

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED
Permit Number: 060508
APR 25 2006
CITY OF PORTLAND

This is to certify that EAST END HOLDINGS LLC David Martin

has permission to Demo entire bldg

AT 909 CONGRESS ST

065 E030001

provided that the person or persons firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of the State 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 when permission procured before this building or part thereof is leased or occupied. 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. CREQ CASE 4-20-06

Health Dept.

Appeal Board

other

DepartmentName

Handwritten signature and date 4/24/06
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: 06-0508	Issue Date: PERMIT ISSUED APR 25 2006	CBL: 065 E030001
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Location of Construction: 909 CONGRESS ST	Owner Name: EAST END HOLDINGS LLC	Owner Address: PO BOX 10291 Portland	Phone:
Business Name:	Contractor Name: David Martin	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions	Zone: B-2

Past Use: Commercial /Residential	Proposed Use: Vacant Land Demo entire bldg	Permit Fee: \$201.00	Cost of Work: \$20,000.00	CEO District: 2
Proposed Project Description: Demo entire bldg		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>See conditions</i>	INSPECTION: Use Group: Type: <i>JMO</i> <i>4/24/06</i> <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: dmartin	Date Applied For: 04/13/2006	Zoning Approval		
<ol style="list-style-type: none"> 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.. 		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"/> <i>See City agreement with owner</i> Date: <i>4/19/06</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:

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: 06-0508	Date Applied For: 04/13/2006	CBL: 065 E030001
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Location of Construction: 909 CONGRESS ST	Owner Name: EAST END HOLDINGS LLC	Owner Address: PO BOX 10291	Phone:
Business Name:	Contractor Name: David Martin	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions	

Vacant Land Demo entire bldg	Demo entire bldg
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 04/18/2006

Note: see copy of the City's agreement with the owner

Ok to Issue:

- 1) All conditions in the City agreement with the owner shall be met.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Mike Nugent **Approval Date:** 04/24/2006

Note:

Ok to Issue:

- 1) Demo must be completed within 30 days of the day of this permit.
Must comply with Section 3303 of the 2003 IBC:

2) SECTION 3303
DEMOLITION

3303.1 Construction documents.

Construction documents and a schedule for demolition must be submitted when required by the building official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved.

3303.2 Pedestrian protection.

The work of demolishing any building shall not be commenced until pedestrian protection is in place as required by this chapter.

3303.3 Means of egress.

A party wall balcony or horizontal exit shall not be destroyed unless and until a substitute means of egress has been provided and approved.

3303.4 Vacant lot.

Where a structure has been demolished or removed, the vacant lot shall be filled and maintained to the existing grade or in accordance with the ordinances of the jurisdiction having authority.

3303.5 Water accumulation.

Provision shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

3303.6 Utility connections.

Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the authority having jurisdiction.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Cptn Greg Cass **Approval Date:** 04/20/2006

Ok to Issue:

- 1) demolition shall comply with NFPA 1 chapter 16
2) Access to the site shall be maintained



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Lee Urban- Director of Planning and Development

Michael J. Nugent- Inspections Division Director

May 12, 2005

Steve Whittier
East End Holdings LLC
P.O. Box 10291
Portland, ME 04104

RE: 905-913 Congress St. (065 E029 & 030)

Dear Property Owner,

An evaluation of the structure located at 905 to 913 Congress St., formerly the Sportsman's Grill, on October 15th and 22nd, 2004 revealed that the structure has suffered significant structural damage due to a severe fire and subsequent weathering. Due to these events, the former Sportsman's building is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. At inspection time it was observed that the property had been used at times as housing for intruders as there was evidence of bedding, trash and refuse and other by products of such activities.

The above described conditions meet the definition of a "Dangerous Building" as described in Title 17 M.R.S.A. ss 2851 and an "Unsafe Structure" as described in Section 115 of the City of Portland Building Code (2003 International Building Code).

This is a Demolition Order pursuant to Section 115.3 of the Building Code. A demolition permit shall be obtained and the structure shall be demolished within 45 days of this order. It is required that written acceptance or rejection of the terms of this order be received by this office within 10 days of the date of the service of this notice.

A reinspection of the property will occur on July 1st, 2005 at which time the building must be removed, the utilities shall be properly terminated and the site backfilled to a grade consistent with the surrounding grade and stabilized to prevent erosion. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. Ss 4452. Please feel free to contact me at 874-8700, if you wish to discuss the matter or have any questions.

Yours truly,

Michael J. Nugent
Director of Inspections Services

AGREEMENT

This Agreement is made and entered into this 2nd day of February 2005 by and between East End Holding LLC (“EastEnd”) and the City of Portland (the “City”).

WHEREAS, the City has adopted a Housing Replacement Ordinance more specifically set forth in Portland **City** Code, Division 29, §14-483 et seq; and

WHEREAS, property commonly referred to as The Sportsman’s Grill, 909 Congress Street, CBL 65-E-3, (hereinafter the “property”) was subject to a fire in 2002 which severely damaged the building thereon, rendered it uninhabitable, and unable to be rehabilitated; and

WHEREAS, East End purchased the property in 2002, after the fire, and has attempted to keep the building boarded against intrusion; and

WHEREAS, East End desires to demolish the building; and is in the process of developing a site plan for the **property** which likely will contain plans for the development of an office building; and

WHEREAS, the Portland Fire Department has determined, based on the public health and safety, that the building **is** in need of demolishing; and

WHEREAS, it is disputed whether the Housing Replacement Ordinance **is** applicable to the factual situation presented herein; and

WHEREAS, rather than litigate this issue, the parties to this Agreement have reached a satisfactory resolution, the terms and conditions of which are set forth below

NOW, THEREFORE, in consideration **of** the foregoing recitals and in consideration of the mutual promises, covenants, agreements, representations, and

warranties contained herein. the receipt and sufficiency of which are hereby acknowledged. it IS agreed by and between East End and the City as follows:

1. Upon receipt from East End of the City of Portland Inspection Services Division Demolition Call List and Requirements and Application for Demolition. the City of Portland shall order the building at 909 Congress Street, demolished.

East End shall obtain any and all other necessary permits for demolition prior to undertaking the same. The City agrees that it shall process and approve such permits on an expedited basis and shall not rely upon the Housing Replacement Ordinance as grounds to deny any such permit

2 East End agrees to pay to the City a sum of \$40,000.00 no later than the date of site plan approval for 909 Congress Street or two years from the date of this Agreement. whichever is earlier

3. The City agrees to use the moneys donated by East End for purposes of providing low income housing in the City of Portland

4. East End and the City agree to forego any and all litigation over this matter and this Agreement shall operate as a settlement, waiver and release of any and all claims and enforcement rights each may have against the other over the applicability or constitutionality of the Housing Replacement Ordinance to 909 Congress Street. The City further agrees that it will not deny a demolition permit, site plan or subdivision application, or any other permit or application which may apply to the development of 909 Congress Street on the basis of the Housing Replacement Ordinance. East End and the City agree that they do not intend to release or settle, and are not hereby releasing or settling, any claims, enforcement rights or permitting decisions each may have against the

other over the applicability or constitutionality of the Housing Replacement Ordinance to any building or property other than 909 Congress Street.

5. It is understood and agreed by the parties to this Agreement that by entering into this Agreement, neither of the parties hereto admits or concedes the applicability or constitutionality of the Housing Replacement Ordinance as applied to this property or any other property.

6. East End and the **City** agree as follows:

(a) A material breach or threatened material breach of this Agreement may give rise to irreparable injury inadequately compensable in damages, and each party shall therefore be entitled to injunctive relief to prevent a material breach of and to enforce specifically the terms and provisions of the Agreement in any court of competent jurisdiction, in addition to any other remedy to which such aggrieved party may be entitled at law or in equity.

(b) If any non-material term, provision, promise, covenant, agreement, representation, or warranty of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the terms, provisions, promises, covenants, agreements, representations, **and** warranties shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

(c) This Agreement shall **be binding** upon and inure to the benefit of and be enforceable by each of the parties to the Agreement, and their respective legal representatives, heirs, successors, and assigns, including any grantee of the property.

(d) This Agreement contains and constitutes the entire agreement and understanding among the parties to the Agreement with respect to the subject matter

hereof, and supersedes all other prior or contemporaneous written or oral agreements, actions, statements, and understandings relating in any way whatever to the subject matter of this Agreement. The terms of this Agreement are contractual and not a mere recital and the Agreement may only be modified in writing executed by the parties hereto.

(e) This Agreement shall be governed by and enforceable under the laws of the State of Maine, and the parties to the Agreement hereby consent to the exclusive jurisdiction and venue of the federal and state courts in the State of Maine sitting in Portland with respect to any action or proceeding to enforce or implement this Agreement.

(f) This Agreement may be executed in any number of counterparts and exchanged by facsimile transmission, each of which counterpart and facsimile transmission shall be deemed an original and all of which together shall be deemed one and the same document.

6. Any and all notices relating to this Agreement shall be mailed by first class and certified mail as follows:

for East End Holdings LLC. to:

Stephen Whittier
East End Holdings LLC
P.O. Box 1029
Portland, ME 04104

and,

Daniel Rosenthal, Esq.
Verrill Dana, LLP
One Portland Square
P.O. Box 586
Portland, ME 04112-OS86

For The City to:
Corporation Counsel
City of Portland
389 Congress Street
Portland, ME 04101, and

City Manager
City of Portland
389 Congress Street
Portland, ME 04101

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be
duly executed as of _____, _____, 2005.

East End Holdings LLC

By: _____
Its: _____

City of Portland

By: _____
Joseph E. Gray, Jr.
Its City Manager

City of Portland
 Inspection Services Division
 Demolition Call List and Requirements

Site Address: 909 Congress

Owner: East Euel Holdings C.L.L.

Structure Type: Brick & Wood Frame

Contractor: Owner & David Martin.

<u>UTILITY APPROVALS</u>	<u>NUMBER</u>	<u>CONTACT NAME/DATE CONTACTED</u>
Central Maine Power	1-800-750-4000	<u>Jim Rogers 9-1-05 confirmed 1-3-06</u>
Verizon	1-800-941-9900	<u>Jenn 1-3-06</u>
Northern Utilities	797-8002 ext 6241	<u>Mart Allen 11-18-05</u>
Portland Water District	761-8310	<u>Ishihara 11-18-05</u>
Time Warner Cable Co.	253-2222	<u>Don Johnson 1-3-06</u>
Dig Safe ***	1-888-344-7233	<u># 2005 480 1414</u>

*****(After Call, There is a wait of 72 Business Hours before digging can begin)**

<u>CITY APPROVALS</u>	<u>NUMBER</u>	<u>CONTACT NAME/DATE CONTACTED</u>
DPW/ Traffic Division	874-8891	<u>(L. Cote) 1-20-06</u>
DPW/ Forestry Division	874-8389	<u>(J. Tarling) 1-3-06</u>
DPW/ Sealed Drain Permit	874-8822	<u>(C. Merritt) 12-3-06</u>
Building Inspections (Insp. Req'd.)	874-8703	_____
Historic Preservation	874-8726	<u>left message 1-3-06</u>
Fire Dispatcher	874-8576	<u>Jessie 1-3-06 call when starting</u>
DEP - Environmental (Augusta)	287-2651	<u>Sandy Moodu 4-10-06</u>

U.S. EPA Region 1 - No Phone call required. Just mail copy of State notification to:

Demo / Reno Clerk
 US EPA Region I (SEA)
 JFK Federal Building
 Boston, MA 02203

ADDITIONAL REQUIREMENTS:

- 1) Written Notice to Adjoining Owners: Only when written notice has been given by the Applicant to the owners of adjoining lots will a demolition permit be issued. Provide a list of those notified and a COPY of the notification sent with your completed application.
- 2) A Photo of the Structure(s) to be demolished must be submitted with your application.
- 3) Certification From an Asbestos Abatement Company that the building is asbestos-free may be required as per state law notification form attached.

I have contacted all of the necessary companies / departments as indicated above and attached all required documentation.

Signed: Stephen Watt

Date: 4-13-06



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.
GOVERNOR

MARTHAKIRKPATRICK
COMMISSIONER

Demolitions and Asbestos

To: Code Enforcement Officers and Municipal Officials
From: Ed Antz, Asbestos/Lead Hazard Prevention Program
Subject: Asbestos Issues During Building Demolitions
Date: September 2000

1) Overview

In Maine, building demolitions happen on a regular basis. Many of the demolitions occur in older buildings that are likely to contain some asbestos products, particularly in or on heating (HVAC), wall floor, and ceiling systems. These demolition projects may be happening without the proper protection of employees, the general public, and the environment. It is important to remember that state and federal laws require that owners have buildings inspected and have any asbestos products properly removed prior to demolition. The Maine DEP is forwarding this information to municipal officials in an effort to increase awareness of and compliance with applicable rules, resulting in less asbestos exposure to the general public, demolition site personnel, and the environment.

2) What Can Municipalities Do To Help?

Municipalities can greatly assist the people of Maine and the Department by joining with the DEP and the US EPA to ensure that asbestos is properly managed during demolitions. *Specifically, municipalities can hand out appropriate information, issue demolition permits only to persons who can demonstrate that they will properly handle the asbestos, and mail or fax the building demolition (BDF) report form to the Department.* The following check-off list can be used:

- A) _____ Provided "Asbestos Fact Sheet" to Applicant
- B) _____ Had applicant fill out "Building Demolition Form" (BDF)
- C) _____ **Did** not issue Demolition Permit to Applicant not answering "Yes" to three questions on BDF Form (OPTIONAL BUT SUGGESTED)
- D) _____ Municipality faxed (or mailed) BDF Form to DEP at 287-7826.

3) What Are The Rules?

Simply stated, state and federal asbestos rules and regulations require that buildings be inspected for asbestos products and have them removed prior to demolition. The inspection and removal operations must be performed by DEP-licensed companies under regulated and controlled conditions.

4) Using The Building Demolition Report Form

The purpose of this form is to ensure that an applicant has the correct information to properly remove asbestos from a building prior to demolition. The form asks three questions and records some basic information that the DEP may need during follow-up inquiries. The Form has two parts which need to be filled out by the applicant. The first section on the Form, Pre-Demolition Building Inspection and

AUGUSTA 17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017 (207) 287-7688	BANGOR 106 HOGAN ROAD BANGOR, MAINE 04401 (207) 941-4570 FAX: (207) 941-4584	PORTLAND 312 CANCO ROAD PORTLAND, MAINE 04103 (207) 822-6300 FAX: (207) 822-6303	PRESQUE ISLE 1235 CENTRAL DRIVE, SKYWAY PRESQUE ISLE, MAINE 04769-2001 (207) 764-0477 FAX: (207) 764-1533
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Maine Department of Environmental Protection

Demolition Fact Sheet

Contact: phone (207)-287-2651

This Fact Sheet provides a brief overview of the regulatory requirements pertaining to asbestos demolition activities in Maine. This document addresses the basic requirements. Should you require detailed information or have a specific question, please call (207) 287-2651.

What is Asbestos?

Asbestos is naturally occurring mineral, very strong and heat resistant, which has been made into nearly three thousand products. It is found on heating and domestic water systems (pipes, boilers, gaskets, tanks, elbows and tees), spray-on insulation (fireproofing and acoustical purposes), flooring components (vinyl tiles and linoleum) and drop-in ceiling systems (ceiling tiles). Asbestos-containing materials (ACM) are also found in building materials, such as siding (shingles or sheets) and roofing, used on the outside of buildings.

When do Maine's Asbestos Regulations apply?

Any (single) demolition activity that involves the removal of ACM in quantities greater than 3 square or 3 linear feet is subject to the requirements of 38 M.R.S.A. Title 38 Sections 1271 to 1284 (Maine statute) and Chapter 425, Asbestos Management Regulations (DEP regulation). Demolition means the tearing down or intentional burning of a building or part of a building. This includes any institutional, commercial, public, industrial or residential building. **Be advised that Maine and federal regulations require that all ACM be removed from a building (or affected portions thereof) before it is completely or partially torn down.**

What are Maine's requirements?

Maine regulations require that notification of the demolition activity be sent to the Department 10 days prior to the activity; that companies performing the removal be licensed with the Department; that individuals working for the licensed companies be certified with the Department; that the work be performed under controlled conditions (specific work practices consisting of reduced pressure enclosures and wet methods) by properly protected employees; and that inspection, project design and clearance standards (air testing) be met. Finally Maine regulations require that asbestos be properly stored in fiber-tight containers, be transported by DEP-permitted vehicles, and be disposed in a landfill licensed to accept the type of waste generated (friable or non-friable).

What are the Federal Asbestos requirements?

The federal government under the National Emissions Standards for Hazardous Air Pollutants (NESHAPs) also regulates asbestos demolitions. Specifically, the NESHAPs requires that facilities be inspected thoroughly for asbestos products, that the owner/operator notify the federal government 10 days prior to the project, and that friable asbestos (any loose, crumbly material) be removed prior to demolition. The federal government and the Department have worked out an agreement that allows notification to the Department to constitute notification to the federal government as well. All demolitions, asbestos-containing or not, must be reported, excluding residential units (<5).

Simply, What Can I Do To Be In Compliance?

As soon as possible before demolition, building owners need to hire an asbestos consultant or asbestos contractor (with consulting experience) to inspect and **make** recommendations about demolition options. An up to date list of asbestos companies is available from the Department as is technical assistance following inspection.



**Maine Department of Environmental Protection
Lead & Asbestos Hazard Prevention Program**
17 State House Station, Augusta, Me 04333-0017
Tel: (207) 287-2651 Fax: (207) 287-7826



Building Demolition Notification Form (BDNF)

Important Notice: Maine law requires the filing of this Building Demolition Notification Form prior to demolition of any building except a single-family home

1) 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.

2) 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.

3) 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.state.me.us/dep/rwm/asbestos/index.htm 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 asbestos-containing materials found? yes no no inspection or survey required (post-1980 2-4 unit)

property address: 909 Congress St. Portland, Me. 04104	building description: <input type="checkbox"/> pre-1981 residential with 2-4 units <input type="checkbox"/> post-1980 residential with 2-4 units <input type="checkbox"/> other:
asbestos survey performed by: (name & address) Ikon Environmental	asbestos inspection performed by: (name of licensed Asbestos Consultant) Same
telephone:	telephone:
property owner: (name & address) East End Holdings L.L.C. P.O. Box 10291 Portland, Me. 04104	demolition contractor: (name & address) David Martin 514 Ocean Ave #2 Portland, Me. 04103
telephone: 207-879-6081	telephone:
demolition start date: TBD	demolition end date: TBD

Stephen Whittier
Notification Submitted by: (please print)

4.13.06
Date Submitted

Help save Maine fisheries – Remove and recycle mercury thermostats and fluorescent lamps from your building prior to demolition!

ICON ENVIRONMENTAL CONSULTANTS
131 EIGHT ROD ROAD
AUGUSTA, MAINE 04330
AIR SAMPLE ANALYSIS REPORT
207-458-7143
iconenviro@aol.com

Client: East Env. Corp
773 CONYER ST
PORTLAND, ME 04104

Date: 12/22/05

Project: 909 CONYER ST

Client Ref. Number: APC-05-376

SAMPLE #	LOCATION/NAME	DURATION	AVG. FLOW RATE	LITERS	FIBER COUNT	CONCENTRATION
Blank	Static Airrange					
01	Blank	—	—	—	1/100	
01	3rd Flr	15:51-18:26	16	2400	24/1000	0.005 fibers
02	—	15:51-18:26	1			

131 Regal Road
Augusta, Maine 04330
Phone: (207) 458-7143
Fax: (207) 421-8324
Email: iconenviro@aol.com

Icon Environmental Consultants

January 4, 2006

Fast Find Corp.
773 Congress St.
Portland, Maine 04104

Re: 909 Congress St. Portland, Maine

Mr. Whittier:

Icon Environmental performed a Final Visual Evaluation and collected 8 air samples on the first, second and third floors. See work plan for quantities of material removed. Icon Air Monitor, Craig Wilson collected the samples. The evaluation was acceptable and the air samples were reported below Maine DEP and HPA clearance criteria. The air test results indicate reoccupation is acceptable.

Icon Air Analysis Sheet and Final Cleaning Checklist are attached.

Please contact us at (207) 458-7143 with any questions.

Sincerely,



Craig E. Wilson
Air Analyst, Air Monitor
Maine DEP # AA-0016, AM-0019

Cc: Abatement Professionals

.....
Cost Conscious Environmental Solutions

**ICON ENVIRONMENTAL CONSULTANTS
FINAL CLEANING CHECK LIST**

DATE: 12/22/05 TIME: 1:57 PM LOCATION: 909 Congress St
 PROJECT NAME: East Side Corp. JOB NUMBER: APC-05376
 CONTRACTOR: Abatement Professionals PROJECT MONITOR: P. Wilson

FINDINGS	YES	NA*	NO*
1. Visible ACMI removed, equipment, supplies, waste.	✓		
2. Required poly barriers in good condition (no tears).	✓		
3. Surfaces wet wiped, substrate touched to confirm.	✓		
4. Design and Notification on site.	✓		
5. Negative pressure system operating at above -0.021 in. H ₂ O	✓		
6. <u>Wall</u> , <u>ceiling</u> , <u>floor</u> , <u>pipe</u> boiler, tank, <u>fitting</u> visual pass?	✓		
7. Does containment match design?	✓		
8. Area dry for air test?	✓		
9. Has Monitor signed on containment log?			

REMARKS *(All NORA responses require further explanation)

(Indicate deficiencies and locations)

1. WAIVERS. FLOOR MATERIALS ON 1ST FLOOR. LEFT UNTIL DEMOLITION
2. STATIC CLEARANCE

Completion of post tear down visual Yes/No Pass/Fail
 Quantity of Asbestos Abated: SEE WORK PLAN

Visual Inspection: Passed ✓ Failed _____

Clearance Air Results: below 0.1 cc / ft³ Date: 12/22/05 No. of Samples 8

PROJECT SUPERINTENDENT: [Signature]
 (Signature)

ICON ENVIRONMENTAL CONSULTANTS
 Final Cleaning Check List Rev. 0485 207-425-7143, iconenviro@aol.com

WASTE SHIPMENT RECORD		DOCUMENT NUMBER:	TICKET NUMBER
05-376		A 145993	135000
1. Facility name and mailing address: Former Sportsman Grill 909 Congress Street Portland, Maine 04104		Owner's name East End Corp.	Owner's telephone no. (207) 879-6081 Owner's fax no.
2. Operator's name and address: Abatement Professionals Corp 590 County Road Westbrook ME 04092		Operator's telephone no. Operator's fax no.	
3. Waste disposal site (WDS) name: Minerva Enterprises, Inc P.O. Box 709 9000 Minerva Road Waynesburg, OH 44688 Minerva Enterprises, Inc PO Box 709 9000 Minerva Rd Waynesburg, OH 44688		WDS telephone no. 330-866-3435 WDS fax no. 330-866-3488	
4. Name and address of responsible party: Maine DEP, Augusta ME 04333		e notification was sent)	
5. Description of materials: Asbestos Plaster Debris	6. Containers No. Type Barrels	7. Total quantity cubic yd 25	
3. Special handling instructions and additional information			
Printed/typed name & title Russell Harvey Supervisor		Signature Russell Harvey	Month Day Year 12 20 05
Abatement Professionals Corp Address, telephone no. and fax no. 590 County Road Westbrook ME 04092 207-773-1276 & 207-772-1203 fax		Signature Printed/typed name & title	Month Day Year
O R T E R	11. Name of Transporter 2 (Acknowledgement of receipt of materials) Lower Transportation		Month Day Year 1 5 06
	Address, telephone no. and fax no. PO Box 2752 Scarborough, ME 041070		
W	12. Discrepancy indication space		
3. Waste disposal site owner or operator: Certification of receipt of asbestos materials covered by this manifest except as noted in item 12.			
Printed/typed name & title Sharon Perry		Signature Sharon Perry	Month Day Year 1 5 06

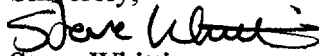
White: Generator • Yellow: Transporter 1 • Gold: WDS • Blue: Contractor • Green: Generator Copy
(White, Yellow, & Gold copies **must remain attached** until received by Facility!)

April 10, 2006

Dear East End Corp.,

As owners of the old Sportsman's Grill we are under an obligation *to* notify you that we are going to demolish the building. Please call with questions.

Sincerely,



Steve Whittier

879-6081

935 Congress St.

April 10,2006

Dear East End Corp.,

As owners of the old Sportsman's Grill we are under an obligation to notify you that we are going to demolish the building. Please call with questions.

Sincerely,



Steve Whittier

879-6081

12-14 Forest St.

Attn: Sandy Moody

From: Steve Whittier

a- pages total

Please call with questions

838-6781,

Thanks.

Steve Whittier



17 State House Station, Augusta, Me 04333-0017
 Tel: (207) 287-2651 Fax: (207)287-7826



Building Demolition Notification Form (BDNF)

Important Notice: Maine law requires the filing of this Building Demolition Notification Form prior to demolition of any building except a single-family home

1) 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.

2) 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.

3) 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.state.me.us/dep/rwm/asbestos/index.htm 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 asbestos-containing materials found? yes no no inspection or survey required (post-1980 2-4 unit)

property address: 909 Congress St. Portland, Me. 04104	building description: <input type="checkbox"/> pre-1981 residential with 2-4 units <input type="checkbox"/> post-1980 residential with 2-4 units <input type="checkbox"/> other:
asbestos survey performed by: (name & address) Ikon Environmental	asbestos inspection performed by: (name of licensed Asbestos Consultant) same
telephone: →	telephone: →
property owner: (name & address) East Bld Holdings L.L.C. P.O. Box 10291 Portland, Me. 04104 telephone: 207-879-6081	demolition contractor: (name & address) David Martin 514 Deering Av. #2 Portland, Me. 04103 telephone:
demolition start date: TBD	demolition end date: TRD

Stephen Whittier
 Notification Submitted by: (please print)

4-13-06
 Date Submitted

Help save Maine fisheries - Remove and recycle mercury thermostats and fluorescent lamps from your building prior to demolition!

All Purpose Building Permit Application for Demolition of A Structure

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 ^{Demolition} Construction: <u>909 Congress St.</u>		
Total Square Footage of Proposed Structure <u>N.A.</u>	Square Footage of Lot <u>10,938</u>	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>065 - E 030 - 001</u>	Owner: <u>East End Holdings L.L.C.</u>	Telephone: <u>879-6081</u> <u>838-6781</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>East End Corp</u> <u>P.O. Box 10291</u> <u>Portland, Me. 04104</u>	cost Of Work: <u>\$20000</u> Fee: <u>\$201.00</u>
Current use: <u>Vacant</u>		
If the location is currently vacant, what was prior use: <u>Rest. & Apts.</u>		
Approximately how long has it been vacant: <u>3-4 yrs</u>		
Project description: <u>Tear down</u>		
DEMOLITION CALL LIST MUST BE SUBMITTED WITH THIS APPLICATION		
Contractor's name, address & telephone: <u>David Martin, 514 Deering Av. #2</u> <u>Portland, Me 04103 671-2047</u>		
Whom should we contact when the permit is ready: <u>Steve Whittier 838-6781</u>		
Mailing address: <u>P.O. Box 10291 Portland 04104</u>		
Phone: <u>879-6081</u> <u>838-6781</u>		

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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: <u>Stephen Whittier</u>	Date: <u>4-13-06</u>
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This is not a permit, you may not commence ANY work until you have received INSPECTION for residential demolition. Commercial demolition will require other types of permitting. Please inquire with support staff.

389 Congress St Portland, Maine 04101 (207) 874-8703 FAX 874-8716 TTY 874-8936

APR 13 2005

RECEIVED

April 13,2006

Hi Mike,

Here is the packet. I believe everything is here. I am going away until the 20th of April and will come in and see you when I return to make sure I have given you everything. Please feel free to try me on my cell phone until noon tomorrow.

Thanks for your time,


Steve Whittier

call Bob Martin @ 329-1291
for inspection