

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 02-0892	Issue Date: 7-11-2002	CBL: 032 R007001
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Location of Construction: 436 Fore St	Owner Name: Soley Joseph L	Owner Address: Po Box 4894	Phone: 56-6111
Business Name:	Contractor Name: Applicant	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	Zone: B-3

Past Use: Restaurant	Proposed Use: Restaurant	Permit Fee: \$75.00	Cost of Work: \$75.00	CEO District: 1
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Proposed Project Description: Outdoor Seating: 32-+ Chairs/8+- Tables	FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: A3 Type: N/A 8/20/02 Signature: <i>[Signature]</i>
	PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____	

Permit Taken By: gad	Date Applied For: 08/07/2002	Zoning Approval	
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<ol style="list-style-type: none"> 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 <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: 8/13/02	Zoning Appeal <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:	Historic Preservation <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 checked="" type="checkbox"/> Approved w/Conditions see enclosed approval TO D.A. 8/13/02 Date:
	Letter w/ specifications IDA 8/19/02		

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 _____

Outdoor Seating 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.

436 Fore St.

Location/Address of Construction: **37-45 WHARF ST PTU, ME 04104**

Total Square Footage of Proposed Structure	Square Footage of Lot
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Tax Assessor's Chart, Block & Lot Number Chart# 032 Block# 2 Lot# 007	Owner: JOSEPH L. SOLEY	Telephone#: (207) 756-6111
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Lessee/Owner's Name (If Applicable) COMMISARY WHARF ST, LLC	Owner's/Purchaser/Lessee Address: 37-45 WHARF ST	Cost Of Work: \$	Fee: \$75.00
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Current use: **RESTAURANT**
~~If the location is currently vacant, what was prior use:~~ **NO CHANGE IN USE**
~~Approximately how long has it been vacant:~~ **ALWAYS BEEN A RESTAURANT**
 Proposed use: _____
 Project description: **outside seating**
 How many chairs ~~30~~ **32+** How many tables ~~8+~~ **8+**
NEVER VACANT!

Contractor's Name, Address & Telephone: **COMMISARY WHARF ST, LLC**
 Applicants Name, Address & Telephone: **37-45 WHARF ST (04104)**
 Who should we contact when the permit is ready: **(207) 756-6111 (PATRICK KENNEY)**
 Telephone: _____
 If you would like the permit mailed, what mailing address should we use: **(ABOVE)**

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED.

AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

Certification

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: 8/5/02
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C/B/L: 8/5/02

CONDITIONS FOR SIDEWALK OCCUPANCY PERMIT

Written consent and agreement relating to occupancy of the City of Portland sidewalk in the front, side, and or rear of the building at the stated location: 37.45 WATER ST in Portland, Maine, by the owner of the establishment being: COMMISSARY REST, doing business as: RESTAURANT, hereby, to the fullest extent permitted by law, shall defend, indemnify and hold harmless the City of Portland, its 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, 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 therefrom, 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: [Signature]
Establishment owner

Date: 8/5/02

Application ID Number: 2-0892

Delete Save Close

Department: Building

Status: Approved with Conditions

Reviewer: Mike Nugent

Comments:

[Empty text area for comments]

Approval Date: 08/20/2002

Given On Date: 08/19/2002

OK to Issue Permit

Name: Mike Nugent

Date: 08/20/2002

Date 2: [Empty]

Conditions Section:

Add New Condition From

Add New Condition

Delete Condition

Must not block means of egress with tables, a final inspection of the space by Fire Prevention and this office is required.



Create Date: 08/08/2002

By: gad

Update Date: 08/20/2002

By: mjn

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING DEPARTMENT

Please Read Application And Notes, If Any, Attached

PERMIT

Permit Number: 020892

This is to certify that Soley Joseph L/Applicant
has permission to Outdoor Seating: 32-+ Chairs - Tables
AT 436 Fore St 032 R007001

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 altered or closed-in. **HEAVY 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

[Signature]
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

CITY OF PORTLAND, MAINE
HISTORIC PRESERVATION COMMITTEE

August 6, 2002

Stephen Sewall, Chair
Cordelia Pitman, Vice Chair
Edward Hobler
Susan Wroth
Camillo Breggia
Robert Parker
John Turk

Mr. Patrick Kenney and Mr. Victor Worley
Commissary, LLC
37 Wharf Street
Portland, ME 04101

Re: Exterior seating; 37 Wharf Street

Dear Sirs:

On August 6, 2002, this office reviewed your request for a Certificate of Appropriateness for the installation of exterior seating at 37 Wharf Street. Approval is granted for the seating as shown on the submitted site sketch subject to the following condition:

- i. That the seating be consistent with the *Design Standards for Outdoor Café Installations on Wharf Street* as established by the City Historic Preservation Committee. Please refer to the attached details and specifications.

All improvements shall be carried out as shown on the submitted plans and specifications. Changes to the approved plans and specifications and any additional work which may be undertaken must be reviewed and approved by this office prior to construction, alteration, or demolition. If, during the course of completing the approved work, conditions are encountered which prevent completing the approved work, or which require additional or alternative work, you must apply for and receive a Certificate of Appropriateness or Non-Applicability PRIOR to undertaking additional or alternative work.

This Certificate is granted upon condition that the work authorized herein is commenced within twelve (12) months after the date of issuance. If the work authorized by this Certificate is not commenced within twelve (12) months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such Certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding ninety (90) days each may be allowed in writing by the Department.

Sincerely,



William B. Needelman, Senior Planner

Cc: Deborah G. Andrews, Historic Preservation Program Manager
Approval File

Design Standards for Outdoor Cafe Installations on Wharf Street

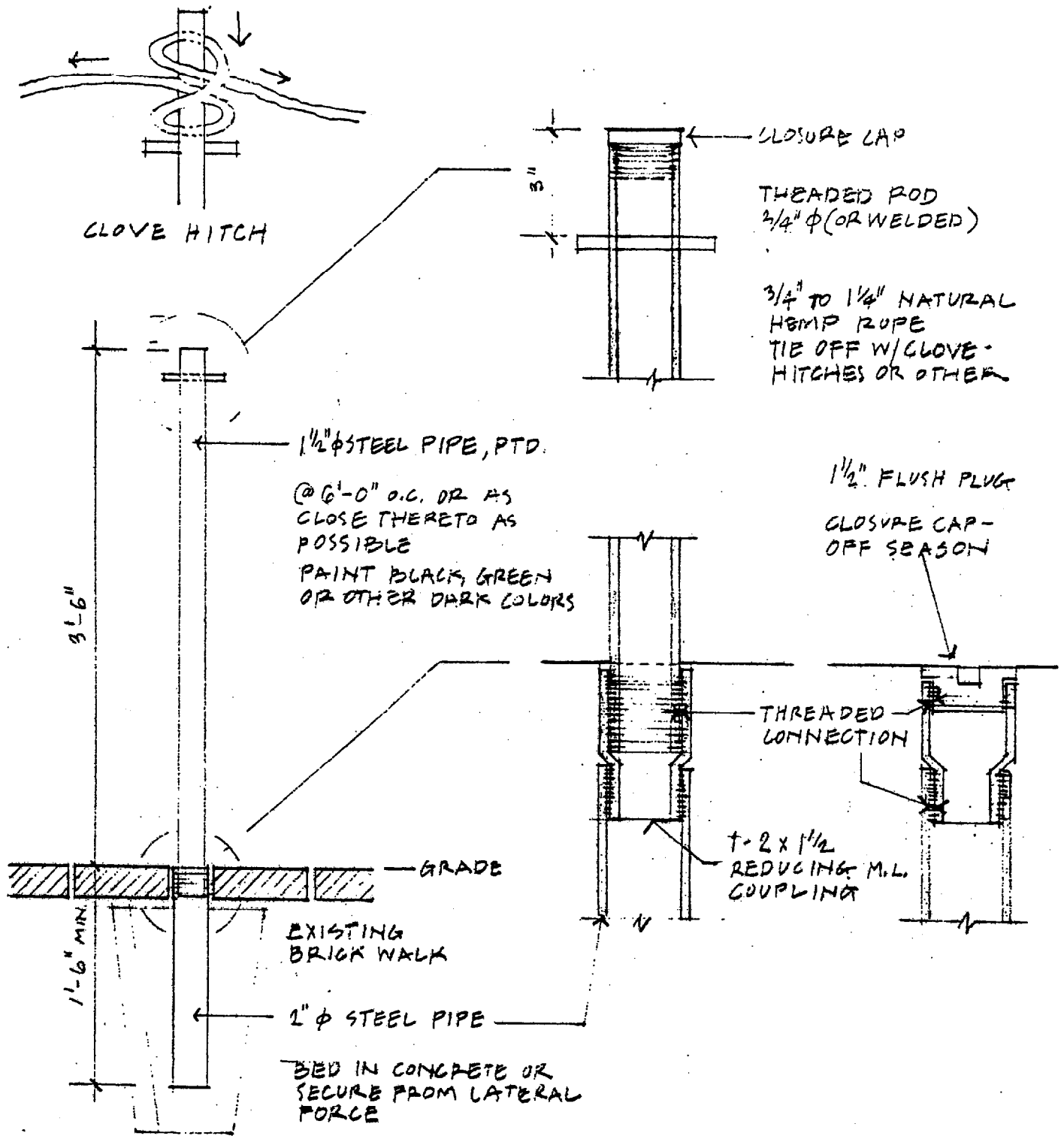
Over the past few years, numerous establishments have opened outdoor cafes along Wharf Street. In order to avoid visual clutter and lend some consistency to the streetscape, the Historic Preservation Committee of the City of Portland has developed design standards which will apply to all outdoor cafe installations on Wharf Street. Attached is a construction specification to be followed in installing posts or stanchions to cordon off the seating area. All of the materials specified are readily available through local suppliers.

In addition to the attached construction specification, the following general design standards shall also apply:

- * No decking shall be installed over the brick sidewalk.
- * No continuous awnings shall be installed to cover dining area; umbrellas may be installed over individual tables
- * Tables shall not exceed 4 feet in any dimension
- * Lighting shall consist of removable, table-top lights only

Note: Any exceptions to these approved standards must be approved by the Historic Preservation Committee

DESIGN STANDARD FOR OUTDOOR DINING



SECTION/ELEVATION

1" = 1'-0"

DETAILS

3" = 1'-0"

NOTES:
 POSTS NOT TO BE INSTALLED BEYOND THE GRANITE CURB LINE.
 RECOMMENDED TO USE GALVANIZED PIPE, PTD.

POSTS TO BE REMOVED IN OFF-SEASON + HOLES TO BE CAPPED.

1" = 10'

Aerial View

Building

