

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

Location of Construction: 94-96 Commercial Street		Owner: B.M.C.		Phone: 773-7086		Permit No: 090319	
Owner Address: 94 Commercial Street		Lessee/Buyer's Name: Nappi-Son's Inc.		Phone:		BusinessName:	
Contractor Name: Nappi-Son's		Address: 16 Ellenor St. Portland, ME		Phone: 878-7901		Permit Issued: APR 12 1999	
Past Use: Store		Proposed Use: Tavern		COST OF WORK: \$ 20,000		PERMIT FEE: \$ 120.00	
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group A/m Type: 3B DOC 246	
				Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>	
Proposed Project Description: Renovate existing store into tavern.				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input checked="" type="checkbox"/> Approved <i>[Signature]</i> <input checked="" type="checkbox"/> Approved with Conditions <i>[Signature]</i> <input type="checkbox"/> Denied		Zoning Approval: Special Zone or Review: <i>[Signature]</i> <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"/>	
Permit Taken By: sp		Date Applied For: 4-1-99					

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 P/U 773-4299

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: 4-1-99 PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

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

Date: 4/9/99

CEO DISTRICT 1

BUILDING PERMIT REPORT

DATE: 12/AIR/99 ADDRESS: 94-96 Commercial ST. CBL: 030-A-065
 REASON FOR PERMIT: Interior renovations / Store into Tavern
 BUILDING OWNER: B.M.C.
 PERMIT APPLICANT: Nappi-Son's
 USE GROUP M/A3 BOCA 1996 CONSTRUCTION TYPE 3B

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: *1, *9, *11, *12, *13, *17, *20, *21, *22, *23, *24, *25, *26, *27, *28, *29, *30, *31, *32, *33, *34, *35, *36

- *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)
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 damp proofing 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 means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1996)
- *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", except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2, M and R and 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 3e4" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38".) 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 3/4" 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 (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1018.6)
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 closer's. (Over 3 stories in height requirements for fire rating is two (2) hours.) (Section 710.0)

COMMENTS

6/2/99 Close in portions with Phil Nappi. Discuss punch list for final call back 6/4 (DC)

6/4/99 OK for CoFO bas area & kitchen (DC)

7/2/99 Punch list inspecting, AL
7/12/99 OK for CJO, AL

Inspection Record

Date

Type

Foundation: _____

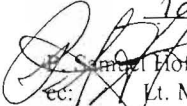
Framing: _____

Plumbing: _____

Final: _____

Other: _____

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)
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/1996), 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
- In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required) Section 920.3.2.
- X 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)
- X 21. The Fire Alarm System shall maintained to NFPA #72 Standard.
- X 22. The Sprinkler System shall maintained to NFPA #13 Standard.
- X 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/1996)
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 shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
- X 27. All electrical, plumbing and HVAC permits must be obtained by a 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.
- X 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).
- X 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.
- X 32. Boring, cutting and notching shall be done in accordance with Sections 2305.4.4, 2305.5.1 and 2305.5.3 of the City's Building Code.
- X 33. Glass and glazing shall meet the requirements of Chapter 24 of the building code.
- X 34. Two means of egress is required,
- X 35. Two Bathroom are required (handicapped)
- (37) State Fire Marshall approval required for this project.
- X 36. A Fire seperations of Two hours is required between The Stone and Tavern.

 E. Samuel Hoffses, Building Inspector
cc: Lt. McDougall, PFD
Marge Schmuckal, Zoning Administrator

PSH 12-14-98 

**On the basis of plans submitted and conditions placed on these plans any deviations shall require a separate approval.

ADDRESS: 94-96 Commercial
PERMIT APPLICATION FOR: store renovation
BUILDING OWNER: MMC, Inc.
PERMIT APPLICANT: Daggs - Son's, Inc.
REVIEWER: Don Anderson
DATE OF DECISION: 4/9/99

HISTORIC PRESERVATION REVIEW

Note: Your property is an individually designated landmark structure or is located within a designated historic district. As such, alterations to the building exterior or site which are visible from a public way are subject to review and approval under Article IX (Historic Preservation) of the Land Use Code. Your building or sign permit application has been reviewed to determine whether the nature or scope of the project requires review, and if so, whether it meets the standards of the historic preservation ordinance.

ACTION

☐ Does not Require Review (e.g. Interior work only / alteration is not readily visible from a public way)

Note: this finding is based on the understanding that the application entails interior work only or that the proposed exterior alteration(s) will not be readily visible from a public way. If your project entails exterior or site alterations (including the installation of sign(s), awnings, or exterior lighting for such) these alterations must be reviewed and approved prior to commencing with the work. Contact 874-8726 for more information.

☐ Denied Reason for Denial: _____

☐ Approved as submitted

☒ Approved with conditions (see below)

Conditions of Approval:

☐ Contact Historic Preservation Staff (874-8726 or 874-8728) prior to installation of sign(s) to confirm approved location.

☐ Your sign permit includes no reference to exterior lighting; if lighting is included, please submit information on fixtures and specifications on installation.

Other conditions:


1. _____
2. _____
3. _____

**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.

NOTEIf 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): 94-96 Commercial St. Port.			
Total Square Footage of Proposed Structure 4800		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Number Chart# 030 Block# A Lot# 005		Owner: B.M.C.	Telephone#: 773-7086
Owner's Address: 94 Commercial St. Port.		Lessee/Buyer's Name (If Applicable) Nappi-sons Inc.	Cost Of Work: \$20,000 Fee \$120
Proposed Project Description: (Please be as specific as possible) renovate existing store into rest tavern			
Contractor's Name, Address & Telephone Nappi-sons Inc. 16 Ellencot St. Port. ME. 773-7901			Rec'd By: 
Current Use: store		Proposed Use: tavern	

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 you 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

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

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: 	Date: 4/1/99
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Building Permit Fee: \$25.00 for the 1st \$1000. cost plus \$5.00 per \$1,000.00 construction cost thereafter.

Additional Site review and related fees are attached on a separate addendum

Call P/U 773-4299



CLOSING STATEMENT

Buyer: BMC, Inc.
Sellers: Richard Creighton/Donald Creighton/Raymond Creighton, Jr.
Lender: Maine Bank & Trust Company
Premises: 94-96 Commercial Street, Portland, Maine
147 Summer Street, Auburn, Maine
Date: 03/29/99

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1. Lenders' Transactions**Maine Bank & Trust Company**

Available: \$450,000

Advanced at Closing: \$350,000.00

Downtown Portland Corporation:

Available: \$150,000

Advanced at Closing: \$0.00

Total Amount Due From Lenders at Closing \$350,000.00

2. Buyer's Transaction

Purchase Price:		\$350,000.00
Less Deposit:	(\$10,000.00)	
Less Loan Proceeds	(\$350,000.00)	
Plus Title Searches (2)	\$700.00	
Plus Title Premium (Owner's and 1st Lender's)	\$1,650.00	
Plus Title Premium (2nd Lender's)	\$262.50	
Plus Mortgage Inspection Plans (2)	\$300.00	
Plus Flood Certification	\$11.00	
Plus Recording Fees:	\$237.00	
Deed:	\$15.00	
Mortgages:	\$101.00	
Nondisturbance Agmts	\$38.00	
Discharges:	\$44.00	
POA's:	\$39.00	
Plus One-Half Transfer Tax:	\$770.00	
Plus UCC-1 Filing Fees (Secretary of State)	\$40.00	
Plus Lender's Legal Fees (and expenses)	\$2,500.00	
Plus Buyer's Legal Fees (Hopkinson & Abbon)	\$1,965.00	
Plus UCC Search Fee	\$150.00	
Plus Real Estate Taxes (93 days)	\$5,375.69	
Total Due from Buyer:		\$3,961.19

3. Seller's Transaction

Purchase Price		\$350,000.00
Less Deposit	(\$10,000.00)	
Less Payoff Mortgage	\$0.00	
Less One-Half Transfer Tax	(\$770.00)	
Less Recording Fees	(\$11.00)	
Discharges	\$11.00	
Less Seller's Legal Fees:	(\$200.00)	
Plus Real Estate Taxes (93 days)	\$5,375.69	
Less Broker's Commission	(\$21,000.00)	
Sub-total Due to Seller:		\$323,394.69

4. Disbursements

Hopkinson & Abbondanza (Title Search/Title Insurance)	\$2,612.50
Livingston & Hughes (Survey)	\$300.00
Cumberland County Registry of Deeds (Recording Fees)	\$161.00
Androscoggin County Registry of Deeds (Recording Fees)	\$87.00
Cumberland County Registry of Deeds (Transfer Tax)	\$1,540.00
Secretary of State (Filing Fees)	\$40.00
Maine Bank & Trust Company (Flood Certification)	\$11.00
Public Information Resource (UCC Search Fee)	\$150.00
Perkins, Thompson, Hinkley & Keddy P.A. (Lender's Legal Fees)	\$2,500.00
Hopkinson & Abbondanza (Buyer's Legal Fees)	\$1,965.00
Hopkinson & Abbondanza (Seller's Legal Fees)	\$200.00
Ingalls Commercial Brokerage (Broker's Commission)	\$21,000.00
Richard Creighton/Donald Creighton/Raymond Creighton Jr. (Net Due to Seller)	\$323,394.69

Total Disbursements:

\$353,961.19

~~\$21,000.00~~ + 11,000.00
~~\$323,394.69~~ + 333,394.69

[Handwritten initials and signatures: R.P., J.L., P.C., and others]

Seen and agreed to this 29 day of March, 1999.

BUYER:

BMC, Inc

By

Margaret R. Donovan
Printed Name: Margaret R. Donovan
Its: BMC

SELLERS:

By:

Donald C. Knight
Printed Name: Donald C. Knight

By:

Raymond C. Knight
Printed Name: Raymond C. Knight

By:

Richard G. Knight
Printed Name: Richard G. Knight

