

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

Location of Construction: 163 Danforth St		Owner: Winter Danforth Corp	Phone: 879-8755	Permit No: 970240
Owner Address: 163 Danforth St- PT1d ME 04102		Lessee/Buyer's Name:	Phone:	BusinessName:
Contractor Name:		Address:		Phone:
Past Use: lodging house	Proposed Use: lodging house/ function & meeting facility	COST OF WORK: \$	PERMIT FEE: \$ 25	<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: MAR 26 1997 CITY OF PORTLAND </div>
		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group <i>R-2</i> Type: <i>5-13</i>	
		Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>	
Proposed Project Description: Change of Use - to lodging house/function & meeting facility		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zone: <i>R-6</i> CBL: <i>44-H-3</i>
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	Zoning Approval: <i>Oked per council - shall meet Special Zone or Reviews:</i>	
Permit Taken By: L Chase		Date Applied For: 3/7/97		<input type="checkbox"/> Shoreland <i>All Requirements placed on by council</i> <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"/>

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
- 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.

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved *for this application only*
 Approved with Conditions
 Denied

Date: *3/11/97*

PERMIT ISSUED WITH REQUIREMENTS

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

Barbara E. H. [Signature] for Winter Danforth Corp
 ADDRESS: 163 Danforth St, Portland ME DATE: 3-7-97 PHONE: 879-8755

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

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

[Signature]

CEO DISTRICT 3

T. Manson

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

File

CITY OF PORTLAND

Barbara Hathaway
c/o Winter Danforth Corporation
163 Danforth Street
Portland, ME 04102

April 3, 1997

RE: 163 Danforth Street - 44-H-3 - Catering Business

Dear Barbara,

It has come to our attention that a Kelly Gallagher is requesting licensing information to have a catering business at your location at 163 Danforth Street. This is **not** an allowable use. Certainly you can have a kitchen to make the meals for any approved activities on site. However, the kitchen can **not** be used for catering that takes any food off premises as a business use.

Please note that item #10 of your contract zoning states: "Meals may be offered only to guests of the bed and breakfast and to persons attending functions set forth in paragraph 5 of this Agreement that are held at the meeting facility." Your contract continues later to say, "...in the event of a breach of any condition(s) set forth in this agreement, the Planning Board shall have the authority, after hearing, to resolve the issue resulting in the breachThe resolution may include a recommendation to the City Council that the site be rezoned to R-6 or any successor zone and that this Agreement be terminated, requiring a cessation of the bed and breakfast use and the meeting facility."

I am hoping that we will have your complete co-operation on this matter. Please feel free to contact me with any questions.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator/
Assistant Chief of Inspection Services

copy: Joseph Gray, Jr., Dir. of Planning & Urban Dev.
P. Samuel Hoffses, Chief of Inspection Services
Tammy Munson, Code Enforcement Officer
Corporation Counsel
Dena Tomlinson, City Clerk licensing

File
Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Barbara E. Hathaway
c/o Winter Danforth Corporation
163 Winter Street
Portland, ME 04102

April 11, 1997

Re: 163 Danforth Street - Off-Site Catering

Dear Barbara,

Thank you for your quick response to my recent letter. Please believe me, I can understand your need to employ a caterer on-site. I'm amazed that you have been able to do it all so far essentially solo. I have no problems with Kelly Gallagher providing all your cooking needs. My point of contention is that those services will also be provided off-site. This information has come from Ms Gallagher herself when she spoke with Lt. McDougall. I have also recently been seeing flyers that are advertising off-site catering. Off-site catering is not allowed. I am still awaiting that correspondence from Ms Gallagher to verify exactly what is intended in her business use. Please note that I can not sign off on her license thru the City Clerk's office until I receive that information. I would like to get this matter cleared up as soon as possible, just as I am sure you would.

In another clarification matter, I understand that you are having weekday functions. Your two off-site parking lots according to our records are stating availability on weekends or late afternoons and evenings. Please indicate what parking facilities you are using for your day time functions.

In regards to submitting quarterly reports, I think it would be most appropriate to use the permit issuance date as the commencement date of these reports. I appreciate all your swift cooperation on all these matters.

Very Truly Yours,

Marge Schmuckal
Zoning Administrator

cc to: Kelly Gallagher, 163 Danforth
Joseph Gray, Jr., Dir. of Planning & Urban Dev.
P. Samuel Hoffses, Chief of Inspection Services
Tammy Munson, Code Enforcement Officer
Corporation Counsel
Dena Tomlinson, City Clerk, Licensing

File: 163 Danforth St

DANFORTHSTREZ.CON.AP

11.07.96

WHEREAS, the CITY authorized the execution of this Agreement on November 4, 1996;

NOW, THEREFORE, in consideration of the mutual promises made by each party to the other, the parties covenant and agree as follows:

1. The CITY shall amend the Zoning Map of the City of Portland, dated March 1958, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the map change amendment shown on Attachment 1.
2. The property shall be developed substantially in accordance with the site plan shown on Attachment 2.
3. WINTER DANFORTH shall be authorized to establish and maintain a bed and breakfast establishment along with a meeting facility in the building currently existing on the site. For purposes of this Agreement, a bed and breakfast shall be defined as an establishment that provides overnight accommodations to transient guests. An owner, manager, or operator shall live in the building as a permanent resident. No cooking facilities shall be permitted in any of the guest rooms. A transient guest is defined as a person who occupies a bed and breakfast on an overnight basis for compensation and whose actual occupancy is limited to no more than fifteen days out of any sixty day period. The meeting facility use shall be restricted as set forth herein.
4. The bed and breakfast use shall be limited to a maximum of nine (9) guest rooms.
5. The meeting facility shall be limited to the following types of uses:
 - a. Private parties.
 - b. Business meetings.
 - c. Weddings.
 - d. Receptions.

11.07.96

- e. Seminars.
 - f. Business and educational conferences.
6. Parking for the bed and breakfast use and the meeting facility shall be provided as follows: six (6) parking spaces shall be provided for the bed and breakfast use on the site, with four (4) outdoor and two (2) in the garage; one (1) parking space shall be provided for every two (2) people attending permitted functions at the meeting facility. WINTER DANFORTH shall provide documentation for and shall maintain the required parking spaces for the number of persons attending functions at the meeting facility. Such documentation shall specify both the number of parking spaces provided at the location and the times at which such parking is available for use by the meeting facility.
 7. The maximum number of attendees of functions at the meeting facility shall be thirty-four (34), except that the meeting facility may host up to fifty (50) people during no more than ten (10) functions per year. Parking must be provided for the actual number of attendees, as required by paragraph 6 of this Agreement. WINTER DANFORTH shall provide to the CITY on an annual basis, or upon demand by the City at any time, a written record of events held at the meeting facility and the number of attendees at each event.
 8. No live or recorded music shall be played outside.
 9. Entertainment associated with functions held in the meeting facility shall end at 11:00 p.m., except on New Year's Eve.
 10. Meals may be offered only to guests of the bed and breakfast and to persons attending functions set forth in paragraph 5 of this Agreement that are held at the meeting facility.
 11. The lot existing at the time of this contract, as shown on Attachment 2, shall not be reduced in size. Any alterations to the site shall comply with the requirements of the R-6 zone, in addition to all other applicable codes and regulations.
 12. Tents may be placed on the site on a temporary basis for individual events, provided that the tents and their installation receive all necessary approvals prior to

ELECTRICAL PERMIT

City of Portland, Me.



To the Chief Electrical Inspector, Portland Maine:
 The undersigned hereby applies for a permit to make electrical installations
 in accordance with the laws of Maine, the City of Portland Electrical Ordinance,
 National Electrical code and the following specification:

Date 12 August 1996
 Permit # 16842

LOCATION: 163 Danforth St

OWNER Barbara Hathaway ADDRESS _____

							TOTAL EACH FEE		
OUTLETS									
	Receptacles	6	Switches	6	Smoke Detector		12	.20	2.40
FIXTURES	(number of)								
	incandescent		fluorescent				18	.20	3.60
	fluorescent strip							.20	
SERVICES									
	Overhead				TTL AMPSTO	800		15.00	
	Underground					800		15.00	
TEMPORARY SERV.									
	Overhead				AMPS OVER	800		25.00	
	Underground					800		25.00	
METERS	(number of)							1.00	
MOTORS	(number of)							2.00	
RESID/COM	Electric units							1.00	
HEATING	oil/gas units							5.00	
APPLIANCES	Ranges		Cook Tops		Wall Ovens			2.00	
	Water heaters		Fans		Dryers	1		2.00	2.00
Disposals	Dishwasher		Compactors		Others (denote)			2.00	
MISC. (number of)	Air Cond/win							3.00	
	Air Cond/cent							10.00	
	Signs							5.00	
	Pools							10.00	
	Alarms/res							5.00	
	Alarms/com							15.00	
	Heavy Duty						1	2.00	2.00
	Outlets								
	Circus/Camv							25.00	
	Alterations						XXX	5.00	5.00
	Fire Repairs							15.00	
	E Lights							1.00	
	E Generators							20.00	
	Panels						1	4.00	4.00
TRANSFORMER	0-25 Kva							5.00	
	25-200 Kva							8.00	
	Over 200 Kva							10.00	
TOTAL AMOUNT DUE									
MINIMUM FEE/COMMERCIAL 35.00							MINIMUM FEE	25.00	25.00

INSPECTION: Will be ready XXXXXXXX or will call _____ Late Fee 25.00
 50.00

CONTRACTORS NAME Hannan's Electric
 ADDRESS 897 Broadway So. Ptld
 TELEPHONE 767-2471
 MASTER LICENSE No. 16842
 LIMITED LICENSE No. _____

SIGNATURE OF CONTRACTOR

044-H-003

THE DANFORTH



c. 1821

Preferred Accommodations
*
Private & Corporate Functions
*
Overlooking Portland's
Historic Waterfront

163 Danforth Street
Portland, Maine 04102

800 991-6557
207 879-8755
FAX 207 879-8754

Joe Gray
Director of Planning
City of Portland
389 Congress Street
Portland, ME 04101

Filed
163 Danforth St

March 14th 1998

Dear Joe,

Thank you for your letter dated March 11, 1998.

Please note that 6 of the 12 functions that had meeting attendees of over 34 included overnight guests of the Lodging/Bed & Breakfast portion of the facility. Please note that I provided a separate column to indicate when the number in attendance at a function included Lodging/bed and breakfast guests. In the future I will provide the number in attendance that were solely meeting or function guests.

The 4/12/97 Leach Rehearsal Dinner had 50 in attendance, 18 were Lodging/Bed and Breakfast guests.
The 8/9/97 Clark Wedding Reception had 40 in attendance. 8 were Lodging/Bed and Breakfast guests.
The 8/30/97 Dubin Rehearsal Dinner had 50 in attendance. 18 of those were Lodging/Bed and Breakfast guests.
The 10/4/97 Elzenga Wedding had 50 in attendance. 16 of those were Lodging/ Bed and Breakfast guests.
The 10/23/97 Jordan Surprise Party had 40 in attendance. 8 were Lodging / Bed and Breakfast Guests.
The 12/27/97 WTC Christmas party had 50 in attendance. 6 were Lodging/Bed & Breakfast guests.

I hope this clarifies and demonstrates that the terms of the contract have been honored. Please don't hesitate to call if you have any questions or if their is a format you prefer.

Very Truly Yours,


Barbara E. Hathaway

cc: Alex Jagerman, Chief Planner
Richard Knowland, Senior Planner
Marge Schmuckal, Zoning Administrator ✓
Natalie Burns, Associate Corporate Counsel

Planning & Urban Development

Joseph E. Gray Jr.
Director



CITY OF PORTLAND

May 28, 1998

Ms. Barbara Hathaway
The Danforth
163 Danforth Street
Portland ME 04102

File

Dear Ms. Hathaway:

Per your request, I have reviewed the site plan file for The Danforth at 163 Danforth Street.

Please be advised that the site plan approved by the Planning Board shows a hedge adjacent to the southerly property line (Amity House).

Should you have any questions concerning this letter, please call me at 874-8300, x 8725.

Sincerely,

Richard Knowland
Senior Planner

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
✓ Marge Schmuckal, Zoning Administrator

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