

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING DEPARTMENT

PERMITPlease Read
Application And
Notes, If Any,
Attached

Permit Number: 081462

This is to certify that OLD PORT RETAIL HOLDINGS LLC has
has permission to remove doorway area between spaces 8 & 9 MV Bldg which is on-load bearing and has support already in place
AT 436 FORE ST C-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 lath or other is used-in. 24 HOURS 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. C. W. C. W. C.
Health Dept. _____
Appeal Board _____
Other _____
Department Name

James Bank 12/12/08
Director - Building & 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

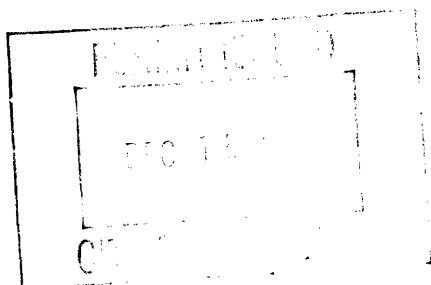
Permit No:	Issue Date:	CBL:
08-1462		032 R007001

Location of Construction: 436 FORE ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name: Drew Leslie	Contractor Address: 93 Mountfort Rd. No. Yarmouth	Phone 2078071050
Lessee/Buyer's Name	Phone:	Permit Type: Amendment to Commercial	Zone: B-3

Past Use: Commercial Restaurant "51 Wharf"	Proposed Use: Commercial Restaurant "51 Wharf" amendment to permit# 080252 - remove doorway area between 2 spaces 8" CMV Block which in non- load bearing and has support already in place	Permit Fee: \$30.00	Cost of Work: \$1,000.00	CEO District: 1
Proposed Project Description: remove doorway area between 2 spaces 8" CMV Block which in non-load bearing and has support already in place		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>See # 080252</i>		INSPECTION: Use Group: A-2 Type: 3B IBC-2003
		Signature: _____		Signature: JMB 12/12/08
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: 11/17/2008	Zoning Approval
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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..



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 Major <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> <i>OK with conditions</i> Date: 11/18/08	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 <i>in Historic Dist</i> <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 <i>Any exterior work requires a separate review and approval</i> 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: 08-1462	Date Applied For: 11/17/2008	CBL: 032 R007001
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Location of Construction: 436 FORE ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name: Drew Leslie	Contractor Address: 93 Mountfort Rd. No. Yarmouth	Phone (207) 807-1050
Lessee/Buyer's Name	Phone:	Permit Type: Amendment to Commercial	

Proposed Use: Commercial Restaurant "51 Wharf" amendment to permit# 080252 - remove doorway area between 2 spaces 8" CMV Block which in non-load bearing and has support already in place	Proposed Project Description: remove doorway area between 2 spaces 8" CMV Block which in non-load bearing and has support already in place
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 11/18/2008**Note:** **Ok to Issue:** ☒

- 1) All conditions on the previously approved permit are still in force.
- 2) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.
- 3) Separate permits shall be required for any new signage.
- 4) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Jeanine Bourke **Approval Date:** 12/12/2006**Note:** **Ok to Issue:** ☒

- 1) The headroom at the new pass thru opening is required to be 6'-8" (80"). The sloped floor option shall meet Sec. 1003.5 of the IBC 2003 for elevation change. If the beam is altered to achieve the required headroom, separate plans are required for approval.
- 2) All previous conditions of approval apply

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Capt Greg Cass **Approval Date:** 12/06/2008**Note:** Same conditions as permit #080252 **Ok to Issue:** ☒

- 1) See permit # 080252
Occupant load to be determined at C-O



General Building 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>436 Fore Street</u>			
Total Square Footage of Proposed Structure/Area		Square Footage of Lot	Number of Stories
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>8032</u> <u>R007001</u>	Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>Tanner Herget</u> Address <u>51 Wharf St</u> City, State & Zip <u>Portland ME 04101</u>		Telephone: <u>603-817-1120</u> <u>207 774 1151</u>
Lessee/DBA (If Applicable) <u>SAME</u>	Owner (if different from Applicant) Name Address City, State & Zip		Cost Of Work: \$ <u>1000 -</u> C of O Fee: \$ _____ Total Fee: \$ <u>30</u>
Current legal use (i.e. single family) <u>Restaurant</u> Number of Residential Units _____ If vacant, what was the previous use? _____ Proposed Specific use: _____ Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>Amendment to Permit # 080252</u> <u>Remove doorway Area between two spaces 8" CMU Block which</u> <u>is non-load bearing and has support already in place (see pictures)</u> <u>(following info)</u>			
Contractor's name: <u>Drew Leslie</u>			
Address: <u>19 Spurwink Ave</u>			
City, State & Zip <u>So. Portland, ME 04106</u>		Telephone: <u>228 4406</u>	
Who should we contact when the permit is ready: <u>SAME</u>		Telephone: _____	
Mailing address: <u>SAME</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, 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: [Signature]

Date: 11/11/08

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

MONEY ENGINEERS[®]

October 30, 2008

22 MONUMENT SQ., SUITE 300
PORTLAND, ME 04101
TEL 207 775-1969
800 922-1969
FAX 207 775-4115

Mr. Tanner Herget
51 Wharf Street
Portland, ME 04101
tanner@51Wharf.com

Re: Opening in Bearing Wall - 51 Wharf Street, Portland, Maine
CME Project No. 08-067

Dear Tanner:

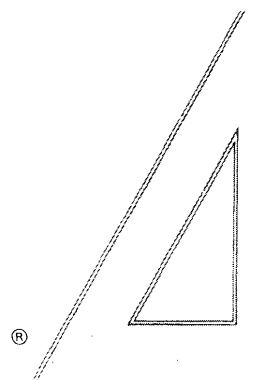
The bearing wall under the Foreplay Bar, and separating the south side of 51 Wharf Street from the north side, carries four floors, including the bearing walls. The wall at the 51 Wharf Street level consists of 12-inch mortared concrete masonry blocks (CMUs) that are generally placed without filling the voids with concrete. There is one four-foot section, approximately 14 feet from the front of the building, which has a concrete beam above, and a four foot section of 8-inch CMU infill panel. These are also with un-filled voids. The 12-inch wall on either side is filled with concrete for the two voids on either side of the infill panel, indicating that the concrete beam above was installed to make a header and allow an opening in the wall. The beam measures 13-inches deep by 12-inches wide, and extends over the filled cores of the 12-inch CMU wall on either side.

At your request, we have evaluated this concrete beam, using the limited information available. Because of the limited information, we have made a series of conservative assumptions about the composition of the beam. We have assumed that the concrete beam, and the CMU wall, was installed when the Foreplay Bar building was renovated. We have assumed that the concrete is 3000 psi, the steel reinforcing is the minimum area required for reinforced concrete (equal to 3 - #4 bars), and that the span of the beam is the four-foot of the infill. With the expected design dead and live loads per ASCE 7-05, this beam is adequate by a factor of 1.16, and needs no additional reinforcing to create a four-foot wide opening.

The height of the opening above the concrete threshold is 6'-6". The minimum height needed for a protruding object in a space such as this bar is 6'-8" per the IBC 2003. The City of Portland Code includes the IEBC 2003 (the Existing Building Code), which may allow for the use of the 6'-6" height without modification. Otherwise, the concrete threshold may be chipped lower by two inches, and the floor slab on either side can be

**LICENSED
PROFESSIONAL
ENGINEERS**

BUILDING DIAGNOSTICS
INSPECTIONS
ENVIRONMENTAL SERVICES
MAINTENANCE PLANNING
DESIGN



sloped at 5% grade in a fan shape to create the change in floor elevation needed. This will extend into the space by 40 inches on either side. The sloped part of the floor must have a different floor surface to indicate the change in the floor to the patrons.

The minimum width of the opening is 44 inches, which can be accommodated by keeping the door trim-out to a minimum thickness. The front side of this opening may impinge on the framing supporting the drywall providing the fireproofing to the underside of the egress stairs from above. The drywall can be moved to the underside of the stair stringers to provide additional space at the new opening if needed. The fire rating for the stairwell must be maintained.

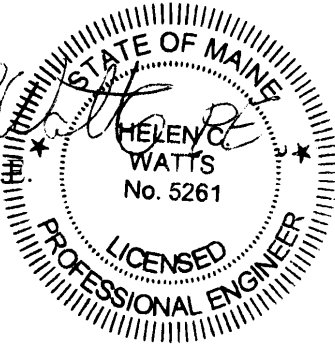
Please call Criterium-Mooney Engineers if any conditions are observed in opening the wall that are not expected or would change the assumptions we have made.

Thank you for giving us the opportunity to be of service to you. Please call me if you have any questions or comments.

Yours truly,

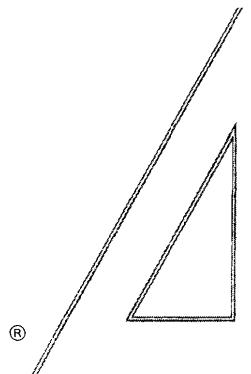


Helen C. Watts, P.E.
Project Engineer
hcwatts@gwi.net



HCW/

C:\Users\Helen\HWE\Criterium\51 Wharf opening ltr.doc



City of Portland, Maine - Building or Use Permit Application

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

Permit No: 08-0252		Issue Date: 10/17/2008		CBL: 032 R007001	
Location of Construction: 436 Fore St		Owner Name: OLD PORT RETAIL HOLDINGS		Owner Address: 101 RICHARDSON ST	
Business Name:		Contractor Name: Herget Management Group		Contractor Address: 1500A Lafayette Road #176 Portsmou	
Lessee/Buyer's Name		Phone:		Phone: 3038171120	
Past Use: Commercial - Thai'd in Knots		Proposed Use: Commercial - 51 Wharf - Inlarge existing restaurant (51 Wharf) into the previous "Thai'd in Knots"		Permit Type: Change of Use - Commercial	
Permit Fee: \$255.00		Cost of Work: \$15,300.00		CEO District: 1	
FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:			
Signature:		Signature:			
Proposed Project Description: Inlarge existing restaurant (51 Wharf) into the previous "Thai'd in Knots"		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: 03/20/2008		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..		Special Zone or Reviews		Zoning Appeal	
		<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:		<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 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 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

Application ID Number: 8-0252		Print Permit	Delete Review	Save	Close
Structure: Building	Notes: Approved w/Conditions	Reviewer: Jeanine Bourke			
Comments:			Approval Date: 10/17/2008	History:	
			Given On Date: 03/20/2008		

<input checked="" type="checkbox"/> Can be Issued Permit	Name: _____	Date: _____	Date 2: _____
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Conditions Section:	Add New Condition From Default List	Add New Condition	Delete Condition	Close
<p>Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.</p> <p>Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.</p> <p>All penetrations through rated assemblies must be protected by an approved firestop system installed in accordance with ASTM 814 or UL 1479, per IBC 2003 Section 712.</p> <p>The existing bathrooms may be removed after the new ones are installed. Fixture count is met on approved plans. No work on the new entry stair reconfiguration or DJ booth is permitted.</p> <p>New restaurant, lounge or bar must meet the requirements of the City and State Food Codes</p> <p>Approval of license is subject to health inspections per the Food Code.</p> <p>Floor drains are required in the new bathrooms</p>				

Create Date: 03/20/2008	By: ldobson	Update Date: 10/17/2008	By: jimb
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The pictures below are taken from the “Proposed new Space” towards the “New Opening”





Closest adjacent

Doorway



Top



Inset doorway
filled in when
spaces separated

Cinderblock
that had
been
studded &
drywalled
to fill old
preexisting
doorway when
areas were split into two.



↑ UP

Top of preexisting door



**STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
STATE FIRE MARSHAL'S OFFICE**



52 STATE HOUSE STATION

AUGUSTA, ME 04940 No. 10676

51 WHARF (BAR AREA)

THE FOLLOWING LIMITATIONS HAVE BEEN SET FOR THIS FACILITY AND/OR ROOM AS SPECIFIED HERE:

MAXIMUM OCCUPANT LOAD
WITH TABLES AND CHAIRS

161

MAXIMUM OCCUPANT LOAD
WITHOUT TABLES AND CHAIRS

161

IMPORTANT

ANY CHANGES OF THESE LIMITATIONS SHALL BE APPLIED FOR IN WRITING AND A NEW INSPECTION MAY BE REQUIRED. THIS INFORMATION SHALL BE POSTED IN A PROMINENT LOCATION AT THE MAIN ENTRANCE TO THE FACILITY AND/OR ROOM THAT HAS THESE LIMITATIONS. THESE LIMITATIONS ARE CALCULATED BY THE USE OF SPECIFIC FORMULARS AND DO NOT REFLECT LIMITATIONS SET FORTH BY OTHER AGENCIES OR AUTHORITIES HAVING JURISDICTION. OTHER ENTITIES MAY BE MORE RESTRICTIVE THAN THE LIMITATIONS SET HEREIN. ANY VIOLATIONS OF THESE LIMITS MAY CONSTITUTE A CLASS E CRIME UNDER MRSA 25 SUBSECTION 2452



**STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
STATE FIRE MARSHAL'S OFFICE**



52 STATE HOUSE STATION

AUGUSTA, ME 04940 No. 10676

51 WHARF (RESTAURANT)

THE FOLLOWING LIMITATIONS HAVE BEEN SET FOR THIS FACILITY AND/OR ROOM AS SPECIFIED HERE:

MAXIMUM OCCUPANT LOAD
WITH TABLES AND CHAIRS

84

MAXIMUM OCCUPANT LOAD
WITHOUT TABLES AND CHAIRS

84

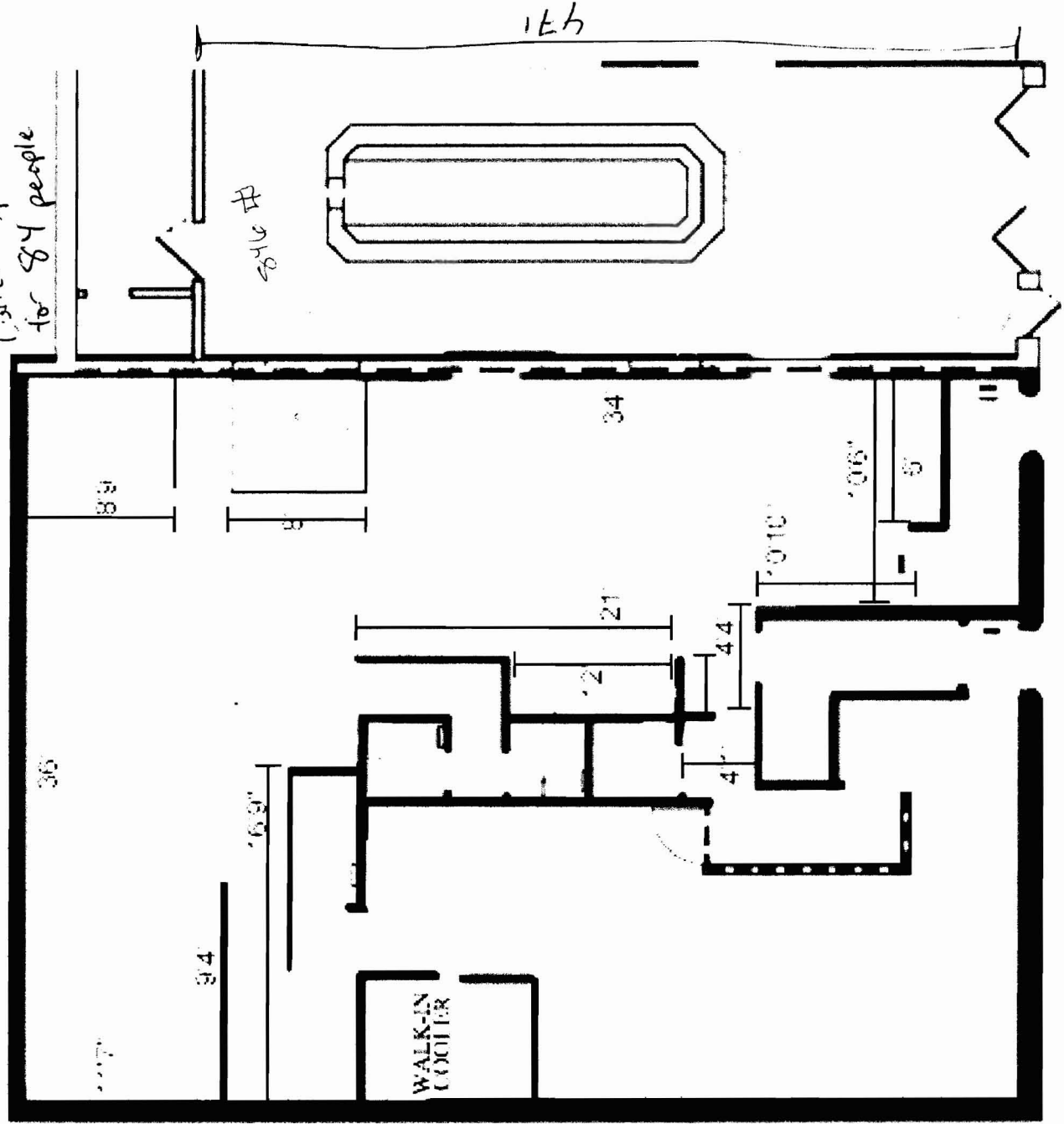
IMPORTANT

ANY CHANGES OF THESE LIMITATIONS SHALL BE APPLIED FOR IN WRITING AND A NEW INSPECTION MAY BE REQUIRED. THIS INFORMATION SHALL BE POSTED IN A PROMINENT LOCATION AT THE MAIN ENTRANCE TO THE FACILITY AND/OR ROOM THAT HAS THESE LIMITATIONS. THESE LIMITATIONS ARE CALCULATED BY THE USE OF SPECIFIC FORMULARS AND DO NOT REFLECT LIMITATIONS SET FORTH BY OTHER AGENCIES OR AUTHORITIES HAVING JURISDICTION. OTHER ENTITIES MAY BE MORE RESTRICTIVE THAN THE LIMITATIONS SET HEREIN. ANY VIOLATIONS OF THESE LIMITS MAY CONSTITUTE A CLASS E CRIME UNDER MRSA 25 SUBSECTION 2452

Current Space for 161

New Proposed Space

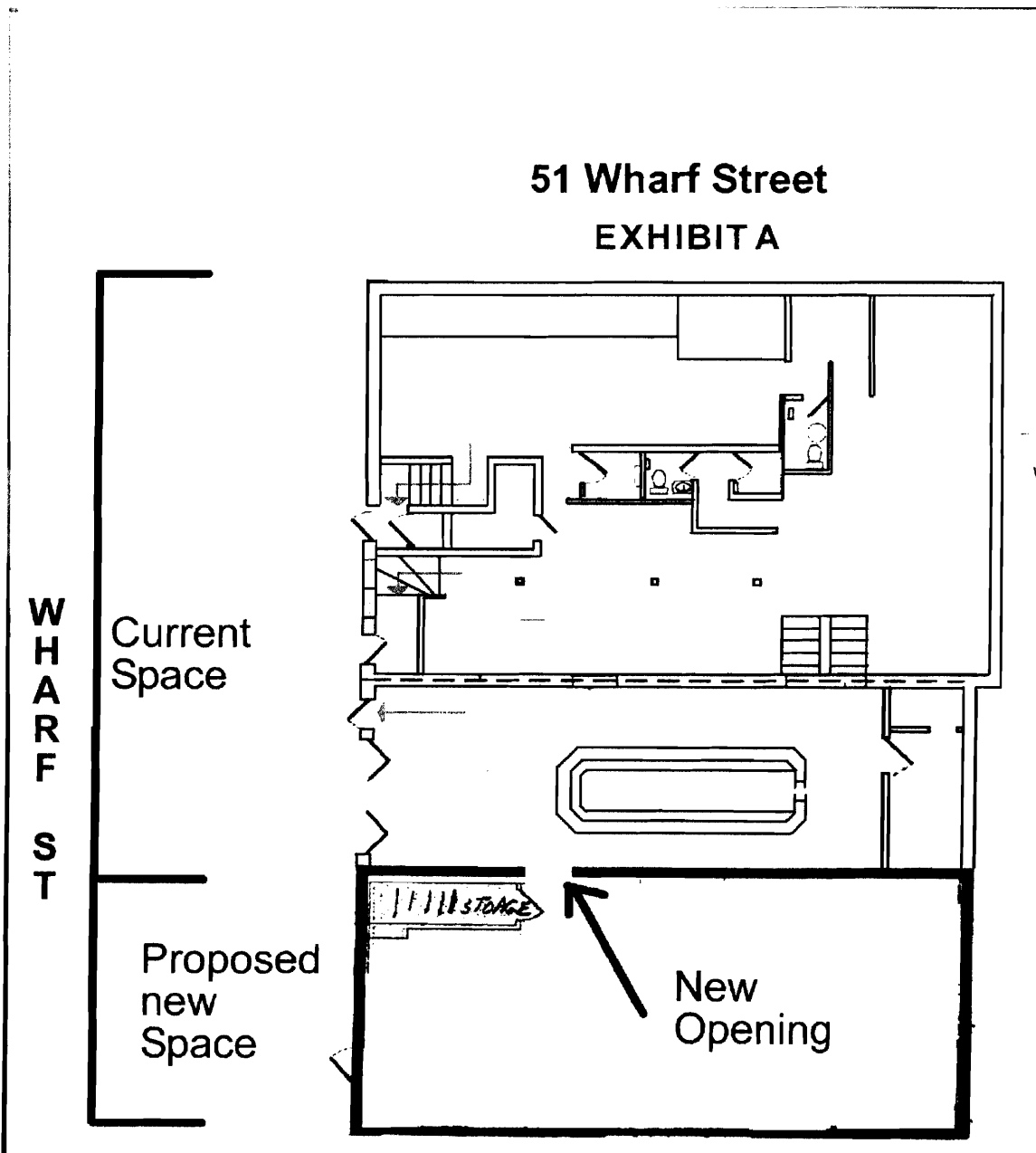
Current Space
for 84 people



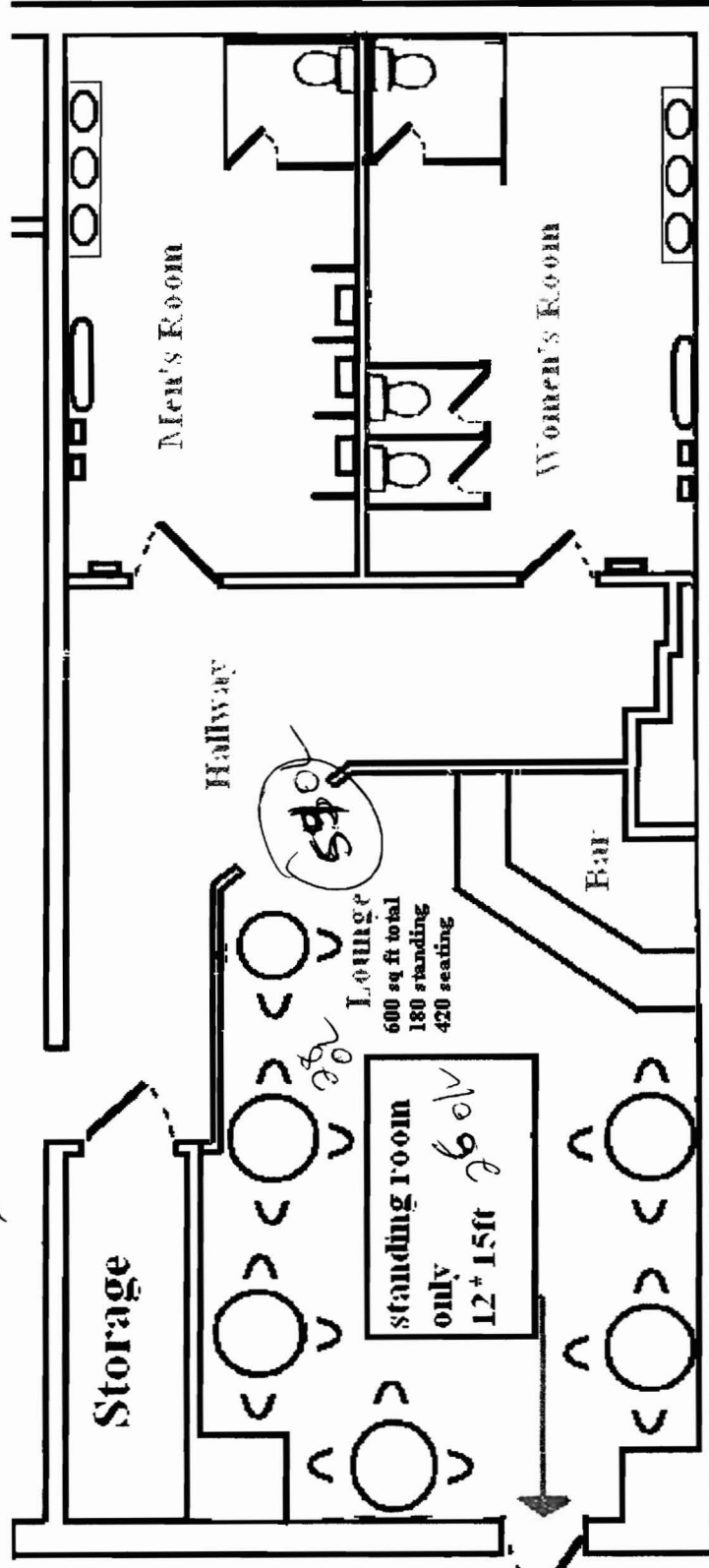
$$\begin{array}{r} 19 \\ \times 234 \\ \hline 646 \\ 552 \\ 190 \\ \hline 4446 \end{array}$$

7 = 92
15 = 43

As the engineer has stated, we would like to open up the space between 47-51 Wharf Street (aka 51 Wharf Restaurant & Ultra Lounge) and 45 Wharf Street (aka Thai'd N Knots and "proposed new space" for 51 Wharf). The proposed opening has 8-inch CMU blocks and a concrete beam to support the proposed opening (please see detailed information from Criterium Mooney Engineers for more information). We would like to remove the blocks and obtain an opening available to the specified building code.



Pass thru



436 Forest
"Slicker"

Dec 19

New Lounge Area

20ft x 30ft area = 600 sq ft total

Within this 12ft x 15ft standing room only area = 180 sq ft

The rest is seating area..... $600-180 = 420$ sq ft

$$420 / 15 = 28$$

$$180 / 7 = 26$$

Capacity = 54 people