

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

Location of Construction: 135 Walton Street		Owner: Delta Realty LLC, 120 Exchange St.		Phone: 795-3377		Permit No: 991326
Owner Address: 120 Exchange St. Portland, ME 04101		Lessee/Buyer's Name: Oakhurst Dairy		Phone: N/A		
Contractor Name: Tim Albair		Address: 229 Congress St. Portland, ME 04101		Phone: 871-9096		Zone: CBL: 142-1-001
Past Use: Cold Storage		Proposed Use: Same		COST OF WORK: \$ 10,000 PERMIT FEE: \$ 86.00 FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group: S2 Type: 2B Signature: <i>[Signature]</i>		
Proposed Project Description: 8 doors for egress, 2 exit signs, 3 emergency lighting		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied: <input type="checkbox"/> Signature: _____ Date: _____		Historic Preservation: <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Date: _____
Permit Taken By: UB		Date Applied For: 11/24/99				

- 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..

Mail to: John Wise
 PO Box 148
 Yarmouth, ME 05096 846-3499

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

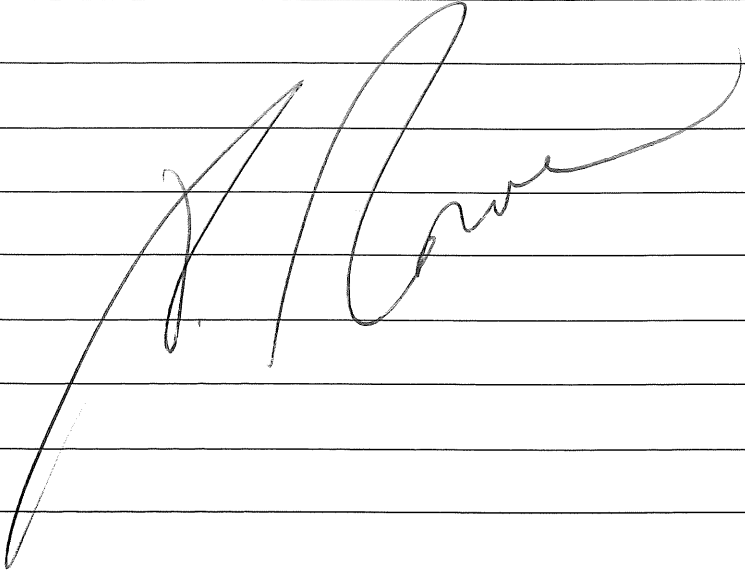
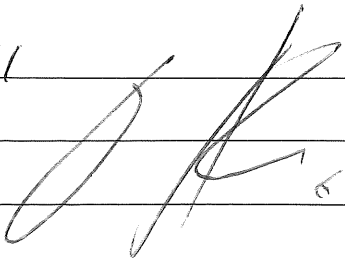
11/24/99

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

PERMIT ISSUED WITH REQUIREMENTS
 CEO DISTRICT

COMMENTS

1/22/01



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 Pre-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.

NOTEIf 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 (include Portion of Building): <i>135 Walton St. Portland Me.</i>			
Total Square Footage of Proposed Structure <i>No Change</i>		Square Footage of Lot <i>123,043</i>	
Tax Assessor's Chart, Block & Lot Number Chan# <i>142</i> Block# <i>I</i> Lot# <i>1</i>		Owner: <i>Delta Realty LLC 120 Exchange Street Portland, Me. 04101</i>	Telephone#: <i>795-3372</i>
Owner's Address: <i>120 Exchange Street Portland, Me. 04101</i>		Lessee/Buyer's Name (If Applicable) <i>Oakburst Dairy</i>	Cost Of Work: <i>\$10,000</i> Fee <i>\$86.00</i>
Proposed Project Description: (Please be as specific as possible) <i>Prepare Refrigeration area of existing Bldg. For use independent of rest of existing warehouse. Work to be done: 1. Add two remote egress doors. 2. Exit signs. 3. Emergency lighting. 4. Add full building fire alarm system. Close opening to rest of Bldg.</i>			
Contractor's Name, Address & Telephone <i>Tim Albair 229 Congress St. Portland, Me. 04101</i>			Rec'd By <i>871-9046</i>
Current Use: <i>Cold Storage</i>		Proposed Use: <i>Cold Storage</i>	

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

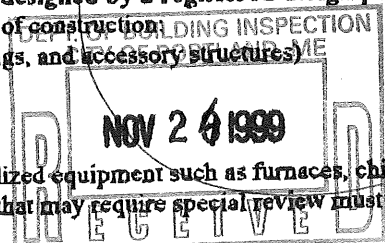
Send to
* John Wise
PO Box 148
Yarmouth 04094
846-3499

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: <i>William S. Handwerker</i>	Date: <i>11-24-99</i>
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Building Permit Fee: \$30.00 for the 1st \$1000. cost plus \$6.00 per \$1,000.00 construction cost thereafter.

Additional Site review and related fees are attached on a separate addendum

*of Jay and Hamilton Architects Inc
323 Concord St. Auburn, Me. 04210*

BUILDING PERMIT REPORT

DATE: 24 NOV. 99 ADDRESS: 135 Walton ST. CBL: 142-I-001
 REASON FOR PERMIT: 2 doors - 2 EXIT signs, 3 emergency lighting
 BUILDING OWNER: DELTA REALTY LLC
 PERMIT APPLICANT: _____ CONTRACTOR Tim Albark
 USE GROUP: S-2 CONSTRUCTION TYPE: 213 CONSTRUCTION COST: \$10,000 PERMIT FEES: \$86.00

The City's Adopted Building Code (The BOCA National Building code/1996 with City Amendments)
 The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions are met: *1, *11, *13, *27, *34
20

- *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) "**ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING.**"
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
- *11. 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 34" 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 1/4" 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 (508)mm, and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
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

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)

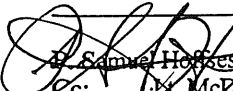
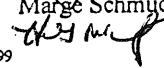
31. Please read and implement the attached Land Use Zoning report requirements.

32. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.

33. Bridging shall comply with Section 2305.16.

* 34. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2405.0)

35. All signage, shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1996).


S. Samuel Hoffes, Building Inspector
Cc: M. McDougall, PFD
Marge Schmuckal, Zoning Administrator


PSH 10/25/99

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

QUITCLAIM DEED
With Covenant

MAINE REAL ESTATE TAX PAID

KNOW ALL MEN BY THESE PRESENTS, that COOPER, INC., a Maine corporation, whose mailing address is 60 Gilman Road, Yarmouth, Maine, in consideration of One Dollar and other valuable consideration, paid by DELTA REALTY LLC, a Maine limited liability company with a mailing address of 120 Exchange Street, Portland, Maine 04101, the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever quitclaim unto the said DELTA REALTY LLC, its successors and assigns forever, the real estate described in Exhibit A, which is attached hereto and incorporated herein.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Delta Realty LLC, its successors and assigns, to its own use and behoof forever.

AND it does covenant with the Grantee, its successors and assigns, that it shall and will WARRANT AND DEFEND the premises to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

IN WITNESS WHEREOF, the said Cooper, Inc., as Grantor, has hereunto set its hand and seal this 14th day of the month of July, 1999, by its President, Anita C. Stickney.

SIGNED, SEALED & DELIVERED
in presence of

[Signature]

COOPER, INC.

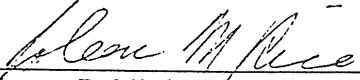
By *Anita C. Stickney*
Anita C. Stickney
Its duly authorized President

STATE OF MAINE
CUMBERLAND, ss.

July 4, 1999

Personally appeared the above-named Anita C. Stickney, President of Cooper, Inc., and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said corporation.

Before me,



~~Notary Public/Attorney at Law~~

Printed Name:

JOLEEN M. RICE
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES MAY 3, 2005

SEAL

Stickney quitclaim deed - 6-28-99

EXHIBIT A

A certain lot or parcel of land, together with the buildings thereon, to the extent owned by the Landlord, situated at the intersection of the northeasterly side of the Walton Street with the northwesterly side of Canco Road, in Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at the southeasterly corner of the premises at the intersection of the northeasterly line of Walton Street with the northwesterly line of Canco Road; thence running north forty-nine degrees twenty-one minute west (N 49° 21' W) one hundred thirty-six and thirty-one hundredths (136.31) feet to the easterly line of the location of Portland Terminal Company (formerly the location of Portland and Rochester Railroad); thence running north four degrees twenty-four minutes east (N 4° 24" E) by said line of the location of said Portland Terminal Company, five hundred twenty-four and forty-four one hundredths (524.44) feet; more or less, to the southwesterly corner of the certain lot or parcel of land conveyed by Edward L. Brown to F. Gilbert Congdon by deed dated October 23, 1945 and recorded in Cumberland County Registry of Deeds in Book 1797, Page 209; thence running south forty-four degrees forty-five minutes east (S 44° 45' E) by the southwesterly line of said land conveyed by said Edward L. Brown to F. Gilbert Congdon, four hundred seventy-three and eight on hundredths (473.08) feet, more or less, to the northwesterly line of said Canco Road; and thence running south forty-five degrees fifteen minutes west (S 45° 15' W) by said line of said Canco Road three hundred ninety and seventy-four one hundredths (390.74) feet to said line of said Walton Street and the point of beginning; excepting therefrom the premises described in the deed from H.P. Hood & Sons, Inc., to the City of Portland, dated October 21, 1946 and recorded in the Cumberland County Registry of Deeds in Book 1852, Page 284.

Being the same premises conveyed to the Grantor herein by Anita C. Stickney by deed dated December 29, 1995 and recorded in Cumberland County Registry of Deeds in Book 1232, Pages 194-196.

Stickney exhibit a to deed - 6-29-99

RECEIVED
RECORDED REGISTRY OF DEEDS

1999 JUL 15 AM 11:34

CUMBERLAND COUNTY

John B O'Brien