

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



# CITY OF PORTLAND BUILDING PERMIT

This is to certify that

Located At 548 CONGRESS ST

Job ID: 2012-03-3556-OSD

CBL: 037-H-001-001

has permission to OSD Taco Escobarr/ Nosh LLC Bar Seating 84 sq Ft  
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 the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY  
PENALTY FOR REMOVING THIS CARD**

## BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov)

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



# PORTLAND MAINE

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Acting Director of Planning and Urban Development  
Gregory Mitchell

Job ID: 2012-03-3556-OSD

Located At: 548 CONGRESS ST

CBL: 037- H-001-001

## **Conditions of Approval:**

### **Building**

**The outside dining permit is approved for the area delineated at the inspection and stated on the permit, and must be kept on site.**

**THIS PERMIT MUST BE RENEWED ANNUALLY.**

**The tables and chairs must not block any means of egress of any building, even during storage.**

**The outdoor seating may NOT be used until the permit is issued and posted on site.**

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

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

Job No: 2012-03-3556-OSD	Date Applied: 3/21/2012	CBL: 037- H-001-001	
Location of Construction: 548 CONGRESS ST	Owner Name: NEVERMORE LLC	Owner Address: 10 DANA ST STE 400 PORTLAND, ME 04101	Phone:
Business Name: Taco Escobarr/Nosh LLC	Contractor Name: Lessee: Tobey Moulton	Contractor Address: 194 Westbrook St. South Portland, ME 04106	Phone: 756-9007
Lessee/Buyer's Name:	Phone:	Permit Type: OUTDOOR	Zone: B-3
Past Use: 1 <sup>st</sup> floor restaurant with 7 residential dwelling units on 2 <sup>nd</sup> & 3 <sup>rd</sup> floors	Proposed Use: Same: 1 <sup>st</sup> floor restaurant with 7 residential dwelling units on 2 <sup>nd</sup> & 3 <sup>rd</sup> floors – to have outside dining on sidewalk space	Cost of Work:	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: <i>At</i> Type: <i>door slotting</i>
Proposed Project Description: 16' x 6' 6" bar seating		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Gayle		<b>Zoning Approval</b>	

<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building Permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.</p>	<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan  <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MIM Date: <i>OK 3/22/12</i>	<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> <i>within</i> <input type="checkbox"/> Not in Dist 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:
	<b>CERTIFICATION</b>		

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

2012 03 3556



348 Congress

# Outdoor Dining 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.

<input checked="" type="checkbox"/> New Application for Outside Dining <input type="checkbox"/> Renewal Application for Outside Dining		
City Clerk signature for liquor license approval: <u>[Signature]</u>		Pending Council Date: <u>6-20-11</u>
Location/Address of Outdoor Seating: _____		
Total Square Footage of Proposed Seating Area <sup>1</sup>		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# <u>037</u> Block# <u>N</u> Lot# <u>001</u>	Phone#: <u>(207) 541-9097</u>	Owner: <u>MATT MORAN, JASON LORING-TOBEY MAULTON.</u>
Applicant * <b>must be owner or Lessee</b> Name: <u>MATT MORAN.</u> Address: _____ City, State & Zip: _____	Lessee/Buyer's Name: (If Applicable) <u>Tom Maulton @.</u> <u>owner: Ne vermore LLC</u>	Annual Fee: <u>\$80</u> Total Sq. Ft. _____ Sq. Ft. Fee: \$ _____ Total Fee: \$ _____
Current use: <u>BAR/RESTURANT.</u>		
Business name: <u>TACO ESCOBARRE / Nosh LLC.</u>		
Seating area dimensions: <u>16' x 6' 6"</u>		RECEIVED <u>MAR 21 2012</u>
How many chairs? <u>BAR SEATING</u> How many tables? _____ <input checked="" type="checkbox"/> Yes Alcohol is served. <input type="checkbox"/> No Alcohol being served.		Dept. of Building Inspections City of Portland Maine
Who should we contact for the pre-inspection: <u>TOBEY MAULTON</u>		
Mailing address: <u>194 WESTBROOK ST. S. PORTLAND</u> Phone: <u>(207) 756-9007</u> <u>04106.</u>		

Please submit all of the information outlined in the Outdoor Dining 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](http://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: \_\_\_\_\_

Date: \_\_\_\_\_

<sup>1</sup> In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the Director of Parks and Recreation or his or her designee. This is not a permit; you may not commence ANY work until the permit is issued.



# OUTDOOR DINING PERMIT CHECKLIST

Permits are required for expanding food service establishments to the outside on City Property. The annual fee is \$80.00 plus \$2.00 per square foot of dining area on streets, sidewalks or other public ways and \$80.00 plus \$6.00 per square foot of dining area in city parks. For purposes of fee calculation, the area abutting the buildings which border Monument Square and extending ten (10) feet from the facade of said buildings shall be considered a sidewalk. The ten (10) foot area shall be measured from that portion of the facade that protrudes furthest into the sidewalk. The area beyond the ten (10) foot sidewalk shall be considered park space.

Outdoor dining is permitted year round under the permit; however, furniture must be removed in inclement weather to allow for sidewalk snow removal. **The permit must be renewed each year.**

All of the following information is required and must be submitted. You will also be required to fill out an Outdoor Dining 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, including dimensions

(NOTE: there must be a minimum of four feet of open sidewalk from the outer boundary of the seating area to the curb, and a minimum of five feet on corners, and egress from the building must be maintained free of obstruction per the building code and NFPA Life Safety Code).

## Additional Requirements:

- The permit holder is required to produce, at the time of submission, and maintain public liability insurance coverage in an amount of not less than four hundred thousand dollars (\$400,000) combined single limit for bodily injury, death and property damage, naming the City as an additional insured thereon.

## All permits for outdoor dining are issued subject to the following conditions:

- The tables and chairs must be placed within the permitted area on the sidewalk in such a manner as to allow the free and safe passage of pedestrian traffic. If the tables and chairs are moved and located outside of the permitted outdoor seating area, they must be relocated to within the permitted area. Failure to contain the tables and chairs to the permitted area may result in a reduced permitted area or a revocation of the permit.

CONTINUED →

APARTMENT

CONGRESS ST

548 Congress St.

TRADE SCABBER.

OUTDOOR DINING.

2012

6 x 14

106 SQ FT. EATING AREA.

TS 23 S

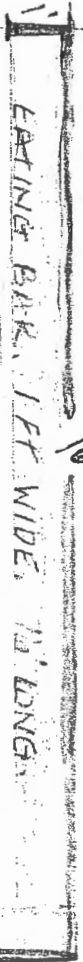
20 FT TO CORNER.

13.4'

9'

15.6'

10.6'



← 10 PPL → BAR STOOL SEATING. →

← 3 PPL →

6.6'

6.6'

10'

6'

APPROXIMATE

2'

5' PLUS FT TO CORNER. DRA CT.

FE. DIVE TRACO ESCABBER.

DENTIS

CONGRESS ST

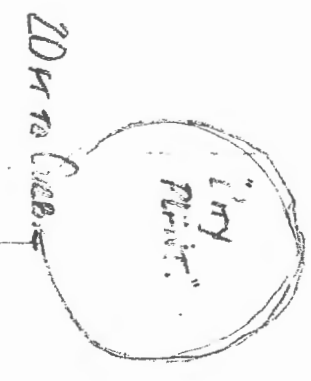
548 CONGRESS ST.

TRADESCOBARR.

OUTDOOR DINING.

2012

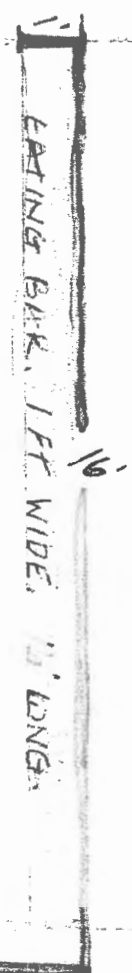
106 SQ. FT.  
EATING AREA.



20 FT TO CURB.

13.4'

10'6"



← 10 PPL → BAR STOOL SEATING. →

6.6'

← 3 PPL →

9'

15.6'

6.6'

10.5'

6'

APPL. 5' PLUS FT TO CORNER. DIRE CT.

2' FE. DOWN ESCOBARR.

DENNY'S





Harborside Financial Center  
 Plaza Five, Suite 2900  
 Jersey City, NJ 07311  
 Tel: 201 743 7700  
 Fax: 201 743 7701  
[www.torusinsurance.com](http://www.torusinsurance.com)  
 Report claims to:  
[claims@torusinsurance.com](mailto:claims@torusinsurance.com)

The insurance contract is issued pursuant to the Maine Insurance Laws by an insurer neither licensed by nor under the jurisdiction of the Maine Insurance Department."

**TORUS SPECIALTY INSURANCE CO.**

**FOLLOWING FORM EXCESS LIABILITY INSURANCE POLICY**

**DECLARATIONS**

**POLICY NO.: 76969C110ALI**

**RENEWAL OF: NEW**

**ITEM 1.** (a) NAMED INSURED: Nosh LLC & Taco Escobarr  
 (b) ADDRESS: 551 Congress Street  
 Portland, ME 04101

**ITEM 2.** POLICY PERIOD: Inception Date: 11/11/2011 To: 11/11/2012  
 (12:01 A.M. prevailing time at the address stated in Item 1 above)

**ITEM 3.** RETROACTIVE DATE: Not Applicable

**ITEM 4.** COVERAGE: Following Form Excess Liability

**ITEM 5.** LIMITS OF LIABILITY: \$1,000,000 Per Occurrence, Per Claim or Per Loss  
 (per Followed Policy)  
 \$1,000,000 Aggregate, where applicable

Excess of Limits in Item 6 below

**ITEM 6.** LIMITS OF UNDERLYING POLICIES:  
 Per Schedule Underlying Policies Per Occurrence, Per Claim or Per Loss  
 (See Endorsement No. 2) (per Followed Policy)  
 Aggregate, where applicable

**ITEM 7.** FOLLOWED POLICY:  
 Company: Per Schedule Underlying Policies (See Endorsement No. 2)  
 Policy Number:  
 Coverage:  
 Policy Period:  
 Limits of Liability:  
 Per Occurrence, Per Claim or Per Loss  
 Aggregate, where applicable

**ITEM 8.** (a) PREMIUM: \$934

<b>Named Insured:</b>	Nosh LLC & Taco Escobarr
<b>Policy No:</b>	76969C110ALI
<b>Endorsement No:</b>	2
<b>Endorsement Effective Date:</b>	11/11/2011

**FOLLOWING FORM EXCESS LIABILITY INSURANCE POLICY**

**SCHEDULE OF UNDERLYING INSURANCE**

COVERAGE	INSURER POLICY PERIOD POLICY NUMBER	APPLICABLE LIMITS
COMMERCIAL GENERAL LIABILITY COVERAGES A AND B	Peerless Insurance Company 11/11/2011 - 11/11/2012 On File with Company	\$1,000,000 EACH OCCURRENCE \$2,000,000 OTHER AGGREGATE \$2,000,000 PRODUCTS COMPLETED OPERATIONS AGGREGATE \$1,000,000 PERSONAL AND ADVERTISING INJURY

- GENERAL AGGREGATE APPLIES PER LOCATION  
 GENERAL AGGREGATE APPLIES PER PROJECT

LIQUOR LIABILITY	United States Liability Insurance Company 11/11/2011 - 11/11/2012 On File with the Company	\$1,000,000 EACH OCCURRENCE LIMIT \$1,000,000 AGGREGATE LIMIT
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\*The above Schedule applies to any renewals or replacements thereof



# PORTLAND MAINE

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## Receipts Details:

**Tender Information:** Check , BusinessName: mastercard, Check Number: 589497  
**Tender Amount:** 80.00

## Receipt Header:

**Cashier Id:** gguertin  
**Receipt Date:** 3/21/2012  
**Receipt Number:** 42011

## Receipt Details:

Referance ID:	5721	Fee Type:	BP-OD
Receipt Number:	0	Payment Date:	
Transaction Amount:	80.00	Charge Amount:	80.00
Job ID: Job ID: 2012-03-3556-OSD - 16' x 6' 6" bar seating			
Additional Comments: 548 Congress			

Thank You for your Payment!