

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

**CITY OF PORTLAND**

BUILDING INSPECTION

**PERMIT**

Permit Number: 090247

**PERMIT ISSUED**

Please Read  
Application And  
Notes, If Any,  
Attached

This is to certify that 10 EXCHANGE PROPERTIES, LLC/Architectshas permission to Commercial - Mixed Use - Code workAT 10 EXCHANGE STCD 032-1012001

DEC 17 2009

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine 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 written permission procured before this building or part thereof is lathed or otherwise 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. \_\_\_\_\_

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

Department Name

Director - Building &amp; Inspection Services

**PENALTY FOR REMOVING THIS CARD**

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

Permit No: 09-0247		Issue Date:		CBL: 032 1012001	
Location of Construction: 10 EXCHANGE ST		Owner Name: 10 EXCHANGE PROPERTIES LL		Owner Address: PO BOX 4894	
Business Name:		Contractor Name: Archetype P A Architects		Contractor Address: 48 Union Wharf Portland	
Lessee/Buyer's Name		Phone:		Phone 2077726022	
Past Use: Commercial - Mixed Use		Proposed Use: Commercial - Mixed Use - Code work		Permit Type: Alterations - Commercial	
Proposed Project Description: Commercial - Mixed Use - Code work		Permit Fee: \$70.00		Cost of Work: \$5,000.00	
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: S/M/B Type: 3B	
		Signature: <i>K. Gaudreau</i>		Signature: <i>IBC 2003</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: Ldobson		Date Applied For: 03/27/2009		Zoning Approval	

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building permits do not include plumbing, septic or electrical work.
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..

PERMIT ISSUED

DEC 17 2009

City of Portland

<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	<b>Zoning Appeal</b> <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:	<b>Historic Preservation</b> <input 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:
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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

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

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

Permit No:	Date Applied For:	CBL:
09-0247	03/27/2009	032 I012001

Location of Construction: 10 EXCHANGE ST	Owner Name: 10 EXCHANGE PROPERTIES LL	Owner Address: PO BOX 4894	Phone:
Business Name:	Contractor Name: Archetype P A Architects	Contractor Address: 48 Union Wharf Portland	Phone (207) 772-6022
Lessee/Buyer's Name	Phone:	Permit Type: Alterations - Commercial	

Proposed Use: Commercial - Mixed Use - Code work	Proposed Project Description: Commercial - Mixed Use - Code work
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 03/27/2009**Note:****Ok to Issue:** ☒

- 1) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 3) This permit is being approved under Zoning without regard to current uses in the building. This permit does not legalize any illegal and non permitted uses in the building.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Tammy Munson      **Approval Date:** 12/16/2009**Note:** Waiting information requested @ 3/31/09 mtg---see letter from ARCHTYPE and notes in file. CSH**Ok to Issue:** ☒

- 1) Permit approved based on the plans submitted and reviewed w/owner/contractor, with additional information as agreed on and as noted on plans.
- 2) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.
- 3) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Capt Greg Cass      **Approval Date:** 12/15/2009**Note:****Ok to Issue:** ☒

- 1) Emergency lights are required to be tested at the electrical panel on the same circuit as the lighting for the area they serve.
- 2) The sprinkler system shall be installed in accordance with NFPA 13.
- 3) All construction shall comply with NFPA 101
- 4) Installation of a Fire Alarm system requires a Knox Box to be installed per city ordinance
- 5) The fire alarm system shall comply with the City of Portland Standard for Signaling Systems for the Protection of Life and Property. All fire alarm installation and servicing companies shall have a Certificate of Fitness from the Fire Department.
- 6) The Fire alarm and Sprinkler systems shall be reviewed by a licensed contractor[s] for code compliance. Compliance letters are required.
- 7) Emergency lights and exit signs are required. Emergency lights and exit signs are required to be labeled in relation to the panel and circuit.
- 8) Fire alarm system requires a Masterbox connection per city ordinance. Masterbox design and installation shall be as approved by City Electrical Division.
- 9) Two means of egress are required from every story. "State Law Title 25 ~ 2453"
- 10) System acceptance and commissioning must be co-ordinated with alarm and suppression system contractors and the Fire Department. Call 874-8703 to schedule.

<b>Location of Construction:</b> 10 EXCHANGE ST	<b>Owner Name:</b> 10 EXCHANGE PROPERTIES LL	<b>Owner Address:</b> PO BOX 4894	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Archetype P A Architects	<b>Contractor Address:</b> 48 Union Wharf Portland	<b>Phone</b> (207) 772-6022
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Alterations - Commercial	

- 11 Fire extinguishers required. Installation per NFPA 10
- 12 Sprinkler protection shall be maintained.  
Where the system is to be shut down for maintenance or repair, the system shall be checked at the end of each day to insure the system has been placed back in service.
- 13 Fire Alarm system shall be maintained.  
If system is to be off line over 4 hours a fire watch shall be in place.  
Dispatch notification required 874-8576.
- 14 The steel roll up gate at the top of the stairs coming up from the basement is not allowed in egress per NFPA 101.
- 15 All means of egress to remain accessible at all times

**Comments:**

4/24/2009-csh: The 10 exchange plans are on hold in Chris Hanson's office.

8/18/2009-gg: received additional plans requested from chris. /gg

12/16/2009-tmm: rec'd additional information from Archetype on Dec. 11, 2009 originally requested in Sept 09.

FAX



To: *Bill Hopkins*

Fax Number: *772-4056*

From: *Tainmy Munson*

Fax Number: *874-8716*

Date: *9/9/09*

Regarding: *10 Exchange*

Total Number Of Pages Including Cover: *3*

Phone Number For Follow-Up: *874-8706*

Comments:

City Of Portland, Maine  
Inspections Division Services  
389 Congress St Room 315 Portland Me 04101-3509  
Phone: (207) 874-8703 or (207) 874-8693  
Fax: (207) 874-8716  
<http://www.portlandmaine.gov/>

while in others there is an option. As indicated by Note a to Table 302.1.1, the requirement for an automatic fire-extinguishing system applies only to the incidental use room or area, not the entire building.

**TABLE 302.1.1  
INCIDENTAL USE AREAS**

ROOM OR AREA	SEPARATION <sup>a</sup>
Furnace room where any piece of equipment is over 400,000 Btu per hour input	1 hour or provide automatic fire-extinguishing system
Rooms with any boiler over 15 psi and 10 horsepower	1 hour or provide automatic fire-extinguishing system
Refrigerant machinery rooms	1 hour or provide automatic sprinkler system
Parking garage (Section 406.2)	2 hours; or 1 hour and provide automatic fire-extinguishing system
Hydrogen cut-off rooms	1-hour fire barriers and floor/ceiling assemblies in Group B, F, H, M, S and U occupancies. 2-hour fire barriers and floor/ceiling assemblies in Group A, E, I and R occupancies.
Incinerator rooms	2 hours and automatic sprinkler system
Paint shops, not classified as Group H, located in occupancies other than Group F	2 hours; or 1 hour and provide automatic fire-extinguishing system
Laboratories and vocational shops, not classified as Group H, located in Group E or I-2 occupancies	1 hour or provide automatic fire-extinguishing system
Laundry rooms over 100 square feet	1 hour or provide automatic fire-extinguishing system
Storage rooms over 100 square feet	1 hour or provide automatic fire-extinguishing system
Group I-3 cells equipped with padded surfaces	1 hour
Group I-2 waste and linen collection rooms	1 hour
Waste and linen collection rooms over 100 square feet	1 hour or provide automatic fire-extinguishing system
Stationary lead-acid battery systems having a liquid capacity of more than 100 gallons used for facility standby power, emergency power or uninterrupted power supplies	1-hour fire barriers and floor/ceiling assemblies in Group B, F, H, M, S and U occupancies. 2-hour fire barriers and floor/ceiling assemblies in Group A, E, I and R occupancies

For SI: 1 square foot = 0.0929 m<sup>2</sup>, 1 pound per square inch = 6.9 kPa, 1 British thermal unit = 0.293 watts, 1 horsepower = 746 watts, 1 gallon = 3.785 L.

a. Where an automatic fire-extinguishing system is provided, it need only be provided in the incidental use room or area.

**302.1.1.1 Separation.** Where Table 302.1.1 requires a fire-resistance-rated separation, the incidental use area shall be sepa-

rated from the remainder of the building with a fire barrier. Where Table 302.1.1 permits an automatic fire-extinguishing system without a fire barrier, the incidental use area shall be separated by construction capable of resisting the passage of smoke. The partitions shall extend from the floor to the underside of the fire-resistance-rated floor/ceiling assembly or fire-resistance-rated roof/ceiling assembly or to the underside of the floor or roof deck above. Doors shall be self-closing or automatic-closing upon detection of smoke. Doors shall not have air transfer openings and shall not be undercut in excess of the clearance permitted in accordance with NFPA 80.

❖ Table 302.1.1 identifies incidental use areas and the required separation or other protection to be provided. Where a fire-resistance rating is required, the incidental use area must be separated from other occupancies with fire barriers that comply with Section 706. Where Table 302.1.1 permits protection by an automatic fire-extinguishing system without fire barriers, the walls enclosing the incidental use area must simply resist the passage of smoke.

**302.2 Accessory use areas.** A fire barrier shall be required to separate accessory use areas classified as Group H in accordance with Section 302.3.2, and incidental use areas in accordance with Section 302.1.1. Any other accessory use area shall not be required to be separated by a fire barrier provided the accessory use area occupies an area not more than 10 percent of the area of the story in which it is located and does not exceed the tabular values in Table 503 for the allowable height or area for such use.

❖ Buildings often have rooms or spaces with an occupancy that is different from, but accessory to, the principal occupancy of the building. When such accessory areas are limited in size, they will not ordinarily represent a significantly different life safety hazard. This principle does not apply, however, to the incidental use areas indicated in Section 302.1.1 or where otherwise indicated in Section 302.3.1 for areas classified as Group H.

For the purposes of determining the required construction and the automatic fire-extinguishing requirements applicable to the occupancy of an accessory area, Section 302.2 permits the occupancy of an accessory area to be treated as if it were the same group classification as the principal occupancy of the fire area in which it is located. Other code requirements applicable to the occupancy of an accessory area, however, must be based on the actual occupancy of that area (e.g., means of egress, design occupant load, etc.).

Accessory use areas in conformance with Section 302.2 are not subject to the provisions for mixed occupancies (see Section 302.3). A designer, however, is not precluded from applying the provisions for mixed occupancies, provided that the requirements set forth in Section 302.3 are met. Occasionally, this approach is useful where there are multiple accessory uses within a single fire area, and some can be treated as nonseparated principal uses (i.e. they are a lesser hazard than the principal occupancy). In order for an occupancy to qualify for evaluation as an accessory use

area, all of the following requirements must be satisfied.:

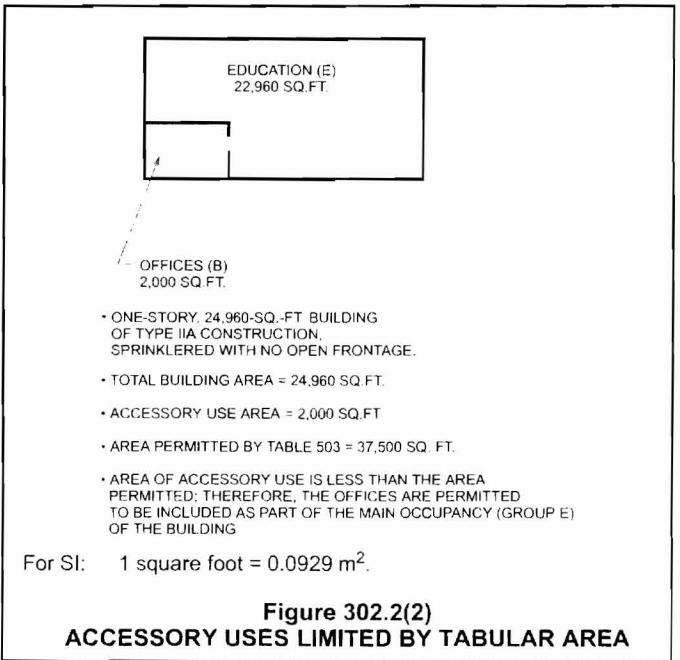
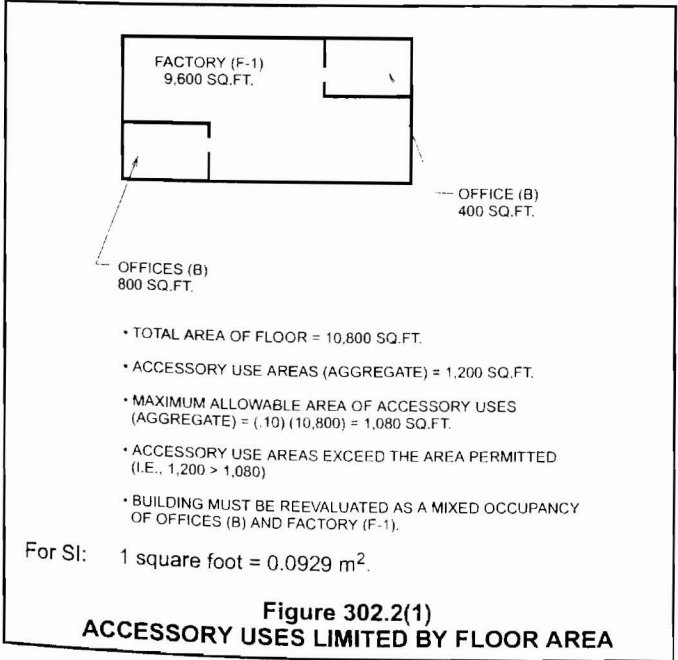
- 1. The occupancy must be ancillary to the principal purpose for which the structure is occupied. This means that the purpose and function of the area is subordinate and secondary to the structure's primary function. As such, the activities that occur in accessory use areas are necessary for the principal occupancy to properly function and would not otherwise reasonably exist apart from the principal occupancy.
- 2. The aggregate area within a floor devoted to the occupancies that are designated as accessory use areas must not be greater than 10 percent of the area of that floor [see Figure 302.2(1)].
- 3. The area devoted to an accessory occupancy is less than the tabular building height and area permitted by Table 503, based on the group classification that most nearly resembles the accessory occupancy under consideration. Height increases for automatic sprinkler protection and area increases for excess street frontage and automatic sprinkler protection based on the provisions of Sections 504 and 506 are not allowed [see Figure 302.2(2)].

Variations (exceptions) to the requirements for an area to be evaluated as an accessory use area are contained in Sections 302.2.1, 303.1 and 305.1. Section 303.1 provides that assembly areas having an occupant load of less than 50 that are accessory to another occupancy are classified as part of the main occupancy. Sections 301.1 and 302.2.1 provide that accessory assembly areas with a floor area of no greater than 750 square feet (70 m²) (regardless of the percentage of the floor area) are not required to be considered sep-

arate occupancies. Additionally, Sections 303.1 and 302.2.1 provide that accessory assembly spaces (i.e., cafeteria, gymnasium, library, etc.) in a Group E building are not to be regulated as separate occupancies. Finally, Sections 303.1 and 302.2.1 provide that accessory religious educational rooms and religious auditoriums need not be considered separate occupancies as long as the occupant load in these spaces is not greater than 100 people, regardless of the percentage of the floor area.

**302.2.1 Assembly areas.** Accessory assembly areas are not considered separate occupancies if the floor area is equal to or less than the area permitted by Table 503 for the occupancy. These areas are not considered separate occupancies if the floor area is equal to or less than the area permitted by Table 503 for the occupancy.

In churches, religious educational rooms are often provided in the same building complex. These religious educational rooms are not to be considered separate occupancies from the church (i.e., the religious auditorium) as long as the occupant load in these spaces is no greater than 100 people, regardless of the percentage of the floor area.



302.3 - Mixed occup.  
Determines it is a mixed  
occupancy -  
S, M, B - use groups.

S-1

903.2.6 Group m  
903.2.8 S-1

IBC 101.2  
Ch. 35 pg. 591  
① 2 hour ext. wall 9/9/09  
② Built on accessory use  
10/10  
③ Refer to mixed use.  
④ Roll up steel  
garage door 12/11/09  
10 Exchange  
Street



## 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.

☒ ☒

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.

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

[Signature]  
Signature of Applicant/Designee

12/18/09  
Date

[Signature]  
Signature of Inspections Official

12.18.09  
Date

PERMIT ISSUED

DEC 17 2009

City of Portland

CBL: 032 1012001

Building Permit #: 09-0247



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

Director of Planning and Urban Development  
Penny St. Louis Littell

3/06/2009

LIST OF DEFICIENCIES OF SUBMITTED PLANS  
10 EXCHANGE ST.

1. Submittal drawings from Cunningham Security Systems detailing location of all Alarm devices and location of proposed Knox Box.
2. Submittal from Swiftcurrent Engeering Services needs to be signed and stamped.
- 3 Plan of action from Everything Electric addressing deficiencies noted in the Electrical Survey done by Swiftcurrent Engineering Services.
4. Show on plans the Gas Meter Rome and required rating.
5. Plans will need to be stamped if required work exceeds \$50,000 per State Statute.
6. Show required rating of Jewelry Fabrication areas on the plans.
7. Show on plans the required Meter Enclosure rating w/ required doors.

Meeting with Bill Hopkins, Keith Gautreau, Captain, Ben Wallace, Fire Prevention Officer

**Points Discussed:**

**1. 3<sup>rd</sup> and 4<sup>th</sup> floor will have sprinkler protection prior to any occupancy**

- a) 1 hour separation will be provided between the 2<sup>nd</sup> floor business use and 3<sup>rd</sup> floor residential use
- b) Vertical shafts including the abandoned elevator will be sealed with 1 hour rated wall assemblies. If shaft used in the future gas meters to be removed,
- c) The lobby area of the basement with access from Exchange Street will be rated to contain a fire in this area. Glass to be rated and fire doors provided. The ceiling floor area will be 2 hour rated. This area will be sprinkled.
- d) A fire door will be added to the North Stairwell from the Exchange St. side and lock to prevent access to the 3<sup>rd</sup> and 4<sup>th</sup> residential areas.
- e) Rises to the 3<sup>rd</sup> and 4<sup>th</sup> floor for future sprinkler system prior to occupancy of said floors
- f) If the Jewelry repair and production areas in the building area are to continue they must encapsulated with 1 hour rating per NFPA table 6.1.14 (b)
- g) Alarm system to basement 1<sup>st</sup> and 2<sup>nd</sup> to be upgraded to extent to meet code compliance
- h) Penetration through rating assemblies' to be sealed with an approved fire stop material by single source

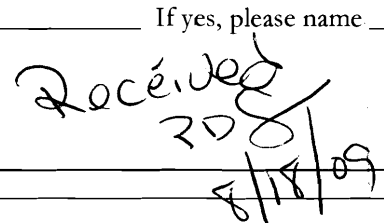
**2. 2<sup>nd</sup> floor business are to be sprinkled**

- a) Alarm system to be installed based on residential occupancy (City Ordinance mixed use, with residential)
- b) Stair protection from 2<sup>nd</sup> floor will be 1 hour and openings to be patched
- c) South stair to have rated fire doors
- d) Corridors to be smoke resistant
- e) Electrical survey of existing electrical systems and bring into code compliance.



#090247 "Cupn" (March 27, 2009)  
**General Building Permit Application**

If you or the property owner owes real estate or personal property taxes or other charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: 10 Exchange Street		
Total Square Footage of Proposed Structure/Area 59,500 +/-		Square Footage of Lot 11,900 +/-
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot#	Applicant * <b>must be owner, Lessee or Buyer</b> * Name      10 Exchange Properties, LLC Address      PO Box 4894 Portland, ME 04101 City, State & Zip	Telephone:
Lessee/DBA (If Applicable)  AUG 18 2009	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ 5000 C of O Fee: \$ NA Total Fee: \$ 70.00
Current legal use (i.e. single family) <u>Mixed Use</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>Mercantile/Business</u> Is property part of a subdivision? <u>No</u> If yes, please name _____ Project description: <u>Code Work</u>		
 AUG 18 2009		
Contractor's name: _____		
Address: _____		
City, State & Zip: _____		Telephone: _____
Who should we contact when the permit is ready: <u>Archetype Architects</u>		Telephone: <u>(207) 772-6022</u>
Mailing address: <u>48 Union Wharf, Portland, ME 04101</u>		

**Please submit all of the information outlined on the applicable 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 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: _____	Date: _____
------------------	-------------

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

## GENERAL NOTES

**SPRINKLER SYSTEM**  
1. INSTALL NFPA 13 SPRINKLER SYSTEM ON  
2 FLOOR.  
2. INSTALL PERMANENT HEAT AND SECURITY  
TO SPRINKLER CLOSET.  
3. INSPECT AND REPAIR AS REQUIRED  
EXISTING SPRINKLER SYSTEM

### ELECTRICAL SYSTEM

1. ELECTRICAL CONTRACTOR TO SURVEY BASEMENT, 1ST & 2ND FL., NOTING AND FIXING ALL VISIBLE ELEC. CODE VIOLATIONS.  
2. ALL EXITS SIGNS AND EMERGENCY LIGHTS ARE TO BE PUT IN WORKING ORDER OR REPLACED.

## FIRE ALARM SYSTEM

**FIRE ALARM SYSTEM**

1. FIRE ALARM CONTRACTOR TO SURVEY BASEMENT, 1ST & 2ND FL. REPAIR OR REPLACE ANY EXISTING ALARM COMPONENTS AS REQUIRED. 2ND FLOOR TO HAVE BOTH MANUAL AND SPRINKLER ACTIVATED ALARMS. BASEMENT AND 1ST FLOOR TO HAVE SPRINKLER ACTIVATED ALARM ONLY.

2. 3RD AND 4TH FLOORS TO HAVE SMOKE DETECTORS

IN HALL WAY TIED TO ALARM SYSTEM.

3. PLANS OF EXISTING AND PROPOSED WORK SHALL BE REVIEWED WITH THE PORTLAND FIRE DEPARTMENT PRIOR TO COMMENCEMENT OF WORK



NFPA 101 Analysis-Mixed Use Requirements( Most stringent in box)

NFA Analysis-Mixed Use Misc Items				
Use	Basement floor Storage	1st floor Mercantile	2nd floor Business	3rd & 4th (Currently Vacant) Residential
Min Construc.	no req.	no req.	no req.	no req.
Exit signs	Req. per 7.10	Req. where exit not apparent	Req. per 7.10	Req. Per 7.10
Emer. lte	Req. per 7.9	Req. per 7.9	Req. per 7.9	Req. 7.9
Unprotected vert. opng	Basement to 1st floor Allow per 37.3.1		N/A	N/A
Part. Extinguishers	NR	Req. per 9.7.4.1 w/ training	Req. per 9.7.4.1	N.R.
Corridors	NA	NA	Req. by mixed use	1 hr under option 4
Corridor doors	NA	NA	Reset smoke	Reset smoke under option 4

## IBC 2003 Analysis for Unseparated Uses per T-503

Building sprinklered per NFPA analysis

Use	Basement floor Merchantile Stor. Storage	1st floor Merchantile	2nd floor Business	3rd & 4th (Currently Vacant) Residential
Allow Stories	4	4	4	4
Allow Area SF	17500	12500	19000	16000

Fire resistance rating for structure per IBC 2003

**2-503-604**

Floor, roof, interior walls rating	0 hour
Exterior wall	2 hour

NFPA 101 Misc. Items

Stairs < 3 stories = 1 hour 7.1.3.2.1

Protection of Exit discharge @ 10 Exchange(South stair)  
7.7.2 Requires sprinkler & floor rated same as stair - 1 hour

### Accessory uses

IBC Sec 302.2 Accessory use areas. "...shall not be req. to be separated provided use area < 10% area of area of story where located...& does not exceed values of T-503 for hgt & area.

Use areas

- Cole 1st fl= 100 sf +/-
- Cole 2nd fl= 100 sf +/-
- Lovell 2nd fl=323 sf

Per T-503 F-1 use (Jewelry repair is allowed without modification in 12000 sf and 2 stories)

Natural gas regulations  
PHMSA 49.cfr 192- No req. for indoor gas meter protection or ventilation

AUG 18 2009

CITY OF PORTLAND,	)	
	)	
Plaintiff,	)	
	)	NOTICE OF TAKING
v.	)	ORAL DEPOSITION
	)	
10 EXCHANGE PROPERTIES, LLC	)	
ET AL.	)	
	)	
Defendants.	)	

Pursuant to Rule 30 of the Maine Rules of Civil Procedure, notice is hereby given that on the 13th day of August, 2009 at 10:00 a.m. before a Notary Public at the offices of Curtis Thaxter Stevens Broder & Micoleau LLC, One Canal Plaza, 10th Floor, Suite 1000, Portland, Maine, the defendant 10 Exchange Properties, LLC will take the deposition of **Christopher Hanson, Code Enforcement Officer / Plan Reviewer, Inspection Services Program, Planning and Urban Development Department, City of Portland**, as to his knowledge in the above-captioned action.

The oral examination will be stenographically recorded. You are invited to attend and cross-examine.

Pursuant to Rule 30(b)(5), Christopher Hanson (the “deponent”) is requested to bring with him to the deposition the following papers and documents:

1. All communications between the deponent and any agent or representative of defendant 10 Exchange Properties, LLC which occurred during the period from October 3, 2007 to the present date.

**DISTRICT COURT  
PORTLAND  
DOCKET NO. CV-09-32**

CITY OF PORTLAND,

**Plaintiff,**

 $\gamma_1$ 

**10 EXCHANGE PROPERTIES, LLC  
ET AL.**

**Defendants.**

## NOTIFICATION OF DISCOVERY SERVICE


TO CLERK OF THE COURT:

This is to notify you that the following discovery papers were served by the undersigned counsel for defendant on the parties and on the date indicated.

Papers	Served On	Date
Notice of Taking Oral Deposition (Christopher Hanson, City of Portland)	Daniel West-Chuhta, Assoc. Corporation Counsel	July 28, 2009

Please enter this service on the docket in the above-entitled action. A copy of this notification has this date been mailed to counsel of record.

Dated: July 28, 2009

  
Sidney St. F. Thaxter (Bar No. 1301)  
Susan E. Schorr (Bar No. 9865)  
CURTIS THAXTER STEVENS BROTHER  
& MICOLEAU LLC  
One Canal Plaza / P.O. Box 7320  
Portland, Maine 04112-7320  
(207) 774-9000

Attorneys for defendant  
10 Exchange Properties, LLC

Copy to: Daniel West-Chuhta, Esq.

2. All communication between deponent and anyone relating in any way to 10 Exchange Properties, LLC from October 3, 2007 to the present date.

3. All emails authored by the deponent, during the period from October 3, 2007 to the present date, addressed to any department or employee of the Plaintiff City of Portland and relating in any manner to the property.

4. All emails authored by the deponent, during the period from October 3, 2007 to the present date, addressed to any agent or representative of defendant 10 Exchange Properties, LLC and relating in any manner to the property.

5. All emails authored by the deponent, during the period from October 3, 2007 to the present date, addressed to anyone other than the City, its employees, or 10 Exchange Properties, LLC relating in any manner to the property.

6. All handwritten notes authored by the deponent, during the period from October 3, 2007 to the present date, relating in any manner to the property.

7. All handwritten inspection sheets prepared, authored, or reviewed by the deponent, during the period from October 3, 2007 to the present date, relating in any manner to the property.

8. All reports prepared, authored, or reviewed by the deponent, during the period from October 3, 2007 to the present the date, relating in any manner to the property, including reports of inspections, code violations, etc.

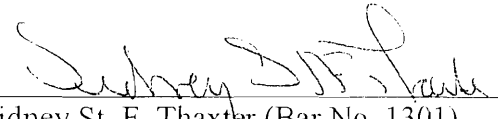
9. All photographs of the property taken by the deponent or his department during the period from October 3, 2007 to the present date.

10. All handwritten diagrams prepared by the deponent of the property during the period from October 3, 2007 to the present date.



11. The deponent's working file relating to the property.

Dated: July 28, 2009



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10 Exchange Properties, LLC

- B- Travel distance-- See 2nd floor plan
- C.- Number & location of portable fire extinguishers shall be as shown on plan and as directed by the Portland Fire Dept.
- D-- Location of emergency lighting is shown on 2nd floor plan
- E- Location of exit signs are shown on 1st & 2nd floor plan
- G- Location of exit signs are shown on 1st & 2nd floor plan
- H- Location of jewelry repair operations shown for Cole & Lovell

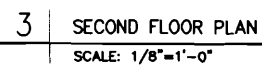
**FIRE ALARM SYSTEM**

1. FIRE ALARM CONTRACTOR TO SURVEY BASEMENT, 1ST & 2ND FL. REPAIR OR REPLACE ANY EXISTING ALARM COMPONENTS AS REQUIRED, 2ND FLOOR TO HAVE BOTH MANUAL AND SPRINKLER ACTIVATED ALARMS. BASEMENT AND 1ST FLOOR TO HAVE SPRINKLER ACTIVATED ALARM ONLY.

2. 3RD AND 4TH FLOORS TO HAVE SMOKE DETECTORS

IN HALL WAY TIED TO ALARM SYSTEM.

3. PLANS OF EXISTING AND PROPOSED WORK SHALL BE REVIEWED WITH THE PORTLAND FIRE DEPARTMENT PRIOR TO COMMENCEMENT OF WORK



ARCHETYPE, P.A.  
ARCHITECTS

48 Union Wharf Portland, Maine 04101  
(207) 772-6022 Fax (207) 772-4056

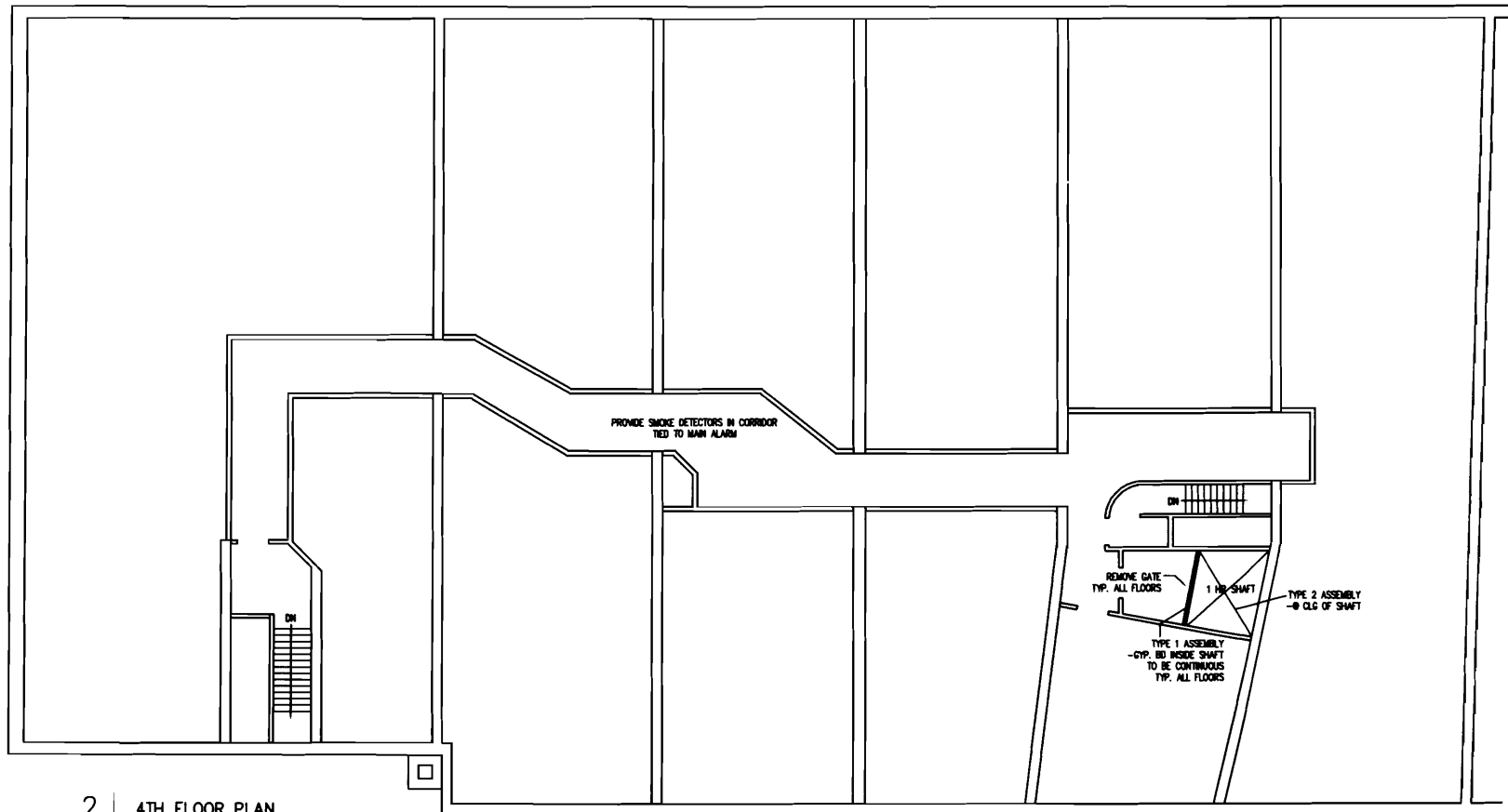
Date	Scale
26 January 2009	1/8" = 1'-0"

Issued for Permit - 18 August 2009

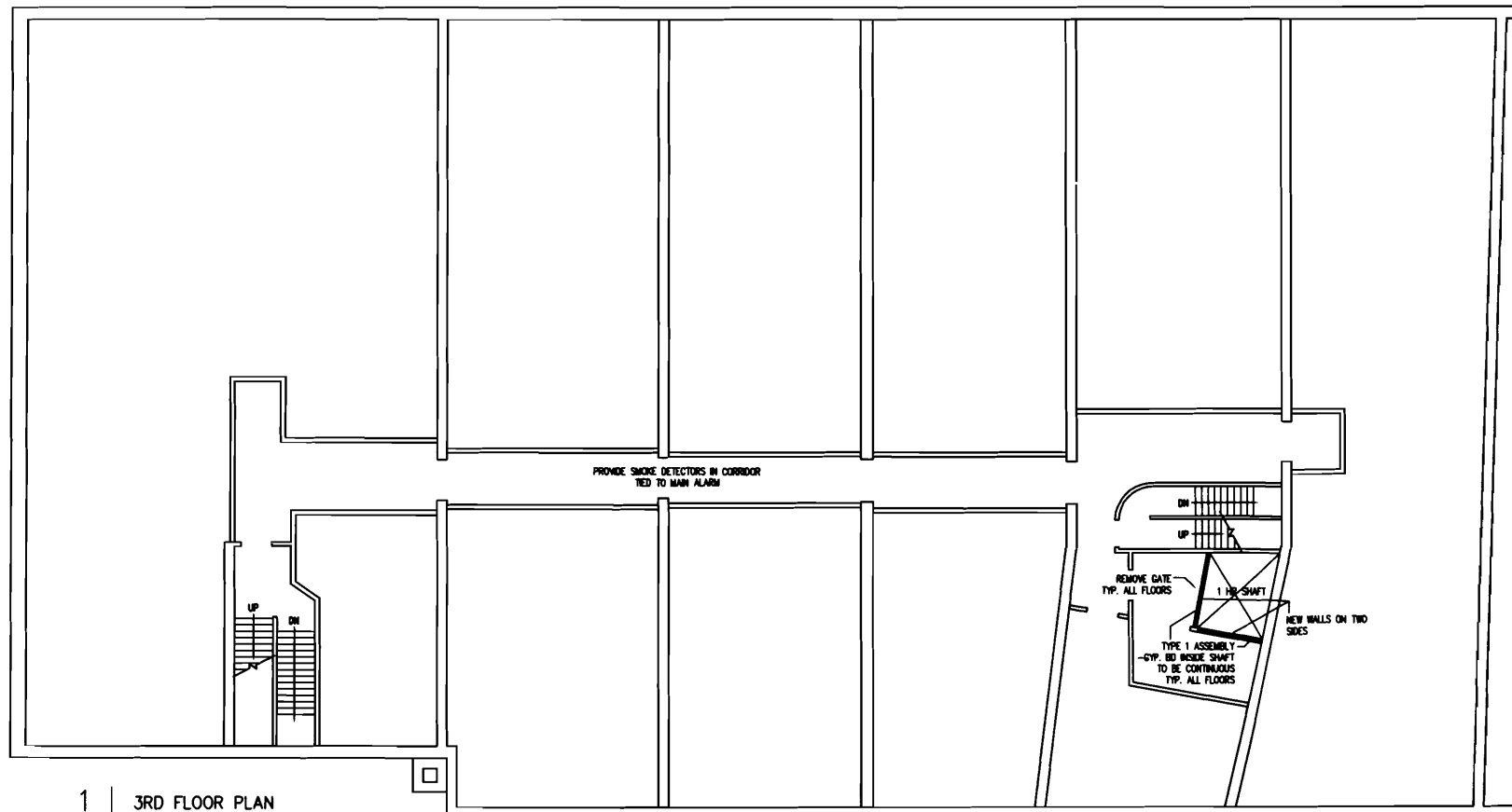
SECOND FLOOR  
LIFE SAFETY PLAN

Project: 10 EXCHANGE STREET  
10 EXCHANGE STREET  
PORTLAND, MAINE

LS02



2 | 4TH FLOOR PLAN  
SCALE: 1/8"=1'-0"



1 | 3RD FLOOR PLAN  
SCALE: 1/8"=1'-0"

## FIRE DEPARTMENT SUBMITTAL

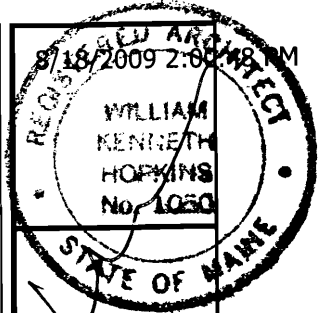
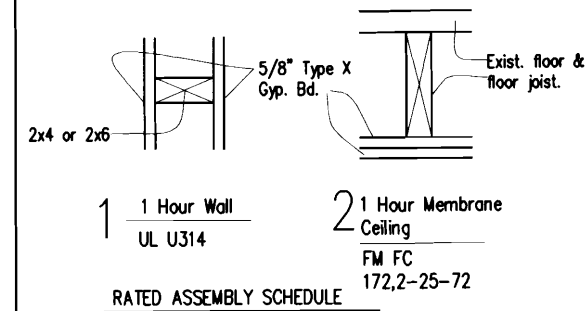
- A- Fire resistance ratings of means of egress are:  
Corridor= 0  
Stairs = 1 hour +/-  
Exit discharge floor @ south stair = 1 hours
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## GENERAL NOTES

**SPRINKLER SYSTEM**  
1. INSTALL NFPA 13 SPRINKLER SYSTEM ON 2 FLOOR.  
2. INSTALL PERMANENT HEAT AND SECURITY TO SPRINKLER CLOSET.  
3. INSPECT AND REPAIR AS REQUIRED EXISTING SPRINKLER SYSTEM

**ELECTRICAL SYSTEM**  
1. ELECTRICAL CONTRACTOR TO SURVEY BASEMENT, 1ST & 2ND FL., NOTING AND FIXING ALL VISIBLE ELEC. CODE VIOLATIONS.  
2. ALL EXITS SIGNS AND EMERGENCY LIGHTS ARE TO BE PUT IN WORKING ORDER OR REPLACED.

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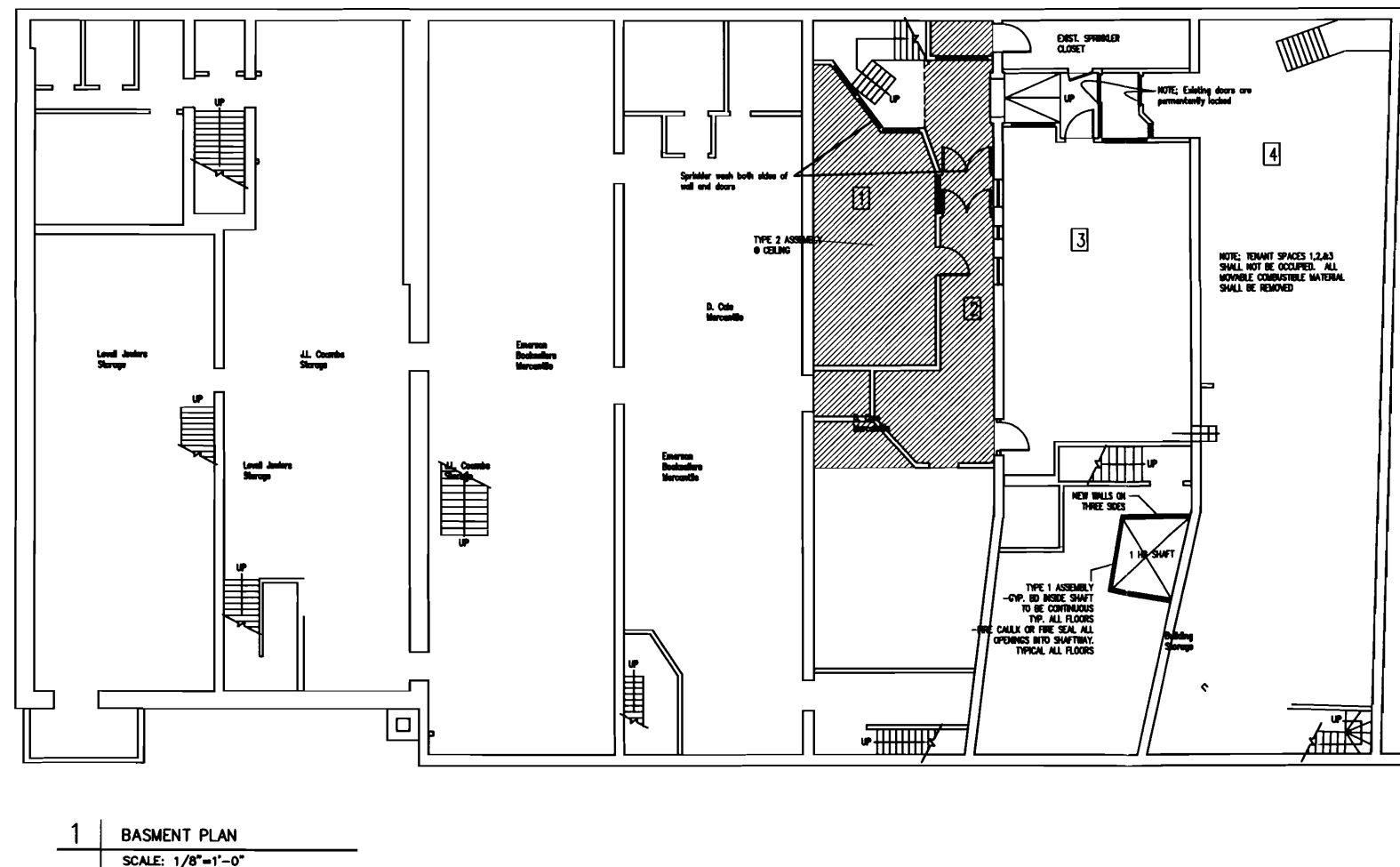
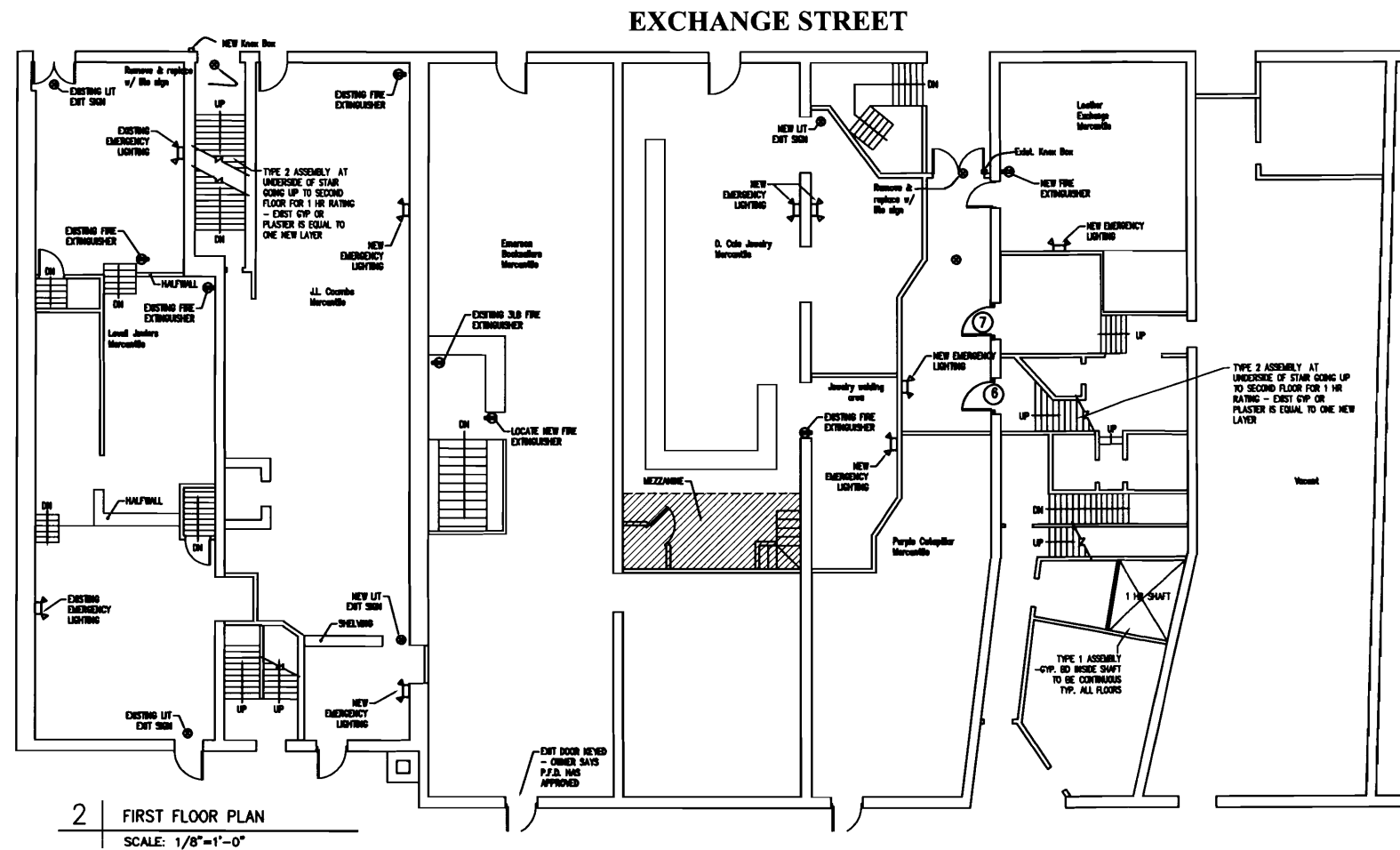
48 Union Wharf Portland, Maine 04101  
(207) 772-6022 Fax (207) 772-4056

Date 26 January 2009  
Scale 1/8" = 1'-0"  
Issued for Permit - 18 August 2009

3RD & 4TH FL  
LIFE SAFETY PLAN

Project  
10 EXCHANGE STREET  
10 EXCHANGE STREET  
PORTLAND, MAINE

LS03



## FIRE DEPARTMENT SUBMITTAL

- A- Fire resistance ratings of means of egress are:  
Corridor= 0  
Stairs = 1 hour +/-  
Exit discharge floor @ south stair = 1 hours
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## CODE ANALYSIS

NFPA 101 Analysis-Mixed Use Requirements (Most stringent in box)

Use	Basement floor Storage	1st floor Mercantile	2nd-floor Business	3rd & 4th (Currently Vacant) Residential
Sprinkler	Req. by 37.3.5.1(3)	Req. by 37.3.5.1(4)	Req. by mixed use 6.1.14.3.2	Req. by mixed use 6.1.14.3.2 (defacto option 4)
Alarms	Req. by mixed use	Req. by mixed use	Req. by mixed use	Req. by T-A.31.1
Alarm type	Per Residential	Per residential	Per residential	Mixed and auto initiation annunciation alarm + smoke

NFPA Analysis—Mixed Use Misc Items

Use	Basement floor Storage	1st floor Merchandise	2nd floor Business	3rd & 4th (Currently Vacant) Residential
Min. Construc.	no req.	no req.	no req.	no req.
Exit signs	Req. per 7.10	Req. where exit not apparent	Req. per 7.10	Req. Per 7.10
Emer. lte	Req. per 7.9	Req. per 7.9	Req. per 7.9	Req. 7.9
Unprotected vert. opening	Basement to 1st floor Allow per 37.3.1		N/A	N/A
Part. Extinguishers	NR	Req. per 9.7.4.1 w/ training	Req. per 9.7.4.1	N.R.
Corridors	NA	NA	Req. by mixed use	<span style="border: 1px solid black; padding: 2px;">3 hr under option 4</span>
Corridor doors	NA	NA	Resist smoke	Resist smoke under option 4

## IBC 2003 Analysis for Unseparated Mixed Uses

Building sprinklered per NFPA analysis  
4 stories, 11,700 sq.ft., Construction type JB

Use	Basement floor Mercantile Stor. Storage	1st floor Mercantile	2nd floor Business	3rd & 4th (Currently Vacant) Residential
Allow Stories	4	4	4	4
Allow Area SF	17500	12500	18000	18000

Fire resistance rating for structure per IBC 2003

Per IBC T-601

Floor, roof,  
interior walls rating 0 hour

NFPA 101 Misc. Items

Stair < 3 stories = 1 hour 7.1.3.2.1

Protection of Exit discharge @ 10 Exchange(South stair)  
7.7.2 Requires sprinkler & floor rated same as stair - 1 hour

### Accessory uses

IBC Sec 302.2 Accessory use areas. "...shall not be req. to be separated provided use area < 10% area of area of story where located...& does not exceed values of T-503 for hgt & area.

Per T-503 F-1 use (Jewelry repair is allowed without modification in 12000 sf and 2 stories)

### Natural gas regulations

PHMSA 49.cfr 192- No req. for indoor gas meter protection or ventilation

RECEIVED

DEC 10 2009

**Dept. of Building Inspections  
City of Portland Maine**

ARCHETYPE, P.A.  
ARCHITECTS

**48 Union Wharf Portland, Maine 04101**  
**(207) 772-6022 Fax (207) 772-4056**

<b>BASEMENT AND FIRST FLOOR LIFE SAFETY PLAN</b>  Project: <b>10 EXCHANGE STREET</b>	Date	Scale
	26 January 2009	1/8" = 1'-0"
	Issued for Permit - 18 August 2009 12-1-09	

10 EXCHANGE STREET  
PORTLAND, MAINE

LS01