

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK  
**CITY OF PORTLAND**

**BUILDING INSPECTION**

**PERMIT**

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED  
MAR 21 2008  
Permit Number: 080211  
CITY OF PORTLAND

This is to certify that E L C INC /ELC Management  
has permission to vacant space - interior demo previous permit #051322 Interior Demo for future renovation  
AT 30 MARKET ST C 032 F003001

provided that the person or persons who perform or supervise the work in accepting this permit shall comply with all of the provisions of the Statutes of the 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 is procured before this building or part thereof is leased or service is 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. Craig Cross  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name

*Janine Bonke* 3/20/08  
Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

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

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

<b>Permit No:</b> 08-0211	<b>Date Applied For:</b> 03/07/2008	<b>CBL:</b> 032 F003001
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<b>Location of Construction:</b> 30 MARKET ST	<b>Owner Name:</b> E L C INC	<b>Owner Address:</b> 30 MARKET ST	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> ELC Management	<b>Contractor Address:</b> 42 Market St. Portland	<b>Phone</b> (207) 774-1000
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Interior Demo ONLY	

<b>Proposed Use:</b> Commercial- vacant space - interior demo previous permit expired #051322 Interior Demo for future renovation	<b>Proposed Project Description:</b> vacant space - interior demo previous permit expired #051322 Interior Demo for future renovation
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<b>Dept:</b> Zoning	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Marge Schmuckal	<b>Approval Date:</b> 03/10/2008
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
<ol style="list-style-type: none"> <li>This permit is for demolition only. It is to remain a vacant shell until a separate permit is applied for, reviewed and approved for any new tenant.</li> <li>This property is located within a Pedestrian Activities District (PAD) which limits first floor uses along the pedestrian way to be retail-like. Any change of use shall comply with all the B-3 PAD requirements.</li> <li>ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.</li> <li>This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.</li> </ol>			
<b>Dept:</b> Building	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Jeanine Bourke	<b>Approval Date:</b> 03/20/2008
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
<ol style="list-style-type: none"> <li>This approves interior demolition only for non-structural partitions. A separate application and approval is required for fit up and use of this space.</li> </ol>			
<b>Dept:</b> Fire	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Capt Greg Cass	<b>Approval Date:</b> 03/19/2008
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
<ol style="list-style-type: none"> <li>Demo only</li> </ol>			

<b>Comments:</b> 3/20/2008-jmb: Spoke to Deb Vargo, she said the top floor has been gutted of all non bearing walls except for a couple of small walls. The main floor has only a few walls and the shell has been exposed to the brick.
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**City of Portland, Maine - Building or Use Permit Application**

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

Permit No: 08-0211	Issue Date:	CBL: 032 F003001
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Location of Construction: 30 MARKET ST	Owner Name: E L C INC	Owner Address: 30 MARKET ST	Phone:
Business Name:	Contractor Name: ELC Management	Contractor Address: 42 Market St. Portland	Phone 2077741000
Lessee/Buyer's Name	Phone:	Permit Type: Interior Demo ONLY	Zone: B-3

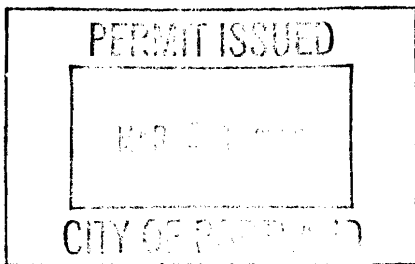
Past Use: Commercial - restaurant	Proposed Use: Commercial- vacant space - interior demo previous permit expired #051322 Interior Demo for future renovation <i>No use Approved-only A vacant shell</i>	Permit Fee: \$30.00	Cost of Work: \$1,000.00	CEO District: 1
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type: <i>Interior Demo ONLY</i>	

Proposed Project Description: vacant space - interior demo previous permit expired #051322 Interior Demo for future renovation	Signature: <i>Greg Cross</i>	Signature: <i>AMB 3/20/08</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied <i>within PAD</i>		
Signature: <i>[Signature]</i>		Date: <i>3/10/08</i>

Permit Taken By: lmd	Date Applied For: 03/07/2008	<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	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<input type="checkbox"/> Not in District or Landmark
<input type="checkbox"/> Wetland	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Does Not Require Review
<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Requires Review
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
Date: <i>5/3/08</i>	Date:	Date: <i>Requires A separate review &amp; approval</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



# 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: <u>30 Market Street</u>		
Total Square Footage of <del>Proposed</del> <u>Current</u> Structure <u>4161</u>	Square Footage of Lot <u>1722</u>	
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot# <u>032      F003      001</u>	Owner: <u>ELL INC</u> <u>42 MARKET ST</u> <u>PORTLAND ME 04101</u>	Telephone: <u>774-1000</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>ELL INC</u> <u>42 MARKET ST</u> <u>PORTLAND ME 04101</u>	Cost Of Work: \$ <u>1000</u> Fee: \$ _____
Current legal use: (i.e. garage, warehouse) <u>Commercial - restaurant sandwich shop</u> If vacant, what was the previous use? _____ How long has it been vacant?: _____		
Project description: <u>Demo Interior - for future renovation -</u> <u>Complete Demo from Permit 051322</u>		
Contractor's name, address & telephone: <u>ELL INC</u> <u>42 MARKET ST</u> <u>PORTLAND ME</u> <u>04101</u>		
Who should we contact when the permit is ready: <u>Debarbo/Dick Yang</u>		<u>04101</u>
Mailing address:		Phone: <u>774-1000</u> <u>774-1000</u>

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:	Date: <u>3-8-08</u>
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**This is not a permit; you may not commence ANY work until the permit is issued.**

# 8758

PERKINS OLSON, P.A.  
ATTORNEYS AT LAW

30 Milk Street  
P.O. Box 449  
Portland, Maine 04112-0449

(207) 871-7159  
FAX (207) 871-0521  
<http://www.perkinsolson.com>

David J. Perkins  
Email: [dperkins@perkinsolson.com](mailto:dperkins@perkinsolson.com)

April 5, 2006

Mike Nugent  
Inspection Services  
City of Portland  
389 Congress Street  
Portland, ME 04101

Nelson Collins  
Maine Department of Public Safety  
State Fire Marshall's Office  
52 State House Station  
Augusta, ME 04333

RE: ELC, Inc./The Alehouse/Market Street, Portland, Maine

Dear Mr. Nugent and Mr. Collins:

I represent ELC, Inc.

I am writing to you relating to the various fire and safety issues that you have raised with respect to the leasehold space occupied by The Alehouse. The landlord believes that all of the problems relating to the Fire and Safety Code relate to the tenants' use (and change of use) of the property. At the time that the landlord leased this space, the tenant agreed to use the space for a Class A restaurant and lounge. A copy of the lease is enclosed.

Over the years, The Alehouse has changed its use of the property beyond what is allowed in the lease. I understand that The Alehouse operates a dance bar and that the leasehold space has been stripped of much of the original tables and equipment allowing a much greater occupancy by patrons.

If the landlord has any responsibility for any fire or safety or other code issues, the landlord is more than willing to address and correct those issues immediately.

However, if this is a problem caused by the tenant's use, and/or change of use beyond what is allowed pursuant to the lease, then we obviously feel that the tenant should immediately take steps to comply with the law.

3  
X  
3

April 5, 2006  
Page 2

Please note that the lease requires the tenant to comply with all laws and ordinances.

You have our complete cooperation. Please let us know if there is any landlord duty to correct any of the issues that you have raised with The Alehouse.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David J. Perkins', with a stylized flourish at the end.

David J. Perkins

DJP/bm

Enclosure

cc: Dan Skolnik, Esq.  
Peggy Cianchette

F:\CLIENTS\Cianchette\ELC, Inc. Leases\Alehouse issues\nugent collins ltr 040506.doc

## BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY )

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.**

**A Pre-construction Meeting will take place upon receipt of your building permit.**


  X   **If the tenant fitup is not permitted within 6 months after the completion of this work or if this work is suspended for 6 months, an inspection shall be scheduled by the owner to verify completion and permit closure.**

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.**

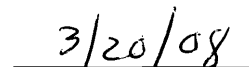
**CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.**

\_\_\_\_\_  
Signature of Applicant/Designee



\_\_\_\_\_  
Signature of Inspections Official

\_\_\_\_\_  
Date

  
Date