



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION

449 FOREST AVE

CBL 111 A016002

Issued to

Forest Avenue Plaza Llc/Nelson Nash

Date of Issue

10/07/2009

**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. 09-0786, 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

Suites 12 - 14 Second Floor

APPROVED OCCUPANCY

Commerical/Yoga Studio - Change of Use with  
Tenant Fit Up.  
Use Group : B Type : 3B  
IBC 2003

Limiting Conditions:

None

This certificate supersedes  
certificate issued

Ben Wallace - PFD 2/24

Approved:

10-7-09  
\_\_\_\_\_  
(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 leasee for one dollar.

Form # P 04

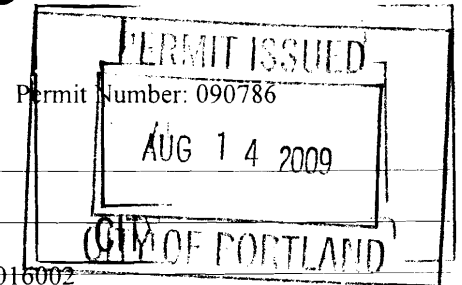
DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

BUILDING DEPARTMENT

## PERMIT

Please Read Application And Notes, If Any, Attached



This is to certify that FOREST AVENUE PLAZA L Nelson

has permission to Change of Use with Tenant Fit

AT 449 FOREST AVE

CP 111 A015002

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is lath or other work is done-in. 24 HOUR NOTICE IS REQUIRED.

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

### OTHER REQUIRED APPROVALS

Fire Dept. CHRISTOPHER NELSON

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_  
Department Name

Christy J. M. 8/14/09  
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD



**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>Permit No:</b> 09-0786	<b>Date Applied For:</b> 07/28/2009	<b>CBL:</b> 111 A016002
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<b>Location of Construction:</b> 449 FOREST AVE	<b>Owner Name:</b> FOREST AVENUE PLAZA LLC	<b>Owner Address:</b> 715 BOYLSTON ST	<b>Phone:</b> 617-266-4040
<b>Business Name:</b>	<b>Contractor Name:</b> Nelson Nash	<b>Contractor Address:</b> 22 Burnham Road Gorham	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Commercial	

<b>Proposed Use:</b> Commercial/Yoga Studio - Change of Use with Tenant Fit Up. - (2nd floor - offices 12-14)	<b>Proposed Project Description:</b> Change of Use with Tenant Fit Up.
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Ann Machado      **Approval Date:** 08/06/2009

**Note:** Space needs two parking spots. Large parking lot, ample parking,

**Ok to Issue:**

- 1) Separate permits shall be required for any new signage.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Chris Hanson      **Approval Date:** 08/14/2009

**Note:**

**Ok to Issue:**

- 1) All penetrations through rated assemblies must be protected by an approved firestop system installed in accordance with ASTM 814 or UL 1479, per IBC 2003 Section 712.
- 2) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.
- 3) Separate Permits shall be required for any new signage.

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Capt Keith Gautreau      **Approval Date:** 08/12/2009

**Note:**

**Ok to Issue:**

- 1) Fire extinguishers required. Installation per NFPA 10
- 2) All construction shall comply with NFPA 101

**Comments:**

7/28/2009-lmd: This was a stop work order placed on this job, all applicable stop work order fees have been paid.

8/5/2009-amachado: Spoke to Staurt Collins. Need right, title & interest.

8/6/2009-amachado: Received copy of lease. Applicant brought in revised plans. Changing the wall & door configuration slightly.

8/12/2009-gg: mailed issued permit to; Lockahard's Collision Center, 238-251 Riverside St., Portland ME 04102. /gg

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 09-0786	Issue Date: 8/14/09	CBL: 111 A016002
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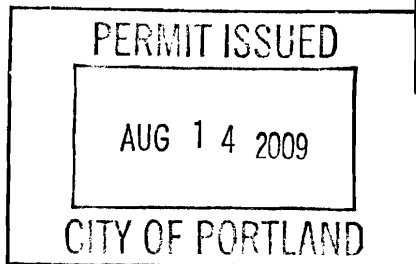
<b>Location of Construction:</b> 449 FOREST AVE	<b>Owner Name:</b> FOREST AVENUE PLAZA LLC	<b>Owner Address:</b> 715 BOYLSTON ST	<b>Phone:</b> 617-266-4040
<b>Business Name:</b>	<b>Contractor Name:</b> Nelson Nash	<b>Contractor Address:</b> 22 Burnham Road Gorham	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Commercial	<b>Zone:</b> B-2b

<b>Past Use:</b> Commercial/Podiatry Office	<b>Proposed Use:</b> Commercial/Yoga Studio - Change of Use with Tenant Fit Up. <i>2nd floor - offices 12-14</i>	<b>Permit Fee:</b> \$295.00	<b>Cost of Work:</b> \$20,000.00	<b>CEO District:</b> 1
<b>Proposed Project Description:</b> Change of Use with Tenant Fit Up.  <i>Suites 12-14</i>		<b>FIRE DEPT:</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>* See Conditions</i>	<b>INSPECTION:</b> Use Group: <i>B</i> Type: <i>3B</i> <i>IBC-2003</i>	
		Signature: <i>(KG)</i>	Signature: <i>(CQ)</i>	
<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

<b>Permit Taken By:</b> lmd	<b>Date Applied For:</b> 07/28/2009	<b>Zoning Approval</b>		
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- 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	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<input checked="" type="checkbox"/> Not in District or Landmark
<input type="checkbox"/> Wetland	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Does Not Require Review
<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Requires Review
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
<i>DK w/ conditions</i> Date: <i>8/6/09 ABM</i>	Date: _____	Date: <i>ABM</i>



**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

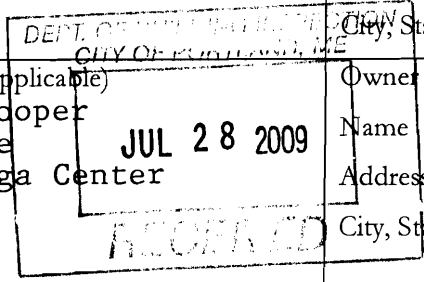
SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



# General Building 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: 449 Forest Avenue Portland, ME		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot	Number of Stories
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>111 A 016002</u>	Applicant * <u>must be owner, Lessee or Buyer*</u> Name <u>Forest Avenue Plaza, LLC</u> Address <u>715 Boylston Street</u> City, State & Zip <u>Boston, MA 02116</u>	Telephone: <u>617-266-4040</u>
Lessee/DBA (If Applicable) <u>Jennifer Cooper</u> <u>Vikki Labbe</u> <u>dba The Yoga Center</u>	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>20,000.00</u> C of O Fee: \$ _____ Total Fee: \$ _____
<p>Current legal use (i.e. single family) _____ Number of Residential Units _____</p> <p>If vacant, what was the previous use? <u>Podiatry Office</u></p> <p>Proposed Specific use: <u>Yoga Studio</u></p> <p>Is property part of a subdivision? _____ If yes, please name _____</p> <p>Project description: <u>CHANGING use with tenant fit-up</u></p>		
<p>Contractor's name: <u>Nelson Nash</u></p> <p>Address: <u>22 Burnham Road</u></p> <p>City, State &amp; Zip <u>Gorham, ME 04038</u> Telephone: <u>207-807-6764</u></p> <p>Who should we contact when the permit is ready: <u>Stuart Collins</u> - Telephone: <u>207-615-3680</u></p> <p>Mailing address: <u>127 Eben Hill Drive Portland, ME 04101</u> <u>QUESTIONS -</u></p>		



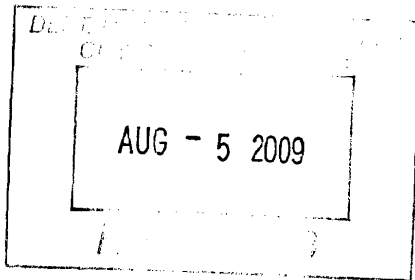
**Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.**

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information 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: [Signature] Date: 7/21/09

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



## STANDARD FORM COMMERCIAL LEASE


1. PARTIES Forest Avenue Plaza LLC, LESSOR, which expression shall include its heirs, successors, and assigns where the context so admits, does hereby lease to Jennifer Cooper and Vicky Labbe d/b/a The Yoga Center.
2. PREMISES LESSEE, which expression shall include its successors, executors, administrators, and assigns where the context so admits, and the LESSEE hereby leases the following premises: approximately 2,935 square feet located in the building upon the property owned by lessor and known as and numbered 449 Forest Avenue Shopping Plaza, Portland, Maine, together with the right to use in the common, with others entitled thereto, the hallways, stairways, and the elevators, necessary for access to aid leased premises, and lavatories thereto.
3. TERM The term of this lease shall be for five (5) years commencing on September 1, 2009 and ending on August 31, 2014.
4. RENT The LESSEE shall pay to the LESSOR rent at the rate of \$27,589.00 per year for the first year, payable in advance in monthly installments of \$2,299.08. The LESSEE shall pay to the LESSOR rent at the rate of \$28,792.35 per year for years two through five payable in advance in monthly installments of \$2,399.36
5. SECURITY DEPOSIT Upon the execution of the lease, the LESSEE shall pay to the LESSOR the amount of \$2,399.36, which shall be held as a security for the LESSEE's performance as herein provided and refunded to the LESSEE at the end of this lease subject to the LESSEE's satisfactory compliance with the conditions hereof. LESSOR will continue to hold the original \$400.00 deposit.
6. RENT ADJUSTMENT DELETED.
7. UTILITIES The LESSEE shall pay, as they become due, all bills for electricity and other utilities (whether they are used for furnishing heating or other purposes) that are furnished to the leased premises and presently separately metered, and all bills for the fuel furnished to the separate tank servicing the leased premises exclusively. The LESSOR agrees to provide all other utility service and to furnish reasonably hot and cold water and reasonable heat and air conditioning\* (except to the extent that the same are furnished through separately metered utilities or separate fuel tanks as set forth above) to the leased premises, the hallways, stairways, elevators and lavatories during normal business hours on regular days of business of heating and air conditioning\* seasons of each year, to furnish elevator service and to light the passageways and stairways during business hours, and to furnish such cleaning service as is customary in similar buildings in said city or town, all subject to interruption due to any accident, to making repairs alterations, or improvements to labor difficulties, to trouble in obtaining fuel, electricity, service or supplies from the sources which they are usually obtained for said building, or to any cause beyond the LESSOR's control.
- LESSOR shall have no obligation to provide utilities or equipment other than the utilities and equipment within the premises as of the commencement date of this lease. In the event LESSEE requires additional utilities or equipment, the installation and the maintenance thereof shall be the LESSEE's sole obligation,

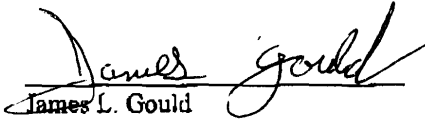
AUG - 5 2009

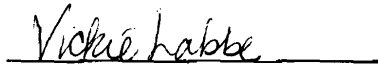
IN WITNESS WHEREOF, the said parties hereunto set their hands and seals this 6<sup>th</sup> day of August, 2009.

THE YOGA CENTER

FOREST AVENUE PLAZA LLC

  
Jennifer Cooper

  
James L. Gould  
Manager

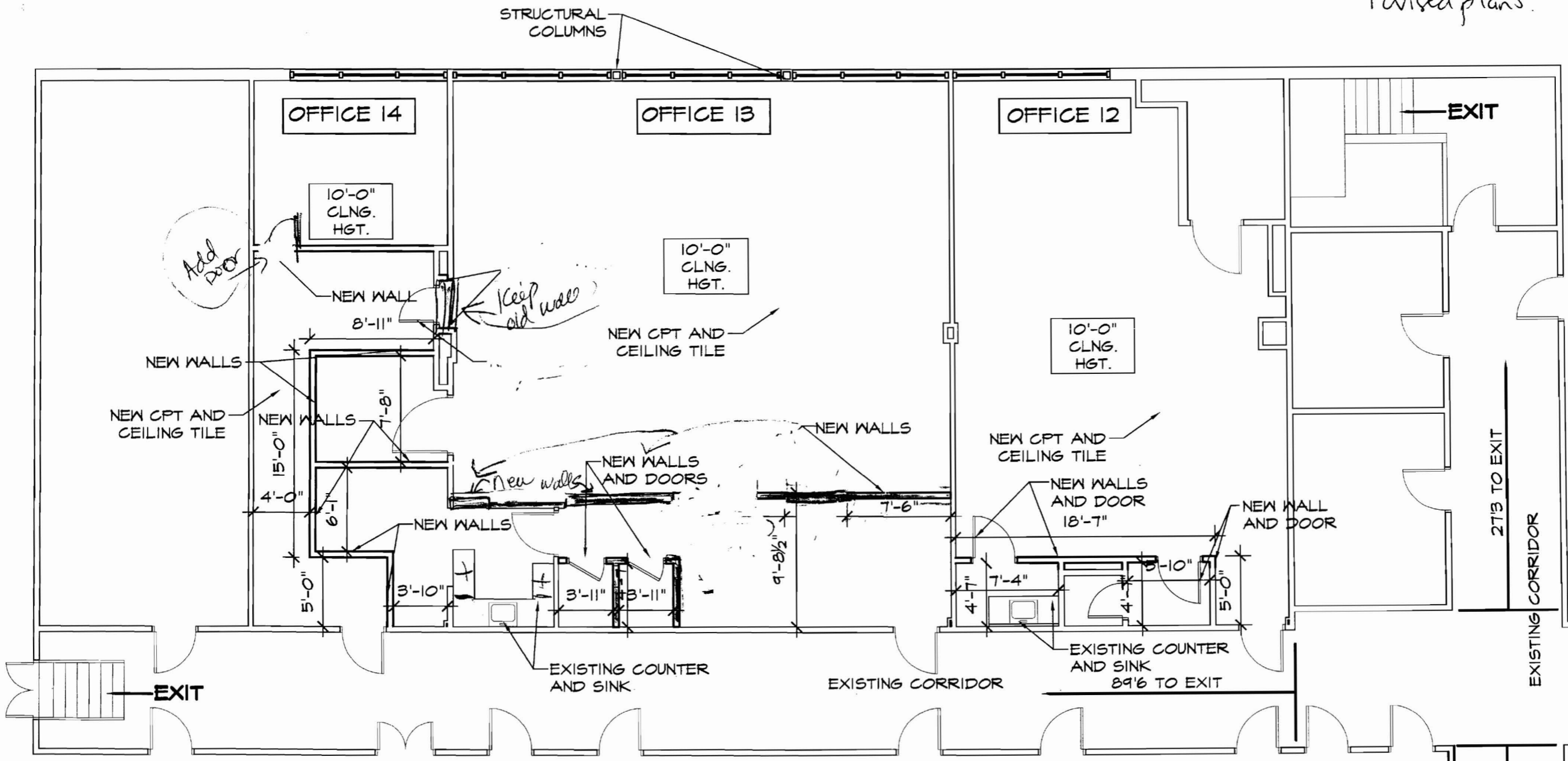
  
Vicki Labbe

AUG - 6 2009





Revised plans.



449 Forest Avenue - Offices 12-14  
PORTLAND, MAINE

TITLE  
OFFICES 12-14 NEW PLAN

© 2009 PDT Architects

JOB # 09-062  
DATE 27 JULY 2009  
SCALE 1/8"=1'-0"

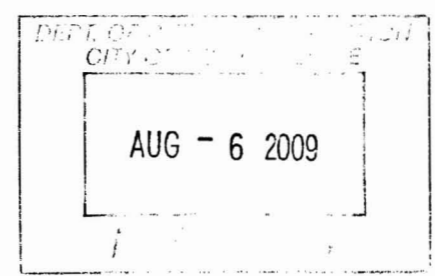
SHEET  
2/3

ARCHITECTURE  
INTERIOR DESIGN  
PLANNING  
49 DARTMOUTH STREET  
PORTLAND, MAINE 04101  
www.pdtarch.com

ARCHITECTS

NOTE: ALL NEW WALLS ARE 2X4 STUDS @ 16" O.C. (TYP).

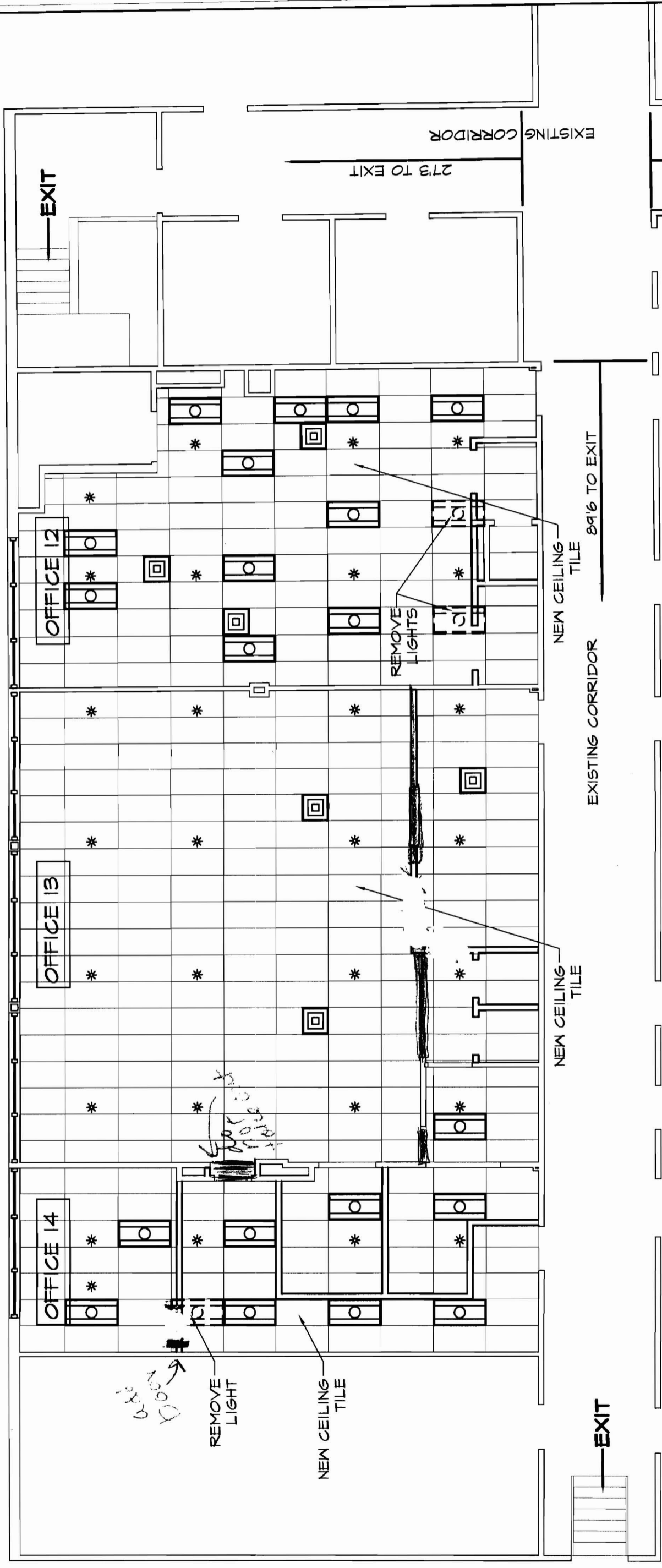
OFFICES 12-14 PLAN  
1/8"=1'-0"



LIGHTING / FIXTURES LEGEND:

	2' X 2' VENTILATION DUCT
	2' X 4' FLOURESCENT
*	SPRINKLER HEAD

*Revised plans*



NOTE: ALL REMOVED LIGHTS TO BE REPLACED W/ NEW CEILING TILE.

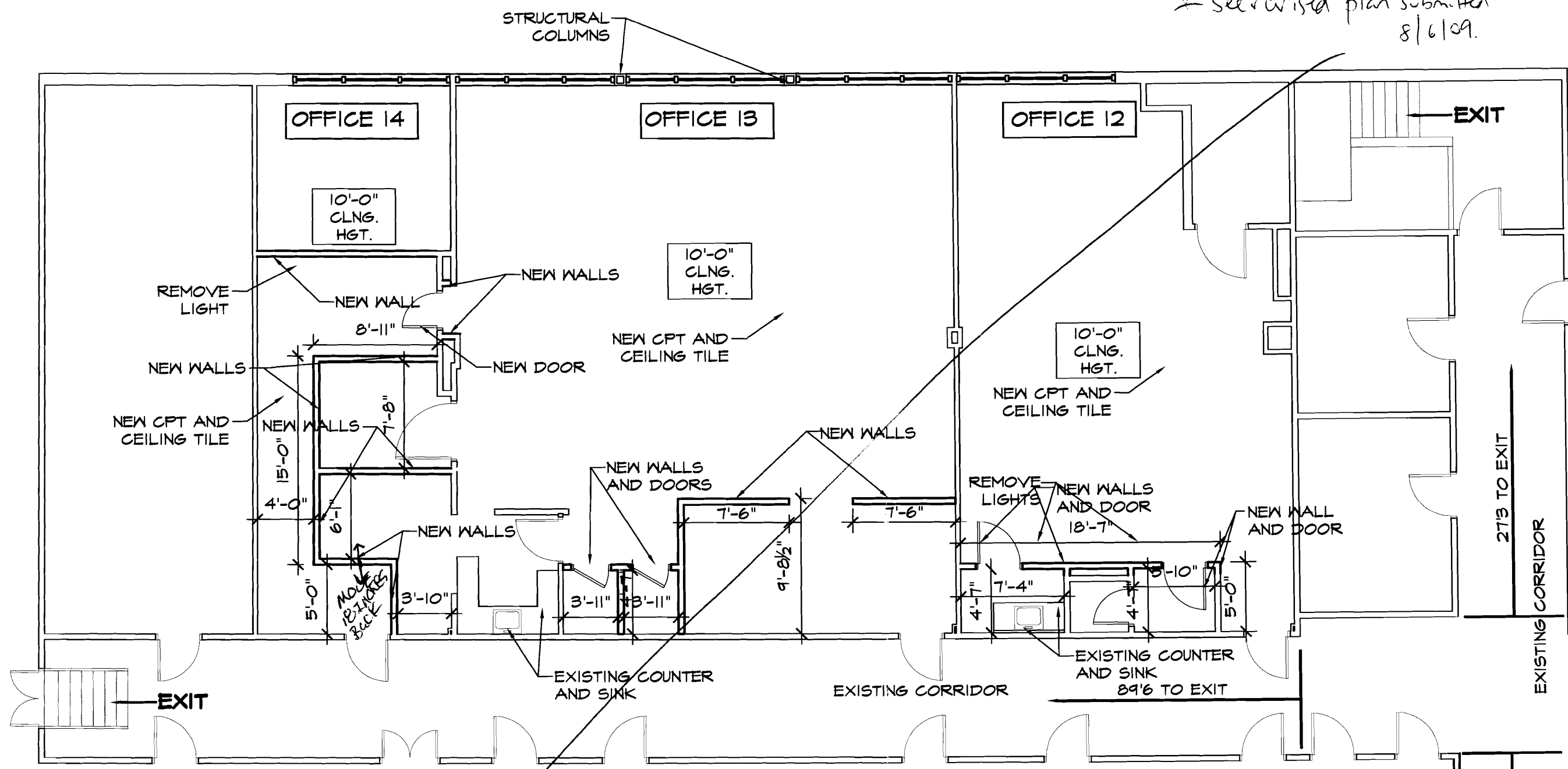
OFFICES 12-14 RCP  
1/8"=1'-0"

LIGHTING / FIXTURES LEGEND:

	2' X 2' VENTILATION DUCT
	2' X 4' FLOURESCENT
*	SPRINKLER HEAD

DEPT. OF PERMITS REGISTRATION  
CITY OF PORTLAND  
AUG - 6 2009

See revised plan submitted 8/6/09.



NOTE: ALL NEW WALLS ARE 2X4 STUDS @ 16" O.C. (TYP).

OFFICES 12-14 PLAN  
1/8" = 1'-0"

LIGHTING / FIXTURES LEGEND:

	2' X 2' VENTILATION DUCT
	2' X 4' FLOURESCENT
*	SPRINKLER HEAD

449 Forest Avenue - Offices 12-14  
PORTLAND, MAINE

TITLE  
OFFICES 12-14 NEW PLAN

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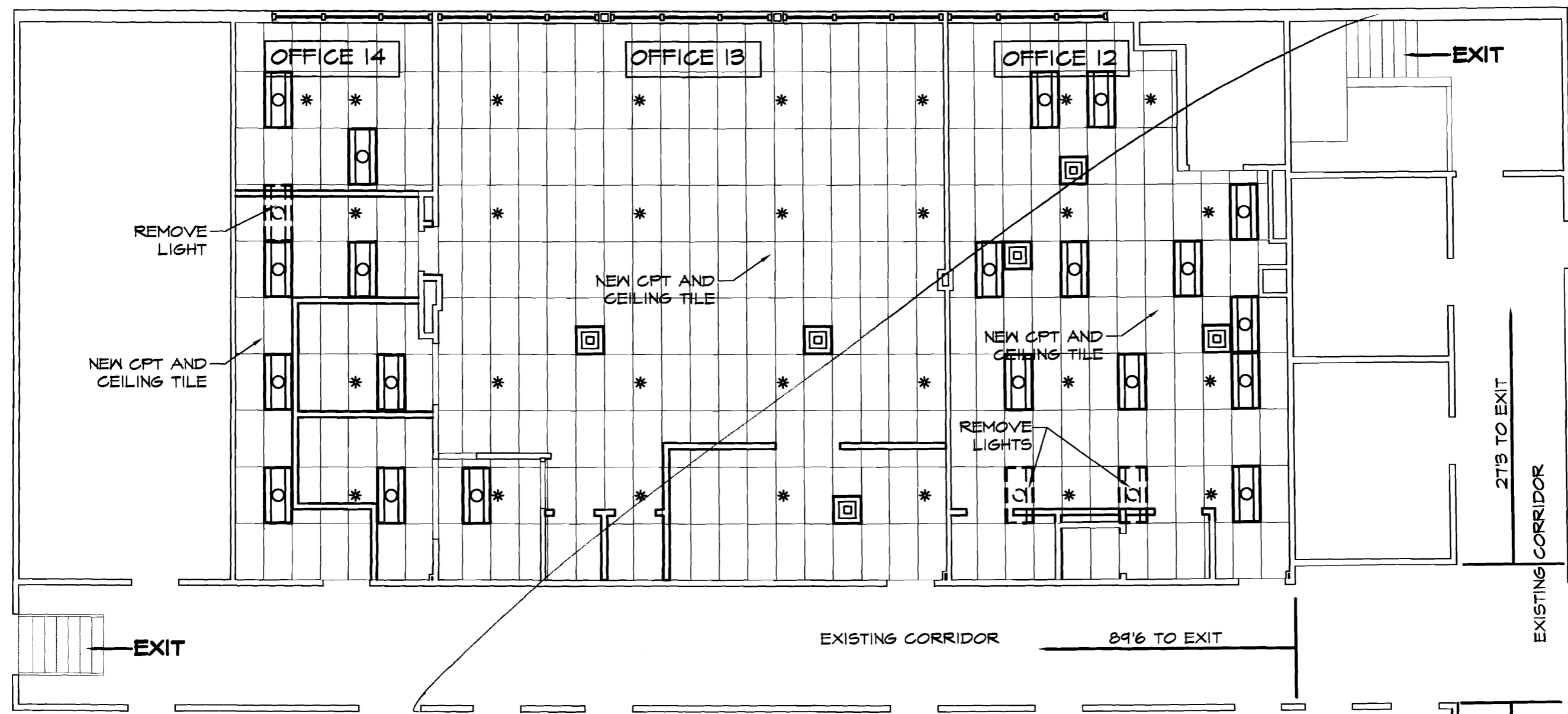
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INTERIOR DESIGN  
PLANNING  
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PORTLAND, MAINE 04101  
www.pdtarch.com

ARCHITECTS

SHEET  
2/3

JOB # 00-000  
DATE 27 JULY 2009  
SCALE 1/8"=1'-0"

See revised plan  
Submitted 8/6/09



NOTE: ALL REMOVED LIGHTS WILL  
BE REPLACED W/ CEILING TILE.

LIGHTING / FIXTURES LEGEND:

	2' X 2' VENTILATION DUCT
	2' X 4' FLOURESCENT
*	SPRINKLER HEAD

OFFICES 12-14 RCP  
1/8" = 1'-0"

449 Forest Avenue - Offices 12-14  
PORTLAND, MAINE

TITLE  
OFFICES 12-14 REFLECTED CEILING PLAN

© 2009 PDT Architects

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INTERIOR DESIGN  
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ARCHITECTS

SHEET  
3/3

JOB # 00-000  
DATE 27 JULY 2009  
SCALE 1/8"=1'-0"

9/4/09 Inspected ceiling prior to Flooding  
in all suites 12-14. Some penetrations  
of demising wall in #12 of all suites  
#(11 wall) corridor wall - to be patched by  
Stuart. OK to proceed. JMB

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9-15-09 - submittals, labels, some dry fits, inspection of work in  
Suite #15, finished in suites - some things to do.

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9-21-09 - Suite 14 not done yet. 12200 - some work done. 12200 - done.

9-22-09 - Suite 14 - some issues not done. Stop back later in day until work  
completed.

9-25-09 - Work completed on 12200. OK to resume CC. 12200.