

Location of Construction:	Owner:	Phone:	Permit No: <b>101336</b>
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Contractor Name:	Address:	Phone:	Permit Issued:  NOV 21 2000
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Past Use:	Proposed Use:	COST OF WORK: \$	PERMIT FEE: \$
		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group <b>A2</b> Type <b>5B</b> <b>BOC 499</b>

Proposed Project Description:	Signature:	Signature: <i>H. Lopez</i>	Zone: <b>B-2</b> CBL:
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Proposed Project Description:	<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>		Zoning Approval:
	Action:	<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	
	Signature:	Date:	<b>Special Zone or Reviews:</b> <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"/> mmr <input type="checkbox"/>

Permit Taken By:	Date Applied For:	<b>Zoning Appeal</b> <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
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

**PERMIT ISSUED WITH REQUIREMENT**

**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:	PHONE:
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RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE	PHONE:
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**PERMIT ISSUED WITH REQUIREMENTS**  
CEO DISTRICT

COMMENTS

11-17-2K: Inspected 1<sup>st</sup> floor, left rear to change use from Restaurant to Apt. /  
Photo Studio. Only problem is that bathtub faucet is below flood  
Rim ~~causing~~ possible cross connection. SKW  
11-29-2K Re-Inspected & found tub faucet in compliance SKW.

Inspection Record

Type	Date
Foundation: _____	_____
Framing: _____	_____
Plumbing: _____	_____
Final: _____	_____
Other: _____	_____



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 145-151 NEWBURY ST 028-5-001

Issued to ED GARDNER

Date of Issue NOVEMBER 30 2000

**This is to certify** that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 101336, has had final inspection, has been found to conform substantially to requirements of **Zoning Ordinance and Building Code** of the City, and is hereby approved for **occupancy** or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

1ST FLOOR LEFT REAR

LIVING/WORK SPACE USE GROUP R2  
TYPE 5B CODE BOCA 99

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

Nov. 30, 2000

(Date)

Inspector

*A. K. Wentworth*

*HLM*

*[Signature]*  
Inspector of Buildings

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

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

Location of Construction: 145-151 Newbury Street		Owner: **** Ed Gardner		Phone: 780-6538		Permit No: <b>101336</b>	
Owner Address: *** 377 Brighton Ave Portland ME 04102		Lessee/Buyer's Name:		Phone:		BusinessName:	
Contractor Name: Caron & Waltz		Address:		Phone:		Permit Issued:  NOV 21 2000	
Past Use:  Commercial cafe/rest.		Proposed Use:  living space		COST OF WORK: \$ 700.00		PERMIT FEE: \$30.00	
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:	
				Signature:		Signature:	
Proposed Project Description:  change of use from cafe to living studio apt.				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>			
Permit Taken By:  K		Date Applied For:  Oct 10 2000 K					

Permit No: 101336

Permit Issued: NOV 21 2000

Permit No: CBL: 028-J-011

**Special Zone or Reviews:**

Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan  maj  minor  mm

**Zoning Appeal**

Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

**Historic Preservation**

Not in District or Landmark  
 Does Not Require Review  
 Requires Review

**Action:**

Approved  
 Approved with Conditions  
 Denied

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..

**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

Oct 10 2000

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

CEO DISTRICT 1

# PLUMBING APPLICATION

Department of Human Sciences,  
Division of Health Engineering

201 #1 028-J-011

## PROPERTY ADDRESS

Town or Plantation

Portland

Street Subdivision Lot #

151 Newbury St

## PROPERTY OWNERS NAME

Last: Gardner III First: ED

Applicant Name:

Craig R. Aube

Mailing Address of Owner/Applicant (if Different)

19 Adams Road  
Falmouth ME 04105

## Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspectors to deny a Permit.

*[Signature]* 11/9/00

Signature of Owner/Applicant

Date

PORTLRHD

PERMIT # 7511

STATE COPY

Date Permit Issued:

11/9/00

\$ 124.00  FE  Charge Fee

Local Plumbing Inspector Signature

L.P.I. # 124

## Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Local Plumbing Inspector Signature

Date Approved

## PERMIT INFORMATION

This Application is for

- 1.  NEW PLUMBING
- 2.  RELOCATED PLUMBING

Type of Structure To Be Served:

- 1.  SINGLE FAMILY DWELLING
- 2.  MODULAR OR MOBILE HOME
- 3.  MULTIPLE FAMILY DWELLING
- 4.  OTHER-SPECIFY \_\_\_\_\_

Plumbing To Be Installed By:

- 1.  MASTER PLUMBER
  - 2.  OIL BURNERMAN
  - 3.  MFG'D. HOUSING DEALER/MECHANIC
  - 4.  PUBLIC UTILITY EMPLOYEE
  - 5.  PROPERTY OWNER
- LICENSE# 88781

Hook-Up & Piping Relocation  
Maximum of 1 Hook-Up

HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District.

OR

HOOK-UP: to an existing subsurface wastewater disposal system.

PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.

OR

TRANSFER FEE  
[\$6.00]

Column 2  
Number Type of Fixture

	Hosebibb/ Sillcock
	Floor Drain
	Urinal
	Drinking Fountain
	Indirect Waste
	Water Treatment Softener, Filter, etc.
	Grease / Oil Separator
	Dental Cuspidor
	Bidet
	Other: _____
	Fixtures (Subtotal) Column 2

Column 1  
Number Type of Fixture

1	Bathtub (and Shower)
	Shower (Separate)
	Sink
1	Wash Basin
1	Water Closet (Toilet)
	Clothes Washer
	Dish Washer
	Garbage Disposal
	Laundry Tub
	Water Heater
3	Fixtures (Subtotal) Column 1

SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE

	Fixtures (Subtotal) Column 2
	Total Fixtures
	Fixture Fee
	Transfer Fee
	Hook-Up & Relocation
	Permit Fee (Total)

## PURCHASE AND SALE AGREEMENT

AGREEMENT made this 11<sup>th</sup> day of August, 2000, between **EDMUND S. GARDNER, III**, with a mailing address of 377 Brighton Avenue, Portland, Maine 04102, (hereinafter referred to as "Buyer"), and ~~GARDNER SQUARE PARTNERS~~ NEWBURY GOULD LLC & - of 145 Newbury Street, Portland, Maine 04101, (hereinafter referred to as "Seller").

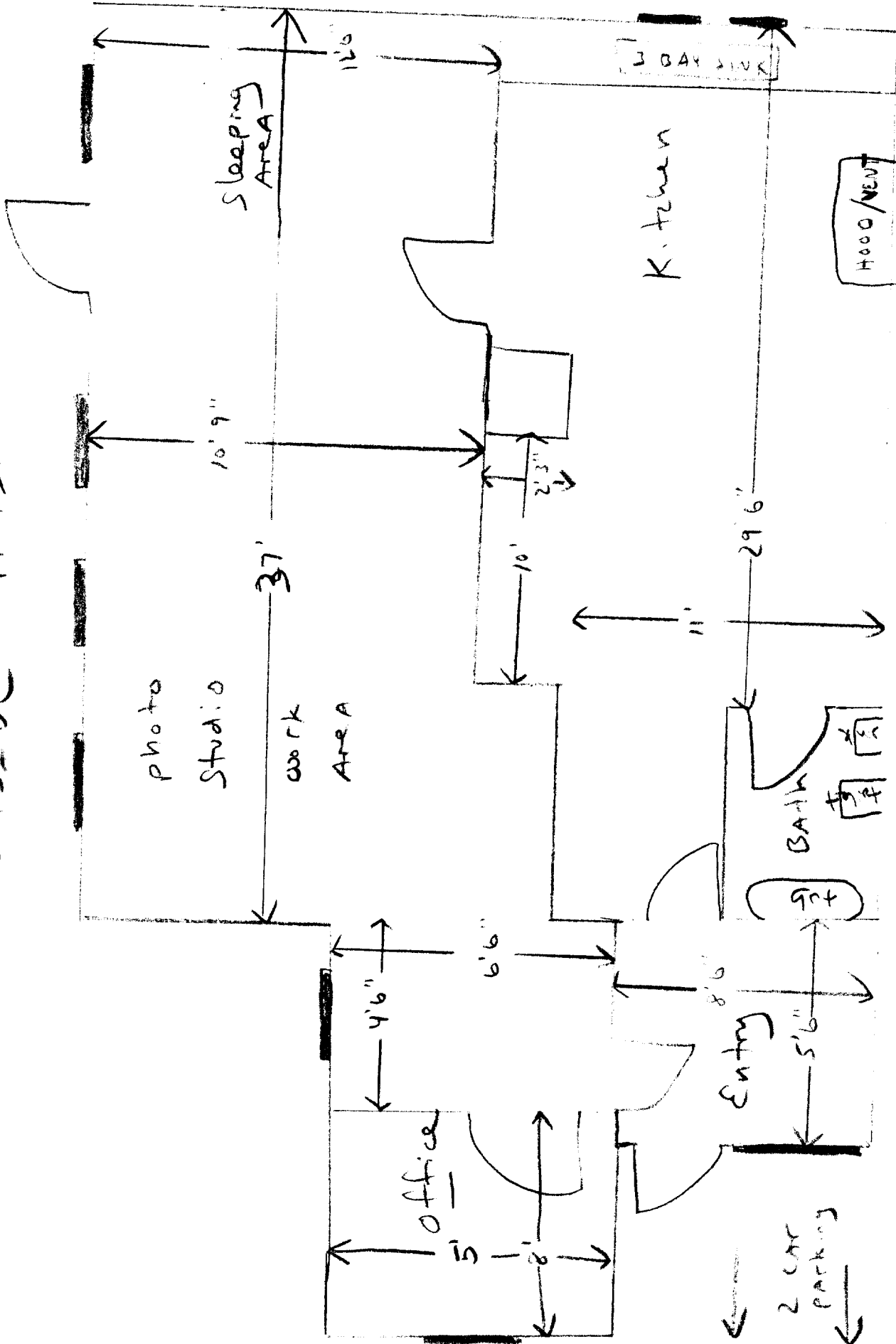
The parties hereto agree, warrant, and covenant as follows:

- Purchase and Sale.** The Seller agrees to sell and the Buyer agrees to buy the following described real estate, situated in the City of Portland, County of Cumberland, and State of Maine, to wit:

Real estate located at the 145-151 Newbury Street, Portland, Maine, as described in the deed given by Samuel W. Van Dam to Gardner Square Partners, dated June 13, 1994 and recorded in the Cumberland County Registry of Deeds in Book 11483, Page 279. Also all removed woodwork and windows original to building located and stored in basement as viewed on August 7, 2000 to remain with and conveyed with property.
- Purchase.** The purchase price of the premises shall be \$825,000.00 and shall be paid by the Buyer as follows: \$5,000.00 upon execution of this Agreement by all parties as earnest money or deposit to be held by The **Dunham** Group and who shall act as escrow agent until closing; the balance in cash or by certified, bank check or attorney's trust account check at closing.
- Deed to the Premises.** The Seller agrees to furnish, at his own expense, a duly executed good and sufficient Warranty Deed in accordance with Maine practice conveying the premises free and clear of all encumbrances with Seller's share of transfer taxes paid, but subject to utility easements of record serving the premises. At the election of Buyer, Seller's deed shall utilize a description based upon a survey of the premises prepared by a registered land surveyor at Buyer's expense.
- Closing.** Transfer of title and possession to the premises shall occur within ten (10) business days of final closing on sale of purchaser's property located at 21-31 Forest Avenue, Portland, Maine, unless otherwise mutually agreed or unless the time for closing is extended. The closing shall be held at the offices of Hopkinson & Abbondaza, P.A., Portland, Maine 04101.
- Sale of 21-31 Forest Avenue, Portland, Maine.** Buyer's obligation to close hereunder is expressly contingent upon Buyer's satisfactory closing upon the sale of property located at 21-31 Forest Avenue, Portland, Maine. Said property is under contract for sale and is scheduled to close on Friday, September 1, 2000. In the event the closing does not occur, Buyer may terminate this contract, whereupon the earnest money deposit shall be immediately refunded to Buyer and Seller and Buyer shall be fully discharged and relieved from the terms and obligations hereof.

OUTSIDE PATIO

ALLEY



\* NOT TO SCALE

**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): <b>145-151 Newbury St Portland</b>		
Total Square Footage of Proposed Structure: <b>950 +-</b>	Square Footage of Lot: <b>14710 +-</b>	
Tax Assessor's Chart, Block & Lot Number Chart: <b>028</b> Block: <b>J</b> Lot: <b>011 Hatz</b>	Owner: <b>Ed Gardner</b>	Telephone: <b>780-6538 415-4493</b>
Owner's Address: <b>377 Brighton Ave Portland Me</b>	Lessor/Buyer's Name (If Applicable): —	Cost Of Work: <b>\$700.00</b> Fee: <b>\$30.00</b>
Proposed Project Description: (Please be as specific as possible) <b>Install Bath tub/shower for living unit - will need Plumb Per. Change from Cafe to living space</b>		
Contractor's Name, Address & Telephone: <b>Carroll - Waltz</b>		Rec'd By: <b>(Signature)</b>
Current Use: <b>Cafe - Restaurant</b>	Proposed Use: <b>Studio Apartment</b>	

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  
ADDSBE OR CAD Format**

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.

**OCT 10 2000**

**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/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: <b>(Signature)</b>	Date: <b>10-10-00</b>
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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





BUILDING PERMIT REPORT

DATE: 9 October 2K ADDRESS: 145-151 Newbury St. CBL: 028-J-011

REASON FOR PERMIT: Change of use From Cafe To Studio Apt.

BUILDING OWNER: Ed Gardner

PERMIT APPLICANT: CONTRACTOR Paros & ITZ

USE GROUP: A-2 CONSTRUCTION TYPE: 3-B CONSTRUCTION COST: 700,000 PERMIT FEES: 30,000

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, \*9, \*11, \*13, \*15, \*16, \*19, \*22, \*29, \*33, \*34, \*37.

- 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.
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.
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.
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
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.
9. All chimneys and vents shall be installed and maintained as per Chapter 11 of the City's Mechanical Code.
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.
12. Headroom in habitable space is a minimum of 7'6".
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise.
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
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.
16. Each apartment shall have access to two (2) separate, remote and approved means of egress.
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.
18. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment.

10/10

- \*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):
  - o In the immediate vicinity of bedrooms
  - o In all bedrooms
  - o 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 to 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.
- 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 This permit does not allow the removal of any bearing walls.

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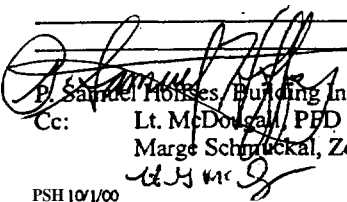
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 P. Samuel Hennes, Building Inspector  
 Cc: Lt. McDougal, PFD  
 Marge Schmeckel, Zoning Administrator  
*M. S.*

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**