

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

|   |  |  |  |   |  |  |  |
|---|--|--|--|---|--|--|--|
| Location of Construction:<br>853 - 865 Forest Ave. Portland |  | Owner:<br>Wholly Cow LLC.  |  | Phone:<br>(207) 775-2252  |  | Permit No: <b>990459</b>   |  |
| Owner Address:<br>111 Commercial St. Portland 04101         |  | Lessee/Buyer's Name:   |  | Phone:  |  | BusinessName:  |  |
| Contractor Name:<br>Mozogian Woodworks / Bill Nemmers       |  | Address:   |  | Phone: * 774-3683 *   |  | <b>PERMIT ISSUED</b><br><b>MAY 12 1999</b><br><b>CITY OF PORTLAND</b>  |  |
| Past Use:<br>Restaurant                                     |  | Proposed Use:<br>Same  |  | <b>COST OF WORK:</b><br>\$ 6,000.00   |  |  |  |
| Proposed Project Description:<br>Interior Renovations       |  | <b>FIRE DEPT.</b> <input checked="" type="checkbox"/> Approved<br><input type="checkbox"/> Denied<br>Signature: <i>[Signature]</i> |  | <b>INSPECTION:</b><br>Use Group: <b>A3</b> Type: <b>53</b><br>Signature: <i>[Signature]</i>   |  | <b>Zone:</b> CBL: 137-C-011  |  |
|   |  |  |  | <b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b><br>Action: <input type="checkbox"/> Approved<br><input type="checkbox"/> Approved with Conditions<br><input type="checkbox"/> Denied<br>Signature: _____ Date: _____ |  | <b>Zoning Approval:</b><br>Special Zone or Reviews:<br><input type="checkbox"/> Shoreland<br><input type="checkbox"/> Wetland<br><input type="checkbox"/> Flood Zone<br><input type="checkbox"/> Subdivision<br><input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/> |  |
| Permit Taken By:<br>S.P.                                    |  | Date Applied For:<br>May 7th, 1999   |  |   |  |  |  |

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..

\* Call For Pick-up / 884-3883  
Bill Nemmers 774-3683

**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

May 10th, 1999

SIGNATURE OF APPLICANT \_\_\_\_\_ 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

**CEO DISTRICT**

3

COMMENTS

5/27/99 Checked footing/pad for oven bases already poured.

11/27/00 Went for rough plumbing and test (w. D. Coddell) Not Ready 2/1/00 Rechecked OK.

2/12/02 Framing inspection checked Basement also. Some modification needed on interior stairs in order to meet code. (R)

- 5/8 Done - 1- BALUSTERS ON STAIRS/RAMPS MUST BE 4"
- 2- HANDRAILS REQ'D - FRONT CELLAR STAIRS & R/R STAIRS
- 3- HANDICAP RAMPS REQUIRED NON-SKID SURFACES
- 4- PENETRATIONS THROUGH CELLAR SMOKE WALLS MUST BE SEALED (FRONT & REAR SMOKE WALLS)
- 5- FLOOR DRAIN RIF CELLAR (NEAR FURNACE) MUST BE CAPPED
- 5/8 Done - 6- SUPPORT REQUIRED UNDER JOIST RIM CELLAR
- 5/8 Done - 7- STEEL BEAM SUPPORTS R/R CELLAR TO BE WELDED
- 8- PERMITS REQUIRED FOR NEW SHED & LOCATION

Done 9- AS BUILT PLANS REQUIRED FOR RECONFIGURATION OF FRONT BAR EXITING/RESTROOM EXPANSION

5/1/00 As Builts (#9 above) rec'd - submitted to Lt Mac EPSA for review (P)

5/23/00 Still Need #3 & #8 above / FSE Done - ok (R)

5/24 #8 above applied for - doesn't meet Fire Rating - CANNOT ISSUE (R)

~~1/3/01 [Signature] Currently [unclear] See permit~~

CFO Hold for Pickup ~~for most current activity~~

Notify Bill Newers  
774-3683

~~#000178~~  
Inspection Record

| Type              | Date  |
|-------------------|-------|
| Foundation: _____ | _____ |
| Framing: _____    | _____ |
| Plumbing: _____   | _____ |
| Final: _____      | _____ |
| Other: _____      | _____ |

**THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED**

**Building or Use Permit Application  
Attached Single Family Dwellings/Two-Family Dwelling  
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

**NOTE\*\*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>853-865 FOREST AVE. PORTLAND</u>   |   |   |
| Total Square Footage of Proposed Structure  |   | Square Footage of Lot                       |
| Tax Assessor's Chart, Block & Lot Number<br>Chart# <u>137</u> Block# <u>C</u> Lot# <u>11</u>  | Owner: <u>WHOLEY COW LLC</u>                    | Telephone#: <u>775-2252</u>                 |
| Owner's Address:<br><u>111 COMMERCIAL ST.<br/>PORTLAND, 04101</u>   | Lessee/Buyer's Name (If Applicable)<br><u>-</u> | Cost Of Work:<br><u>\$ 6000 \$50.00 FEE</u> |
| Proposed Project Description:(Please be as specific as possible)<br><u>INTERIOR RENOVATIONS - FOOTINGS &amp; STAIRWAY OPENINGS.</u> |   |   |
| Contractor's Name, Address & Telephone<br><u>MONAGHAN WOODWORKS. / BILL NEMMERS ARCHITECT</u><br><u>774-3683</u>                    |   |   |
| Current Use: <u>RESTAURANT</u>  | Proposed Use: <u>RESTAURANT.</u>                |   |

Separate permits are required for Internal & External Plumbing, HVAC and Electrical installation.

- All construction must be conducted in compliance with the 1996 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must Include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

*\* call for P/U  
774-3683  
Bill Nemmers*

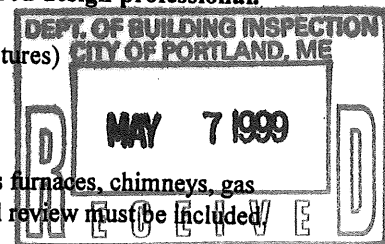
Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

**4) Building Plans**

**Unless exempted by State Law, construction documents must be designed by a registered design professional.**

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.



**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/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>William Nemmers</u> | Date: <u>May 6, 1999</u> |
|--|--------------------------|

Building Permit Fee: \$25.00 for the 1st \$1000. cost plus \$5.00 per \$1,000.00 construction cost thereafter.  
Additional Site review and related fees are attached on a separate addendum

**BUILDING PERMIT REPORT**

DATE: 11/19/19 ADDRESS: 853-865 Forest Ave CBL: 137-C-011  
 REASON FOR PERMIT: Interior Renovations  
 BUILDING OWNER: Wholly Cow LLC  
 PERMIT APPLICANT: Monaghan Woodworks Contractor  
 USE GROUP R-3 BOCA 1996 CONSTRUCTION TYPE 53

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met:

Approved with the following conditions: X (

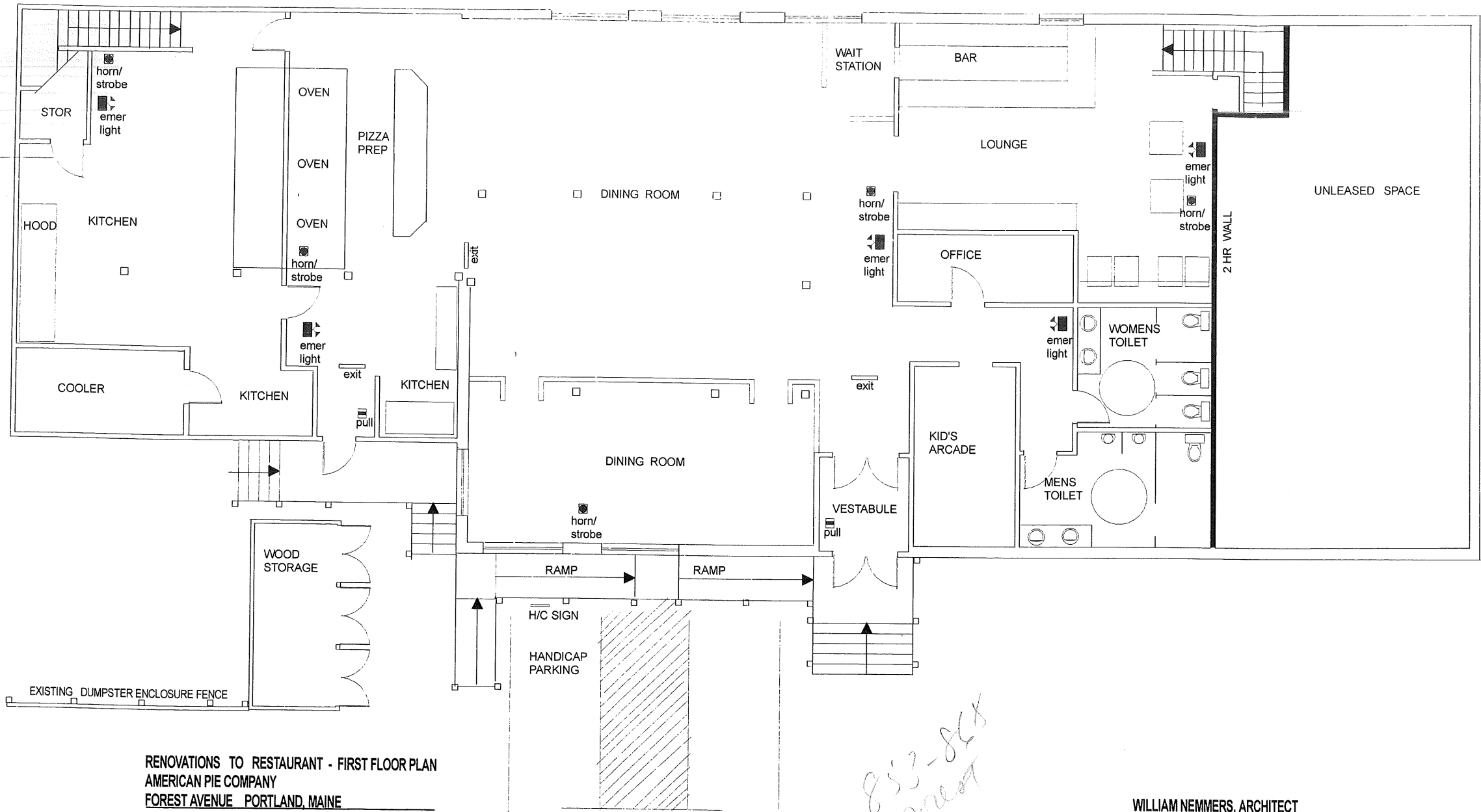
1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection)
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' o.c. between bolts. (Section 2305.17)
5. Waterproofing and damp proofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete from freezing. Section 1908.0
7. 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.
8. 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 1/2 inch gypsum board or the equivalent applied to the garage means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1996)
9. 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). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & 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. (Handrails shall be a minimum of 3e4" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38".) Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0) - Handrails shall be on both sides of stairway. (Section 1014.7)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. 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. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. 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. (Section 1018.6)
16. 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. (Section 1010.1)
17. 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. (Over 3 stories in height requirements for fire rating is two (2) hours.) (Section 710.0)

18. The boiler shall be protected by enclosing with (1)hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)
19. 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 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) Section 920.3.2.
- \*20. 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. (Section 921.0)
21. The Fire Alarm System shall maintained to NFPA #72 Standard.
22. The Sprinkler System shall maintained to NFPA #13 Standard.
23. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1996)
24. 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".
25. 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 the Division of Inspection Services.
26. Ventilation shall meet the requirements of Chapter 12 Sections 1210.0 of the City's Building Code. (Crawl spaces & attics).
- \*27. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
28. All requirements must be met before a final Certificate of Occupancy is issued.
29. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (the BOCA National Building Code/1996).
30. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993). (Chapter M-16)
31. Please read and implement the attached Land Use Zoning report requirements.
32. Boring, cutting and notching shall be done in accordance with Sections 2305.4.4, 2305.5.1 and 2305.5.3 of the City's Building Code.
33. Glass and glazing shall meet the requirements of Chapter 24 of the building code.
- \*34. The proposed cover over shall be installed as per manufacturer's requirements
35. \_\_\_\_\_
36. \_\_\_\_\_

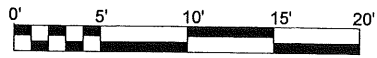
P. Samuel Hennes, Building Inspector  
 cc: M. McDougall, PFD  
 Marge Schmuckal, Zoning Administrator

PSH 12-14-98 #8mc S

\*\*On the basis of plans submitted and conditions placed on these plans any deviations shall require a separate approval.



RENOVATIONS TO RESTAURANT - FIRST FLOOR PLAN  
 AMERICAN PIE COMPANY  
 FOREST AVENUE PORTLAND, MAINE

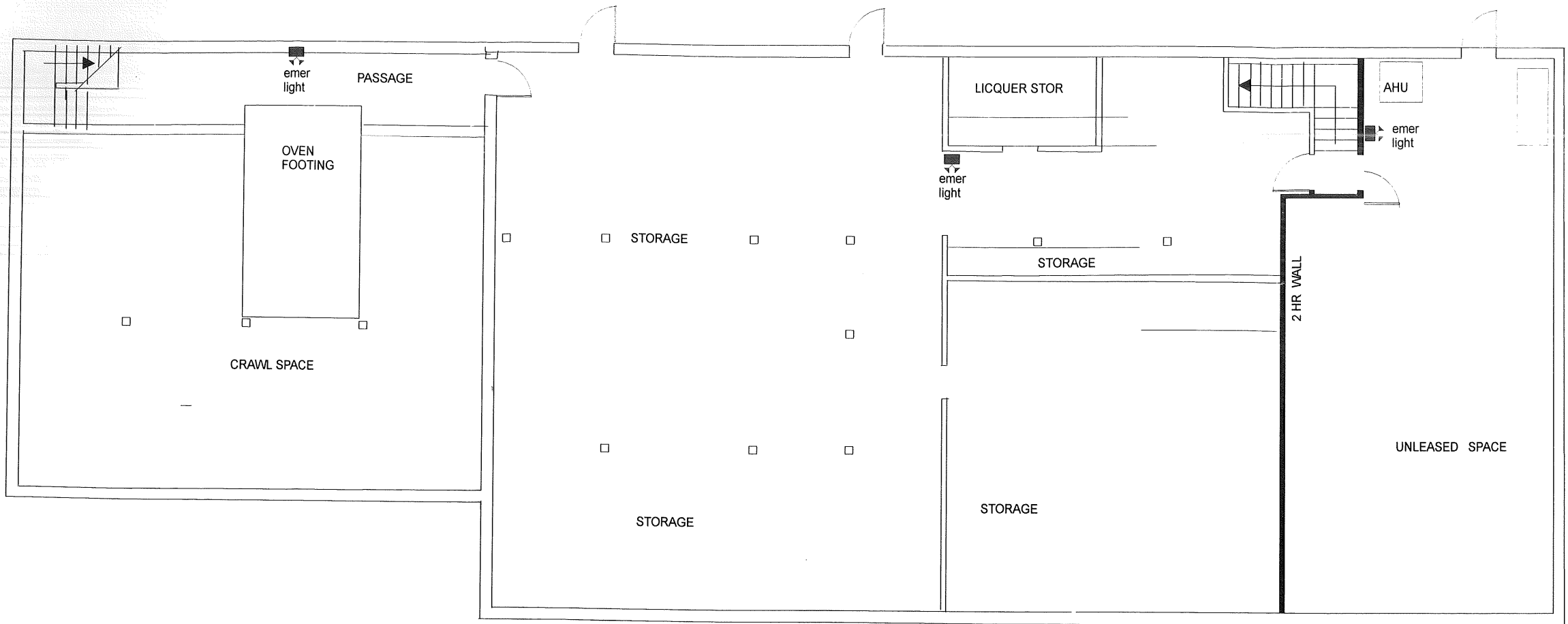


853-865. FOREST AVE  
 137.C.11

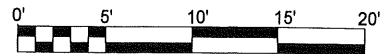
853-865  
 702007

WILLIAM NEMMERS, ARCHITECT  
 424 FORE STREET  
 PORTLAND, MAINE

04/12/2000



RENOVATIONS TO RESTAURANT - BASEMENT PLAN  
 AMERICAN PIE COMPANY  
 FOREST AVENUE PORTLAND, MAINE



WILLIAM NEMMERS, ARCHITECT  
 424 FORE STREET  
 PORTLAND, MAINE

04/12/2000