

City of Portland, Maine - Building or Use Permit Application

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

PERMIT ISSUED		Permit No: 02-0323	Issue Date: APR 25 2002	CBL: 031 J030001
Location of Construction: 184 Commercial St	Owner Name: Gef Llc	Owner Address: Po Box 2808	Phone: 671-5566	
Business Name:	Contractor Name: Whitehead Associates	Contractor Address: P.O. Box 169 Portland	Phone: 2077662178	
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	Zone: MCT	

Past Use: Retail Seafood/Restaurant	Proposed Use: Retail Seafood/Restaurant	Permit Fee: \$114.00	Cost of Work: \$11,500.00	CEO District: 1
Proposed Project Description: Replace Window w/Door/ Relocate Bathroom		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: B Type: SB BOCA 11449	
		Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>	
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: gad	Date Applied For: 04/08/2002	Zoning Approval		
<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>		Special Zone or Reviews <input type="checkbox"/> Shoreland <i>Exempt</i> <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <i>Allowed</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>Reviewed Conditionally</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> <i>ok with conditions</i> Date: <i>4/12/02</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <i>TOLAN'S BD</i> <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <i>Bill Needleman</i> <input type="checkbox"/> Denied Date: <i>3/12/02</i>	Historic Preservation <input checked="" 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: <i>[Signature]</i>

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

5/16/02 - Framing + Plumbing inspection - needed a few nail plates near new plumbing (put on) - Framing OK - electrical done by Mike Collins 5/15/02 - OK to close in.
Tom M

6/4/02 - Final inspection. All work complete. Also did FS inspection for

Application ID Number:	2-0323		
Department:	Zoning	Status:	Approved with Conditions
Comments:	184 commercial st		Reviewer:
			Marge Schmuckal
		Approval Date:	04/12/2002
		Update Date:	04/12/2002
<input checked="" type="checkbox"/>	01 - Review Permit	Name:	Marge Schmuckal
		Date:	04/12/2002
<p>This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.</p> <p>Separate permits shall be required for any new signage.</p> <p>This property is located within the WCZ where expansions are limited for eating establishments. You have already gotten approvals for some expansions by the the Planning Board under a conditional use appeal. ANY FURTHER expansions of any type SHALL REQUIRE another review by the Planning Board PRIOR to those expansions.</p>			
Create Date:	04/09/2002	By:	gad
Update Date:	04/12/2002	By:	mes

All Purpose Building 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>184 Commercial St. Portland</u>		
Total Square Footage of Proposed Structure <u>REMODELING EXISTING STRUCTURE: 936</u>		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# <u>031</u> Block# <u>J</u> Lot# <u>030</u>	Owner: <u>GEF LLC</u> <u>P.O. Box 2808</u> <u>S. PORTLAND, ME. 04116</u>	Telephone: <u>671-5566</u> <u>828-5136</u>
Lessee/Buyer's Name (If Applicable) <u>THOMAS DANA</u> <u>D/B/A PORTLAND LOBSTER CO.</u>	Applicant name, address & telephone: <u>THOMAS DANA</u> <u>P.O. Box 169</u> <u>PORTLAND, ME. 04112</u> <u>671-5566</u>	Cost Of Work: <u>\$ 11,500.-</u> Fee: <u>\$ 114.⁰⁰</u>
Current use: <u>RETAIL SEAFOOD/RESTAURANT</u>		
If the location is currently vacant, what was prior use: <u>N/A</u>		
Approximately how long has it been vacant: <u>N/A</u>		
Proposed use: <u>RETAIL SEAFOOD/RESTAURANT</u>		
Project description: <u>REPLACE FOUR WINDOWS W/ NEW WINDOWS, REPLACE ONE WINDOW W/ NEW DOOR, RELOCATE BATHROOM</u>		
Contractor's name, address & telephone: <u>WHITEHEAD ASSOCIATES - 766-2178</u>		
Who should we contact when the permit is ready: <u>THOMAS DANA 671-5566</u>		
Mailing address: <u>P.O. Box 169</u> <u>PORTLAND, ME. 04112</u>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>671-5566</u>		

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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: <u>Tom H. Dana</u>	Date: <u>4/7/02</u>
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This is NOT a permit, you may not commence ANY work until the permit is issued.
If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall

CITY OF PORTLAND
APR - 8 2002

The following is a detailed explanation of the proposed construction:

- ◆ We propose to remove the sliding glass doors from the Commercial Street side and waterfront side of the building (see exhibit 1 picture C & I) and replace them with commercial grade, vinyl windows to match the existing windows on the east side of the building (see exhibit 1 picture F)). Because the new windows are smaller than the sliding doors presently on the building, a continuation of the existing cedar-shingle siding will be extended to fill the difference.
- ◆ We propose to remove the aluminum door which was recently added to the Commercial Street side of the building (see exhibit 1 picture D) and replace it with a heavy, commercial grade, wooden door, which will be 3'0" x 6'8" in size..
- ◆ We propose to remove the window on the SW corner of the building (see exhibit 1 photo B) and replace it with the same commercial grade wooden door used in the front of the building.
- ◆ We propose to install a 12 inch deep, naturally-finished, wood (fir) counter along the railing which wraps the perimeter of the building. The counter will sit flush against the railing (see exhibit 2). The railing will be sturdy in construction, and in keeping with the rustic feel of the building.
- ◆ We propose to relocate one of the two bathrooms (see exhibit 2 "bathroom A") so it sits adjacent to "bathroom B" on the westerly side of the building. The bathroom will remain 5' x 7' in size and handicap accessible.
- ◆ We propose to install a commercial grade door from "bathroom A" to the outdoors, which will be 3'0" x 6'8" in size (see exhibit 2).
- ◆ We propose to rebuild the serving counter out of naturally-finished, wood (fir). The dimensions will be similar to the existing counter (see exhibit 2)

16" x 94"

Sliding doors will become custom window in same opening.
no header replacement

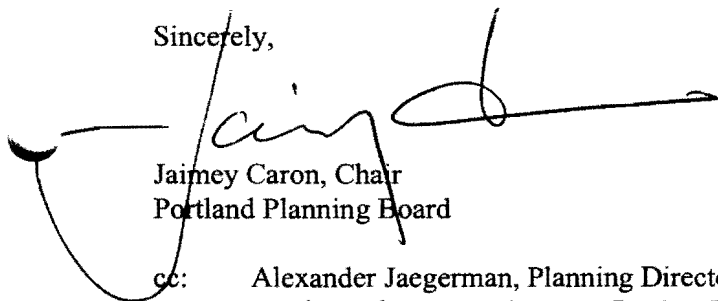
performance guarantee will be released.

4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting. *N/A See Bill Needelman*
5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Department at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact William B. Needelman at 874-8722

Sincerely,



Jaimey Caron, Chair
Portland Planning Board

cc: Alexander Jaegerman, Planning Director
Sarah Hopkins, Development Review Program Manager
William B. Needelman, Senior Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jodine Adams, Inspections
William Bray, Director of Public Works
Larry Ash, Traffic Engineer
Tony Lombardo, Project Engineer
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lee Urban, Director of Economic Development
Lt. Gaylen McDougall, Fire Prevention
Don Hall, Appraiser, Assessor's Office
Susan Doughty, Assessor's Office
Approval Letter File
Correspondence File

CITY OF PORTLAND, MAINE
PLANNING BOARD

Jaimy Caron, Chair
Deborah Krichels, Vice Chair
Kenneth M. Cole III
Cyrus Y. Hagge
Erin Rodriguez
Mark Malone
Orlando E. Delogu

March 20, 2002

Mr. Thomas Dana, GEF, LLC
P.O. Box 169
Portland, Maine 14112

RE: 184 Commercial Street, Bayview Restaurant Site Plan and Conditional Use Approval

CBL: 031 J030001

Dear Mr. Dana:

On March 12, 2002, the Portland Planning Board voted 5-0 (Delogue absent) to approve a site plan and conditional use appeal at 184 Commercial Street. The approval was granted for the project with the following condition:

- i. That the applicant provides any future revised lighting changes for Planning Staff review and approval.

The approval includes a rehabilitation and occupation of the existing Bayview Restaurant and a 1600 +/- square foot expansion of exterior restaurant use onto the existing pier deck.

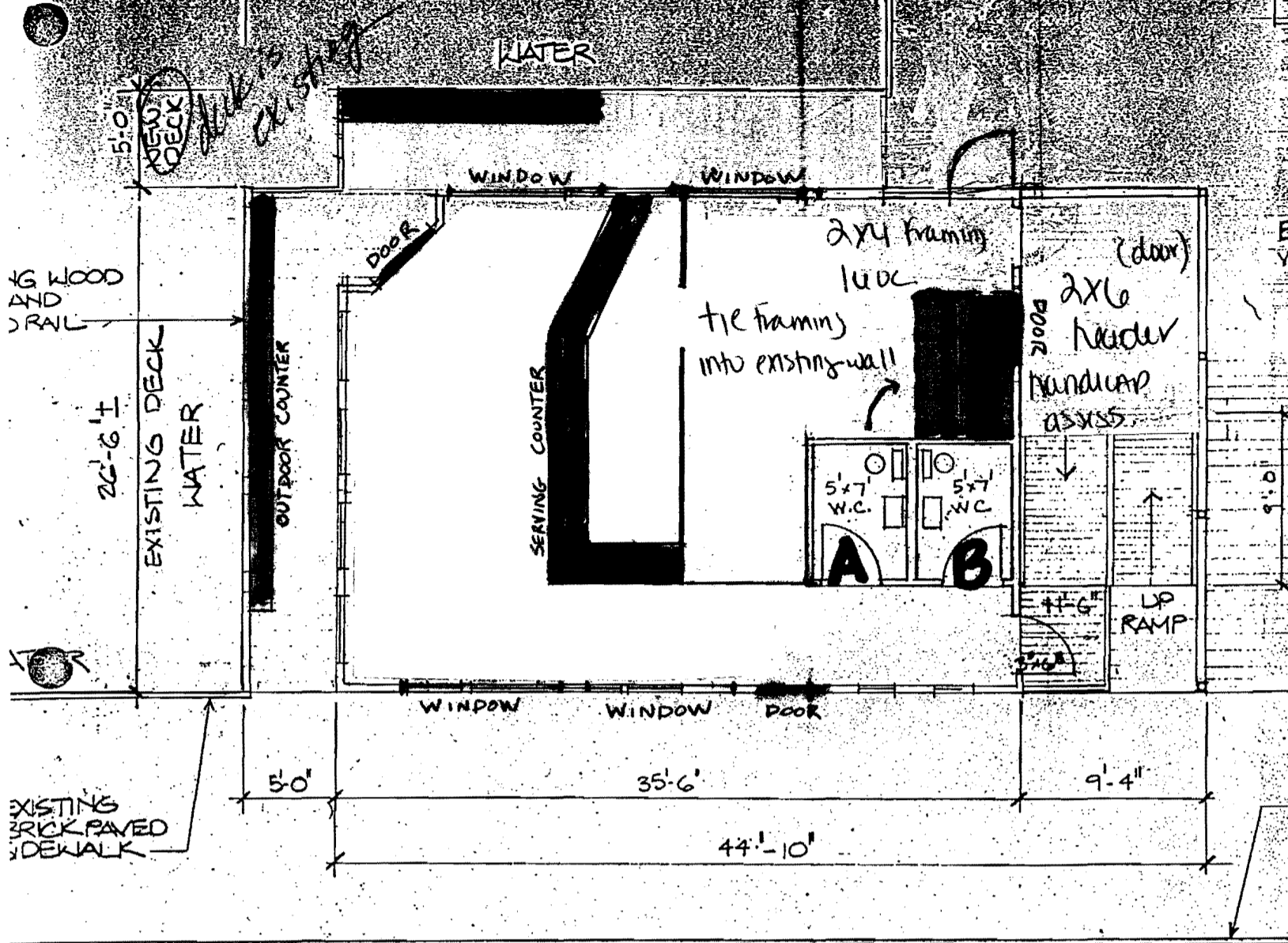
The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report # 20-02, which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
2. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the

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EXHIBIT 2



COMMERCIAL STREET

FLOOR PLAN

SCALE: 1/8" = 1'



CITY OF PORTLAND, MAINE
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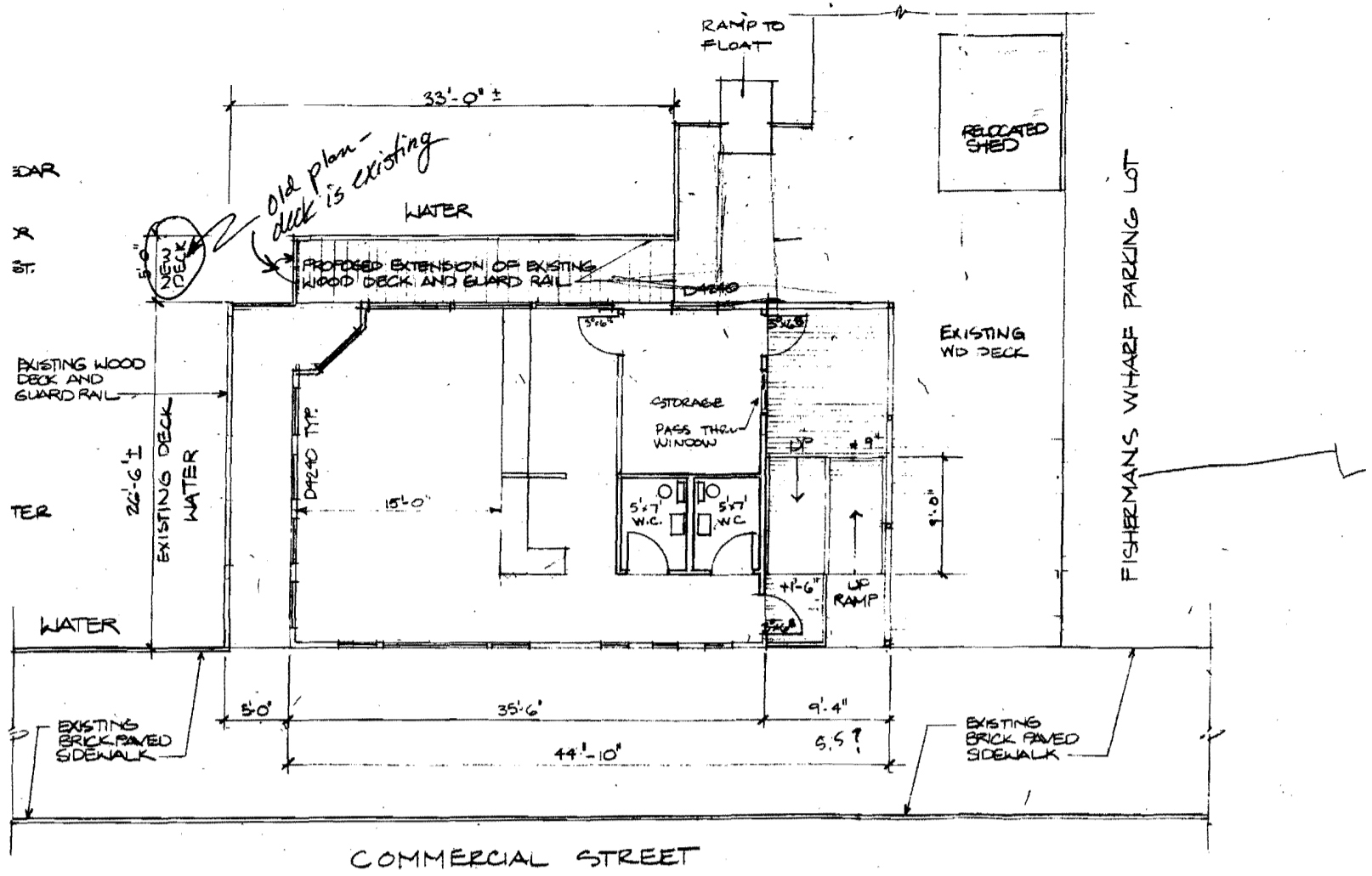
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2. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
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FLOOR PLAN

FISHERMANS WHARF
 1/8"=1'-0"
 ARCHTEL
 THIS IS A DESIGN GUIDELI

From: Marge Schmuckal
To: William Needleman
Subject: Fishermans Wharf - Bayview Restaurant Expansion

Bill,

I have reviewed the information submitted for this conditional use appeal to the planning board.

A) Requirement: There shall be no more than 1250 sq. ft. beyond the 35' line.

They are showing a total deck area as 1248 sq. ft., including some of which is on the street side of the 35' line (about 50 sq ft). It appears that they are meeting this requirement.

B) Requirement: The total new space on either side of the 35' line should not be more than 2000 sq. ft.

The expanded use area onto the existing decks around the building is just under 300 sq ft. The total is around 1600 sq. ft.

The parking requirements are 5.7 spaces. They are showing 6 spaces. The Planning Board should look at the leases.

Marge Schmuckal
Zoning Administrator 3/12/02

CC: PENNY LITTELL; Sarah Hopkins

From: Marge Schmuckal
To: William Needleman
Date: Tue, Mar 12, 2002 9:40 AM
Subject: Fishermans Wharf - Bayview Restaurant Expansion

Bill,

I have reviewed the information submitted for this conditional use appeal to the planning board.

A) Requirement: There shall be no more than 1250 sq. ft. beyond the 35' line.

They are showing a total deck area as 1248 sq. ft., including some of which is on the street side of the 35' line (about 50 sq ft). It appears that they are meeting this requirement.

B) Requirement: The total new space on either side of the 35' line should not be more than 2000 sq. ft.

The expanded use area onto the existing decks around the building is just under 300 sq ft. The total is around 1600 sq. ft.

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Marge Schmuckal
Zoning Administrator 3/12/02

CC: PENNY LITTELL; Sarah Hopkins

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or ~~874-8693~~ to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

Pre-construction Meeting: Must be scheduled with your inspection team upon receipt of this permit. Jay Reynolds, Development Review Coordinator at 874-8632 must also be contacted at this time, before any site work begins on any project other than single family additions or alterations.

~~N/A~~ **Footing/Building Location Inspection:** Prior to pouring concrete

~~N/A~~ **Re-Bar Schedule Inspection:** Prior to pouring concrete

~~N/A~~ **Foundation Inspection:** Prior to placing ANY backfill


Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling

Final/Certificate of Occupancy: Prior to any occupancy of the structure or use. NOTE: There is a \$75.00 fee per inspection at this point.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

~~N/A~~ **CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED**

x 
Signature of applicant/designee

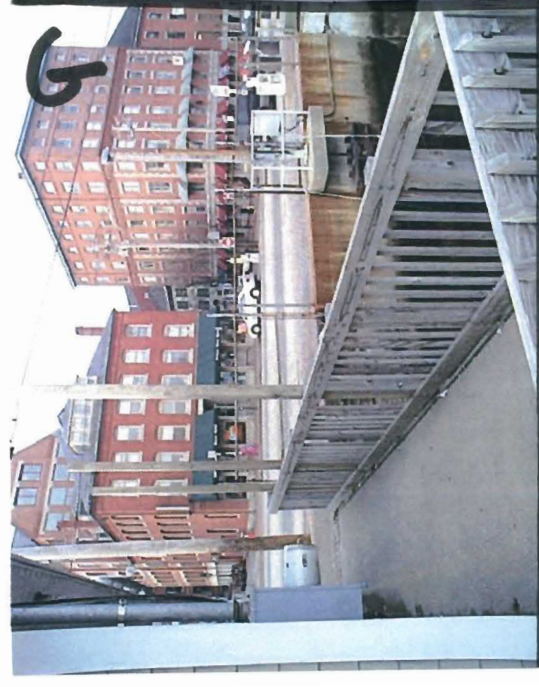
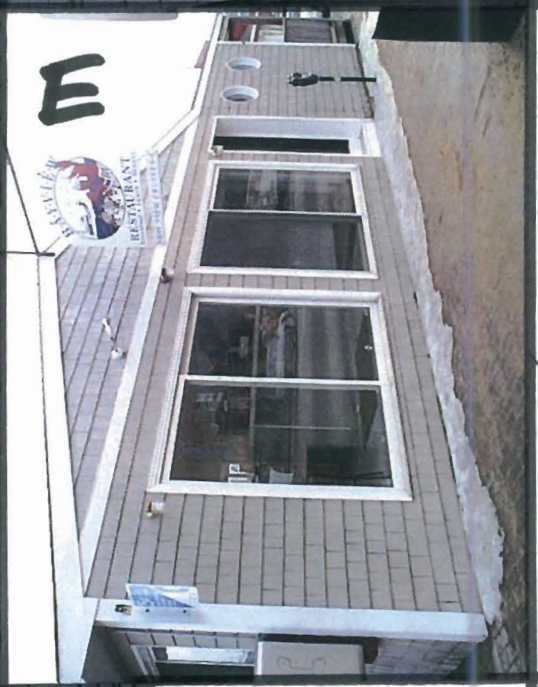
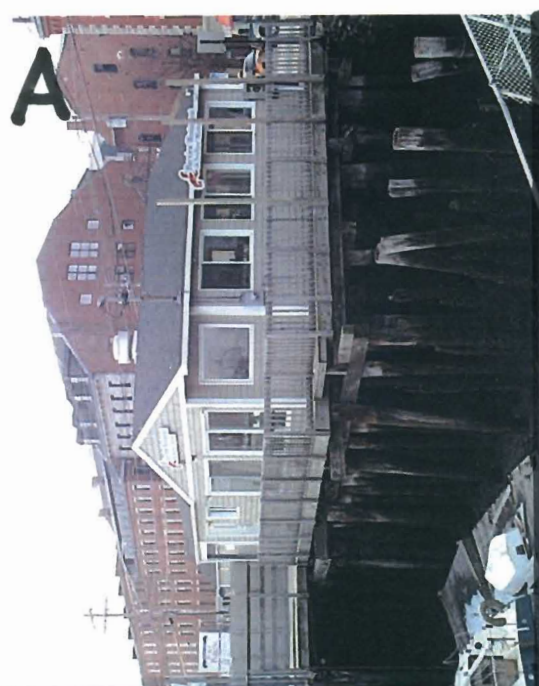
4/25/02
Date


Signature of Inspections Official

Date

CBL: 0315030 Building Permit #: 020323

EXHIBIT 1



BUILDING PERMIT INSPECTION PROCEDURES

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If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

N/A **CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED**

x Juan H. D.
Signature of applicant/designee

Date 4/25/02

[Signature]
Signature of Inspections Official

Date

CBL: 0315030 Building Permit #: 020323