

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION PERMIT

Please Read
Application And
Notes, If Any,
Attached

Permit Number: 070642

This is to certify that CONGRESS JOINT DEVELOPMENT LLC

has permission to Outside seating 12 Chairs and Tables

AT 545 CONGRESS ST

PERMIT ISSUED
JUN - 5 2007
CITY OF PORTLAND

provided that the person or persons who accept 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 occupied or service is closed-in. 4 HOUR NOTICE 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

6/5/07 *[Signature]*
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

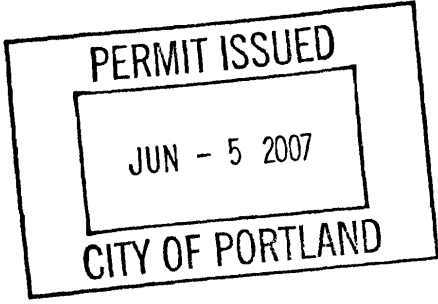
Permit No: 07-0642	Issue Date:	CBL: 037 C017001
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Location of Construction: 545 CONGRESS ST	Owner Name: CONGRESS JOINT DEVELOPME	Owner Address: PO BOX 6799	Phone:
Business Name: Emilitsa	Contractor Name:	Contractor Address:	Phone
Lessee/Buyer's Name John Regas	Phone: 207-240-9724	Permit Type: Outdoor Seating	Zone: B3

Past Use: Commercial - Emilitsa Restaurant	Proposed Use: Commercial - Emilitsa Restaurant- Outside seating 12 Chairs and 6 Tables	Permit Fee: \$80.00	Cost of Work: \$80.00	CEO District: 1
Proposed Project Description: Outside seating 12 Chairs and 6 Tables		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: B <i>Tables + Chairs</i>	
		Signature:	Signature: <i>6/5/07 Cl</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: Idobson	Date Applied For: 06/01/2007	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 Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> <i>OK w/condition:</i> Date: <i>6/4/07</i> <i>APM</i>	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 checked="" 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>ABM</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: 07-0642	Date Applied For: 06/01/2007	CBL: 037 C017001
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Location of Construction: 545 CONGRESS ST	Owner Name: CONGRESS JOINT DEVELOPME	Owner Address: PO BOX 6799	Phone:
Business Name: Emilitsa	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name: John Regas	Phone: 207-240-9724	Permit Type: Outdoor Seating	

Proposed Use: Commercial - Emilitsa Restaurant- Outside seating 12 Chairs and 6 Tables	Proposed Project Description: Outside seating 12 Chairs and 6 Tables
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 06/04/2007

Note: Original application was August of 2006 (#06-1134). By the time the change of use permit went through, it was too late for outdoor seating. Withdrew application and reapplying for this season. **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) All outdoor seating is subject to adjustment at any time from the City's traffic engineer who ensures that the City sidewalk is open and cleared for pedestrian use.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Chris Hanson **Approval Date:** 06/05/2007

Note: **Ok to Issue:**

- 1) This is a Change of Use ONLY permit. It does NOT authorize any construction activities.
- 2) The tables and chairs must not block any means of egress of any building.
- 3) This permit approves outside seating only. Any food, alcohol or entertainment in this space requires licensing approvals from the City Clerk.

Dept: Fire **Status:** Pending **Reviewer:** Capt Greg Cass **Approval Date:**

Note: **Ok to Issue:**

Comments:

6/1/2007-ldobson: Fee's paid on previous permit#06-1134 Withdrawn owes \$5.00



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.

Location/Address of Construction: <u>547 Congress Street, Portland, ME</u>		
<input checked="" type="checkbox"/> Total Square Footage of Proposed Structure <u>25000 sq ft.</u>	<input checked="" type="checkbox"/> Square Footage of Lot <u>5000 sq ft.</u>	
<input checked="" type="checkbox"/> Tax Assessor's Chart, Block & Lot Chart# <u>B</u> Block# <u>C</u> Lot# <u>17</u>	<input checked="" type="checkbox"/> Owner: <u>Congress Joint Development LLC</u>	Telephone: <u>883-3618</u>
Lessee/Buyer's Name (If Applicable) <u>John Regas</u>	<input checked="" type="checkbox"/> Owner's/Purchaser/Lessee Address <u>POB 844 Portsmouth, NH 03802</u>	Cost Of Work: \$ <u>Under 1000.-</u> Fee: \$75.00
Current use: <u>VACANT</u> Business name: <u>Emilitsa</u>		
<input checked="" type="checkbox"/> If the location is currently vacant, what was prior use: <u>HAIR SALON</u>		
<input checked="" type="checkbox"/> Approximately how long has it been vacant: <u>1 1/2 yrs.</u>		
Proposed use: <u>RESTAURANT</u>		
Project description: <u>Outside Seating</u>		
How many chairs? <u>12</u> How many tables? <u>6</u>		
Please contact the City Clerk's Office @ 874-8557 before you commence any serving of food or alcohol outside.		
<input checked="" type="checkbox"/> Contractor's name: <u>N/A</u>		
Address & telephone: _____		
Who should we contact when the permit is ready: <u>John Regas</u>		
Mailing address: _____ Phone: <u>207-240-9724</u>		

Please submit all of the information outlined in the Outdoor Seating Application 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 visit us on-line at www.portlandmaine.gov, stop by the Building Inspections 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: <u>John Regas</u>	Date: <u>08/02/06</u>
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This is not a permit; you may not commence ANY work until the permit is issued.



Outdoor Seating/Dining On Private and/or City Property

Permits are required for expanding eating facilities (tables and chairs) to the outside whether it is on private and/or City Property. The fee is based on the cost of work (which in most cases would be less than \$1,000 or, a fee of \$75.00). The permit is good for one year and covers the time period April 15th thru September 30th of that same year. **The permit must be renewed each year prior to commencing the activity.**

All of the following information is required and must be submitted. You will also be required to fill out an Outdoor Seating Permit Application.

A plot plan is required and must include:

- A drawing of the lot, where the building sits on the lot along with the lot and building dimensions
- The dimensional setback from the sidewalk to the building
- The location of the street, and if it's a corner lot, the intersecting streets
- The sidewalk along with its width and curbing location
- The location of the table and chair placement

Additional requirements include:

- The tables and chairs need to be placed on the sidewalk in such a manner as to allow the free and safe passage of pedestrian traffic. If the placement of the tables and chairs creates a public safety hazard, the municipality may require them to be removed or relocated to a more suitable location.
- The sidewalk area where the tables and chairs are located must be kept neat and free from litter and debris.
- You are required to produce and maintain public liability insurance coverage in an amount of not less than three hundred thousand (\$300,000) combine single limit for bodily injury, death and property damage. If the tables and chairs are on City property, the City will need to be named as additional insured.
- No food shall be prepared outside.
- If alcohol is to be served, you will need to notify the City's Business Licensing Office in room 203 of City Hall or call 874-8557. Additionally, State law requires that any outdoor area serving alcohol be segregated from the rest of the public.
- If the seating area is located on City Property, the owner of the establishment will need to sign the following indemnifying statement.

Conditions for Sidewalk Occupancy Permit

Written consent and agreement relating to occupancy of the City of Portland sidewalk in the front, side, and rear of the building at the stated location: 547 Congress St.; in Portland, Maine, by the owner of the establishment being: John Regas "Greek International" business LLC as: Emilitsa, 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.

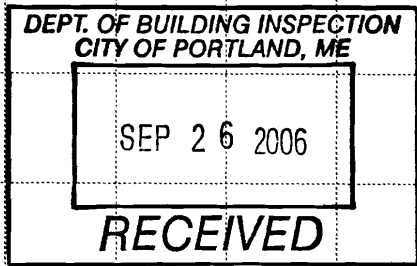
Signed and acknowledged: John Regas Date: 7/2/06
 Establishment owner

Emilitsa GREEK Cafe'

15' to either side of
frontage.
planter, signs etc.

Congress Street

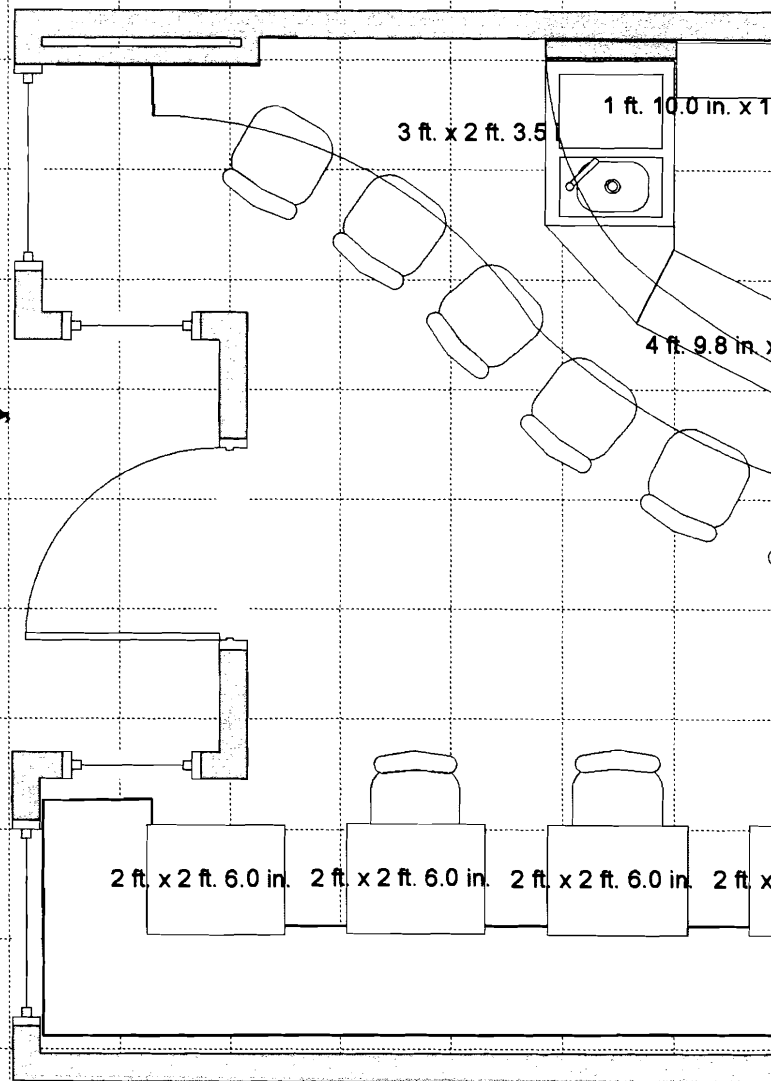
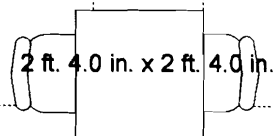
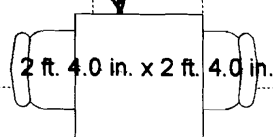
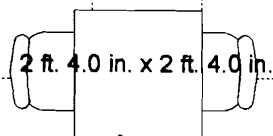
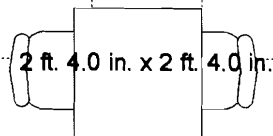
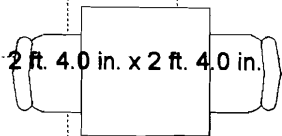
curbs



19'

7'6"

8'



561134 37 C 17

547 Congress -

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE FOR PERMIT FEES

Application No: 7-0642	Applicant: CONGRESS JOINT DEVELOPME
Project Name:	Location: 545 CONGRESS ST
CBL: 037 C017001	Development Type:
Invoice Date: 06/01/2007	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$80.00		\$75.00		\$5.00	On Receipt

First Billing

Previous Balance	\$0.00
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Fee Description	Qty	Fee/Deposit Charge
Outside Seating	1	\$80.00
		\$80.00
	Total Current Fees:	+\$80.00
	Total Current Payments:	-\$75.00
	Amount Due Now:	\$5.00

Detach and remit with payment

Bill to: CONGRESS JOINT DEVELOPMEN
 PO BOX 6799
 SCARBOROUGH , ME 04070

CBL 037 C017001
Application No: 7-0642
Invoice Date: 06/01/2007
Invoice No: 27816
Total Amt Due: \$5.00
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.

ACORD CERTIFICATE OF LIABILITY INSURANCE

CSR RC
GREEK-1

DATE (MM/DD/YYYY)
08/02/06

PRODUCER Bragdon Insurance, Inc. 286 York St PO Box 468 York ME 03909-0468 Phone: 207-363-3200 Fax: 207-363-1023	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	INSURERS AFFORDING COVERAGE	NAIC #
INSURED Greek International, LLC, dba Emilitsa 547 Congress Street Portland ME 04010	INSURER A: Middlesex Mutual Assurance Co	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	X	GENERAL LIABILITY	BINDER	10/17/06	10/17/07	EACH OCCURRENCE	\$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000	
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	\$
		<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
		<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC AGG	\$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	\$
		<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				AGGREGATE	\$
							\$
							\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS	OTH-ER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER PORTLAN City Of Portland 389 Congress St. Portland ME 04101-3509	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>10</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE Roswitha Coughlin
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From: James Carmody
To: Machado, Ann
Date: 8/9/2006 4:14:27 PM
Subject: Re: 545 Congress

OK.

James Carmody
Transportation Engineer
City of Portland
207-874-8894
JPC@portlandmaine.gov

>>> Ann Machado 08/09 4:12 PM >>>
Jim -

Outdoor seating is an accessory use. A business is only allowed to use the area in front of their space. It is not possible to expand beyond thier tenant frontage. It looks like they will only be able to have a maximum of four tables.

Ann

>>> James Carmody 8/9/2006 3:02:48 PM >>>
Ann:

Nelle was just here in the Traffic shop on another matter, and we got to discussing 545 Congress. Thought process is that if the tables are against the front of the store each row would only have 2 tables (none in front of door), but if they can spread out in front of adjoining store fronts they could get 4 tables in each row. Requires agreement with other store owners. Possible ??

James Carmody
Transportation Engineer
City of Portland
207-874-8894
JPC@portlandmaine.gov

CC: Hanig, Nelle; Schmuckal, Marge

From: James Carmody
To: Machado, Ann
Date: 8/14/2006 12:12:16 PM
Subject: Re: 545 Congress St.

Yes, as long as the spacing of the tables is the same as shown on their original plan. The tables must be tightly spaced to allow adequate width for a pedestrian path.

James Carmody
Transportation Engineer
City of Portland
207-874-8894
JPC@portlandmaine.gov

>>> Ann Machado 08/14 11:57 AM >>>
Jim -

I just want to make sure of your final thoughts on the side walk seating. Your email said that you support a single row of tables in front of the tenant space but not blocking the door. This would mean that they would have a max. of two tables. That is what your original email said. Your follow up to Nelle's email about the White Heart said that a double row of tables by the building might be OK if it is in the evening because there would be less pedestrian traffic. Can I tell the applicant that two rows of two tables is OK in the evening if they are next to the building?

Ann