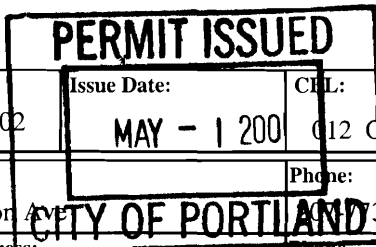


City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 01-0402	Issue Date: MAY - 1 2001	CEL: 012 009001
-----------------------	------------------------------------	--------------------



Location of Construction: 94 Washington Ave	Owner Name: Root Cellar The	Owner Address: 94 Washington Ave	Phone: 3-8578
Business Name: n/a	Contractor Name: Portland Airconditioning, Inc.	Contractor Address: 205 Lincoln St. S. Portland	Phone: 2077674567
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: HVAC	Zone:

Past Use: Commercial	Proposed Use: HVAC	Permit Fee: \$30.00	Cost of Work: \$30.00	CEO District: 1
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>PERMIT ISSUED WITH REQUIREMENTS 1998</i>	

Proposed Project Description: Install Natural Gas Tank Per Plans	Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature:		Date:

Permit Taken By: cjh	Date Applied For: 04/24/2001	Zoning Approval
--------------------------------	--	------------------------

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	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"/> Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
--	---	---	---

PERMIT ISSUED WITH REQUIREMENTS

CERTIFICATION

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

SIGNATURE OF APPLICANT ADDRESS DATE PHONE

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE



State of Maine
Department of Public Safety
Construction Permit



Reviewed
 for Barrier
 Free

11129

Sprinkled
 Sprinkler Supervised

THE ROOT CELLAR

Located at: WASHINGTON AVENUE

PORTLAND

Occupancy/Use: ASSEMBLY CLASS B

Permission is hereby given to:

THE ROOT CELLAR

94 WASHINGTON AVENUE
 PORTLAND, ME 04103

012-0-009

to construct or alter the afore referenced building according to the plans hitherto filed with the Commissioner and now approved. no departure from application form/plans shall be made without prior approval in writing. This permit is issued under the provision of Title 25, Chapter 317, Section 2448 and the provisions of Title 5, Section 4594 - F.

Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions. Each permit issued shall be displayed/available at the site of construction.

This permit will expire at midnight on the 27th of February 2001

Dated the 29th day of August A.D. 2000

Commissioner

Fee: \$200.00
 \$200.00

Copy-3 Code Enforcement Officer

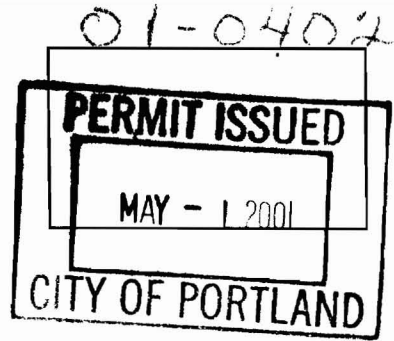
Comments:

Code Enforcement Officer
 PORTLAND, ME



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT HEATING OR POWER EQUIPMENT



012-0-009

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 99 Washington Ave Use of Building Commercial Date 04/24/01
Name and address of owner of appliance Post Office

Installer's name and address Portland Airconditioning, Inc 1111 1/2 St Portland, ME 04106 Telephone 554 707 4509

Location of appliance:

Basement Floor
 Attic Roof ✓

Type of Fuel:

Gas Oil Solid

Appliance Name: Boiler ✓

U.L. Approved Yes No

Will appliance be installed in accordance with the manufacture's installation instructions? Yes No

IF NO Explain: _____

The Type of License of Installer:

Master Plumber # _____
 Solid Fuel # _____
 Oil # _____
 Gas # PN7437 ✓
 Other _____

Type of Chimney: u/x ✓

Masonry Lined
Factory built _____

Metal
Factory Built U.L. Listing # _____

Direct Vent
Type _____ UL# _____

Type of Fuel Tank

Oil
 Gas Central ✓

Size of Tank _____

Number of Tanks 0 ✓

Distance from Tank to Center of Flame _____ feet.

Approved

Fire:
Ele.:
Bldg.:

Approved with Conditions

See attached letter or requirement

\$30

Signature of Installer _____

#1 KC

TO: Sam Hoffses, Chief Building Inspector
Inspections

FROM: Jay Reynolds, Development Review Coordinator

DATE: July 20, 2001

RE: C. of O. for The Root Cellar, #94 Washington Avenue
lead cbl (012-O-009); (Id# 2000-0017)

After re-visiting The Root Cellar, I found all the work to be completed. The guard rails have been installed along the retainer walls where the drop is in excess of 48 inches.

At this time, **I recommend issuing a permanent Certificate of Occupancy.**

Please contact me if you have any questions or comments.
Thank You.

Cc: Sarah Hopkins, Development Review Services Manager
Mike Nugent, Inspection Services Manager
File: O:\drc\rootcellar1.doc

Inspection Services
Michael J. Nugent
Manager

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



CITY OF PORTLAND
STOP WORK NOTICE

August 22, 2000

Root Cellar / Property Development Services
589 Ocean Ave
South Portland, ME 04106
Attn: Joe Kozolowski

RE: 92-94 Washington Ave
CBL: 012-O-009

HAND DELIVER

Dear Mr. Kozolowski:

An evaluation of the property at 92-94 Washington Ave revealed that the activity fails to comply with Section 115.1 of the Building Code of the City of Portland.

115.1 (Workmanship) - Pile driving causing structural problems in neighboring buildings

This is a **STOP WORK ORDER** pursuant to Section 117.1 of the Building Code (1999 BOCA). All construction activity must Stop immediately.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. This constitutes an appealable decision pursuant to Section 121.5 of the Code. Please feel free to contact me at 874-8697, if you wish to discuss the matter or have any questions.

Sincerely,

Arthur Rowe
Code Enforcement Officer

Cc: Central File
dc/ar

JUL-25-2002 10:03AM FROM: PROPERTY DEVELOPMENT 237 799 3127

TO: 6742105

P: 2/4

Department of Planning and Urban Development
SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date 7/24/00

Name of Project: ROOF CELLAR

Address/Location: 94 WASHINGTON AVE.

Developer: THE ROOF CELLAR

Form of Performance Guarantee: LETTER OF CREDIT

Type of Development: _____ Subdivision: _____ Site Plan (Major/Minor)

TO BE FILLED OUT BY APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road - TWELVE FEET	<u>200 LF</u>	<u>12"</u>	<u>2400"</u>	<u>450 LF</u>	<u>6"</u>	<u>2700"</u>
Granite Curbing	<u>375 LF</u>	<u>15"</u>	<u>5625"</u>			
Sidewalks	<u>3100 SF</u>	<u>5"</u>	<u>15500"</u>	<u>1600</u>	<u>12.5"</u>	<u>20000"</u>
Esplanades	<u>—</u>					
Monuments	<u>1</u>	<u>500"</u>	<u>500"</u>			
Street Lighting	<u>—</u>					
Other	<u>—</u>					
2. SANITARY SEWER						
Manholes	<u>—</u>					
Piping	<u>30 LF</u>	<u>30"</u>	<u>900"</u>	<u>15</u>	<u>20</u>	<u>300"</u>
Connections	<u>100</u>	<u>150</u>	<u>15000"</u>			
Other	<u>—</u>					
3. STORM DRAINAGE						
Manholes	<u>—</u>			<u>1</u>	<u>1500</u>	<u>1500</u>
Catchbasins	<u>—</u>			<u>3</u>	<u>1250</u>	<u>3750</u>
Piping	<u>15 LF</u>	<u>30"</u>	<u>450"</u>	<u>100</u>	<u>4.5"</u>	<u>450</u>
Detention Basin	<u>—</u>					
Other	<u>—</u>					
4. SITE LIGHTING	<u>—</u>			<u>3</u>	<u>750</u>	<u>2,250</u>
5. EROSION CONTROL	<u>1</u>		<u>1000</u>			
6. RECREATION AND OPEN SPACE AMENITIES	<u>—</u>					

JUL-25-2003 10:03A FROM: PROPERTY DEVELOPMENT 207 799 3127

TO: 8740140

P: 3 4

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
7 LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	4	500	2,000	ATTACHED	500/UNIT	5,000
8 MISCELLANEOUS						
TOTAL:			28,525			22,287.50
GRAND TOTAL:						

INSPECTION FEE (to be filled out by City)

	PUBLIC	PRIVATE	TOTAL
A: 1.7% of total:			
B: Alternative Assessment:			
Assessed by:	(name)	(name)	

2077568258
P: 4

TOTAL P. 08

Qty	Key	Botanical Name	Common Name	Flt. Size	Remarks
Trees					
3	As	Amelanchier sp. 'Autumn Brilliance'	Shadbush	1" cal.	single stem
1	Cs	Crataegus sp. 'Winter King'	Winter King Hawthorn	2" cal.	
4	Gt	Gleditsia p. inermis 'Julka'	Julka Honey Locust	2.5" cal.	
1	Ns	Nalus sp. 'Floribunda'	Floribunda Crabapple	1.5" cal.	
Shrubs					
1	Bt	Berberis thunbergii 'Atropurpurea'	Japanese Barberry	18" ht.	
9	BTC	Berberis thunbergii 'Crimson Dwarf'	Crimson Dwarf Barberry	18" ht.	
5	Ca	Cotoneaster adpressus praecox	Early Cotoneaster	18" spid.	
21	Ea	Euonymus alatus 'Compacta'	Dwarf Burning Bush	18" ht.	
28	EP	Euonymus fortunei 'Emerald Gazebo'	Emerald Gazebo Euonymus	15" spid.	
7	Js	Juniperus sabina 'Tamariscifolia'	Yew Juniper	3 gal.	
14	Jh	Juniperus squamata 'Holger'	Holger Juniper	3 gal.	
4	Sv	Syringa vulgaris	Common Purple Lilac	3" ht.	
13	Yn	Taxus media 'aromati'	aromati Yew	18" ht.	
3	Yc	Thuja occidentalis 'Woodhurst'	Globe Arborvitae	3" ht.	
9	Ym	Thuja occidentalis 'Wigra'	Dark American Arborvitae	5" ht.	
1	Ym	Thuja 'Smaragd'	Emerald Green Arborvitae	5" ht.	
Perennials					
56	Ns	Monarda sp. 'Stella d'Oro'	Stella d'Oro Butterfly Hybrid	2 gal.	golden yellow
21	NSE	Hosta sieboldiana 'Elegans'	Blue Giant Hosta	2 gal.	

CITY OF PORTLAND

MAR-08-2001 13:41



120 Exchange Street
Portland, Maine 04101
Tel: 207-879-4307
Fax: 207-761-9692

SITE PLANS/SUBDIVISIONS
PERFORMANCE GUARANTEE:
LETTER OF CREDIT #239

March 8, 2001

Joseph E. Gray, Jr., Director
Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

RE: The Root Cellar, 94 Washington Street, Portland, ME

Dear Mr. Gray:

This letter of credit is to replace the existing Peoples Heritage Bank letter of credit #65164-829. Please return the original letter of credit to the issuing bank as soon as possible.

Coastal Bank hereby issues its Irrevocable Letter of Credit for the account of **The Root Cellar**, as developer, hereinafter referred to as the Developer, in the name of the City of Portland in the aggregate amount of Fifty Thousand Nine Hundred Twelve Dollars and 50/100ths (**\$50,912.50**).

The City, through its Director of Planning and Urban Development, may draw on this Letter of Credit by presentation of a sight draft and the original Letter of Credit and all amendments thereto, at Coastal Bank's offices located at 120 Exchange Street located at Portland Maine stating that:

- (1) the Developer has failed to complete by **July 24, 2002** or by the expiration date of any temporary certificate of occupancy issued, whichever date comes first, at the Developer's expense, the work on the roads and other public improvements as set forth in a certain Schedule of Costs of Public Improvements dated July 24,2000; or
 - (2) the Developer has failed to post the ten percent (10%) Defect Bond or Guarantee required by the Portland City Code sections §14-501 and §14-525; or
 - (3) the Developer has failed to notify the City for inspections.
-

In the event of Coastal Bank's dishonor of the City of Portland's sight draft Coastal Bank shall inform the City of Portland in writing of the reason or reasons therefor within three (3) working days of the dishonor.

After all underground work in the public right of way has been completed and inspected to the satisfaction of the Department of Public Works, including but not limited to, sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Urban Development or the City of Portland Director of Finance as provided in section §14-501 of the Portland City Code may authorize Coastal Bank, by written certification, to reduce the available amount of this letter of credit by a specified amount.

It is a condition of this Letter of Credit that it is deemed to be automatically extended without amendment for period(s) of one year each from the current expiration date hereof, or any future expiration date, unless at least sixty (60) days prior to any expiration date, Coastal Bank notifies the Director of Planning and Urban Development by registered mail at the above listed address that Coastal Bank elects not to consider this Letter of Credit renewed for any such additional period.

In the event of such notice, the City may draw hereunder by presentation of a sight draft drawn on the Bank, accompanied by the original Letter of Credit and all amendments thereto, and a statement purportedly signed by the Director of Planning and Urban Development reading as follows:

This drawing results from notification that Coastal Bank has elected not to renew its Letter of Credit No.239; or

This drawing results from the Developer's failure to timely complete to the satisfaction of the City the public improvements set forth in a certain Schedule of Costs of Public Improvements dated July 24, 2000; or

This drawing results from the Developer's failure to post a ten percent (10%) Defect Guarantee or Bond as provided in §14-501 of the Portland City Code; or

This drawing results from the Developer's failure to notify the City for inspections.

This Letter of Credit will automatically expire upon the earlier of:

1. Coastal Bank's receipt of a written notification from the City of Portland that said work as outlined in a certain Schedule of Costs of Public Improvements dated July 24, 2000 between the Developer and the City of Portland has been completed in accordance with the City of Portland specifications and Coastal Bank's Letter of Credit No.239 may be canceled; or

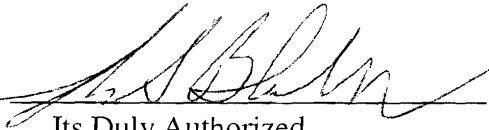
2. The expiration date of July 24, 2002 or any automatically extended date as specified herein.

Partial drawings are permitted.

We engage with you that drafts drawn under and in compliance with the terms of this credit will be duly honored if presented at our offices at 120 Exchange Street, Portland, Maine on or before the close of business July 24, 2002 or any automatically extended date as specified herein.


Very truly yours,

Coastal Bank

By: 
Its Duly Authorized

The City of Portland has accepted the providing of alternative security for the Developer's obligations to be performed pursuant to Section §14-501 and/or Section §14-525 of the Portland City Code.

Dated: March 28, 2001

By: 
Joseph E. Gray, Jr. Alexander
Its Duly Authorized Director of ~~Jaegerman~~
Planning and Urban Development ~~Chief~~
Planner

Seen and Agreed to:

By: _____

Date: _____

Reviewed pursuant to Section §14-501 and/or Section §14-525, Portland City Code

By: Penny Hittell Assistant Counsel 3/27/01



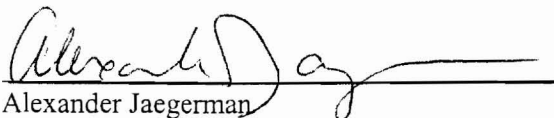
CITY OF PORTLAND

TO: Duane Kline, Finance Department
FROM: Alexander Jaegerman, Chief Planner
DATE: March 29, 2001
SUBJECT: Request to Replace existing letter of Credit
The Root Cellar / 94 Washington Street
Lead CBL#012-O-009

Please replace the People's Heritage Bank letter of credit (#65164-829) with the attached Letter of Credit from Coastal Bank. Please return the original letter of credit to the issuing bank.

Sum \$ 50,912.50

Approved:


Alexander Jaegerman
Chief Planner

cc: Kandice Talbot, Planner
Development Review Coordinator
✓ Tony Lombardo, Public Works
Code Enforcement

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12-0-9

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

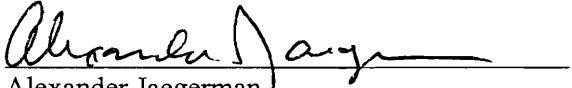
Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

TO: Duane Kline, Finance Department
FROM: Alexander Jaegerman, Planning Division Director
DATE: July 1, 2002
SUBJECT: Request for Reduction in Performance Guarantee
The Root Cellar 94 Washington Avenue
ID# 2000-0017 Lead CBL #012-O-009

Please release the Letter of Credit Account # 65164-829 in the amount of \$8,296.00 for the Root Cellar located at #94 Washington Avenue.

Original Sum \$ 50,912.50

Approved: 
Alexander Jaegerman
Planning Division Director

cc: Sarah Hopkins, Development Review Services Manager
Jay Reynolds, Development Review Coordinator
✓ Todd Merkle, Public Works
Code Enforcement
file

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