



Permitting and Inspections Department  
Michael A. Russell, MS, Director

Reviewed for Code Compliance  
Permitting and Inspections Department  
Approved with Conditions

01/24/2019

## Commercial Interior Alteration Checklist

(Including change of use, tenant fit-up\*, amendment and/or interior demolition)

All applications shall include the following (please check and submit all items):

- Commercial Interior Alterations Checklist** (this form)
- General Building Permit Application** completed
- Plot plan/site plan** showing lot lines, shape and location of all structures, off-street parking areas and noting any dedicated parking for the proposed business
- Proof of Ownership or Tenancy** (If tenant, provide lease or letter of permission from landlord. If owner, provide deed or purchase and sale agreement if the property was purchased within the last 6 months.)
- Key plan** showing the location of the area(s) of renovation within the total building footprint and adjacent tenant uses
- Life Safety Plan** drawn to scale, showing egress capacity, any egress windows, occupancy load, travel distances, common path distance, dead end corridor length, separation of exits, illumination and marking of exits, portables fire extinguishers, fire separations and any fire alarm or fire sprinklers systems
- Existing floor plans/layouts** drawn to scale, including area layout, removals, exits and stairs
- Proposed floor plans/layouts** drawn to scale, including dimensions, individual room uses and plumbing fixtures

*Please note: All plans shall be drawn to a measurable scale (e.g., 1/4 inch = 1 foot) and include dimensions. Construction documents prepared and stamped by a licensed architect or engineer shall be required for certain projects in accordance with the stated [Policy on Requirements for Stamped or Sealed Drawings](#).*

**Additional plans may also require the following** (As each project has varying degrees of complexity and scope of work for repairs, alterations and renovations, some information may not be applicable. Please check and submit only those items that are applicable to the proposed project.):

- Code information** including use classifications, occupant loads, construction type, existing/proposed fire alarm, smoke and sprinkler protection systems, egress (exits and windows), fire separation areas and fire stopping
- Demolition plans and details for each story** including removal of walls and materials
- Construction and framing details** including structural load design criteria and/or non-structural details
- New stairs** showing the direction of travel, tread and rise dimensions, handrails and guardrails
- Wall and floor/ceiling partition types** including listed fire rated assemblies
- Sections and details** showing all construction materials, floor to ceiling heights, and stair headroom
- New door and window schedules** (include window U-factors)
- Accessibility features and design details** including the Certificate of Accessible Building Compliance
- Project specifications manual**
- A copy of the State Fire Marshal construction and barrier free permits.** For these requirements visit:

[http://www.maine.gov/dps/fmo/plans/about\\_permits.html](http://www.maine.gov/dps/fmo/plans/about_permits.html)

**Food service occupancies** require additional plans and details for review, such as occupant load per square foot area for tables and chairs, number of fixed bar, banquet and booth seating, equipment and plumbing fixture plans with schedule, hood location and interior finish materials. Accessible seating and counter details shall be included, please refer to this site: [http://www.alphaonenow.org/userfiles/resto\\_access\\_sheet.pdf](http://www.alphaonenow.org/userfiles/resto_access_sheet.pdf)

**Separate permits are required for internal and external plumbing, electrical installations, heating, ventilating and air conditioning (HVAC) systems, appliances and commercial kitchen hoods.**

\*Tenant fit-up: construction necessary within the demising walls of a leased space, including partitions, finishes, fixtures, lighting, power, equipment, etc. making the interior space suitable for the intended occupation.



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# Certificate of Accessible Building Compliance

All facilities for the use of a public entity shall be readily accessible by individuals with disabilities.

Project Name: Office Interior Alterations

Project Address: 562 Congress St, Portland, ME 04101

Classification:  Title II (State/Local Government)

Title III (Public Accommodation/Commercial Facility)

**New Building**

- Americans with Disabilities Act (ADA)
- Maine Human Rights Act (MHRA)
  - Barrier Free Certification (\$75,000+ scope of work)
  - State Fire Marshal Plan Review Approval

**Alteration/Addition**

- Existing Building Completion date:
  - Original Building: +/- 1880
  - Addition(s)/Alteration(s): regularly since
- Americans with Disabilities Act (ADA)
  - Path of Travel  Yes  No
- Maine Human Rights Act (MHRA)
  - Exceeds 75% of existing building replacement cost
  - Barrier Free Certification (\$75,000+ scope of work)
  - State Fire Marshal Plan Review Approval

**Occupancy Change/Existing Facility**

New Ownership – Readily Achievable Barrier Removal: \_\_\_\_\_

**Residential**

- Americans with Disabilities Act (ADA)
- Fair Housing Act (4+ units, first occupancy)
- Maine Human Rights Act (MHRA)
  - Covered Multifamily Dwelling (4+ units)
  - Public Housing (20+ units)
- Uniform Federal Accessibility Standards (UFAS)
- None, explain: \_\_\_\_\_

**Contact Information:**

Design Professional: bild Architecture

Signature  
*(This is a legal document and your electronic signature is considered a legal signature per Maine state law.)*

Name: Evan Carroll

Address: 30 Danforth Street Suite 105, Portland  
Portland, ME 04101

Phone: 207-408 0168

Maine Registration #: ARC 3687

Owner: Terbax Realty

Signature  
*(This is a legal document and your electronic signature is considered a legal signature per Maine state law.)*

Name: Peter Quesada, vp

Address: 5 Milk Street  
Portland, ME 04101

Phone: 207 772-6404



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## General Building Permit Application

**Project Address:** 562 Congress St, Portland, ME 04101

**Tax Assessor's CBL:** 37 G 14001 **Cost of Work:** \$ 6,000  
Chart #      Block #      Lot #

**Proposed use** (e.g., single-family, retail, restaurant, etc.): Business

**Current use:** Business

**Past use, if currently vacant:** \_\_\_\_\_

**Commercial**       **Multi-Family Residential**       **One/Two Family Residential**

**Type of work (check all that apply):**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> New Structure          | <input type="checkbox"/> Foundation Only               | <input type="checkbox"/> Change of Ownership - Condo Conversion |
| <input type="checkbox"/> Addition               | <input type="checkbox"/> Fence                         | <input type="checkbox"/> Change of Use                          |
| <input checked="" type="checkbox"/> Alteration  | <input type="checkbox"/> Pool - Above Ground           | <input type="checkbox"/> Change of Use - Home Occupation        |
| <input type="checkbox"/> Amendment              | <input type="checkbox"/> Pool - In Ground              | <input type="checkbox"/> Radio/Telecommunications Equipment     |
| <input type="checkbox"/> Shed                   | <input type="checkbox"/> Retaining Wall                | <input type="checkbox"/> Radio/Telecommunications Tower         |
| <input type="checkbox"/> Demolition - Structure | <input type="checkbox"/> Replacement Windows           | <input type="checkbox"/> Tent/Stage                             |
| <input type="checkbox"/> Demolition - Interior  | <input type="checkbox"/> Commercial Hood System        | <input type="checkbox"/> Wind Tower                             |
| <input type="checkbox"/> Garage - Attached      | <input type="checkbox"/> Tank Installation/Replacement | <input type="checkbox"/> Solar Energy Installation              |
| <input type="checkbox"/> Garage - Detached      | <input type="checkbox"/> Tank Removal                  | <input type="checkbox"/> Site Alteration                        |

**Project description/scope of work (attach additional pages if needed):**

The project consists of adding two walls to an open area in order to create two small offices.

**Applicant Name:** Blue Heron Office Suites LLC **Phone:** ( 207 ) 672 - 3344

**Address:** 123 Free Street, Portland, ME 04112 **Email:** blueheronoffices@gmail.com

**Lessee/Owner Name** (if different): same as applicant **Phone:** ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

**Address:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Contractor Name** (if different): Gaudet Construction Inc **Phone:** ( 207 ) 807 - 2195

**Address:** 77 Brook Rd Falmouth ME 04105 **Email:** pgaudet@gaudetsconstruction.com

*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: 12/20/2018

*This is a legal document and your electronic signature is considered a legal signature per Maine state law.*

**Review of this application will not begin until the permit payment is received. This is not a permit. Work may not commence until the permit is issued.**



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**Electronic Signature and Fee Payment Confirmation**

This is a legal document and your electronic signature is considered a legal signature per Maine state law. You will receive an e-mailed invoice from our office which signifies that your electronic permit application has been received and is ready for payment. Please pay by one of the following:

- Electronic check or credit card: [portlandmaine.gov/payyourpermit](http://portlandmaine.gov/payyourpermit)
- Over the phone at (207) 874-8703
- Drop off to Room 315, City Hall
- Mail to:

**City of Portland  
Permitting and Inspections Department  
389 Congress Street, Room 315  
Portland, Maine 04101**

By signing below, I understand the review process starts once my payment has been received. After all approvals have been completed, my permit will be issued via e-mail. Work may not commence until permit is issued.

Applicant Signature:  Date: 12/20/18

I have provided electronic copies and sent them on: \_\_\_\_\_ Date: 12/28/18

**NOTE:** All electronic paperwork must be delivered to [permitting@portlandmaine.gov](mailto:permitting@portlandmaine.gov) or with a thumb drive to the office.

**If you or the property owner owes taxes or user charges on property within the City, payment arrangements must be made before a permit application is accepted.**



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### SUBLEASE AMENDMENT

This Sublease Amendment amends the sublease agreement dated September 12, 2017 (the "Sublease") between Blue Heron Office Suits, LLC ("LLC") and Spinnaker Trust ("Spinnaker").

The Sublease shall be amended by adding the following provisions to the Sublease:

- (13) **Tenant's Work to Suite 205:** LLC shall be permitted, at its own cost and upon permit approval from the City of Portland and written approval of the landlord, to construct walls and doors (and required associated electrical and HVAC/duct work) to split Suite 205 into two (2) small offices (the "205 Project"); provided, however, that upon termination of this sublease, if Spinnaker determines that Suite 205 be returned to its original condition (open, with no walls or doors), that LLC shall pay for such work, except that the parties agree that all electrical and HVAC/duct work associated with the 205 Project need not be undone and may remain as finalized after the 205 Project (except for any electrical switch to be installed in a wall that will be removed).
- (14) **Indemnification:** LLC agrees to indemnify and hold harmless Spinnaker for any and all damages, duties, responsibilities, expenses and costs (including reasonable attorney's fees) that Spinnaker incurs which are caused by or result from the 205 Project or which arise from Spinnaker's duties and responsibilities as set out in a letter from Peter W. Quesada of Fore River to Chris O'Neil dated December 11, 2019.
- (15) **Insurance:** Tenant shall assure that at all times any contractors working on the 205 Project maintain in place liability insurance in a minimum amount of \$1,000,000 and workers' compensation insurance, naming Spinnaker, Landlord and Fore River Management Company as additional insureds.

All provisions of the Sublease shall remain intact pursuant thereto.  
The parties hereby agree to the above terms.

For: **Spinnaker Trust**

Signed: *R. Curran*  
 Printed: RICHARD E. CURRAN, JR.  
 Title: CHAIRMAN  
 Date: 12/28/2018

For: **Blue Heron Office Suites, LLC**

Signed: *Ezekiel Callanan*  
 Printed: Ezekiel Callanan  
 Title: Member & Manager  
 Date: 12/27/18



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**Fore River Company**      5 Milk Street      P.O. Box 7525      Portland, ME 04112      (207) 772-6404

December 11, 2018

Chris O'Neil  
Spinnaker Trust  
5 Milk Street  
Portland, ME 04101

re: alterations at 123 Free Street

Dear Chris,

Spinnaker Trust is "Tenant" and Terbax Realty, Inc, is "Landlord," under a lease dated as of August 11, 2011, as amended (the "Lease") relating to a portion of the second and third floors (the "Premises") at 562 Congress Street. The Lease requires Tenant to secure Landlord's consent prior to making any alterations at the Premises.

Subject to Tenant's agreement to the requirements listed below, this letter constitutes Landlord's written consent for Tenant or Tenant's sub-tenant to undertake the following work, using Gaudet's Construction, Inc. (or another GC reasonably satisfactory to us) as general contractor {"General Contractor"}: work shown in the permit set dated 12/7/2018 by Bild Architecture (Project # 17032).

Tenant hereby agrees as follows:

1. Tenant shall assure that at all times General Contractor (and any other contractors working at the Building which are not sub-contractors of General Contractor) maintains in place liability insurance in a minimum amount of \$1,000,000 and workers' compensation insurance, naming Landlord and Fore River Management Company as additional insureds.
2. Tenant's representative, a representative of General Contractor, a representative of every sub-contractors, and Bruce Kistler, must complete a walk through of the Premises to assure compliance with all required steps not to disturb asbestos at the Building. The general contractor must maintain adequate supervisions of its subs to assure that asbestos is not disturbed. Landlord's representatives are available at any time on short notice to meet on site should any questions arise.
3. Prior to commencing any activity at the Premises, Tenant's general contractor shall provide Landlord contact information for the on site job supervisor, and shall agree to
  - a. General contractor's understanding that the remaining space on the 2<sup>nd</sup> floor and floor directly above and below are occupied and there shall be no radios or unnecessarily loud voices in or about the Premises,



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- b. Daily sweeping and clean up of the freight elevator, and the second floor and ground floor lobbies inside and outside the freight elevator.
  - c. Workers may not use the 2<sup>nd</sup> floor bathrooms. Bathrooms are available in the lower level.
  - d. Enforce a no smoking policy in the Building and immediately outside the freight elevator entrance on Free Street.
  - e. Access to the freight elevator to be coordinated with Landlord's Representative. No access to the passenger elevators at any time.
- 4. All work approved herein shall be at Tenant's expense.
  - 5. Tenant shall be responsible for securing all necessary permits and for complying with all codes. Note that any permit request could trigger a City response requiring building-wide upgrades, which could make the contemplated project cost prohibitive.
  - 6. Tenant shall deliver lien waivers to Landlord covering all work upon completion of work.
  - 7. Tenant shall deliver to Landlord complete as built promptly on completion of work.
  - 8. Freight Elevator shall only be used to access the 1<sup>st</sup> and 2<sup>nd</sup> floors. No access to 3<sup>rd</sup> or 4<sup>th</sup>—5<sup>th</sup> or basement
  - 9. Upon the request of Landlord at or near the end of the Term, or earlier if Tenant so desires, Tenant shall at its expense remove the alterations and restore the Premises to its condition prior to the installation of the alterations.

Please provide us a complete copy of the alternations application when filed and a copy of any City response when received.

Sincerely,

Peter W. Quesada

Seen and agreed to:

TERBAX REALTY, INC.

By:   
Its: U.P.

SPINNAKER TRUST

By:   
Its: CHAIRMAN