

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED FEB - 1 2007 CITY OF PORTLAND

Permit Number: 070029

This is to certify that HIGHLAND BAY LLC ET AL /Bailey Sign Company Inc. has permission to Install 2 signs to bldg 191 sf 78 sf AT 145 COMMERCIAL ST PERMIT NO. 029 S001001

provided that the person or persons firm or corporation accepting 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 given and when permission procured before this building or part thereof is occupied or service closed-in. 4 OUR NOTES ARE REQUIRED.

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

OTHER REQUIRED APPROVALS

Fire Dept. Health Dept. Appeal Board Other Department Name

Handwritten signature and date 2/1/07

Director - Building & Inspection Services

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: 07-0029	Issue Date:	CBL: 029 S001001
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Location of Construction: 145 COMMERCIAL ST	Owner Name: HIGHLAND BAY LLC ETALS	Owner Address: 150 METRO PARK	Phone:
Business Name:	Contractor Name: Bailey Sign Company Inc.	Contractor Address: 9 Thomas Drive Westbrook	Phone 2077742843
Lessee/Buyer's Name	Phone:	Permit Type: Signs - Permanent	Zone: <b>B3</b>

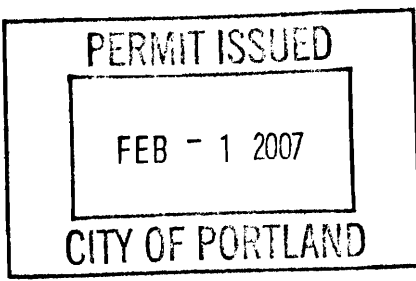
Past Use: Commercial	Proposed Use: Commercial Install 2 signs to bldg: 191 sf & 78 sf	Permit Fee: \$269.00	Cost of Work: \$269.00	CEO District: 1
		FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <i>N/A</i>	INSPECTION: Use Group: <i>U</i> Type: <i>Sign</i> <i>IBC 2003</i>	

Proposed Project Description:  
Install 2 signs to bldg 191 sf & 78 sf  
*"Harvard Pilgrim Healthcare"*

Signature: *[Signature]*  
Signature: *[Signature]*  
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)  
Action:  Approved  Approved w/Conditions  Denied  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Permit Taken By: dmartin	Date Applied For: 01/09/2007	<b>Zoning Approval</b>		
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<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>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..</li> </ol>	<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"/> MM <input type="checkbox"/> <i>OK</i> Date: <i>1/10/07 ABZ</i>	<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 Date: _____	<b>Historic Preservation</b> <i>YES</i> <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: _____
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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

<b>Permit No:</b> 07-0029	<b>Date Applied For:</b> 01/09/2007	<b>CBL:</b> 029 S001001
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<b>Location of Construction:</b> 145 COMMERCIAL ST	<b>Owner Name:</b> HIGHLAND BAY LLC ETALS	<b>Owner Address:</b> 150 METRO PARK	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Bailey Sign Company Inc.	<b>Contractor Address:</b> 9 Thomas Drive Westbrook	<b>Phone</b> (207) 774-2843
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Signs - Permanent	

<b>Proposed Use:</b> Commercial Install 2 signs to bldg: 59 sf on Commercial St. side & 38 sf on Fore St. Side	<b>Proposed Project Description:</b> Install 2 signs to bldg: 59 sf on Commercial St. side & 38 sf on Fore St. Side for Harvard Pilgrim Health Care
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**Dept:** Historic      **Status:** Approved with Conditions      **Reviewer:** Deborah Andrews      **Approval Date:** 01/30/2007**Note:** **Ok to Issue:** 

1) \* Sign on Fore Street elevation is to be moved in a westerly direction to align with the position of the existing sign. The overall sign area shall not exceed that of the existing sign.

\* All lettering to be halo-lit; only the medallions to have translucent face.

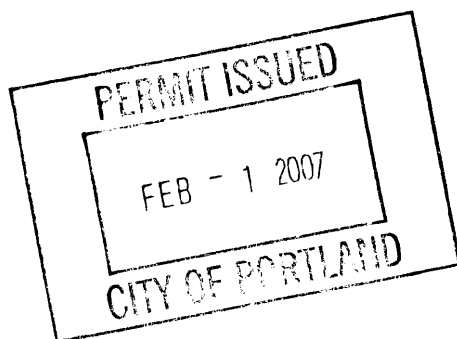
\* Approval is based on the understanding that the computer-generated photographic representations are accurate. It is understood, for example, that there is a generous amount of space between the proposed signs and the windows above and below them. If these images are not accurate, applicant is required to submit corrected images for review and approval.

**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Ann Machado      **Approval Date:** 01/10/2007**Note:** Using Upper Floor tenant signs for Multi-tenant buildings under building signs in Table 2.8 of sign ordinance - 5% of wall area is allowed to be covered. On Commercial St. side there are two signs (Merrill Lynch & Harvard Pilgrim Health) & their square footage totals 86 sf. On the Fore St. Side there are two signs (same tenants) & their square footage totals 98 sf. **Ok to Issue:** 

1) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Tammy Munson      **Approval Date:** 02/01/2007**Note:** **Ok to Issue:** 

1) Signage Installation to comply with Chapter 31 of the IBC 2003 building code.





# Signage/Awning 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>145 Commercial Street</u>		
Tax Assessor's Chart, Block & Lot Chart# Block# Lot#	Owner: <u>Peter Goldstein</u>	Telephone: <u>(617) 509-4101</u>
Lessee/Buyer's Name (If Applicable) <u>Havard Pilgrim Health Care</u>	Applicant name, address & telephone: <u>Bailey Sign, Inc. 9 Thomas Dr. Westbrook, ME 04092 774-2843</u>	Total s.f. of signage x \$2.00 Per s.f. plus \$30.00 = <u>\$65.00</u> For H.D. signage = Total Fee: \$ <u>226.00</u> <u>269</u> Awning Fee = cost of work <u>—</u> Total Fee: \$ <u>—</u>

Who should we contact when the permit is ready: Deanna Emery (Bailey Sign) phone: 774-2843 ext. 115

Tenant/allocated building space frontage (feet): Length: 100' Height: 55'  
 Lot Frontage (feet): 100' Single Tenant or Multi Tenant Lot: MULTI

Current Specific use: Commercial / professional office  
 If vacant, what was prior use: \_\_\_\_\_  
 Proposed Use: \_\_\_\_\_

Information on proposed sign(s):  
 Freestanding (e.g., pole) sign? Yes \_\_\_ No  Dimensions proposed: \_\_\_\_\_ Height from grade: \_\_\_\_\_  
 Bldg. wall sign? (attached to bldg) Yes  No \_\_\_ Dimensions proposed: 2'-10" x 13'-3" 63 SF 59  
2'-10" x 20'-7" 39 SF 38

Proposed awning? Yes \_\_\_ No  Is awning backlit? Yes \_\_\_ No \_\_\_  
 Height of awning: \_\_\_\_\_ Length of awning: \_\_\_\_\_ Depth: \_\_\_\_\_  
 Is there any communication, message, trademark or symbol on it? Yes \_\_\_ No \_\_\_  
 If yes, total s.f. of panels w/communications, message, trademark or symbol: \_\_\_\_\_ s.f.

Information on existing and previously permitted sign(s):  
 Freestanding (e.g., pole) sign? Yes \_\_\_ No  Dimensions proposed: \_\_\_\_\_  
 Bldg. wall sign? (attached to bldg) Yes  No \_\_\_ Dimensions proposed: (See drawing)  
 Awning? Yes \_\_\_ No  Sq. ft. area of awning w/communication: \_\_\_\_\_

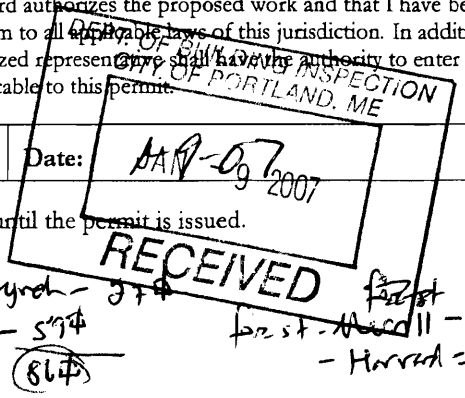
A site sketch and building sketch showing exactly where existing and new signage is located must be provided. Sketches and/or pictures of proposed signage and existing building are also required.

Please submit all of the information outlined in the Sign/Awning Application Checklist. Failure to do so may 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](http://www.portlandmaine.gov), stop by the Building Inspections office, room 315 City Hall or call 874-8703.

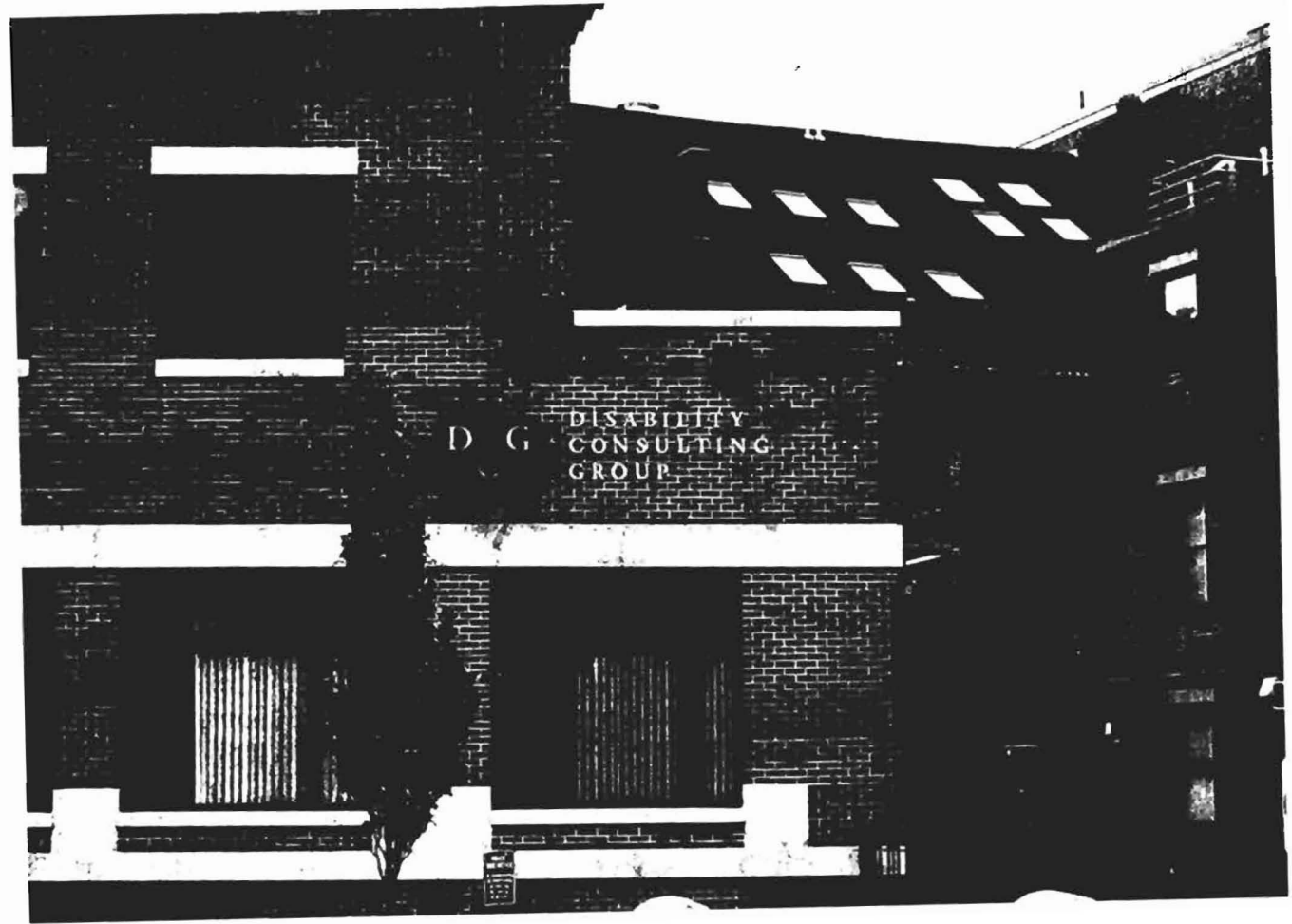
I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, 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: Deanna Emery / BSI Date: MAR-09-2007



B3 with limit: - upper floor front signs.  
 5% of wall area =  
 Best 100 x 23 = 2200 SF = 160 (2 stories)  
 Commercial 100 x 45 = 4500 (340) (2 stories)  
 This is not a permit; you may not commence ANY work until the permit is issued.  
 COMM EXISTING - Merrill Lynch - 374  
 - Harvard - 574  
 - Harvard - 604  
 - Harvard - 384  
 - Harvard - 984

FORE ST. ENTRANCE



COMMERCIAL ST. ENTRANCE

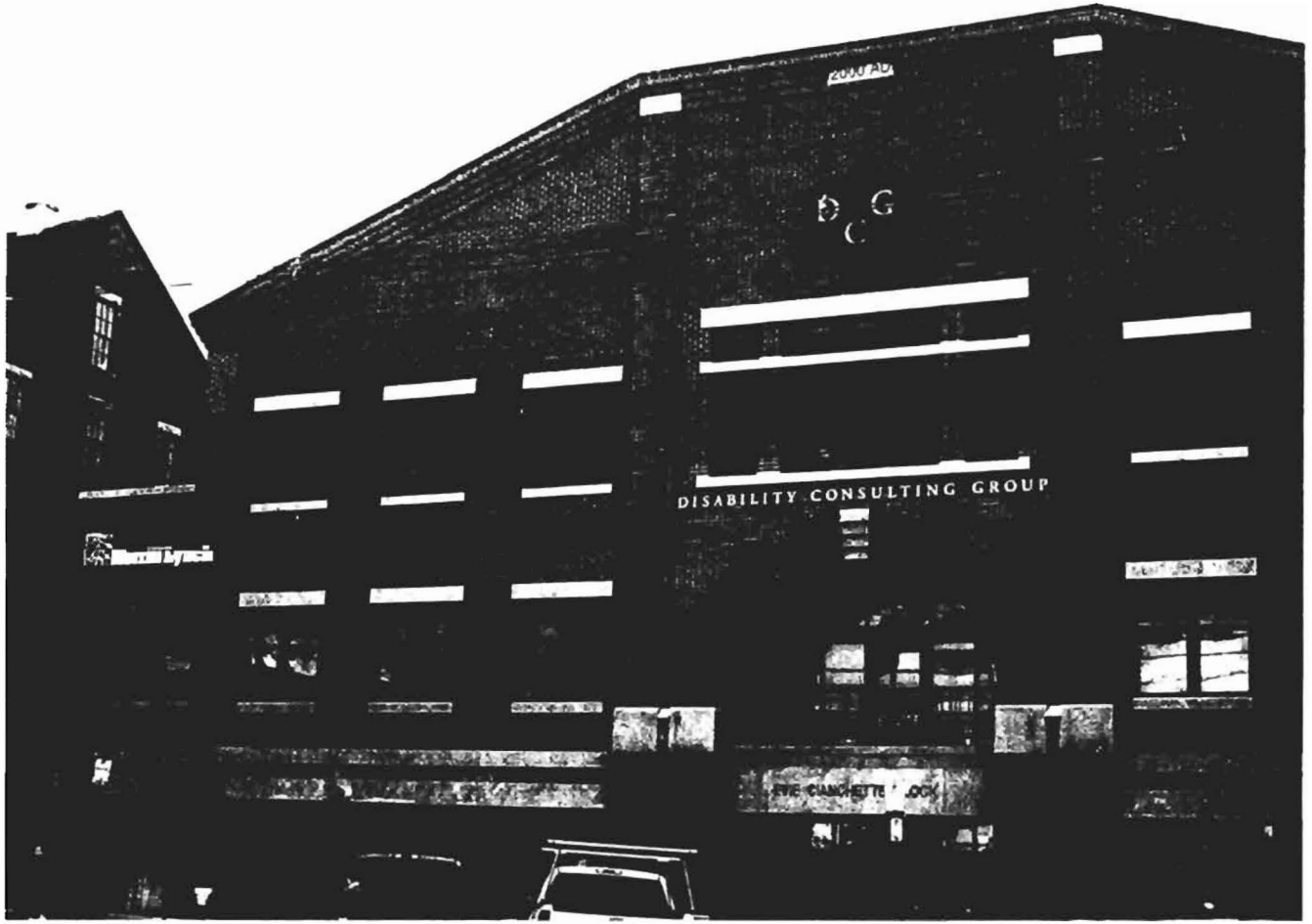


Fore  
st.



Commercial St.

COMMERCIAL ST.



Commercial St.



# Signage/Awning Permit Application Checklist

All of the following information is required and must be submitted. Checking off each item as you prepare your application package will ensure your package is complete and will help to expedite the permitting process.

- Certificate of Liability listing the City as additional insured if any portion of the sign abuts or encroaches on any public right of way, or can fall into any public right of way.
- Letter of permission from the owner indicating the permissions granted and the tenant/space building frontage.
- A sketch plan of lot indicating location of buildings, driveways and any abutting streets or rights of way, lengths of building frontages, street frontages and all existing setbacks. Please indicate on the plan all existing and proposed signs with their dimensions and specific locations. Be sure to include distance from the ground and building façade dimensions for any signage attached to the building.
- A sketch or photo of any proposed sign(s) indicating content, dimensions, materials, source of illumination, construction method as well as specifics of installation/attachment.
- N/A Certificate of flammability required for awning or canopy.
- A UL# is required for lighted signs at the time of final inspection.
- Pre-application questionnaire completed and attached.
- Photos of existing signage
- Details for sign fastening, attachment or mounting in the ground.

Permit fee for signage or awning-with-signage: \$30.00 plus \$2.00 per square foot of sign.

Permit fee for awning-without-signage is based on cost of work:  
\$30.00 for the first \$1,000.00, \$9.00 per additional \$1,000.00 of cost.

Base application fee for any Historic District signage is \$65.00.





**BERNSTEIN SHUR**

C O U N S E L O R S   A T   L A W

207 774-1200 main  
207 774-1127 facsimile  
bernsteinshur.com

100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029

William M. Welch  
wwelch@bernsteinshur.com

November 10, 2006

Bailey Sign, Inc.  
Attn: Deanna Emery  
9 Thomas Drive  
Westbrook, ME 04092

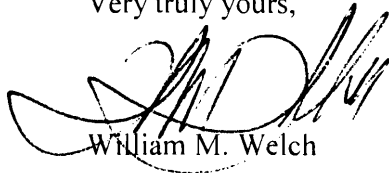
Re: 145 Commercial Street, Portland, Maine

Dear Ms. Emery:

At Kevin Cunningham's request, I am forwarding to you the original Harvard Pilgrim Health Care signage Permission Agreement regarding the above-referenced property signed by the owners of the property.

Please feel free to give me a call if you have any questions.

Very truly yours,



William M. Welch

cc: Peter Goldstein (via email w/o enc.)  
Alan Goldstein (via email w/o enc.)  
Kevin Cunningham (via email w/o enc.)

-+\*WRITTEN CONSENT AND AGREEMENT relating to a certain sign proposed to be erected at/on a building located at 145 Commercial Street in Portland, Highland Bay, LLC, Eastway Manor, LLC, Fleming Creek, LLC, Spencerport Village Plaza, LLC, and Peter, LLC,  
(Street Address) (City & State) (Property Owner)

collectively being the owner of the premises hereby gives consent to the erection of a certain sign by Bailey Sign, Inc. of Westbrook, ME. Over a public sidewalk or on a building from said premises as described in application to the Division of Inspection/Codes Services of Portland, Maine for permit to cover erection of said sign:  
(City of Permit Acquisition)

And in consideration of the issuance of said permit Highland Bay, LLC, Eastway Manor, LLC, Fleming Creek, LLC, Spencerport Village Plaza, LLC, and Peter, LLC, collectively owner of said premises, in the  
(Property Owner)

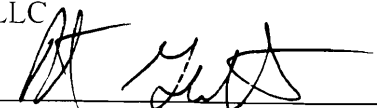
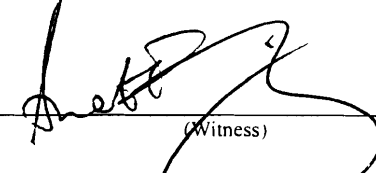
event said sign shall cease to serve the purpose for which it was erected or shall become dangerous and in event the owner of said sign shall fail to remove said sign or make it permanently safe in case the sign still serves the purpose for which it was erected, hereby agree for themselves and their successors and assigns, to completely remove said sign within ten (10) days of notice from the Building Inspector of the City of Portland that said sign is in such condition and order from him/her to remove it.

In witness whereof, the owner of said premises has signed this consent and agreement this

           day of November, 2006.  
(Day) (Month) (Year)

Highland Bay, LLC, Eastway Manor, LLC, Fleming Creek, LLC, Spencerport Village Plaza, LLC

By: \_\_\_\_\_ (Property Owner) \_\_\_\_\_ (Witness)  
Alan J. Goldstein, Managing Member for all above entities

Peter, LLC  
By:  \_\_\_\_\_ (Property Owner)  \_\_\_\_\_ (Witness)  
Peter Goldstein, Manager

-+\*WRITTEN CONSENT AND AGREEMENT relating to a certain sign proposed to be erected at/on a

building located at 145 Commercial Street in Portland  
Highland Bay, LLC, (Street Address)  
(City & State)

Eastway Manor, LLC, Fleming Creek, LLC, Spencerport Village Plaza, LLC, and Peter, LLC,  
(Property Owner)

collectively being the owner of the premises hereby gives consent to the erection of a certain sign by

Bailey Sign, Inc. of Westbrook, ME. Over a public sidewalk or on a building from said premises as

described in application to the Division of Inspection/Codes Services of Portland, Maine for  
(City of Permit Acquisition)

permit to cover erection of said sign:

And in consideration of the issuance of said permit Highland Bay, LLC, Eastway Manor, LLC, Fleming

Creek, LLC, Spencerport Village Plaza, LLC, and Peter, LLC, collectively owner of said premises, in the  
(Property Owner)

event said sign shall cease to serve the purpose for which it was erected or shall become dangerous and in event the owner of said sign shall fail to remove said sign or make it permanently safe in case the sign still serves the purpose for which it was erected, hereby agree for themselves and their successors and assigns, to completely remove said sign within ten (10) days of notice from the Building Inspector of the City of Portland that said sign is in such condition and order from him/her to remove it.  
In witness whereof, the owner of said premises has signed this consent and agreement this

6 day of November, 2006.  
(Day) (Month) (Year)

Highland Bay, LLC, Eastway Manor, LLC, Fleming  
Creek, LLC, Spencerport Village Plaza, LLC

By:   
\_\_\_\_\_

(Property Owner)

(Witness)

Alan J. Goldstein, Managing Member for all above entities

Peter, LLC

By: \_\_\_\_\_  
\_\_\_\_\_

(Property Owner)

(Witness)

Peter Goldstein, Manager

**Controlled Risk Insurance Company of Vermont, Inc.**  
**(A Risk Retention Group)**  
**Burlington, Vermont**

These DECLARATIONS and the attached forms and Endorsements complete this

**PROFESSIONAL/COMMERCIAL GENERAL LIABILITY POLICY**  
**LIMITED CLAIMS MADE\***

**Named Insured:**

HARVARD PILGRIM HEALTH CARE, INC.  
93 WORCESTER STREET  
WELLESLEY, MA 02482

**Retroactive Date:** April 1, 1976 12:00 AM

**Policy Number:** HPHC-CRICO-C-GLPL-1077-2007

**Policy Period:** January 1, 2007 to December 31, 2007 12:00 Midnight EST

The insurance afforded is with respect to the following coverages as indicated below.

<b>Coverage</b>	<b>Advance Premium</b>	<b>Limits of Liability*</b>
Professional Liability		\$5,000,000 each "Claim" \$10,000,000 annual aggregate each insured person for all claims made during the "Policy Period"
Commercial General Liability including Personal Injury and Advertising Injury		\$5,000,000 each "Claim"

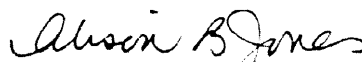
**\*CLAIMS MADE POLICY:** This is a claims made policy. Please review the policy carefully.

**NOTICE**

"This policy is issued by your risk retention group. Your risk retention group may not be subject to all of the insurance laws and regulations of your State. State insurance insolvency guaranty funds are not available for your risk retention group."

Terms appearing in quotation marks in this Declaration page shall have the same meaning as the definition of that term in the policy.

In WITNESS WHEREOF the company has caused this policy to be signed by a duly authorized representative.

  
Duly Authorized Representative

*Controlled Risk Insurance Company of Vermont, Inc.  
(A Risk Retention Group)  
Burlington, Vermont*

*Professional/Commercial General Liability Policy*

**Additional Insured Endorsement**

Named Insured: HARVARD PILGRIM HEALTH CARE, INC.

Effective Date: 01/01/2007

Policy No: HPHC-CRICO-C-GLPL-1077-2007

Endorsement No: E2-17

Endorsement Effective Date: 11/20/2006

Additional Insured: City of Portland, 389 Congress Street, Portland, ME 04101 and Highland Bay LLC, Eastway Manor LLC, Fleming Creek LLC, Spencerport Village Plaza LLC, Peter LLC c/o Goldstein Management, 150 Metro Park, Rochester, NY 14623

**This Endorsement modifies the Policy.**

Section III of the General Liability Policy, "PERSONS INSURED," is amended for the purposes of the Endorsement only to include as an Additional Insured the person(s), organization(s) or entities set forth above, but only with respect to liability for "Bodily Injury" or "Property Damage" or "Advertising Injury" or "Personal Injury" caused by:

1. the negligence of the "Named Insured"; or
2. the negligence of others acting on behalf of the "Named Insured"

and, in either case of 1 or 2 above, only in connection with add additional restrictions such as designated location and/or specific date and/or specific event. For purposes of this Endorsement only, Section I.C "LIMITS OF LIABILITY" is deleted and replaced with the following:

Limits of Liability

Regardless of the number of "Claims" made, "Suits" brought, "Insureds", persons injured, or persons asserting "Claims", the "Company's" liability is limited as follows:

- a. The limit of liability stated on the declarations page applicable to each "Claim" is the limit of the "Company's" liability for all "Damages" as well as all "Claims Expense" arising out of each "Event" under this policy and endorsements attached hereto.
- b. The limit of liability stated on the declarations page applicable to each "Claim" is also the limit of the "Company's" liability for all "Damages" as well as all "Claims Expense" because of all "Personal Injury" or "Advertising Injury" sustained by any one person or organization or group of related persons or organizations.

Subject to the limitations set forth in subparagraphs a and b above, the limit of liability applicable to the Additional Insured named above shall not exceed: fill in amount that insured institution is requesting for the contractor for all "Claims" and "Events" combined.

The inclusion in this Endorsement of more than one "Insured" shall not operate to increase the limits of the "Company's" liability.

Should the above described policy be canceled before the expiration date thereof, the "Company" will endeavor to mail 30 days written notice to the additional insured, but failure to mail such notice shall impose no obligation or liability of any kind upon the "Company".

All other terms and conditions of the policy shall remain unchanged by this Endorsement.

Terms appearing in quotation marks in this Endorsement shall have the same meaning as the definition of that term in the policy which this Endorsement modifies.

IN WITNESS WHEREOF the Company has caused this Endorsement to be signed by its duly authorized representative.

A handwritten signature in black ink that reads "Alison B Jones". The signature is written in a cursive style with a large, looped initial 'A' and 'J'.

Alison B. Jones

Duly Authorized Representative

051104