

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

Permit No. **970514**

Location of Construction: 540 Forest Ave		Owner: Bearly in Business, Inc.		Phone:		<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: MAY 29 1997 CITY OF PORTLAND </div>			
Owner Address:		Lessee/Buyer's Name: Great Lost Bear P.O. Box 4227 Pld, ME 04104		Phone:			Business Name:		
Contractor Name:		Address:		Phone: 772-0300			Zone: CBL: 126-B-213 B7		
Past Use: Restaurant		Proposed Use: Same		COST OF WORK: \$ FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>[Signature]</i>			PERMIT FEE: \$ 25.00 INSPECTION: Use Group: Type: Signature: <i>[Signature]</i>		
Proposed Project Description: Conduct Outside Dining 1997 Season				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/> Signature: _____ Date: _____				Zoning Approval: 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"/>	
Permit Taken By: Mary Gresik		Date Applied For: 21 May 1997							

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..

[Handwritten notes and signatures]

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

SIGNATURE OF APPLICANT *[Signature]* Douglas MacConnell ADDRESS: _____ DATE: 21 May 1997 PHONE: _____

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

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

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

- Action:**
- Approved
 - Approved with Conditions
 - Denied

Date: _____

CEO DISTRICT

BUILDING PERMIT REPORT

DATE: 27 May 97 ADDRESS: 540 Forest Ave
REASON FOR PERMIT: Outside Dining
BUILDING OWNER: Bearly in Business, Inc.
CONTRACTOR: 11
PERMIT APPLICANT: 11 APPROVAL: * / *26 ~~DENIED~~

CONDITION(S) OF APPROVAL

- X1
1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
 2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
 3. Precaution must be taken to protect concrete from freezing.
 4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
 5. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of ½ inch gypsum board or the equivalent applied to the garage means of ½ inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
 6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993) U.L. 103.
 7. Guardrail & Handrails A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42" , except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect.
 8. Headroom in habitable space is a minimum of 7'6".
 9. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use group minimum 11" tread. 7" maximum rise.
 10. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
 11. Every sleeping room below the fourth story in buildings of use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft.
 12. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
 13. All vertical openings shall be enclosed with construction having a fire rating of at least one (1)hour, including fire doors with self closer's.
 14. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
 15. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 19, 920.3.2 (BOCA National Building Code/1996), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
 - In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basements
- In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)

16. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type.
17. The Fire Alarm System shall be maintained to NFPA #72 Standard.
18. The Sprinkler System shall maintained to NFPA #13 Standard.
19. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
20. All construction and demolition debris must be disposed at the City's authorized reclamation site. The fee rate is attached. Proof of such disposal must be furnished to the office of Inspection Services before final Certificate of Occupancy is issued or demolition permit is granted.
21. Section 25-135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
22. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.
23. This permit does not excuse the applicant from obtaining any license which may be needed from the City Clerk's office.
24. Ventilation shall meet the requirements of Chapter 12 Sections 1210. of the City's Building Code.
25. All electrical and plumbing permits must be obtained by a Master Licensed holders of their trade.
- X26. NO Permanent Structure shall be placed on the public way - NO DRILL or digging into the public sidewalk.
27. _____
28. _____

P. Samuel Hoffses, Chief of Code Enforcement

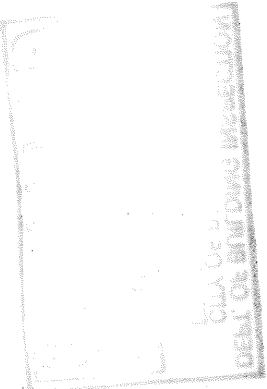
cc: Lt. McDougall, PFD
Marge Schmuckal

FOREST AVE.

18'

65'

PARKING LOT

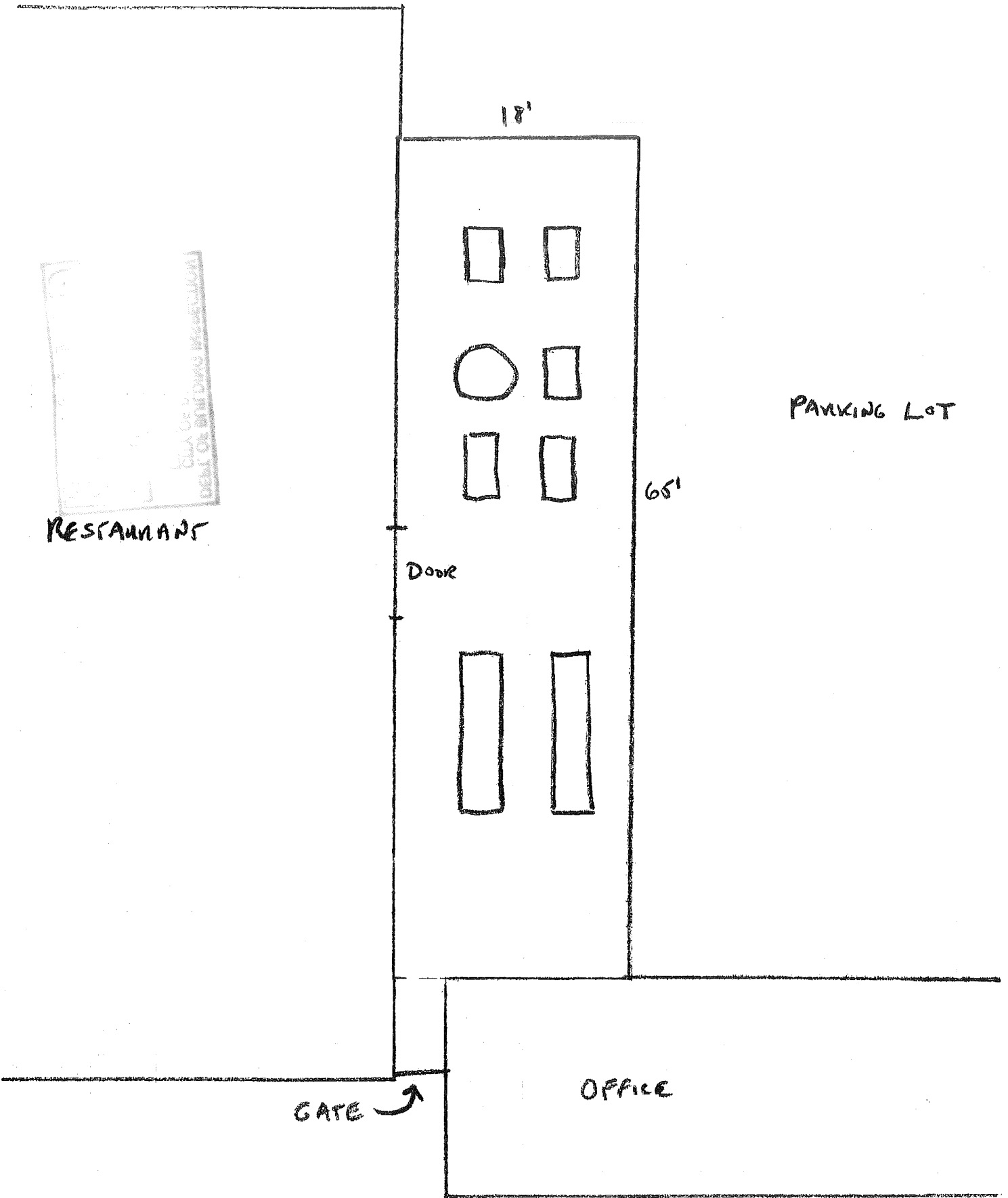


RESTAURANT

Door

OFFICE

GATE ↗



Nadeen M. Daniels
City Clerk



Meredith R. Clark
Assistant City Clerk

Dena A. Tomilson
Business License Administrator

CITY OF PORTLAND

May 19, 1997

Douglas MacConnell
Grizzly Bear, Inc.
540 Forest Avenue
Portland, ME 04103

Dear Mr. McConnell:

On April 4, 1997, I mailed you a letter informing you to the steps necessary to add outdoor seating to your city and state liquor license. Please note the following changes to that letter.

To apply for an outdoor seating permit, you must bring a site sketch of the area to be used (if previously submitted, it may be on file), a certificate of liability insurance and the minimum permit fee of \$25.00 to the Inspection Services Division in room 315 at City Hall. This permit is valid from April 15th to September 30th and it **MUST BE RENEWED EVERY YEAR.**

Once you have been approved for the permit, you must come to our office to obtain a new license with any new occupancy limit noted and must show proof that you have been issued a permit by the Inspection Services Division. The City Clerk will then issue a letter stating that the City of Portland approves of the outdoor dining area. You will need to forward this letter to the State in order for the area to be added to your State liquor license.

Should you have any questions regarding the permitting process, please call the Inspection Services Division at 874-8703. For any non-permit related questions/concerns, please feel free to call me at 874-8557.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, reading 'Dena A. Tomilson', is written over a faint, larger version of the same name.

Dena A. Tomilson
Business License Administrator

/dat
Enclosure

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)
05/21/97

<p>PRODUCER</p> <p>Clark Associates 2331 Congress Street P O Box 3543 Portland ME 04104</p>	<p>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.</p> <p style="text-align: center;">COMPANIES AFFORDING COVERAGE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">COMPANY</td> <td style="width: 90%;">A Acadia Insurance Company</td> </tr> <tr> <td>COMPANY</td> <td>B Maine Employers Mutual</td> </tr> <tr> <td>COMPANY</td> <td>C</td> </tr> <tr> <td>COMPANY</td> <td>D</td> </tr> </table>	COMPANY	A Acadia Insurance Company	COMPANY	B Maine Employers Mutual	COMPANY	C	COMPANY	D
COMPANY	A Acadia Insurance Company								
COMPANY	B Maine Employers Mutual								
COMPANY	C								
COMPANY	D								
<p>INSURED</p> <p>Grizzly Bear, Inc. DBA The Great Lost Bear P.O. Box 8227 Portland ME 04104</p>									

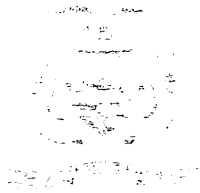
COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

GO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY	CPA1001333-10	10/24/96	10/24/97	GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PRODUCTS - COM/PROP AGG \$ 2,000,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				PERSONAL & ADV INJURY \$ 1,000,000
	OWNER'S & CONTRACTORS PROT				EACH OCCURRENCE \$ 1,000,000
					FIRE DAMAGE (Any one fire) \$ 50,000
					MED EXP (Any one person) \$ 5,000
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT \$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE \$
	GARAGE LIABILITY				ALTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY \$
	EXCESS LIABILITY				EACH OCCURRENCE \$
	<input type="checkbox"/> UMBRELLA FORM				AGGREGATE \$
	<input type="checkbox"/> OTHER THAN UMBRELLA FORM				\$
B	WORKERS COMPENSATION AND EMPLOYEES LIABILITY	1810013105	07/01/96	07/01/97	WC STATUTORY LIMITS OTHER \$
	THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				EL EACH ACCIDENT \$ 100,000
					EL DISEASE - POLICY LIMIT \$ 500,000
					EL DISEASE - EA EMPLOYEE \$ 100,000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS FOR OUTDOOR PATIO

<p>CERTIFICATE HOLDER</p> <p>CITY OF PORTLAND 389 CONGRESS STREET PORTLAND ME 04101</p>	<p>CANCELLATION</p> <p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF THE ISSUING COMPANY WILL ENDEAVOR TO MAIL <u>10</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.</p> <p>AUTHORIZED REPRESENTATIVE G Lee Ramsdell</p>
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CITY OF PORTLAND

September 12, 1996

Bob Metcalf
Mitchell & Associates
70 Center Street
Portland, ME 04101

Re: Great Lost Bear, 540 Forest Avenue

Dear Mr. Metcalf:

On September 12, 1996, the Portland Planning Authority granted minor site plan approval for the parking lot and building addition to the Great Lost Bear restaurant at 540 Forest Avenue.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

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

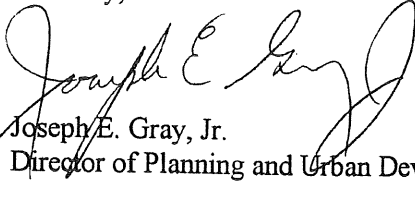
1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 1.7% of the performance guarantee and no less than \$300.00 will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.

O:\PLAN\CORRESP\SARAH\LETTERS\LOSTBEAR.JMD

5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

If there are any questions, please contact the Planning Staff.

Sincerely,



Joseph E. Gray, Jr.
Director of Planning and Urban Development

cc: Alexander Jaegerman, Chief Planner
Sarah Hopkins, Senior Planner
P. Samuel Hoffses, Chief of Building Inspections
Marge Schmuckal, Zoning Administrator
George Flaherty, Director of Environmental/Intergovernmental Services
Kathi Staples PE, City Engineer
Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Mary Gresik, Building Permit Secretary
Kathleen Brown, Assistant Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

MITCHELL & ASSOCIATES

LANDSCAPE ARCHITECTS

August 22, 1996

Ms. Sarah Hopkins, Senior Planner
Planning Department
City of Portland
389 Congress Street
Portland, Maine 04101

RE: GREAT LOST BEAR RESTAURANT

Dear Sarah:

On behalf of the applicant, Bearly in Business, we are pleased to submit a Site Plan application for the construction of an addition for new rest room facilities and conversion of a vacant building lot to a parking lot for the Great Lost Bear Restaurant. The property is located at 532-540 Forest Avenue. The applicant recently acquired the adjacent property at 532 Forest Avenue, that contained a building formerly utilized by the American Red Cross. The majority of the structure has been demolished leaving a small portion of the building (1,483 square feet) at the rear of the site.

Based upon preliminary staff review comments and discussions with city engineers, Bill Bray, Director of Public Works and yourself, we have prepared the enclosed Site Plan.

Proposed Use

- Convert the remaining 1,483 square foot building to office space for The Great Lost Bear Restaurant.
- Construct a 378 square foot 18'x21' addition onto the Great Lost Bear Restaurant for new rest rooms.
- Convert the vacant building site (slab area) to parking for the restaurant; 18 spaces for patrons and 2 designated employee spaces.
- Realign the existing wood fence around the existing outdoor eating area.

*532 Forest Ave
Great Lost Bear*

Total Land Area

- The two properties (532 and 540 Forest Avenue) together equal 17,135 square feet with the existing Great Lost Bear Restaurant totaling 6,742 square feet and the remaining proposed office conversion totaling 1,483 square feet.

Utilities

- Water and sewer for the bathroom expansion shall be extended from the existing restaurant.
- Water and sewer for the office is not proposed at this time, however, future connections would be off Ashmont Street, along the rear of Haven's Candies and the Great Lost Bear Restaurant.
- Electrical and telephone for the office shall be overhead from an existing utility pole on Forest Avenue near the proposed employee parking spaces.

Site Drainage

- The applicant proposes to install one new catchbasin in the middle of the proposed parking area to capture storm runoff. This structure will connect to the existing storm sewer located in Forest Avenue per city engineering comments.
- An existing catchbasin is located in the outdoor eating area that handles runoff from this space. The applicant wishes to maintain this storm drain system and proposes to replace the existing cast iron line under the addition if the pipe warrants replacement. They are requesting to evaluate this condition during construction. The terminus of this 4 inch cast iron pipe shall be connected to the proposed 12 inch pipe from the proposed parking lot area to avoid direct discharge to the existing catchbasin in Forest Avenue.
- The existing floor drain and oil and water separator in the old floor slab will be abandoned and plugged.

Landscaping

- Supplemental landscaping has been provided to enhance the appearance of the proposed addition, renovation and parking lot.
- Per staff review comments an additional street tree has been added.

Ms. Sarah Hopkins

Page 3

Addition and Renovation

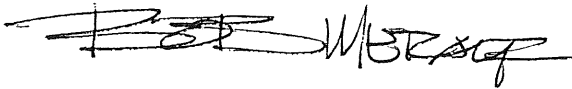
- At present, building elevations have not been prepared, however, the proposed addition is to be a wood clapboard siding with a shed roof, pitching toward the parking lot. The new wall enclosing the existing structure being converted to office space is T-111 wood siding that shall be stained.

Documentation

- Cover letter dated August 20, 1996
- Application fee of \$300.00
- Seven (7) copies of Site Plan and Site Details

Building elevations for the proposed addition shall be forthcoming under separate cover. Should you have any questions concerning this application, please do not hesitate to contact me.

Sincerely,
Mitchell & Associates

A handwritten signature in black ink, appearing to read "R. B. Metcalf". The signature is stylized and somewhat cursive.

Robert B. Metcalf

Enclosure

cc: Chip McConnell
Paul Thelin

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

Location of Construction: 540 Forest Ave		Owner: Bearly in Business, Inc.		Phone:		Permit No: 970514	
Owner Address:		Lessee/Buyer's Name: Great Lost Bear P.O. Box 8227 Portland, ME 04104		Phone:		BusinessName:	
Contractor Name:		Address:		Phone: 772-0300		Permit Issued: MAY 29 1997	
Past Use: Restaurant		Proposed Use: Same		COST OF WORK: \$		PERMIT FEE: \$ 25.00	
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type: BOCA Signature: <i>[Signature]</i>	
Proposed Project Description: Conduct Outside Dining 1997 Season				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zone: B-2 CBL: 126-B-019	
				Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Zoning Approval: <i>[Signature]</i> 5/28/97 Special Zone or Reviews: <input type="checkbox"/> Shoreland <i>not in city</i> <input type="checkbox"/> Wetland <i>land</i> <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input checked="" type="checkbox"/> major <input type="checkbox"/> minor <input type="checkbox"/> mm	
Permit Taken By: Mary Gresik		Date Applied For: 21 May 1997		Signature:		Date:	

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PERMIT ISSUED WITH REQUIREMENTS

*Call Chip 772-0300
Call for P/U*

CERTIFICATION

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

[Signature] 21 May 1997
SIGNATURE OF APPLICANT Douglas MacConnell ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

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

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

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

- Action:**
- Approved
 - Approved with Conditions
 - Denied

Date: *5/22/97*
[Signature]

CEO DISTRICT *[Signature]*
m. leary