

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

BUILDING DEPARTMENT

## DEMOLITION PERMIT

Permit Number: 081548

Please Read Application And Notes, If Any, Attached

This is to certify that 43 ELMWOOD LLC /Viking Exploration has permission to Demolition of interior finishes necessary for Mitigation water damage from fire AT 785 CONGRESS ST CE 047 A014001

provided that the person or persons, firm or corporation accounting 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 lathed or otherwise worked-in. 24 HOURS 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. Demo Only 60  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name

12/22/02 Chen & M  
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: 08-1548	Issue Date: 12/22/08	CBL: 047 A014001
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Location of Construction: 785 CONGRESS ST	Owner Name: 43 ELMWOOD LLC	Owner Address: 400 POWNAL RD	Phone:
Business Name:	Contractor Name: Viking Restoration	Contractor Address: 1809 Congress St Portland	Phone 2078282900
Lessee/Buyer's Name	Phone:	Permit Type: Demo Interior - Alterations - Commercial	Zone: B-2b/P-1

Past Use: Multi - use commercial	Proposed Use: Multi - use commercial - Demolition of interior finishes as necessary for Mitigate water damage from fire	Permit Fee: \$120.00	Cost of Work: \$10,000.00	CEO District: 2
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Proposed Project Description: Demolition of interior finishes as necessary for Mitigate water damage from fire	FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group: R-2 Type: 5B IBC-2003 Signature: <i>[Signature]</i> Signature: <i>[Signature]</i>
	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: Idobson	Date Applied For: 12/15/2008	<b>Zoning Approval</b>
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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: 12/17/08 <i>[Signature]</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 checked="" type="checkbox"/> Not in District 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: _____
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**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

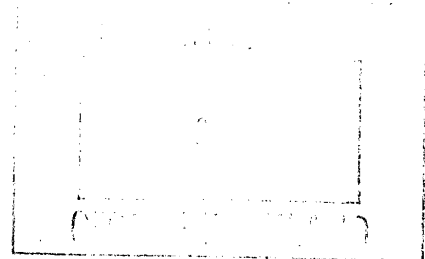
<b>Permit No:</b> 08-1548	<b>Date Applied For:</b> 12/15/2008	<b>CBL:</b> 047 A014001
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<b>Location of Construction:</b> 785 CONGRESS ST	<b>Owner Name:</b> 43 ELMWOOD LLC	<b>Owner Address:</b> 400 POWNAL RD	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Viking Restoration	<b>Contractor Address:</b> 1809 Congress St Portland	<b>Phone:</b> (207) 828-2900
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Demolitions - Interior	

<b>Proposed Use:</b> Multi - use commercial - Demolition of interior finishes as necessary for Mitigate water damage from fire	<b>Proposed Project Description:</b> Demolition of interior finishes as necessary for Mitigate water damage from fire
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<b>Dept:</b> Zoning	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Ann Machado	<b>Approval Date:</b> 12/17/2008
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
1) This permit is being issued for interior demolition only. A separate permit will have to be applied for any construction.			
2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.			
3) This property shall remain as retail use on first floor & five residential dwelling units on the second through fourth floors. Any change of use shall require a separate permit application for review and approval.			
<b>Dept:</b> Building	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Chris Hanson	<b>Approval Date:</b> 12/22/2008
<b>Note:</b>			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>
1) Demolition permit only. No other construction activities allowed.			
2) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.			
<b>Dept:</b> Fire	<b>Status:</b> Approved	<b>Reviewer:</b> Capt Greg Cass	<b>Approval Date:</b> 12/17/2008
<b>Note:</b> Demo only			<b>Ok to Issue:</b> <input checked="" type="checkbox"/>

<b>Comments:</b>
12/15/2008-amachado: Application came in on Dec. 4, 2008, but it was incomplete. Front staff received asbestos report today and processed permit.
12/15/2008-amachado: Gave permit back to Lannie. She will call for floor plans.
12/17/2008-lmd: Received floor plans, gave to Ann. They will E-mail so we can archive.





# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

Director of Planning and Urban Development  
Penny St. Louis Littell

Inspection Services, Director  
Tammy M. Munson

December 5, 2008

# COPY

43 ELMWOOD LLC  
400 POWNAL RD  
FREEPORT, ME 04032

Certified Mail 70033110000260636707

CBL: 047 A014001  
Located at 785 CONGRESS ST  
RE: Building Damaged by Fire

## POSTING NOTICE

Dear 43 ELMWOOD LLC,

An evaluation of the above-referenced property on 12/03/08 revealed that the structure fails to comply with § 6-120.(a) of the Housing Code of the City of Portland. Unfortunately, the dwelling units became unfit for human habitation due to a building fire on 11/23/08. The City is willing to work with you on this situation; meanwhile there are minimal standards that must be met.

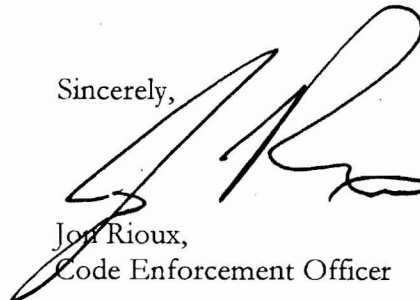
In order to re-occupy the structure the following conditions shall be met:

1. The property must remain totally vacated and secured from vandalism
2. Appropriate permit applications must be submitted for demolition work and or requested repairs made
3. Follow proper re-inspection instructions on the building permit

Once these conditions are met the City will re-inspect the property and lift the posting notice. A re-evaluation of the property will occur on 12/15/08 to verify that the property is secure.

If you have any questions or concerns please contact me at 207.874.8702.

Sincerely,



Jon Rioux,  
Code Enforcement Officer



# Demolition of a Structure 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 Construction: <u>785 Congress Street</u>		
Total Square Footage of Proposed Structure		Square Footage of Lot:
Tax Assessor's Chart, Block & Lot: Chart#      Block#      Lot# <u>47</u> <u>A</u> <u>014</u>	Owner: <u>Ben Palmer</u>	Telephone: <u>939-8102</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Viking Restoration</u> <u>PO Box 15233</u> <u>Portland ME 04112</u>	Cost Of Work: \$ <u>10,000</u> Fee: \$ <u>120</u>
Current legal use: (i.e. garage, warehouse) <u>Multi Unit + Business</u> If vacant, what was the previous use? _____ How long has it been vacant? _____ Project description: <u>demolition of interior finishes as necessary to mitigate water damage</u>		
Contractor's name, address & telephone: <u>Viking Restoration PO Box 15233 Portland 04112</u>		
Who should we contact when the permit is ready: <u>Tony Christensen</u> Mailing address: <u>PO Box 15233 Portland 04112</u> Telephone: <u>207-828-2900</u>		

Please submit all of the information outlined in the Demolition call list. 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 or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division 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: [Signature] Date: 10-1-08

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



# Air Quality Management Services, Inc.

"Discovering Solutions for Healthier Living"

December 9<sup>th</sup>, 2008

Viking Restoration  
C/o Mr. Anthony Christensen  
PO Box 15233  
Portland, ME 04112

Re: Limited Asbestos Survey at 785 Congress Street located in Portland, Maine.

AQM Project #08-796

Air Quality Management Services, Inc. (AQM) conducted a limited survey to evaluate interior suspect asbestos containing building materials (ACBM) for up coming renovations to take place on all levels of the structure except the Basement. The Basement was not evaluated for ACBM. The Owner has submitted a letter to AQM confirming that the entire interior of the structure was renovated (finished materials removed and replaced to the framing) in two phases within the last ten (10) years. The Attic Apartment plaster walls are the only suspect ACBM left in place along with roof shingles. The Attic Apartment suffered from a fire causing the roof to collapse into the Living Room warranting sampling of the roofing shingles and plaster materials. This evaluation was conducted on December 8<sup>th</sup>, 2008.

## Findings

These are the results of the suspected materials that were sampled:

Sample #	Location	Material	% Asbestos	Type
B1	Attic Apartment	Plaster	ND	
B2	Attic Apartment	Plaster	ND	
B3	Attic Apartment	Plaster	ND	
B4	Attic Apartment	Plaster	ND	
B5	Attic Apartment	Plaster	ND	
B6	Roof Shingles	Asphalt	ND	
B7	Roof Shingles	Asphalt	ND	
B8	Roof Shingles	Asphalt	ND	

ND = None Detected

Eight (8) samples were collected and submitted for analysis by Polarized Light Microscopy (PLM) using EPA 600/R-93/116. Representative samples of suspect materials were collected with limited destructive exploration. The samples collected represent the materials that will be impacted during renovation activities.

Asbestos containing material means any material containing asbestos in quantities greater than or equal to 1%. The materials listed in the table above **are not** regulated by the State of Maine and/or the Occupational Safety and Health Administration (OSHA). All testing of suspect materials is in accordance with OSHA 29 CFR 1926.1101, and the State of Maine Asbestos Management Regulations.

**Limited Asbestos Building Material Survey**  
**785 Congress Street – Portland, Maine**  
**AQM Project # 08-796**  
**Page 2**

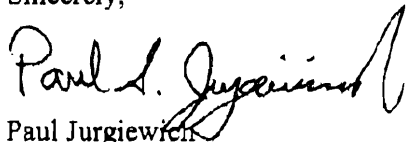
**SURVEY LIMITATIONS**

As with any scientific study, there are certain assumptions which are made, and certain limitations to the scope of information that can be derived. Some restrictions on the conduct of the survey are imposed by outside sources while others are established through the designed scope and methodology of the study. As with any building / facility survey, it is subject to a variety of limitations and restrictions. Limitations that should be considered in the interpretation of the results of this survey include the following:



- A. Asbestos survey(s) may not be able to identify all ACBM present throughout the home / facility and maybe limited to the areas of water damage / impact / current loss. A thorough study (regarding areas of water damage / impact per this claim) should be capable of identifying approximately 95 percent of accessible (by non-destructive methods) ACBM present.
- B. The inspection protocols used for this project were in accordance with U.S. Environmental Protection Agency (USEPA) - National Emission Standard for Hazardous Air Pollutants (NESHAP) and with the Maine Department of Environmental Protection (MEDEP) protocols specific to asbestos sampling and evaluations.
- C. Limitations to the scope of the survey can result from limited access to hidden materials and areas. For example, multiple layers of materials or structural components may restrict access to suspect materials thus affecting the thoroughness of the survey. In most cases an asbestos survey is limited to accessible suspect materials with some minor demolition or destructive sampling.
- D. In some cases, hidden materials may be identified during renovations, general maintenance or demolition. Due to the limited nature of this survey, AQM recommends any suspect material not identified in this report be sampled and analyzed for asbestos contents and treated as asbestos until otherwise determined.

AQM appreciates this opportunity to have assisted you with your renovation / water damage impact survey. In the event we can be of further service or you have questions regarding this report, please give us a call.

Sincerely,



Paul Jurgiewich  
MEDEP Certification # AI-0077

	<p><b>ASBESTOS BUILDING DEMOLITION NOTIFICATION</b></p> <p>MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION                  Lead &amp; Asbestos Hazard Prevention Program                  17 State House Station, Augusta, Maine 04333</p>	
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**Maine law requires the filing of the ASBESTOS BUILDING DEMOLITION NOTIFICATION with the Department prior to demolition of any building except a single-family home.**

Building owners are required to provide this notification of the demolition of a building to the DEP at least 5 working days prior to the demolition. This notification is not required before the demolition of a single-family residence or related structure (e.g., garage, shed, barn). It is also not required if previous notification of the demolition has been provided to the DEP as part of an asbestos abatement project notification. *Demolition* means the tearing down or intentional burning of a building or part of a building.

Prior to demolition, building owners must determine if there is any asbestos-containing material(s) (ACM) in the building. An "asbestos inspection" by a DEP-licensed Asbestos Consultant is required for all buildings except single-family homes and residential buildings with 2-4 units built after 1980. In lieu of an asbestos inspection, pre-1981 residential buildings with 2-4 units can be surveyed to identify possible ACM by someone knowledgeable about ACM, such as a code enforcement officer or building inspector. If materials that may contain asbestos are found, then you can either assume they are ACM or hire a DEP-licensed Asbestos Consultant to test the materials.

Whenever more than 3 square feet or 3 linear feet of ACM is identified, the ACM must be abated in accordance with the Maine Asbestos Management Regulations by a DEP-licensed Asbestos Abatement Contractor. This includes materials presumed to be ACM. Check [www.maine.gov](http://www.maine.gov) for a listing of asbestos contractors.

Prior to issuing a local demolition permit, the DEP requests that municipalities have applicants for municipal demolition permits complete this form and fax it to the DEP at 207-287-7826. Municipalities should not issue local demolition permits if the required asbestos inspection or survey has not been performed and identified ACM removed.

Were regulated asbestos-containing building materials found?  yes  no *AD*

property address: <b>385 Congress Street                  Portland, ME</b>	building description: <input type="checkbox"/> pre-1981 residential with 2-4 units <input type="checkbox"/> post-1980 residential with 2-4 units <input checked="" type="checkbox"/> other: <b>Pre-1981 residential with 5 courts</b>
asbestos survey/inspection performed by: (name & address) <b>Air Quality Management Services                  c/o Paul Jurgenswisch                  telephone: P.O. Box 865 Gray ME 04039</b>	asbestos abatement contractor:  telephone: demolition contractor: (name & address)
property owner: (name & address)	telephone: demolition start date:
telephone: demolition end date:	telephone: demolition end date:

*This demolition notification does not take the place of the Asbestos Project Notification if applicable*

I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT

Print Name: Owner/Agent	Title	Signature
Telephone #	FAX #	Date





**EMSL Analytical, Inc.**  
107 Haddon Ave., Westmont, NJ 08108

Phone: (856) 858-4800 Fax: (856) 858-4960 Email: [westmontlab@EMSL.com](mailto:westmontlab@EMSL.com)

Attn: **Randy Geoffroy**  
**Air Quality Management Services, Inc.**  
**PO Box 865**  
**Gray, ME 04039**

Fax: (207) 857-7361 Phone: (207) 657-7360  
Project: **08-796/PORTLAND**

Customer ID: AIRQ51A  
Customer PO:  
Received: 12/09/08 9:30 AM  
EMSL Order: 040831081  
EMSL Proj:  
Analysis Date: 12/10/2008  
Report Date: 12/10/2008

**Asbestos Analysis of Bulk Materials via EPA 600/R-93/116 Method using Polarized Light Microscopy**

Sample	Location	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
B1 040831081-0001	PLASTER ATTIC APT.	Brown/White Fibrous Heterogeneous	15% Cellulose 5% Glass	80% Non-fibrous (other)	None Detected
B2 040831081-0002	PLASTER ATTIC APT.	Brown/White Fibrous Heterogeneous	25% Cellulose 5% Hair	70% Non-fibrous (other)	None Detected
B3 040831081-0003	PLASTER ATTIC APT.	Brown/White Fibrous Heterogeneous	25% Cellulose 10% Hair	65% Non-fibrous (other)	None Detected
B4 040831081-0004	PLASTER ATTIC APT.	Brown Fibrous Heterogeneous	25% Cellulose 5% Glass	70% Non-fibrous (other)	None Detected
B5 040831081-0005	PLASTER ATTIC APT.	Brown/White Fibrous Heterogeneous	20% Cellulose 5% Hair	75% Non-fibrous (other)	None Detected
B6 040831081-0006	ROOF SHINGLES	Various Fibrous Heterogeneous	60% Glass	40% Non-fibrous (other)	None Detected
B7 040831081-0007	ROOF SHINGLES	Various Fibrous Heterogeneous	30% Glass	70% Non-fibrous (other)	None Detected
B8 040831081-0008	ROOF SHINGLES	Various Fibrous Heterogeneous	30% Cellulose	70% Non-fibrous (other)	None Detected

Analyst(s)

Dave Poltras (8)

Stephen Siegel, CIH, Laboratory Manager  
or other approved signatory

Due to magnification limitations inherent in PLM, asbestos fibers in dimensions below the resolution capability of PLM may not be detected. The limit of detection as stated in the method is 1%. The above test report relates only to the items tested and may not be reproduced in any form without the express written approval of EMSL Analytical, Inc. EMSL's liability is limited to the cost of analysis. EMSL bears no responsibility for sample collection activities or analytical method limitations. Interpretation and use of test results are the responsibility of the client. Samples received in good condition unless otherwise noted. This report must not be used to claim product endorsement by NVLAP or any agency of the U.S. Government.

Analysis performed by EMSL Westmont (NVLAP #101046-0), NY ELAP 10872



**EMSL Analytical, Inc.**  
 107 Haddon Ave., Westmont, NJ 08108

Phone: (856) 858-4800 Fax: (856) 858-4980 Email: [westmontlab@EMSL.com](mailto:westmontlab@EMSL.com)

Attn: **Randy Geoffroy**  
**Air Quality Management Services, Inc.**  
**PO Box 865**  
**Gray, ME 04039**

Fax: (207) 657-7381 Phone: (207) 657-7380  
 Project: 08-795/PORTLAND

Customer ID: AIRQ51A  
 Customer PO:  
 Received: 12/09/08 9:30 AM  
 EMSL Order: 040831081  
 EMSL Proj:  
 Analysis Date: 12/10/2008  
 Report Date: 12/10/2008

**Asbestos Analysis of Bulk Materials via EPA 600/R-93/116 Method using Polarized Light Microscopy**

Sample	Location	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
MAINE CERT. #BA-0093					

Analyst(s)  
 \_\_\_\_\_  
 Dave Poitras (8)

*Stephen Siegel*  
 \_\_\_\_\_  
 Stephen Siegel, CIH, Laboratory Manager  
 or other approved signatory

Due to magnification limitations inherent in PLM, asbestos fibers in dimensions below the resolution capability of PLM may not be detected. The limit of detection as stated in the method is 1%. The above test report relates only to the items tested and may not be reproduced in any form without the express written approval of EMSL Analytical, Inc. EMSL's liability is limited to the cost of analysis. EMSL bears no responsibility for sample collection activities or analytical method limitations. Interpretation and use of test results are the responsibility of the client. Samples received in good condition unless otherwise noted. This report must not be used to claim product endorsement by NVLAP or any agency of the U.S. Government.  
 Analysis performed by EMSL Westmont (NVLAP #101048-0); NY ELAP 10872