

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that * » 395 FORE STREET LLC

Located At 395 FORE

Job ID: 2011-08-1872-CH OF USE

CBL: 032 - - 1 - 018 - 001 - - - - -

has permission to Cange of use to restaurant

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

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD**

8/15/11

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
 - **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
 - **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**
1. Close-in inspection required prior to insulating or drywalling.
 2. Final certificate of occupancy inspection required prior to occupancy.
 3. An opening health inspection must be performed prior to opening.

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2011-08-1872-CH OF USE

Located At: 395 FORE

CBL: 032 - - I - 018 - 001 - - - -

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.
3. This property shall remain a restaurant with the issuance of this permit and subsequent issuance of a certificate of occupancy. Any change of use shall require a separate permit application for review and approval.
4. Separate permits are required for **any** new signage.

Fire

This building is 4 stories; mixed use: mercantile, business and apartments; and requires a supervised fire alarm system.

The door from the tenant into the stair(s) shall be a 1-hour fire rated assembly.

All construction shall comply with City Code Chapter 10.

Emergency lights and exit signs are required. Emergency lights and exit signs are required to be labeled in relation to the panel and circuit and on the same circuit as the lighting for the area they serve.

Fire extinguishers are required. Installation per NFPA 10.

The Fire alarm and Sprinkler systems shall be reviewed by a licensed contractor[s] for code compliance. Compliance letters are required.

A separate Fire Alarm Permit is required for new systems; or for work effecting more than 5 fire alarm devices; or replacement of a fire alarm panel with a different model.

A separate Suppression System Permit is required for all new suppression systems or sprinkler work effecting more than 20 heads.

Sprinkler protection shall be maintained. Where the system is to be shut down for maintenance or repair, the system shall be checked at the end of each day to insure the system has been placed back in service.

Building

1. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm HVAC systems, heating appliances, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
2. Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.
3. Approval of City license is subject to health inspections per the Food Code.
4. A grease trap may have to be installed based on the type of food you are preparing.
5. All framing must be steel studs and all wiring must be noncombustible.

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2011-08-1872-CH OF USE	Date Applied: 7/29/2011	CBL: 032 - -1 - 018 - 001 - - - - -	
Location of Construction: 399 FORE ST	Owner Name: * 395 FORE STREET LLC	Owner Address: PO BOX 7225 PORTLAND, ME - MAINE 04112	Phone:
Business Name: "Goberry"	Contractor Name: David Hyde @ PC Construction	Contractor Address: 133 Presumpscot Street, Portland, ME 04103	Phone: (207) 874-2323
Lessee/Buyer's Name:	Phone:	Permit Type: Change of use with alterations	Zone: B-3
Past Use: Retail clothing store	Proposed Use: Change the use from retail to a frozen Yogurt restaurant (more than 9 seats) with alterations	Cost of Work: \$33,000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: B Type: 2
Proposed Project Description: Tenant Fit-up for Yogurt Restaurant		Signature: <i>B. J. [Signature]</i> (58)	Signature: <i>IBC 09 [Signature]</i>
Permit Taken By: Lannie		Pedestrian Activities District (P.A.D.)	
		Zoning Approval	

- 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 informatin 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	<i>w/perm</i> <input type="checkbox"/> Not in Dist or Landmark
<input type="checkbox"/> Wetlands	<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
<input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
Date: <i>ok with conditions</i> <i>S 8/8/11</i>	Date:	<i>any exterior work requires a separate review and approval</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	PHON



General Building Permit Application

B-3
Heston

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>399 Fore St Portland ME 04112</u>		
Total Square Footage of Proposed Structure/Area <u>750 sq ft</u>	Square Footage of Lot	Number of Stories
Tax Assessor's Chart, Block & Lot Chart# <u>32</u> Block# <u>I</u> Lot# <u>18</u>	Applicant *must be owner, Lessee or Buyer* Name <u>David Hyde</u> Address <u>PO Box 415</u> City, State & Zip <u>Freeport, ME 04032</u>	Telephone: <u>207-671-9764</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>same</u> Address City, State & Zip	Cost Of Work: \$ <u>33,000</u> C of O Fee: \$ <u>75</u> Total Fee: \$ <u>445.00/1.00</u>
Current legal use (i.e. single family) <u>retail</u> Number of Residential Units <u>0</u> If vacant, what was the previous use? Proposed Specific use: <u>FROZEN yogurt restaurant</u> Is property part of a subdivision? _____ If yes, please name _____ Project description: <u>Build out to transform from a clothing store to a frozen yogurt restaurant</u>		
Contractor's name: <u>PC Construction Co</u> Address: <u>133 Presumpcot St</u> <u>207 874-2323</u> City, State & Zip <u>Portland ME 04103</u> Telephone: <u>X 106</u> Who should we contact when the permit is ready: <u>David Hyde</u> Telephone <u>207 671 9764</u> Mailing address: <u>PO Box 415 Freeport, ME 04032</u>		

8.4.11

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, 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: David Hyde Date: 7-29-11

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

THIS INDENTURE OF LEASE made and entered into this 26th day of July 2011 by and between 395 Fore Street, LLC, party of the first part (hereinafter referred to as "Lessor") and David A. Hyde, DBA GoBerry, party of the second part (hereinafter referred to as "Lessee").

W I T N E S S E T H

THAT Lessor for and in consideration of the rent reserved, covenants and agreements hereinafter set forth to be kept, observed and performed by Lessee, has demised and leased and does hereby demise and let unto Lessee, the following described premises situated in the City of Portland, in the County of Cumberland, State of Maine, more particularly described as follows:

DESCRIPTION: Retail space, located at 399 Fore Street, Store B, Portland, Maine 04101.

TERM TO HAVE AND TO HOLD the above-described premises (hereinafter called the "demised premises") unto the Lessee for a term of (3) years and (3) days from August 29, 2011 through August 31, 2014.

RENTAL YIELDING AND PAYING therefore the rent reserved for the first three days of One Hundred and Fifty-Four Dollars (\$154.86) payable in one installment of \$154.86 on August 29, 2011 and the rent reserved for the first year of Nineteen Thousand Two Hundred Dollars (\$19,200.00) payable in consecutive equal installments of Sixteen Hundred Dollars (\$1,600.00) each month in advance, on the first day of each and every month for the period of September 1, 2011 through August 31, 2012. The rent for the second year of the lease will be the first year's rent plus an increase equal to the average increase in the CPIU for the previous twelve months payable in equal monthly consecutive installments from September 1, 2012 through August 31, 2013. The rent for the third year of the lease will be the second's year rent plus an increase equal to the average increase in the CPIU for the previous twelve months payable in equal consecutive installments from September 1, 2013 through August 31, 2014.

LATE FEE

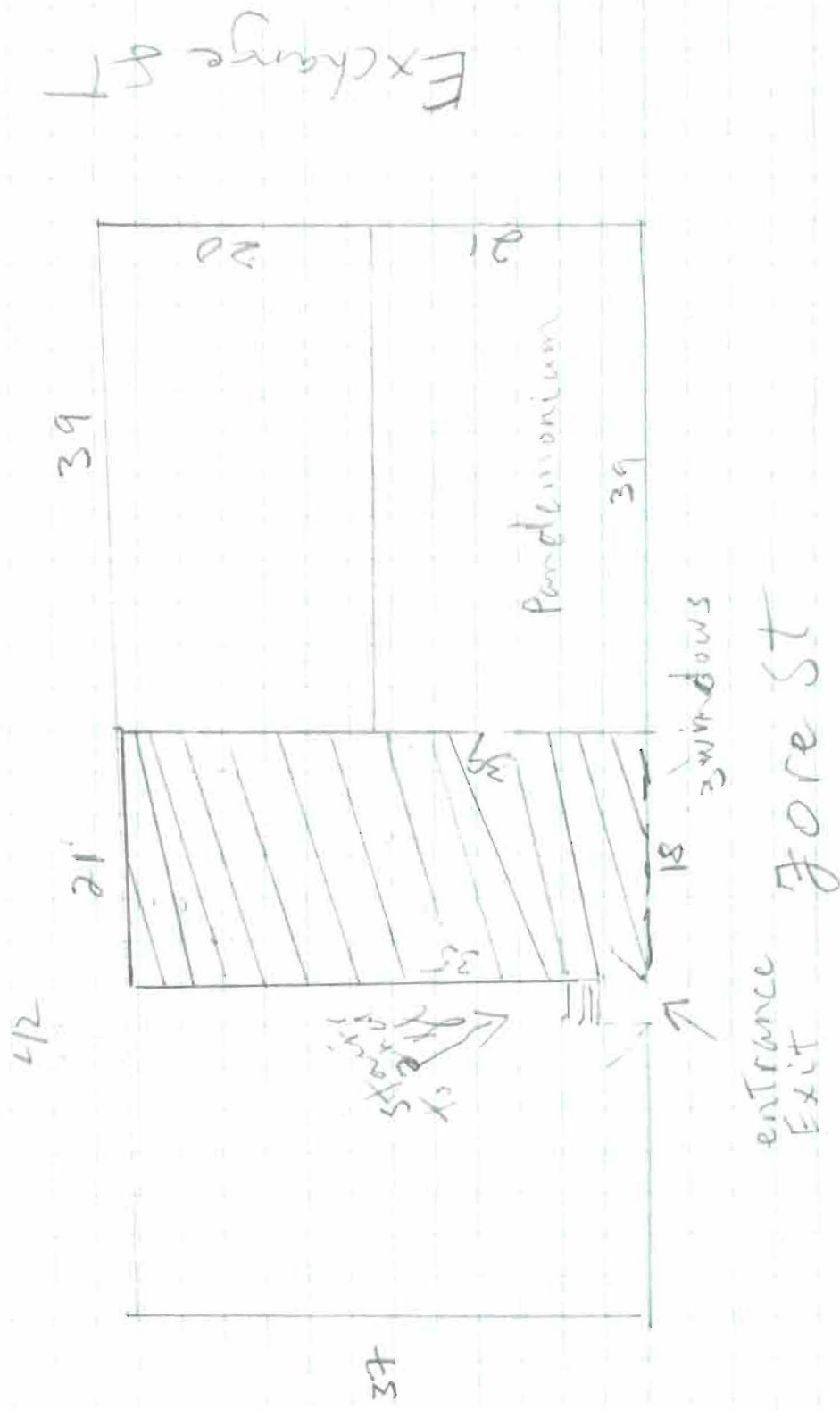
A LATE FEE of four percent (4%) of the rent amount will be added to each payment that is fifteen or more days in arrears.

COVENANTS

The parties hereto, for and in consideration of the mutual promises and agreements herein contained, covenant and agree as follows:

RENT

Lessee covenants and agrees to pay each and every installment of the rent reserved as herein specified promptly when due and without demand. In the event that the Lessee shall fail to do so, the Lessor may hand deliver a notice to Lessee at said space to terminate this lease, at Lessor's option, if the said rent and any other outstanding fees



Existing floor footprint = Planned footprint
 current shopalcohories → go Berry



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

7-29-20 11

Received from David Hyle

Location of Work 387 Fore St

Cost of Construction \$ _____ Building Fee: 350

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: 15

Total: 425

Building (IL) _____ Plumbing (I5) _____ Electrical (I2) _____ Site Plan (U2) _____

Other DI 19

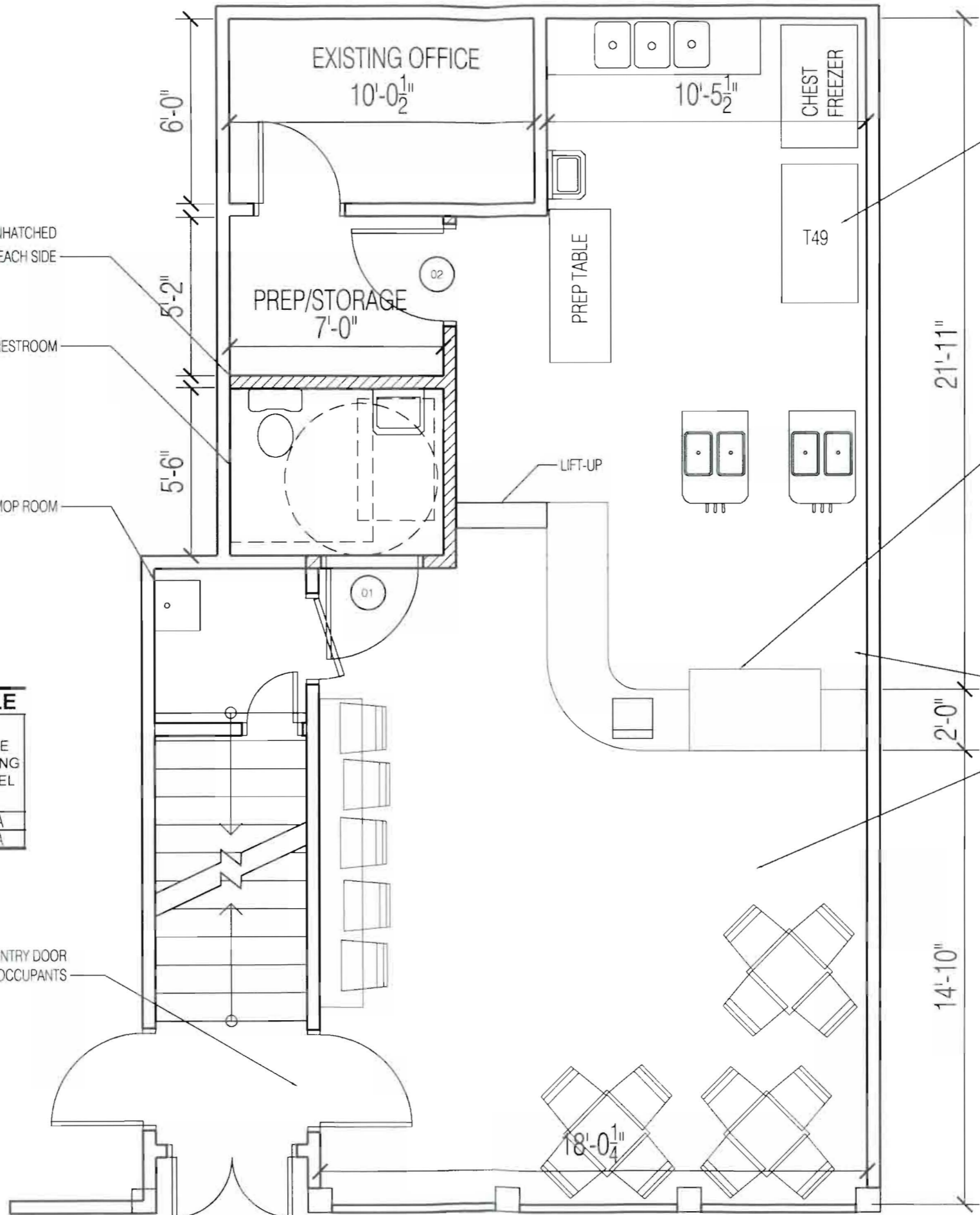
CBL: _____

Check #: _____ Total Collected \$ 425

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy



NEW PARTITIONS ARE SHOWN HATCHED
2X4 STUDS TO CEILING WITH 5/8" GWB EACH SIDE

NEW ADA COMPLIANT RESTROOM

CONVERT EXISTING WATER CLOSET TO MOP ROOM

2 DOOR REACH IN REFRIGERATOR

SALES COUNTER

NON-PUBLIC SPACE 451 SQ. FT.
BUSINESS GROUP-B, 100 SQ.FT. PER OCCUPANT
BUSINESS OCCUPANCY 5 OCCUPANTS

PUBLIC SPACE 315 SQ. FT.
ASSEMBLY A-2, UNCONCENTRATED 15 SQ.FT. NET PER O
ASSEMBLY OCCUPANCY 21 OCCUPANTS

TOTAL OCCUPANCY: 26 OCCUPANTS

CONSTRUCTION TYPE V, COMBUSTIBLE
UNSPRINKLED

EXISTING 2'-8" X 6'-8" ENTRY DOOR
IN SWING ALLOWED DUE TO LESS THAN 50 OCCUPANTS

DOOR AND FRAME SCHEDULE							
MARK	SIZE			MATL	DOOR	FRAME	FIRE RATING LABEL
	WD	HGT	THK		MATL	MATL	
1	3'-0"	6'-8"	1 3/4"	PAIN GRADE SOLID CORE WOOD	WOOD	WOOD	N/A
2	3'-0"	6'-8"	1 3/4"	PAIN GRADE SOLID CORE WOOD	WOOD	WOOD	N/A



GOBERRY FITOUT
GOBERRY, 399 FORE STREET

DATE: 7.29.2011
DRAWN BY: BB
A-1.0