

Form # P 04

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED
 Permit Number: 051776
 DEC 9 2005
 CITY OF PORTLAND

This is to certify that CARDENTE LINDA A / Re... & Company

has permission to Tenant fit-up for Black Bear Medical w...

AT 34 Diamond Street 023 A002001

provided that the person or persons who accept this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Classification of inspection must be...
 when and when permission procedure...
 before this building or part thereof is...
 closed or service closed-in...
 HOUR NOT REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. CR22 12-15-05
 Health Dept. _____
 Appeal Board _____
 Other _____
 Department Name _____

[Signature]
 Director - Building & Inspection Services
 12/14/05

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 05-1776	Issue Date: PERMIT ISSUED DEC 9 2005	CBL: 023 A002001
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Location of Construction: 34 Diamond Street	Owner Name: CARDENTE LINDA A	Owner Address: 21 CHANNEL POINT RD	Phone: 207 653 6353
Business Name:	Contractor Name: Reagan & Company	Contractor Address: 106 Merrill Rd. Gray	Phone: 207 653 6353
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone: JL6

Past Use: Commercial	Proposed Use: Commercial/ Tenant fit-up for Black Bear Medical w/ showroom	Permit Fee: \$528.00	Cost of Work: \$47,821.00	CEO District: 1
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Proposed Project Description: Tenant fit-up for Black Bear Medical w/ showroom <i>Principal use: Warehousing & Repair Services with accessory retail.</i>	FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>with conditions</i>	INSPECTION: Use Group: <i>B</i> Type: <i>2</i> <i>12/16/05</i> Signature: <i>[Signature]</i>
	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Signature: _____ Date: _____	

Permit Taken By: Idobson	Date Applied For: 12/08/2005
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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"/> <i>2/16 with conditions</i> Date: <i>12/15/05</i>	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	Historic Preservation <input checked="" 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: _____
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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

City of Portland, Maine - Building or Use Permit

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

Permit No: 05-1776	Date Applied For: 12/08/2005	CBL: 023 A002001
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Location of Construction: 34 Diamond Street	Owner Name: CARDENTE LINDA A	Owner Address: 21 CHANNEL POINT RD	Phone:
Business Name:	Contractor Name: Reagan & Company	Contractor Address: 106 Merrill Rd. Gray	Phone (207) 653-6353
Tenant/Ressee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

Proposed Use: Commercial/ Tenant fit-up for Black Bear Medical w/ showroom	Proposed Project Description: Tenant fit-up for Black Bear Medical w/ showroom
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Dept: Fire	Status: Approved with Conditions	Reviewer: Cptn Greg Cass	Approval Date: 12/11/5200
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) Fire alarm system required to comply with NFPA 72 2) All building construction to comply with NFPA 101 3) Any storage other than ordinary hazard class requires sprinkler system to NFPA13.			

Comments: 12/16/2005-mjn:	
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Your most reliable source for medical supplies and equipment.

1374 Congress St.
Portland, ME 04102
Tel. 207-871-0008
Fax 207-871-0590

1113 Stillwater Dr.
Bangor, ME 04401
Tel, 207-989-9S49
Fax 207-989-0462

To: City of Portland

12/13/05

From: Jim Greateorex

RE: Black Bear Medical description of business

To Whom It May Concern,

*physicall Therapist & Doctors
Must Approve Bob for
AT home delivery
Different than
Phygic than
the consumer*

I am writing you to explain Black Bear Medical and what type of business we operate, in regards to our plans to lease property on 275 Marginal Way. Our business is primarily a Home Medical Equipment Company that provides Doctor prescribed medical equipment and supplies to our customers. Much of the equipment is delivered to patients homes, and we are the area's largest wheelchair dealer. We provide custom made manual and power wheelchairs and also have a full blown service department to compliment this component of our business. We have also developed a retail aspect of our business for health related items that are not covered by insurance or Medicare/Medicaid. This cash and carry business represents **40%** of our overall revenue.

*distingushing
Retail from
other Retail.
Services*

*Warehousing
service
hospitals
care
hosp
basic
lift services
for VANS*

over phone

We look forward very much to moving our business to Marginal Way, **as** we will be doubling our space. We feel it will further our growth opportunities, and allow us to better serve Southern Maine Clients, and allow for us to hire more workers. Please call me if you have **further** questions regarding our business and use of the Marginal Way space.

Thank-you
[Signature]
Jim Greateorex
President

spoke to

*own ordinance
Defines retail as
direct consumption
to the consumer*

*basic use in
IL zone -
Warehousing and
repairs, servicing of
equipment
with accessory retail*



327-71	--	7- 7-71	17-90	--	6-18-90
499-74	5	8-19-74	112-90	--	10- 1-90
334-76	6	7- 7-76	15-92	17	6-15-92
430-85	--	3- 4-85	193A-93	1	2-17-93
633-86	1	6- 2-86	89A-94	--	9-19-94
578-87	1	6-15-87	154-96	14	12-16-96

Sec. 14-231. Purpose.

The low impact industrial zone is intended to provide areas in which low impact industrial uses will be compatible with adjacent residential uses, will provide a buffer between residential neighborhoods and the I-M or I-H industrial zones, or will stand alone as a smaller scale industrial district.

The I-L zone is located adjacent to residential neighborhoods, business uses and other industrial uses where the low intensity nature of the uses, as well as their strict performance standards, will ensure the compatibility of the uses with other adjacent industrial and nonindustrial uses.

Performance standards for uses in the I-L zone are designed to maintain compatibility between low impact industrial uses and neighboring nonindustrial and industrial uses. Performance standards include full enclosure of uses and requirements for buffers and screening from adjacent properties,
(Ord. No. 164-97, § 6, 1-6-97)

Sec. 14-232. Permitted uses.

The following uses are permitted whether provided by private or public entities in the low impact industrial zone and the I-Lb zone:

- (a) Low impact industrial uses, including, but not limited to, bakeries, breweries, bottling, printing and publishing, pharmaceuticals, machine shops, musical instruments, precision instruments, watchmakers, toys and sporting goods, wood products, jewelry, assembly of electrical components, tool and die shops and the packaging of food.
- (b) Research and development.
- (c) Indoor amusement and recreation centers.
- (d) Plant and tree nurseries, including associated recycling activities.
- (e) Lumber yards.
- (f) Commercial kitchens or other food preparation, provided that the food is not prepared for service on the premises.
- (g) Building contractors and outside storage of related construction equipment, provided that there shall be no outside storage of materials and supplies.
- Blank*
Best (h) Repair services, including all types of automotive repair.
- (i) Day care facilities, provided that:
 - 1. Proof of licensing with the Maine Department of Human Services is submitted to the city prior to issuance of a certificate of occupancy;
 - 2. Off-street parking shall be provided, with one (1) parking space per employee, plus one (1), based upon the number of employees required through state licensing for potential maximum capacity of such facility;
 - 3. Off-street loading shall be located in a safe location;

4. There shall be an on-site outdoor play area with seventy-five (75) feet of land area per child; and
5. The outdoor play area shall be fenced and screened with a landscaped buffer.

(j) Dairies.

(k) Dog training services, including but not limited to obedience, guide, and service training, but not including boarding or kennel services.

(l) Intermodal transportation facilities.

(m) Utility substations.

(n) Marinas.

Black bear (o) Distribution centers, warehouses and wholesale businesses under ten thousand (10,000) square feet in total building area, with no outside storage permitted.

(p) Back office uses.

(q) Incidental accessory uses.

(Ord. No. 164-97, § 6, 1-6-97; Ord. No. 22-97, § 1, 7-7-97; Ord. No. 137-97, § 1, 11-3-97; Ord. No. 106-04/05, 12-8-04 enacted as an emergency;)

Sec. 14-233. Prohibited uses.

Uses that are not expressly enumerated herein as permitted uses are prohibited. Those uses that are prohibited shall include, but are not limited to, the following:

- (a) Residential uses.
- (b) Retail trade and restaurants that are not ancillary to a permitted use.
- (c) Junk yards and scrap metal reprocessing and recycling.
- (d) Amusement parks.

- (e) Crematoriums.
- (f) Mining and drilling operations.
- (g) Refining of petroleum or its products, including tar distillation.
- (h) Commercial petroleum storage yards.
- (i) Commercial excavation of building or construction materials other than in the normal course of building or construction or site preparation.
- (j) Distillation of bones; fat rendering; glue, soap, or fertilizer manufacture.
- (k) Dumping, disposal, incineration, or reduction of garbage, sewage, offal, dead animals, or refuse.
- (l) Stockyard or slaughtering of animals.
- (m) Smelting of iron, copper, tin, zinc, or any other ore.
- (n) Manufacture of primary chemicals.
- (o) Manufacture of cement, lime, gypsum, or plaster of paris.
- (p) Manufacture of bleaching powder, matches, paper, or rubber.
- (q) Manufacture and storage of explosives or fireworks.
- (r) Tanning, curing or storage of raw hides or skins.
- (s) Coal distillation or coke ovens.
- (t) Foundries.
- (u) Creosote treatment.
- (v) Drop forging.
- (w) Steel mills or furnaces.

(x) Coal- or coke-fired kilns.

(y) Used tire storage.

(z) Outdoor sales or outdoor display.

(aa) Extraction of raw materials.

(bb) Concert halls or dance halls.

(cc) Banquet facilities.

(dd) Office uses other than back offices or offices that are accessory to a permitted use.

(Ord. No. 164-97, § 6, 1-6-97; ord. No. 137-97, § 2, 11-3-97)

Sec. 14-234. Dimensional requirements.

(a) *Minimum lot size:* None.

(b) *Maximum impervious surface ratio:* I-L zone: Sixty-five (65) percent. I-Lb zone: One hundred (100) percent.

(c) *Maximum building height:* Forty-five (45) feet.

(d) *Minimum side yards:* Principal and accessory structures in the I-L zone: Twenty-five (25) feet, except that the minimum side yard shall be forty (40) feet when the side property line abuts a residential zone. Principal and accessory structures in the I-Lb zone: None, except that the minimum side yard shall be twenty-five (25) feet when the side property line abuts a residential zone.

(e) *Minimum rear yards:* Principal and accessory structures in the I-L zone: Twenty-five (25) feet, except that the minimum rear yard shall be forty (40) feet when the rear property line abuts a residential zone. Principal and accessory structures in the I-Lb zone: None, except that the minimum rear yard shall be twenty-five (25) feet when the rear property line abuts a residential zone.

(f) *Minimum front yard:* Principal and accessory structures in the I-L zone: Twenty-five (25) feet. Principal and accessory structures in the I-Lb zone: None.

(g) *Minimum street frontage:* Sixty (60) feet.

(h) *Pavement setback from lot boundary:* Driveways, parking lots and other paved circulation areas: Fifteen (15) feet.
(Ord. No. 164-97, § 6, 1-6-97)

Sec. 14-235. Other requirements.

(a) Off-street parking shall meet the requirements of division 20 of this article.

division 21 of this article.

(c) Signs shall be subject to the provisions of division 22 of this article.

(d) *Shoreland and floodplain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5 of this article.

(e) All uses shall be operated within a fully enclosed structure, except for those customarily operated in open air.

(f) Any storage of new materials, finished products, or related equipment must be suitably screened from the public way and from abutting properties by a solid fence at least five (5) feet in height, or by a solid evergreen planting strip.

(g) All waste shall be stored in covered containers that do not leak or otherwise permit liquids or solids to escape from the container.

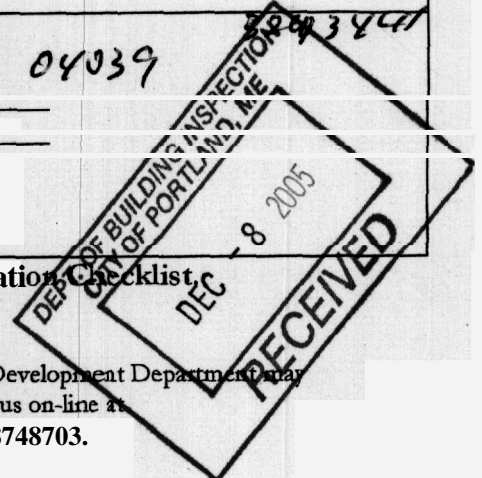
(h) All food processing waste shall be stored within a completely enclosed structure and if not refrigerated shall be removed from the site in an enclosed container within forty-eight (48) hours of its generation. All enclosed and exterior food processing waste storage areas shall be cleaned and sanitized on a regular basis,



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>275 Marginal Way 34 Diamonds St</u>		
Total Square Footage of Proposed Structure		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# Block# Lot#	Owner: <u>Linda Cardente</u> <u>21 Channel Point Rd</u> <u>Yarmouth, ME 04096</u>	Telephone:
<u>23</u> <u>A</u> <u>32</u>		
Lessee/Buyer's Name (If Applicable) <u>Black Bear Medical</u>	Applicant name, address & telephone: <u>Reagan Company</u> <u>106 Merrill Rd</u> <u>Gray, ME 04039</u> <u>321-3441</u>	Cost Of Work: \$ <u>47,821.00</u> Fee: \$ <u>453</u> + <u>75</u> C of O Fee: \$ <u>528</u>
Current Specific use: <u>Vacance</u>	Proposed Specific use: <u>Office & Sale of Medical Supplies - Jackburn</u>	
Project description: <u>Build walls for office & rec. area show room</u> <u>metal studs, sound insulation & 1/2 sheetrock.</u>		
Contractor's name, address & telephone: <u>Reagan Company</u> <u>106 Merrill Rd Gray ME 04039</u>		
Who should we contact when the permit is ready: <u>Paul</u>		
Mailing address: <u>106 Merrill Rd</u> <u>Gray, ME 04039</u>		Phone: <u>321-3441</u>



Please submit all of the information outlined in the Commercial Application Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 8748703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. 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's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit

Signature of applicant: <u>Paul Reagan</u>	Date: <u>12/8/05</u>
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This is not a permit; you may not commence ANY work until the permit is issued,

Block Boor Medical
275 Marginal Way

$1/2$ " sheet rock

$3/8$ "
metal studs

Sound Insulation

Not do scalle