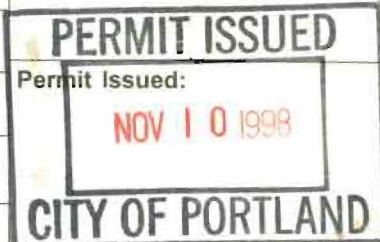


**City of Portland, Maine – Building or Use Permit Application** 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 100 Commercial St 101-102 Commercial Street		Owner: Soley Wharf LLC		Phone: 775-2232		Permit No: 981285
Owner Address: 111 Commercial Street		Lessee/Buyer's Name: C.V.B.S. II LLC		Phone:		BusinessName:
Contractor Name:		Address:		Phone:		
Past Use: Retail		Proposed Use: Office		COST OF WORK: \$		PERMIT FEE: \$ 25.00
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: B Type: 3B DOC 496
Proposed Project Description: C/U retail to office in the P.A.D. District.				Signature: [Signature]		Signature: [Signature]
				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
				Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		
Permit Taken By: ub		Date Applied For: 11-6-98		Signature:		Date:



Zone: CBL: 030-C-1-S

Zoning Approval:

**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

Date: \_\_\_\_\_

CEO DISTRICT



**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

11-6-98

SIGNATURE OF APPLICANT ADDRESS: DATE: 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

**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): <u>102-132 Commercial St</u>			
Total Square Footage of Proposed Structure		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Number		Owner:	Telephone#:
Chart# <u>030</u>	Block# <u>C</u> Lot# <u>1-8</u>	<u>Soley Wharf LLC</u>	<u>775-2252</u>
Owner's Address:		Lessee/Buyer's Name (If Applicable)	Cost Of Work:      Fee
<u>111 Commercial St. Brlthl.</u>		<u>CUBS II LLC</u>	\$      \$ <u>25-</u>
Proposed Project Description: (Please be as specific as possible)			
<u>NA</u> <u>C/O from retail to office space</u> <u>in the PAD. DISTRICT</u>			
Contractor's Name, Address & Telephone <u>NA</u>			Rec'd By <u>(UB)</u>
Current Use: <u>Warehouse / Retail / Office</u>		Proposed Use: <u>OFFICE.</u>	

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: <u>[Signature]</u> <u>772-2422</u>	Date: <u>11/5/98</u>
--	----------------------

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





Malone Commercial Brokers, Inc.  
30 Milk Street  
Portland, Maine 04101  
Tel (207) 772-2422  
Fax (207) 774-5114

November 5, 1998

Marge Schmucklel  
City of Portland  
Inspections Services Department #315  
Portland, ME 04101

Re: 100 Commercial Street

Dear Marge,

Enclosed is the conditional use appeal application for 100 Commercial Street. I have done a drawing that shows the spaces that are currently occupied as well as the vacant spaces. Units 100, 102, 104, 105, 106 and 108 are currently occupied by Hewins Travel which meets the pad district goals. Unit 110 is the subject unit that we are looking to have waived and that currently is vacant. Unit 118 the corner space of 4,055 SF is also currently vacant and we are marketing to prospective retailers. The percentage of frontage space of the subject unit is about 15% of the building so this should meet the exemption under the pad district rules and regulations.

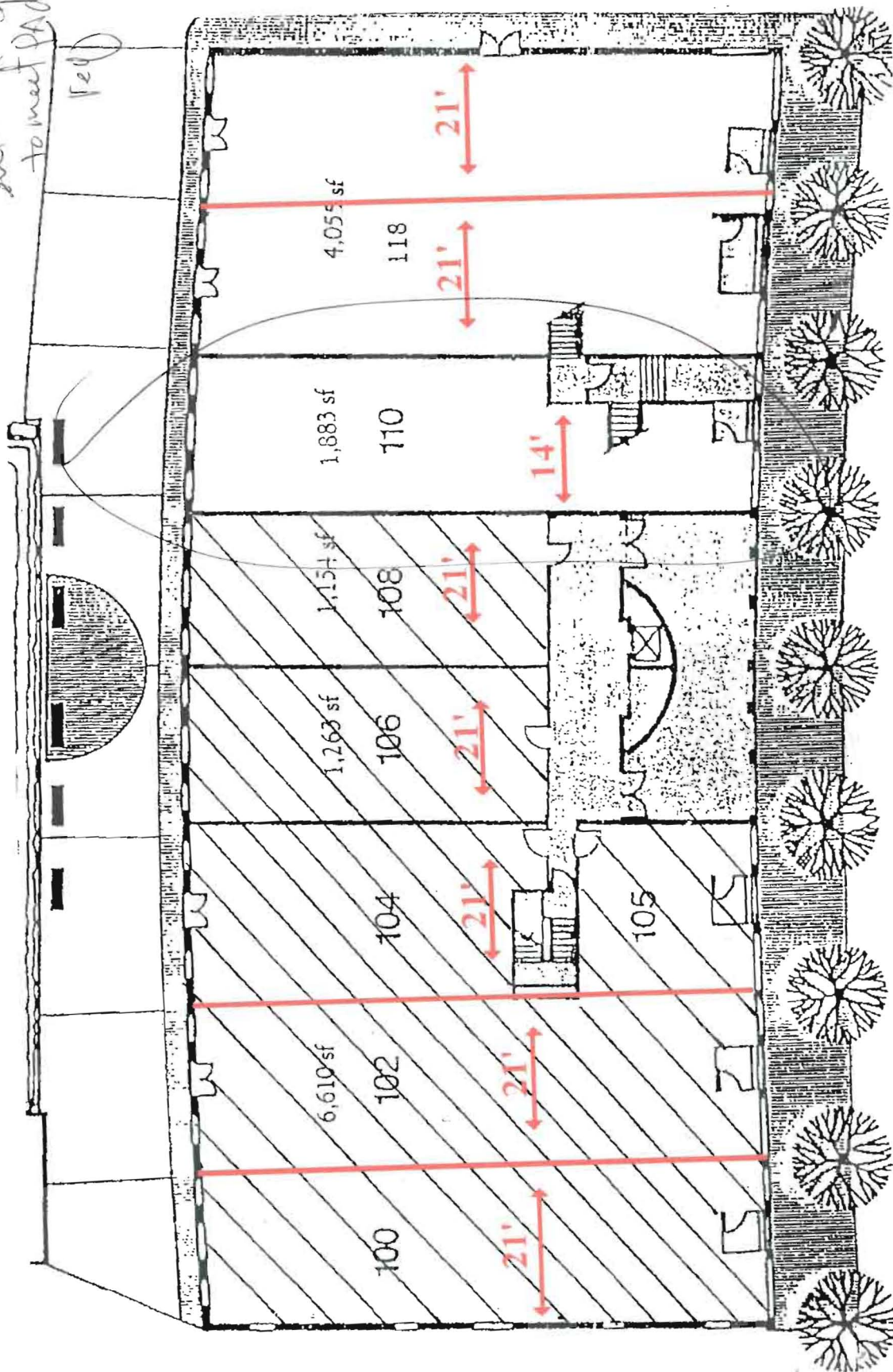
I appreciate your attention to this matter. Please call me as soon as possible, as we are the tenant wish to move as soon as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Peter A. Harrington', written over a horizontal line.

Peter A. Harrington

Red



**EAST BROWN COW ASSOCIATES**

111 Commercial Street  
Portland, ME 04101

**Fax Cover Sheet**

DATE: 11/6/98

TIME: 12:10

TO: Mary

PHONE:

FAX: 874-8714

FROM: Betty Allen

PHONE: 207-775-2252

FAX: 207-773-7422

RE: Deed / 100 Commercial

CC:

Number of pages including cover sheet: 15

As we discussed: ☐ Please call reply: ☐ FYI: ☐ Urgent: ☐

**Message:**

*As requested*

SIGNATURE

*Betty Allen*



QUITCLAIM DEED WITH COVENANT

PHOENIX HOME LIFE MUTUAL INSURANCE COMPANY, a New York corporation (formerly known as Phoenix Mutual Life Insurance Company, a Connecticut corporation) ("Grantor"), for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has **GRANTED, SOLD, and CONVEYED** and does hereby **GRANT, SELL and CONVEY** unto **SOLEY WHARF LLC**, a Maine limited liability company, whose address is c/o J. Tim Soley, 111 Commercial Street, Portland, Maine 04101 ("Grantee"), that certain land located in Cumberland County, Maine, and being more particularly described in Exhibit A attached hereto and incorporated herein by reference, together with all improvements located on such land and all appurtenances thereto (collectively, the "Property"). This conveyance is made and accepted subject to all matters that may appear of record.

**TO HAVE AND TO HOLD** the Property, together with all and singular the rights and appurtenances pertaining thereto, including all of Grantor's right, title and interest in and to adjacent streets, alleys and rights-of-way, subject to such matters that may appear of record, unto Grantee and Grantee's successors and assigns forever; and Grantor does hereby bind itself and its successors to warrant and forever defend the Property unto Grantee and Grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

By acceptance of this Quitclaim Deed with Covenant, Grantee assumes payment of all real and personal property taxes on the Property for the year 1997 and subsequent years.

**EXECUTED** on the date set forth in the acknowledgment attached hereto to be effective as of the 19 day of October, 1998.

Signed, Sealed and Delivered  
in the Presence of:

PHOENIX HOME LIFE MUTUAL  
INSURANCE COMPANY, a New York  
corporation

Virginia Bonham  
Witness

By: [Signature]  
Name Donald Bertrand  
Title Vice President

10/19/98  
11-43

14227/74

STATE OF CONNECTICUT )

) ss. Hartford

COUNTY OF HARTFORD )

Then personally appeared the above-named Donald Bertrand as  
Vice President of Phoenix Home Life Mutual Insurance Company, a New York  
corporation, and acknowledged the foregoing instrument to be his free act and deed in his  
said capacity and the free act and deed of said corporation.

Given under my hand and official seal this 16<sup>th</sup> day of October, 1998.

(SEAL)

Before me Virginia Bassham  
Notary Public

My Commission Expires:

**VIRGINIA BASSHAM**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES NOV. 30, 2001

EXHIBIT A

## (Property Description)

A certain lot or parcel of land together with the buildings thereon situated on the southerly side of Commercial Street in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a drill hole situated on the southerly sideline of Commercial Street marking the northeasterly corner of land conveyed to the Grantor by Joel Trantum by deed dated October 30, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7456, Page 184;

Thence by the easterly face of the brick building on said premises and its extension thereof and the westerly sideline of a 30-foot passageway to Custom House Wharf on a course of S 30° 01' 15" E, 100.08 feet to a P.K. spike;

Thence by land now or formerly of the Proprietors of Custom House Wharf on the following described courses:

S 57° 38' W, 32.82 feet to a point situated 0.50 feet southerly of the existing new wharf line;

Thence S 60° 50' 45" W, 42.75 feet to a P.K. spike situated 0.33 feet northerly of said wharf line;

Thence by land now or formerly of the Proprietors of Portland Pier on the following described courses:

N 29° 37' 53" W, 18.94 feet to the southerly face of the brick building situated on said premises;

Thence by the southerly face of said building westerly on a curve to the right having a radius of 1545.00 feet, a distance of 117.92 feet when measured on the arc thereof to the easterly sideline of Portland Pier;

Thence by said Portland Pier on a course of N 28° 35' W, 80.44 feet to the southerly sideline of Commercial Street;

Thence by said Commercial Street on the following described courses:

N 63° 48' 45" E, 69.73 feet to a point;

Thence N 60° 50' 45" E, 87.48 feet to a P.K. spike;

Thence N 57° 38' E, 34.12 feet to the point of beginning.

Said above described courses are magnetic and of the date 1887.



Together with the following, to the extent that the same are appurtenant to the above described parcel:

Said above described parcel is granted the privilege of a passageway from Commercial Street on the easterly side of said lot forever to be kept open of the width of 30 feet, subject to the conditions as set forth and referred to in a certain deed given by Elizabeth K. Cross to William W. Thomas dated January 1, 1877 and recorded in said Registry of Deeds in Book 437, Page 41.

Said above described premises granted the privilege of a common passageway leading from Portland Pier to the Custom House Wharf, which said passageway is 20 feet wide, and is to be kept open forever as stipulated and agreed to by the Proprietors of Portland Pier in their deed to Hosea I. Robinson, dated June 13, 1860, and recorded in said Registry of Deeds in Book 303, Page 90.

Said above described parcel subject to a right of way and easement for pedestrian access over, across, in and through a certain parcel described in easement deed to City of Portland by Thomas Block Associates dated April 25, 1985 and recorded in said Registry of Deeds in Book 6962, Page 188.

Together with all rights of way, of dockage and of wharfage and all other rights and privileges appurtenant to said premises, and subject to all reservations and restrictions heretofore running with said land.

Said above described parcel conveyed to TBA Partnership by the following deeds:

Seven Parcels from Thomas Block Associates dated October 30, 1986 recorded in Book 7456, Page 186, and from Joel Trantum dated October 30, 1986 and recorded in Book 7456, Page 184.

## BUILDING PERMIT REPORT

DATE: 10 NOV. 98 ADDRESS: 100 Commercial ST. CBL 030-C-1-8  
REASON FOR PERMIT: Yr From Retail To Office  
BUILDING OWNER: Soley Wharf LLC  
CONTRACTOR: \_\_\_\_\_  
PERMIT APPLICANT: \_\_\_\_\_  
USE GROUP B 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, \*18, \*19, \*20, \*27, \*30

- ☒ 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)
- 2.5 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
- 2.6 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)
3. Precaution must be taken to protect concrete from freezing. Section 1908.0
4. 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.
5. 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)
6. 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
7. Sound transmission control in residential building shall be done in accordance with Chapter 12 section 1214.0 of the city's building code.
8. 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 34" 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)
9. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
10. 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)
11. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6' 8") 1014.4

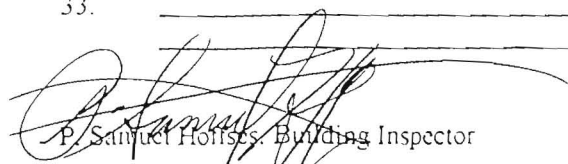


12. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided 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 )
13. 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
14. 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
15. 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
16. 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
17. 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
- X18. The Fire Alarm System shall be maintained to NFPA #72 Standard.
- X19. The Sprinkler System shall maintained to NFPA #13 Standard.
- X20. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
21. 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".
22. 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.
23. Ventilation shall meet the requirements of Chapter 12 Sections 1210. Of the City's Building Code. (crawl spaces & attics)
24. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade.
25. All requirements must be met before a final Certificate of Occupancy is issued.
26. 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).
- X27. 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 )
28. Please read and implement the attached Land Use-Zoning report requirements.
29. Boring, cutting and notching shall be done in accordance with Sections 2305.4.4, 2305.5.1 and 2305.3. of the City's building code.
- X30. Glass and glazing shall meet the requirements of Chapter 24 of the building code.

31. \_\_\_\_\_

32. \_\_\_\_\_

33. \_\_\_\_\_

  
P. Samuel Holmes, Building Inspector

cc: Lt. McDougall, PFD  
Marge Schmuckal, Zoning Administrator





## CITY OF PORTLAND, MAINE

### Department of Building Inspection

Received from 11-6 19 98  
SOLIEY wharf LLC a fee

of twenty five dollars /100 Dollars \$ 25  
for permit to install  
erect  
alter C/O from retail to office  
move  
demolish  
at 102-132 Commercial St Est. Cost \$ 25-

030-C-1-8

CR# 0108

Inspector of buildings

Per UB

## THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$5.00 or 10% whichever is greater.

WHITE - Applicant's Copy

YELLOW - Office Copy

PINK - Auditors Copy