

**City of Portland, Maine - Building or Use Permit Application**

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

Job No: 2012-04-3766-OSD	Date Applied: 4/12/2012	CBL: 032- D-004-001	
Location of Construction: 85 EXCHANGE ST	Owner Name: TOP OF EXCHANGE LLC	Owner Address: 42 MARKET ST PORTLAND, ME 04101	Phone:
Business Name: SONNY'S	Contractor Name: OWNER - JAY VILLANI	Contractor Address: 83 EXCHANGE STREET	Phone: 266-2325
Lessee/Buyer's Name:	Phone:	Permit Type: OUTDOOR SEATING	Zone: B-3
Past Use: 1 <sup>st</sup> floor restaurant	Proposed Use: Same: 1 <sup>st</sup> floor restaurant - outdoor dining permit for 2012	Cost of Work:	CEO District:
		Fire Dept: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> N/A  Signature:	Inspection: Use Group: Type:  Signature:
Proposed Project Description: OSD 20 Chairs & 5 tables "Sonny's" 176 sq ft Park		Pedestrian Activities District (P.A.D.)	

Permit Taken By: Lannie	<b>Zoning Approval</b>		
<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 informatin may invalidate a building permit and stop all work.</p>	<b>Special Zone or Reviews</b>	<b>Zoning Appeal</b>	<b>Historic Preservation</b>
	<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan  <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date: <i>OK 5/19/12</i>	<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:	<input type="checkbox"/> Not in Dist 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 appication 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.

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SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
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RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE	DATE	PHONE
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**Paul Fagone - Fwd: Sonny's**

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**From:** Paul Fagone  
**To:** Dobson, Lannie  
**Date:** 5/29/2012 2:43 PM  
**Subject:** Fwd: Sonny's

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Hi Lannie,

Sonny's on 85 Exchange street has now been approved ( per Greg Mitchell) to utilize the additional sidewalk space to the curb. This now gives him a total width of 9.7 feet from his building to the curbing in the park. So, the total square space of the are should be the 9.7 feet times the length we have on file. Can you see that this they are now charged for the additional square footage. Please see me with any questions. thanks,

Chuck

Chuck Fagone  
 Code Enforcement & Inspections  
 City of Portland  
 389 Congress Street  
 Portland, Maine 04101  
 Office: 874-8789

>>> Tammy Munson 5/25/2012 10:52 AM >>>

Hi Chuck, can you contact Tom Higgins and let him know we want to allow Sonny's to expand and use most of the area he requested? If he is agreeable, please have him meet you and peg the sidewalk and obtain the square footage, etc. If he is not agreeable regarding the expansion, please see Greg for support. He is aware of this request. The owner of Sonny's is Jay Villani @ 272-3004. The file is on my desk. Thanks for your help on this. Please let Greg and I know the outcome of the inspection.

9.7 x 44      426 Square Feet

65 x ~~5~~

325 Sq ft



# Outdoor Dining 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.

83 Exchange

<input type="checkbox"/> New Application for Outside Dining <input checked="" type="checkbox"/> <b>Renewal</b> Application for Outside Dining		
City Clerk signature for liquor license approval: <u>[Signature]</u>		of Pending Council Date <u>9/09</u>
Location/Address of Outdoor Seating:		
Total Square Footage of Proposed Seating Area <sup>1</sup> <u>32 D Y</u>	Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Chart# <u>032</u> Block# <u>N007</u> Lot# <u>7</u>	Phone#: <u>207 772 7774</u>	Owner: <u>TOP OF EXCHANGE LLC</u>
Applicant * <b>must be owner or Lessee</b> Name: <u>JAY VILLANI</u> Address: <u>83 EXCHANGE ST</u> City, State & Zip: <u>PORTLAND, ME, 04101</u>	Lessee/Buyer's Name: (If Applicable) <u>JAY VILLANI</u>	Annual Fee: <u>\$80</u> Total Sq. Ft. Sq. Ft. Fee: <u>\$</u> Total Fee: <u>\$</u>
Current use: <u>RESTAURANT</u>		RECEIVED APR 04 2012 Dept. of Building Inspections City of Portland Maine
Business name: <u>SONNY'S</u>		
Seating area dimensions: _____		
How many chairs? <u>20</u> How many tables? <u>5</u>		
<input checked="" type="checkbox"/> Yes Alcohol is served. <input type="checkbox"/> No Alcohol being served.		
Who should we contact for the pre-inspection: <u>KELLY NELSON (GM)</u>		
Mailing address: <u>83 EXCHANGE ST</u> Phone: <u>207 266 2325</u>		

**Please submit all of the information outlined in the Outdoor Dining Application Checklist. Failure to do so will result in the automatic denial of your permit.**

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant:

[Signature]

Date: 4/3/2012

<sup>1</sup> In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee. **This is not a permit; you may not commence ANY work until the permit is issued.**



TUFFMCN-01 MLABRECQUE

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
4/3/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # AGR8150 Clark Insurance P O BOX 3543 Portland, ME 04104	CONTACT NAME:
	PHONE (A/C, No, Ext): (207) 774-6257      FAX (A/C, No): (207) 774-2994 E-MAIL ADDRESS:
	INSURER(S) AFFORDING COVERAGE      NAIC #
	INSURER A: Peerless Insurance      24198
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

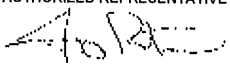
INSURED  
  
 Tuffy McNutt, LLC  
 DBA Sonny's  
 83 Exchange Street  
 Portland, ME 04101

**COVERAGES      CERTIFICATE NUMBER:      REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X		CBP7167759	8/11/2011	8/11/2012	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS						\$
	<input type="checkbox"/> NON-OWNED AUTOS						
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	<input type="checkbox"/> OCCUR						\$
	<input type="checkbox"/> CLAIMS-MADE						
	DED RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)		N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 City of Portland is an additional insured required by written contract with reference to general liability arising out of the operations of the insured.

<b>CERTIFICATE HOLDER</b>  City of Portland 389 Congress Street Portland, ME 04101	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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## OUTDOOR DINING PERMIT CHECKLIST

Permits are required for expanding food service establishments to the outside on City Property. The annual fee is \$80.00 plus \$2.00 per square foot of dining area on streets, sidewalks or other public ways and \$80.00 plus \$6.00 per square foot of dining area in city parks. For purposes of fee calculation, the area abutting the buildings which border Monument Square and extending ten (10) feet from the facade of said buildings shall be considered a sidewalk. The ten (10) foot area shall be measured from that portion of the facade that protrudes furthest into the sidewalk. The area beyond the ten (10) foot sidewalk shall be considered park space.

Outdoor dining is permitted year round under the permit; however, furniture must be removed in inclement weather to allow for sidewalk snow removal. **The permit must be renewed each year.**

All of the following information is required and must be submitted. You will also be required to fill out an Outdoor Dining Permit Application.

### A plot plan is required and must include:

- A drawing of the lot, where the building sits on the lot along with the lot and building dimensions
- The dimensional setback from the sidewalk to the building
- The location of the street, and if it's a corner lot, the intersecting streets
- The sidewalk along with its width and curbing location
- The location of the table and chair placement, including dimensions

(NOTE: there must be a minimum of four feet of open sidewalk from the outer boundary of the seating area to the curb, and a minimum of five feet on corners, and egress from the building must be maintained free of obstruction per the building code and NFPA Life Safety Code).

### Additional Requirements:

- The permit holder is required to produce, at the time of submission, and maintain public liability insurance coverage in an amount of not less than four hundred thousand dollars (\$400,000) combined single limit for bodily injury, death and property damage, naming the City as an additional insured thereon.

### All permits for outdoor dining are issued subject to the following conditions:

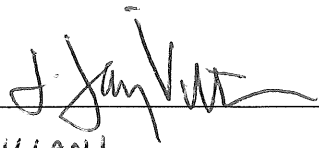
- The tables and chairs must be placed within the permitted area on the sidewalk in such a manner as to allow the free and safe passage of pedestrian traffic. If the tables and chairs are moved and located outside of the permitted outdoor seating area, they must be relocated to within the permitted area. Failure to contain the tables and chairs to the permitted area may result in a reduced permitted area or a revocation of the permit.

CONTINUED →

- The permit holder is responsible for keeping the outdoor seating area clean. The sidewalk area where the tables and chairs are located must be kept neat and free from litter and debris.
- No food shall be prepared outside.
- If alcohol is to be served, the permit holder must notify the City's Business Licensing Office in room 203 of City Hall or by telephone at 874-8557 and obtain approval for the service of alcohol outdoors. Additionally, State law requires that any outdoor area serving alcohol be segregated from the rest of the public.
- All tables and chairs shall be removed prior to a predicted snowfall and while any snow or ice exists within the designated outdoor seating area or within four feet from the boundaries thereof. The City will not be responsible for damage to any tables, chairs or other property that is not properly removed when the City is engaged in sidewalk maintenance activities.
- The permit holder shall comply with all applicable rules and regulations implemented by the city regarding outdoor dining.

**Failure to comply with any of the above conditions will result in revocation or non-renewal of the permit.**

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signed and acknowledged:  Date: 4/21/2012  
 Printed name JAY VILLANI  
 Establishment SONNY'S  
 Location 83 EXCHANGE ST



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life* • [www.portlandmaine.gov](http://www.portlandmaine.gov)

## Receipts Details:

**Tender Information:** Check , BusinessName: Tuffy McNutt, Check Number: 12017

**Tender Amount:** 80.00

## Receipt Header:

**Cashier Id:** Ldobson

**Receipt Date:** 4/12/2012

**Receipt Number:** 42848

## Receipt Details:

Referance ID:	6076	Fee Type:	BP-OD
Receipt Number:	0	Payment Date:	
Transaction Amount:	80.00	Charge Amount:	80.00
Job ID: Job ID: 2012-04-3766-OSD - 83 Exchange "Sonny's"			
Additional Comments: Sonny's			

Thank You for your Payment!

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**  
389 Congress Street  
Portland, Maine 04101

**INVOICE FOR FEES**

<b>Owner:</b>	JayVillani
<b>Location:</b>	83 Exchange St.
<b>CBL:</b>	032 D004
<b>Invoice Date:</b>	05/02/2012

<b>Fee Description</b>	<b>Fee Charge</b>
05/02/2012 Outside Dining Sonny's	\$1,056.00
<b>Total Billed:</b>	<u>\$1,056.00</u>
<b>Total Paid:</b>	\$0.00
<b>Amount Due</b>	<u>\$1,056.00</u>

-----  
Detach and remit with payment

**Bill to:** Sonny's/ Jay Villani  
83 Exchange Street  
Portland, ME 04101

**CBL:** 032 D004  
**Invoice Date:** 05/02/2012  
**Invoice No:** 1453  
**Total Amt Due:** \$1,056.00  
**Payment Amount:**

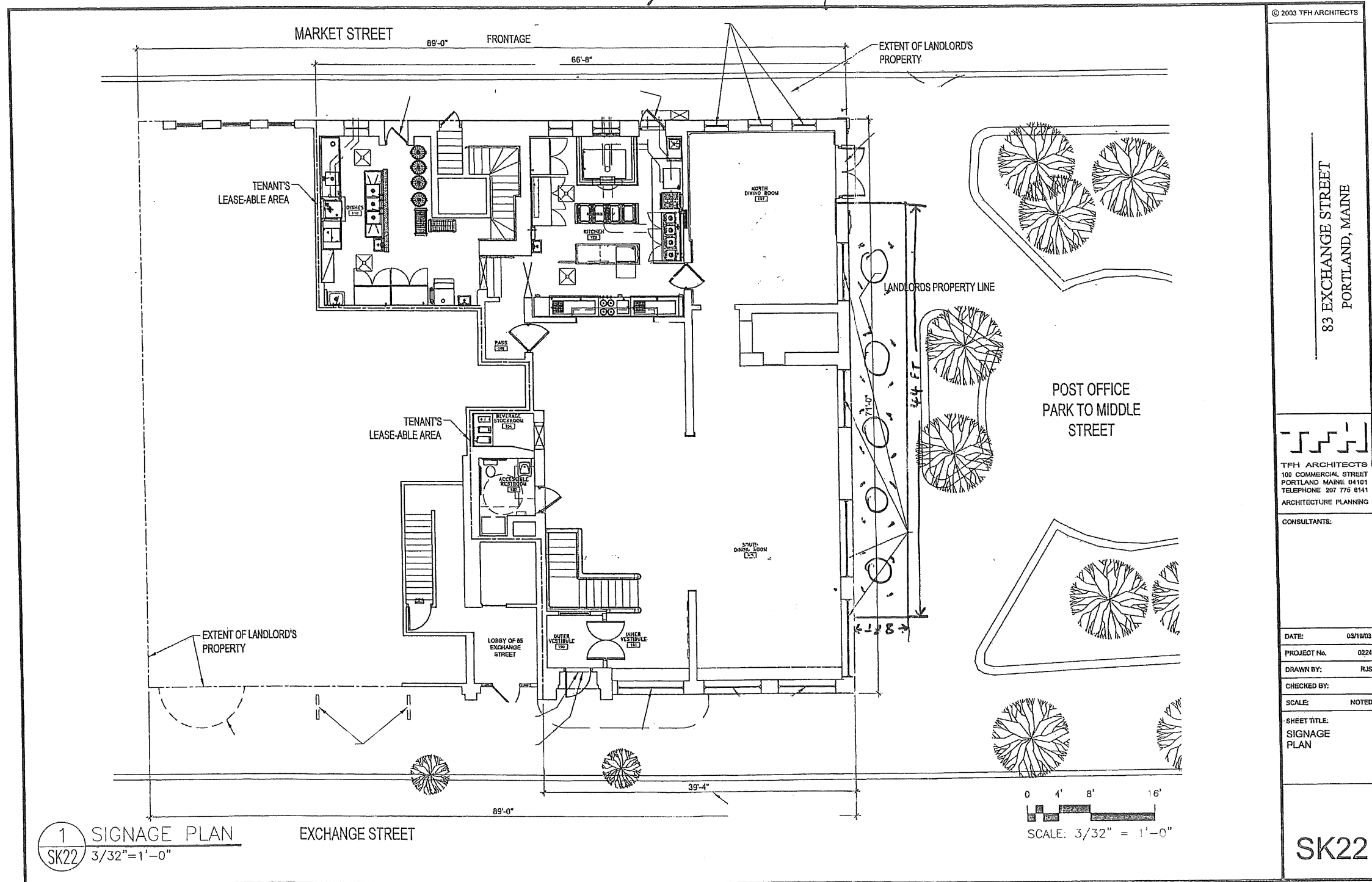
Make checks payable to the *City of Portland*, Inspections Division, Room 315, 389 Congress Street, Portland, ME 04101.



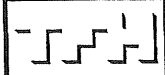
4 x 44 A

# 83 Exchange Sonny's

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83 EXCHANGE STREET  
PORTLAND, MAINE



TFH ARCHITECTS  
100 COMMERCIAL STREET  
PORTLAND MAINE 04101  
TELEPHONE 207 776 8141  
ARCHITECTURE PLANNING

CONSULTANTS:

DATE: 03/18/03

PROJECT No. 0224

DRAWN BY: RJS

CHECKED BY:

SCALE: NOTED

SHEET TITLE:  
SIGNAGE  
PLAN

SK22

1 SIGNAGE PLAN  
SK22 3/32"=1'-0"

EXCHANGE STREET

0 4' 8' 16'  
SCALE: 3/32" = 1'-0"

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.

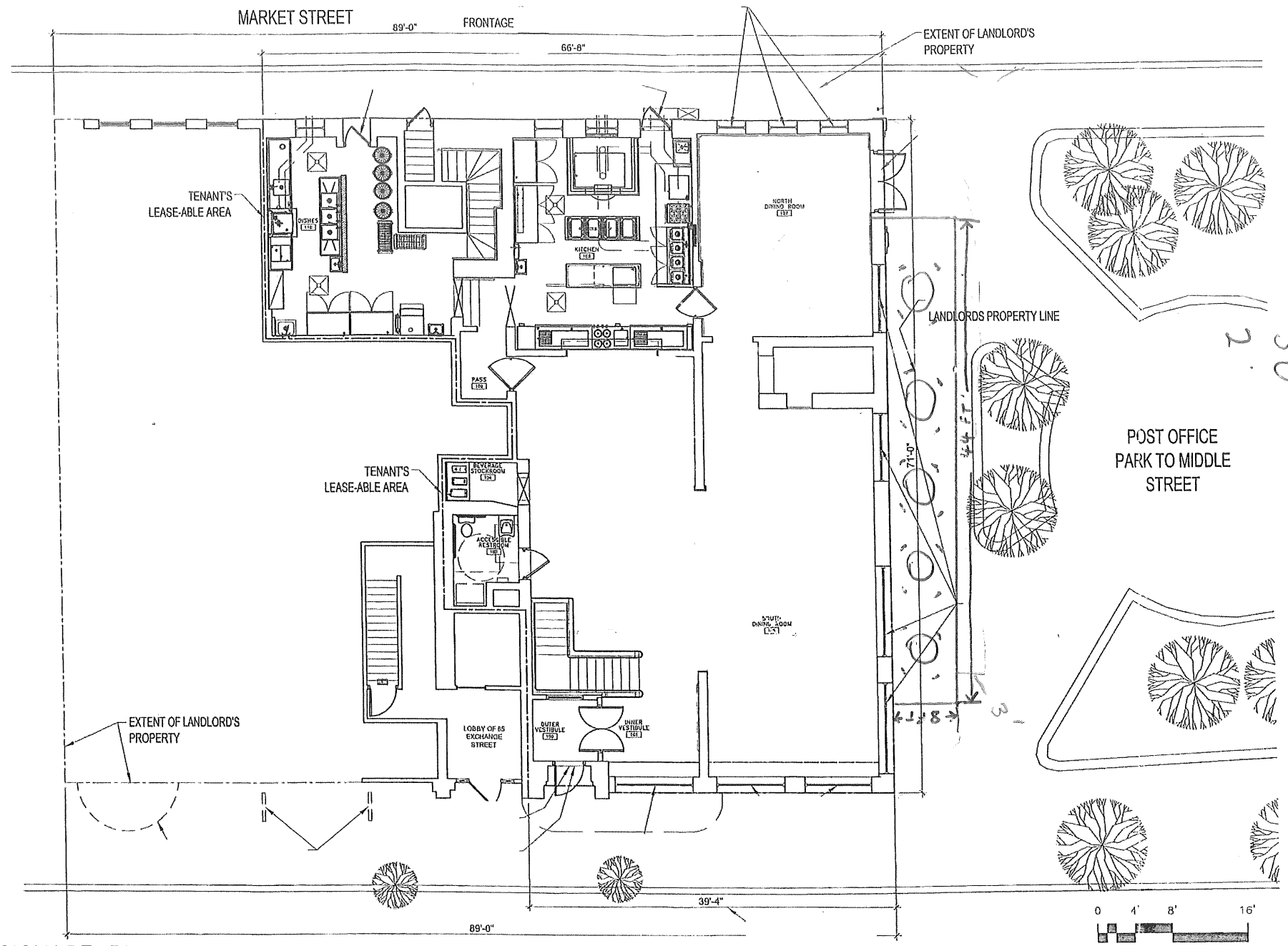


Le Saint Sulpice Hotel - [www.lesaintsulpice.com/MIH-Hotel](http://www.lesaintsulpice.com/MIH-Hotel) - Take a tour of our luxury suites & accommodations in the Old Montreal

Ad

# 83 Exchange Sonny's

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83 EXCHANGE STREET  
PORTLAND, MAINE



TFH ARCHITECTS  
100 COMMERCIAL STREET  
PORTLAND MAINE 04101  
TELEPHONE 207 776 8141  
ARCHITECTURE PLANNING

CONSULTANTS:

DATE: 03/10/03

PROJECT No. 0224

DRAWN BY: RJS

CHECKED BY:

SCALE: NOTED

SHEET TITLE:  
SIGNAGE  
PLAN

1 SIGNAGE PLAN  
SK22 3/32" = 1'-0"

EXCHANGE STREET

0 4' 8' 16'  
SCALE: 3/32" = 1'-0"

SK22

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Building a Community for Life*

**PORTLAND  
MAINE**

Inspections Division

389 Congress Street, RM 315  
Portland, Maine 04101-3509

**Sonny's  
Jay Villani  
83 Exchange St.  
Portland, ME 04101**

**Outside Dining  
\$1,056.00 Owed  
RE: Sonny's**

**May 2, 2012**