

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

Location of Construction: 437 Congress Street		Owner: Metropolitan Apts Apts.	Phone: 761-0832	Permit No: 001377
Owner Address: 104 Grant Street, Portland, ME 04101	Lessee/Buyer's Name: Portland Opera Co.	Phone:	BusinessName:	Permit Issued: DEC 4 2000
Contractor Name:	Address:	Phone:		
Past Use: Commercial <i>retail</i>	Proposed Use: Commercial <i>Portland Opera Store</i> <i>(see letter)</i>	COST OF WORK: \$	PERMIT FEE: \$30.00	Zoning Approval: <i>[Signature]</i> Special Zone or Reviews: <input type="checkbox"/> Shoreland <i>Conditions</i> <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <i>12/4/00</i> <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <i>major</i> <input type="checkbox"/> minor <input type="checkbox"/> imm <input type="checkbox"/>
Proposed Project Description: Change of Use		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>[Signature]</i>	INSPECTION: Use Group: <i>B</i> Type: <i>203</i> <i>COCA 79</i> Signature: <i>[Signature]</i>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <i>yes in</i> <input type="checkbox"/> Approved <i>PAD should be re-advise</i> <input type="checkbox"/> Approved with Conditions <i>corrected 11/30</i> <input type="checkbox"/> Denied Signature: <i>[Signature]</i> Date: <i>letter</i>		
Permit Taken By: K & Gayle	Date Applied For: November 22, 2000 GG			

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..

*** Call Michael Freidland @ 761-0832
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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT	ADDRESS:	DATE: November 22, 2000	PHONE:
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE			PHONE:

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action: *ANY Exterior changes requires a separate permit*

Approved
 Approved with Conditions
 Denied

Date: _____

PERMIT ISSUED WITH REQUIREMENTS

CEO DISTRICT 1

BUILDING PERMIT REPORT

DATE: 22 November 2K ADDRESS: 437 Congress St. CBL: 027-B-004

REASON FOR PERMIT: Change of use "M" To B -

BUILDING OWNER: Metropolitan APTS.

PERMIT APPLICANT: CONTRACTOR SBO.

USE GROUP: B CONSTRUCTION TYPE: 2B CONSTRUCTION COST: _____ PERMIT FEES: \$2000

The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: *1, #31 427 *34
#37, 20, 21, 22

1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection) "ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING."
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts. Section 2305.17
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1999)
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42". In occupancies in Use Group A, B.H-4, I-1, I-2, M, R, public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. Handrails shall be a minimum of 34" but not more than 38". Exception: Handrails that form part of a guard shall have a height not less than 36 inches (914 mm) and not more than 42 inches (1067 mm). Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0). Handrails shall be on both sides of stairway. (Section 1014.7)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. 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 without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508)mm, and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
16. 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. (Section 1010.1)
17. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's. (Over 3 stories in height requirements for fire rating is two (2) hours. (Section 710.0)
18. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)

over

19. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- In the immediate vicinity of bedrooms
- In all bedrooms
- In each story within a dwelling unit, including basements

20. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)

21. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.

22. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.

23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)

24. 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".

25. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.

26. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).

* 27. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.

28. All requirements must be met before a final Certificate of Occupancy is issued.

29. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).

30. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)

31. Please read and implement the attached Land Use Zoning report requirements.

32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code. *Separate permits are required for New Signage.*

33. Bridging shall comply with Section 2305.16.

* 34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)

35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

36. All flashing shall comply with Section 1406.3.10.

37. Any Exterior work requires a separate review.

[Signature]
P. Schumaker, Building Inspector

[Signature]
L. McDougall, PFD

[Signature]
Margie Schmuckal, Zoning Administrator

PSH 10/1/00

**This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.

***THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD.

****ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, DXF FORMAT OR EQUIVALENT.

*****CERTIFICATE OF OCCUPANCY FEE \$50.00

Spring Street West, Corp
104 Grant Street
Portland, ME 04101

Fax 761-8048
Ph. 771-2883

facsimile transmittal

To: Marge Schmale Fax: 874-8716
From: Tom Watson Date: 11.30.00
Re: 439 Congress St. Pages: 3 (includes this one)
CC: Opera Co. Store

received

Urgent For Review Please Comment Please Reply Please Recycle

Notes:

Marge,
Call me if I can be of help.
Thanks,

Tom



Tom Watson
Metropolitan Apartments, LLC
C/o Spring Street West Co.
104 Grant Street
Portland, ME 04101

November 30, 2000

Marge Schmuckal, Zoning Administrator
City of Portland
Portland, Maine 04101

Re: Use for Street Front Space
439 Congress St. (The Metropolitan)

Dear Marge:

This letter is written to explain how the Opera Company intends to use the space at 439 Congress St.

The Opera Company will be using this storefront for the express purpose of generating interest and excitement in opera among the public.

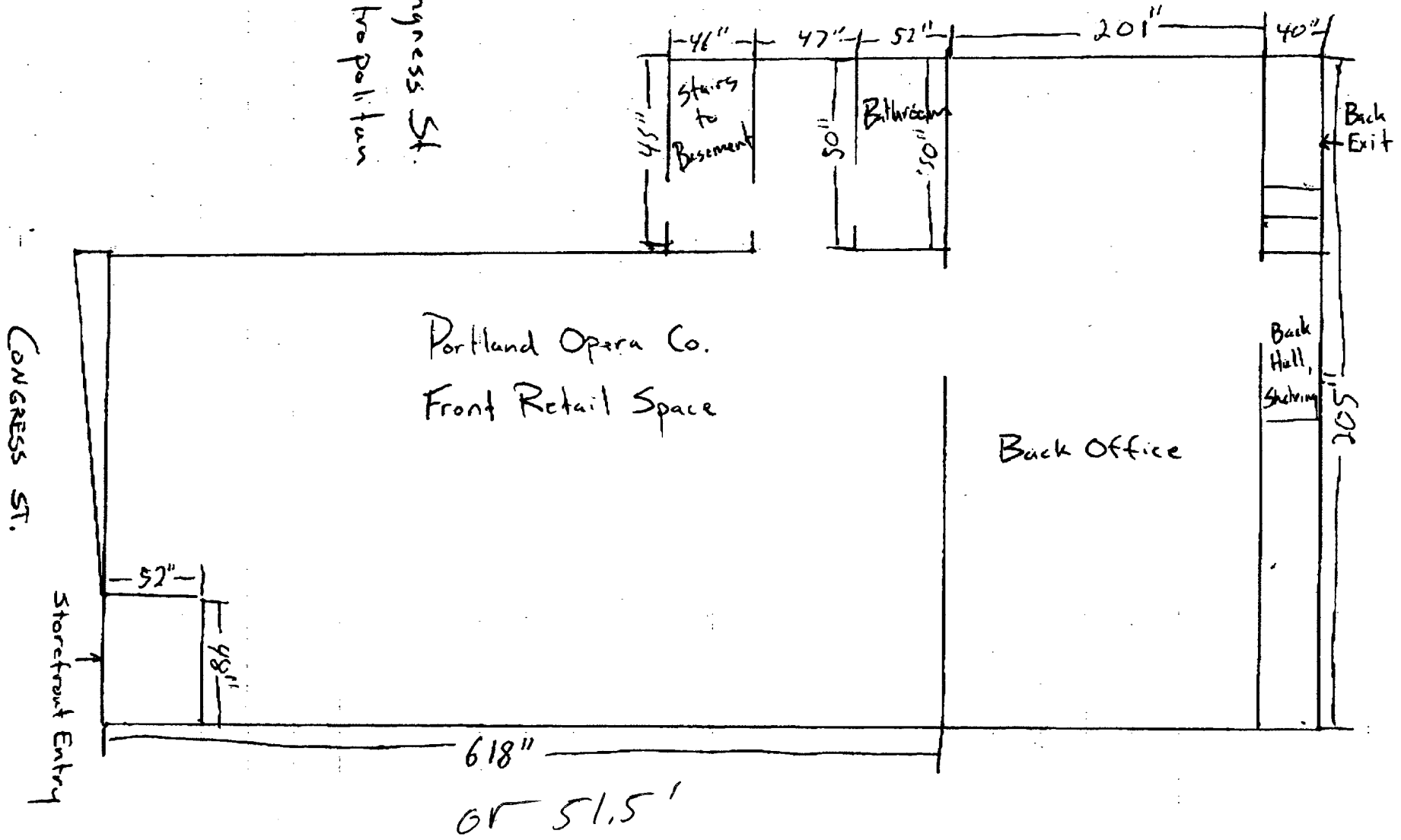
Specifically, they will be having large, storefront window displays to entice the public to walk in. Inside they will have more displays—art, opera memorabilia, educational displays to learn about opera. They will be selling various items, posters and such, as well as tickets to shows.

I've included with this letter a drawing of the space. If I can be of any help, please call me at Spring Street West. My line is 771-2883. Thanks.

Yours,


Tom.

439 Congress St.
The Metropolitan




THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

**Building or Use Permit Pre-Application
Attached Single Family Dwellings/Two-Family Dwelling
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the information below for a Building or Use Permit.

NOTE** 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 (include Portion of Building): 437 Congress St. Portland ME 04101			
Total Square Footage of Proposed Structure: 1000 Square ft.		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Number Chart#: 027 Block#: B Lot#: 004		Owner: Metropolitan Apts.	Telephone#: 761-0832
Owner's Address: 104 Grant St. Portland, ME 04101.		Lessee/Buyer's Name (If Applicable): Portland Opera Co.	Cost Of Work: \$ — Fee \$30
Proposed Project Description: (Please be as specific as possible) Change of Use			
Contractor's Name, Address & Telephone			Rec'd By: 
Current Use: Vacant / Retail		Proposed Use: Portland Opera Portland Opera Stage	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical Installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) Installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with your application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

*** IF Available also
Submit Plans on
ADOBE OR CAD FORMS**

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

4) Building Plans

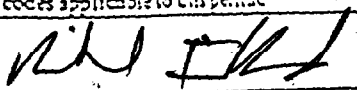
Unless exempted by State Law, construction documents must be designed by a registered design professional.

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

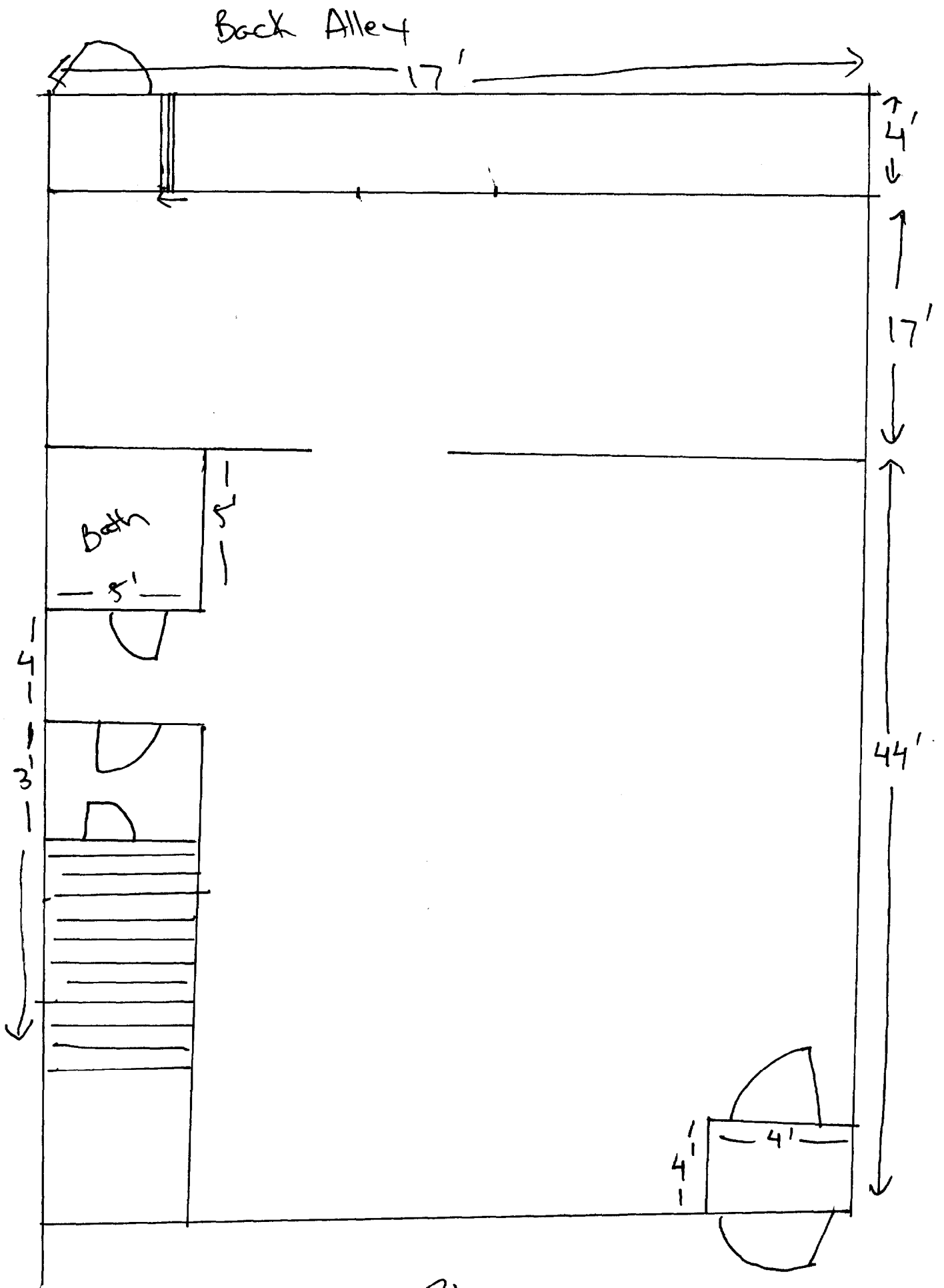
Certification

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Signature of applicant: 	Date: 11-21-00
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Building Permit Fee: \$30.00 for the 1st \$1000. cost plus \$6.00 per \$1,000.00 construction cost thereafter.
Additional Site review and related fees are attached on a separate addendum

Call
Michael Freedland
761-0832
NOV 21 2000



437 Congress St.

TAX RECEIPT

City of Portland
P O Box 544
Portland ME 041120544
207-874-8861

Paid by: SPRING STREET WEST CORP
288 STATE ST #1
PORTLAND ME 04101

Receipt#: 27311 / 149489
Batch: TONYAM 11/21/2000 00
Date paid: 11/21/2000

Account ID: 113 Parcel Id
439 CONGRESS ST
Owner: METRO GROUP THE
ACCOUNT # 000192
CENTRAL BUSINESS DISTRICT

027 - B-004-001
DOWNTOWN DISTRICT
27-B-4
CONGRESS ST 435-441
13300SF

Year	Value	Rate	Base	Pen & Int	Coll fee	Total paid
2001 1 PDD	1549500	1.27206	985.53	20.86		1,006.39

Printed: 11/21/00 14:13:04

Receipt total: 1,006.39

Tender: CHECK 6644 1,006.39

UNPAID BALANCE AS OF: 11/21/00
2001 2 PDD

Base	Pen & Int	Coll fee	Total unpaid
985.53			985.53