

**City of Portland, Maine – Building or Use Permit Application** 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: <b>407 Commercial St</b>		Owner: <b>AGA Realty Trust</b>		Phone:	Permit No: <b>970588</b>
Owner Address:		Lessee/Buyer's Name: <b>Union Oil</b>		Phone:	BusinessName:
Contractor Name: <b>Cimino Construction</b>		Address: <b>125 Pleasant Hill Rd Scarborough, ME 04074 883-5138</b>		Phone:	Permit Issued: <b>JUN 11 1997</b>
Past Use: <b>Gas Sta</b>		Proposed Use: <b>Same</b>		<b>COST OF WORK:</b> \$ 320,000.00	<b>PERMIT FEE:</b> \$ 1,620.00
		<b>FIRE DEPT.</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied		<b>INSPECTION:</b> Use Group: Type:	
Proposed Project Description: <b>Demo/Construct Gas Station/Convenience Store</b>		<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>		Signature: _____	
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Signature: _____	
Permit Taken By: <b>Mary Grosik ,</b>		Date Applied For: <b>06 June 1997</b>		Zone: <b>B-26</b> CBL: <b>042-B-001</b>	

**PERMIT ISSUED**  
**JUN 11 1997**  
**CITY OF PORTLAND**

**Zoning Approval:**  
**Special Zone or Reviews:**  
 Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan maj  minor  mm

**Zoning Appeal**  
 Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

**Historic Preservation**  
 Not in District or Landmark  
 Does Not Require Review  
 Requires Review

**Action:**  
 Approved  
 Approved with Conditions  
 Denied

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

**PERMIT ISSUED WITH LETTER**

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..

**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 provisions of the code(s) applicable to such permit

FAX # 1-603-559-8792  
05 June 1997 - Permit Routed  
06 June 1997

SIGNATURE OF APPLICANT **Santa Cimino** ADDRESS: \_\_\_\_\_ DATE: \_\_\_\_\_ PHONE: \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ PHONE: \_\_\_\_\_

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

CEO DISTRICT **2**  
A Rowe

City of Portland, Maine - Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

970588

Location of Construction: 407 Commercial St		Owner: AGA Realty Trust		Phone:	
Owner Address:		Lessee/Buyer's Name: Union Oil		Phone:	
Contractor Name: Cimino Construction		Address: 125 Pleasant Hill Rd Scarborough, ME 04074		Phone: 883-5138	
Past Use: Gas Sta		Proposed Use: Same		COST OF WORK: \$ 320,000.00	
				PERMIT FEE: \$ 1,620.00	
				FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
				INSPECTION: Use Group / M Type: BOCA 96 <i>[Signature]</i>	
Proposed Project Description: Demo/Construct Gas Station/Convenience Store				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	
Permit Taken By: Mary Gresik		Date Applied For: 06 June 1997			

Permit No: 970588

**PERMIT ISSUED**

Permit Issued:  
**JUN 11 1997**

**CITY OF PORTLAND**

Zone: *B-5b* CBL: 042-B-001

Zoning Approval:  
*of with conditions*

**Special Zone or Reviews:**

Shoreland *N/A 6/11/97*

Wetland

Flood Zone *N/A*

Subdivision

Site Plan maj  minor  mm

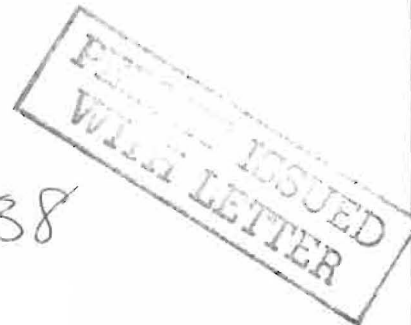
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- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

*10 recycled permits*

*6/11/97 - Maetta*

*Call Santo for P/U*

*883-5138*



**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 provisions of the code(s) applicable to such permit

*[Signature]*  
SIGNATURE OF APPLICANT Santo Cimino

ADDRESS: \_\_\_\_\_ DATE: 09 June 1997 - Permit Routed  
06 June 1997 PHONE: 883-5138

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ PHONE: \_\_\_\_\_

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

**Zoning Appeal**

Variance

Miscellaneous

Conditional Use

Interpretation

Approved

Denied

**Historic Preservation**

Not in District or Landmark

Does Not Require Review

Requires Review

Action:

Approved

Approved with Conditions

Denied

Date: *6/18/97*

*D.A.*

CEO DISTRICT *2*

*A. Rowal*

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

June 11, 1997

Cimino Construction  
125 Pleasant Hill Rd.  
Scarborough, Me. 04074

RE: 407 Commercial St., Portland, Me.

Dear Sir,

Your application to demo/construct gas station / convenience store has been reviewed and a permit is herewith issued subject to the following requirements. This permit does not excuse the applicant from meeting applicable State and Federal laws.

**NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL REQUIREMENTS OF THIS LETTER ARE MET.**

### Site Plan Review Requirements

**Building Inspection:** Approved with conditions: Separate permits will be required for all signage. M. Schmuckal

**Development Review Coordinator:** Approved with condition, see attached sheets. S. Bushey

**Planning:** Approved with condition, See attached sheets. K. Talbot

**Fire Dept.** Approved. Lt. McDougall

### Building Code Requirements

1. Please read and implement items 1,2,6,7,16,19, 20,22,26, and 27 of the attached building permit report.

Sincerely,

  
P. Samuel Hoffses  
Chief of Code Enforcement

c: S Bushey  
M. Schmuckal  
K. Talbot  
Lt. McDougall

# CITY OF PORTLAND, MAINE

## PLANNING BOARD

Cynis Y. Hagge, Chair  
John H. Carroll, Vice Chair  
Kenneth M. Cole III  
Jaimey Caron  
Kevin McQuinn  
Deborah Krichels  
Erin Rodriguez

April 9, 1997

Mr. Stephen J. Bradstreet, P.E.  
T.Y. Lin International  
5 Fundy Road  
Falmouth, ME 04105

RE: Union Oil, 407 Commercial Street

Dear Mr. Bradstreet:

On April 8, 1997 the Portland Planning Board voted 4-0 (Cole, McQuinn and Krichels absent) to approve the site plan for a 2,288 sq. ft. convenience store and sixteen fuel pumps under a 4,464 sq. ft. canopy. The approval was granted for the project with the following condition(s):

- i. that the applicant shall post a bond in the sum of \$5,000.00 towards the installation of a traffic signal at the Commercial Street/Park Street intersection. If the signal is not installed within five years, than the City shall release the bond and relieve the applicant of that obligation;
- ii. that the location of the two driveways on Commercial Street be moved a distance away from Park Street and High Street respectively in a manner consistent with a proposal from the City's traffic engineering consultant, Tom Gorrill, as represented on a site plan presented at the Public Hearing; and
- iii. that the four street trees along Commercial Street not be removed and that the island be expanded to accommodate these trees.

The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report # 12-97, which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. A performance guarantee covering the site improvements as well as an inspection fee payment of 1.7% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Applicant: Santo Cimino  
Address: 407 Commercial St

Date: 6/4/97  
C-B-L: 42-B-1

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New

Zone Location - B-5b

Interior or corner lot -

Proposed Use/Work - Demo old Bldg → construct New gas Station with convenience Store  
→ old gas station continued use is allowable

Sewage Disposal - City

Lot Street Frontage - none req -  $\approx 250'$  shown

Front Yard - none req

Rear Yard - none req

Side Yard - none req

Projections -

Width of Lot -

Height - 65' MAX

Lot Area - none req - 48,744 sq ft shown

Lot Coverage/ Impervious Surface - 100% allowed

Area per Family -

Off-street Parking - under 2000<sup>+</sup> for store - none req

Loading Bays - n/a

Site Plan - yes

Shoreland Zoning/ Stream Protection - ~~not~~ not in

Flood Plains - not in



**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM**

I. D. Number \_\_\_\_\_

Address: \_\_\_\_\_

Applicant AGA Realty Trust  
P.O. Box 1518 So. Portland, ME 04105

07 February 1997

Applicant's Mailing Address  
T-Y-Lin Steve Bradstreet, P.E.

Application Date  
Union Oil

Consultant/Agent  
781-4753 (f) 781-4721

Address of Proposed Site  
407 Commercial St  
042-2-001

Applicant or Agent Daytime Telephone, Fax \_\_\_\_\_

Assessor's Reference: Chart-Block-Lot \_\_\_\_\_

Proposed Development (check all that apply):  
 New Building  Building Addition  Change of Use  Residential  
 Office  Retail  Manufacturing  Warehouse/Distribution  Other (specify) Gas Station

Proposed Building Square Feet or # of Units \_\_\_\_\_ Acreage of Site \_\_\_\_\_ Zoning \_\_\_\_\_

**Check Review Required:**

- |   |  |  |  |
|---|--|--|--|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                       | <input type="checkbox"/> Shoreland                   | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance             | <input type="checkbox"/> Single-Family Minor   | <input type="checkbox"/> Other _____             |

Fees paid: site plan 300.00 subdivision \_\_\_\_\_

**Approval Status:**

Reviewer Kandi Talbot

- Approved  Approved w/Conditions listed below  Denied
1. See attached sheet
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Approval Date 4/8/97 Approval Expiration 4/8/98 Extension to \_\_\_\_\_ date date

Additional Sheets Attached

Condition Compliance Kandice Talbot 6/6/97  
signature date

Performance Guarantee  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input checked="" type="checkbox"/> Performance Guarantee Accepted	<u>6/6/97</u> date	<u>\$168,630.00</u> amount	<u>4/30/98</u> expiration date
<input checked="" type="checkbox"/> Inspection Fee Paid	<u>6/2/97</u> date	<u>\$2,866.70</u> amount	
Performance Guarantee Reduced	_____ date	_____ remaining balance	_____ signature
Performance Guarantee Released	_____ date	_____ signature	
Defect Guarantee Submitted	_____ submitted date	_____ amount	_____ expiration date
Defect Guarantee Released	_____ date	_____ signature	

Blue Sheet



CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM

I. D. Number

Address:

Applicant

Application Date

Applicant's Mailing Address

Project Name/Description

Consultant/Agent

Address of Proposed Site

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): \_\_\_ New Building \_\_\_ Building Addition \_\_\_ Change of Use \_\_\_ Residential
\_\_\_ Office \_\_\_ Retail \_\_\_ Manufacturing \_\_\_ Warehouse/Distribution \_\_\_ Other (specify)

Proposed Building Square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

- Site Plan (major/minor)
Subdivision # of lots
PAD Review
14-403 Streets Review
Flood Hazard
Shoreland
Historic Preservation
DEP Local Certification
Zoning Conditional Use (ZBA/PB)
Zoning Variance
Single-Family Minor
Other

Fees paid: site plan subdivision

Approval Status:

Reviewer Steve Bushey

- Approved
Approved w/Conditions listed below
Denied

1. See attached sheet

Approval Date 4/8/97 Approval Expiration 4/8/98 Extension to date Additional Sheets Attached

Condition Compliance Steve Bushey signature 6/6/97 date

Performance Guarantee Required\* Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

Performance Guarantee Accepted 6/6/97 date \$168,630.00 amount 4/30/98 expiration date

Inspection Fee Paid 6/2/97 date \$2,866.70 amount

Performance Guarantee Reduced date remaining balance signature

Performance Guarantee Released date signature

Defect Guarantee Submitted submitted date amount expiration date

Defect Guarantee Released date signature



**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM**

I. D. Number \_\_\_\_\_

AGA Realty Trust

07 February 1997

Applicant P.O. Box 2528 So. Ptld, ME 04106

Application Date

Union Oil

Applicant's Mailing Address  
T-Y-Lin Steve Bradstreet, P.E.

Project Name/Description

407 Commercial St

Consultant/Agent  
781-4753 (f) 781-4721

Address of Proposed Site

042-B-001

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change of Use  Residential  
 Office  Retail  Manufacturing  Warehouse/Distribution  Other (specify) Gas Station

48,744 Sq Ft

B5D

Proposed Building Square Feet or # of Units

Acreage of Site

Zoning

**Check Review Required:**

- |   |  |  |  |
|---|--|--|--|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                       | <input type="checkbox"/> Shoreland                   | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance             | <input type="checkbox"/> Single-Family Minor   | <input type="checkbox"/> Other _____             |

Fees paid: site plan 300.00 subdivision \_\_\_\_\_

**Approval Status:**

Reviewer [Signature]

- Approved  Approved w/Conditions listed below  Denied

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Approval Date 2/10/97 Approval Expiration \_\_\_\_\_ date Extension to \_\_\_\_\_ date  Additional Sheets Attached

Condition Compliance \_\_\_\_\_ signature \_\_\_\_\_ date

Performance Guarantee  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                      |                         |                       |
|---|----------------------|-------------------------|-----------------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ date           | _____ amount            | _____ expiration date |
| <input type="checkbox"/> Inspection Fee Paid            | _____ date           | _____ amount            |                       |
| Performance Guarantee Reduced                           | _____ date           | _____ remaining balance | _____ signature       |
| Performance Guarantee Released                          | _____ date           | _____ signature         |                       |
| Defect Guarantee Submitted                              | _____ submitted date | _____ amount            | _____ expiration date |
| Defect Guarantee Released                               | _____ date           | _____ signature         |                       |





CITY OF PORTLAND  
Planning and Urban Development Department

MEMORANDUM

**TO:** Code Enforcement - ~~Karin Carroll~~  
**FROM:** Jim Wendel, Development Review Coordinator  
**DATE:** October 22, 1997  
**RE:** Request for Certificate of Occupancy  
Union Oil, 407 Commercial Street

On October 21, 1997 a review of the site for compliance with the approved site plan amendments was done.

It is my opinion that all of the conditions of the site plan approval have been satisfactorily completed and that a **permanent Certificate of Occupancy can be issued** assuming Code Enforcement has no outstanding issues.

cc: Kandi Talbot, Planner

Cofo  
to be  
sent to  
Gas station  
A Howe

BUILDING PERMIT REPORT

DATE: 6/10/97 ADDRESS: 407 Commercial St

REASON FOR PERMIT: re-construction

BUILDING OWNER: [unclear]

CONTRACTOR: [unclear]

PERMIT APPLICANT: [unclear] APPROVAL: \*1 \*2 \*3 \*4 \*5 \*6 \*7 \*8 \*9 \*10 \*11 \*12 \*13 \*14 \*15 \*16 \*17 \*18 \*19 \*20 \*21 \*22 \*23 \*24 \*25 \*26 \*27 DENIED

CONDITION(S) OF APPROVAL

- X1 This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
X2 Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained.
3. Precaution must be taken to protect concrete from freezing.
4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
5. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating.
X6 All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
X7 Guardrail & Handrails A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.
8. Headroom in habitable space is a minimum of 7'6".
9. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise.
10. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
11. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue.
12. Each apartment shall have access to two (2) separate, remote and approved means of egress.
13. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's.
14. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
15. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 19, 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19.
In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)



OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 407 Commercial St

Issued to A R Wright Co.

Date of Issue 23 October 1997

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 970588, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Gas Station & Convenience Store

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

- 16. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type.
- 17. The Fire Alarm System shall be maintained to NFPA #72 Standard.
- 18. The Sprinkler System shall maintained to NFPA #13 Standard.
- 19. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
- \*20. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.
- 21. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
- \*22. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
- 23. This permit does not excuse the applicant from obtaining any license which may be needed from the City Clerk's office.
- 24. Ventilation shall meet the requirements of Chapter 12 Sections 1210. of the City's Building Code.
- 25. All electrical and plumbing permits must be obtained by a Master Licensed holders of their trade.
- \*26. This permit requires State Fire Marshall Approval
- \*27. A separate permit is required for the installation of tanks and extinguishing system.
- 28.

P. Samuel Hoffses, Chief of Code Enforcement

cc: Lt. McDougall, PFD  
Marge Schmuckal

