

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

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

Permit No: 07-0460	Issue Date:	CBL: 032 E010001
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Location of Construction: 46 MARKET ST	Owner Name: 46 MARKET ST LLC	Owner Address: 845 LAFAYETTE RD	Phone:
Business Name:	Contractor Name: Atlas Investment Corp / Joseph Bart	Contractor Address: 35 Fay St 10713 Boston	Phone: 6172930193
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Interior	Zone: B3

Past Use: Commerical - 1st Floor	Proposed Use: Commercial - Interior demolition of 60 lineal feet of walls to prepare for new use to be applied for separatly	Permit Fee: \$175.00	Cost of Work: \$8,000.00	CEO District: 1
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type: JB <i>Interior Demo only</i>	

**Proposed Project Description:**  
Commercial - Interior demolition of 60 lineal feet of walls to prepare for new use to be applied for separatly

Signature: *Craig Cass*  
Signature: *JMB 5/14/07*  
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)  
Action:  Approved  Approved w/Conditions  Denied  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Permit Taken By: Idobson	Date Applied For: 04/30/2007	<b>Zoning Approval</b>	
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- 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**

Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan

Maj  Minor  MM

*Ok w/cond. has*  
Date: *5/15/07*

**Zoning Appeal**

Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

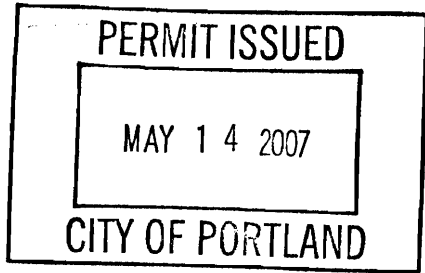
Date: \_\_\_\_\_

**Historic Preservation**  
*yes*

Not in District or Landmark  
 Does Not Require Review  
 Requires Review  
 Approved  
 Approved w/Conditions  
 Denied

*Any exterior work requires a separate review & approval thru Historic Preservation*

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

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

PERMIT ISSUED

Permit Number: 070460  
MAY 14 2007

CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

This is to certify that 46 MARKET ST LLC /Atlas Investment Corp / Joseph Bartu  
has permission to Commercial - Interior demolition of 60 linear feet of walls to prepare for new use to be applied to separately  
AT 46 MARKET ST 032 E010001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of this State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permission procured before this building or part thereof is altered or closed-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. Greg Cass  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name

*Jamie Bouke* 5/14/07  
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD



# Demolition of a Structure 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: <b>46 MARKET ST</b>			
Total Square Footage of Proposed Structure <b>2400sq Ft First Floor</b>		Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Chart# <b>32</b> Block# <b>E</b> Lot# <b>10</b>		Owner: <b>46 MARKET ST, LLC</b>	Telephone:
Lessee/Buyer's Name (If Applicable) <b>Village e Oceanside, LLC</b>		Applicant name, address & telephone: <b>Village e Oceanside LLC c/o Atlas Investment 35 Fay St 10713 Boston, MA 02118</b>	Cost Of Work: \$ <b>8,000</b> Fee: \$ _____
Current legal use: (i.e. garage, warehouse) <b>VACANT</b>			
If vacant, what was the previous use? <b>Restaurant (Molly Malones?)</b> <span style="float: right;"><b>100</b></span>			
How long has it been vacant?: <b>4 years</b> <span style="float: right;"><b>+ 75</b></span>			
Project description: <b>Estimate 1 year - this is just a demo permit - Sales &amp; Temporary Sales Center for Condominium Interior, demolition / Condo Showroom Mock-up</b>			
Contractor's name, address & telephone: <b>Joseph Bartucca</b>			
Who should we contact when the permit is ready: <b>Joseph Bartucca</b>			
Mailing address: <b>Atlas Investment Corp 35 Fay St 10713 Boston, MA 02118</b>			
<div style="border: 1px solid black; padding: 5px; display: inline-block;">             DEPT. OF BUILDING INSPECTION CITY OF PORTLAND, ME APR 30 2007 RECEIVED           </div>			

Separate permit below

Please submit all of the information outlined in the Demolition call list. 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 or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division 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: *Joseph Bartucca* OR Date: **4/24/07**

**This is not a permit; you may not commence ANY work until the permit is issued.**



# Demolition Call List & Requirements

Site Address: 46 Market St

Owner: 46 Market St, LLC

Structure Type: masonry

Contractor: Joseph Bartucci

Utility Approvals	Number	Contact Name/Date
Central Maine Power	1-800-750-4000	<u>N/A</u>
Northern Utilities	797-8002 ext 6241	<u>N/A</u>
Portland Water District	761-8310	<u>N/A</u>
Dig Safe	1-888-344-7233	<u>N/A</u>

After calling Dig Safe, you must wait 72 business hours before digging can begin.

DPW/ Traffic Division (L. Cote)	874-8891	<u>N/A</u>
DPW/ Sealed Drain Permit (C. Merritt)	874-8822	<u>N/A</u>
Historic Preservation	874-8726	<u>N/A</u>
Fire Dispatcher	874-8576	<u>N/A</u>

## Additional Requirements

- 1) Written Notice to Adjoining Owners
- 2) A Photo of the Structure(s) to be demolished
- 3) Certification from an asbestos abatement company

N/A

DEP – Environmental (Augusta) 287-2651 N/A

U.S. EPA Region 1 – No Phone call required. Just mail copy of State notification to:

Demo / Reno Clerk  
US EPA Region I (SEA)  
JFK Federal Building  
Boston, MA 02203

I have contacted all of the necessary companies/departments as indicated above and attached all required documentation.

Signed: [Signature]

Date: 7/27/07

For more information or to download this form and other permit applications visit the Inspections Division on our website at [www.portlandmaine.gov](http://www.portlandmaine.gov)

-----Original Message-----

From: Nate Underwood <n\_underwood@uncommonroom.com>  
To: Joe Bartucca <Joe@atlasboston.com>; dasco@atlasboston.com  
<dasco@atlasboston.com>  
Sent: Thu Apr 26 07:46:29 2007  
Subject: Copy of Doc for Haz materials

4/26/2007

Dear Sir or Madam,

This letter is to address the hazardous materials inspection request put forth in the demolition permit application for Village at Ocean Gate LLC.

There are no materials currently exposed in the space requiring demolition. Furthermore, we do not see the opportunity for these materials to be present in the areas of the building that demolition would be taking place. If the city wishes to arrange an inspection to identify if they would like specific areas inspected, as the property owner, I will certainly be willing to have those areas inspected.

Upon demolition, if the tenant encounters suspicious materials that the tenant or city feel may be hazardous, again as the building owner I would have them inspected and removed properly at that time.

I can be reached directly for comment at 603.234.1567 or n\_underwood@uncommonroom.com

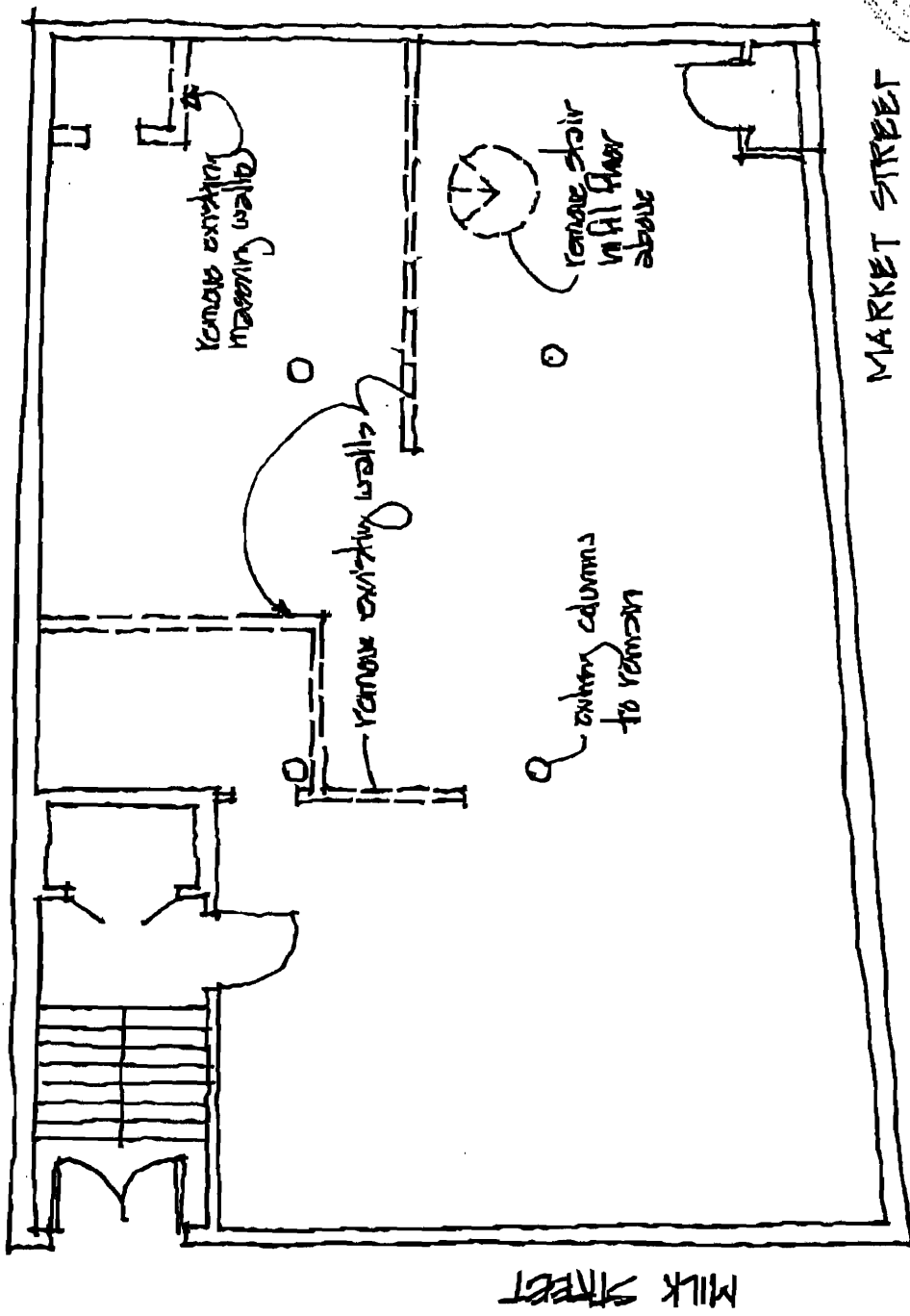
Kind Regards,

Nate Underwood

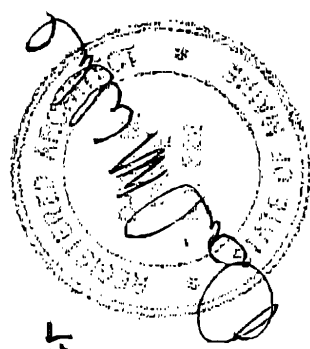
Market Street LLC

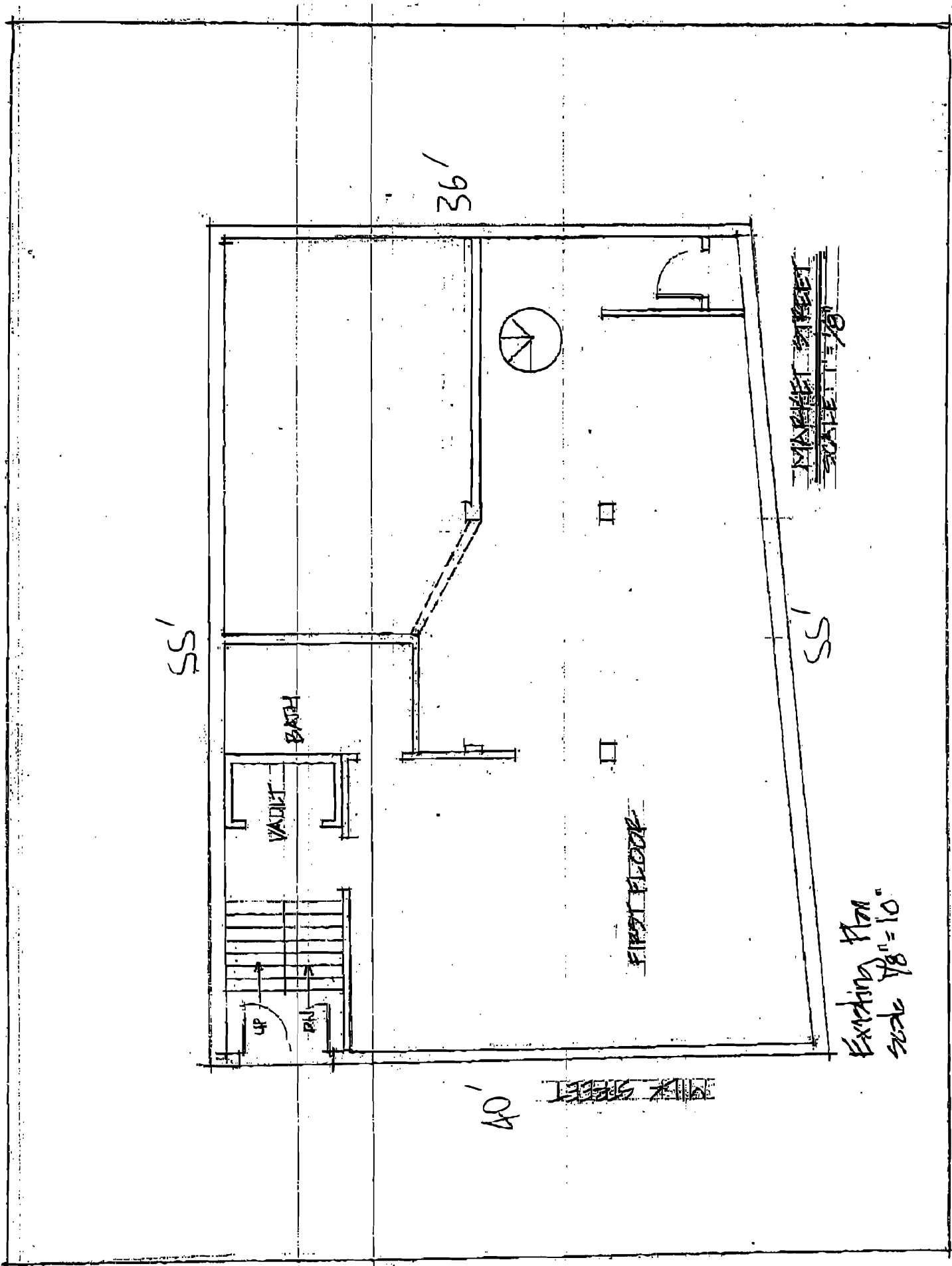
46 Market St

Portland Maine 04101



Renovation Plan  
Scale 1/8" = 1'-0"





# HP Color LaserJet 2840



HP LASERJET FAX

May-8-2007 11:25AM

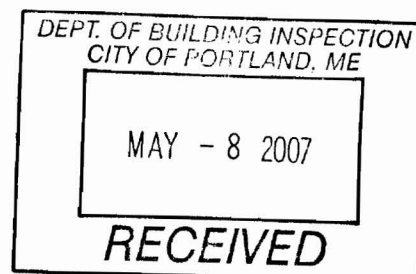
## Fax Call Report

Job	Date	Time	Type	Identification	Duration	Pages	Result
654	5/ 8/2007	11:24:01AM	Send	2877826	1:21	5	OK

SHINBERG CONSULTING, LLC  
477 Congress Street, 5<sup>th</sup> Floor  
Portland, Maine 04101-3427  
207 523 3410 Office  
207 773 8597 Fax  
[gls@gwi.net](mailto:gls@gwi.net)

FROM: Greg Shinberg  
TO: MAINE DEP  
DATE: 5/08/07  
RE: BDNF FORM  
NUMBER OF PAGES INCLUDING COVER: 5  
FAX NUMBER: 287 7826  
MESSAGE: BDNF FORM TO  
FOLLOW FOR 46 MARKET  
ST. PORTLAND ME

Attention: This facsimile contains information intended only for the person above-named and may be privileged under attorney-client or other rules. The distribution, copying, or disclosure of the information contained in this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us by telephone and destroy the original message.





SHINBERG CONSULTING, LLC

477 Congress Street, 5<sup>th</sup> Floor

Portland, Maine 04101-3427

207 523 3410 Office

207 773 8597 Fax

gls@gwi.net

FROM: Greg Shinberg

TO: MAINE DEP

DATE: 5/03/07

RE: BDNF FORM

NUMBER OF PAGES INCLUDING COVER: 5

FAX NUMBER: 287 7826

MESSAGE: BDNF FORM TO  
FOLLOW FOR 46 MARKER  
1ST PORTLAND ME

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Maine Department of Environmental Protection  
Lead & Asbestos Hazard Prevention Program

17 State House Station, Augusta, Me 04333-0017

Tel: (207) 287-2651 Fax: (207) 287-7826



Building Demolition Notification Form (BDNF)

**Important Notice:** Maine law requires the filing of this "Building Demolition Notification Form" prior to demolition of any building except a single-family home

1) Building owners are required to provide this notification of the demolition of a building to the DEP at least 5 working days prior to the demolition. This notification is not required before the demolition of a single-family residence or related structure (e.g., garage, shed, barn). It is also not required if previous notification of the demolition has been provided to the DEP as part of an asbestos abatement project notification. *Demolition* means the tearing down or intentional burning of a building or part of a building.

2) Prior to demolition, building owners must determine if there is any asbestos-containing material(s) (ACM) in the building. An "asbestos inspection" by a DEP-licensed Asbestos Consultant is required for all buildings except single-family homes and residential buildings with 2-4 units built after 1980. In lieu of an asbestos inspection, pre-1981 residential buildings with 2-4 units can be surveyed to identify possible ACM by someone knowledgeable about ACM, such as a code enforcement officer or building inspector. If materials that may contain asbestos are found, then you can either assume they are ACM or hire a DEP-licensed Asbestos Consultant to test the materials.

3) Whenever more than 3 square feet or 3 linear feet of ACM is identified, the ACM must be abated in accordance with the *Maine Asbestos Management Regulations* by a DEP-licensed Asbestos Abatement Contractor. This includes materials presumed to be ACM. Check [www.state.me.us/dep/rwm/asbestos/index.htm](http://www.state.me.us/dep/rwm/asbestos/index.htm) for a listing of asbestos contractors.

Prior to issuing a local demolition permit, the DEP requests that municipalities have applicants for municipal demolition permits complete this form and fax it to the DEP at 207-287-7826. Municipalities should not issue local demolition permits if the required asbestos inspection or survey has not been performed and identified ACM removed.

Were asbestos-containing materials found?  yes  no  no inspection or survey required (post-1980 2-4 unit)

property address: <b>46 MARKET ST. PORTLAND, ME 04101</b>	building description: <input type="checkbox"/> pre-1981 residential with 2-4 units <input type="checkbox"/> post-1980 residential with 2-4 units <input type="checkbox"/> other:
asbestos survey performed by: (name & address) <b>NATE UNDERWOOD - SEE ATTACHED LETTERS</b>	asbestos inspection performed by: (name of licensed Asbestos Consultant) <b>SEE ATTACHED LETTER</b>
telephone:	telephone:
property owner: (name & address) <b>NATE UNDERWOOD MARKET ST. LLC 46 MARKET ST PORTLAND, ME 04101</b>	demolition contractor: (name & address) <b>JOSEPH BARTUCCA ATLAS INVESTMENT GROUP 35 FAY ST. 107 B - BOSTON MA 02118</b>
telephone:	telephone:
demolition start date: <b>MID MAY 2007</b>	demolition end date: <b>JUNE 1, 2007</b>

Notification Submitted by: (please print)

**GREG SHINBERG  
SHINBERG CONSULTING LLC**

Date Submitted

**5/08/07**

Help save Maine fisheries - Remove and recycle mercury thermostats and fluorescent lamps from your building prior to demolition!

**SHINBERG CONSULTING, LLC**

**477 Congress Street, 5<sup>th</sup> Floor**


**Portland, Maine 04101-3427**

207 523 3410 Office

207 773 8597 Fax

207 653 7510 Cell

[glg@gwi.net](mailto:glg@gwi.net)

 To: Maine DEP  
From: Greg Shinberg, Shinberg Consulting, LLC - Owners Agent  
Re: 46 Market Street, Portland Maine BDNF  
Date: May 8, 2007

The following is a memo that addresses the small amount of demolition to be done on the 1<sup>st</sup> floor of an existing building located at 46 Market Street in Portland, Maine.

As noted in the letter from Nate Underwood of Market Street, LLC dated 4/26/07, no exposed hazardous materials have been identified on the site. As shown on the attached floor plan, we plan to remove less than 60 lineal feet of existing wood framed non bearing partitions that have gypsum wallboard applied on both sides. The floors are wood with wood floor joists.

Given the small amount of demolition, it is not necessary to hire a licensed asbestos inspection consultant.

Please contact me if you have any questions or concerns.

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

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

<b>Permit No:</b> 07-0460	<b>Date Applied For:</b> 04/30/2007	<b>CBL:</b> 032 E010001
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<b>Location of Construction:</b> 46 MARKET ST	<b>Owner Name:</b> 46 MARKET ST LLC	<b>Owner Address:</b> 845 LAFAYETTE RD	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Atlas Investment Corp / Joseph Bart	<b>Contractor Address:</b> 35 Fay St 10713 Boston	<b>Phone</b> (617) 293-0193
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Demolitions - Interior	

<b>Proposed Use:</b> Commercial - Interior demolition of 60 lineal feet of walls to prepare for new use to be applied for separately	<b>Proposed Project Description:</b> Commercial - Interior demolition of 60 lineal feet of walls to prepare for new use to be applied for separately
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Ann Machado      **Approval Date:** 05/09/2007**Note:** The space is currently vacant. The last use was a restaurant.**Ok to Issue:** 

- 1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2) This is a demolition permit only. The applicant will apply for a separate tenant fit up/change of use permit in the future.
- 3) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Jeanine Bourke      **Approval Date:** 05/14/2007**Note:****Ok to Issue:** 

- 1) This approves interior demolition only, separate approvals are required for the fit up and use of the space.

**Dept:** Fire      **Status:** Approved      **Reviewer:** Capt Greg Cass      **Approval Date:** 05/10/2007**Note:****Ok to Issue:**