

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING INSPECTION

PERMIT

Permit Number: 060073

PERMIT ISSUED
FEB - 7 2006
CITY OF PORTLAND

This is to certify that FRENCH JAY J /n/a

has permission to Change of use: offices to food establishment (ice cream shop)

AT 796 FOREST AVE

137 E001001

provided that the person or persons who accept this permit shall comply with all of the provisions of the Statutes of this 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 opened or closed-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. Greg Cass 1-23-06

Health Dept. _____

Appeal Board _____

Other _____

Department Name

[Signature] 2/7/06
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 ISSUED | | |
| Permit No: 06-0073 | Issue Date: FEB 7 2006 | CBL: 137 E001001 |
| Owner Address: 1001 HALLOWELL RD | Phone: | |
| Contractor Address: n/a Portland | Phone: | |
| Permit Type: Change of Use - Commercial | Zone: B2c | |
| Permit Fee: \$105.00 | Cost of Work: \$105.00 | CEO District: 4 |
| FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied | INSPECTION: Use Group <i>M</i> Type: <i>5E</i> <i>2/7/06</i> | |
| Signature: <i>Jean Cass</i> | Signature: | |
| PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) | | |
| Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied | | |
| Signature: _____ Date: _____ | | |

| | |
|--|---|
| Location of Construction: 796 FOREST AVE | Owner Name: FRENCH JAY J |
| Business Name: | Contractor Name: n/a |
| Lessee/Buyer's Name | Phone: |
| Past Use: Commercial | Proposed Use: Commercial change of use: offices to food establishment (ice cream shop) |
| Proposed Project Description: Change of use: offices to food establishment (ice cream shop) | |
| Permit Taken By: dmartin | Date Applied For: 01/11/2006 |

| | | |
|--|---|--|
| 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"/> <i>OK w/ conditions</i> Date: <i>1/20/06</i> <i>ABM</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

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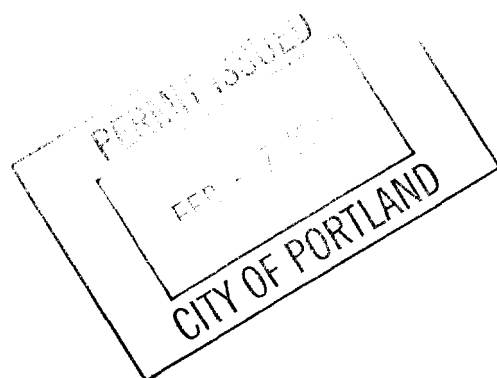
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| Permit No: 06-0073 | Date Applied For: 01/11/2006 | CBL: 137 E001001 |
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| Location of Construction: 796 FOREST AVE | Owner Name: FRENCH JAY J | Owner Address: 1001 HALLOWELL RD | Phone: |
| Business Name: | Contractor Name: n/a | Contractor Address: n/a Portland | Phone: |
| Lessee/Buyer's Name | Phone: | Permit Type: Change of Use - Commercial | |

| | |
|--|---|
| Proposed Use: Commercial change of use: offices to food establishment (ice cream shop) | Proposed Project Description: Change of use: offices to food establishment (ice cream shop) |
|--|---|

| | | | |
|---|---|---------------------------------|----------------------------------|
| Dept: Zoning | Status: Approved with Conditions | Reviewer: Ann Machado | Approval Date: 01/20/2006 |
| Note: 1/20/06 In talking with Kristie Green she explained that the business is going to be a scoop shop offering ice cream and some baked goods. She will have a maximum of 9 spaces. Since it is less than 10 seats it is considered retail and therefore she does not need to provide offstreet parking since the square footage is under 2000'. 1) Separate permits shall be required for any new signage. | | | |
| Dept: Building | Status: Approved with Conditions | Reviewer: Mike Nugent | Approval Date: 02/07/2006 |
| Note: 1) Kitchen Exhaust System plans must be submitted and approved prior to installation. | | | |
| Dept: Fire | Status: Approved with Conditions | Reviewer: Cptn Greg Cass | Approval Date: 01/23/2006 |
| Note: 1) Building shall comply with NFPA 101 Chapter 36 " New Mercantile occupancies." A copy of the code is available in Inspection's @ City Hall or, Central Fire Station. | | | |

Comments:
1/25/2006-mjn: Left message with the applicant , have many questions...accessibility, ventilation ..restroom faoilities, structural loads.....



COMMERCIAL LEASE (GROSS/MODIFIED GROSS)

1. PARTIES (fill in)

Jay French, with a mailing address of 1001 Hallowell Road, Durham, ME 04222 ("LANDLORD"), hereby leases to Kristie Green, with a mailing address of 90 Pearl Street, Portland, ME 04106 ("TENANT"), and the TENANT hereby leases from LANDLORD the below-described leased premises.

2. LEASED PREMISES (fill in and include, if applicable, suite number, floor number, and square feet)

The leased premises are deemed to contain 1,604+/- square feet. The leased premises are located at 796 Forest Avenue, Portland, ME 04101 together with the right to use, in common with other entitled thereto, the hallways, stairways, and elevators, necessary for access to said leased premises, and lavatories nearest thereto. The leased premises are accepted in "as is" condition except if specifically set forth to the contrary in this lease.

3. TERM (fill in)

The term of this lease shall be for March 1, 2006 and ending on February 10, 2009, unless sooner terminated as herein provided.

a. RENT (fill in)

TENANT shall pay to LANDLORD the following base rent:

Table with 3 columns: Lease Year, Annual Base Rent, Monthly Rent. Rows for 2006, 2007, 2008.

payable in advance in equal monthly installments on the first day of each month during the term of this Lease without deduction or setoff, said rent to be prorated for portions of a calendar month at the beginning or end of said term. all payments to be made to LANDLORD or to such agent and at such place as LANDLORD shall from time to time in writing designate, the following being now so designated N/A. If TENANT does not pay base rent, supplemental and additional rents, or other fees and charges when due pursuant to the term of this Lease, then LANDLORD, in its sole discretion, may charge, in addition to any other remedies it may have, a late charge for each month or part thereof that TENANT fails to pay the amount due after the due date. The late charge shall be equal to four percent (4%) of the amount due LANDLORD each month in addition to the rent then due.

5. RENEWAL OPTION (fill in or delete)

So long as TENANT has not been in default of this lease during the term hereof, TENANT shall have the option to renew this lease for (2) 3 year terms. In order to exercise TENANT'S option, TENANT shall notify LANDLORD in writing by Certified or Registered Mail of its intention to exercise its option on or before six (6) months prior to the end of the then current term, said renewal to be upon the same terms and conditions set forth in this Lease except for base rent which shall be as follows:

Table with 3 columns: Lease Year(s), Annual Base Rent, Monthly Rent. Rows for tbd.

In the event that TENANT fails to perform its obligations under this Section, time being of the essence, the option shall be deemed not to have been exercised.

6. SECURITY DEPOSIT (fill in)

Upon the execution of this Lease, TENANT shall pay to LANDLORD the amount of Two Thousand Five Hundred (\$ 2,500.00), which shall be held as a security for TENANT'S performance as herein provided and refunded to TENANT without interest at the end of this Lease subject to TENANT'S satisfactory compliance with the conditions hereof.

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Note: 1/20/06 In talking with Kristie Green she explained that the business is going to be a scoop shop offering ice cream and some baked goods. She will have a maximum of 9 spaces. Since it is less than 10 seats it is considered retail and therefore she does not need to provide offstreet parking since the square footage is under 2000'. **Ok to Issue:**

1) Separate permits shall be required for any new signage.

Dept: Building **Status:** Pending **Reviewer:** Mike Nugent **Approval Date:**
Note: **Ok to Issue:**

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Cptn Greg Cass **Approval Date:** 01/23/2006
Note: **Ok to Issue:**

1) Building shall comply with NFPA 101 Chapter 36 " New Mercantile occupancies."
A copy of the code is available in Inspection's @ City Hall or, Central Fire Station.

Comments:

1/25/2006-mjn: Left message with the applicant , have many questions...accessibility, ventilation ,restroom facoilities, structural loads.....



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.

| | | |
|---|--|--|
| 6 Ave | | |
| Total Square Footage of Proposed Structure 1,1608 | | Square Footage of Lot |
| Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 137 E 001 | Owner: Jay French | Telephone: 207-831-5020 |
| Lessee/Buyer's Name (If Applicable) Kristie Green | Applicant name, address & telephone: Kristie Green 90 Pearl St. So. Portland, ME 04106 | Cost Of Work \$ 30 Fee: \$ 105.00 C of O Fee: \$ 75 |
| <p>K _____</p> | | |
| <p style="text-align: center;">Kv _____</p> | | |

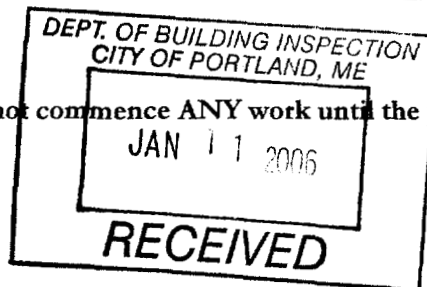
Please submit all of the information outlined in the Commercial Application Checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the fullscope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

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

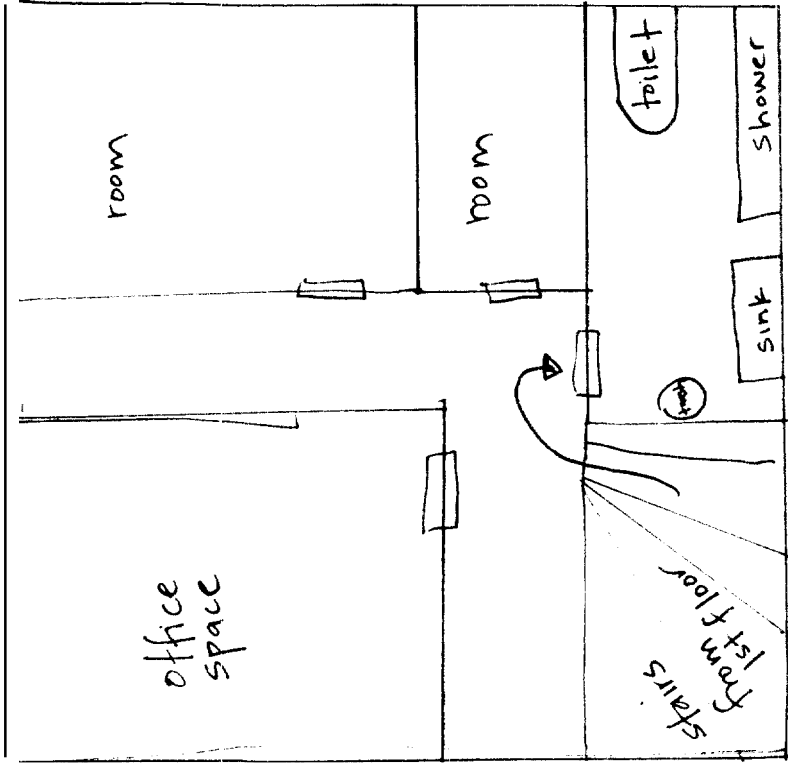
| | |
|-------------------------|----------------------|
| Signature of applicant: | Date: 1/11/06 |
|-------------------------|----------------------|

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



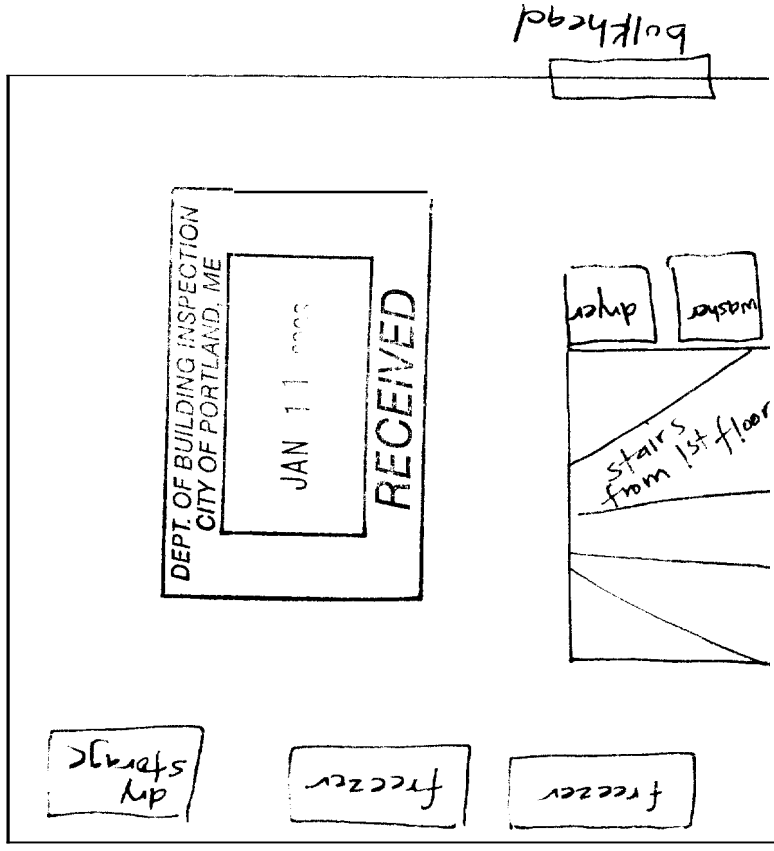
#1193

2nd floor



- only bathroom for use by staff
- lighting by overhead incandescent bulbs
- Garbage to be stored in bins outside rear of building
- inside trash will be stored in trash bins until removed.

Basement



- basement will be used for storage of packaged goods
- frozen/refrigerated foods.
- basement is dry and also accessible by bulkhead
- lighting from overhead incandescent bulbs

SITE PLAN

FOREST AVE.

→ vent vent vent

POUCH (ENCLOSED)

front ent.

HOUSE
(2 floor, 1930)

3

trash bin

car port

rear ent.

~ bucnary ~

Garage
(1 car)

HARTLEY ST.

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
JAN 11 2006
RECEIVED

- walls are wood framed & sheetrock
- ceilings are plaster and/or sheetrock

- food prepared in kitchen & adjoining food areas

- flours & dry bulk goods stored in lidded bins under counters

- packed/frozen food stored in kitchen, display freezers, & basement

- countertops are wood and stainless steel.

- lighting from windows and floor lights in all but kitchen - also an overhead light

