

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING DEPARTMENT

PERMITPlease Read
Application And
Notes, If Any,
Attached

Permit Number: 090319

This is to certify that DICTAR ASSOCIATES II/Pat Marino
 has permission to Outdoor Seating 5 tables & 14 chairs 134 sq ft
 AT 468 FORE ST

CITY OF PORTLAND 038 F008001

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 work is used-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

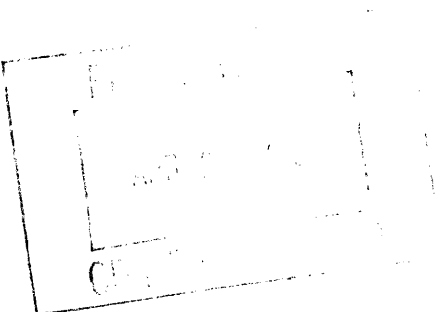
Fire Dept. _____
 Health Dept. _____
 Appeal Board _____
 Other _____
 Department Name

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: 09-0319		Issue Date:		CBL: 038 F008001	
Location of Construction: 468 FORE ST		Owner Name: DICTAR ASSOCIATES II		Owner Address: PO BOX 3572	
Business Name:		Contractor Name: Paciarino		Phone:	
Lessee/Buyer's Name		Phone:		Permit Type: Outdoor Seating	
Past Use: Commercial Restaurant "Paciarino"		Proposed Use: Commercial Restaurant "Paciarino" - Outdoor Seating 5 tables & 14 Chairs 134 sq ft		Zone: B-3	
Permit Fee: \$348.00		Cost of Work: \$80.00		CEO District: 1	
FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>N/A</i>		INSPECTION: Use Group: <i>U</i> Type: <i>Outdoor Dining</i> City Ordinance Signature: <i>[Signature]</i>			
Proposed Project Description: Outdoor Seating 5 tables & 14 Chairs 134 sq ft		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: 04/14/2009		Zoning Approval	
<ol style="list-style-type: none">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"/> Date: <i>4/23/09</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 type="checkbox"/> Not in District or Landmark <input checked="" 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: <i>4/23/09</i>			

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: 09-0319	Date Applied For: 04/14/2009	CBL: 038 F008001
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Location of Construction: 468 FORE ST	Owner Name: DICTAR ASSOCIATES II	Owner Address: PO BOX 3572	Phone:
Business Name:	Contractor Name: Paciarino	Contractor Address:	Phone
Lessee/Buyer's Name	Phone:	Permit Type: Outdoor Seating	

Proposed Use: Commercial Restaurant "Paciarino" - Outdoor Seating 5 tables & 14 Chairs 134 sq ft	Proposed Project Description: Outdoor Seating 5 tables & 14 Chairs 134 sq ft
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Tammy Munson **Approval Date:** 04/23/2009
Note: **Ok to Issue:** ✓

- 1) 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:** Tammy Munson **Approval Date:** 04/23/2009
Note: **Ok to Issue:** ✓

- 1) 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 ANNUALY
- 2) This permit approves outside seating only. Any alcohol or entertainment in this space requires licensing approvals from the City Clerk.
- 3) The tables and chairs must not block any means of egress of any building, even during storage.



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.

Location/Address of Outdoor Seating: <u>470 FORE STREET PORTLAND ME 04101</u>		
Total Square Footage of Proposed Seating Area ¹ <u>136.5</u>		Square Footage of Lot
Tax Assessor's Chart, Block & Lot Chart# <u>038</u> Block# <u>F</u> Lot# <u>008</u>	Owner: <u>FORE STREET REALTY LLC</u> <u>BATEMAN PROPERTY</u>	Telephone:
Lessee/Buyer's Name (If Applicable) <u>FABIANA M. de SAVINO</u>	Applicant * <u>must</u> be owner or Lessee Name <u>FABIANA M. de SAVINO</u> Address <u>470 FORE STREET</u> City, State & Zip <u>PORTLAND ME 04101</u>	Annual Fee: <u>\$80</u> Sq Ft Fee: \$ _____ Total Fee: \$ _____
Current use: <u>RESTAURANT</u>		
Business name: <u>PACIARINO</u>		
Seating area dimensions: <u>6'x14' - 9'x30" - 12'x30"</u>		
How many chairs? <u>14</u> How many tables? <u>5</u>		
City Clerk signature for liquor license approval _____ or Pending Council Date <u>MAY 4, 2009</u>		
Who should we contact for the pre-inspection: <u>FABIANA M. de SAVINO</u> <u>DM</u>		
Mailing address: <u>470 FORE ST. PORTLAND ME</u> Phone: <u>774-3500</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, 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.

Fabiana M. de Savino
Signature of Applicant

4/14/2009
Date

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

¹ 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.



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.

- ☒ The permit holder is responsible for keeping the outdoor seating area clean. The sidewalk area where the tables and chairs are located must be kept neat and free from litter and debris.
- ☒ No food shall be prepared outside.
- ☒ If alcohol is to be served, the permit holder must notify the City's Business Licensing Office in room 203 of City Hall or by telephone at 874-8557 and obtain approval for the service of alcohol outdoors. Additionally, State law requires that any outdoor area serving alcohol be segregated from the rest of the public.
- ☒ All tables and chairs shall be removed prior to a predicted snowfall and while any snow or ice exists within the designated outdoor seating area or within four feet from the boundaries thereof. The City will not be responsible for damage to any tables, chairs or other property that is not properly removed when the City is engaged in sidewalk maintenance activities.
- ☒ The permit holder shall comply with all applicable rules and regulations implemented by the city regarding outdoor dining.

Failure to comply with any of the above conditions will result in revocation or non-renewal of the permit.

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, 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 or park space, 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 there from, 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: Fabiana M. de Savino

Date: 4/14/2009

Printed name FABIANA M. DE SAVINO

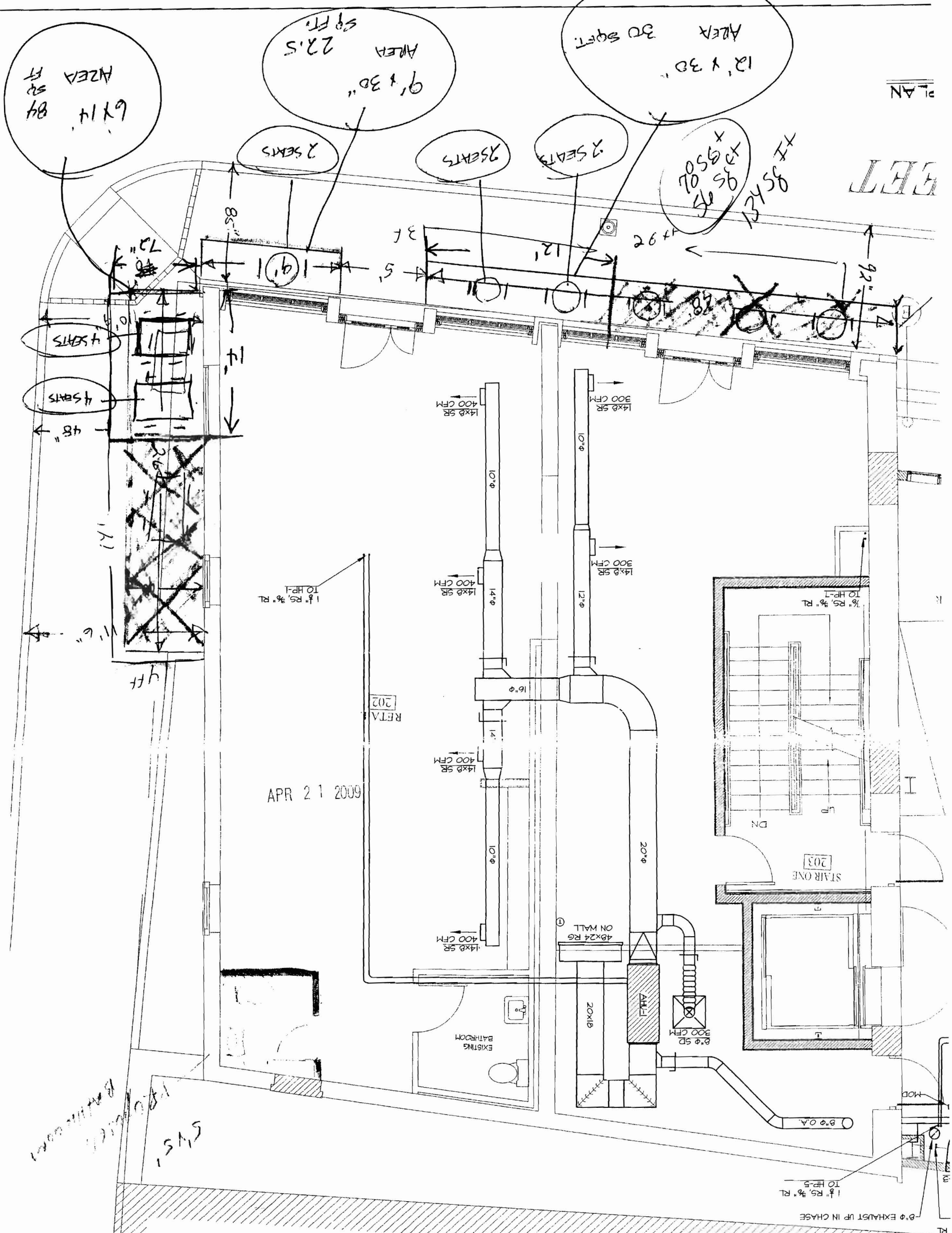
Establishment PACIARINO

Location 470 FORE STREET PORTLAND ME 04101

ACORD CERTIFICATE OF LIABILITY INSURANCE				DATE (MM/DD/YYYY) 4/14/2009	
PRODUCER (207) 780-1500 FAX: (207) 780-6377 Chona Insurance-Brokers 2331 Congress Street PO Box 507 Portland ME 04112 INSURED Paciarino LLC 1 Stonewall Road Cumberland Head ME 04110				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 #
				INSURER A: Peerless Indemnity Ins Co	18333
				INSURER B:	
				INSURER C:	
				INSURER D:	
				INSURER E:	
COVERAGE THE POLICIES DESCRIBED 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 MAY HAVE BEEN REDUCED BY PAID CLAIMS					
INSURANCE CO. OR POLICY NO.	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A K	BOP8540064	9/10/2008	9/10/2009	EACH OCCURRENCE	\$ 1,000,000
				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000
				MED EXP (Any one person)	\$ 5,000
				PERSONAL & ADV INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS - COMP/OP AGG	\$ 2,000,000
				COMBINED SINGLE LIMIT (Ea accident)	\$
				BODILY INJURY (Per person)	\$
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				AUTO ONLY - EA ACCIDENT	\$
				OTHER THAN AUTO ONLY: EA ACC	\$
				AGG	\$
				EACH OCCURRENCE	\$
				AGGREGATE	\$
					\$
					\$
					\$
				WC STATUTORY LIMITS	OTH-ER
				E L EACH ACCIDENT	\$
				E L DISEASE - EA EMPLOYEE	\$
				E L DISEASE - POLICY LIMIT	\$
ENDORSEMENTS EXCLUSIONS ADDED BY ENDORSEMENT SPECIAL PROVISIONS None					
CERTIFICATE HOLDER Chona Insurance-Brokers 2331 Congress Street Portland ME 04112					
CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 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 Marina Salang/M:32 <i>Marina D. Salano</i>					

136.5 TOTAL

LEF

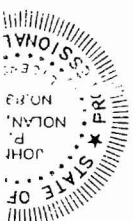


04-17-09 Received: Proposed area is not safe to pedestrian traffic
(no 4' clearance & too close to corner)! Manager was
not sure about side street seals w/c being allowed
the front; will contact owner to re-schedule Jan
04-21-09 Received copy of all set, JAR

3W

DATE: 9/29/0
SCALE: 1/4"
DRAWN BY:
CHECKED BY
JOB NUMBER:
CAD FILE: ...\\PHHA M&P...
SHEET NUMBER

468 FORE STREET, LLC
CLIENT
PORTLAND HARBOR HOTEL ANNEX



Titan Mechanical, Inc.

REVISIONS	DATE
MECH CASE RELOC.	9-25

This document is owned by, and the information contained in it is proprietary to Titan Mechanical Inc. By receipt hereof the holder agrees not to use the information without the written consent of Titan Mechanical Inc.

Lab. Form No. 101-1 Rev. 10-77

From: Alexandra Murphy
To: Lannie Dobson
Date: 5/11/2009 11:43:46 AM
Subject: Paciarino, 468 Fore Street Outdoor Dining.

On May 4, 2009, the City Council approved the request for outdoor dining on City property. Thanks.

Alexandra J. P. Murphy
Business License Administrator
City Clerk Department
389 Congress Street
Portland, ME 04101
(207) 874-8557 phone
(207) 874-8612 fax

CC: Tammy Munson

BUILDING PERMIT INSPECTION PROCEDURES

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

to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

✓ X The area must be delineated by the City of Portland and the permit must be issued prior to use.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.

[Signature]
Signature of Applicant/Designee

5.13.09
Date

[Signature]
Signature of Inspections Official

5.13.09
Date

