/TPI1: National Design Specification for Metal Plate Connected Wood Truss Construction.
DSB-89: Design Standard for Bracing.
BCSI1: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

Numbering System



dimensions shown in ft-in-sixteenths
(Drawings not to scale)



JOINTS ARE GENERALLY NUMBERED/LETTERED CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ER-5243, 9604B,
95-43, 96-31, 9667A
NER-487, NER-561
95110, 84-32, 96-67, ER-3907, 9432A

MiTek®
POWER TO PERFORM.

MiTek Engineering Reference Sheet: MII-7473

⚠ General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

1. Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCSI1.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual lateral braces themselves may require bracing, or alternative T, I, or Eliminator bracing should be considered.
3. Never exceed the design loading shown and never stack materials on inadequately braced trusses.
4. Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
5. Cut members to bear tightly against each other.
6. Place plates on each face of truss at each joint and embed fully. Knots and wane at joint locations are regulated by ANSI/TPI 1.
7. Design assumes trusses will be suitably protected from the environment in accord with ANSI/TPI 1.
8. Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
9. Unless expressly noted, this design is not applicable for use with fire retardant, preservative treated, or green lumber.
10. Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
11. Plate type, size, orientation and location dimensions indicated are minimum plating requirements.
12. Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
13. Top chords must be sheathed or purlins provided at spacing indicated on design.
14. Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed, unless otherwise noted.
15. Connections not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Install and load vertically unless indicated otherwise.
18. Use of green or treated lumber may pose unacceptable environmental, health or performance risks. Consult with project engineer before use.
19. Review all portions of this design (front, back, words and pictures) before use. Reviewing pictures alone is not sufficient.
20. Design assumes manufacture in accordance with ANSI/TPI 1 Quality Criteria.

MiTek Industries, Inc.
14515 North Outer Forty Drive
Suite 300
Chesterfield, MO 63017-5746

Re: 89245

The truss drawing(s) referenced below have been prepared by MiTek Industries, Inc. under my direct supervision based on the parameters provided by Sprowl Building Components, Inc..

Pages or sheets covered by this seal: I14538873 thru I14538873

My license renewal date for the state of Maine is December 31, 2009.

STATE OF MAINE
JUAN
GARCIA
No. 10090
LICENSED
PROFESSIONAL ENGINEER

September 19,2008

Garcia, Juan

The seal on these drawings indicate acceptance of professional engineering responsibility solely for the truss components shown. The suitability and use of this component for any particular building is the responsibility of the building designer, per ANSI/TPI-2002 Chapter 2.

cated in the immediate vicinity of the bottom landing of the stairway.

Exception: An artificial light source is not required at the top and bottom landing, provided an artificial light source is located directly over each stairway section.

R303.6.1 Light activation. The control for activation of the required interior stairway lighting shall be accessible at the top and bottom of each stairway without traversing any steps. The illumination of exterior stairways shall be controlled from inside the dwelling unit.

Exception: Lights that are continuously illuminated or automatically controlled.

R303.7 Required glazed openings. Required glazed openings shall open directly onto a street or public alley, or a yard or court located on the same lot as the building.

R303.7.1 Roofed porches. Required glazed openings may face into a roofed porch where the porch abuts a street, yard or court and the longer side of the porch is at least 65 percent open and unobstructed and the ceiling height is not less than 7 feet (2134 mm).

R303.8 Required heating. When the winter design temperature in Table R301.2(1) is below 60°F (16°C), every dwelling unit shall be provided with heating facilities capable of maintaining a minimum room temperature of 68°F (20°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

SECTION R304
MINIMUM ROOM AREAS

R304.1 Minimum area. Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet (11.2 m^2) of gross floor area.

R304.2 Other rooms. Other habitable rooms shall have a floor area of not less than 70 square feet (6.5 m^2).

Exception: Kitchens.

R304.3 Minimum dimensions. Habitable rooms shall not be less than 7 feet (2134 mm) in any horizontal dimension.

Exception: Kitchens.

R304.4 Height effect on room area. Portions of a room with a sloping ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet (2134 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

SECTION R305
CEILING HEIGHT

R305.1 Minimum height. Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

Exceptions:

1. Beams and girders spaced not less than 4 feet (1219 mm) on center may project not more than 6 inches (152 mm) below the required ceiling height.
2. Ceilings in basements without habitable spaces may project to within 6 feet, 8 inches (2032 mm) of the finished floor; and beams, girders, ducts or other obstructions may project to within 6 feet, 4 inches (1931 mm) of the finished floor.
3. Not more than 50 percent of the required floor area of a room or space is permitted to have a sloped ceiling less than 7 feet (2134 mm) in height with no portion of the required floor area less than 5 feet (1524 mm) in height.
4. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) over the fixture and at the front clearance area for fixtures as shown in Figure R307.2. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

SECTION R306
SANITATION

R306.1 Toilet facilities. Every dwelling unit shall be provided with a water closet, lavatory, and a bathtub or shower.

R306.2 Kitchen. Each dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink.

R306.3 Sewage disposal. All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system.

R306.4 Water supply to fixtures. All plumbing fixtures shall be connected to an approved water supply. Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs and washing machine outlets shall be provided with hot and cold water.

SECTION R307
TOILET, BATH AND SHOWER SPACES

R307.1 Space required. Fixtures shall be spaced as per Figure R307.2.

R307.2 Bathtub and shower spaces. Bathtub and shower floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet (1829 mm) above the floor.

From: Marge Schmuckal
To: Daniel L. Cummings; Mary Costigan
Date: 7/14/2009 10:29:35 AM
Subject: RE: RE: 38 Torrington

Attorney Cummings,
I have reviewed what you e-mailed me. Perhaps I was not clear in my description. There are two items that stand out in the construction that do not meet the test of "maintaining the same roof configuration". I do note the difference in the pitch of the original roof and the new roof. But there is also a change in the depth of the roof as measured from the ridge downward.

The original roof was incorporated into the habitable space with very little depth from the ceiling to the ridge. In the new construction a full truss system was placed ontop of the new fully dormered area. That construction is significantly different. I did sit down with Bill Childs to explain this. There are different building techniques to resolve this problem, such as the use of scissor trusses. It would reduce the depth of the height of the new roof structure.

I am hoping this helps clarify my wording and thinking.

Marge Schmuckal
Zoning Administrator

>>> "Daniel L. Cummings" <dcummings@nhdlaw.com> 7/10/2009 4:49:24 PM >>>
Thank you!

Dan

Daniel L. Cummings
Norman, Hanson & DeTroy, LLC
P.O. Box 4600
Portland, ME 04112-4600
(207) 553-4655 (direct)
(207) 774-7000
(207) 775-0806 (fax)
dcummings@nhdlaw.com
www.nhdlaw.com

-----Original Message-----
From: Marge Schmuckal [mailto:MES@portlandmaine.gov]
Sent: Friday, July 10, 2009 4:46 PM
To: Daniel L. Cummings; Mary Costigan
Cc: PAshton@transnationalgroup.com
Subject: RE: RE: 38 Torrington

Attny Cummings,
I somehow did not receive it previously. Mary just copied me. I wiil review your response and get back to you on Monday.
Marge

>>> "Daniel L. Cummings" <dcummings@nhdlaw.com> 7/10/2009 4:21:40 PM >>>

No, I had the correct email address. Guess just something happened on one end or the other regarding sending or delivery.

In any event I appreciate your passing it along to Marge for consideration; and I look forward to hearing

back from you early next week.

Dan

Daniel L. Cummings
Norman, Hanson & DeTroy, LLC
P.O. Box 4600
Portland, ME 04112-4600
(207) 553-4655 (direct)
(207) 774-7000
(207) 775-0806 (fax)
dcummings@nhdlaw.com<mailto:dcummings@nhdlaw.com>
www.nhdlaw.com<http://www.nhdlaw.com/>

From: Mary Costigan [mailto:MEC@portlandmaine.gov]
Sent: Friday, July 10, 2009 4:11 PM
To: Marge Schmuckal
Cc: Daniel L. Cummings
Subject: Fwd: RE: 38 Torrington

Marge - Here is the email from Dan.

Dan - Marge did not get this last week. Perhaps you have an incorrect email address for her.

Mary

>>> "Daniel L. Cummings" <dcummings@nhdlaw.com> 07/01 6:29 PM >>>
Marge-

I received your conclusions today. I am encouraged by them. Here are my comments:

1. I agree that the expansion does not exceed the 50% limit.

2. I agree that the new construction was the functional equivalent of 2 full dormers, and your Exhibit C you drew nicely illustrates that point.

3. I agree that the ceiling height average of 7'8 ¾ " meets the minimum height necessary, i.e., the Code provides that the height provides the minimum necessary, i.e., at least the minimum but there is no requirement that it not exceed the minimum (Attorney Goldberg interprets this requirement to mean that it cannot be any greater than the minimum).

4. I agree that the Code does not prohibit use of a roof other than a flat roof on the dormers, and agree that the Code even mandates it in that the roof configuration must be preserved to the maximum extent possible. However, I diverge on the rest of your findings on that score, and I'd like to explain why in the hope of convincing you to conclude that the permit in fact meets the requirements of 14-436(a).

You conclude that the new roof pitch changed in a way that increased the pitch and thus created a "taller depth." The fact is, as seen below, the roof pitch did change slightly, but it was a change the other way, i.e., the roof pitch decreased from 6/12 to 5/12. The result was that the roof configuration has slightly less depth, not more, than the original.

Consequently, it seems to me that the question left facing you is whether you conclude that the change in pitch that makes the new roof slightly "flatter" than the original roof necessitates a change in the roof design to actually increase the pitch to 6/12 and make the roof taller than it is now. It seems that such a

result should not be required, i.e., that a roof pitch within 1/12 that creates a shorter roof should fit within the language of the Code providing for "preserving the roof configuration to the maximum extent possible." After all, it doesn't require that the roof configuration remain identical.

I am hopeful that clearing up the fact that the pitch decreased rather than increased will convince you to amend your conclusion and that you would report to the ZBA that you conclude that the Permit does in fact meet the requirements of 14-436(a).

I look forward to hearing from you on this.

Thanks so much for the work you've put into this and how quickly you were able to address the issue.

Dan

Daniel L. Cummings
Norman, Hanson & DeTroy, LLC
P.O. Box 4600
Portland, ME 04112-4600
(207) 553-4655 (direct)
(207) 774-7000
(207) 775-0806 (fax)
dcummings@nhdlaw.com<mailto:dcummings@nhdlaw.com>
www.nhdlaw.com<http://www.nhdlaw.com/>

From: Horizon Builders Inc [mailto:BillC@HorizonBuildersInc.com]
Sent: Wednesday, July 01, 2009 2:21 PM
To: Marge Schmuckal
Subject: 38 Torrington
Importance: High

Marge,
I received the copy of your decision. I believe you may have misinterpreted some of the information I sent you. We reduced the pitch from a 6/12 to a 5/12; mathematically it is not possible to create "a taller depth from the bottom cord to the top of the peak" in this instance. I believe we may want to address this sooner rather than later in the hopes of (a) The members of the ZBA having correct information and (b) the interested parties coming to some kind of resolution to end the seemingly limitless appeals.
I am at your disposal to discuss for the rest of the day, just call.
Regards,
Bill

William C. Childs
President
Horizon Builders Inc
PO Box 802 Portland, ME 04104
(207) 856-5060 www.HorizonBuildersInc.com

[cid:image002.jpg@01CA017A.81501EF0] [cid:image003.jpg@01CA017A.81501EF0]
[cid:image004.jpg@01CA017A.81501EF0]

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This e-mail does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Neither this communication nor any attachment shall be deemed to satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act adopted by any political subdivision of the United States, or any other law governing electronic transactions.
Thank you.

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This e-mail does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Neither this communication nor any attachment shall be deemed to satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act adopted by any political subdivision of the United States, or any other law governing electronic transactions.
Thank you.

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This e-mail does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Neither this communication nor any attachment shall be deemed to satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act adopted by any political subdivision of the United States, or any other law governing electronic transactions.
Thank you.

CC: PAshton@transnationalgroup.com; PENNY LITTELL

From: Mary Costigan
To: Marge Schmuckal
Date: 7/10/2009 4:10:46 PM
Subject: Fwd: RE: 38 Torrington

Marge - Here is the email from Dan.

Dan - Marge did not get this last week. Perhaps you have an incorrect email address for her.

Mary

>>> "Daniel L. Cummings" <dcummings@nhdlaw.com> 07/01 6:29 PM >>>

Marge— I received your conclusions today. I am encouraged by them. Here are my comments: 1. I agree that the expansion does not exceed the 50% limit. 2. I agree that the new construction was the functional equivalent of 2 full dormers, and your Exhibit C you drew nicely illustrates that point.3. I agree that the ceiling height average of 7'8 ¾ " meets the minimum height necessary, i.e., the Code provides that the height provides the minimum necessary, i.e., at least the minimum but there is no requirement that it not exceed the minimum (Attorney Goldberg interprets this requirement to mean that it cannot be any greater than the minimum).4. I agree that the Code does not prohibit use of a roof other than a flat roof on the dormers, and agree that the Code even mandates it in that the roof configuration must be preserved to the maximum extent possible. However, I diverge on the rest of your findings on that score, and I'd like to explain why in the hope of convincing you to conclude that the permit in fact meets the requirements of 14-436(a). You conclude that the new roof pitch changed in a way that increased the pitch and thus created a "taller depth." The fact is, as seen below, the roof pitch did change slightly, but it was a change the other way, i.e., the roof pitch decreased from 6/12 to 5/12. The result was that the roof configuration has slightly less depth, not more, than the original. Consequently, it seems to me that the question left facing you is whether you conclude that the change in pitch that makes the new roof slightly " flatter" than the original roof necessitates a change in the roof design to actually increase the pitch to 6/12 and make the roof taller than it is now. It seems that such a result should not be required, i.e., that a roof pitch within 1/12 that creates a shorter roof should fit within the language of the Code providing for " preserving the roof configuration to the maximum extent possible." After all, it doesn't require that the roof configuration remain identical. I am hopeful that clearing up the fact that the pitch decreased rather than increased will convince you to amend your conclusion and that you would report to the ZBA that you conclude that the Permit does in fact meet the requirements of 14-436(a). I look forward to hearing from you on this. Thanks so much for the work you've put into this and how quickly you were able to address the issue. Dan Daniel L. CummingsNorman, Hanson & DeTroy, LLCP.O. Box 4600Portland, ME 04112-4600(207) 553-4655 (direct)(207) 774-7000(207) 775-0806 (fax)dcummings@nhdlaw.comwww.nhdlaw.com
From: Horizon Builders Inc [mailto:BillC@HorizonBuildersInc.com]
Sent: Wednesday, July 01, 2009 2:21 PM
To: Marge Schmuckal
Subject: 38 Torrington
Importance: High

Marge,I received the copy of your decision. I believe you may have misinterpreted some of the information I sent you. We reduced the pitch from a 6/12 to a 5/12; mathematically it is not possible to create "a taller depth from the bottom cord to the top of the peak" in this instance. I believe we may want to address this sooner rather than later in the hopes of (a) The members of the ZBA having correct information and (b) the interested parties coming to some kind of resolution to end the seemingly limitless appeals.I am at your disposal to discuss for the rest of the day, just call.Regards,Bill William C. ChildsPresident Horizon Builders IncPO Box 802 Portland, ME 04104(207) 856-5060 www.HorizonBuildersInc.com P Please consider the environment before printing this e-mail.

******PRIVILEGE AND CONFIDENTIALITY******

CC: Daniel L. Cummings

FAX

Attorney Cummings

To: Attorney Goldberg

Fax Number :

From: Marge Schmuckal

Fax Number:

Date: 7/14/09

Regarding: 38 Torrington, PI

Total Number Of Pages Including Cover: 2

Phone Number For Follow-Up:

Comments:

Attached is my attempt to clarify my most resent memo - I am seeing that the roof pitch and the new roof (i.e. the "depth" of it) Do Not meet the ordinance in regards to keeping the original "roof configuration". I hope it helps. I traced from photos. It is the concept that I am trying to convey - Don't judge my Art work

City Of Portland, Maine
Inspections Division Services
389 Congress St Room 315 Portland Me 04101-3509
Phone: (207) 874-8703 or (207)874-8693
Fax: (207) 874-8716
http://www.portlandmaine.gov/

EXHIBIT B

From: "Horizon Builders Inc" <BillC@HorizonBuildersInc.com>
To: "Marge Schmuckal" <mes@portlandmaine.gov>
Date: 6/19/2009 1:42:26 PM
Subject: List of items on Torrington

Marge,

I have called my brother & Karl off the island to assemble the items you requested. They will be in my office within minutes with current pictures we will email. I will call you shortly to make sure there isn't anything missing. What is your schedule this afternoon? We are at your disposal if you need something driven down town or more plans/renderings.

Regards,

Bill

William C. Childs

President

Horizon Builders Inc

PO Box 802 Portland, ME 04104

(207) 856-5060 www.HorizonBuildersInc.com

From: "Horizon Builders Inc" <BillC@HorizonBuildersInc.com>
To: "Marge Schmuckal" <mes@portlandmaine.gov>
Date: 6/23/2009 11:19:38 AM
Subject: 38 Torrington

Marge,

I wanted to follow up on your question yesterday afternoon. The roof system that was removed at the property did not have collar ties as you would currently define them. It consisted of rough sawn 2"x6" rafters on various centers with a 1"x8" ridge board. While we had entertained the idea of utilizing some of the existing roof system (literally jacking it up to create the required head room) applying IRC standards to the existing material required substantial, impractical and cost prohibitive modifications. (There literally would have been nothing left of the original roof). Trying to "stick frame" the system would have required a structural ridge in a house that is seriously deficient in options for load paths (a load bearing wall does not exist anywhere near the centerline of the structure). This is why clear span trusses of a slightly reduced pitch where chosen. Clear span trusses alleviated the structural issues, while reducing the pitch from 6/12 to 5/12 reduced the impact in overall height, while maintaining the original configuration as best we could.

Balancing the structural issues with the zoning provisions was all being done under the shadow of meeting Shore Land zoning as well. Our archives of no less than 12 designs for this project attest to the Ashton's attempts to comply with all of these.

If there is anything else I can shed light on please let me know.

Regards,

Bill

William C. Childs

President

Horizon Builders Inc

PO Box 802 Portland, ME 04104

(207) 856-5060 www.HorizonBuildersInc.com

Strengthening a Remarkable City. Building a Community for Life www.portlandmaine.gov

Corporation Counsel
Gary C. Wood

Associate Counsel
Mary E. Costigan
Danielle P. West-Chuhta
Ann M. Freeman

June 17, 2009

Daniel L. Cummings, Esq.
Norman, Hanson & DeTroy, LLC
PO Box 4600
Portland, ME 04112-4600

Re: 38 Torrington Avenue

Dear Dan:

I am writing in regard to a final inspection scheduled for your client's property located at 38 Torrington Avenue on Peaks Island. As you are aware, Justice Crowley recently determined that the building permit issued by the City for the extension to your client's building was erroneously issued in accordance with Section 14-436(b) of the Portland Land Use Code, rather than Section 14-436(a). The City is currently in the process of evaluating your client's expansion plans in accordance with Section 14-436(a). Until such time that a decision is made that said expansion meets the requirements of paragraph (a), or said plans and renovations are modified to meet the requirements, the City will not perform a final inspection of the property.

Pursuant to Section 109.1.6 of the International Residential Code, final inspections shall be made after the permitted work is complete and prior to occupancy. Accordingly, your client's building may not be occupied until a final inspection occurs.

Thank you for your attention to this matter. Please contact me if you have any questions.

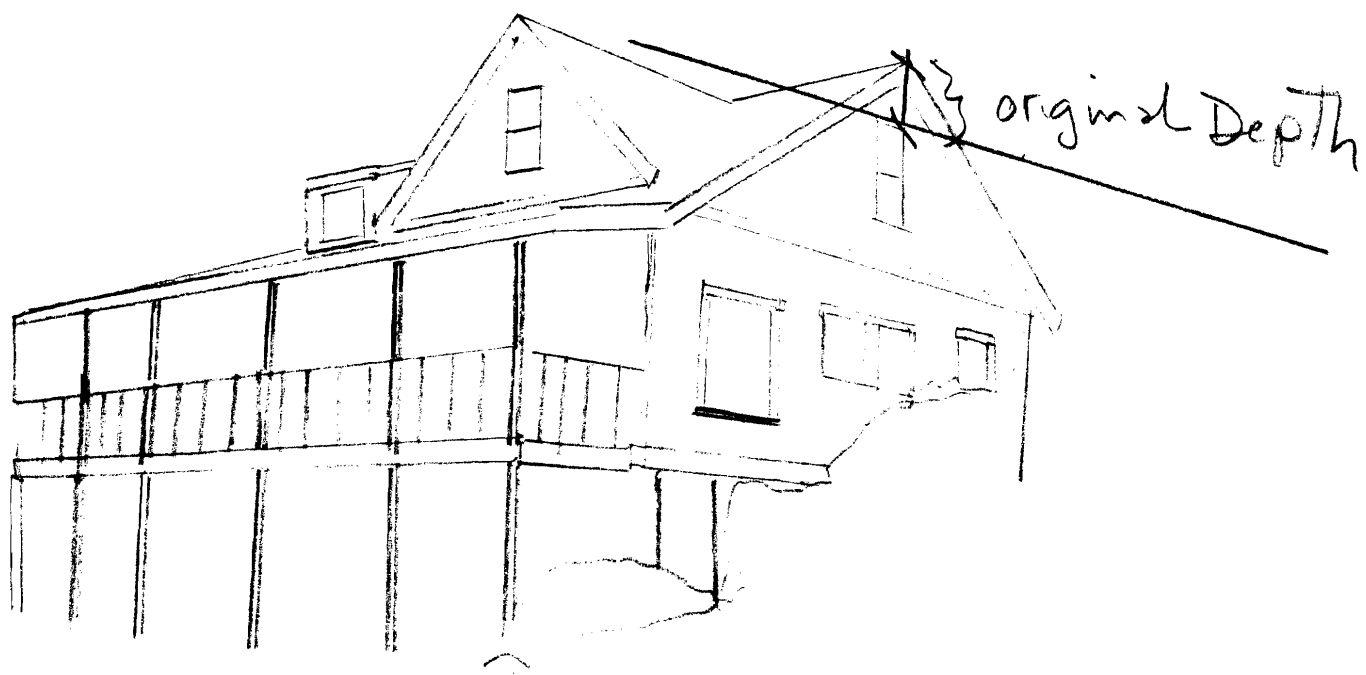
Sincerely,

Mary E. Costigan
Associate Corporation Counsel

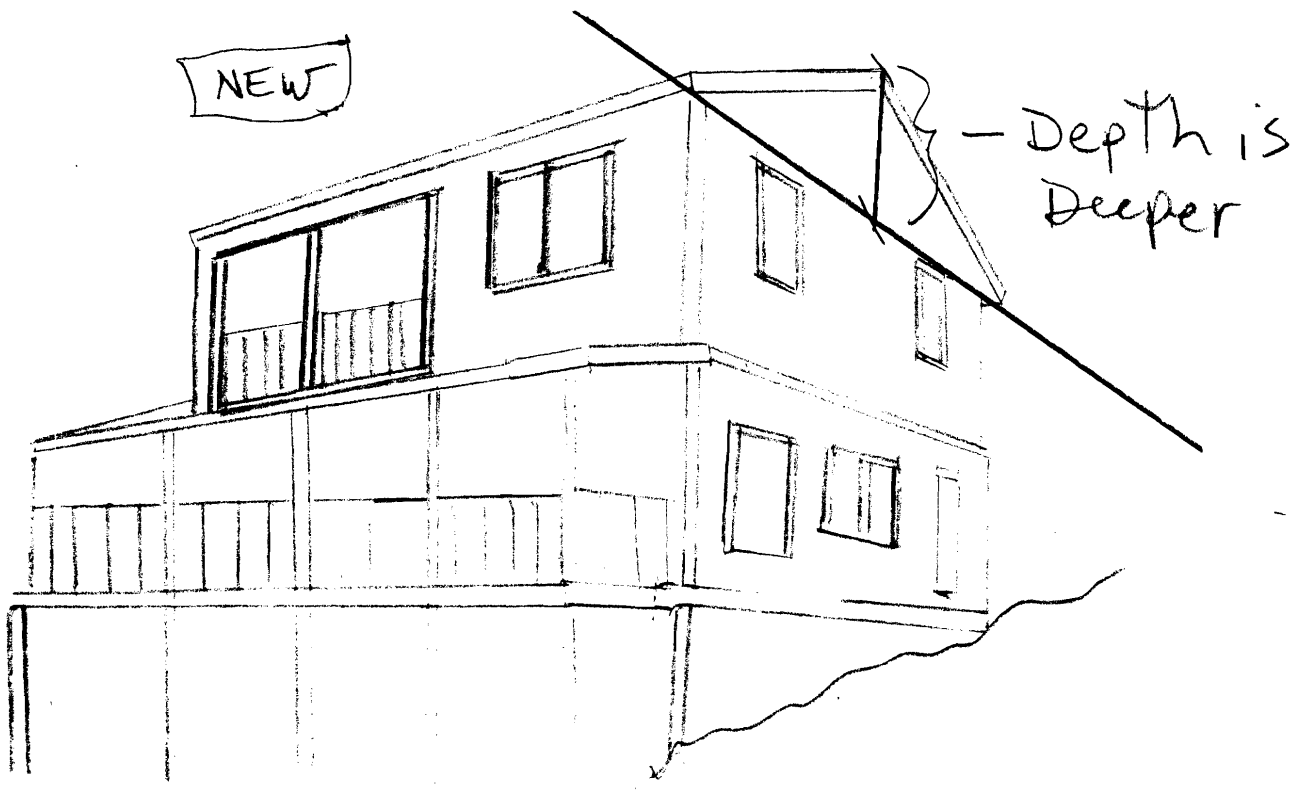
cc: Jonathan Goldberg, Esq., Mittel Asen, LLC
Tammy Munson, Director of Inspections
Marge Schmuckle, Zoning Administrator

JUN 18 2009

ORIGINAL



NEW



Job	Truss	Truss Type	Qty	Ply	
89245	A	FAN	14	1	I14538873

Sprowl Building Components, Searsmont, ME 04973 — Job Reference (optional)

7.060 s Aug 6 2008 MiTek Industries, Inc. Fri Sep 19 05:51:39 2008 Page 1

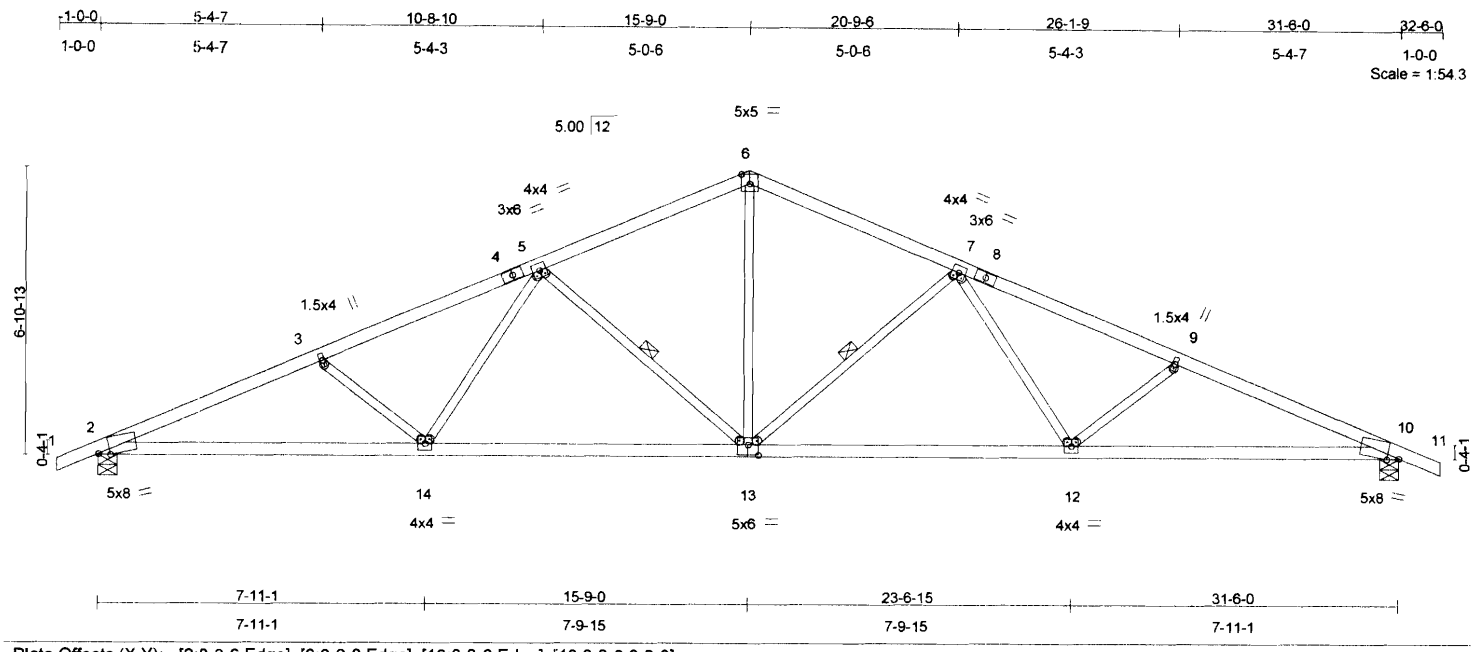


Plate Offsets (X,Y): [2:0-3-6,Edge], [6:0-2-8,Edge], [10:0-3-6,Edge], [13:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	42.0	Plates Increase	1.15	TC	0.71	Vert(LL)	-0.33	13	>999	360	MT20	169/123
(Roof Snow=42.0)		Lumber Increase	1.15	BC	0.74	Vert(TL)	-0.59	13-14	>629	240		
TCDL	7.0	Rep Stress Incr	YES	WB	0.50	Horz(TL)	0.17	10	n/a	n/a		
BCLL	0.0 *	Code	BOCA/TPI2002	(Matrix)							Weight: 100 lb	
BCDL	10.0											

LUMBER

TOP CHORD 2 X 4 SPF-S No.2
BOT CHORD 2 X 4 SPF 1650F 1.5E
WEBS 2 X 3 SPF No.2

BRACING

TOP CHORD Structural wood sheathing directly applied or 2-1-3 oc purlins.
BOT CHORD Rigid ceiling directly applied or 6-2-2 oc bracing.
WEBS 1 Row at midpt 5-13, 7-13
with 2 X 4 SPF-S No.2 with 2 - 10d (0.148"x3") nails and cross brace spacing of 20-0-0 oc.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

DEP
2 2 2009

REACTIONS (lb/size) 2=1952/0-5-8, 10=1952/0-5-8
Max Horz 2=-120(LC 7)
Max Uplift 2=-756(LC 6), 10=-756(LC 7)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-3912/1433, 3-4=-3502/1282, 4-5=-3320/1291, 5-6=-2471/965, 6-7=-2471/965, 7-8=-3319/1291, 8-9=-3502/1283, 9-10=-3912/1433
BOT CHORD 2-14=-1323/3495, 13-14=-968/2862, 12-13=-849/2862, 10-12=-1203/3495
WEBS 3-14=-579/347, 5-14=-167/630, 5-13=-1097/498, 6-13=-473/1321, 7-13=-1097/498, 7-12=-167/630, 9-12=-579/347

NOTES (8)

1) Wind: ASCE 7-02; 100mph; TCDL=4.2psf; BCDL=5.0psf; h=25ft; Cat. II; Exp C; partially; MWFRS (low-rise) gable end zone; cantilever left exposed ; Lumber DOL=1.33 plate grip DOL=1.33
2) Roof design snow load has been reduced to account for slope.
3) Unbalanced snow loads have been considered for this design.
4) As requested, plates have not been designed to provide for placement tolerances or rough handling and erection conditions. It is the responsibility of the fabricator to increase plate sizes to account for these factors.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members.
6) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 756 lb uplift at joint 2 and 756 lb uplift at joint 10.
7) Warning: Additional permanent and stability bracing for truss system (not part of this component design) is always required.
8) This truss design is based upon the building code shown. This code has been specified by the project engineer/architect or building designer. The applicability of this code in any particular jurisdiction shoud be confirmed with the building official prior to truss fabrication. This determination is not the responsibility of the component/truss dsigner.

LOAD CASE(S) Standard

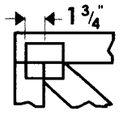
STATE OF MAINE
JUAN
GARCIA
No. 10090
LICENSED
PROFESSIONAL ENGINEER

September 19,2008

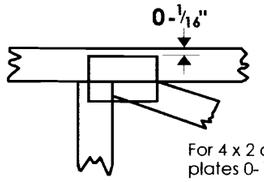
MiTek
POWER TO PERFORM.
14515 N. Outer Forty, Suite #300
Chesterfield, MO 63017

Symbols

PLATE LOCATION AND ORIENTATION



Center plate on joint unless x, y offsets are indicated. Dimensions are in ft-in-sixteenths. Apply plates to both sides of truss and fully embed teeth.



For 4 x 2 orientation, locate plates 0-1/16" from outside edge of truss.

This symbol indicates the required direction of slots in connector plates.

*** Plate location details available in MiTek 20/20 software or upon request.**

PLATE SIZE

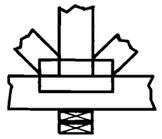
4 x 4

The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

LATERAL BRACING LOCATION

Indicated by symbol shown and/or by text in the bracing section of the output. Use T, I or Eliminator bracing if indicated.

BEARING

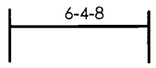


Indicates location where bearings (supports) occur. Icons vary but reaction section indicates joint number where bearings occur.

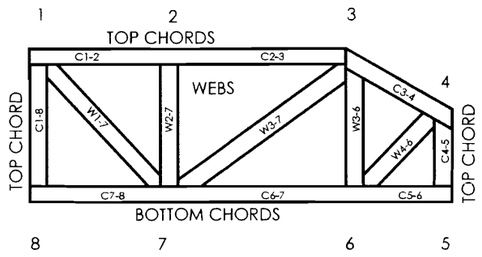
Industry Standards:

ANSI/TPI1: National Design Specification for Metal Plate Connected Wood Truss Construction.
DSB-89: Design Standard for Bracing.
BCSI1: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

Numbering System



dimensions shown in ft-in-sixteenths (Drawings not to scale)



JOINTS ARE GENERALLY NUMBERED/LETTERED CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ER-5243, 9604B,
95-43, 96-31, 9667A
NER-487, NER-561
95110, 84-32, 96-67, ER-3907, 9432A

MiTek®
POWER TO PERFORM.™

MiTek Engineering Reference Sheet: MII-7473

⚠ General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

1. Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCSI1.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual lateral braces themselves may require bracing, or alternative T, I, or Eliminator bracing should be considered.
3. Never exceed the design loading shown and never stack materials on inadequately braced trusses.
4. Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
5. Cut members to bear tightly against each other.
6. Place plates on each face of truss at each joint and embed fully. Knots and wane at joint locations are regulated by ANSI/TPI 1.
7. Design assumes trusses will be suitably protected from the environment in accord with ANSI/TPI 1.
8. Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
9. Unless expressly noted, this design is not applicable for use with fire retardant, preservative treated, or green lumber.
10. Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
11. Plate type, size, orientation and location dimensions indicated are minimum plating requirements.
12. Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
13. Top chords must be sheathed or purlins provided at spacing indicated on design.
14. Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed, unless otherwise noted.
15. Connections not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Install and load vertically unless indicated otherwise.
18. Use of green or treated lumber may pose unacceptable environmental, health or performance risks. Consult with project engineer before use.
19. Review all portions of this design (front, back, words and pictures) before use. Reviewing pictures alone is not sufficient.
20. Design assumes manufacture in accordance with ANSI/TPI 1 Quality Criteria.

MiTek Industries, Inc.
14515 North Outer Forty Drive
Suite 300
Chesterfield, MO 63017-5746

Re: 89245

The truss drawing(s) referenced below have been prepared by MiTek Industries, Inc. under my direct supervision based on the parameters provided by Sprowl Building Components, Inc..

Pages or sheets covered by this seal: I14538873 thru I14538873

My license renewal date for the state of Maine is December 31, 2009.

STATE OF MAINE
JUAN
GARCIA
No. 10090
LICENSED
PROFESSIONAL ENGINEER

September 19,2008

Garcia, Juan

The seal on these drawings indicate acceptance of professional engineering responsibility solely for the truss components shown. The suitability and use of this component for any particular building is the responsibility of the building designer, per ANSI/TPI-2002 Chapter 2.

cated in the immediate vicinity of the bottom landing of the stairway.

Exception: An artificial light source is not required at the top and bottom landing, provided an artificial light source is located directly over each stairway section.

R303.6.1 Light activation. The control for activation of the required interior stairway lighting shall be accessible at the top and bottom of each stairway without traversing any steps. The illumination of exterior stairways shall be controlled from inside the dwelling unit.

Exception: Lights that are continuously illuminated or automatically controlled.

R303.7 Required glazed openings. Required glazed openings shall open directly onto a street or public alley, or a yard or court located on the same lot as the building.

R303.7.1 Roofed porches. Required glazed openings may face into a roofed porch where the porch abuts a street, yard or court and the longer side of the porch is at least 65 percent open and unobstructed and the ceiling height is not less than 7 feet (2134 mm).

R303.8 Required heating. When the winter design temperature in Table R301.2(1) is below 60°F (16°C), every dwelling unit shall be provided with heating facilities capable of maintaining a minimum room temperature of 68°F (20°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

SECTION R304
MINIMUM ROOM AREAS

R304.1 Minimum area. Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet (11.2 m^2) of gross floor area.

R304.2 Other rooms. Other habitable rooms shall have a floor area of not less than 70 square feet (6.5 m^2).

Exception: Kitchens.

R304.3 Minimum dimensions. Habitable rooms shall not be less than 7 feet (2134 mm) in any horizontal dimension.

Exception: Kitchens.

R304.4 Height effect on room area. Portions of a room with a sloping ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet (2134 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

SECTION R305
CEILING HEIGHT

R305.1 Minimum height. Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

Exceptions:

1. Beams and girders spaced not less than 4 feet (1219 mm) on center may project not more than 6 inches (152 mm) below the required ceiling height.
2. Ceilings in basements without habitable spaces may project to within 6 feet, 8 inches (2032 mm) of the finished floor; and beams, girders, ducts or other obstructions may project to within 6 feet, 4 inches (1931 mm) of the finished floor.
3. Not more than 50 percent of the required floor area of a room or space is permitted to have a sloped ceiling less than 7 feet (2134 mm) in height with no portion of the required floor area less than 5 feet (1524 mm) in height.
4. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) over the fixture and at the front clearance area for fixtures as shown in Figure R307.2. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

SECTION R306
SANITATION

R306.1 Toilet facilities. Every dwelling unit shall be provided with a water closet, lavatory, and a bathtub or shower.

R306.2 Kitchen. Each dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink.

R306.3 Sewage disposal. All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system.

R306.4 Water supply to fixtures. All plumbing fixtures shall be connected to an approved water supply. Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs and washing machine outlets shall be provided with hot and cold water.

SECTION R307
TOILET, BATH AND SHOWER SPACES

R307.1 Space required. Fixtures shall be spaced as per Figure R307.2.

R307.2 Bathtub and shower spaces. Bathtub and shower floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet (1829 mm) above the floor.