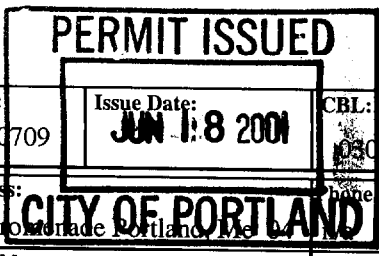


City of Portland, Maine - Building or Use Permit Application

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

Permit No: 01-0709	Issue Date: JUN 18 2001	CBL: A101001
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Location of Construction: 90 Commercial St	Owner Name: Proprietors Of Custom House	Owner Address: 5 Eastern Promenade Portland, Me 04101	Phone:
Business Name: Patricia French	Contractor Name: no contractor/self	Contractor Address: n/a n/a	Phone:
Lessee/Buyer's Name: Patricia French	Phone: 207-799-7214	Permit Type: Change of Use - Commercial	Zone:

Past Use: Parking Lot	Proposed Use: Change Use to be a parking lot and Bike Rental.	Permit Fee: \$30.00	Cost of Work: \$0.00	CEO District: 1
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

Proposed Project Description: Change of Use From Parking Lot attendant shed to same with Bike rentals	Signature:	Signature:
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature:	Date:	

Permit Taken By: cih	Date Applied For: 06/12/2000	Zoning Approval	
--------------------------------	----------------------------------------	------------------------	--

<ol style="list-style-type: none"> 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.. 	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"/> Date:	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 Date:	Historic Preservation <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:
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

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): 92 Commercial St.			
Total Square Footage of Proposed Structure		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Number Chart# 30 Block# A Lot# 101		Owner: Proprietors of Custom Hse WHrf.	Telephone#:
Owner's Address: 92 Commercial St. Portland, ME 04101		Lessee/Buyer's Name (If Applicable) Patricia French Steven Daniels 415-1254 or 799-7214	Cost Of Work: Fee \$ \$
Proposed Project Description:(Please be as specific as possible) Bicycle Rentals			
Contractor's Name, Address & Telephone			Rec'd By
Current Use: Vacant		Proposed Use: Bicycle Rentals	

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, Ventillation 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

*IF available
also submit Plans
on ADOBE 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.

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: <i>Stev. Daniels</i>	Date: 9/5/00
----------------------------------------------	--------------

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: 12 July 2000 ADDRESS: 92 Commercial St. CBL: -030-A-101

REASON FOR PERMIT: Change of use - parking lot to parking lot/bike racks

BUILDING OWNER: Proprietors of Custom House Wharf

PERMIT APPLICANT: _____ (CONTRACTOR P. French)

USE GROUP: 201 NY CONSTRUCTION TYPE: _____ CONSTRUCTION COST: _____ PERMIT FEES: _____

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)

✓ READ
Condit.

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: *1, *31, #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) "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 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 34" but not more than 38". Exception: Handrails that form part of a guard shall have a height not less than 36" and not more than 42". 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 1/4" 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 (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 closer'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.I.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/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 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.
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. *see attach 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 we need a final picture of the finished trailer

[Signature]
 P. Samuel Proffes, Building Inspector
 CC: Lt. McDougall, PFD
 Marga Schmuckal, Zoning Administrator

PSH 1/26/00

****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.**

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

****** 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, OR EQUIVALENT.**

LAND USE - ZONING REPORT

ADDRESS: 92 Commercial St DATE: 6/15/01

REASON FOR PERMIT: Rental Bicycles

BUILDING OWNER: Franch C-B-L: 30-A-101

PERMIT APPLICANT: Peter Rodway/Steven Daniels

APPROVED: with conditions: #1, #8, #12

CONDITION(S) OF APPROVAL

- 1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2. During its existence, all aspects of the Home Occupations criteria, Section 14-410, shall be maintained
- 3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment, and/or revised permit.
- 4. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
- 5. Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and the same use. Any changes to any of the above shall require that this structure met the current zoning standards.
- 6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 7. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval.
- 8. Separate permits shall be required for any new signage.
- 9. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
- 10. This is not an approval for an additional dwelling unit. You shall not add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.
- 11. All of the attached Floodplain forms shall be appropriately filled out, signed, and returned prior to the issuance of any certificates of occupancy.

→ 12. Other requirements of condition: It is understood that this bicycle trailer is ~~not~~ a permanent structure. Your plans show that the bike will be stored elsewhere at night. This is a vehicle trailer, not a permanent structure. If this becomes a permanent structure, there are other reviews such as site plan review and historic reviews, that are required prior to the installation.

Marge Schmuckal, Zoning Administrator

Marge Schmuckal

RODWAY & HORODYSKI

ATTORNEYS AT LAW
377 FORE STREET, 4th FLOOR
PORTLAND, MAINE 04101

PETER E. RODWAY
MAURA H. HORODYSKI

P.O. BOX 874
PORTLAND, MAINE 04104
(207) 773-8449
FAX 773-8451

September 6, 2000

Marge Schmuckal
Zoning Administrator
City Of Portland
389 Congress Street
Portland, ME 04101

Re: 92 Commercial Street - 030 - A - 101 - B-3
Casco Bay Family Bicycle Rentals

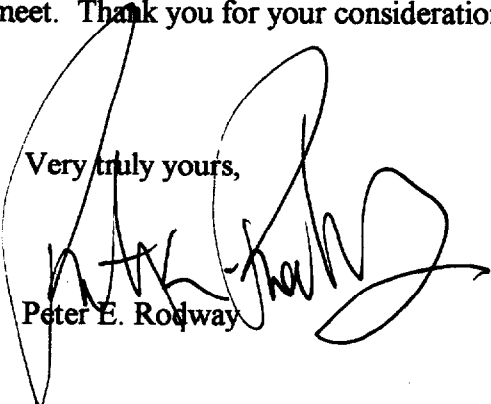
Dear Ms. Schmuckal:

On behalf of my client, Casco Bay Family Bicycle Rental, I have enclosed a pre-application for a use permit for 92 Commercial Street. This application should address the issues raised in your July 20, 2000 letter to my client. My client has sub-leased, and intends to work from, space in Gilbert's Chowder House, which is to my knowledge located in the B-3 Zone.

Unlike the previous location which was determined by your office to be located in the WCZ Zone, the new location including the space in the adjacent lot is in the B-3 Zone. The proposed use is within the permitted business uses of the B-3 Zone [Section 14-217]. The stated purposes of the B-3 Zone include, but are not limited to, satisfying the needs of the visitor populations, enhancing the pedestrian environment through the enlivenment of the street environment, and providing transportation facilities. [Section 14-216(2), (4) & (9)]. My client's customer base includes pedestrians, visitors and patrons of the Casco Bay ferry terminal, so the proposed bicycle rental business is perfectly suited to the B-3 Zone.

If you have any questions or concerns as you review this request, please do not hesitate to call. If you would like, we can schedule a time to meet. Thank you for your consideration.

Very truly yours,

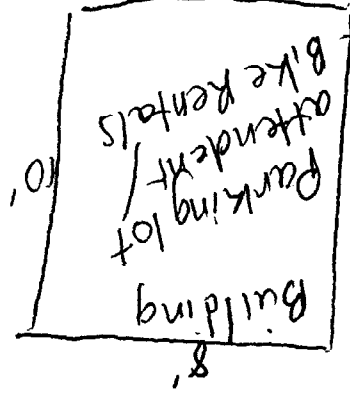
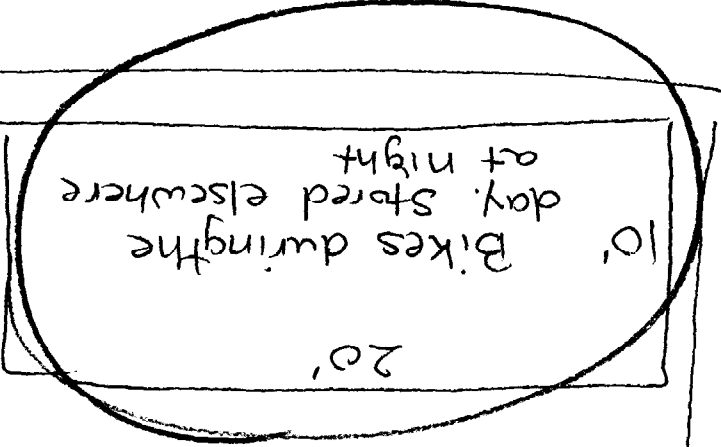

Peter E. Rodway

PER/kwd

(approximate measurements)

Sidewalk

entrance to lot



Dry Dock

Parking lot

Gilberts

Casco Bay Family Bike Rentals

SUB-LEASE AGREEMENT

THIS INDENTURE made as of the 28th day of August, 2000

WITNESSETH:

That **JAMES GILBERT**, of 92 Commercial St., Portland, Maine 04101 ("Lessor") does hereby lease, demise and let unto Casco Bay Family Bicycle Rental, of 92 Commercial St., Portland, Maine 04101, ("Lessee") the second floor of the premises at 92 Commercial St., above the space presently occupied by Gilbert's Chowder House, TO HAVE AND TO HOLD for a term commencing August 28, 2000 and ending August 30, 2002, and YIELDING AND PAYING THEREFORE \$ 50.00 per month payable in advance on the first of each month, with the rental payment for any partial month prorated according to the number of days during the month included within the term of this Sub-Lease Agreement.

The leased Premises shall include heat, utilities and use of the parking spaces adjacent to the Premises building. Lessor is itself a tenant of real property that includes the premises.

IN WITNESS WHEREOF, the parties have hereunto interchangeably set their hands and seals the day and year first above written.



Witness

LESSOR

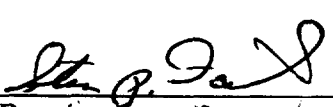


James Gilbert

LESSEE



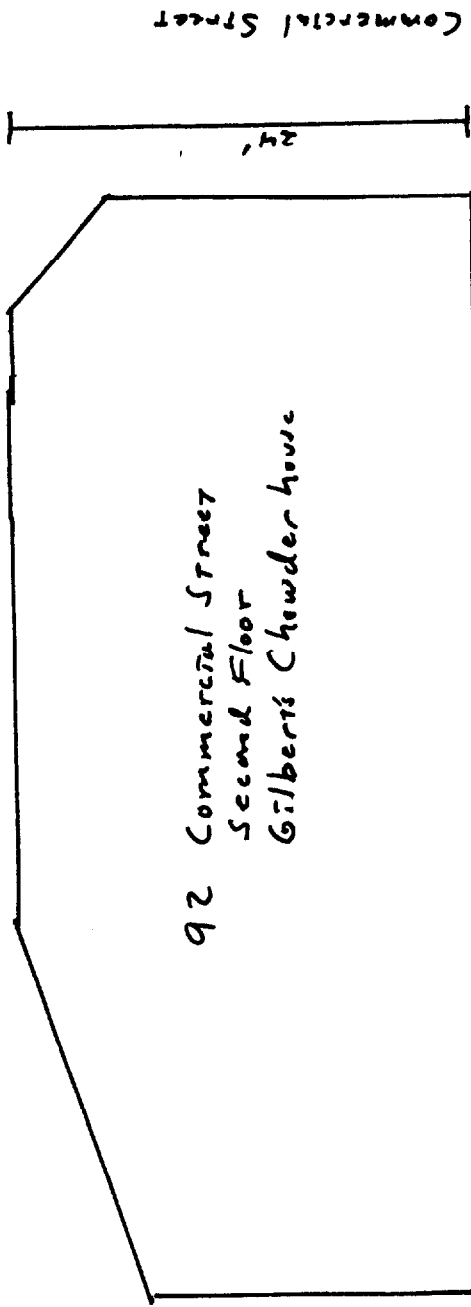
Witness



By: Steven Daniels
Title:

Creighton Building

Custom House Wharf



Parking Lot

58'

Parking
Lot

↓
Dry Dock

ACORD™ INSURANCE BINDER

DATE (MM/DD/YY)
05/17/00


THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.

PRODUCER TURNER BARKER INSURANCE ONE INDIA ST PORTLAND ME 04101		PHONE (A/C, No, Ext) 207-773-8156	COMPANY MONTICELLO INSURANCE CO	BINDER # CASBI0-1																																
CODE: AGENCY CUSTOMER ID: ACASBI0-1 INSURED		SUB-CODE:	THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #:																																	
DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (Including Location) BIKE RENTAL LIABILITY BIKES - \$2,000		<table border="1"> <tr> <th colspan="2">EFFECTIVE</th> <th colspan="2">TIME</th> <th colspan="2">EXPIRATION</th> <th colspan="2">TIME</th> </tr> <tr> <th>DATE</th> <th>DATE</th> <th>AM</th> <th>PM</th> <th>DATE</th> <th>DATE</th> <th>AM</th> <th>PM</th> </tr> <tr> <td>05/18/00</td> <td>06/18/00</td> <td>X</td> <td></td> <td></td> <td></td> <td>X</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>NOON</td> </tr> </table>			EFFECTIVE		TIME		EXPIRATION		TIME		DATE	DATE	AM	PM	DATE	DATE	AM	PM	05/18/00	06/18/00	X				X									NOON
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CASCO BAY FAMILY BIKE RENTAL STEVEN DANIELS 157 BOOTHBAY AVENUE SOUTH PORTLAND ME 04106																																				

COVERAGES		LIMITS		
TYPE OF INSURANCE	COVERAGE/FORMS	AMOUNT	DEDUCTIBLE	CONS %
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input type="checkbox"/> SPEC				
GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT RETRO DATE FOR CLAIMS MADE:		GENERAL AGGREGATE \$500,000 PRODUCTS - COMP/OP AGG \$INCLUDED PERSONAL & ADV INJURY \$500,000 EACH OCCURRENCE \$500,000 FIRE DAMAGE (Any one fire) \$ 50,000 MED EXP (Any one person) \$EXCLUDED		
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$ MEDICAL PAYMENTS \$ PERSONAL INJURY PROT \$ UNINSURED MOTORIST \$		
AUTO PHYSICAL DAMAGE DEDUCTIBLE <input type="checkbox"/> COLLISION: _____ <input type="checkbox"/> OTHER THAN COL: _____	<input type="checkbox"/> ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES	ACTUAL CASH VALUE STATED AMOUNT \$ OTHER		
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO		AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$		
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM RETRO DATE FOR CLAIMS MADE:		EACH OCCURRENCE \$ AGGREGATE \$ SELF-INSURED RETENTION \$		
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY		STATUTORY LIMITS EACH ACCIDENT \$ DISEASE - POLICY LIMIT \$ DISEASE - EACH EMPLOYEE \$		

SPECIAL CONDITIONS/OTHER COVERAGES BIKES - \$2,000 - \$500.00 DEDUCTIBLE

NAME & ADDRESS

<input type="checkbox"/> MORTGAGEE <input type="checkbox"/> LOSS PAYEE	<input type="checkbox"/> ADDITIONAL INSURED
LOAN #	
AUTHORIZED REPRESENTATIVE  Laurie J. Willette	

Zoning Division
Marge Schmuckal
Zoning Administrator



Department of Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND

Proprietors of Custom House Wharf
92 Commercial Street
Portland, ME 04101
Att. Patricia French

July 20, 2000

RE: 92 Commercial Street - 030-A-001 - WCZ

Dear Patricia,

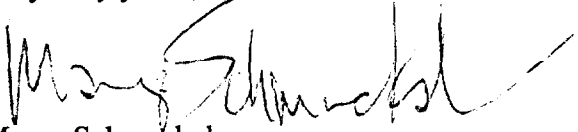
I am in receipt of your application to change the use of the existing parking lot at 92 Commercial Street to add the use of exterior bike rentals. From what is submitted, the bike rental activities, including bicycle storage and displays will be outside of the parking lot attendant shed. This proposed activity is located entirely within the WCZ, Waterfront Central Zone. This is a very restrictive zone which does not allow retail or service uses unless it is entirely located within a structure that existed since January 4, 1993 and that structure is within 35 feet of the southerly edge of Commercial Street [section 14-314(5)].

This permit application is being **denied** because it can not meet the permitted use requirements of the WCZ zone. You have the right to appeal my decision within 30 days of the date of this letter. Please note that use variance appeals are extremely difficult to have granted by the Zoning Board of Appeals.

It is my understanding that this use has already been established at this location without the necessary approvals. It will be necessary to discontinue this use immediately. Your plans state that the bicycles are stored elsewhere every night, so the impact of discontinuing this use immediately is minimized. It is expected that this use be discontinued within 24 hours of notification.

If you have any questions please do not hesitate to contact this office. I have included the necessary paperwork that you need to apply for an appeal.

Very truly yours,


Marge Schmuckal
Zoning Administrator

CC: Mark Adelson, Housing & Neighborhood Services
Arthur Rowe, Code Enforcement Officer
Penny Littell, Corporation Counsel
File

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND

January 18, 2001

Peter Rodway
C/o Rodway & Horodyski
P.O. Box 874
Portland, Me 04104

RE: 92 Commercial Street – 030-A-101 - B-3 zone

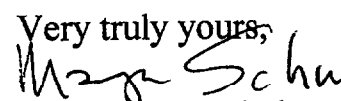
Dear Atty. Rodway,

I am in receipt of your submittal for Casco Bay Family Bicycle Rentals. Your cover letter states that your client intends to work from space in Gilbert's Chowder House. This property is located within the B-3 business zone which would allow this type of personal service/retail-like use. This property is also located in a historic district which requires a separate review. That review would be handled through this permit process.

However, before a final approval, this office would need floor plans and/or exterior plans showing the location of any office, rental booth, and bicycle display/storage areas. Right now it is uncertain as to where and how this business use would be operated. These plans would need to have sizes and dimensions shown. The number of bicycles would also need to be shown. The more information you can supply that better explains location and the complete operation of this business, would be very helpful for our final reviews.

Please note that separate permits are required for any accessory sign permits once the principal use has been approved. Again, the sign would be reviewed for compliance with the City's historic district regulations.

If you have any questions regarding this letter, please do not hesitate to call. I apologize for any delays in responding to your requests.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND

March 27, 2001

Peter E. Rodway
C/o Rodway & Horodyski
P.O. Box 874
Portland, ME 04104

RE: 92 Commercial Street - 030-A-101 - B-3zone

Dear Peter,


I am in receipt of your second submittal for the bike rentals. As I previously asked for, I would need a site plan sketch showing where this bicycle display would be located. These plans would need to have sizes and dimensions shown along with the numbers of bikes. Is the trailer permanent or temporary? As we spoke today, a good site plan showing lot lines for the site would be very helpful in determining where the zone line actually lies. Please note that I do not have any zoning issues with the "office/repair" area shown for the second floor of Gilbert's Chowder House. However, as I mentioned, a drive-by indicated that perhaps there was no second floor. Anything you could submit to clarify that issue would be very helpful. But I do need the additional information outline for any of the exterior uses.

↙ I SAW THE AREA

I am also a little confused. If I am reading your letter correctly, the area that the bicycle trailer would be located is in the same parking lot that I had determined to be in a WCZ zone and not allowed by ordinance. Could you please clarify this issue for me also?

I await your response and submittals.

Very truly yours,


Marge Schmuckal
Zoning Administrator

Cc: file

Inspection Services Division
Michael J. Nugent
Manager



Dept. of Planning and Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND

August 24, 2000
Proprietors of Custom House Wharf
92 Commercial St.
Portland, ME. 04101

NOTICE OF INTENT TO PROSECUTE

Attention: Patricia French

RE: 92 Commercial St.
CBL 030 A 001
Zone: WCZ

Dear Ms. French,

An evaluation of your property at the above noted location on August 23, 2000 at 1:30pm by Code Enforcement Officer Arthur Rowe, revealed that you have continued the unapproved use of Bicycle Rentals. You were instructed to "discontinue this use immediately" in a letter from Marge Schmuckal, Zoning Administrator, dated July 20, 2000. This is a notice of violation pursuant to Section 14-315(5) of the Zoning Code.

You are again ordered to discontinue this use of Bicycle Rentals immediately. Failure to do so will result in this office referring this matter to the City of Portland's Corporation Counsel for legal action and possible civil penalties, as provided for in section 1-15 of the Code and in Title 30-A M.R.S.A. ss4452.

Sincerely,


Arthur Rowe
Code Enforcement Officer

**City Of Portland
Inspection Services
RETURN OF SERVICE**

On the 24th day of Aug, 2000, I made service of the Notice of Intent to Prosec
upon, Steve Daniels, at 92 Commercial St.

- By delivering a copy in hand.
- By leaving copies at the individual's dwelling house or usual place of abode with a person of suitable age or discretion who resides therein and whose name is _____.
- By delivering a copy to an agent authorized to receive service of process, and whose name is _____.
- By (describe other manner of service) _____.

DATED: Aug 24, 2000



Signature of Person Making Service
C.E.O.

Title

I have received the above referenced documents

Person Receiving Service
 Refused to sign

RODWAY & HORODYSKI, P.A.

ATTORNEYS AT LAW
377 FORE STREET, 4th FLOOR
PORTLAND, MAINE 04101

February 28, 2001

PETER E. RODWAY
MAURA H. HORODYSKI

Ms. Marge Schmuckel
City of Portland
389 Congress Street, Room 315
Portland, Maine 04101

P.O. BOX 874
PORTLAND, MAINE 04104
(207) 773-8449
FAX 773-8451

RE: Casco Bay Bike Rentals

*received
3/1/01*

Dear Marge:

This letter is in response to your letter of January 18, 2001 and is intended to serve as a supplement to my client's previous application for use permit, dated September 6, 2000.

Attached you will find a rough diagram of the second floor of the Gilbert's Chowder House building. Casco Bay Bike Rentals will only be using a small portion of the space and will be storing equipment and conducting repairs and general maintenance of the bicycles there. As a tenant of the building, my client will be entitled to the use of one parking space in the lot that abuts directly to the left of the building. It is contemplated that the space closest to Commercial Street will be allotted to Casco Bay Bike Rentals. It is my client's operational plan to park a bicycle trailer in the parking space and to display approximately sixteen bicycles on the trailer. The trailer will be equipped with a sign that invites the public to rent bicycles at that location.

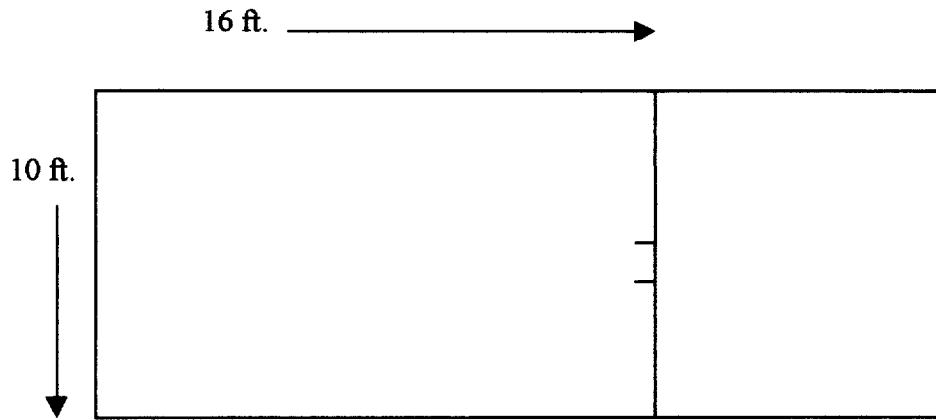
Please let me know as soon as possible whether the plan outlined above meets with your approval as the bicycle rental season is fast approaching.

Very truly yours,


Peter E. Rodway

PER/kd
Enclosure
CC: Mr. Steven Daniels.

SECOND FLOOR-GILBERT'S



Received
3/1/01

EXECUTIVE SUMMARY

I would like to open a bicycle rental business in order to provide a quality and efficient service to the public and tourists in the Portland area at the fairest possible price. I feel this type of business venture would be professional and financial success. There is only one other small bicycle rental business in the greater Portland area. I feel that given the population of Portland and the number of tourists that visit Portland warrant another bicycle rental business.

I have thought of other options that I would be able to be successful in both physically and mentally. I have considered getting involved in a Network Marketing business. Even though I feel this could possibly be financially successful, it would have more risk involved.

I would like to develop this business by myself. I certainly will seek assistance from other professional if need be. I feel I will be more successful if I am able to be independent in my venture.

I have successfully sold various products in the past. I am very friendly and devoted to my work and passions. I feel I will have a very good attitude and the drive needed to ensure success in this business.

I have dealt with many people in my sales profession. It comes very easily to initiate and maintain a conversation. It is easy for me to develop a friendly relationship with customers.

I have managed my sales business. One needs to keep clear and concise documentation. I have developed a plan and forms that will help me meet this objective. I have not independently kept books. However, I have business relationships that will assist me in this area.

This business will allow me to be successful considering any physical limitations. I will be able to maintain the hours needed for this business.

I have investigated many aspects of this business. I have called other similar businesses in this state and other states. I have talked to other business owners to get their opinions as to the potential for success of this business. I have contacted attorneys, insurance companies, city and state officials, and tourism businesses in order to obtain information about starting and developing this business.

As stated earlier, there is only one other bicycle rental business in the Portland area. My business will be in a key area of Portland to service families and tourists, which will give this clientele an additional activity to choose from in the Portland area. I do not feel two bicycle rental business will be in competition given the locations.

I have chosen my rates based on information I have obtained from other bicycle rental offices in this state and other states.

I will promote my business through web pages, flyers, brochures, word-of-mouth connections, relationships with the tourist industry, etc.

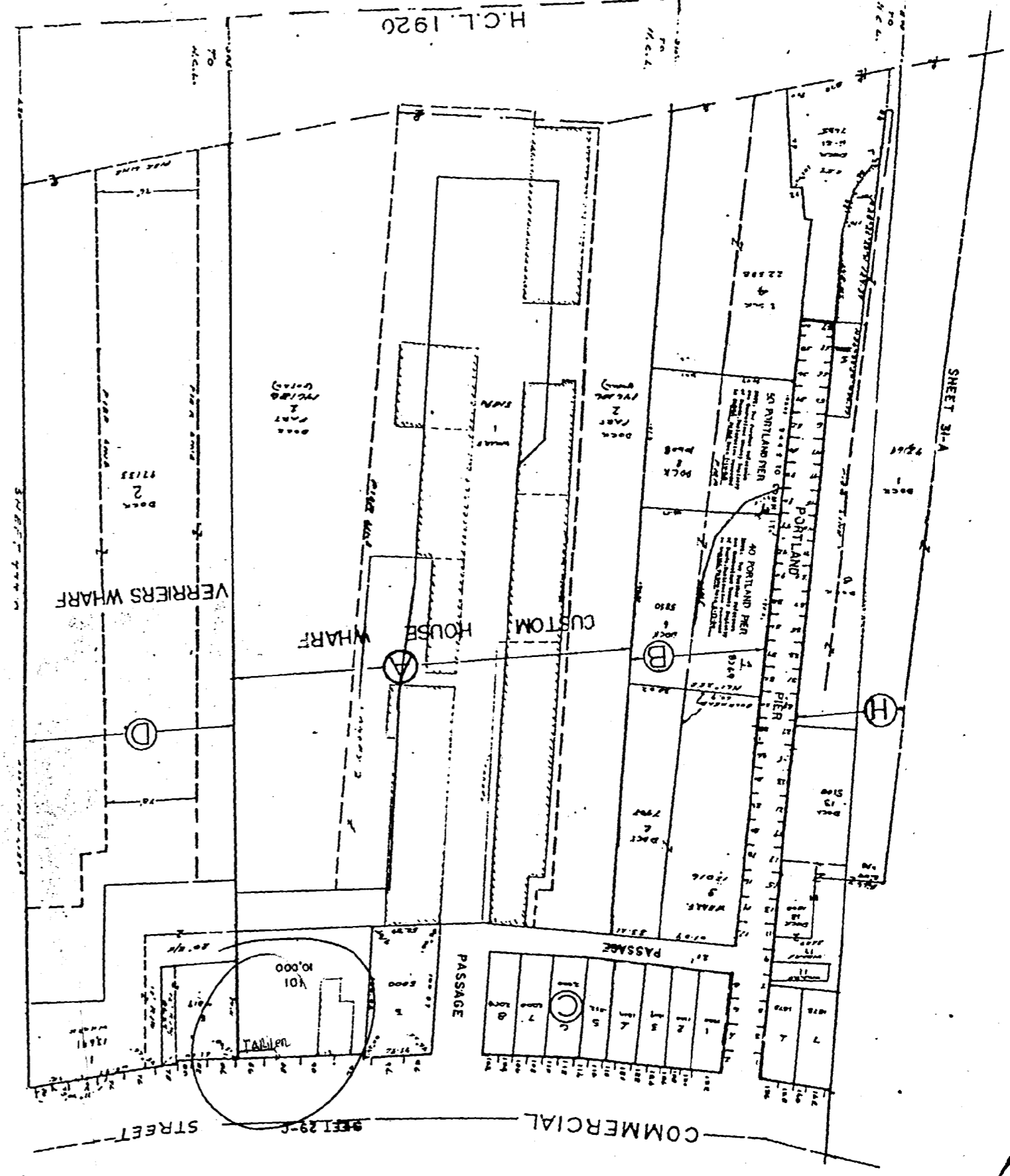


3-4-2001

received
3/1/01

CITY OF PORTLAND
ASSESSORS PLAN

H.C.L. 1920



↑
 Trailer to be
 enclosed
 still constructing

670 ac

Received
5/25/01

STEVE
DANIELS

FRANKLIN
ARTERIAL

No 30